

City of El Paso de Robles

RESOLUTION NO. 87-82
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 87020
(OCCUPANCY OF INDUSTRIAL BUILDING IN MPD ZONE)
(DELTA PARTNERS)

WHEREAS, Conditional Use Permit 87020 has been filed by Delta Partners for a master occupancy permit for an industrial building in the MPD Zone located at 1850 Ramada Drive, and

WHEREAS, a public hearing was conducted by the City Council on on October 20, 1987 to consider an appeal, filed by the applicants, to amend certain conditions imposed by the Planning Commission on September 8, 1987 in its approval of Conditional Use Permit 87020, and

WHEREAS, at its public hearing, the City Council considered the minutes of the Planning Commission meeting of September 8, 1987 and the facts and analysis presented in the staff report prepared for this project and accepted public testimony regarding this proposed Conditional Use Permit, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the City Council finds that the establishment, maintenance or operation for the requested use or building applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles, does hereby approve Conditional Use Permit 87020 subject to the following conditions:

CONDITIONS TO BE IN COMPLIANCE AT ALL TIMES

1. This conditional use permit authorizes the occupancy of a 39,000 sq ft industrial building located at 1850 Ramada Drive by those uses listed in Exhibit A (attached). Outdoor storage of materials and equipment shall not include inoperative or abandoned vehicles, junk, scrap materials, salvage materials or similar items. This conditional use permit does not authorize the construction or use of a free-standing sign. Any use not listed may not occupy this building unless the Planning Commission so authorizes via either an amendment to this Conditional Use Permit Amendment or a finding that a proposed use is similar to a use listed on Exhibit A.

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2. This Conditional Use Permit shall be reviewed annually by the Planning Commission for compliance with the conditions of approval. After conducting at least one such annual review, the

Planning Commission may waive further scheduled reviews if it finds that all conditions are in a state of compliance.

3. The site shall be kept in a neat manner; landscaping, including street trees, shall be maintained in a viable condition.

4. All uses occupying the property shall abide by the general performance standards for all uses required by Municipal Code Section 21.21.040 (Copy attached as Exhibit B).

5. The 30 parking spaces provided in front of the building (facing Ramada Drive) shall be kept clear of obstructions for the parking of vehicles; they shall not be used for outdoor storage of materials or equipment.

6. A fire access lane shall be provided around the building, through the outdoor storage areas. The width and methods of assuring access of this lane shall be as approved by the Fire Chief. This lane shall be provided with a surface capable of supporting a 40,000 lb vehicle and shall be kept clear at all times.

7. The two existing oak trees, one elm and one eucalyptus tree in front of the building shall be protected.

CONDITIONS TO BE COMPLETED PRIOR TO OCCUPANCY

8. If outdoor storage is to be permitted, then the applicant shall accomplish the following:

a. A water line and on-site fire hydrants shall be installed as required by the Fire Chief and the City Engineer;

b. Screening of outdoor storage shall at all times be sufficient to completely screen from public view from all ground level directions, any and all goods or materials stored in the open.

9. The Architectural Review Committee shall approve screening methods for the outdoor storage area and all wall-mounted signs.

10. An industrial waste discharge permit shall be obtained from the Municipal Services Department for each tenant occupying the building.

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11. All uses shall comply with the Building and Fire Codes adopted by Title 17 of the Municipal Code. Individual Certificates of Occupancy shall be obtained for each tenant space. Each new tenant which occupies a space for which a Certificate of Occupancy was previously issued shall obtain a new Certificate of Occupancy.

CONDITIONS TO BE COMPLETED WITHIN ONE YEAR

12. The applicant shall prepare, and receive approval by the Architectural Review Committee for, a landscaping plan for enhancement of the existing landscaped areas adjacent to the front (west side) of the building.

13. Those landscaping improvements to the front side of the building required by the Architectural Review Committee shall be installed.

14. The applicant shall offer to grant both a public utilities easement (to be a minimum of 15 feet wide: 5 feet on one side of the main and 10 feet on the other side) for the existing on-site water line and fire hydrant and an access easement (to be a minimum of 15 feet wide) from Ramada Drive and through the parking lot to provide access to the hydrant.

15. The existing overhead telephone service line shall be placed underground.

CONDITIONS TO BE COMPLETED WITHIN TWO YEARS OR DEVELOPMENT OF THE WESTERN PORTION OF THE SITE, WHICHEVER OCCURS FIRST

16. The applicant shall plant one street tree for every 50 feet of property frontage along Ramada Drive. Street trees shall be one and one-half (1 1/2) inch diameter specimen size. Species shall be approved by the City Planner. All trees shall be irrigated.

17. The applicant shall prepare, and receive approval by the Architectural Review Committee for, a landscaping plan for a 10 foot wide landscaped area to be located along the Ramada Drive frontage and for enhancement of the existing landscaped areas adjacent to the front (west side) of the building. Said landscaping plan shall include required street trees, shrubs, ground cover and automatic irrigation systems.

18. Those landscaping improvements along the Ramada Drive frontage required by the Architectural Review Committee shall be installed.

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19. The applicant shall design and construct curbs, gutters, sidewalks, a commercial drive approach and paving to make a smooth transition from the lip of the gutter to existing paving in Ramada Drive for the full frontage of the property. All improvement plans shall be prepared by a Registered Civil Engineer and shall be submitted to the City Engineer for approval. All improvements shall be designed and placed to City Standards and Specifications. A mylar copy and a blueline print of the as-built improvement plans, signed by the Registered Civil Engineer, shall be provided to the City Engineer prior to the final inspection.

PASSED AND ADOPTED THIS 3rd Day of November, 1987 by the following Roll Call Vote:

AYES: Cousins, Ovitt, Martin and Russell

NOES: Dolan

ABSTAIN: None

ABSENT: None



MAYOR NICK RUSSELL

ATTEST:



JERRY BANKSTON, CITY CLERK

EXHIBIT A

LAND USES AUTHORIZED BY CUP 87020

INFORMATIONAL NOTES:

- (P) denotes a land use which is permitted in the M Zone without a Conditional Use Permit.
- (P/C) denotes a land use which requires a Conditional Use Permit Commission to make a determination whether or not a Conditional Use Permit is required in the M Zone.
- (C) denotes a land use which will require the Planning and Scientific Commission to make a permit determination in the M Zone.

- A. MANUFACTURING & PROCESSING
 1. Apparel manufacturing (C)
 2. Electrical equipment, electronic & scientific instruments manufacturing (C)
 3. Food & kindred products manufacturing (C) (includes wholesale bakeries)
 4. Furniture & fixtures manufacturing (C) (includes cabinet shops, plywood, firewood, not including glass products manufacturing)
 5. Lumber & wood products manufacturing (C) (includes assembly and trusses, assembly (P/C) and welding)
 6. Metal fabrication (P/C) (includes scale manufacturing)
 7. Paper products (C) (including business forms, toys, brooms & brushes, etc.) (C)
 8. Small jewelry, jewelry, toys, brooms & brushes, etc. (C)
 9. Structural clay & pottery-related products (C)
 10. Structural clay & pottery-related products (soils & materials testing, research testing laboratories (P) development) (P)

B. WHOLESALE AND STORAGE

1. Outdoor storage of materials and equipment (including government and public utilities equipment yards) (C)
2. Vehicle Storage Lots (automobiles, recreational vehicles, boats, trailers, trucks and construction and farm equipment) (All stored vehicles must be operative. This use does not include auto dismantling or impound yards) (C)
3. Warehousing and indoor storage (P)
4. Wholesale & distribution (includes wholesale grocers, bakeries; does not include truck terminals and fuel dealers) (P)

C. SERVICES

1. Contracted services (plumbing, heating & air conditioning, janitorial, pest exterminating, construction trades) (P)
2. Equipment rental (includes outdoor storage) (C)
3. Small motor repair (electrical motor rewinding, lawnmower repair, etc.) (C)

D. RETAIL SALES

1. Building Materials (P) *
2. Furniture, appliances, home furnishings (P) *

* Additional paved parking per Zoning Code requirements must be provided for these uses.

EXHIBIT B

21.21.040 General performance standards for all uses. A. Fire and Explosion Hazards. All activities involving and all storage of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and adequate firefighting and fire-suppression equipment and devices standard in industry and as approved by the fire department. All incineration is prohibited.

B. Radioactivity or Electrical Disturbance. Devices which radiate radio-frequency energy shall be so operated as not to cause interference with any activity carried on beyond the boundary line of the property upon which the device is located.

C. Noise. At the lot line the maximum sound pressure level radiated in each standard octave band by any use or facility (other than transportation facilities or temporary construction work) shall not exceed the dB-A values given in Table I, after applying the correction shown in Table II.

Sound pressure level shall be measured with a sound level meter and associated octave band analyzer, conforming to standards. American Standard Sound Level Meters for Measurement of Noise and other Sounds, Z24.3-1944, American Standards Association, Inc., New York N.Y., and American National Standard Specifications for an Octave-Band Filter set for the Analysis of Noise and Other Sounds, Z24-10-1953, American Standards Association, Inc., New York, shall be used.

Measurements shall be made as follows:

Table I		
Residential	Commercial	Industrial
Maximum Permitted	Maximum Permitted	Maximum Permitted
Sound Level at	Sound Level at	Sound Level at
Lot Line	Lot Line	Lot Line
(in Decibels)	(in Decibels)	(in Decibels)
dB-A-55	dB-A-65	dB-A-68

If the noise is not smooth and continuous and is not radiated between the hours of one a.m. and seven a.m., one or more of the corrections in Table II shall be applied to the octave band levels given in Table I.

Table II	
Type of Location of Operation	Correction in Decibels
Character of Noise	
Daytime operation only	Plus 5
Noise source operated less than:	
1. 20% of any one-hour period	Plus 5
2. 5% of any one-hour period	Plus 10
(Apply one of these corrections only)	
Noise of impulsive character such as hammering	Minus 5
Noise of periodic character such as hammering or screeching	Minus 5

D. Vibration. No vibrations shall be permitted so as to cause a noticeable tremor measurable without instruments at the lot line.

E. Smoke. Except for fireplaces and barbeques, no emission shall be permitted at any point from any chimney or otherwise of visible grey smoke or of a shade equal to or darker than No. 2 on Power's MICRO Ringlemann Chart as issued by the United States Bureau of Mines, except that visible grey smoke of a shade equal to No. 3 on said chart may be emitted for four minutes in any thirty minutes.

F. Odors. Except for fireplaces and barbeques, no emission shall be permitted of odorous gasses or other odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air to four volumes of clean air at the lot line.

Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system so that control will be maintained if the primary safeguard system should fail. There is established, as a guide in determining such quantities of offensive odors, Table III. "Odor Thresholds," in Chapter V, of the Air Pollution Abatement Manual, copyright 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C.

G. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause any damage to health, animals, vegetations, or other forms of property, or which can cause any excessive soiling at any point. No emissions shall be permitted in excess of the standards specified in Table I, Chapter V, "Industrial Hygiene Standards, Maximum Allowable Concentrations" of the Air Pollution Abatement Manual, copyright 1951 by the Manufacturing Chemists' Association, Inc., Washington, D.C. In no event shall any emission, from any chimney or otherwise, of any solid or liquid particles in concentrations exceed 0.3 grains per cubic foot of the conveying gas at any point after January 1, 1975. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of five hundred degrees Fahrenheit and fifty percent excess air.

H. Glare. No direct glare, whether produced by floodlight, high-temperature processes such as combustion or welding, or other processes, so as to be visible from any boundary line of the property on which the same is produced shall be permitted. Sky-reflected glare from buildings or portions thereof shall be so controlled by such reasonable means as are practical to the end that the said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs. (Ord. 405 N.S. § 2 (part), 1977).