



City of Clearlake
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Notice of Categorical Exemption Statement

The City of Clearlake approved the following conditional use permit and has determined that use is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA).

Project Title: CUP 2025-03, Categorical Exemption CE 2025-04

Lead Public Agency: City of Clearlake

Project Location: 14270 Lakeshore Drive, Clearlake, CA 95422 (APN: 040-191-14)

Project Approval Date: 2025

NOE Filed: June 2025

Prepared By: Michael Taylor, Associate Planner

DESCRIPTION OF NATURE, PURPOSE AND BENEFICIARIES OF THE PROJECT:

The purpose of the project is to allow a retail smoke shop in an existing commercial tenant space located within a one-story building approximately 1,900 square feet in size. The business will primarily engage in the retail sale of tobacco products and tobacco-related accessories, which will occupy approximately 70% of the floor area. The remaining 30% of the store will feature a variety of general merchandise not related to tobacco (Attachment B). Tobacco-related inventory includes cigarettes, cigars, rolling papers, lighters and matches, ashtrays, humidors, and batteries and chargers for smoking accessories. The general merchandise section will offer items such as t-shirts, hats, sunglasses, keychains, candles, incense, small electronics (e.g., headphones, speakers, phone chargers), as well as personal care items and decorative goods. The applicant anticipates an average customer traffic of 10 to 15 customers per day. The proposed hours of operation are Monday through Sunday from 10:00 a.m. to 7:00 p.m. The business will be staffed during all open hours, and the applicant emphasizes a commitment to providing courteous and respectful service to customers. The building is currently improved with standard electrical, plumbing, and interior wall configurations, and the applicant has indicated that no interior or structural tenant improvements are proposed at this time. The layout includes product display shelving, a shared restroom for customers and staff, and an emergency exit in addition to the main entrance. The site provides a total of four (4) off-street parking spaces immediately adjacent to the tenant space—three (3) standard spaces and one (1) accessible space compliant with ADA requirements. Security measures will include a surveillance system for customer and staff safety. No on-site smoking lounge is proposed as part of this application, and the applicant has confirmed that such use is not being considered in the future. A business sign is not currently proposed as part of this application and may be submitted for review under a separate sign permit.



EXEMPT STATUS (CATEGORICAL EXEMPTION SECTIONS):

Class 1 § 15301. Existing Facilities: Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

FINDINGS FOR EXEMPTION:

The California Environmental Quality Act (CEQA) Section 21000, et. seq. of the California Public Resources Code}, requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The Project is defined as a project under CEQA.

Staff reviewed the approved project to determine the required level of review under the CEQA and determined the project to be Categorically Exempt from the CEQA pursuant to the following CEQA Guidelines:

The project aligns with the requirements of CEQA Article 19 Class 1 § 15301, Existing Facilities involving negligible or no expansion of existing or former use. No improvements are proposed as the operation will be occurring within an existing structure. Additionally, no ground disturbing activities will occur.