



City of Paso Robles Planning Commission Agenda Report

From: Darcy Delgado, Assistant Planner

Subject: Conditional Use Permit 18-002 (Chevron Gas Station Solar Canopies)

Applicant: A.M. Sun Solar

A request for a Conditional Use Permit to install photovoltaic system canopy structures at the Chevron gas station located at 190 Niblick Road.

Date: February 27, 2018

Facts

1. A.M. Sun Solar is proposing to install solar canopies within the existing parking lot at the Chevron gas station, located at 190 Niblick Road (See Vicinity Map, Attachment 1).
2. The subject site is located in the RC (Regional Commercial) zoning district.
3. Table 21.16.200 of the Zoning Ordinance requires a Conditional Use Permit (CUP) for public utilities facilities, which would include solar energy systems, in the RC zone.
4. The applicant proposes to install a 50.2kW photovoltaic system consisting of two (2) 1,386 square foot solar canopies. Both solar canopies will be located along the southerly property line set back from Niblick Road. Canopy "A" will cover an existing air pump and associated parking, and Canopy "B" will cover the existing trash enclosures (See Attachment 2, Site Plan). Both structures will have a 15-foot clearance, and will not impact any of the existing parking space locations.
5. The canopies will consist of steel materials that are to remain unpainted. In addition to the canopies, the applicant intends to install solar roof-mounts onto the convenience store building, drive-thru carwash, and fuel canopy. Roof mounted solar does not require a CUP, and it is therefore excluded from this application request.
6. The Development Review Committee (DRC) reviewed this project at their meeting on February 12, 2018. The DRC was in favor of the project, however, they asked the applicant to verify the height of the canopies and indicate if they would be tall enough at the lowest point to accommodate fuel tank trucks. The applicant has confirmed the fuel tank trucks are lower than 15-feet tall, therefore the proposed 15-foot clearance is acceptable.
7. The project is consistent with the City of Paso Robles Climate Action Plan (CAP), which is a long-range plan to reduce use of non-renewable energy resources and to reduce greenhouse gas (GHG) emissions within Paso Robles.
8. This application is Categorically Exempt from environmental review under the State's Guidelines to Implement the California Environmental Quality Act (CEQA), per Section 21080.35 of the Public Resources Code.

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Options

After consideration of any public testimony, the Planning Commission may consider the following options:

1. Approve Draft Resolution A (Attachment 3), approving Conditional Use Permit 18-002, subject to site specific conditions of approval.
2. Refer the item back to staff for additional analysis.
3. Deny Conditional Use Permit 18-002 based on Findings to be specified in the Planning Commission motion.

Analysis and Conclusions

The RC zone allows public utilities facilities with the approval of a CUP. The discretion authorized with the approval of a CUP gives the Planning Commission the ability to require specific conditions of approval to insure that a particular use is compatible with surrounding uses/residences.

Project Summary

For the Planning Commission to consider a Conditional Use Permit request for the installation of two (2) photovoltaic system canopy structures within the existing parking lot at the Chevron gas station.

- Canopy A: ± 25.1 kW photovoltaic system encompassing 1,386 square feet in size
- Canopy B: ± 25.1 kW photovoltaic system encompassing 1,386 square feet in size

General Plan / Zoning Consistency

This property is designated in the General Plan Land Use Element and is zoned as Regional Commercial (RC). The Zoning Ordinance allows for public utilities facilities in the RC zone, subject to a CUP.

Neighborhood Compatibility / Site Design Issues

The applicant has provided site plans showing the proposed locations of each solar canopy structure. The design of the canopies are typical for parking lots. Additionally, the canopies will have a clearance of 15-feet and will accommodate tank trucks delivering fuel to the site and will not affect any of the existing parking locations. There are no additional light fixtures being proposed as part of the canopies, therefore glare will not be an issue for neighboring uses.

Canopy “B” will overhang three (3) existing non-native trees located in the landscape median. The trees are proposed to be removed and replaced with three (3) similar green-leaved trees that will be less than 14-feet tall at maturity.

Architecture and Appearance

The canopy structures will be framed with steel and are proposed to remain an unpainted steel finish to match the existing features of the gas station. Both canopies will be set back from Niblick Road by approximately 140-feet. Canopy B will be set back from South River Road by approximately 50-feet. The existing structures at this site, which include the fuel canopy and pump islands, convenience store, and drive thru carwash, will all help shield visibility from the adjacent streets as demonstrated in the site photos below.

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Photo 1: Looking south from Niblick Road.



Photo 2: Looking west from South River Road.

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CEQA issues

This application is Categorically Exempt from environmental review under the State's Guidelines to Implement the California Environmental Quality Act (CEQA) per Section 21080.35 of the Public Resources Code.

Options

Option 1. Approval of the Chevron solar canopy project is consistent with the City's Climate Action Plan, subject to a Conditional Use Permit.

Option 2. Option 2 takes into account continuing the item to a future Planning Commission meeting to further review the projects' compatibility with the surrounding area.

Fiscal Impact

None identified.

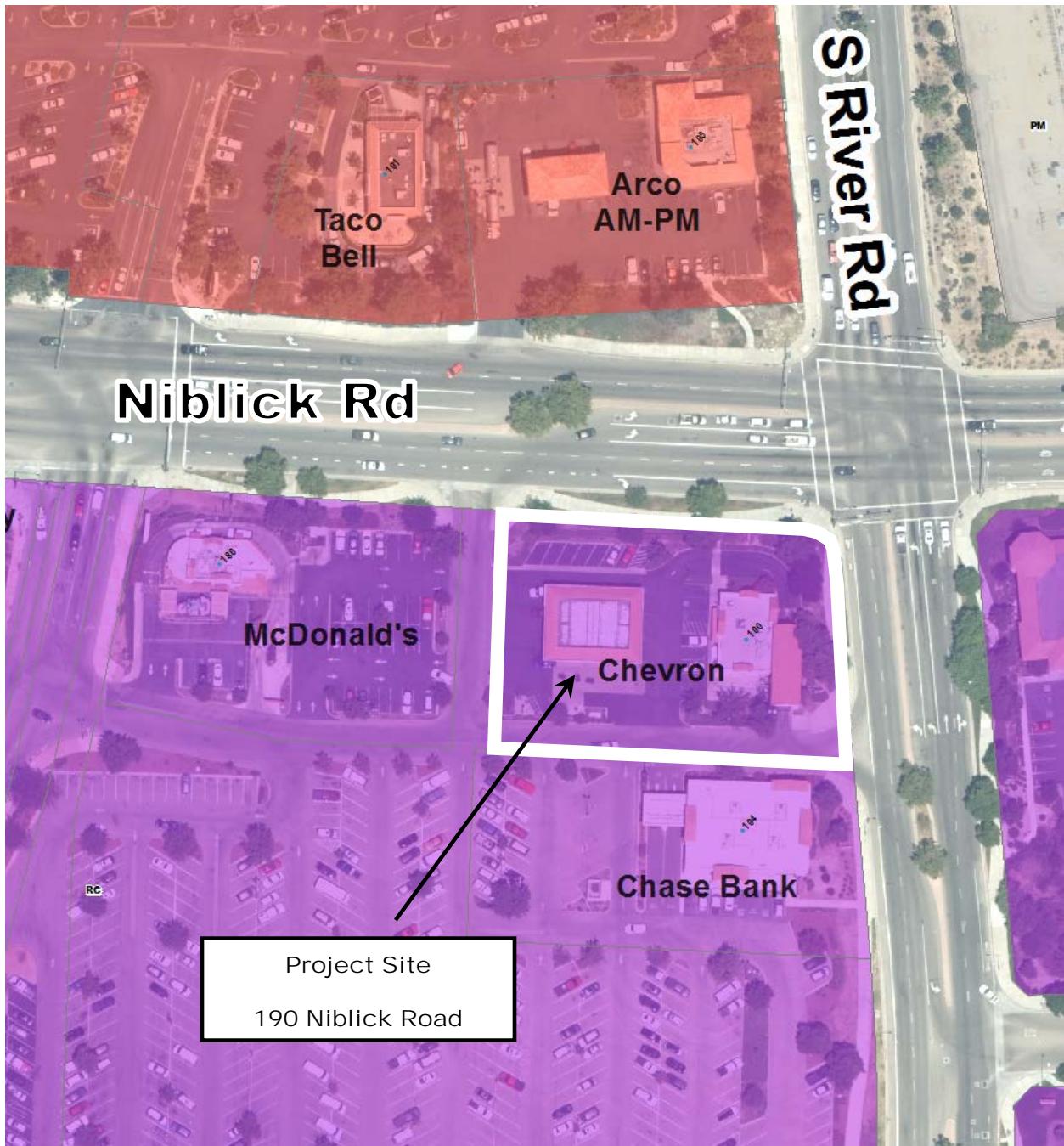
Recommendation

Option 1. Approve Draft Resolution A, approving Conditional Use Permit 18-002, subject to site specific conditions of approval.

Attachments

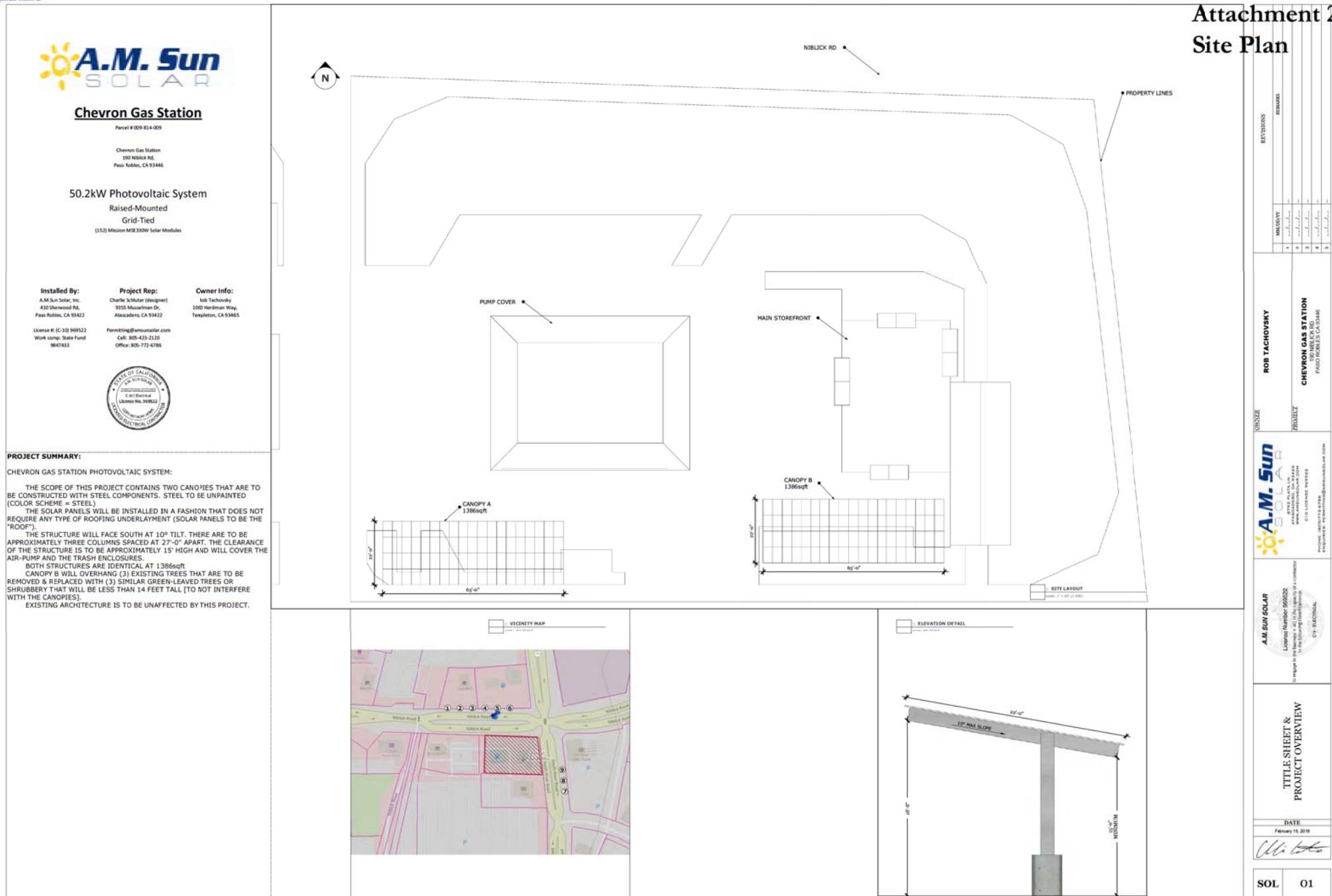
1. Vicinity Map
2. Site Plan
3. Draft Resolution A
 - Exhibit A - Conditions of Approval
 - Exhibit B1 - Site Plan
 - Exhibit B2 – Perspective Photos
4. Mail affidavit
5. Newspaper affidavit

Attachment 1
Vicinity Map



Attachment 2

Site Plan



Attachment 3 **Draft Resolution A**

RESOLUTION NO: PC 18-XXX

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 18-002
FOR A $50.2\pm$ KW PHOTOVOLTAIC SYSTEM CONSISTING OF CANOPY STRUCTURES
WITHIN THE EXISTING PARKING LOT AT THE CHEVRON GAS STATION
LOCATED AT 190 NIBLICK ROAD**

(APN: 009-814-009)

WHEREAS, Table 21.16.200 of the Zoning Ordinance of the City of El Paso de Robles requires a Conditional Use Permit (CUP) for public utilities facilities in the RC zone; and

WHEREAS, the applicant, A.M. Sun Solar, has filed a Conditional Use Permit (CUP) application proposing to install a photovoltaic system consisting of two (2) canopy structures within the existing parking lot of the Chevron gas station located at 190 Niblick Road; and

WHEREAS, this application is Categorically Exempt from environmental review under the State's Guidelines to Implement the California Environmental Quality Act (CEQA) per Section 21080.35 of the Public Resources Code; and

WHEREAS, a duly noticed public hearing was conducted by the Planning Commission on February 27, 2018, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this conditional use permit request; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance and operation for the requested use and building would be consistent with the General Plan and not 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 Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 18-002 subject to the following:

Section 1 - Findings: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

1. The proposed use is consistent with the General Plan and Zoning Ordinance; and
2. The proposed use satisfies the applicable provisions of the Zoning Ordinance; and
3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or

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welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and

4. That the proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development; and
5. That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood; and

Section 2- Environmental Determination: This project qualifies for a categorical Exempt from environmental review under the State's Guidelines to Implement the California Environmental Quality Act (CEQA) per Section 21080.35 of the Public Resources Code.

Section 3 - Approval: Conditional Use Permit 18-002 is approved subject to the following:

1. This Conditional Use Permit (CUP) authorizes the installation of a $50.2\pm$ kW photovoltaic system consisting of two (2) canopy structures within the existing parking lot of the Chevron gas station located at 190 Niblick Road as shown in Exhibit B (Development Plans).
2. The project shall be constructed so as to substantially conform with the following listed exhibits established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Project Conditions
B1-2	Development Plans

PASSED AND ADOPTED THIS 27th day of FEBRUARY, 2018 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JOHN DONALDSON, CHAIRMAN

ATTEST:

WARREN FRACE, SECRETARY OF THE PLANNING COMMISSION

Exhibit A
Exhibit B

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Exhibit A

Conditions of Approval – CUP 18-002

Planning Division Conditions:

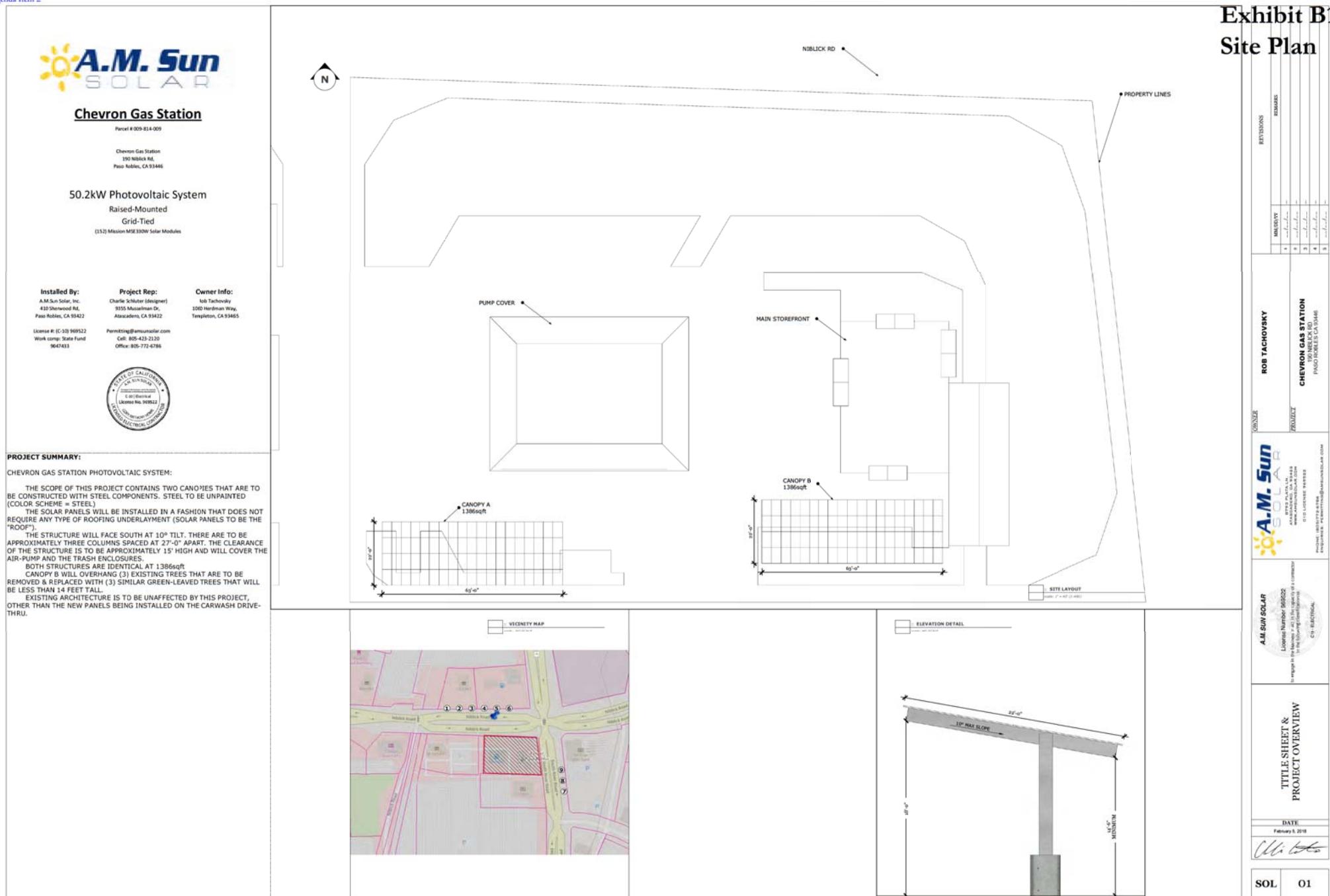
1. The project shall be constructed so as to substantially conform with Exhibit B, sheets 1-2 (Development Plans).
2. Upon completion of the construction of the project, the public property and any improvements thereon shall be restored to a good and safe condition.
3. Any condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the Conditional Use Permit.

Emergency Services Conditions:

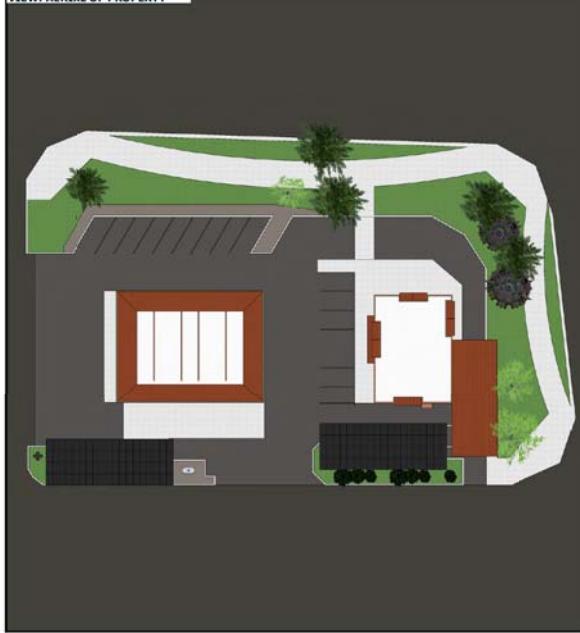
4. All hazardous electrical transmission lines must be labeled – “CAUTION – Electrical Hazard”.
5. Warning labels shall appear on the utility interactive inverter or be applied by the installer near the ground fault indicator at a visible location stating the following:
 - a. Warning Electrical Shock Hazard
6. Shut down and/or isolation procedures will be clearly displayed on the main electrical service panel exterior shunt trip device designed to terminate power to all electrical service (solar and domestic) when the main service disconnect is in the off position.
7. Main electrical service panel shall be labeled – “Solar Power Enhanced”
8. Prior to the issuance of a building permit, the final site plan shall be approved by the Fire Chief.

Exhibit B1

Site Plan



VIEW: AERIAL OF PROPERTY



VIEW: TILTED, LOOKING SOUTHEAST



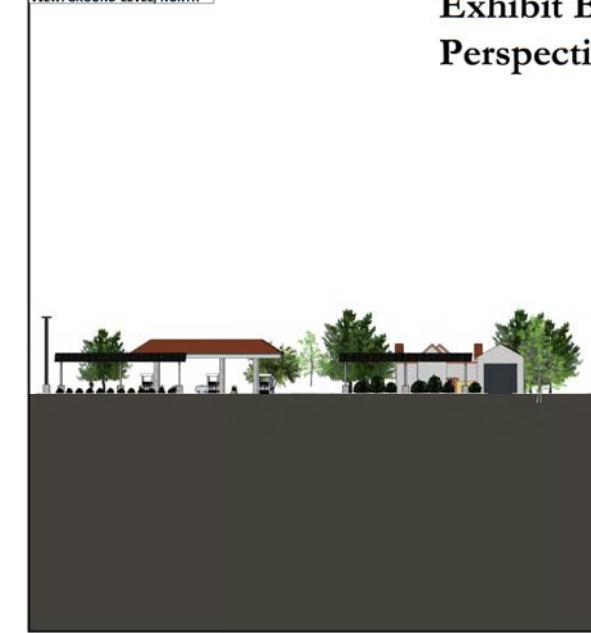
VIEW: TILTED, LOOKING NORTH



VIEW: TILTED, LOOKING NORTHWEST



VIEW: GROUND-LEVEL, NORTH



VIEW: GROUND-LEVEL, NORTH

**Exhibit B2****Perspective Photos**

REVISES

REMAINS

ROB TACHOVSKY

CONSTRUCTION

A.M. Sun SOLAR

Licence Number 960200

In accordance with the requirements of the California

in the following environmental impact statement

C-1 EMISSIONS

ARCHITECTURAL DETAILS
FOR DESIGN

DATE

February 8, 2018

Signature

SOL

02

CHEVRON GAS STATION

101 BELKIN RD

PASO ROBLES CA 93446

www.am-solar.com

C/O CONCRETE VARIOUS

PHONE: (805) 229-9766

FAX: (805) 229-9766

E-MAIL: AM-SOLAR@WANNAHOO.COM



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Monica Hollenbeck, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Conditional Use Permit 18-002, on this 15th day of February, 2018.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Monica C Hollenbeck

Monica Hollenbeck

THE *Newspaper of the Central Coast*
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California
 In and for the County of San Luis Obispo

AD #3527428
CITY OF PASO ROBLES

STATE OF CALIFORNIA
 ss.
 County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit;; FEBRUARY 16, 2018 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Jane E. Durand
 (Signature of Principal Clerk)

DATE: FEBRUARY 16, 2018
 AD COST: \$210.54

FEB 21 2018
 City of Paso Robles
 Community Development Dept

CITY OF PASO ROBLES NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that the Planning Commission will hold a Public Hearing to consider the following project:
APPLICATION: Conditional Use Permit (CUP 18-002), a request proposing to install photovoltaic system canopy structures within the existing parking lot of Chevron gas station.
APPLICANT: A.M. Sun Solar
LOCATION: 190 Niblick Road; Assessor's Parcel Number 009-814-009
ENVIRONMENTAL DETERMINATION: This application is Categorically Exempt from environmental review under the State's Guidelines to Implement the California Environmental Quality Act (CEQA) per Section 21080.35 of the Public Resources Code.
HEARING: The Planning Commission will hold a Public Hearing on Tuesday, February 27, 2018, at 6:30 p.m. at the Library Conference Center, 1000 Spring Street, Paso Robles, California.
Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at planning@prcity.com . Comments on the proposed application may be mailed to the Community Development Department, or emailed to planning@prcity.com provided that such comments are received prior to the time of the hearing.
If you challenge the application in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the Planning Commission or City Council at or prior to, the public hearings.
Copies of the staff report pertaining to this project will be available for review at the Community Development Department on the Thursday preceding each hearing (copies are available for purchase for the cost of reproduction). If you have any questions, please contact the Community Development Department at (805) 237-3970.
Darcy Delgado Assistant Planner February 16, 2018
3527428