

**City of Blue Lake  
Draft Planning Commission Meeting Minutes  
February 20, 2023**

**The Blue Lake Planning Commission Meeting was called to order at 7:01 p.m.**

**Commissioners Present:** Earl Eddy, Matt Schang, and Robert Chapman

**Commissioners Absent:** Richard Platz, Cort Pryor

**Staff Present:** City Manager-Planning Commission Secretary Amanda Mager and City Planner Garrison Rees

**Staff Absent:** None

**Public Present:** Lee Martin, Sam Edmonds, Dutch Morrison, Sean Bennett

**1. Approval of Minutes: November 21, 2022**

- a. Motion (Schang, Eddy) to approve November 21, 2022 minutes as written.
- b. Motion passed (3-0).

**2. Public Input on Non-Agenda Items**

- a. None.

**3. Approval of the Agenda**

- a. Motion (Chapman, Schang) to approve agenda.
- b. Motion passed (3-0).

**Discussion/ Action:**

**4. Information Only Item: Application #025-161-016/2022. Proposal by Thompson Gas LLC to locate a 30,000-gallon propane tank on APN 025-161-016. The tank will be used to fill up transport trucks that would deliver propane to residential and commercial customers in the area. Other activity at the site related to the business is proposed to include the parking of vehicles/trucks, use of a storage container for the storage of materials/supplies, use of a small portable office building for office work, and the storage of up to 50 empty propane tanks ranging in size from 120 – 1,000 gallons.**

- a. **City Planner Rees:** Presents the staff report; describes the proposal and provides an overview of the location and the permitting process. The applicant will apply for a conditional use permit, which would come before the Planning Commission for review and consideration if the applicant chooses to submit an application. Planner Rees provides an overview of the parcel's zoning and the allowable uses.
- b. **Chairman Eddy:** Asks the Thompson Gas representatives about their current operations, including their location and why they want to locate to Blue Lake.
- c. **Lee Martin (Thompson Gas):** Introduces representatives of Thompson Gas in attendance; explains that they have purchased the propane business from Redwood

Fuels; their operation currently consists of one driver and no local storage facility; they are currently filling trucks in Laytonville for Humboldt County deliveries; they have moved in to the local market and are turning away business due to capacity issues; there is enough of a local customer base to make investment in a local storage facility cost effective. They found a local property owner that has the property to accommodate their needs and is willing to lease them space; they have been looking for two years for a location, but due to constraints presented by the coastal commission and impacts from the cannabis industry, it's been difficult to find a location that can be permitted on available sites in the Humboldt Bay region. The lease with Tavis Cain is for five years; eventually we will want to purchase a property to grow the business and have a permanent location. The operation doesn't create a lot of traffic or noise; they propose to have two drivers making two trips per day. The 30,000 gallon tank would need to be filled every two weeks; this would require 3-10,000 gallon deliveries.

- d. **City Planner Rees:** As part of the CUP application submittal, we will need to see growth projections for the business during the 5-year lease term and proposed traffic impacts based upon the growth potential.
- e. **Commissioner Chapman:** Is there a similar sized tank in Humboldt County?
- f. **Sam Edmonds:** There's a tank near the Figas property in Arcata with a similar set up and another Arcata location (Amerigas) that has 2-30,000 gallon tanks.
- g. **Lee Martin:** Explains how the tank is set up.
- h. **Dutch Morrison:** The tanks are engineered, and the slab and the tank system will be designed to meet seismic standards.
- i. **City Planner Rees:** If aesthetics are raised as part of the discussion, have you considered screening or vegetation to screen the tanks?
- j. **Lee Martin:** We have to put a fence around the tank for Homeland Security standards; we can put colored slats in the fencing, plant vegetation or paint the tank a different color.
- k. **Planner Rees:** We are still waiting on comments from all of the City departments and Fire District; some of the initial comments are regarding safety bollards, stamped plans for engineered structures, and questions from Fire Marshall Ed Laidlaw, regarding fire code compliance.
- l. **Chairman Eddy:** Who are usually the biggest detractors from prior applications for large tanks; homeowners?
- m. **Lee Martin:** Usually people that have concerns over fire/explosions. Propane tanks like these don't explode like in the movies; there are safety features built-in to prevent explosions, along with regular inspections that take place.
- n. **Planner Rees:** Have you ever proposed a tank where the community wants a blast wall around the tank? Such as the case where there is affordable housing that has received funding from HUD?
- o. **Lee Martin:** We have installed concrete walls in other locations; usually in areas around gas stations.
- p. **Matthew Schang:** From an initial review, the fire code appears to have requirements for setbacks from residences for the parking of propane dispensing trucks at night. Although there's no residential development now, how would this affect future residential development in the Powers Creek District?

- q. **Dutch Morrison**: The setback requirements in the fire code are most likely referring to the unsecured parking of propane dispensing trucks on public streets. We will be storing our vehicles on private property within a fenced area that will be secured.
- r. **Lee Martin**: There are layers of safety features; the tanks do not explode, they will vent; if it catches on fire you let them vent and burn off fuel.
- s. **Planner Rees**: The City has referred the project to the Fire District and will rely on their expertise to ensure compliance with the fire code requirements such as set-backs.
- t. **Sean Bennett**: We had several of our tanks go through recent forest fires in Redwood Valley and through the Paradise Fire; we have experience with how the tanks react.
- u. **Lee Martin**: When you have the public hearing for the use permit, can we attend?
- v. **Chairman Eddy**: Yes, anyone may attend public hearings. During the future meeting we'll open up the hearing to the public for questions and allow you to provide answers.
- w. **Commissioner Schang**: Will you have a retail site where people can fill smaller tanks?
- x. **Lee Martin**: Not at this time.
- y. **Commissioner Schang**: How long will it take to bring this item back?
- z. **Planner Rees**: Planner Rees explained the process and timeframe for a use permit application. Because this use isn't specifically allowed as a principally or conditionally permitted use in the O Zone, the Commission will have to make a finding regarding the project's consistency with the zoning and the Powers Creek District. It is anticipated that issues may be raised related to noise, odor, safety, hours of operations, light impacts, and traffic impacts.

**5. Discussion: General Plan Housing Element Update..**

- a. Planner Rees provides an update on the Draft Housing Element and indicated that staff is getting close to finishing responding to the comments from HCD. Once the HCD comments have been adequately addressed, staff will complete the CEQA process. Due to the significant revisions that have been made to the Draft Housing Element, the Planning Commission will need to provide an amended recommendation to the City Council for adoption of the Housing Element Update.

**5. Miscellaneous Planner Items**

- a. **Gas Line Replacement/Paving Project**: City Manager Mager provided an update on the gas line replacement project.
- b. **Kyle Boughton Project**: A revised plan has been submitted and will be presented to the Commission at a future date.
- c. **Ryan Rousseau Project**: The Rousseau's have submitted plans for the next phase of their development in the Powers Creek District; this item will be presented to the Commission at a future date.
- d. **Blue Lake Bike Park**: City Manager Mager provided an update.

**6. Upcoming Planning Commission Meetings for the next 3 months will be on March 20<sup>th</sup>, 2023, April 17<sup>th</sup>, 2023, and May 15<sup>th</sup>, 2023.**

- a. Commissioner Schang indicated that he will not be available for the March meeting.

**7. Adjournment by 9:00 pm unless extended by the Planning Commission.**

- a. Motion (Schang, Chapman) to adjourn.
- b. Motion passed (3-0).
- c. Meeting adjourned at 8:30 p.m.



# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

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## STAFF REPORT

**DATE:** March 24, 2023

**APPLICATION #:** #025-073-007/2023

**APPLICANT:** City of Blue Lake

**PROPERTY OWNER:** City of Blue Lake

**PROJECT DESCRIPTION:** The City of Blue Lake is applying for a Conditional Use Permit and Site Plan Approval for development of a town square on parcel 025-073-007 (430 1st Avenue). Improvements proposed for the project include paving, a restroom, splash pad, wood pergola, landscaping, ADA parking, and utility improvements. Attached to this staff report is a Conceptual Site and Utilities Plan that shows the proposed site layout and improvements (see Attachment A).

**PROJECT LOCATION:** 431 1<sup>st</sup> Avenue (corner of First Avenue and G Street).

**ASSESSORS PARCEL #:** 025-073-007

**ZONING:** Retail Commercial (RC)

**GENERAL PLAN DESIGNATION:** Commercial (C)

**ENVIRONMENTAL REVIEW:** Categorically exempt per CEQA Guidelines Section 15332 (Class 32) exempting projects characterized as in-fill development and meeting the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

The project meets the criteria for the Class 32 exemption for the following reasons: 1) the proposed project is consistent with the Commercial/Retail Commercial designation/zone, which allows public parks as a conditionally permitted use; 2) the project site is less than 5 acres; 3) the project is located in the City's Downtown area and is proposed in a project footprint that does not contain habitat for endangered, rare or threatened species; 4) the project would result in a modest increase in recreational activity in the Downtown and would not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required utilities and public services.

**SITE CHARACTERISTICS/HISTORY:** The project site was vacant for many years and under private ownership. The City acquired the property in the last few years and has planned for it to be developed as a town square. The City has installed some minor improvements on the property (e.g., bus stop, landscaping, water fountain, benches), which has recently been used for community and recreational activities.

The property is located in the City's Downtown core and is surrounded by development including Dell'Arte, the Post Office, and a variety of residential and commercial uses. The property is bound to the north by 1<sup>st</sup> Avenue, to the west by G Street, to the south by a commercial/manufacturing building in disrepair, and to the east by a channelized portion of Powers Creek.

**STAFF COMMENTS:** Since this is a project proposed by the City, the various City departments worked collaboratively to develop the proposed design for the town square (see Attachment A). The comments of the various City departments have been incorporated into the application.

**GENERAL PLAN CONSISTENCY:** The project site is designated Commercial (C). For many years the City of Blue Lake has viewed this site as a potential location for a town square and recently acquired the property for this purpose. This proposal is consistent with several goals and policies in the General Plan Land Use Element, including the following:

- **General Issues – Sense of Community, Implementation b:** The City should provide recreation facilities for all ages.
- **Commercial Land Use – Developing Tourism, Policy 3:** The City should promote the development and use of those aspects of Blue Lake and its environs that are potentially of interest to residents and visitors. These include but are not limited to: recreation opportunities...
- **Commercial Land Use – Commercial Center, Goal:** To provide the community and surrounding area with a viable and attractive commercial center that will serve as a cultural hub and draw visitors as well as the business of local citizens to Blue Lake.
- **Commercial Land Use – Commercial Center, Policy 1:** The City should encourage revitalization of the Downtown area and Powers Creek District (formerly Blue Lake Business Park).
- **Commercial Land Use – Commercial Center, Policy 6:** The City should encourage cultural activities in the Downtown area and Powers Creek District, as well as the development of facilities for such activities.

- **Commercial Land Use – Appearance and Accessibility, Policy 3:** The City shall encourage the provision of common usable open space and street furniture, art installations, etc. on private lands in the Downtown and Powers Creek District.

The proposed use of the project site as a town square would implement the goals and policies regarding providing recreation opportunities and common usable open space, promoting an attractive commercial center, and encouraging the development of facilities for cultural activities. Additionally, the project would provide a public space that is central to the Downtown area and would be complimentary to the existing residential and commercial uses surrounding the site. As such, the project is found to be in compliance with the General Plan.

#### **ZONING CODE COMPLIANCE:**

The project site has a zoning classification of Retail Commercial (RC), which allows public parks and playgrounds as a conditionally permitted use. The development standards in the RC zone and other provisions of the Zoning Code (e.g., setbacks, maximum building height, ground coverage, etc.) do not specifically apply to the type of improvements that are proposed for the project (e.g., restroom, wood pergola, etc.). As such, this section does not include a discussion of the project's compliance with these standards. Regarding parking requirements, the existing on-street parking surrounding the proposed town square is considered sufficient for the proposed use as it is anticipated that many community members will walk, bike, or use transit to access the site.

In order to grant a CUP, the following additional findings must be made by the Planning Commission, which are listed in Municipal Code Section 17.28.030(F).

- A. That the proposed location of the conditional use is in accord with the objectives of Section 17.28.030(A) and the purposes of the zone in which the site is located.
- B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

Additional parkland and common usable open space in the Downtown is something that the City has encouraged in its General Plan, which has been implemented through allowing public parks as a conditionally permitted use in the RC zone. As such, it is recommended that the findings for approval of a use permit to allow the proposed use in the RC zone can be made.

#### **CITY PLANNER RECOMMENDATION:**

If the Planning Commission wishes to approve this project application, then specific findings that the project is consistent with the City's General Plan and Municipal Code should be made. Attachment B to this staff report contains draft Resolution 1-2023, which provides the findings recommended by staff for approval of the proposed project. Exhibit "A" to Resolution 1-2023 contains the Conceptual Site and Utilities Plan for the proposed town square project. Since this is a project proposed by the City, planning staff is not recommending any conditions of approval.

# Attachment A

## **Town Square - Conceptual Site and Utilities Plan**

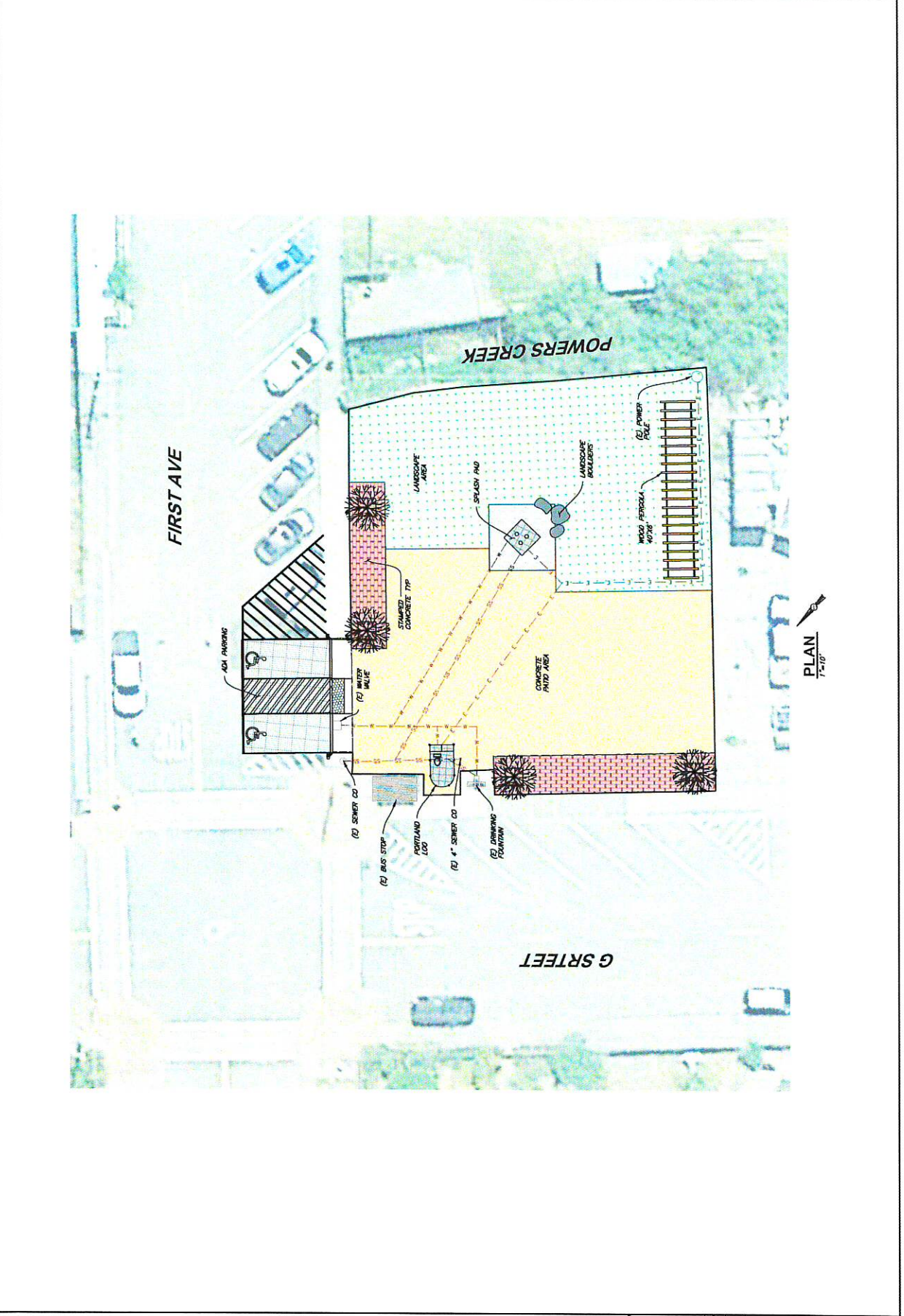


DATE: 10/2022  
 SHEET: C-2

**SITE AND UTILITIES PLAN**  
 CITY OF BLUE LAKE  
 BLUE LAKE TOWN SQUARE  
 BLUE LAKE, CALIFORNIA

NO.	DATE	REVISION

**NS**  
 135 S. MAIN ST.  
 WILLITS, CA 95990  
 (916) 528-1518  
 WWW.NS-CORP.COM  
 1" = 1'-0"



**PLAN**  
 1" = 10'

SHEET: 3/7/2023 2:50 PM JLN/ERZ, PLOTTED: 3/7/2023 2:50 PM JLN/ERZ

# Attachment B

**Resolution No. 1-2023**

## RESOLUTION NO. 1-2023

### RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BLUE LAKE APPROVING A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL APPLICATION FOR THE CITY OF BLUE LAKE TO ALLOW DEVELOPMENT OF A TOWN SQUARE IN THE RETAIL COMMERCIAL (RC) ZONE

**WHEREAS**, the City of Blue Lake filed a Conditional Use Permit and Site Plan Approval application dated March 8, 2023 for development of a town square on parcel 025-073-007 (430 1st Avenue). Improvements proposed for the project include paving, a restroom, splash pad, wood pergola, landscaping, ADA parking, and utility improvements. A Conditional Use Permit and Site Plan Approval are required to allow the proposed uses in the Retail Commercial (RC) zone. Application materials provided by the City include a Conceptual Site and Utilities Plan illustrating the proposed improvements for the project;

**WHEREAS**, City staff worked collaboratively on the proposed design for the town square and the comments of the reviewing City department have been incorporated into the application; and

**WHEREAS**, after due notice of public hearing, the matter came on for consideration before the Blue Lake Planning Commission at a special meeting on March 27, 2023;

**NOW, THEREFORE**, be it resolved by the Planning Commission of the City of Blue Lake as follows:

1. The Planning Commission finds that the project is categorically exempt pursuant to the following sections of the City's duly adopted CEQA guidelines:

A. Section 15332 (Class 32) exempting projects characterized as in-fill development when certain criteria can be met. These criteria are met by the proposed project for the following reasons: 1) the proposed project is consistent with the Commercial/Retail Commercial designation/zone, which allows public parks as a conditionally permitted use; 2) the project site is less than 5 acres; 3) the project is located in the City's Downtown area and is proposed in a project footprint that does not contain habitat for endangered, rare or threatened species; 4) the project would result in a modest increase in recreational activity in the Downtown and would not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required utilities and public services.

2. The project, as proposed and subject to existing laws and regulations, is consistent with the City of Blue Lake General Plan and Municipal Code.

3. Per Section 17.28.030(F) of the Blue Lake Municipal Code, the Planning Commission finds as follows:

A. That the proposed location of the conditional use is similar to and compatible with the uses permitted in the zone and is consistent with the purposes of the zone in which the site is located.

**RESOLUTION NO. 1-2023**

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

4. The Planning Commission of the City of Blue Lake hereby grants and approves the Conditional Use Permit and Site Plan Approval application for the City of Blue Lake to allow the development of a town square at 431 1<sup>st</sup> Avenue (APN 025-073-007), as set forth in the Conceptual Site and Utilities Plan, which is marked as Exhibit "A", attached hereto and made a part hereof.

**INTRODUCED, PASSED, AND ADOPTED** this 27<sup>th</sup> day of March 2023, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairman, Planning Commission,  
City of Blue Lake

ATTEST:

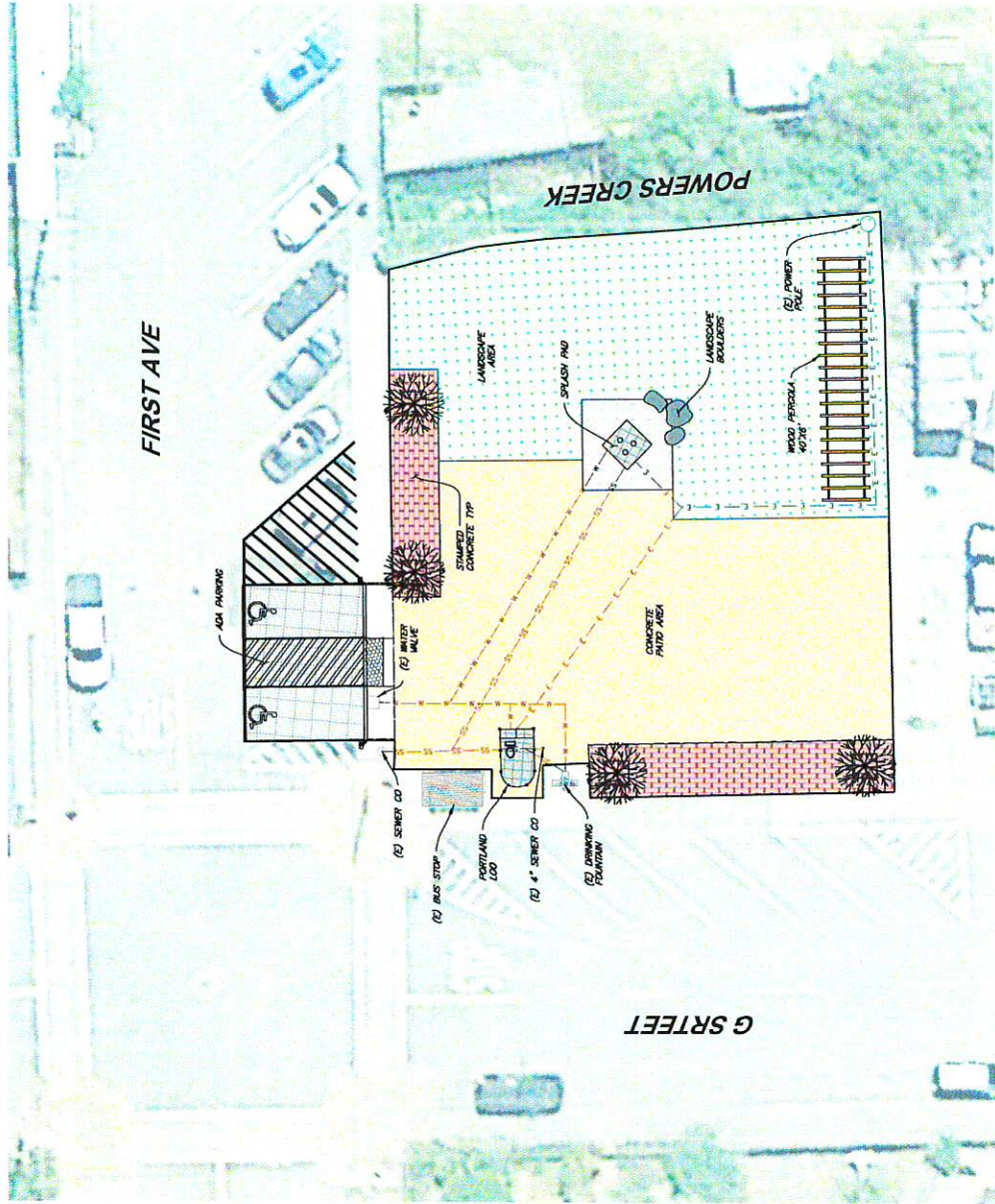
\_\_\_\_\_  
Secretary, Planning Commission

CITY OF BLUE LAKE  
BLUE LAKE TOWN SQUARE  
SITE AND UTILITIES PLAN

SHEET C-2  
DATE 10/2022  
PRJCT. NO. 222141

NO.	DATE	REVISION

135 S. MAIN ST.  
 WILMINGTON, CA 95840  
 PH: 916.438.5000  
 WWW.SIN-CA.COM  
 707-459-4518  
 S IN ONE. NOT ON THIS SHEET. ALWAYS USE THE ORIGINAL DRAWING. ORIGINAL DRAWING SCALES ACCORDANCE. VERTY SCALES



PLAN  
1"=10'

EXHIBIT "A"  
To Resolution 1-2023



# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

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## STAFF REPORT

**DATE:** March 24, 2023

**APPLICATION #:** #025-101-005, 025-132-001, 025-141-001/2023

**APPLICANT:** City of Blue Lake

**PROPERTY OWNER:** City of Blue Lake

**PROJECT DESCRIPTION:** The City of Blue Lake is applying for a Conditional Use Permit and Site Plan Approval to allow the use of several City facilities for food-related businesses including Perigot Park, Prash Hall, Rodeo Grounds, and City Hall. The purpose of the application is to allow the location of food trucks on City property and to allow existing City facilities to be used for commercial kitchens and food services.

Attached to this staff report are aerial photos of the various City properties included in the application that shows the proposed locations where food vendors would be located (see Attachment A). This includes facilities such as the Prash Hall kitchen and concession area, the serving booth in Perigot Park, the concession stand at Iorg Field, and the kitchen facility at Clemence Field. Several of these facilities have been used for food vending in the past. The attached document also includes the locations where mobile food vendors may be located.

All food vendors will be required to obtain a business license from the City and shall provide proof of compliance with the requirements of the County Division of Environmental Health. Mobile food vendors will also be required to comply with the specific requirements listed in the attached document (see Attachment A). This includes submitting a Mobile Food Vendor Permit Application for review and approval prior to operating on City property.

The City of Blue Lake reserves the right to re-assess the food vendors operation in the event that problems or issues arise. If the issues are not adequately addressed or mitigated, this may result in the revocation of the Food Vendor Permit.

**PROJECT LOCATION:** 111 Greenwood Rd (City Hall), 351 South Railroad Ave (Perigot Park), 210 Chartin Rd (Rodeo Grounds).

**ASSESSORS PARCEL #:** 025-101-005 (City Hall), 025-132-001 (Perigot Park), and 025-141-001 (Rodeo Grounds).

**ZONING:** PF or Public Facility (City Hall) and X or Open Space/Recreation Zone (Perigot Park and Rodeo Grounds).

**GENERAL PLAN DESIGNATION:** F or Facility (City Hall) and OS or Open Space (Perigot Park and Rodeo Grounds).

**ENVIRONMENTAL REVIEW:** Categorically exempt per CEQA Guidelines Section 15301 (Class 1) exempting the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This would be applicable to food vendors that would use existing City facilities in their current condition for food vending and/or proposing minor alterations that would not result in an expansion of existing or former use.

Categorically exempt per CEQA Guidelines Section 15303 (Class 3) exempting the construction and location of limited numbers of new, small facilities, or structures. This would be applicable to modifications proposed to City facilities to allow food vendors to use existing space including, but not limited to, Prash Hall and existing small structures at Perigot Park and Clemence Field.

Categorically exempt per CEQA Guidelines Section 15332 (Class 32) exempting projects characterized as in-fill development and meeting the following conditions:

- a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare or threatened species.
- d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- e) The site can be adequately served by all required utilities and public services.

The project meets the criteria for the Class 32 exemption for the following reasons: 1) the proposed project is consistent with the Facility/Public Facility and Open Space/Open Space-Recreation designations/zones, which allows commercial facilities as a conditionally permitted use; 2) the sites proposed for food vendors are located in City limits and the project footprint for food vending activity is less than 5 acres; 3) the sites proposed for food vending are developed with public and recreational facilities and do not contain habitat for endangered, rare or threatened species; 4) the project would result in a limited increase in commercial activity and would not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the sites can be adequately served by all required utilities and public services.

**SITE CHARACTERISTICS/HISTORY:** The City properties included in this application are described below:

City Hall: This site is the government center for the City and contains City Hall, the Skinner Store, Community Resource Center, a community garden space, and parking areas. As indicated in Attachment A, the parking areas at City Hall are proposed to be used for the location of mobile food vendors.

Perigot Park: This site is the main park in the City, which contains Prasch Hall, two baseball fields, a playground, a special event space, bocce ball courts, a residential unit, bathrooms, several accessory buildings, and parking areas. As indicated in Attachment A, existing facilities/spaces at Perigot Park are proposed to be used for food vending and existing parking areas are proposed to be used for the location of mobile food vendors.

Rodeo Grounds: This site contains several recreational facilities including the rodeo grounds, tennis courts, a basketball court, horseshoe pits, and parking areas. As indicated in Attachment A, parking areas at this site are proposed to be used for the location of mobile food vendors.

**STAFF COMMENTS:** Since this is a project proposed by the City, the various City departments worked collaboratively to determine appropriate locations to allow food vendors and developed the requirements for mobile food vendors and the application for a Food Vendor Permit (see Attachment A). The comments of the various City departments are incorporated into the application and the proposed requirements for food vendors.

**GENERAL PLAN CONSISTENCY:** The City properties included in this application have General Plan Designations of PF or Public Facility (City Hall) and X or Open Space/Recreation Zone (Perigot Park and Rodeo Grounds). The City of Blue Lake currently has a very small number of restaurants, food vendors, and commercial kitchens. The existing food vendors in the City are often overwhelmed and unable to meet the demand. This application intends to provide additional areas for food vendors to increase the availability of options for the community and reduce the need for residents to travel to other communities. This proposal is consistent with several goals and policies in the General Plan Land Use Element regarding economic activity, including the following:

- **General Issues - Economic Activity, Goal:** Develop a healthy level of economic activity for Blue Lake.
- **General Issues - Economic Activity, Policy 2:** The City shall encourage sufficient commercial service to meet local needs.
- **Commercial Land Use – Location of Commercial Uses, Goal:** To encourage commercial development that will contribute to a diversified economic base and be compatible with the community and adjacent land uses.
- **Commercial Land Use – Commercial Center, Goal:** To provide the community and surrounding area with a viable and attractive commercial center that will serve as a cultural hub and draw visitors as well as the business of local citizens to Blue Lake.
- **Commercial Land Use – Commercial Center, Policy 2:** Development of new commercial areas in Blue Lake shall be designed to support the Downtown area.
- **Commercial Land Use – Commercial Center, Policy 4:** The City shall work to eliminate obstacles to the development of commercial facilities in the Downtown area and Powers Creek District.



The proposed use of the City properties included in this application for commercial facilities is consistent with the economic development and community revitalization goals and policies in the General Plan and would be complimentary to the existing recreational and public facility uses on these properties. As such, the project is found to be in compliance with the General Plan.

#### **ZONING CODE COMPLIANCE:**

The City properties included in this application have zoning classifications of PF or Public Facility (City Hall) and X or Open Space/Recreation Zone (Perigot Park and Rodeo Grounds). These zones allow commercial facilities with a conditional use permit. In the PF zone, it states that these facilities may “*not impair present and potential uses of the property and will not constitute a nuisance or be determinantal to the district or any adjacent zone.*” In the X zone, it states that these facilities must be “*compatible with recreational uses which in the opinion of the Planning Commission will not impair present and potential uses of the area.*”

The development standards in the PF and X zones and other provisions of the Zoning Code (e.g., setbacks, maximum building height, etc.) do not apply to the project because it proposes the use of existing structures or the temporary operation of mobile food vendors (e.g., food trucks, food booths, etc). As such, this section does not include a discussion of the project’s compliance with these standards. Regarding parking requirements, the existing off-street parking at the properties and on-street parking in the Downtown area is considered sufficient for the proposed uses as it is anticipated that many community members will walk, bike, or use transit to access the proposed food vendors.

In order to grant a CUP, the following additional findings must be made by the Planning Commission, which are listed in Municipal Code Section 17.28.030(F).

- A. That the proposed location of the conditional use is in accord with the objectives of Section 17.28.030(A) and the purposes of the zone in which the site is located.
- B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

This project proposes the use of several City properties for food vending. This includes several existing City facilities that have been used for food vending in the past such as the Prash Hall kitchen and concession area, the serving booth in Perigot Park, the concession stand at Iorg Field, and the kitchen facility at Clemence Field. As was the case in the past, food vending in these spaces was complimentary to the recreational and public facility uses on these properties. The project also includes allowing the location of mobile food vendors in certain locations at City Hall, Perigot Park, and the Rodeo Grounds. The mobile food vendors are anticipated to operate intermittently in the locations identified in this application and will be required to obtain a Food Vendor Permit and comply with the requirements for mobile food vendors developed by City staff.

As noted in the Project Description, the City of Blue Lake reserves the right to re-assess the food vendors operation in the event that problems or issues arise. If the issues are not adequately addressed or mitigated, this may result in the revocation of the Food Vendor Permit. Based on the

project proposal and the requirements under which the food vendors will be required to operate, the findings for approval of a use permit to allow the proposed uses in the PF and X zones can be made.

**CITY PLANNER RECOMMENDATION:**

If the Planning Commission wishes to approve this project application, then specific findings that the project is consistent with the City's General Plan and Municipal Code should be made. Attachment B to this staff report contains draft Resolution 2-2023, which provides the findings recommended by staff for approval of the proposed project. Exhibit "A" to Resolution 2-2023 contains the application proposal provided by the City for the project.

Since this is a project proposed by the City, planning staff is not recommending any conditions of approval. The potential future use of the City properties included in this application for food vending will be regulated through the City's business license and Mobile Food Vendor Permit process, as well as the requirements of other agencies such as the Humboldt County Division of Environmental Health.

# Attachment A

## Application for Food Vending on City Properties



# City of Blue Lake

## Application for Food Vending on City Properties

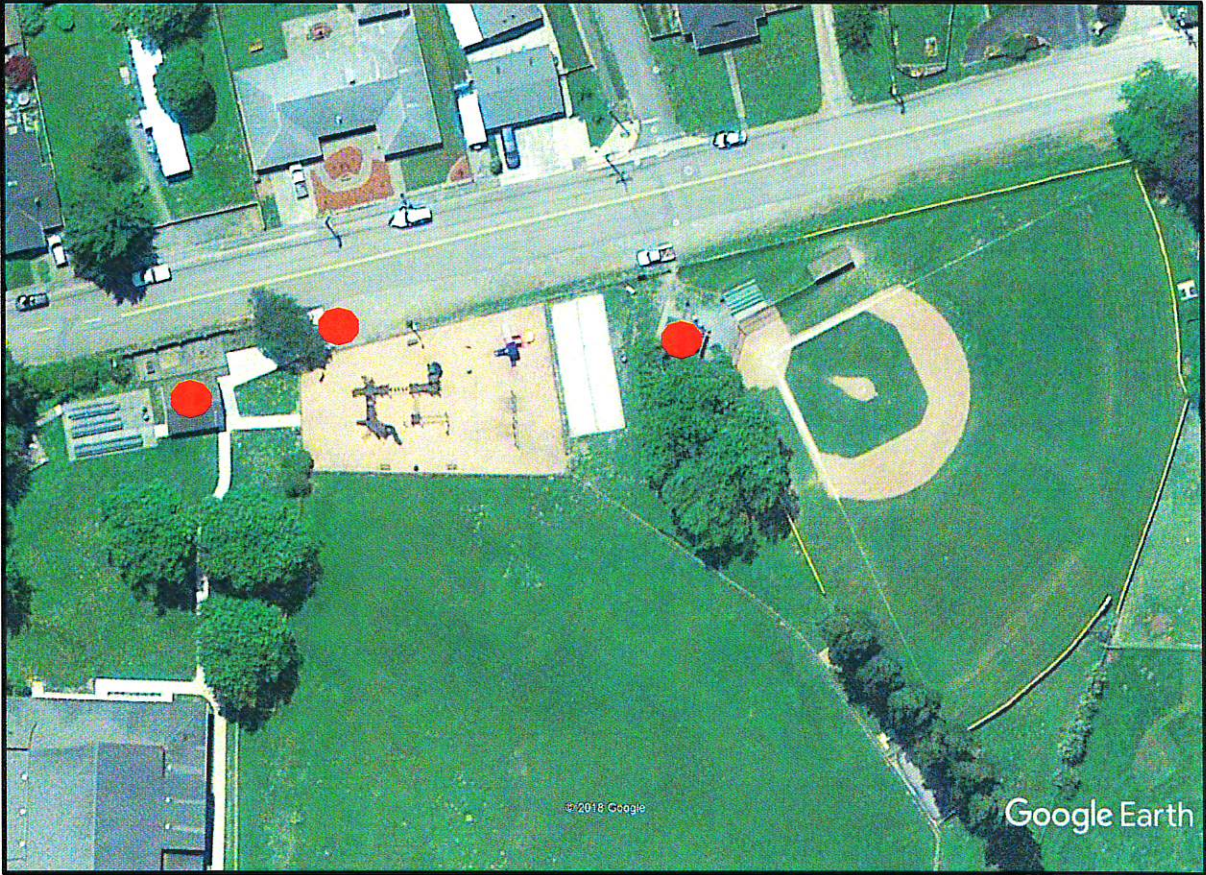
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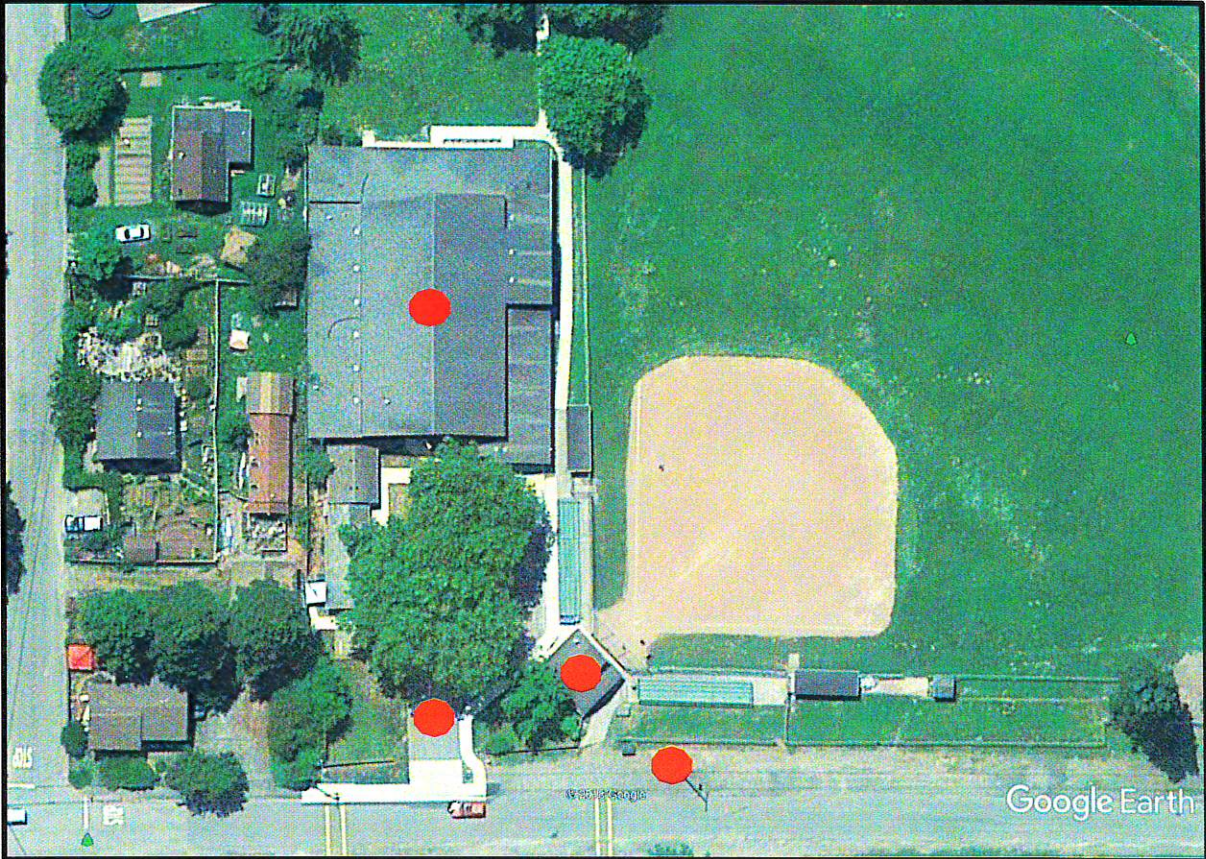
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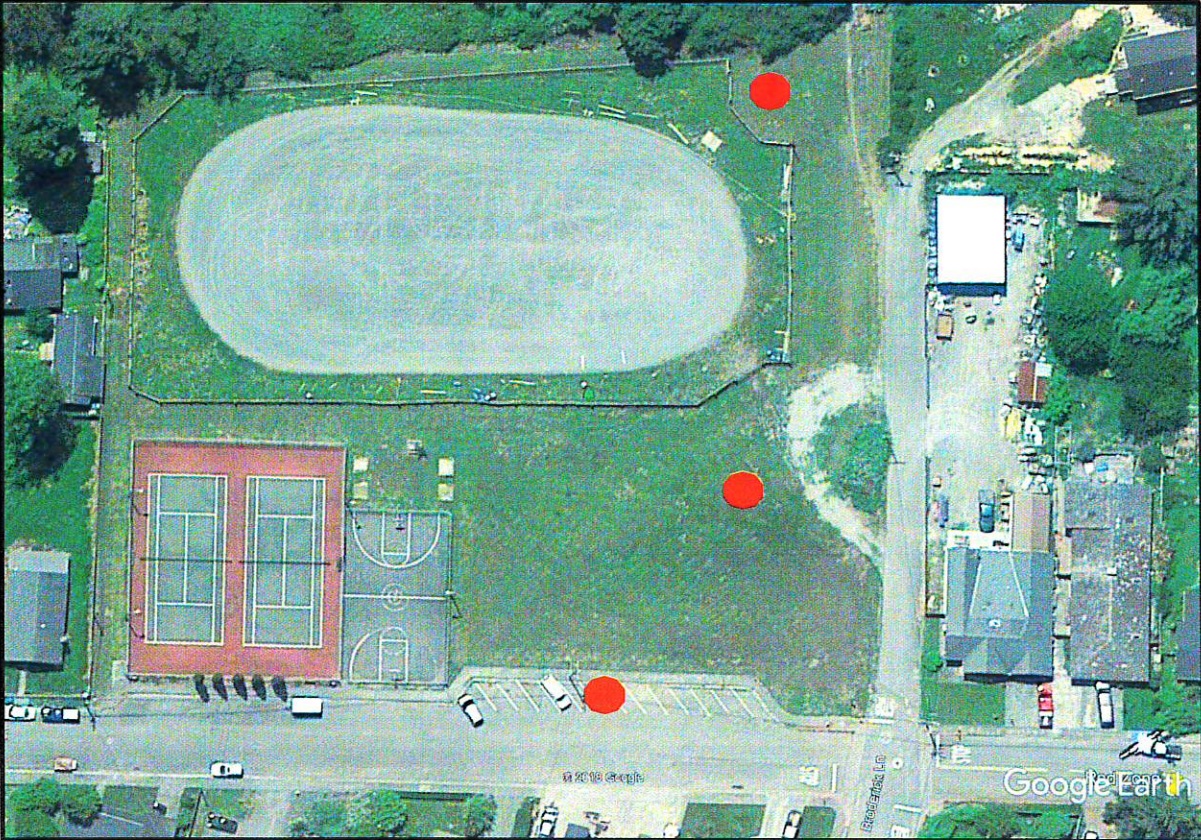
# Perigot Park



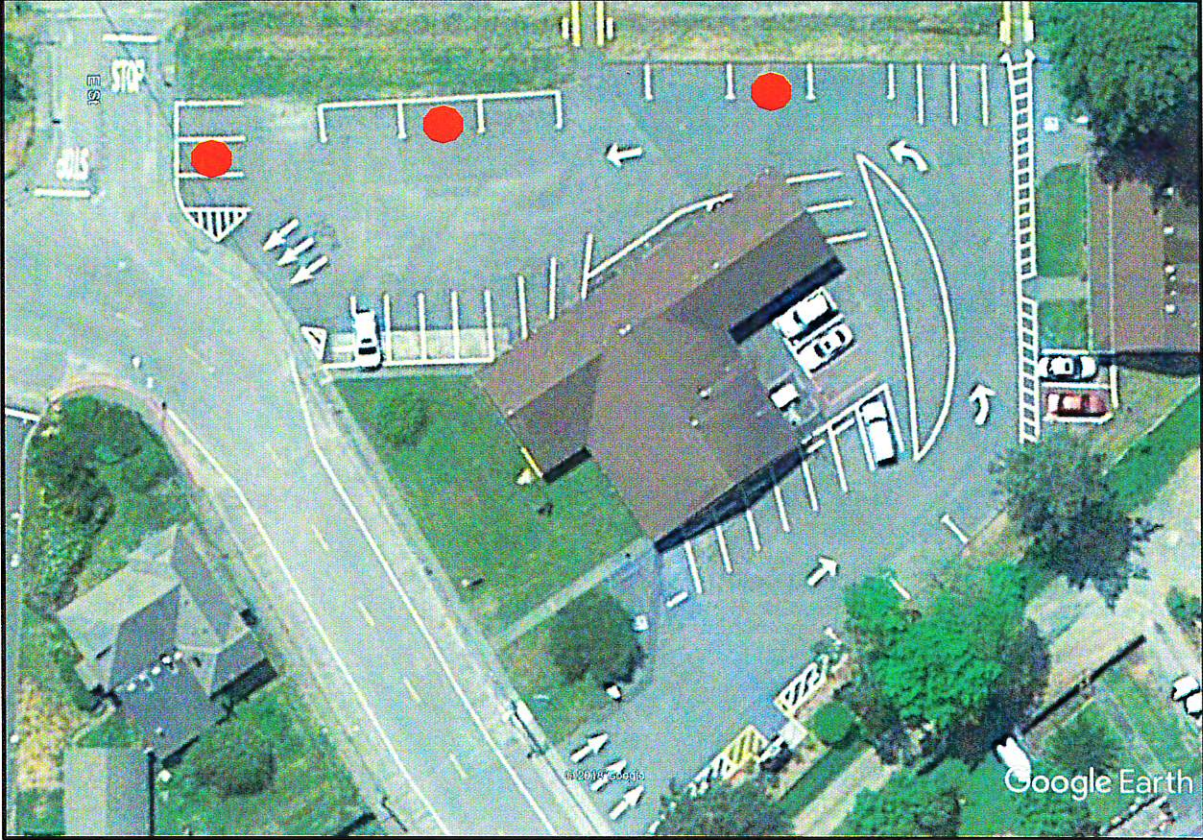
# Prasch Hall & Clemence Field



# Rodeo Grounds



# City Hall Parking Lot





# Requirements for Mobile Food Vendors

## **Insurance Requirements:**

- Every vendor must have proof of insurance.

## **Licenses and Permits:**

- Vendors must obtain a business license from the City of Blue Lake.
- Vendor must submit a completed Mobile Food Vendor Permit Application and receive approval prior to operating on City property.
- Vendors must obtain all applicable permits from the Humboldt County Division of Environmental Health.

## **Mobile Food Vendor Requirements:**

- No vendor shall be located in an area that will interfere with emergency access or ingress/egress to City properties/facilities.
- No vendor shall block any public right-of-way or private access.
- No vendor shall be permitted to use the streets, alleys, sidewalks, lanes or parking spaces for their operation, unless specifically authorized by their Food Vendor Permit.
- No vendor shall shout or cry out his/her goods, nor ring any bells or blow any horns or similar devices to attract attention.
- Vendors must ensure universal access, including ADA accessibility.
- Vendors shall not expand their operation beyond what has been identified in their Food Vendor Permit unless prior authorization is obtained by the City.
- No vendor shall set up tables, chairs, or other spaces for eating, unless specifically authorized by their Food Vendor Permit.
- No vendor is authorized to sell alcoholic beverages.
- Vendors shall not be parked on the street overnight or left unattended and unsecured at any time. Any mobile food vehicle and/or pushcart which is found to be unattended shall be considered a public safety hazard and may be ticketed and impounded.
- Signage for each mobile food vendor shall be limited to signs on the exterior or interior of the vehicle and one sandwich board sign. All signs on the exterior of the vehicle shall be secured and shall not project more than six inches from the vehicle. One sandwich board sign may be placed outside the mobile food service vehicle.
- Mobile food vendors shall be located at least 15 ft from fire hydrants and 5 ft from sidewalks, driveways, utility boxes, handicap ramps, building entrances, and emergency call boxes.
- Food vendors shall make available hand sanitizer to its customers.
- Vendors must comply with all applicable City, State and Federal laws.

## **Waste Management Requirements:**

- Vendors may not rinse, wash, or discharge any substance to the City's stormwater system.

- Vendors shall utilize recyclable and/or compostable containers, utensils and drinkware for serving. Polystyrene cups, containers, and plastic bags are prohibited.
- Vendor hours of operation will be from 10:00 a.m. to 9:00 p.m. unless specifically authorized by their Food Vendor Permit.
- Vendors shall provide a minimum of one (1) 30-gallon trash receptacle during times of operation and one (1) recyclable materials receptacle. Waste receptacles must be emptied routinely to ensure a clean and orderly operation.
- Trash shall be removed to an off-site, non-City of Blue Lake disposal site on a daily basis, unless otherwise specified by their Food Vendor Permit.
- Vendors shall recycle all recyclable materials.
- If trash is left to accumulate on the vendor site and is found to be caused by the vendor, a disposal fee of \$50 per occurrence will be assessed. Failure to pay the assessment will result in the suspension of the Food Vendor Permit.



# Mobile Food Vendor Permit Application

Applications must be submitted at least 10 days prior to the proposed vending date and approved by the City prior to operating on City property. Applications for durations longer than one (1) day must be submitted at least 30 days in advance of the proposed vending dates. The application must be filled out in its entirety; incomplete applications will be sent back to the applicant.

Business Information			
Business Name:			
Business Address:		Phone No:	
Business Owner Name:			
Business Owner Address:			
State Resale License No.:			
Vendor Operator Information			
Name of Operator:		Phone No:	
Operator Address:			
Operator Email Address:			
Operation Description			
Describe the nature of the business or goods to be sold:			
Describe the stand/cart or method to be used to sell items:			
Dates and times for operation:			
<input type="checkbox"/> Provide a copy of your City of Blue Lake Business License			
<input type="checkbox"/> Provide a copy of your Humboldt County Division of Env. Health Permit, if applicable			
<b>On a Separate Sheet of Paper</b> -Provide a dimensional drawing of the operation, including the cart/stand, seating, trash receptacles, power/water sources, bathroom locations and any other information that would assist in the evaluation of the proposed operation. Sufficient detail must be provided to show pedestrian and customer circulation paths and routes.			

# Attachment B

**Resolution No. 2-2023**

**RESOLUTION NO. 2-2023**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BLUE LAKE APPROVING A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL APPLICATION FOR THE CITY OF BLUE LAKE TO ALLOW FOOD-RELATED BUSINESSES ON SEVERAL CITY PROPERTIES IN THE PUBLIC FACILITY (PF) AND OPEN SPACE/RECREATION (X) ZONES**

**WHEREAS**, the City of Blue Lake filed a Conditional Use Permit and Site Plan Approval application dated March 8, 2023 for the use of several City properties/facilities for food-related businesses including Perigot Park, Prasch Hall, Rodeo Grounds, and City Hall. The purpose of the application is to allow the location of food trucks on City property and to allow existing City facilities to be used for commercial kitchens and food services. A Conditional Use Permit and Site Plan Approval are required to allow the proposed uses in the Public Facility (PF) and Open Space/Recreation (X) zones. Application materials provided by the City include a project description, aerial photos showing the proposed locations for food vendors, a list of requirements for mobile food vendors, and a Food Vendor Permit Application;

**WHEREAS**, City staff worked collaboratively on the project proposal and the comments of the reviewing City department have been incorporated into the project application; and

**WHEREAS**, after due notice of public hearing, the matter came on for consideration before the Blue Lake Planning Commission at a special meeting on March 27, 2023;

**NOW, THEREFORE**, be it resolved by the Planning Commission of the City of Blue Lake as follows:

1. The Planning Commission finds that the project is categorically exempt pursuant to the following sections of the City's duly adopted CEQA guidelines:

A. Categorically exempt per CEQA Guidelines Section 15301 (Class 1) exempting the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This would be applicable to food vendors that would use existing City facilities in their current condition for food vending and/or proposing minor alterations that would not result in an expansion of existing or former use.

B. Categorically exempt per CEQA Guidelines Section 15303 (Class 3) exempting the construction and location of limited numbers of new, small facilities, or structures. This would be applicable to modifications proposed to City facilities to allow food vendors to use existing space including, but not limited to, Prasch Hall and existing small structures at Perigot Park and Clemence Field.

C. Section 15332 (Class 32) exempting projects characterized as in-fill development when certain criteria can be met. These criteria are met by the proposed project for the following reasons: 1) the proposed project is consistent with the Facility/Public Facility and Open Space/Open Space-Recreation designations/zones, which allows commercial facilities as a

## RESOLUTION NO. 2-2023

conditionally permitted use; 2) the sites proposed for food vendors are located in City limits and the project footprint for food vending activity is less than 5 acres; 3) the sites proposed for food vending are developed with public and recreational facilities and do not contain habitat for endangered, rare or threatened species; 4) the project would result in a limited increase in commercial activity and would not result in significant effects related to traffic, noise, air quality, or water quality; and 5) the sites can be adequately served by all required utilities and public services.

2. The project, as proposed and subject to existing laws and regulations, is consistent with the City of Blue Lake General Plan and Municipal Code.

3. Per Section 17.16.100(B)(3) of the Blue Lake Municipal Code, the Planning Commission finds as follows:

A. The proposed commercial facilities will not impair present and potential uses of the properties and will not constitute a nuisance or be detrimental to the district or any adjacent zone.

4. Per Section 17.16.090(B)(3) of the Blue Lake Municipal Code, the Planning Commission finds as follows:

A. The proposed commercial facilities will be compatible with recreation uses and will not impair present and potential uses of the area.

5. Per Section 17.28.030(F) of the Blue Lake Municipal Code, the Planning Commission finds as follows:

A. That the proposed location of the conditional use is similar to and compatible with the uses permitted in the zone and is consistent with the purposes of the zone in which the site is located.

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

6. The Planning Commission of the City of Blue Lake hereby grants and approves the Conditional Use Permit and Site Plan Approval application for the City of Blue Lake to allow the use of several City properties/facilities for food-related businesses including Perigot Park, Prash Hall, Rodeo Grounds, and City Hall, as set forth in the application proposal, which is marked as Exhibit "A", attached hereto and made a part hereof.

**INTRODUCED, PASSED, AND ADOPTED** this 27<sup>th</sup> day of March 2023, by the following vote:

**RESOLUTION NO. 2-2023**

AYES:

NAYS:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Chairman, Planning Commission,  
City of Blue Lake

ATTEST:

\_\_\_\_\_  
Secretary, Planning Commission

EXHIBIT "A"  
To Resolution 2-2023



# City of Blue Lake Application for Food Vending on City Properties

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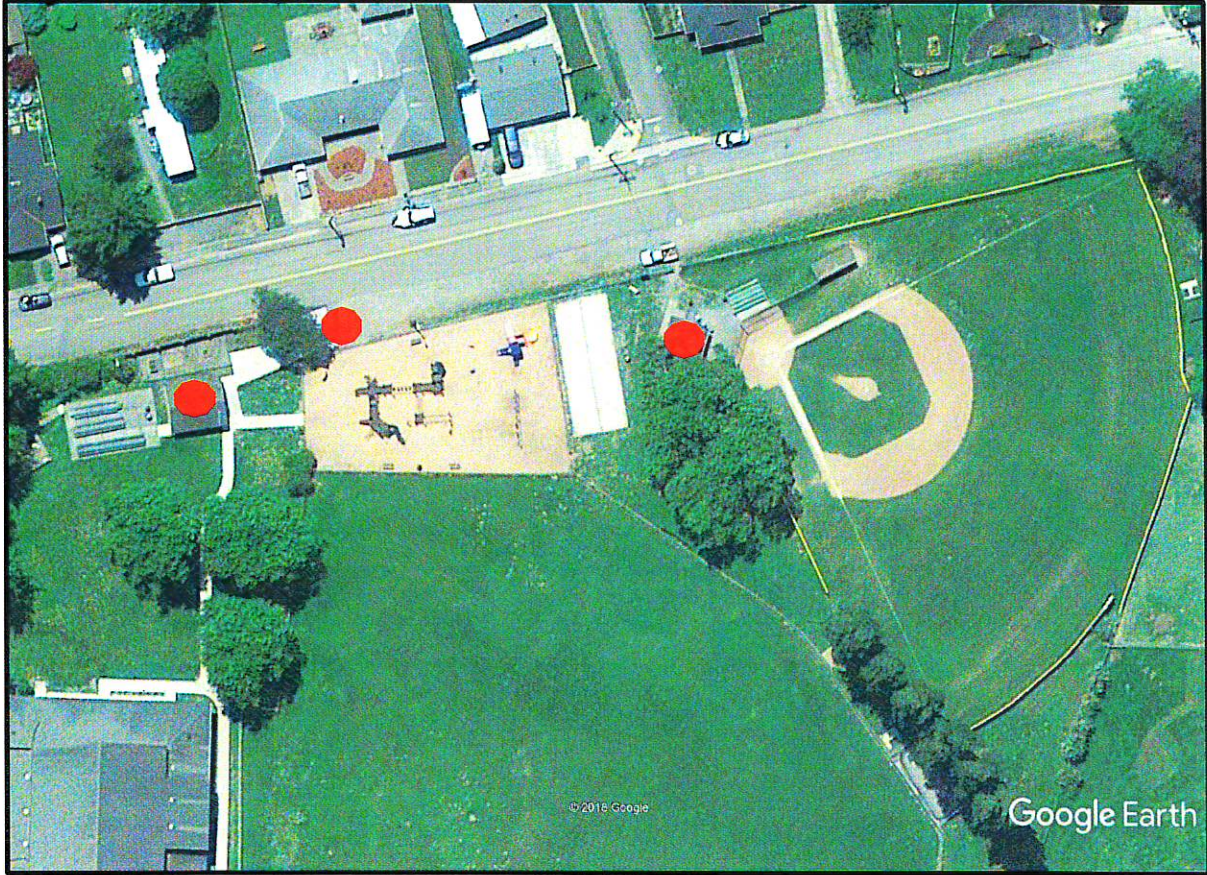


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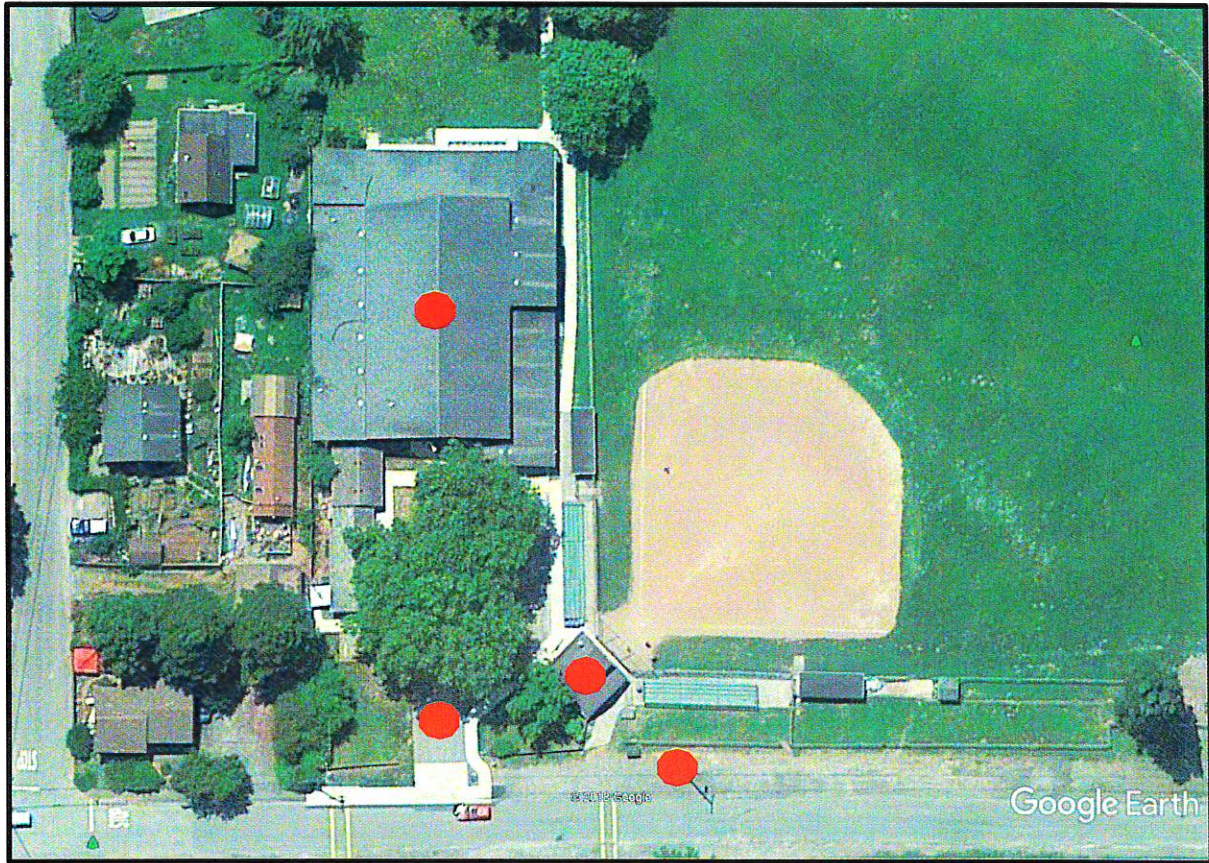


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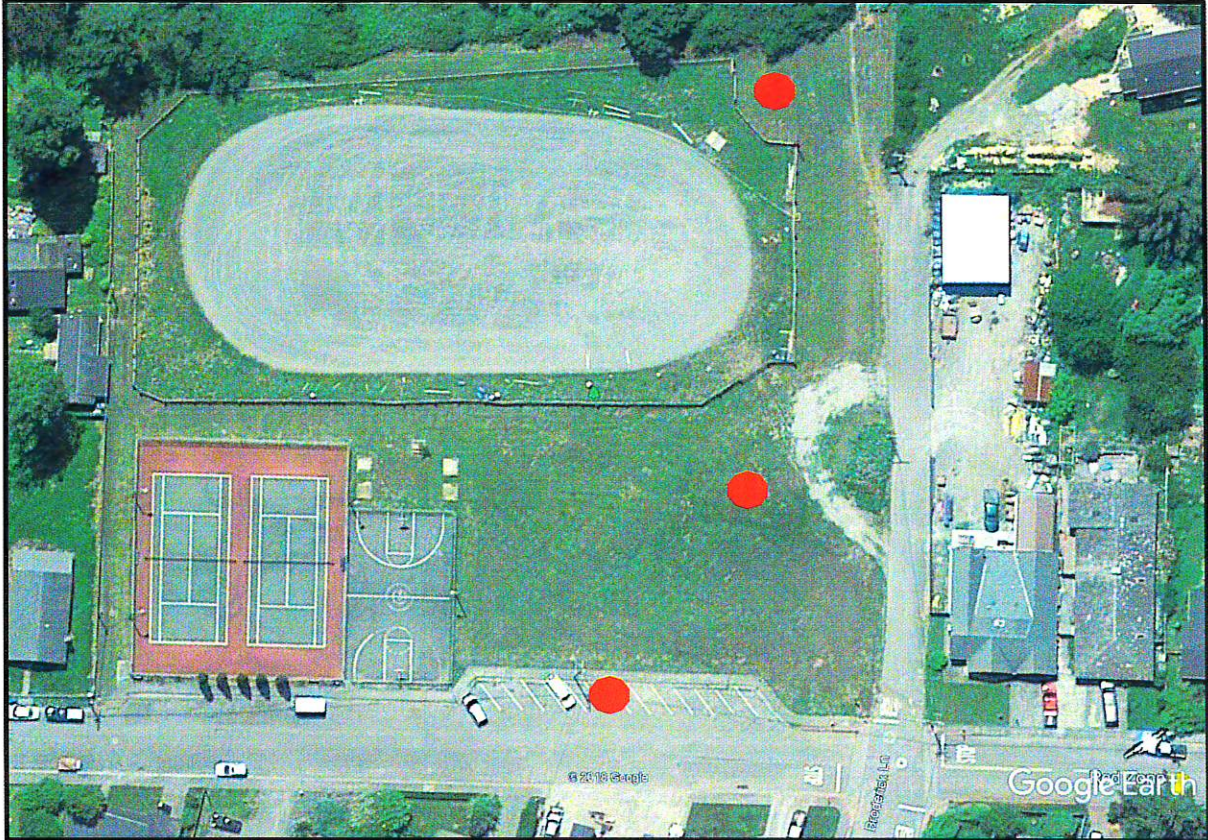
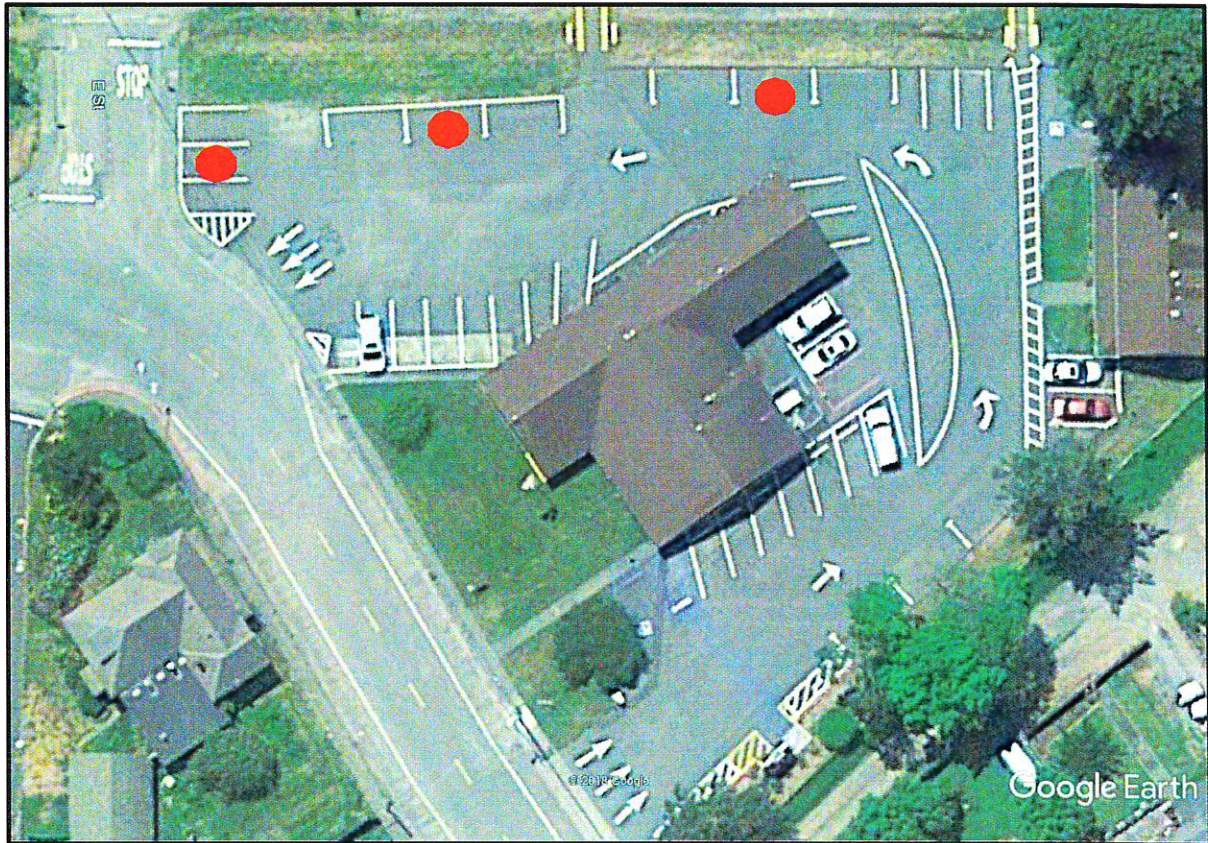


EXHIBIT "A"  
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