



**BLUE LAKE PLANNING COMMISSION
SPECIAL MEETING AGENDA**

Monday, November 6, 2023

7:00 P.M.

**Community Center - 111 Greenwood Road
(Skinner Store Building behind City Hall)**

This meeting will be held in person at the location listed above. The City will provide alternative methods of participation for the convenience of the public. However, the City does not guarantee that there will not be technological issues or interruptions. The public is hereby notified that if there is a technological issue with live video streaming of the meeting, the meeting will continue in person as scheduled. The public may access and participate in the public meeting using one or more of the following methods:

- A) **Zoom:** The meeting will be live streamed via Zoom (details below). The direct Zoom link will also be posted on the City of Blue Lake website (<https://bluelake.ca.gov/>). During the meeting, public comment may be made by using the raise hand feature on Zoom.

Public input will be facilitated by Zoom at the following meeting link:

<https://us02web.zoom.us/j/81466929589?pwd=dVNIWVdwblUwN3hnVUtMK1pGV1hFUT09>

Meeting ID: 814 6692 9589 Passcode: 500102

Dial by your location: +1 669 900 6833 US (San Jose)

- B) **In-Writing:** Public comments may also be made in advance by submitting written comment via citymanager@bluelake.ca.gov or by filing it with the City Clerk at 111 Greenwood Road, Blue Lake, California, 95525. All public comments (via email or mail) must be received by the City Clerk prior to 4:30 p.m. the day of the meeting. Please identify the meeting date and agenda item to which your comment pertains in the subject line. Public comments, so received, will be forwarded to the Planning Commission. Written public comments will not be read aloud during the meeting.
-

- 1. Approval of Minutes: May 15, 2023 and June 19, 2023**
- 2. Public Input –** *The Public is invited to present petitions, make announcements, or provide other information to the Planning Commission that is relevant to the scope of authority of the City of Blue Lake that is not on the Agenda. The Planning Commission may provide up to 15 minutes for this public input session. To assure that each individual presentation is heard, the Planning Commission may uniformly impose time limitations of 3 minutes to each individual presentation. The public will be given the opportunity to address items that are on the agenda at the time the Planning Commission takes up each specific agenda item.*

3. Approval of Agenda

Discussion / Action:

4. **Action/Public Hearing:** Application #025-161-016/2023. Conditional Use Permit and Site Plan Approval for ThompsonGas, LLC to locate a 30,000-gallon propane tank on APN 025-161-016 in the Powers Creek District on the property containing B&B Portable Toilets, Six Rivers Portable Toilets, and Johnson's Mobile Rentals. 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, and the storage of up to 50 empty propane tanks ranging in size from 120 - 500 gallons. This project is found to be categorically exempt from the California Environmental Quality Act (CEQA) per §15303 (Class 3) exempting projects consisting of the construction and location of limited numbers of new, small facilities or structures and §15332 exempting projects characterized as infill development that meet certain criteria.
5. **Discussion:** Amendment of the Blue Lake General Plan Housing Element for the 6th Planning Cycle (2019-2027). Review of the 9/20/23 determination letter from the California Department of Housing and Community Development (HCD).
6. **Discussion:** Amendment of the Blue Lake Municipal Code to include the Residential High Density (RHD) Combining Zone and a Zoning Map Amendment to apply the combining zone to property in the City. This amendment would implement Program HI-14 in the Blue Lake General Plan Housing Element Update for the 6th Planning Cycle (2019-2027).
7. **Miscellaneous Planner Items.**
8. **Upcoming Planning Commission Meetings for the next 3 months will be on November 20, 2023, December 18, 2023, and January 15, 2024.**
9. **Adjournment by 9:00 pm unless extended by the Planning Commission.**

A request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting, by contacting City Manager Amanda Mager, (707) 668-5655, at least 24 hours prior to the commencement of the meeting.

**City of Blue Lake
Draft Planning Commission Meeting Minutes
May 15, 2023**

The Blue Lake Planning Commission Meeting was called to order at 7:03 p.m.

Commissioners Present: Earl Eddy, Robert Chapman, Matthew Schang, and Cort Pryor

Commissioners Absent: Elaine Hogan

Staff Present: Amanda Mager (City Manager/City Clerk), Garry Rees (City Planner), Mike Forget (City Engineer), Bob Brown (SHN Planner), Glenn Bernald (Public Works Superintendent), Sidney Stewart (SHN Planner), Ryan Plotz (City Attorney)

Public Present: James Brown, Gary Johnson, Andy Jones, Scott Oberlies, Tina Catalina, Anna Brown, Beckie Thornton, Angela Dare, Winona Pitts, Elise Scafani, Scott Fraser, Molly Homen, Justin Noydb, Lin Glenn, Matt Watts, Mardi Granger, Kat Napier, Erica Dykehouse, Matthew, David Damme, Ryan Rousseau, Robert Rousseau, DeAnn Waldvogel, Ruben Ledesma, Erin McClure, Clark Sugata, Elissa Rosado, Charis Bowman

1. Approval of Minutes: March 27, 2023 Special Meeting

- a. Motion (Chapman, Schang) to approve March 27, 2023 minutes as written.
- b. Motion passed unanimously (4-0).

2. Public Input on Non-Agenda Items

- a. Mardi Granger: Comments on housing on Monda Way and how public receives information.
- b. Kat Napier: Comments on master planning for the Powers Creek District.
- c. Beckie Thornton: Comments on need for master plan for the Powers Creek District.
- d. Lin Glen: Commends commission on incorporating public comments; would like a Zoom option for meetings.
- e. Winona Pitts: Comments on master plan for the Powers Creek District and supports Zoom meeting option.
- f. Scott Fraser: Comments on master plan for Powers Creek District and the need for a town hall meeting to go over projects.
- g. Angela Dare: Supports Zoom option and master plan for the Powers Creek District.
- h. Julie McGill: Supports Zoom meeting option.

3. Approval of the Agenda

- a. Motion (Schang, Chapman) to approve agenda.
- b. Motion passed unanimously (4-0).

Discussion/Action:

- 4. Public Hearing/Discussion:** Amendment of the Blue Lake General Plan Housing Element for the 6th Planning Cycle (2019-2027). Discussion of the revisions to the second draft of the

Housing Element Update submitted to the California Department of Housing and Community Development on April 28, 2023.

- a. Chairman Eddy introduced the agenda item.
- b. Planner Rees presented the item and summarized the staff report through a video presentation.
- c. Chairman Eddy opened the public hearing.
- d. Julie McGill: Look at alternative sites; not AG land; housing element isn't consistent with the General Plan; low-income individuals need to be contacted as part of the planning process.
- e. Winona Pitts: Comments on the wastewater situation; proposed projects will impact capacity.
- f. Lin Glenn: Advocating for the trail and open spaces; hopes the housing element won't change the trail protections in the Opportunity Zone.
- g. Lisa Hoover: Comments on cumulative effects; requests community forum and masterplan; when will CEQA documents be made available to the public.
- h. Matt Watts: Comments on sewer plant, fire services and law enforcement impacts.
- i. Marlene Effiwatt: Comments on wastewater capacity and Mad River Brewery needs.
- j. Mardie Granger: Comments on housing allocation and Monda Way project.
- k. Scott Oberlies: Questions why the housing element was not adopted in prior years.
- l. Erica Dykehouse: Questions why the housing element wasn't adopted and improvements to current housing stock and development of ADUs.
- m. David Damme: Comments on the population in Blue Lake; how did DANCO get the project; quality of life could be impacted by low income housing.
- n. Kat Napier: Comments on vacant land at the school and asks why it wasn't included in the housing element.
- o. Erin McClure: Questions the public comment process.
- p. Angela Dare: Reads comment from Kent Sawatzky, that the housing element isn't consistent with the general plan.
- q. Chairman Eddy closed the public hearing.
- r. Commissioner Pryor: Asks Planner Rees to clarify the CEQA process for the housing element.
- s. Planner Rees: Provides an overview of EIR that was completed for the General Plan and the Industrial Park; the City never saw the development level that was planned for. CEQA is also required on a project specific basis and explains the technical studies that have been completed, including traffic studies; where it's appropriate to look at cumulative impacts, the studies are being completed.
- t. Commissioner Chapman: Questions how the housing element supports existing housing improvements?

- u. Planner Rees: Code enforcement and housing rehabilitation programs are part of the element.
- v. Commissioner Chapman: Questions fire and law enforcement impacts.
- w. Planner Rees: Explains that the fire department has been consulted to look at projects and impacts; their comments are incorporated into project designs. As development occurs, more revenue will be generated to pay for law enforcement services.
- x. Commissioner Pryor: Why wasn't the prior housing element adopted?
- y. Planner Rees: Explains that prior City Councils were unwilling to adopt the State standards, including "by-right" zoning for multi-family housing; the City's zoning requirements actively precluded multi-family housing, which is inconsistent with State housing law.
- z. Commissioner Schang: Questions the percentage of sites that can accommodate an ADU.
- aa. Planner Rees: Explains that the sites inventory includes undeveloped and underutilized properties; the City has had two ADUs built in the last planning cycle and is proposing to plan for 4 in current planning cycle.
- bb. Commissioner Pryor: Inquires about the commission's role in long term planning vs. project specific application review.
- cc. Motion (Chapman/Schang) to continue the public hearing to the June 19, 2023 meeting.

5. Public Hearing/Discussion: Application #025-201-018/2023. Conditional Use Permit and Site Plan Approval for Rousseau Investments, LLC for the development of a 3-story building that would contain a mixture of commercial and residential uses. The ground level would be approximately 4,092 s.f. and would include 2,835 s.f. of commercial space and a one (1) bedroom accessible unit. The upper floors would each include 4 one (1) bedroom units. The project also proposes related site improvements including improvement of the access driveway from Monda Way, 16 vehicle parking spaces, 3 bicycle parking spaces, utility extensions, outdoor lighting, stormwater LID features, walkways, open space, landscaping, and signage. The improvements to the access driveway are proposed to include expansion of the driveway onto the City property to the south (APN 025-201-019) to improve access and provide a 25-foot driveway width. Per Municipal Code Sections 17.16.111(C)(3) and 17.24.100(B)(4), the project will be requesting exceptions to development standards in the Zoning Code that may include building height, setbacks, and off-street parking. This project is found to be categorically exempt from the California Environmental Quality Act (CEQA) per §15332 (Class 32) of the CEQA Guidelines exempting projects characterized as infill development that meet certain criteria.

- a. Chairman Eddy introduced the agenda item.
- b. Planner Rees presents the staff report through a video presentation and provides an overview of the project.

- c. Chairman Eddy opened the public hearing.
- d. Winona Pitts: Supports the Rousseau project and not the DANCO project.
- e. Matt Watts: Comments on using the footbridge for fire department access.
- f. Lisa Hoover: Questions why the project is exempt from CEQA and the initial study process.
- g. Julie Christie: Questions the easement on the City corporation yard property; will Rousseau pay for it; in-fill is a way to skip out on CEQA; Rousseau project won't affect wastewater capacity.
- h. Angela Dare: Supports the Rousseau project; they've done affordable housing.
- i. Jeff Landon: Questions development opportunities at the corp yard is road is widened.
- j. Lin Glenn: There are no details on the project; hopes it meets the standards of the O Zone.
- k. Beckie Thornton: Supports the Rousseau project.
- l. Kat Napier: Questions why the project needs an easement and why it wasn't considered in phase I; comments on masterplan and access from the footbridge.
- m. Erin McClure: Comments on the RHNA and whether this project is affordable housing.
- n. Kash Boodjeh: Explains that the plans and elevations were submitted to staff and just received comments; they will be addressed at the next meeting.
- o. Chairman Eddy closed the public hearing.
- p. Chairman Eddy: Additional information on the Rousseau project will come back to the commission.
- q. Commissioner Chapman: How is CEQA addressed?
- r. Planner Rees: Provides details on the process, including the requirements for use of an in-fill exemption.
- s. Chairman Eddy: What are the impacts to the trail?
- t. Planner Rees: Explains how the project will integrate features into the trail.
- u. Commissioner Pryor: Does the project help meet the HCD/RIINA allocations?
- v. Planner Rees: Comments that the applicant hasn't provided information on this; speculates that it will fall into the moderate category.
- w. Commissioner Schang: Questions traffic concerns.
- x. Planner Rees: Provides information on circulation considerations and previously developed plans to add additional driveways in the District. When the general plan was developed the truck traffic was much higher than it is now and there's adequate capacity to support development. The City is looking at complete streets improvements and improving pedestrian and bicycle access. A traffic study is being completed for the cumulative projects related to the current project proposed north of Taylor Way.
- y. Motion (Pryor/Chapman) to continue the public hearing to the June 19, 2023 meeting.

6. Public Hearing/Discussion: Application #312-161-015, -018/2023. Conditional Use Permit and Site Plan Approval for Danco Communities for development of a mixed-use project in the Powers Creek District that will include the construction of two buildings that will contain 40 residential units, 18,500 square feet of commercial space, and common use areas. The two buildings will include the following: A) a 3-story building that will contain a mixture of residential and commercial uses with 36 affordable residential units on the upper floors and commercial space on the ground level and 3rd floor (roof top restaurant space); and B) a 2-story mixed-use building with a mixture of residential and commercial uses including 3 live-work units and a manager's unit. The project also proposes related site improvements including access driveways, 80 vehicle parking spaces, 48 bicycle parking spaces, utility extensions, outdoor lighting, electric vehicle charging stations, stormwater LID features, walkways, recreation improvements, traffic calming improvements, open space, landscaping, and signage. The City will also be requiring offsite improvements and/or development impact fees for the following: 1) improvement of the creek trail; 2) pedestrian improvements at the intersection of Taylor Way/Hatchery Road; and 3) wastewater treatment system improvements. As allowed under State Density Bonus Law (Govt Code §65915), the project will be requesting concessions for development standards in the Zoning Code that may include building height, setbacks, and off-street parking. This project is found to be categorically exempt from the California Environmental Quality Act (CEQA) per §15332 (Class 32) of the CEQA Guidelines exempting projects characterized as infill development that meet certain criteria.

- a. Chairman Eddy introduces the agenda item.
- b. Planner Rees presents the staff report through a video presentation and provides an overview of the project, the site, and the Opportunity Zone.
- c. McKenzie Dibble (DANCO Project Manager) presents an overview of their company and the project to date.
- d. Chairman Eddy opened the public hearing.
- e. Lisa Hoover: Requests a town hall meeting to review the staff report.
- f. Winona Pitts: Comments on number of parking spaces; using the name Baduwa't is atrocious.
- g. Lin Glenn: Comments on lack of details; supports a town hall meeting.
- h. Matt Watts: Comments on compatibility with yoga studios and gravel trucks.
- i. Scott Fraser: Comments on public document access and how the project fits a live/work concept.
- j. Jeff Landon: Opposes the project; it's too big; he doesn't get a break on his rent.
- k. Kat Napier: Wants more details and a town hall meeting; the project has been divisive in the community.
- l. David Damme: Affordable housing tenants won't abide by traffic rules; concerned about his quality of life.
- m. Erin McClure: Comments on the fire department's response to a local house fire.

- n. Beckie Thornton: Doesn't support the project.
- o. Angela Dare: Comments that she doesn't want the project; she doesn't want more people living here.
- p. Molly Homen: Shares her support of the housing element and the DANCO project; as the director of the community resource center she sees the impacts to families struggling to find housing and the community may be surprised to know that they or their families would qualify for affordable housing.
- q. Chairman Eddy closed the public hearing.
- r. Chairman Eddy: Comments that additional details are coming to the commission.
- s. Commissioner Pryor: Asks staff to speak to the process and the commission's roles.
- t. Planner Rees: Explains that the City Council entered into the development contract with DANCO; they are designing the project to meet the zoning requirements and it's the commissions role and responsibility to evaluate the project and work through the approval process.
- u. Commissioner Pryor motions to conduct a town hall meeting to update the community on the project and hear public comments; Seconded by Commissioner Schang.
- v. Commissioner Chapman: Our role isn't to wade through public comments; it's to make sure a project meets the zoning requirements.
- w. Chairman Eddy: We have a responsibility to the City; need to work within the guidelines.
- x. Kash Boodjeh: Can the town hall meeting be used to pursue a variance for the project?
- y. Motion (Pryor/Eddy) to continue the public hearing to the June 19, 2023 meeting.

7. Miscellaneous Planner Items:

- a. Planning staff did not present any information for this item.

8. Upcoming Planning Commission Meetings for the next 3 months will be on June 19th, July 17th and August 21st, 2023.

- a. Commissioner Schang indicated that he may not be available for the June meeting.

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

- a. Motion (Pryor/Schang) to continue the meeting past 9 p.m.
- b. Motion passed unanimously (4-0).
- c. Motion (Chapman/Eddy) to adjourn.
- d. Motion passed unanimously (4-0).
- e. Meeting adjourned at 10:47 p.m.

**City of Blue Lake
Draft Planning Commission Meeting Minutes
June 19, 2023**

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

Commissioners Present: Robert Chapman, Matthew Schang, Elaine Hogan, and Cort Pryor

Commissioners Absent: Earl Eddy

Staff Present: Amanda Mager (City Manager/City Clerk) and Garry Rees (City Planner)

Public Present: Scott Fraser, Jean Lynch, Kent Sawatzky, Justin Noydb, Elise Scafani, Verda Pitts, Mardi Granger, Beckie Thornton, Matt Watts, Erin McClure, Jeff Landon

1. Approval of Minutes: May 15, 2023

- a. Minutes not available. The minutes will be presented for review at the next Planning Commission meeting.

2. Public Input on Non-Agenda Items

- a. Kent Sawatzky: Comments on conducting a general plan update.
- b. Elise Scafani: Acknowledges the work of Earl Eddy and asks for a moment of silence.

3. Approval of the Agenda

- a. Motion (Schang, Pryor) to approve agenda.
- b. Motion passed unanimously (4-0).

Discussion/Action:

4. Action: Vote on Chair and Vice-Chairman.

- a. The Commission discussed the chair and vice-chair position.
- b. Kent Sawatzky: Comments on the vacant commissioner position.
- c. Elise Scafani: Comments on Zoom and ability for commissioners to participate via Zoom.
- d. Motion (Schang/Hogan) to designate Robert Chapman as Chairman and Cort Pryor as Vice-Chairman.
- e. Motion passed unanimously (4-0).

5. Continued Public Hearing/Discussion: Application #312-161-015, -018/2023. Conditional Use Permit and Site Plan Approval for Danco Communities for development of a mixed-use project in the Powers Creek District that will include the construction of two buildings that will contain 43 residential units, 18,500 square feet of commercial space, and common use areas. The two buildings will include the following: A) a 3-story mixed-use building that will

contain 40 residential units consisting of 36 affordable units, 3 market-rate units, and a manager's unit on the upper floors, and commercial space on the ground level and 3rd floor (roof top restaurant space); and B) a 2-story mixed-use building with 3 live-work units. The project also proposes related site improvements including access driveways, 80 vehicle parking spaces, 48 bicycle parking spaces, utility extensions, outdoor lighting, electric vehicle charging stations, stormwater management features, walkways, recreation improvements, traffic calming improvements, open space, landscaping, and signage. The City will also be requiring offsite improvements and/or development impact fees for the following: 1) improvement of the creek trail; 2) pedestrian improvements at the intersection of Taylor Way/Hatchery Road; and 3) wastewater treatment system improvements. As allowed under State Density Bonus Law (Govt Code §65915), the project will be requesting concessions for development standards in the Zoning Code that may include building height, setbacks, and off-street parking. The proposed development activity is defined as a project under the California Environmental Quality Act (CEQA) and the City, as Lead Agency, is currently considering the appropriate level of environmental review for the project.

- a. Chairman Chapman introduced the agenda item.
- b. Planner Rees presented the staff report and provided an update on the status of the project. Planner Rees also presented comments from Lisa Hoover that were submitted after the agenda packet for the meeting was prepared.
- c. Chairman Chapman opened the public hearing.
- d. Scott Fraser: Commented on the permit process and the meeting notices.
- e. Kent Sawatzky: Comments on CEQA and the need for an EIR for the project.
- f. Mardi Granger: Commented on the size of the project.
- g. Matt Watts: Commented on whether elevators were proposed for the project.
- h. Verda Pitts: Questions resources assessment and doesn't support commercial buildings as part of the development.
- i. Jeff Landon: Commented that community concerns are not being heard.
- j. Jean Lynch: Commented on State Water Quality Control Board review of the project.
- k. Erin McClure: Commented on the lack of a lease for the City water tank on her property.
- l. Chairman Chapman closed the public hearing.
- m. Vice Chair Pryor: Commented that the project has not come before the Planning Commission for approval; this is an information only item to provide updates to the Commission and the public. It's a benefit to the public that the project has been presented multiple times.
- n. Chairman Chapman: Commented that it would probably take more than one meeting to review the submittal.
- o. Commissioner Schang: Is there a plan to add a second access road via Monda Way?
- p. Planner Rees: The City has had plans for a secondary access via Monda Way for many

- years. The first section of the access road is located adjacent to the Paradise Cay building.
- q. Chairman Chapman: Questioned the number of elevators; would like to see two or a dedicated one for the restaurant.
 - r. Commissioner Schang: Commented that the DANCO project is separate from the housing element; it assist the City with providing housing, but is not specifically part of the element.
 - s. Planner Rees: Explained that the housing element and the DANCO project are separate; but the DANCO project helps the City meet its RHNA allocation.
 - t. Vice Chair Pryor: Have the groundwater and geotechnical reports been completed?
 - u. Planner Rees: Explains that the geotechnical report has been completed; City received EPA funding to conduct soil and groundwater testing in the past; the reports are available on the City's website; an inadvertent discovery type requirement is appropriate for the project and common on former industrial sites.
 - v. Vice Chair Pryor: Questioned if the project was sent to the fire department for comment and if they had any concerns?
 - w. Planner Rees: Explained that the fire department reviewed the project and their comments were incorporated into the project.
 - x. Vice Chair Pryor: Questioned if the City's grading permit requirements are stricter than the County's?
 - y. Planner Rees: The permit requirements are based upon the City of Arcata's grading permit regulations.
 - z. Vice Chair Pryor: Questions adequacy of water supply for the project.
 - aa. Planner Rees: Explains that the City has adequate water to supply the project and the Powers Creek District was developed with utility infrastructure to serve industrial development, which would be adequate for residential/commercial development.
 - bb. Commissioner Schang: Inquired about wastewater upgrades required to support the project.
 - cc. Planner Rees: Explained the existing plan to improve capacity at the treatment plant; DANCO will pay their fair-share cost of the upgrades; there's a lift station located adjacent to the development site.
 - dd. Commissioner Hogan: Is the developer asking for density bonus concessions?
 - ee. Planner Rees: Explains that he will review the applicants revised submittal to determine what concessions they would be requesting under State Density Bonus law.
 - ff. Vice Chair Pryor: Inquired if the footprint of the DANCO project was similar to the building containing the Mad River Brewery.
 - gg. Planner Rees: Explains that the DANCO project would be taller than the brewery building, but the overall footprint is similar; there are other developments in the district that are taller than the Danco project, including the power plant and Calgon Car-

bon.

- hh. Chairman Chapman: Commented on bathrooms for public spaces and the restaurant.
- ii. Planner Rees: Explained that staff is waiting for a revised submittal from the applicant. The project will be brought before the Planning Commission in the future for decision once it goes through permitting and environmental review process.
- jj. Commissioner Hogan: Inquired if the project would be subject to conditions of approval?
- kk. Planner Rees: Explained that the project would be subject to conditions as part of the conditional use permit process.

6. Continued Public Hearing/Discussion: Amendment of the Blue Lake General Plan Housing Element for the 6th Planning Cycle (2019-2027). Update on the Element amendment process.

- a. Chairman Chapman introduced the agenda item.
- b. Planner Rees presented on the status of the housing element update and the next steps in the process. He explained that City staff is currently working on addressing comments from HCD.
- c. Chairman Chapman opened the public hearing.
- d. Kent Sawatzky: Commented on ADUs and housing elements consistency with general plan.
- e. Matt Watts: Commented on mailboxes for apartment buildings.
- f. Mardi Granger: Commented on the size of the DANCO project.
- g. Jean Lynch: Provided a letter to the commissioners regarding Article 34 of the State constitution.
- h. Jeff Landon: Commented on providing more housing than required to be provided by the State.
- i. Vice Chairman Pryor: The commission doesn't have the ability to size a project if it meets the zoning requirements. The City isn't preventing people from building ADUs; people just aren't building them.
- j. Chairman Chapman closed the public hearing.

7. Miscellaneous Planner Items:

- a. City staff did not present any information for this item.
- b. Kent Sawatzky: Recommended adding accessory dwelling units (ADUs) to a future agenda.

8. Upcoming Planning Commission Meetings for the next 3 months will be on July 17th, August 21st, and September 18th, 2023.

- a. City staff will survey the Commissioners to determine their availability for the next

meeting.

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

- a. Motion (Schang/Hogan) to adjourn.
- b. Motion passed unanimously (4-0).
- c. Meeting adjourned at 8:35 p.m.



CITY OF BLUE LAKE

Post Office Box 458,
Phone 707.668.5655

111 Greenwood Road,

Blue Lake, CA 95525
Fax 707.668.5916

STAFF REPORT

DATE: November 6, 2023

APPLICATION #: 025-161-016/2016

APPLICANT: ThompsonGas, LLC

PROPERTY OWNER(S): Tavis & Jessica Cain and Tasha Eisner

PROJECT DESCRIPTION: The project is a Conditional Use Permit and Site Plan Approval application for ThompsonGas, LLC to locate a 30,000-gallon propane tank on APN 025-161-016 in the Powers Creek District on the property containing B&B Portable Toilets, Six Rivers Portable Toilets, and Johnson's Mobile Rentals. 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, and the storage of up to 50 empty propane tanks ranging in size from 120 - 500 gallons (see **Attachment A** for the application submittal provided by the applicant).

PROJECT LOCATION: 150 Taylor Way

ASSESSOR'S PARCEL #: 025-161-016

ZONING: O - Opportunity

GENERAL PLAN DESIGNATION: MU – Mixed Use

ENVIRONMENTAL REVIEW: Categorically exempt per CEQA Guidelines Section 15303 (Class 3) exempting the construction and location of limited numbers of new, small facilities, or structures. Examples of this exemption include, but are not limited to:

- A store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area.
- Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.
- Accessory (appurtenant) structures including garages, carports patios, swimming pools, and fences.

The project meets the criteria for the Class 3 exemption since it proposes new, small facilities and structures for an outdoor propane storage and distribution business that would total less than 2,000 s.f. (e.g., 30,000-gallon propane tank, storage container, fencing, etc.).

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

- 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.
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- The project site has no value as habitat for endangered, rare or threatened species.
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- 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) upon obtaining a conditional use permit pursuant to Municipal Code Section 17.16.111(C)(2), the project would be consistent with the general plan and zoning ordinance; 2) the project occurs within City limits on a small portion of a 4.6-acre site within the City's Powers Creek District; 3) the project site is developed with commercial uses and does not contain habitat for endangered, rare, or threatened species; 4) based on the limited nature of project operations, the business would not result in any significant effects relating to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required public utilities and public services.

SITE CHARACTERISTICS: The overall site where the project would occur is 200,375 s.f. (4.6 acres) in size and the site is generally flat. The site is currently developed with commercial uses including B&B Portable Toilets, Six Rivers Portable Toilets, and Johnson's Mobile Rentals. The site contains a 9,900 s.f. metal building used by the existing businesses, a 600 s.f. office, a 600 s.f. bathroom building, two concrete slabs in the middle portion of the site near the existing buildings, parking and storage areas, perimeter fencing, and a gated ingress/egress (see Site Plan in **Attachment A**). The project site is located in the City's Powers Creek District and is serviced by all utilities. Land uses surrounding the project site include: A) the northern boundary of the site fronts on Taylor Way; B) to the west is the Blue Lake Power site; C) to the south is property owned by the City of Blue Lake that contains part of the Mad River levee and the Mad River; D) to the east is the Calgon Carbon site; and E) and to the northeast is Wallace & Hinz site. Access for the site is through a gated ingress/egress from Taylor Way.

BACKGROUND/HISTORY: The project site was previously owned by the City of Blue Lake and leased in the past by J&S Stakes, Blue Lake Roundstock LLC, and Custom Stump Grinders. When the parcel was leased by J&S Stakes, two metal buildings existed on the property in the location of the concrete slabs (see photo below). The buildings were removed in the mid-2000s when J&S Stakes discontinued their lease with the City. The parcel is now owned by Tavis & Jessica Cain and Tasha Eisner and used by B&B Portable Toilets, Six Rivers Portable Toilets, and Johnson's Mobile Rentals for their rental businesses specializing in portable toilets, sinks, showers, cargo containers, and fencing. Since acquiring the property, the current owners have constructed

several buildings for use by their businesses that are in relatively similar locations to the buildings used by J&S Stakes.

2003 Aerial Photo



2022 Aerial Photo



According to the Department of Toxic Substances Control (DTSC) Envirostor Database (www.envirostor.dtsc.ca.gov), portions of the Powers Creek District historically contained the McIntosh Lumber Mill (Envirostor ID: 12240045) which is listed as having a cleanup status of “*No Action Required as of 8/8/1996*”. The rationale provided in the ‘Site Evaluation Tracking Sheet’ (Dated 8/8/96) stated, “*There is no documented evidence of release of contaminants at hazardous levels that threatens public health and/or the environment.*”

STAFF COMMENTS: Referrals for this project were sent to the City Manager, Public Works Department, Building Official, City Engineer, and Blue Lake Volunteer Fire Department.

City Manager

The City Manager did not respond to the project referral.

Public Works Department

The Public Works Department responded to the referral inquiring whether the 30,000-gallon propane tank would be protected by bollards to ensure it is not damaged by vehicles/trucks. The applicant responded to the comment with a revised submittal containing a figure showing the proposed location of bollards surrounding the propane tank slab. Compliance with this requirement will be verified by the Public Works Department through the building permit referral process.

Building Official

The Building Official did not respond to the project referral. A condition of approval is recommended for the project requiring the applicant to obtain a building permit for the proposed improvements and comply with all requirements of the Building Official.

City Engineer

The City Engineer responded to the referral stating that the applicant will need to submit stamped plans for the proposed improvements (e.g., propane tank, concrete slab, tank skid assembly, protective structures, etc.) with reference to the current California Building Code requirements. This requirement is recommended as a condition of approval for the project. Compliance with this requirement will be verified by the City Engineer through the building permit referral process.

Blue Lake Volunteer Fire Department

The Volunteer Fire Department responded to the project referral with the following comments:

Fire Code Section 61 will apply for this installation. For 30,000-gallon tank, Table 6104.3, setback are 50'. Section 6108, Fire Protection, states: "Fire protection shall be provided for installations having LP-gas storage containers with water capacity of more than 4,000 gallons (15 140L), as required by Section 6.20 of NFPA 58."

A condition of approval is recommended for the project stating that the proposed improvements must comply with applicable sections of the Fire Code and National Fire Protection Association codes and standards (e.g., Fire Code Section 61, Section 6.20 of NFPA 58, etc.). Compliance with these requirements will be verified by the Volunteer Fire Department through the building permit referral process.

GENERAL PLAN AND ZONING CODE CONSISTENCY: The project site has a General Plan Designation of Mixed-Use (MU) and a Zoning Classification of Opportunity (O), which were applied to the property in 2021. The purpose of the MU designation and O zone are to allow for the compatible and beneficial mixture of residential and commercial uses but do not require that commercial development incorporate residential uses. Historically (before 2021), this area of the City had a General Plan Designation of Industrial (I) and a Zoning Classification of Industrial (M). Existing commercial uses on the project site and surrounding industrial and commercial uses were approved at a time when this area was designated and zoned for heavier industrial and commercial uses.

The existing uses at the project site and the project proposed by ThompsonGas, LLC could be considered to be similar in nature to some of the principally permitted uses allowed under the 'Distribution and Associated Warehousing' and 'Commercial Services' land use types in the O zone. Although the project site was redesignated/rezoned to allow a mixture of commercial and residential uses in 2021, the project proposed by ThompsonGas, LLC could be considered to be compatible and consistent with the existing developed condition of the project site and surrounding properties. Additionally, the project would be consistent with the following goals, policies, and implementation measures in the General Plan Land Use Element:

- **Commercial Goals and Policies, Multi-Use Development, GOAL:** To promote the economic well-being of the Downtown area, Powers Creek District, and other commercial areas through an appropriate mixture of commercial, manufacturing, residential, and public uses.
- **Commercial Goals and Policies, Multi-Use Development, Policy 4:** The City shall promote a broad range of appropriate principally permitted and conditionally permitted uses in the Downtown area and Powers Creek District (formerly Blue Lake Business Park).

- **Commercial Goals and Policies, Multi-Use Development, Implementation g:** The City should allow uses that are not specifically principally or conditionally permitted and exceptions to development standards in multi-use zones with a Use Permit.

Conditional Use Permit

The principally and conditionally permitted land use types in the O zone are provided in Blue Lake Municipal Code (BLMC) Sections 17.16.111(B) and 17.16.111(C), respectively. The type of use proposed by ThompsonGas, LLC (outdoor propane storage and distribution) is not specifically listed as principally or conditionally permitted in the O zone. However, as noted above, the project could be considered to be similar in nature to some of the principally permitted uses allowed under the 'Distribution and Associated Warehousing' and 'Commercial Services' land use types in the O zone.

Under the principally permitted land use types listed in BLMC Section 17.16.111(B), it states that the City Planner may determine that uses that are not specifically listed can be allowed as a principally permitted use in the O zone if it is found that they are of the same general character, are consistent with the intent and purpose of the zone, and would not be obnoxious or detrimental to the zone. Based on the type of use (outdoor propane storage and distribution), City staff determined that the project should be required to obtain a Conditional Use Permit (CUP) pursuant to BLMC Section 17.16.111(C)(2). This section, entitled 'Other Uses,' states the following:

Other Uses. Listed uses that are not specifically principally permitted in the O Zone or not determined by the City Planner to be consistent with other principally permitted uses in the O Zone. This includes any other use which, in the opinion of the Planning Commission, is consistent with the intent of the zone, and will not constitute a nuisance or be detrimental to the district or surrounding land uses.

As indicated above, in order to approve a CUP pursuant to BLMC Section 17.16.111(C)(2), the Planning Commission must make the following findings:

- *The use is consistent with the intent of the zone.*
- *The use will not constitute a nuisance or be detrimental to the district or surrounding land uses.*

In addition to the above findings in the O zone, there are standard findings the Planning Commission must make for approval of a CUP, which are found in BLMC Section 17.28.030(F) and provided below.

- *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.*
- *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.*

The applicant submitted information in their application in support of the above findings, which is summarized below (also see **Attachment A**):

- *ThompsonGas, LLC follows a comparable business model to B&B portable toilets, providing direct product delivery to customers and installation services, always prioritizing safety and pride in our work. Our business hours are Monday through Friday from 7 a.m. to 5 p.m., with occasional weekend work during the peak winter months.*
- *We assure you that our operations will not be detrimental to the surrounding properties. For reference, 200 Taylor Way, known as Blue Lake Power already houses an approximately 20,000-gallon propane tank and follows a consistent development pattern with neighboring businesses, including the Blue lake Public Works yard.*
- *Our operations involve two vehicles departing the property 1 to 2 times daily, with no offsite parking requirements. We will contain our operation within the leased boundaries of the existing property.*
- *ThompsonGas, LLC fits into the O zone under code 17.16.111.B.2, as a distribution service for propane.*
- *Importantly, we will not produce any noise, light, or dust pollution, and will not constitute a nuisance or be detrimental to the district or surrounding land uses.*
- *Propane is a safe and reliable source of energy, serving various purposes, from heating homes and water to running generator during emergencies and fueling vehicles. ThompsonGas, LLC is committed to the local communities we serve, supporting local youth activities and events through donations and sponsorships.*

Site Plan Approval

Since the project requires a Conditional Use Permit and the site is in the O zone, Site Plan Approval is also required pursuant to Municipal Code Sections 17.24.250 and 17.16.111(D)(11). Municipal Code Section 17.24.250(F) lists the 'principals to be followed' for Site Plan Approval. Section 17.24.250(F) states, "Areas of aesthetic and site plan consideration shall include, but are not necessarily limited to the following:

1. *Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*
2. *Review of proposed exterior color and material application with relationship to adjacent architectural or natural elements.*
3. *Review of proposed location, height, and materials of walls, fences, hedges and screen plantings to insure harmony with adjacent development or to conceal storage area, utility installations or other unsightly development. The planting of ground cover or other surfacing to prevent dust and erosion. The unnecessary destruction of existing healthy trees and woody vegetation.*
4. *Review of location, color, size, height, lighting, and landscaping of outdoor advertising signs and structures, in relation to traffic hazards and the appearance and harmony with the environment.*
5. *Review of location, height and material of walls, fences, hedges and screen plantings.*
6. *Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

7. *Review of the effect of the site development plan on traffic conditions on abutting streets. The layout of vehicular and pedestrian entrances, exits, drives, and walkways. The adequacy of off-street parking facilities to prevent traffic congestion. The location, arrangement, and dimensions of truck loading and unloading facilities. The circulation patterns within the boundaries of the development. The surfacing and lighting of off-street parking facilities.*
8. *Review of the effect of the site development plan on the adequacy of storm and surface water drainage.*
9. *Review of the location, height, size, wattage, and shielding of outdoor lighting.*
10. *Nothing contained herein shall be construed as restricting or curtailing any of the powers of the Planning Commission of the City of Blue Lake.*

Development Standards

The development standards in the O zone are found in BLMC Section 17.16.111(D). Below is a discussion of the project's compliance with the development standards that are applicable to the type of use proposed by the applicant (outdoor storage and distribution of propane; see Site Plan in **Attachment A**).

- Minimum Lot Area (BLMC Section 17.16.111(D)(1)): The O zone requires a minimum lot area of 15,000 s.f. The project site is 4.6 acres and, therefore, the site complies with the lot area requirements of the O zone.
- Building Coverage (BLMC Section 17.16.111(D)(2)): The O zone allows a building coverage of up to 70% on a property. The project site is 4.6 acres in size, which allows approximately 3.2 acres of building coverage. Existing buildings at the site total approximately 12,000 s.f. and the proposed project is proposing less than 2,000 s.f. of new structures. Therefore, with the additional structures proposed by the project, the building coverage at the site would be well below the requirements of the O zone.
- Building Height Limit (BLMC Section 17.16.111(D)(3)): The O zone allows a building height of up to 45 feet vertical for properties south of Taylor Way. The propane tank, cargo container, and other improvements proposed by the project would be well below 45 feet in height and, therefore, the project complies with the building height limit for properties south of Taylor Way.
- Setbacks (BLMC Section 17.16.111(D)(4)): The O zone requires that buildings that exceed 25 feet vertical on properties south of Taylor Way shall be located a minimum of 25 feet horizontal from any public right-of-way. This is the only setback requirement in the Zoning Code that is applicable to properties south of Taylor Way in the O zone. The proposed improvements will be located several hundred feet away from the closest public right-of-way and, therefore, the project complies with the setback requirements applicable to properties south of Taylor Way.
- Off-Street Parking (BLMC Sections 17.16.111(D)(7) and 17.24.100): The requirements for off-street parking, as noted in the O zone, are found in BLMC Section 17.24.100. The number of off-street parking spaces required for various land uses is prescribed in BLMC Section 17.24.100(A). This section does not identify specific parking ratios for the land use type proposed by the applicant. The applicant is proposing five off-street parking spaces, which they have determined is sufficient for the needs of their business. This includes spaces

for 3 company vehicles and 2 employee vehicles. The business will not be open to the public so there is not a need for parking spaces for customers. The parking spaces are proposed to be 8.5' in width and 19' in length, which complies with the parking dimension requirements in BLMC 17.24.100(C)(1). Because there is no specific parking standard in the BLMC for the proposed land use type and the applicant is proposing sufficient off-street parking for their business, the project is determined to be consistent with the City's parking requirements.

- Off-Street Loading Facilities (BLMC Sections 17.16.111(D)(7) and 17.24.110): The requirements for loading areas, as noted in the O zone, are found in BLMC Section 17.24.110. BLMC Section 17.24.110(B) provides the off-street loading facility requirement for commerce and industry type uses. As stated in this section, no loading berths are required for less than 4,000 s.f. of gross floor area. As discussed previously, the project is proposing less than 2,000 s.f. of new structures and, therefore, is not required to provide a loading area. Regardless of the requirements of the BLMC, the applicant will need a loading area near the proposed propane tank. As identified on the Site Plan, the loading area would be located directly south of the tank and is proposed to have dimensions (10' x 22') that are sufficient for their service trucks that would fill-up at the tank.
- Landscaping (BLMC Sections 17.16.111(D)(9) and 17.24.110): The requirements for landscaping, as noted in the O zone, are found in BLMC Section 17.24.240. As part of the 2014 Site Plan Approval application for B&B Portable Toilets, Six Rivers Portable Toilets, and Johnson's Mobile Rentals (App # 025-161-015/2014), landscaping was installed along the front and rear property lines in compliance with the requirements of Section 17.24.110. The landscaping includes big leaf maples and shrubs along the Taylor Way frontage and coast redwoods and red alders along the rear property line adjacent to the levee. Because the site has already been designed to comply with this requirement, no additional landscaping is required for the proposed project.

PLANNING COMMISSION ACTION OPTIONS: Listed below are the potential options for Planning Commission action on the proposed project including recommended motions for each action.

1. **Approval.** Determine that all the necessary findings can be made for approval of the project with or without modifications to the conditions of approval recommended by staff. **Attachment B** to this staff report contains draft Resolution No. 3-2023, which contains the findings necessary for approval of the proposed project. Exhibit "A" to Resolution No. 3-2023 contains the conditions of approval recommended by staff and Exhibit "B" contains the Site Plan proposed by the applicant.

Action: Motion to adopt Resolution No. 3-2023, read by title only: "A Resolution of the Planning Commission of the City of Blue Lake Approving a Conditional Use Permit and Site Plan Approval for ThompsonGas, LLC to allow operation of an outdoor propane storage and distribution business in the Opportunity Zone."

2. **Denial.** Determine that one or more of the necessary findings for approval of the project cannot be made.

Action: A motion to deny the Conditional Use Permit and Site Plan Approval application due to the findings for approval not being met, specifically regarding _____.

3. **Request additional information and continue item to next meeting agenda.** Request additional information needed to assist in determining whether the necessary findings for approval of the project can be made.

Action: A motion to request additional information specifically regarding _____ be brought back to the regularly scheduled meeting of November 20, 2023 (or time certain Special) Planning Commission meeting for consideration.

RECOMMENDATION:

- 1) Receive a presentation from city staff on the Conditional Use Permit and Site Plan Approval application for ThompsonGas, LLC.
- 2) Receive a presentation from the applicant.
- 3) Open the public hearing and receive public testimony.
- 4) Close the public hearing.
- 5) Discuss the application and ask questions of city staff and the applicant.
- 6) Take action on the Conditional Use Permit and Site Plan Approval application

Attachment A

ThompsonGas, LLC Application Submittal Documents



**Blue Lake
California Project**

A: Introduction

Thompsongas is the industry leader providing service, reliability, and safety in the LPG Industry. Customers across the US, including California, with clean, sustainable, US produced energy. Customers in the Blue Lake area are currently serviced by our Thompsongas location in Ukiah, California. Thompsongas operates retail operations across northern California with customers in the general vicinity of Blue Lake, California

LPG or Liquefied Propane Gas is the cleanest fossil fuel available in the world. It is the only clean energy fossil fuel listed by the EPA and is available under the Bidens Federal infrastructure plan. LPG is a renewable, domestically produced product that provides us a clean independent energy source proven to reduce carbon emissions released to the atmosphere.

Propane is used by more than 30 million homes nationwide for heating. Data compiled in 2022 by the Energy Department show there are more than there are more than 12 million homes in the state of California. Of this number, 60.83% or 7.6 million utilize Natural Gas, 29.71% or 3.7 million use electric and currently 3.14% or 400,000 use propane for heating of their homes, or cooking.

Because of the increasing concerns around Natural Gas and its Carbon output California has adopted measures to curtail its use in homes and businesses.

Electric is a choice that is being pushed by many as the Green Energy of the future. It may one day provide the clean energy choice we all desire. But today's reality is that cannot happen. The electric grid is too fragile to handle current electric loads. Mandated conversion to electric vehicles is escalating this problem even more.

Propane and its clean burning chemical composition is the bridge fuel desperately needed not only in California but across the US. To allow this exceptional and safe fuel to be readily available to communities like Blue Lake, established distribution points are necessary.

Unlike petroleum products, propane is not a ground pollutant. Release of the product does not allow the product to settle into the ground and will not contaminate ground water. Dikes or other containment barriers to prevent the spills from contaminating ground soils are not necessary.

Bobtail and transport trucks move the LPG or Propane gas from our Ukiah location up and down the US 101 coordinator. This 350-mile round trip not only increasing traffic along the US 101 highway but is a strong business case for why we are seeking to install satellite storage in the Blue Lake area. Increasing the operation efficiency of our business and reducing the carbon footprint of our operation while simultaneously increasing the safety on California highways.

To accomplish this desired reduction in transportation along the California Highways, Blue Lake was selected as a distribution point. It allows the LPG product to be accessible and readily available to the local community.

Thompsongas wishes to provide the following local impact to the local economy from this project:

- Provide additional jobs to the area.
- Provide additional tax basis and revenue from our local operations.
- Provide clean energy choices to support the efforts towards decarbonization.
- Provides a distribution point to allow LPG to be available throughout Northern California as an alternative fuel to diesel and gasoline for use in vehicles.

B: Property Site / Location

1. Our business will jointly share the property with the business of: **B&B Portable Toilets** that services the area with "Port-a-Potty" operations. (*Images 1, 2, 3*)

Tavis Cain, the business owner has been a well-respected member of the Blue Lake Community for many years.

This business has provided a positive tax revenue base for the community of Blue Lake for the same number of years and has supported the local community, its citizens, through numerous efforts and opportunities.

B&B has made suitable and requested improvements on occasions at the request of The City of Blue Lake, to the property in question to remain in good standing. Improvements made to property are similar in nature to those that would be required of Thompsongas for our operations if we were to select a different property if one were available.

- These improvements include 6ft Chain link fencing with appealing-colored slats to help make the operations inside the perimeter of the fencing attractive to the community.
- Trees and other native plants were installed along the rear of the property to assist with the eye pleasing view from the walking path looking towards the front of the property. (*Note: Tree Plantings along rear of property lower portion of Image 1*)
- The existing fencing with colored slats is at a height of 6ft while the tank skid height will be 9ft, 9 inches high. The tank color will be white per required National Fire Protection Code NFPA 58. Therefore; 70% of the tank side will be hidden, covered behind the existing fencing. (*Image 4*)
- Additional fencing matching the same criteria as the current fencing will be installed around the tank skid for added concealment and separation of use between the 2 businesses.
- When the trees and other plants install along the rear of the property reach mature growth, they will provide additional eye appeal and beautification to the area along the rear. Unlike other facilities (*Image 5*), the proposed facility on Taylor Way does not have an impeding roadway next to the rear fencing. This area allows for Tree and native plants to be planted helping to hide the view.
- If necessary, Thompsongas would be open to additional reasonable request to place plants or other suitable and agreeable methods of beautification to the rear of the property. These requests would need to be evaluated by the property owner, our operations personnel and not conflict in any way with existing codes regulating safety.

The rear portion of the property is currently underutilized by his operation therefore, allowing him the ability to lease a portion of his property to Thompsongas.

By allowing B & B to lease a portion of this property to Thompsongas it allows this business to business to increase revenue per sq foot making them a financially stronger member of the community while simultaneously helping a new business startup in the area.

It allows Thompsongas to take advantage of an existing under-utilized property at a discount of normal operating cost. This translates into a more affordable solution for us which allows for us to pass this positive business climate to the customers wishing to take advantage of this affordable clear energy solution.

Vehicle Traffic

The facility is designated to serve as a satellite storage facility. The purpose is to support existing operation in the area. Traffic flow will consist of two local employees arriving to work each morning Monday to Friday between 6-7am. Using their company vehicle, they will proceed to make deliveries dispatched to him from for customers in the Blue Lake area. Traffic entering and exiting from the facility will be an estimated flow of:

Personal vehicles two vehicles entering and exiting daily M-F	2 X daily.
Propane bobtail and service vehicle entering and exiting daily M-F	4-6 x daily dependent on seasonal demand.
Propane transport entering and exiting M-F	2-3 Weekly

Growth of the business in 3-5 years may provide justification to increase the staffing levels and create an additional 1-2 jobs. Even with this projection, impact tot the operational use and traffic flow to and from the location will not increase significantly.

ThompsonGas is currently leasing a portion of 150 Taylor Way known as B&B Toilets. We are currently housing the following equipment at this location:

- . Propane delivery truck.
- . Service crane truck.
- . Multiple empty propane tanks used for customer installations.

150 Taylor Way is an ideal location for serving Humboldt County residents with clean-burning, reliable propane. ThompsonGas follows a comparable business model to B&B Toilets, providing direct product delivery to customers and installation services, always prioritizing safety and pride in our work. Our business hours are Monday through Friday from 7 a.m. to 5 p.m., with occasional weekend work during peak winter months.

Our general business operations involve transferring fuel from bulk storage and delivering it to residential and business locations in Humboldt County. We utilize propane delivery trucks and service trucks for installations. We also mandate free safety inspections for all systems we service and install.

ThompsonGas would like to install a 30,000-gallon storage facility at the 150 Taylor Way address to enhance our ability to provide a reliable source of propane to our customers. We assure you that our operations will not be detrimental to the surrounding properties. For reference, 200 Taylor Way, known as Blue Lake Power, already houses an approximate 20,000-gallon propane tank and follows a consistent development pattern with neighboring businesses, including the Blue Lake Public Works yard. Our operations involve two vehicles departing the property 1 to 2 times daily, with no offsite parking requirements. We will contain our operation within the leased boundaries of the existing property. ThompsonGas fits into the O Zone under code 17.16.111 B.2, as a distribution service for propane. Importantly, we will not produce any noise, light, or dust pollution, and we will not constitute a nuisance or be detrimental to the district or surrounding land uses.

Propane is a safe and reliable source of energy, serving various purposes, from heating homes and water to running generators during emergencies and fueling vehicles. ThompsonGas is committed to the local communities we serve, supporting local youth activities and events through donations and sponsorships.

ThompsonGas Vision, Mission, Values:

Vision: Creating peace of mind through clean, sustainable, and affordable energy.

Mission: ThompsonGas is committed to being the provider of choice through:

Customer experience, advancing innovation, Promoting Propane as a sustainable energy source.
Selecting and developing the best people, Safety.

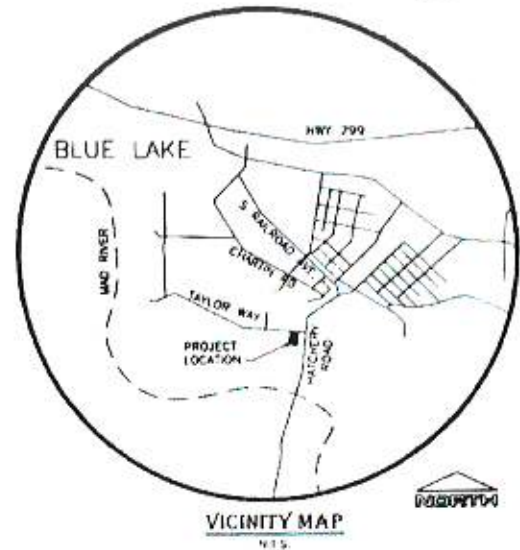
Values: Relationships

Create opportunities for growth, continuously improve, make ThompsonGas an easy choice for employees and customers. Do the right thing even when no one is watching and operate with a healthy work/life balance.

Project information

10/06/2023

Applicant: ThompsonGas LLC
Project Address: 150 Taylor Way
Blue Lake CA 95525
APN 025-161-015
Zoning O - Opportunity
Seismic Design category: E
Wind Exposure: B
Water: City
Sewer City
Gas N/A
Telephone N/A
Electrical PG&E
CATV: N/A
Trees to be removed: 0
No Known Historical buildings located on site



Legend

	Existing Buildings
	Proposed
	Existing Trees
	Driveway flow direction
	existing draining direction W / slope
	1000 Gal H2O storage

Project Description

Project includes the construction of a concrete slab 72' x 13.8

1. Concrete to be class B, Type II, 6 sack mix.
2. Ultimate compressive strength to be 2500 Psi after 28 day curing time.
3. Water shall be clean and free from injurious amounts of oil.
4. reinforcing bar to be grade 60.
5. reinforcing bar to be tied to all intersections in compliance with U.B.C.
6. Footing to rest on firm undisturbed native sub grade rock or back fill compacted to 90% relative compaction.
7. all exposed (uniformed) surfaces to be tamped and hard steel trowel finished.
8. Minimum reinforcing bar cover, dimensioned on drawing.
9. install 30K LPG storage tank

Install 6' high chain link fence w/ Privacy slats around items # 1,2 listed below.

1. construct fence around bulk storage 72' x 16.0'
2. construct fence around employee parking and tank storage area 150' x 100'

General Notes

1. No alteration of existing buildings or cement slabs including containment barriers.
2. Contractor shall perform all site work in compliance with state standards and specifications.
3. The drawings shall not be scaled. all work shall be governed by the dimensions shown in the drawings.
4. No additional lighting requirements.

Taylor Way

N85°12'00"W 228.40'

24' gate

Thompson Gas signage with phone number 3' x 3'

185.0

N4°48'00"E 200.00

Thomas Tellez
APN 025-161-08

N85°12'00"W 100.00

APN 025-161-15

2.0%

E8°08'14"W 660.83'

2.0%

95.2'

Calgon
carbon
Corp.
APN
025-161-
10

6' chain link fence with privacy slats
to be installed at perimeter of LPG tank

140'

Existing containment slab
no changes
51' x 119'

30 K LPG storage
72' x 15.8'

Bobtail Loading area
10' x 22'

65'

2.0%



1/2 scale

N4°48'00"E 490.58'

all site drainage flows to south end of property where it infiltrates into gravel substrate

2.0%

12' gate

150'

LPG tank storage
up to 60 tanks
vertical slats
120-400 Gal.

100'

30'

80'

2.0%

Parking for 3 company vehicles
6-2 employees 6-8.5' x 10'

Storage container

69'

S83°30'00"E 328.53'

City of Blue Lake
APN 025-161-03

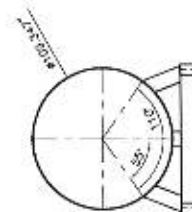
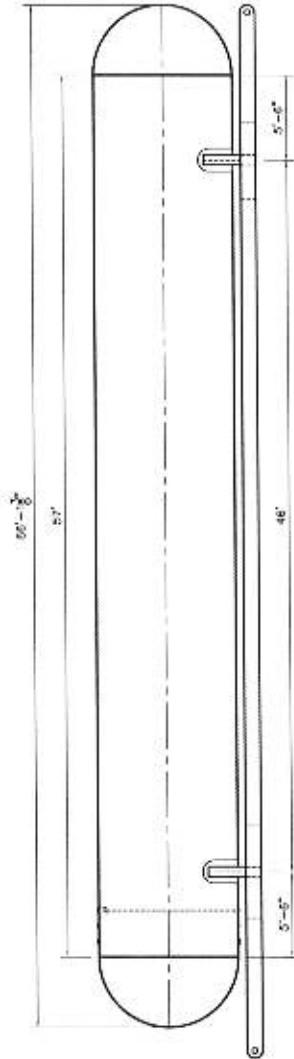
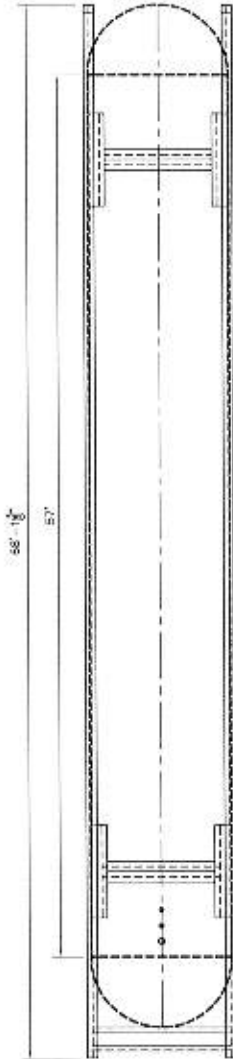


Image 3 Color Overhead Site View

DATA PLATE INFORMATION:
 MANUFACTURER: TRINITY INDUSTRIES
 SERIAL NO: 388553
 YEAR BUILT: 1973
 WATER CAPACITY: 30,000 GALLON
 OVERALL DIAMETER: 106.247"
 OVERALL LENGTH: 81.376"
 SHELL THK: .8733"
 HEAD THK: .438"
 WORKING PRESSURE: 250 PSI

NOTE:

POSSIBLE OVERALL LENGTH (B'-C 3/8") ON DATA PLATE IS INCORRECT PER
 ARMANDO. HIS MEASUREMENT FROM SEAM TO SEAM IS 57'-0".



DATE: 05/06/18
 DRAWN BY: DAVIS
 APPROVED:

RANSOME
 2425 SOUTH MAIN STREET, HESPERIA, CALIFORNIA 92529

NO.	DATE	BY	DESCRIPTION

30,000 GALLON LPG STORAGE TANK
 FOR THOMSON GAS
 SER. NO: 388553

DRAWING NO:
 FB465-00

Steel frame design for a 30,000 gallon LPG tank. Tank is 9'-1 3/8" diam. x 66'-1 3/8" O.A.L. Tank will be permanently attached to the frame by welding so that the tank and frame act as a single unit for purposes of this design. The tank is to be installed on a 6" thick concrete slab. This design complies with the 2010 California Building Code (CBC), and by reference, ASCE Standard 7-10. The following criteria were used in this design:

Occupancy Category : III, Table 1-1, ASCE

Seismic design data:

- Site Class D (USGS)
- Ss = 1.597 (USGS for Lat. & Long.)
- Fo = 1.0 (USGS)
- ASCE Equation 15.4-5 (For Rigid Nonductile Structures that have a fundamental period T less than 0.05 s: $V = 0.30 \times SDS \times W \times I$, where SDS = 1.065, W = total weight of tank and content, and I = 1.25 (importance factor).
- CBC Equation 16-27: $V = (0.80 \pm (E : 1.4), \pm 1/3 \text{ increase } \pm \text{ permitted in allowable stresses})$

- Dead Load L:
 - Wt. Of Tank = 49,790 lbs.
 - Wt. Of Content = 108,350 lbs.
 - Tank and content = 158,140 lbs.
 - Wt. Of frame and equipment = 5,860 lbs.
 - Total WL = 164,000 lbs.
- Seismic Force V = $0.30 \times SDS \times W \times I$
 - = $0.30 \times 1.065 \times 168010 \times 1.25$
 - = 67099 lbs.

Check Overturning:

- M₀ = 8.05 x 10⁶ ft. lbs.
- M_r = 4.75 x 10⁶ ft. lbs.
- F₀₅ = 7950-ft + 406620 = 1.86 Unit is stable against overturning

Check Base Bearing Pressure: Total length of bearing surface = 178.8 ft. Bearing area of frame = 178.8 x .57 = 111.9 sq. ft.

- Combined loading $L = .90 \pm (E = -.4)$, where D = 168010, and
- $E = Ra = Rb = (67099 \times 6.06) - 9.67 = 42050$
- $L = .9 \times 168010 \pm (42050 \pm 1.4)$
- = 151209 ± 28033

Load per linear foot of frame = (15,209 : 178.8) = (293.33 + 95.4)

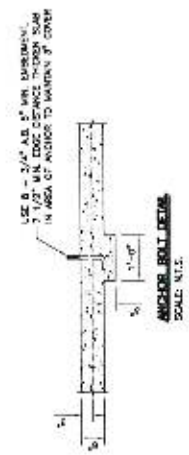
- = 545 = 314
- = 1180 plf max., and 532 plf min. (no uplift)

Maximum Soil Pressure: Assuming a 45 degree angle of fracture for the concrete, each linear foot of frame will have .57 x .5 + .5 = 1.57 sq. ft. per lineal of bearing surface. Therefore, the maximum soil pressure will = 1160 ÷ 1.57 = 685 psf. < 1000 psf

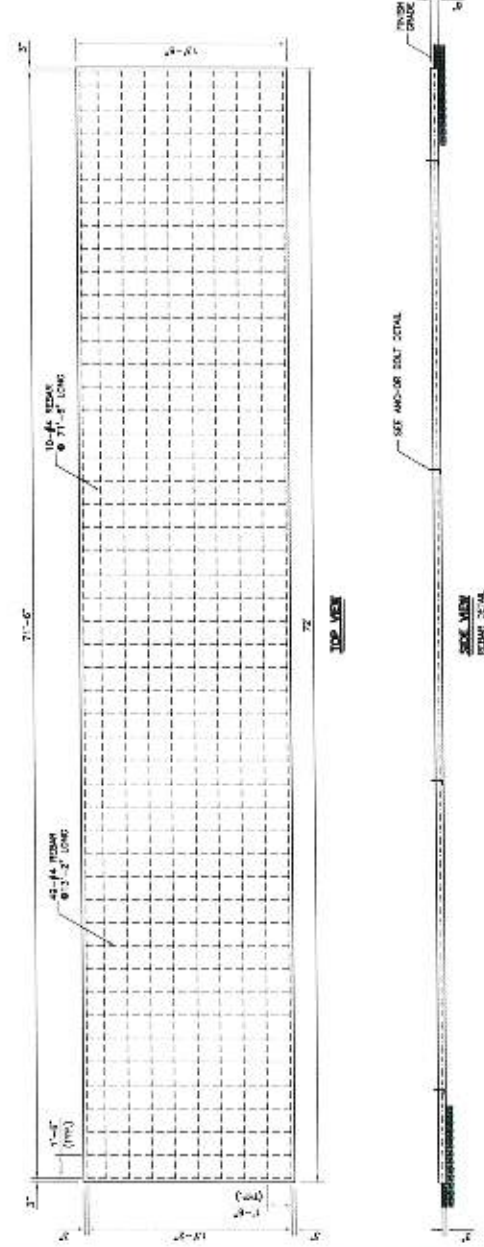
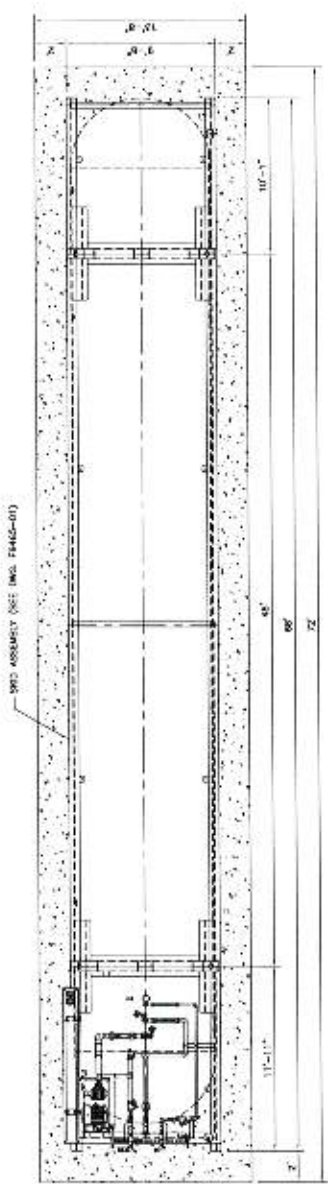
6" Slab: Since there is no beam action involved, use #4 rebar @ 1'-6" centers each way for temperature steel.

CONCRETE FOOTING SPECIFICATION

1. Concrete to be Class B, Type II, 6 Sack max.
2. Ultimate compressive strength to be 2500 PSI after 28 day curing time.
3. Water shall be clean and free from injurious amounts of oil, acid, alkali, organic matter or other harmful substances.
4. Ties to rest on firm undisturbed native soil subgrade or backfill compacted to 97% relative compaction with a soil bearing and pf 1000 psf.
5. If exposed (unformed) surface to be tamped and hard steel trowel finished.

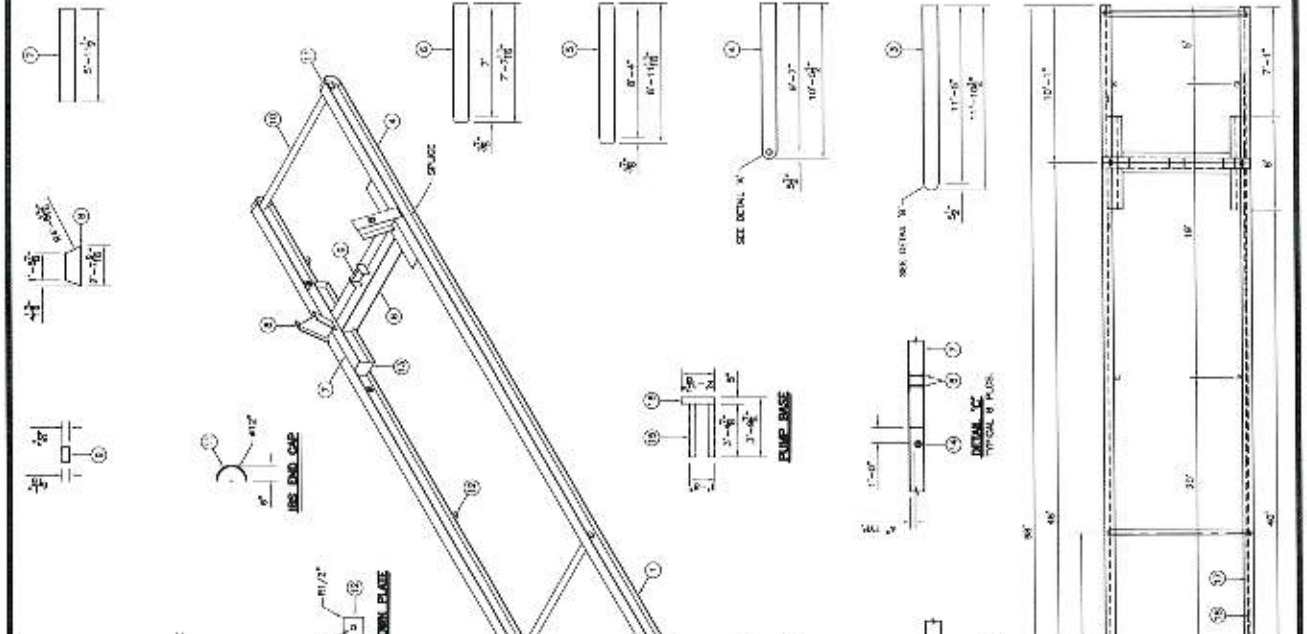


- NOTE: CONCRETE FOOTING SPECIFICATIONS
1. CONCRETE TO BE CLASS B, TYPE II, 6 SACK MAX.
 2. ULTIMATE COMPRESSIVE STRENGTH TO BE 2500 PSI AFTER 28 DAY CURING TIME.
 3. WATER SHALL BE CLEAN AND FREE FROM INJURIOUS AMOUNTS OF OIL, ACID, ALKALI, ORGANIC MATTER OR OTHER HARMFUL SUBSTANCES.
 4. TIES TO REST ON FIRM UNDISTURBED NATIVE SOIL SUBGRADE OR BACKFILL COMPACTED TO 97% RELATIVE COMPACTION WITH A SOIL BEARING AND PF 1000 PSF.
 5. ALL EXPOSED UNFORMED SURFACES TO BE TAMPED AND HARD TROWEL FINISHED.
 6. MINIMUM REINFORCING BAR COVER DIMENSIONED ON DRAWING.



ITEM	QTY.	PART NO.	DESCRIPTION
1	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
2	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
3	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
4	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
5	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
6	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
7	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
8	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
9	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
10	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
11	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
12	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
13	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
14	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
15	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
16	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
17	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
18	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
19	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
20	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
21	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
22	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
23	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
24	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
25	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
26	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
27	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
28	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
29	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG
30	1	112-40	12" X 12" X 1/2" WEL PLATE 27'-10 1/2" LONG

NOTES:
 1. ALL WELDS TO BE COMPLETED IN ACCORDANCE WITH AISC 360.
 2. PUMP BASE TO BE WELDED TO CONCRETE FOUNDATION.
 3. PUMP BASE TO BE WELDED TO CONCRETE FOUNDATION.



Job #25024: Thompson Gas - Reno, NV (See #F6465-01)
 Steel frame design for a 30,000 gallon LPG tank. Tank is 9'-1 3/8" diam. x 66'-1 3/8" O.A.L. Tank will be permanently attached to the frame by welding so that the tank and frame act as a single unit for purposes of this design. The tank is to be installed on a 6" thick concrete slab. This design complies with the 2015 California Building Code (CBC) and by reference, ASCE Standard 7-10. The following criteria were used in this design:
 Occupancy Category: III, Table 1-1, ASCE
 Earthquake design detail:
 Site Class: C (USGS)
 S_s = 1.597 (USGS for Lat. & Long.)
 F_a = 1.0 (USGS)
 ASCE Equation 15.4-5 (For Rigid Nonbuilding Structures that have a fundamental period T less than 0.05 s: V = 0.30 x S_s x W x I, where S_s = 1.065, W = total weight of tank and content, and I = 1.25 (importance factor).
 CBC Equation 16-22: L = (0.90 + (E + 1.4)) x (1/3 increase is permitted in allowable stresses)

Dead Load D:
 WL Of Tank = 49,750 lbs.
 WL Of Content = 109,450 lbs.
 Tank and content = 159,200 lbs.
 WL Of frame and equipment = 9,860 lbs.
 Total WL = 169,060 lbs.
 Seismic Force V = 0.30 x S_s x W x I = 0.30 x 1,065 x 169,060 x 1.25 = 87,039 lbs.

Check Overturning:
 M_o = 6.06 x 37,000 = 224,620 ft. lbs.
 M_r = 4.75 x 190,110 = 903,523 ft. lbs.
 Factor of safety against overturning:
 F.S. = 903,523 / 224,620 = 4.02 (Unit is stable against overturning)

Check Base Bearing Pressure: Total length of bearing surface = 178.8 ft.
 Bearing area of frame = 178.8 x .87 = 155.3 sq. ft.
 Combined loading L = .30 = (E + 1.4), where E = 190,110, and
 L = Ra - Rb = (97,099 x 6.06) + 9.87 = 420,550
 L = .9 x 169,060 + (420,550 + 1.4)
 L = 151,208 + 280,333

**Load per linear foot of frame = (151,208 / 178.8) ± (280,333 / 88.4)
 = 846 ± 314
 = 1160 plf max., and 539 plf min. (no uplift)**

Minimum Soil Pressure: Assuming a 45 degree angle of fracture for the concrete, each linear foot of frame will have .67 + .5 + .5 = 1.67 sq. ft. area of bearing surface. Therefore, the maximum soil pressure will = 1160 / 1.67 = 695 psf. **NOTE:** Since there is no beam action involved, use #4 rebar @ 1'-6" centers each way for temperature steel.

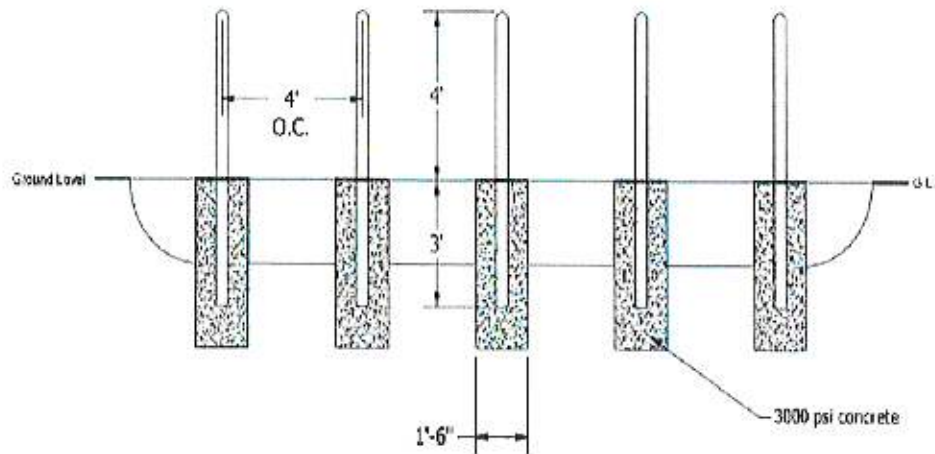
Check frame base beam:
 Cantilevered End Section: M = (w L²) / 2
 = (1160 x 9.42²) / 2 = 51487 ft. lbs. - worst case
 Center Section: M = (w L²) / 8
 = (1160 x 23.56²) / 8 = 31424 ft. lbs.
 Sreq. = (M x 12) / (I_x x 1.33)
 = (51487 x 12) / (22000 x 1.33)
 = 2112 in³. O.K. < 31.9 in³ provide O.K.

Wind Force is negligible, seismic governs.

Check welds at tank supports:
 Allowable load for 3/8" fillet welds using E6010 electrodes is 3.2 K/in.
 Length of weld required = 239K (4/Weight of tank and frame) x 2 / 3.2 K/in = 148 inches
 Length of weld available = (57in x 4) + (54in x 2) (Length of Baseplate) = 336 in. O.K.

Responsible for design of tank supporting frame:
 Steven F. White, P.E. #37402
 2847 E. Las Alamos
 Fresno, CA 93710
 559 289-1069

Each post filled
with concrete



Typical 4" Bollard construction – 4" ATSM A500 Structural Steel set in an 18" diameter footing filled w 3000 psi concrete. Bollard is also filled with concrete and capped or mounded top to prevent standing water which would influence rust. Bollards are set at 4' on center maximum distance and 4' min distance from body of the propane tank.

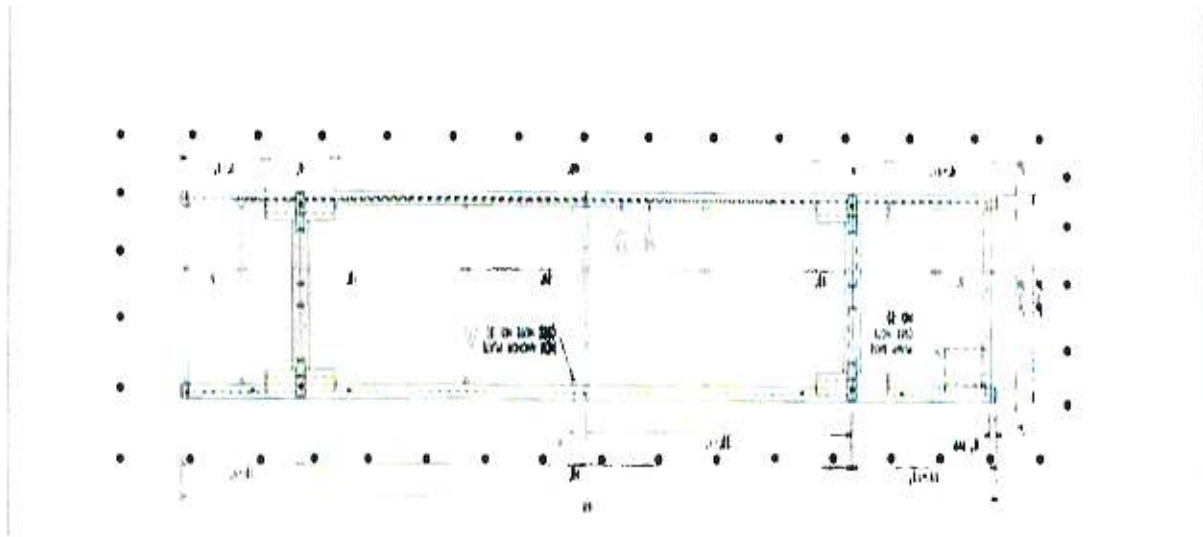


Image: Bollard detail plan

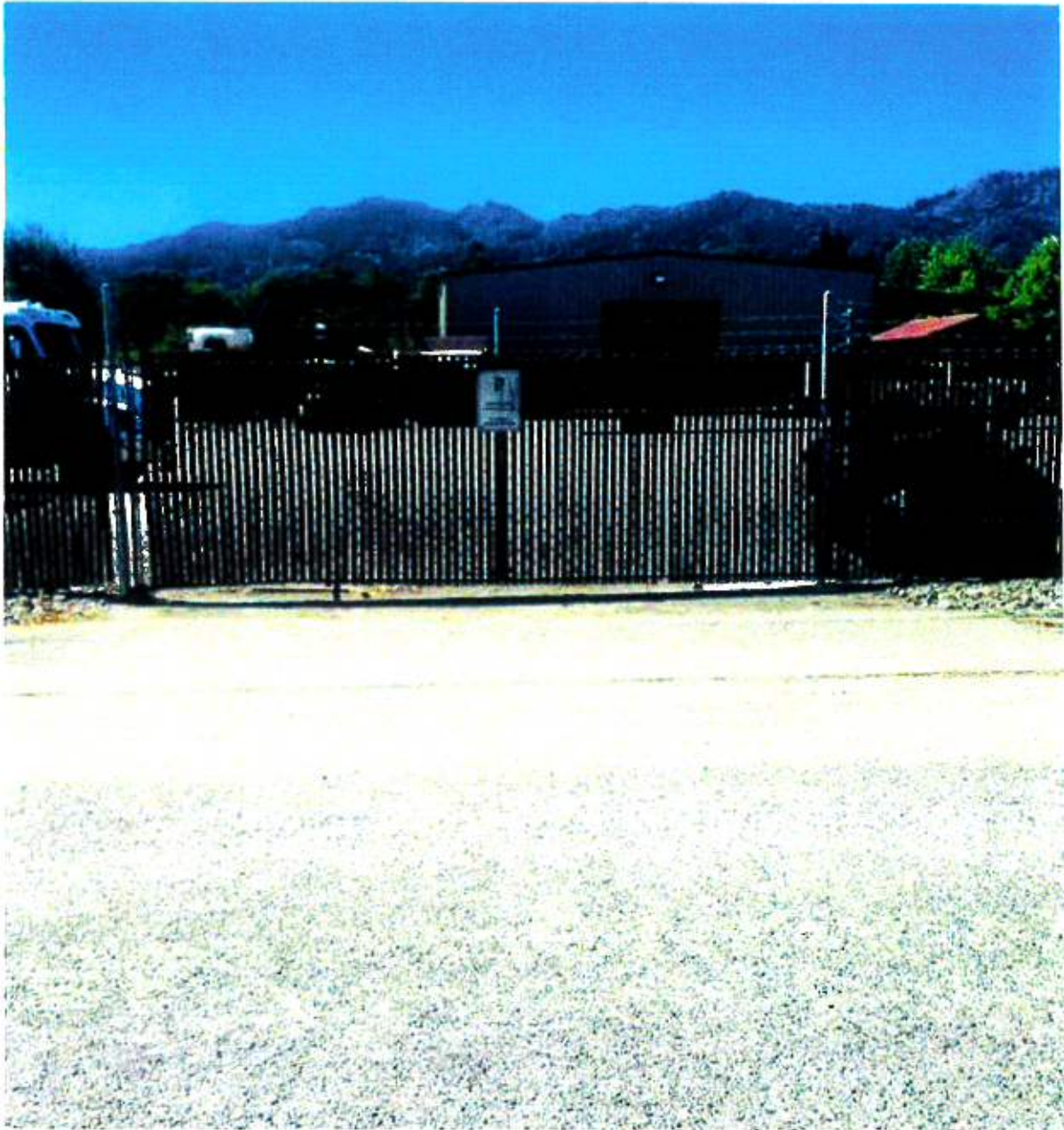


Image 4 – 21' Gate Opening w Highway access to Taylor Way



Image 30,000 Gallon Skid Tank –

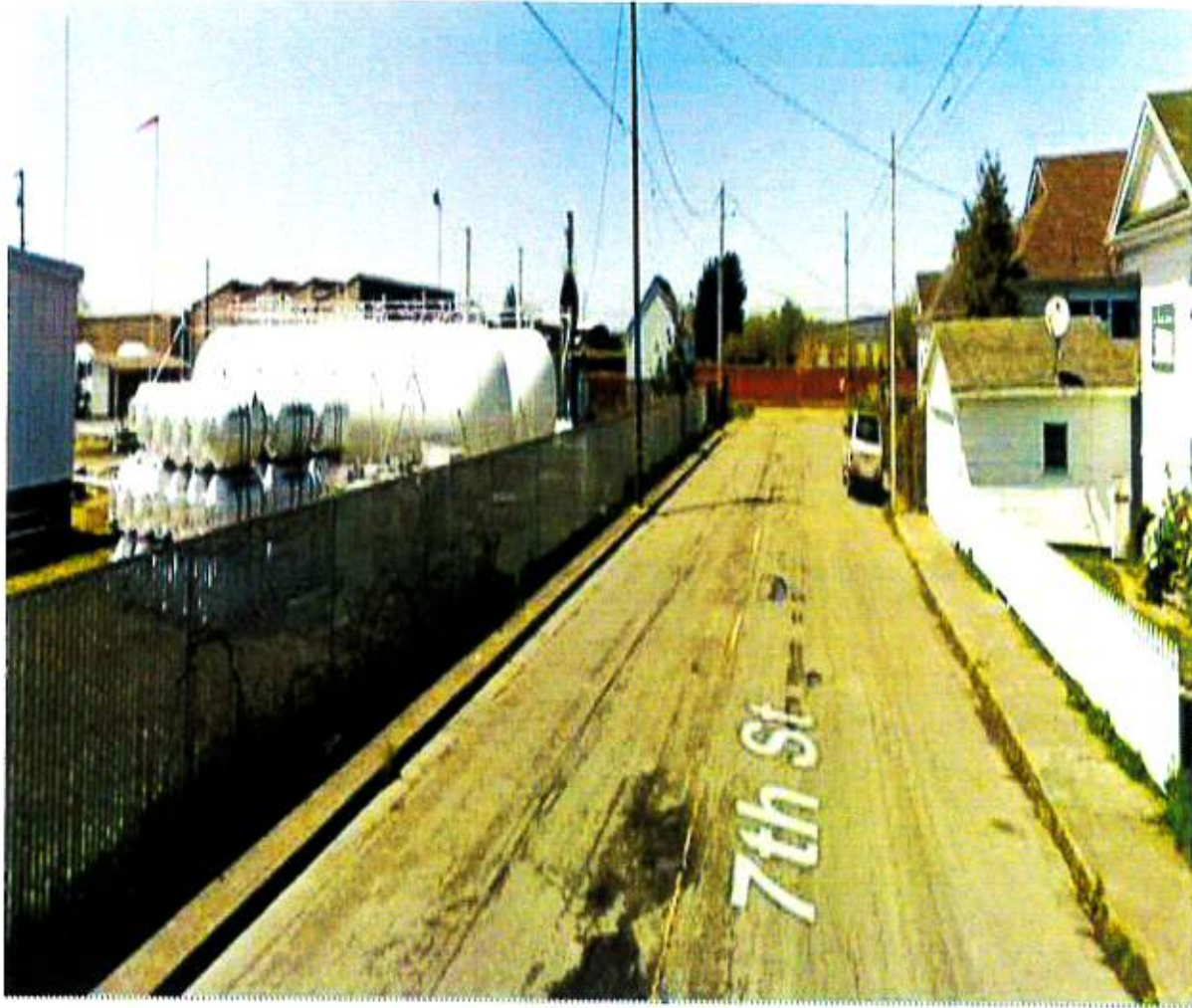


Image 5 LPG Facility



Image 30,000-gallon skid tank at school location

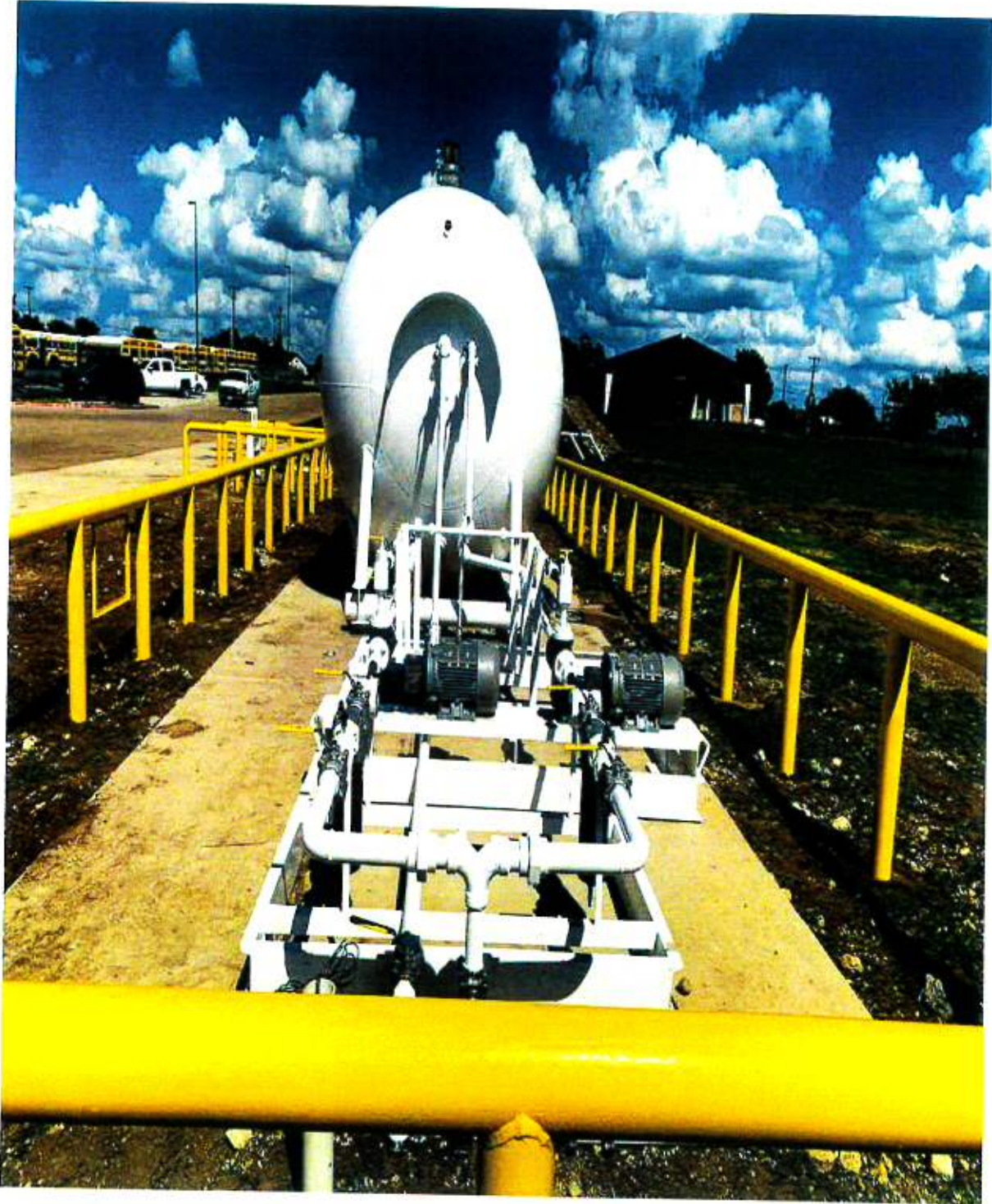


Image 30,000-gallon skid tank at school location

Bollard & Impact Protection



2-30,000-gallon tanks on piers with 4" bollards installed for vehicle protection.

Thompsongas Requirements

Thompsongas builds and operates all its facilities in accordance with NFPA 58 Rev.2017 or code adopted by the State or Authority Having Jurisdiction (AHJ).

Fire Safety Analysis

Per the requirements of NFPA 58 and the California Department of Industry for all storage tanks exceeding 4000 gallons Water Capacity (W.C) a Fire Safety Analysis must be completed in conjunction with the local authorities. For this project Thompsongas hired Mr. Ernie Reed of Reed Consulting, a 47-year industry veteran. Mr. Reed made a visit to the site, spend time gathering data from the site and Mr. Laidlaw's Department. The in-depth information obtained is provided in the attached FSA for the project.

Fire Safety Analysis Manual for LP-Gas Storage Facilities

Based on the 2017 Edition of NFPA 58 Liquefied Petroleum Gas Code



**Developed by the National Fire Protection Association and the
National Propane Gas Association**

Attachment B

Resolution No. 3-2023

RESOLUTION NO. 3-2023

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BLUE LAKE APPROVING A CONDITIONAL USE PERMIT AND SITE PLAN APPROVAL APPLICATION FOR THOMPSONGAS, LLC TO ALLOW OPERATION OF AN OUTDOOR PROPANE STORAGE AND DISTRIBUTION BUSINESS IN THE OPPORTUNITY ZONE

WHEREAS, ThompsonGas, LLC filed a Conditional Use Permit and Site Plan Approval application, dated July 27, 2023, to allow the location of a 30,000-gallon propane tank on APN 025-161-016 in the Powers Creek District on the property containing B&B Portable Toilets, Six Rivers Portable Toilets, and Johnson's Mobile Rentals. 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, and the storage of up to 50 empty propane tanks ranging in size from 120 - 500 gallons. Application materials provided by the applicant include a project description, site plan, design sheets for the propane tank components, photos of similar facilities, and a justification for the findings for approval;

WHEREAS, City planning staff has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing City departments and agencies for comments and recommendations; 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 November 6, 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 15303 (Class 3) exempting the construction and location of limited numbers of new, small facilities, or structures. The project meets the criteria for the Class 3 exemption since it proposes new, small facilities and structures for an outdoor propane storage and distribution business that would total less than 2,000 s.f. (e.g., 30,000-gallon propane tank, storage container, fencing, etc.).

B. Categorically exempt per CEQA Guidelines Section 15332 (Class 32) exempting projects characterized as in-fill development when certain criteria can be met. The project meets the criteria for the Class 32 exemption for the following reasons: 1) upon obtaining a conditional use permit pursuant to Municipal Code Section 17.16.111(C)(2), the project would be consistent with the general plan and zoning ordinance; 2) the project occurs within City limits on a small portion of a 4.6-acre site within the City's Powers Creek District; 3) the project site is developed with commercial uses and does not contain habitat for endangered, rare, or threatened species; 4) based on the limited nature of project operations, the business would not result in any significant effects relating to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required public utilities and public services.

RESOLUTION NO. 3-2023

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 17.16.111(C)(2) of the Blue Lake Municipal Code, the Planning Commission finds as follows:

A. The proposed outdoor propane storage and distribution business is consistent with the intent of the Opportunity zone.

B. The proposed outdoor propane storage and distribution business will not constitute a nuisance or be detrimental to the district or surrounding land uses.

4. 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 ThompsonGas, LLC to allow operation of an outdoor propane storage and distribution business in the Opportunity zone, subject to the terms and conditions contained in Exhibit "A", attached hereto and made a part hereof, and as set forth in the Site Plan, which is marked as Exhibit "B", attached hereto and made a part hereof.

INTRODUCED, PASSED, AND ADOPTED this 6th day of November 2023, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

RESOLUTION NO. 3-2023

Chairman, Planning Commission,
City of Blue Lake

ATTEST:

Secretary, Planning Commission

EXHIBIT "A"
To Resolution 3-2023

Conditions of Approval

General

1. Applicant shall reimburse the City for all fees involved in processing this application including any costs incurred ensuring compliance with the conditions of approval.
2. Applicant shall obtain and provide the City with copies of any required permits, approvals, filings, etc. from other agencies.

Planning

3. The Conditional Use Permit and Site Plan Approval for the proposed project shall expire within five years of the effective date of the approvals.
4. For any proposed signage, the applicant shall obtain a sign permit from the City and shall comply with the sign requirements in Municipal Code Sections 17.16.111(E)(2) and 17.24.120.
5. The applicant shall comply with the Opportunity (O) zone performance standards in Municipal Code Section 17.16.111(E). If complaints are received by the City, staff will conduct monitoring to verify compliance with the performance standards. The compliance monitoring shall occur at the applicant's expense. If it is determined that the business is not operating in compliance with the performance standards, the applicant shall be required to modify their operations to achieve compliance. If compliance cannot be achieved, it could result in revocations of the Conditional Use Permit.

Building Department

6. The applicant shall obtain building permits for the proposed improvements and comply with all requirements of the Building Department.

City Engineer

7. The applicant shall submit stamped plans for the proposed improvements (e.g., propane tank, concrete slab, tank skid assembly, protective structures, etc.) with reference to the current California Building Code requirements. Compliance with this requirement will be verified by the City Engineer through the building permit referral process.

Volunteer Fire Department

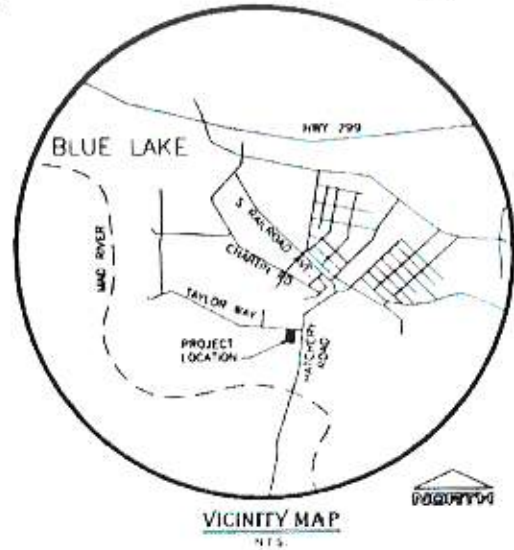
8. The proposed improvements must be designed and constructed to comply with applicable sections of the Fire Code and National Fire Protection Association codes and standards (e.g., Fire Code Section 61, Section 6.20 of NFPA 58, etc.). Compliance with these requirements will be verified by the Volunteer Fire Department through the building permit referral process.

EXHIBIT "B" to Resolution 3-2023

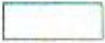





10/06/2023

Project information

Applicant: ThompsonGas LLC
Project Address: 150 Taylor Way
Blue Lake CA 95525
APN 025-161-015
Zoning O - Opportunity
Seismic Design category: E
Wind Exposure: B
Water: City
Sewer City
Gas N/A
Telephone N/A
Electrical PG&E
CATV: N/A
Trees to be removed: 0
No Known Historical buildings located on site



Legend

	Existing Buildings
	Proposed
	Existing Trees
	Driveway flow direction
	existing draining direction w / slope
	1000 Gal H2O storage

Project Description

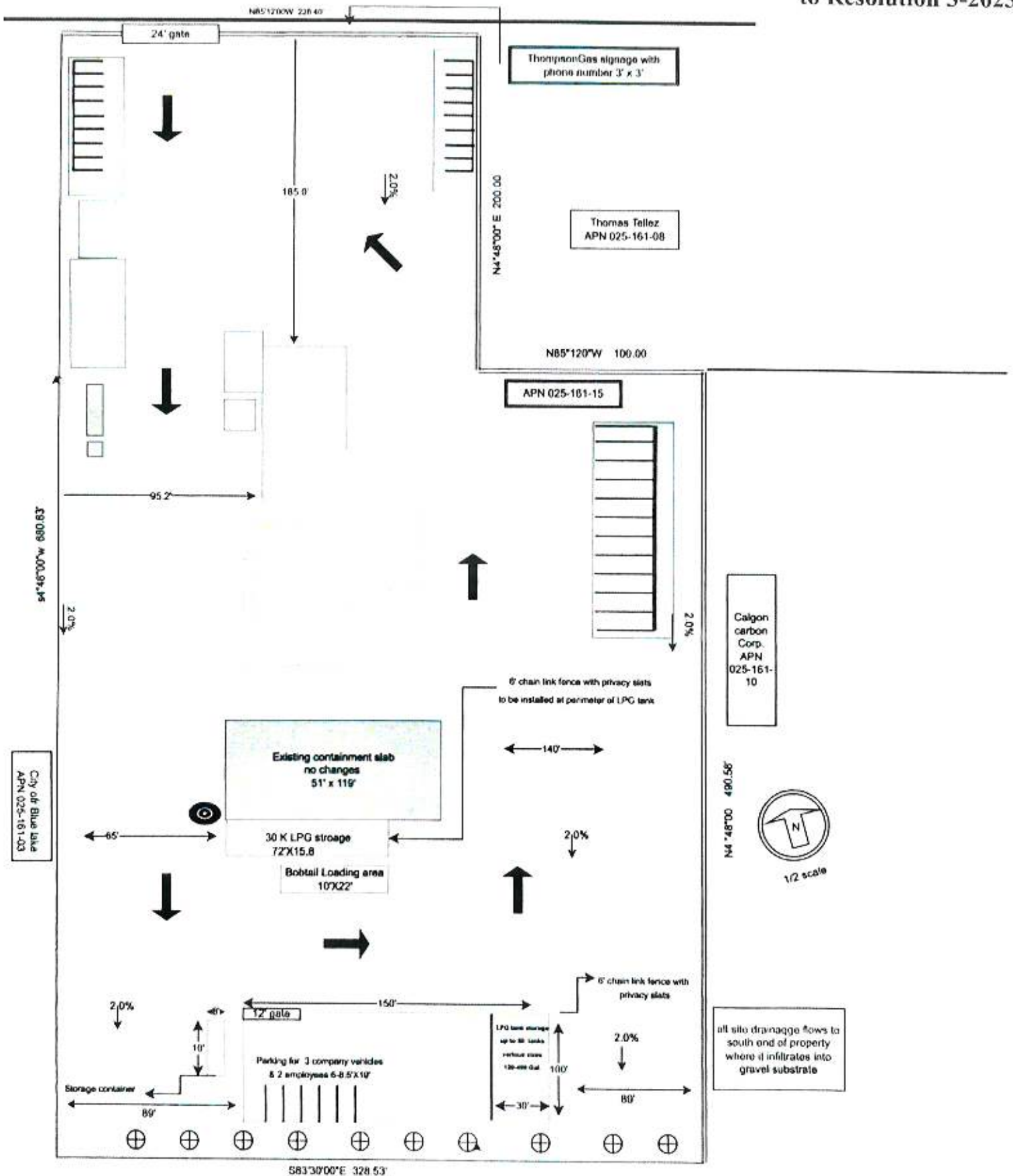
- Project includes the construction of a concrete slab 72' x 13.8'
1. Concrete to be class B, Type II, 6 sack mix.
 2. Ultimate compressive strength to be 2500 Psi after 28 day curing time.
 3. Water shall be clean and free from injurious amounts of oil.
 4. reinforcing bar to be grade 60.
 5. reinforcing bar to be tied to all intersections in compliance with U.B.C.
 6. Footing to rest on firm undisturbed native sub grade rock or back fill compacted to 90% relative compaction.
 7. all exposed (uniformed) surfaces to be tamped and hard steel trowel finished.
 8. Minimum reinforcing bar cover, dimensioned on drawing.
 9. install 30K LPG storage tank
- Install 6' high chain link fence w/ Privacy slats around items # 1,2 listed below.
1. construct fence around bulk storage 72' x 16.0'
 2. construct fence around employee parking and tank storage area 150' x 100'

General Notes

1. No alteration of existing buildings or cement slabs including containment barriers.
2. Contractor shall perform all site work in compliance with state standards and specifications.
3. The drawings shall not be scaled. all work shall be governed by the dimensions shown in the drawings.
4. No additional lighting requirements.

EXHIBIT "B"
to Resolution 3-2023

Taylor Way





CITY OF BLUE LAKE

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

DATE: November 6, 2023

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

RE: Item 5 – Discussion: Amendment of the Blue Lake General Plan Housing Element for the 6th Planning Cycle (2019-2027). Review of the 9/20/23 determination letter from the California Department of Housing and Community Development (HCD).

State law requires cities in Humboldt County to update their General Plan Housing Elements approximately every 8 years, which is referred to as a Housing Element planning cycle. The current cycle is for the 2019 - 2027 planning period (6th planning cycle). The City received grant funds from HCD through the Local Early Action Planning (LEAP) program to update its Housing Element and Municipal Code to achieve compliance with State housing law. Since receipt of the grant funds, city staff has worked with the Planning Commission and HCD on preparation of a Draft Housing Element Update for the 2019-2027 planning period. Below is a summary of the timeline for submitting the draft element to HCD for review.

- First Draft: The City submitted the first draft of the Housing Element Update to HCD at the end of May 31, 2022 for a 90-day review period. As mandated by HCD, the first draft of the element was made available for a 30-day public comment period prior to submittal. On August 29, 2022, the City received a letter from HCD with comments on the first draft of the element. On September 13, 2022, City staff met with HCD staff to discuss the comments and receive additional direction on the required revisions. Between September 2022 and April 2023, City staff worked on revising the first draft of the element to address the comments from HCD.
- Second Draft: The City submitted the second draft of the element to HCD on April 28, 2023. The City also submitted a letter with responses to the comments from HCD on the first draft of the element. As mandated by HCD, the second draft of the element was made available for a 7-day public comment period prior to submittal to HCD, which began on April 20, 2023 and ended on April 27, 2023. City staff received comments on the second draft of the element from HCD on 6/19/23 and worked with their staff from 6/20/23 to 7/22/23 on minor revisions to the element update.
- Third Draft: The City submitted the third draft of the element to HCD on August 28, 2023 for a 60-day review period. As mandated by HCD, the third draft of the element was made available for a 7-day public comment period prior to submittal, which began on August 1, 2023 and ended on August 8, 2023.

On September 20, 2023, the City received a determination letter from HCD reporting the results of their review (see **Attachment A**). The letter concluded that the revised draft element meets the statutory requirements of State Housing Element Law, with the following exception:

“Generally, pursuant to Government Code section 65584.09, if a city did not make available sites to accommodate the regional housing need allocation (RHNA), then the city shall, within the first year of the planning period of the new element, rezone adequate sites to accommodate the unaccommodated portion of the RHNA from the prior planning period. The City has an unaccommodated need from the prior planning period (Table 20). Since more than a year has lapsed from the beginning of the current planning period, the element cannot be found in compliance until the required rezoning is complete. Specifically, the element cannot be found in compliance until Program HI-14 (Rezoning and By Right Procedures) is implemented to meet the unaccommodated need from the 5th cycle RHNA. Once the rezoning has been completed, the City should submit documentation (e.g., resolution, ordinance) to HCD and HCD will review and approve the element in accordance with Government Code section 65585.”

Additionally, pursuant to Government Code Section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. This is similar to the sites inventory contained in the element update but must be provided in the electronic form required by HCD after the City has adopted its element.

This item was included on the agenda for this meeting to allow staff to present to the Planning Commission the remaining steps required to be completed for the City to achieve compliance with State housing law. Next steps in the process for achieving compliance include:

- Finalize the CEQA Initial Study being prepared for the element update and circulate the document for a 30-day public comment period.
- Complete the Housing Element adoption process with the Planning Commission and City Council, including holding public hearings to receive public comment. As part of this process, the Planning Commission will make a recommendation to the City Council on adoption of the element and the City Council will take final action.
- Implement Program 14 in the Housing Element Update which proposes amendment of the Blue Lake Municipal Code to include the Residential High Density (RHD) Combining Zone and a Zoning Map Amendment to apply the combining zone to property in the City.
- Submit the adopted Housing Element Update to HCD with the electronic sites inventory and the ordinance for creation and application of the RHD combining zone.

RECOMMENDATION:

- 1) Receive a presentation from city staff on the status of the Housing Element Update process and the determination letter from HCD.
- 2) Open the item for public testimony.
- 3) Close the item for public testimony.
- 4) Discuss the remaining steps to the Housing Element Update process and ask questions of city staff.

Attachment A

HCD Determination Letter for City of Blue Lake's 6th Cycle (2019-2027)

Revised Draft Housing Element

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



September 20, 2023

Amanda Mager, City Manager
City of Blue Lake
PO Box 458
Blue Lake, CA 95525

Dear Amanda Mager:

RE: City of Blue Lake's 6th Cycle (2019-2027) Revised Draft Housing Element

Thank you for submitting the City of Blue Lake's (City) revised draft housing element received for review on August 28, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft element meets the statutory requirements of State Housing Element Law, including as described in HCD's August 29, 2022 review. However, the housing element cannot be found in substantial compliance until the City has completed necessary rezones as described below. The housing element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq.) when the necessary rezoning is complete and the element is adopted, submitted to, and approved by HCD, in accordance with Government Code section 65585.

Generally, pursuant to Government Code section 65584.09, if a city did not make available sites to accommodate the regional housing need allocation (RHNA), then the city shall, within the first year of the planning period of the new element, rezone adequate sites to accommodate the unaccommodated portion of the RHNA from the prior planning period. The City has an unaccommodated need from the prior planning period (Table 20). Since more than a year has lapsed from the beginning of the current planning period, the element cannot be found in compliance until the required rezoning is complete. Specifically, the element cannot be found in compliance until Program HI-14 (Rezoning and By Right Procedures) is implemented to meet the unaccommodated need from the 5th cycle RHNA. Once the rezoning has been completed, the City should submit documentation (e.g., resolution, ordinance) to HCD and HCD will review and approve the element in accordance with Government Code section 65585.

As a reminder, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Public participation in the development, adoption and implementation of the housing element is to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

HCD appreciates the hard work, cooperation, and responsiveness the City's housing element team provided throughout the housing element review and update. If HCD can provide assistance in implementing the housing element, please contact Andrea Grant, of our staff, at Andrea.Grant@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager



CITY OF BLUE LAKE

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

DATE: November 6, 2023

FROM: Garry Rees, City Planner

TO: Blue Lake Planning Commission

RE: Item 6 - Discussion: Amendment of the Municipal Code to include a Residential High-Density (RHD) combining zone and a Zoning Map Amendment to apply the combining zone to property in the City.

At Planning Commission meetings in 2021 and 2022, the Commission reviewed a proposed draft combining zone (Residential High-Density or RHD) that is being considered by the City to address the state requirement to have a zone that allows multi-family residential development without discretionary review. In addition to the review by the Commission, the California Department of Housing and Community Development (HCD) reviewed the draft combining zone and requested revisions related to the density requirements of the zone.

Adding this combining zone to the City's Municipal Code would require amendment of Chapter 17.20 – Regulations for the Combining of Zones and for Open Space Lands. Applying the combining zone to property in the City would require a Zoning Map Amendment. Attached to this staff report is the current draft of the zone incorporating the revisions from the Planning Commission and HCD. Text that is proposed to be added to Chapter 17.20 is bolded and underlined. The prior discussions with the Planning Commission regarding where the combining zone could be applied in the City focused on its application in the portions of the Powers Creek District zoned Opportunity (O).

As part of the City's Housing Element Update for the 6th Cycle (2019-2027), the creation and application of the RHD combining zone has been included as Program HI-14. The text of this program is provided below.

HI-14 To ensure that the use permit process for multi-family projects does not impact the timing, cost, or supply of multi-family development, the City will adopt and apply a Residential High Density (RHD) Combining Zone to sites in the Residential Multiple-Family (R-3), Mixed-use (MU), Opportunity (O), and/or Planned Development Residential (PDR) zones to allow multi-family residential uses by-right at a density of 16 units per acre.

Responsibility: City Council, City Clerk, and Planning Staff.

Time Frame: Adopt the Residential High Density (RHD) Combining Zone and apply to sites zoned Residential Multiple-Family (R-3), Mixed-use (MU), Opportunity (O), and/or Planned Development Residential (PDR) to allow multi-family residential uses by-right by

December 2024. Capacity for at least 11 units (5th cycle RHNA) will meet all by right requirements pursuant to Government Code Section 65583.2, subdivisions (h) and (i).

Funding Source: General Fund and/or Grants.

This item was included on the agenda for this meeting because the City was recently notified in a determination letter from HCD (dated 9/20/23) that Program III-14 must be implemented before the City's Housing Element Update for the 6th Cycle can be found in substantial compliance with State Housing law. As stated in the determination letter:

“The revised draft element meets the statutory requirements of State Housing Element Law, including as described in HCD’s August 29, 2022 review. However, the housing element cannot be found in substantial compliance until the City has completed necessary rezones as described below. The housing element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq.) when the necessary rezoning is complete and the element is adopted, submitted to, and approved by HCD, in accordance with Government Code section 65585.

Generally, pursuant to Government Code section 65584.09, if a city did not make available sites to accommodate the regional housing need allocation (RHNA), then the city shall, within the first year of the planning period of the new element, rezone adequate sites to accommodate the unaccommodated portion of the RHNA from the prior planning period. The City has an unaccommodated need from the prior planning period (Table 20). Since more than a year has lapsed from the beginning of the current planning period, the element cannot be found in compliance until the required rezoning is complete. Specifically, the element cannot be found in compliance until Program HI-14 (Rezoning and By Right Procedures) is implemented to meet the unaccommodated need from the 5th cycle RHNA. Once the rezoning has been completed, the City should submit documentation (e.g., resolution, ordinance) to HCD and HCD will review and approve the element in accordance with Government Code section 65585.”

Based on the determination from HCD, City staff is proposing to complete the adoption process for the RHD combining zone so that the City's Housing Element Update will be found in compliance with State housing law (see **Attachment A**). Including this as a discussion item on the agenda for this meeting is the first step in that process. Next steps in the process will include:

- Sending the draft RHD combining zone to HCD for final review before taking it through the adoption process.
- Determining which property in the City to apply the combining zone and preparing mapping illustrating the proposed Zoning Map Amendment.
- Completing the adoption process with the Planning Commission and City Council, including holding public hearings to receive public comment and preparing environmental documentation in compliance with the California Environmental Quality Act. As part of this process, the Planning Commission will make a recommendation to the City Council on adoption and application of the combining zone and the City Council will take final action.

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Receive a staff report concerning the draft RIID combining zone and its proposed adoption and application to property in the City.
- 2) Open the item for public testimony.
- 3) Close the item for public testimony.
- 4) Discuss the steps for adoption and application of the RIID combining zone and ask questions of city staff.

Attachment A

Draft RHD Combining Zone

Proposed Residential High Density Combining Zone

Chapter 17.20 REGULATIONS FOR THE COMBINING OF ZONES AND FOR OPEN SPACE LANDS

17.20.010 General Regulations

The regulations set forth in this chapter for each of the Combining Zones shall modify the regulations for the principal zones with which they are combined. All uses and regulations of the principal zone **or portion thereof** shall apply in the Combined Zone, except insofar as they are modified or augmented by the uses and regulations set forth in the Combining Zone regulations.

17.20.070 Residential High Density or RHD Zone

The Residential High Density or RHD Combining Zone is intended to be combined with the Residential Multiple Family (R-3), Mixed-Use (MU), Opportunity (O), and/or Planned Development Residential (PD-R) zones for the purpose of facilitating multi-family housing for a variety of income levels.

- A. Applicability. The following regulations shall apply in the R-3, MU, O, and/or PD-R zones, when combined with the RHD Combining Zone in lieu of the requirements normally applicable.**
- B. Density. A maximum of 16 dwelling units per acre. Pursuant to Government Code Section 65584.09 (AB 1233), the RHD Combining Zone must be applied to sites that are 1 acre or larger, to ensure that a minimum of 16 units per site would be allowed.**
- C. Percentage of Residential Development. A minimum of 50 percent of the square footage in a mixed-use development shall be residential. A development shall not be precluded from providing 100 percent residential square footage due to the requirements of the principal zone.**
- D. No Discretionary Review Required. Residential development on sites in the RHD Combining Zone shall be principally permitted and shall not require discretionary review by the Planning Commission (e.g., Conditional Use Permit, Site Plan Approval, etc.).**
- E. Design Standards. New residential or mixed-use structures or additions/renovations to existing residential or mixed-use structures on sites in the RHD Combining Zone shall be subject to the objective design standards applicable to the principal zone or district.**

Public Comment

Thompson Gas LLC CUP-SPA (Application No. 025-161-016/2023)

Propane project.

Kent Sawatzky <kentsawatzky@hotmail.com>

Tue 10/31/2023 10:56 AM

To:Garry Rees <grees@shn-engr.com>

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Garry, Why the special meeting the same time as the BL Public Safety meeting?

This is a public hearing? The North Coast Journal has been the Newspaper of general circulation that has been used for other purposes. Has it been used as required for this Public Hearing?

The current participation by groups such as Humboldt 350 and people such as Colin Fisk seem to not be in favor of any project involving such things as natural gas or other petroleum products? How do they feel about this project in Blue Lake. A project of this magnitude is likely not exempt from CEQA for the reasons stated in the Notice of Public Hearing. I would assume that there are potential effects and at a minimum a Neg/ Dec is required?

Should you move forward with this project (I would not) please contain my concerns as comments and include them in the packet for the upcoming Blue Lake Planning meeting.

Please confirm that you received this Email.

Kent Sawatzky

Sent from [Mail](#) for Windows