

**COUNTY OF LAKE  
MAJOR USE PERMIT & INITIAL STUDY, PL-25-271**

**KUGELMAN COMMERCIAL SHOP  
3,000-SF AUTO RESTORATION AND AUTO REPAIR SHOP  
CONDITIONS OF APPROVAL**

**Expires if not used by: October 22, 2028**

Pursuant to the approval of the Planning Commission on October 22, 2026, is hereby granted to John Lucchesi a Major Use Permit and Initial Study, PL-25-271 with the following conditions of approval to allow a 3,000-sf auto-restoration and auto repair shop on property located at 15880 Kugelman Street, Lower Lake, CA (APN: 012-025-33) subject to the following terms and conditions.

**A. GENERAL CONDITIONS**

1. The use hereby permitted shall substantially conform to the Site Plans dated June 2025 and the Project Description date September 19, 2025, to allow a 3,000-sf auto restoration and auto repair shop.
2. The Community Development Director may approve, in writing, of minor modifications that do not result in increased environmental impacts.
3. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The permittee shall obtain permits as may be required from each agency.
4. The permit holder is responsible for insuring that all project workers are informed of understand and agree to abide by the approved plans and project conditions.
5. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
6. All construction shall be reviewed and approved by a *California-Licensed Professional Civil Engineer or Architect*, and be constructed to those specifications, subject to review and approval of the Community Development Department.
7. Prior to building permits final, the permit holder shall comply with all of the regulations and/or requirements of the Lake County Fire Protection District. The permittee shall contact the Lake County Fire Protection District for details.
8. This permit shall be null and void if not used by October 8, 2028, unless extended, or if the use is abandoned for a period of two (2) years.
9. The permittee shall pay the Fish and Wildlife Service Fee within five (5) days of the date of this approval. Payment shall be made payable to 'County of Lake' and shall be submitted to the Lake County Community Development Department for processing.
10. Prior to operation, the permittee shall contact the Lake County Building Department to conduct an inspection to verify that the site is Public Resource Code 4290 and 4291, and Wildland Urban Interface compliant.
11. All gated entrances shall be two feet wider than the interior access aisle or 22 feet wide, whichever is less. All gates shall be equipped with a Knox box to allow entry by emergency service providers.
12. The site address shall be posted as close to the entry road as possible prior to operation.
13. At the discretion of the Lake County Fire Protection District, portable fire extinguishers shall be installed at designated areas on the site. Prior to operation, the permittee shall contact the Lake County Fire Protection District to coordinate a site visit to confirm that this condition is met.

14. Prior to site disturbance, the applicant shall apply for a Grading Permit at the Lake County Community Development Department. The applicant shall provide total earth movement and road profiles for this Grading Permit.
15. The site plan submitted for building permits shall explicitly depict and describe all easement types exactly as set forth in the current vesting deed (e.g., non-exclusive ingress/egress, roadway, public utility).
16. All survey corner monuments shall be protected in place and maintained undisturbed throughout all phases of site preparation and construction.

B. AESTHETICS

1. To protect the visual character of the surrounding area and minimize visual blight, the temporary outdoor storage of all vehicles awaiting service, restoration, or pickup (not to exceed ten vehicles at any one time) shall be completely screened from public view, including neighboring parcels.
  - The applicant shall install a continuous, solid, sight-obscuring fencing, with a minimum height of six feet around the designated outdoor storage area. Chain link fencing with plastic slits are prohibited.
  - No vehicles, parts, tires, or restoration materials shall be stacked, stored, or parked in a manner that exceeds the height of the screening fence. *Mitigation Measure AES-1*
2. All lighting fixtures shall be shielded, downcast, and directed downward and inward toward the interior of the site to prevent light trespass onto public roadways or adjacent properties. No light source shall be directly visible from CA State Highway 53 or neighboring lots. All lighting shall comply with fixture recommendations found at <https://darksky.org/>. *Mitigation Measure AES-2*

C. AIR QUALITY

1. Prior to the issuance of a building permit or the initiation of commercial operations, the applicant shall submit the project plans to the Lake County Air Quality Management District (LCAQMD) for review and shall obtain an Authority to Construct permit or written verification of exemption. The project shall comply with all applicable air district rules regarding commercial solvent and coating use. *Mitigation Measure AQ-1*
2. To minimize fugitive dust during construction, all ground-disturbing activities, unpaved staging areas, and active excavation sites shall be regularly watered to suppress dust plumes. The applicant shall maintain a dedicated water source, such as a high-volume water hose connected to a reliable on-site supply, capable of reaching all disturbed areas of the site during grading and construction. Water shall be applied continuously during active dirt-moving operations and as needed to exposed soils. *Mitigation Measure AQ-2*
3. If the applicant installs an emergency backup generator, the applicant must obtain all necessary permits and clearances for the operation of diesel generators from the Lake County Air Quality Management District prior to installation. *Mitigation Measure AQ-3*
4. To ensure operational emissions remain below local air district thresholds and do not create a nuisance or public health hazard via particulate matter or odors, the facility shall strictly adhere to the following operational boundaries:
  - No commercial or private vehicle spray-painting, clearcoating, or heavy automated paint-priming operations shall occur on the project site. Any minor cosmetic touchups or rust-sealing shall be restricted to compliant, retail-level aerosol applications. Any future addition of a commercial spray paint booth shall require separate an amendment to the Use Permit and a new air quality permit from the Lake County Air Quality Management District.
  - All metal cutting, welding, light fabrication, and mechanical sanding shall be performed strictly within the fully enclosed workshop building. The shop must utilize localized dust-collection equipment or standard commercial filtration systems to capture airborne particulates before air is vented outdoor. *Mitigation Measure AQ-4*

D. BIOLOGICAL RESOURCES

1. If ground disturbing activities occur during the breeding and nesting season of nesting or roosting species (February 1 through September 15), surveys for active nests will be conducted by a qualified biologist no more than 10 days prior to start of activities.
  - Pre-construction nesting surveys shall be conducted for nesting migratory avian and raptor species in the project site and buffer area. Pre-construction biological surveys shall occur prior to the proposed project implementation, and during the appropriate survey periods for nesting activities for individual avian species. Surveys shall follow required CDFW and USFWS protocols, where applicable. A qualified biologist shall survey suitable habitat for the presence of these species.
  - If a migratory avian or raptor species is observed and suspected to be nesting, a buffer area shall be established to avoid impacts to the active nest site. Identified nests should be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline.
  - If no nesting avian species are found, project activities may proceed and no further Standard Construction Conditions measures shall be required.
  - If active nesting sites are found, the following exclusion buffers shall be established, and no project activities shall occur within these buffer zones until young birds have fledged and are no longer reliant upon the nest or parental care for survival:
    - Minimum no disturbance of 250 feet around active nest of non-listed bird species and 250 foot no disturbance buffer around migratory birds;
    - Minimum no disturbance of 500 feet around active nests of non-listed raptor species; and 0.5-mile no disturbance buffer from listed species and fully protected species until breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
    - Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of project activities. If behavioral changes are observed, the work causing that change should cease and the appropriate regulatory agencies (i.e. CDFW, USFWS, etc.) shall be consulted for additional avoidance and minimization measures.
    - A variance from these no disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers shall be supported by a qualified wildlife biologist and CDFW and USFWS shall be notified in advance of implementation of a no disturbance buffer variance. *Mitigation Measure BIO-1*
2. If ground disturbing activities or vegetation removal are scheduled to occur during the bumble bee active season (April 1<sup>st</sup> through September 1<sup>st</sup>), a qualified biologist shall conduct a minimum of three non-lethal, visual surveys prior to construction.
  - The surveys shall be spaced two-to-four weeks apart to account for changing floral resources and colony activity.
  - The final survey must be conducted within 72 hours prior to the initial start of construction or ground disturbance.
  - The area to be surveyed shall be 50-foot buffer area around the proposed project area.
  - If the Western Bumble Bee is observed strictly foraging on-site but no active nest is discovered, construction may proceed, and no additional operational restrictions are required.
  - If an active Western Bumble Bee nest is discovered within the project footprint or within the 50-foot buffer zone, all ground-disturbing activities within the immediate area shall be suspended. The biologist shall establish a minimum 50-foot no-disturbance buffer around the nest entrance and notify CDFW within 48 hours.
  - If active ground disturbing activities or grading ceases for a period greater than 14 days during active bee season, a follow-up nest survey shall be completed within 72 hours of resuming work. *Note: This survey requirement terminates once initial grading, excavation, and foundation trenching are completed and structural framing begins. Mitigation Measure BIO-2*
3. To protect the onsite drainage wetland from short-term construction impacts and long-

term project related stormwater runoff, the applicant shall comply with the following:

- If any Prior to the initiation of any ground-disturbing activities, clearing, or equipment staging, a high visibility physical barrier (such as orange construction fencing) shall be installed along the construction perimeter facing the drainage wetland to clearly define the active work limits and prevent accidental equipment encroachment or material storage near the channel.
- During all ground-disturbing activities, the applicant shall implement erosion and sediment control BMPs – including, but not limited, to straw wattles, silt fencing, or fiber rolls – installed continuously along the construction side of the barrier fence. These controls shall be maintained throughout construction to ensure no sediment-laden runoff exits the active work site toward the drainage.
- To mitigate runoff from new impervious surfaces (such as the building roof, parking, and driveway), the project design shall incorporate post-construction stormwater controls. These shall include standard design features such as rock-lined swales, bioretention basins, or infiltration trenches designed to capture, slow, and filter all peak stormwater flows on-site, ensuring that post-development runoff patterns do not adversely impact the hydrology or water quality of the drainage wetland. *Mitigation Measure BIO-3*

4. Install screens, window patterns, or new type of glass such as acid-etched, fritted, frosted, ultraviolet patterned, or channel. Additional information can be found at <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php>.

#### E. CULTURAL RESOURCES

1. Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted within 100 feet of the find(s). A professional archaeologist certified by the Registry of Professional Archeologists (RPA) shall be notified and shall evaluate the find(s) and recommend mitigation procedures, if necessary. The findings and mitigation measures shall be reviewed and approved by the Lake County Community Development Director prior to commencing work. *Mitigation Measure CUL-1*
2. All employees shall be trained in recognizing potentially significant archaeological, paleontological, or cultural materials that may be discovered during ground disturbance. Prior to ground disturbing activities, the Permittee shall submit a Cultural Resources Plan, identifying methods of sensitivity training for site workers, procedures in the event of an accidental discovery, and documentation and reporting procedures. Prior to ground disturbing activities, the Permittee shall submit verification that all site workers have reviewed the Cultural Resources Plan and received sensitivity training. *Mitigation Measure CUL-2*
3. Should any human remains be encountered, the applicant shall halt all work within 100 feet, notify the Sheriff's Department, the culturally affiliated Tribe(s), and a qualified archaeologist for proper internment and Tribal rituals per Public Resources Code Section 5097.98 and Health and Safety Code 7050.5. *Mitigation Measure CUL-3*

#### F. GEOLOGY AND SOILS

1. Grading Permit and Engineered Grading and Erosion Control Plan: Prior to any ground disturbance, the applicant shall obtain a grading permit from the County. As part of this permit process, the applicant shall submit an engineered Grading and Erosion Control Plan. *Mitigation Measure GEO-1.*
2. Stormwater Erosion Control Plan and Best Management Practices (BMPs): The applicant shall submit a comprehensive Stormwater Erosion Control Plan to the Lake County Building Division concurrently with the building permit application. *Mitigation Measure GEO-2.* This plan shall include:
  - Detailed strategies for managing stormwater runoff and minimizing erosion.
  - A Best Management Practices (BMP) Plan outlining specific measures to be implemented.
3. Grading activities shall be limited to April 15-October 15, unless otherwise adjusted according to weather and soil conditions, at the discretion of the Administrative Official. Grading and Erosion Plans, and grading activities shall comply with Chapter 30, Grading Ordinance of the Lake County Municipal Code.

#### G. HAZARDS & HAZARDOUS MATERIALS

1. Develop and strictly adhere to a Spill Prevention, Control, and Countermeasure Plan that outlines procedures for preventing, containing, and cleaning up fuel spills.. *Mitigation Measure HAZ-1*
2. If the applicant stores hazardous materials equal to or greater than 55 gallons of a liquid, 500 pounds of a solid or 200 cubic feet of compressed gas, the applicant would be required to submit a Hazardous Materials Inventory Disclosure Statement/ Business Plan to the Environmental Health Division via the California Electronic Reporting System (CERS) and it shall be renewed and updated annually or if quantities increase. Fees and inspections as part of the California Unified Program Agency (CUPA) program would also be required. Note that additional CUPA program requirements may apply depending on the amounts of hazardous materials stored onsite. *Mitigation Measure HAZ-2.*
3. All captured waste fluids, automotive chemicals, and lubricants stored indoors shall be placed within an approved secondary containment system (such as containment pallets or a bunded area) capable of holding 110% of the volume of the largest single container, or 10% of the total volume of all containers, whichever is greater, to prevent any accidental discharge onto the structure's floor or into local drainage pathways. *Mitigation Measure HAZ-3*

#### H. TRIBAL CULTURE RESOURCES

1. All on-site personnel of the project shall receive tribal cultural resource sensitivity training prior to initiation of ground disturbance activities on the project. The training must be according to the standards of the culturally affiliated tribe(s). Training would address the potential for exposing subsurface resources and procedures if a potential resource is identified. The training would also provide a process for, protection, treatment, care and handling of tribal cultural resources discovered or disturbed during ground disturbance activities of the Project. Tribal monitors would be required to participate in any necessary environmental and/or safety awareness training prior to engaging in any tribal monitoring activities for the project. *Mitigation Measure TCR-1*
2. If previously unidentified tribal cultural resources are encountered during the project altering the materials and their stratigraphic context shall be avoided and work shall halt immediately. Project personnel shall not collect, move, or disturb cultural resources. A representative from a locally-affiliated tribe(s) shall be contacted to evaluate the resource and prepare a tribal cultural resources plan to allow for identification and further evaluation in determining the tribal cultural resource significance and appropriate treatment or disposition, in collaboration with an Archeologists. *Mitigation Measure TCR-2*
3. Prior to commencement of ground disturbing activities, the permittee shall submit documentation to the Community Development Department demonstrating that they have engaged with the culturally-affiliated tribe(s) to provide cultural monitors and that cultural sensitivity training has been provided to site workers, in collaboration with Archeologists. *Mitigation Measure TCR-3*
4. All ground disturbing activities shall be monitored by qualified tribal monitor(s). Qualified tribal monitor(s) are defined as qualified individual(s) who have experience with identification, collection, and treatment of tribal cultural resources of value to the Tribes. Such individuals would include those who:
  - a) Possess the desired knowledge, skills, abilities, and experience established by the Native American Heritage Commission (NAHC) through the NAHC's Guidelines for Native American Monitors/ Consultants (2005) OR
  - b) Representatives of culturally affiliated tribe(s) who:
    - i. Are culturally affiliated with the project area, as determined by the NAHC; and
    - ii. Have been vetted by tribal officials of the culturally affiliated tribe(s) as having the desired knowledge, skills, abilities, and experience. *Mitigation Measure TCR-4*
5. The permittee shall notify all culturally affiliated tribes at least 45 days prior to commencement of ground disturbance activities on the project. All cultural resources unearthed by Project activities shall be evaluated by the Archeologist and monitor(s). The culturally affiliated tribe(s) must have an opportunity to inspect and determine the nature of the resource and the best course of action for avoidance, protection and/or treatment of the resource to the extent permitted by law. If the resource is determined to be a tribal cultural resource of value to a tribe, that tribe would coordinate with the permittee to establish by which the tribe(s) may appropriately protect, treat, and dispose

of the resource(s) with appropriate dignity, which may include reburial or preservation of resources. The permittee shall allow the Tribe(s) to facilitate and ensure that the treatment and disposition by the Tribe(s) is followed to the extent permitted by law.  
*Mitigation Measure TCR-5*

I. WILDFIRE

1. The applicant shall keep a water tender truck on site during site disturbance to reduce the impacts that might result from a spark creating a wildfire on site. *Mitigation Measure WILD-1*
2. Prior to operation, the applicant shall improve the interior driveway to meet Public Resource Code 4290 and 4291 driveway standards. *Mitigation Measure WILD-2*
3. The applicant shall maintain the required defensible space as required by Public Resource Code 4291 standards.
4. The applicant shall install a fire hydrant within 400ft. of the building that supplies a minimum of 1,500 gpm (gallons per minute) at 20 psi. If this is unattainable the applicant will need to install an NFPA 22 tank with gallonage based off NFPA 1142 emergency water supply.

J. MITIGATION MONITORING AND EXPIRATION

1. The mitigation measures identified in the adopted Mitigated Negative Declaration shall be implemented as described in the Mitigation Monitoring Reporting Program (Exhibit A).
2. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
3. Prior to issuance of any permits, the permittee pay the Annual Compliance Monitoring Fee to the Community Development Department until all conditions of approval are met.
4. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.
5. The site shall be restored to its natural state within six (6) months of termination of use or abandonment of the site.
6. The permittee shall enter into an Indemnification Agreement with the Community Development Department within thirty days (30) of issuance of use permit. Said agreement shall include the following language per the above section: *"hold harmless the County and its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained, by any person or property resulting from the issuance of the permit and the conduct of the activities authorized under said permit"*.

Susan Parker, Interim Director  
Community Development Department

Prepared by: TT

By: \_\_\_\_\_  
Planning Commission Clerk

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Acceptance

I have read and understand the foregoing Conditionals of Approval and agree to each and every term and condition thereof.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of permittee or authorized agent

\_\_\_\_\_  
Printed name of permittee or authorized agent