

RESOLUTION NO. 11-026

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 11-007
(ALLIANCE TOWING)
APN: 025-421-020

WHEREAS, Jim Forchaar on behalf of Alliance Towing, Inc. has submitted an application for CUP 11-007, requesting to establish an outdoor vehicle storage/impound yard on the vacant site located on Tractor Way, just east of Germaine Way; and

WHEREAS, the office for Alliance Towing would be located off-site in the vicinity of the storage yard; and

WHEREAS, according to Table 21.16.200, Permitted Land Use Matrix, a vehicle storage yard in the C3 zone requires the approval of a Conditional Use Permit (CUP) by the Planning Commission; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 8, 2011, 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, this application is Categorically Exempt from environmental review per Section 15301c of the State's Guidelines to Implement CEQA; 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 Planning Commission makes the following findings:

- a. 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; and
- b. that the properties along Tractor Way have continually had outdoor storage activities since prior to the annexation of the Wallace Industrial area into the City, and therefore as conditioned the proposed use would be consistent with the General Plan and Zoning Code.
- c. Keeping the fencing in the existing location with the requirement to add landscaping to the 15-foot setback area along the front property line will help improve the looks of the site and help screen the outdoor storage use in accordance with Chapter 21.21.110 or the Zoning Code, requirements for outdoor storage uses.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 11-007 subject to the following conditions:

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Plot Plan

2. The approval of CUP 11-007 allows for the outdoor storage of vehicles for Alliance Towing in two Phases, where Phase I would be .5 acres, with the ability to expand to Phase II which would utilize the 1.5 acre site, as identified on the Plot Plan (Exhibit A). The office for Alliance Towing will be located off-site in the vicinity of the storage lot.
3. Prior to issuance of a Business License, a plan showing the placement of landscaping in the 15-foot setback area on the inside of the fence shall be reviewed by the Development Review Committee (DRC). The landscaping will need to be installed along with improvements to the existing fence including replacing broken slats and installing barbed wire at the top of the fence to the satisfaction of the Police and Planning Departments.
4. The daily operations of this facility shall comply with Section 21.21.040 of the Municipal Code, Performance Standards:
 - 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. Further, no radiation of any kind shall be emitted which is dangerous to humans. All radio transmissions shall occur in full compliance with Federal Communications Commission (FCC) and other applicable regulations.
 - C. Noise. No land use shall increase the ambient noise level as measured at the nearest residentially zoned property line to a level that constitutes a public nuisance.
 - 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 barbecues, no emission shall be permitted at any point from any chimney which would constitute a violation of standards

established by the San Luis Obispo County Air Pollution Control District (APCD).

- F. Odors. Except for fireplaces and barbecues, no emission shall be permitted of odorous gases or other odorous matter in such quantities as to constitute a public nuisance.
 - G. Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution. No emission shall be permitted which can cause 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 established by the San Luis Obispo County Air Pollution Control District (APCD).
 - 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 reasonable means as are practical to the end that 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.
 - I. Liquid or Solid Wastes. No discharge shall be permitted at any point into any public sewer, private sewage disposal system or stream, or into the ground, of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements, except in accord with standards approved by the California Department of Health or such other governmental agency as shall have jurisdiction over such activities. Manufacturing, processing, treatment and other activities involving use of toxic or hazardous materials shall be designed to incorporate the best available control technologies and wherever technically feasible shall employ a "closed loop" system of containment.
 - J. Transportation Systems Impacts. Vehicular, bikeway and/or pedestrian traffic, directly attributable to the proposed land use, shall not increase to a significant extent without implementation of adequate mitigation measures in a form to be approved by the city engineer. In determining significance of impacts, consideration shall be given to cumulative (projected build-out) capacity of streets and highways serving the land use. Mitigation measures required may include but not be limited to curb, gutter, sidewalk, street and/or alley, bikeway, transit related improvements and traffic signalization. Mitigation may be required as pursuant to the California Environmental Quality Act (CEQA), or as a condition of a discretionary review.
- 5. No impound vehicles shall be parked out of the designated area or on Tractor Way.
 - 6. All signage shall comply with Chapter 21.19 of the Zoning Code.

7. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
8. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and be subject to approval by the Community Development Director or his designee.
9. 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.
10. In the event of an accidental fluid spill from a vehicle, the applicant shall take all necessary measures to clean up the spill as soon as possible.

PASSED AND ADOPTED THIS 8th day of November 2011, by the following roll call vote:

AYES: Vanderlip, Peterson, Barth, Garcia, Gregory

NOES: None

ABSENT: Holstine, Treach

ABSTAIN: None

CHAIRMAN STEVE GREGORY

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

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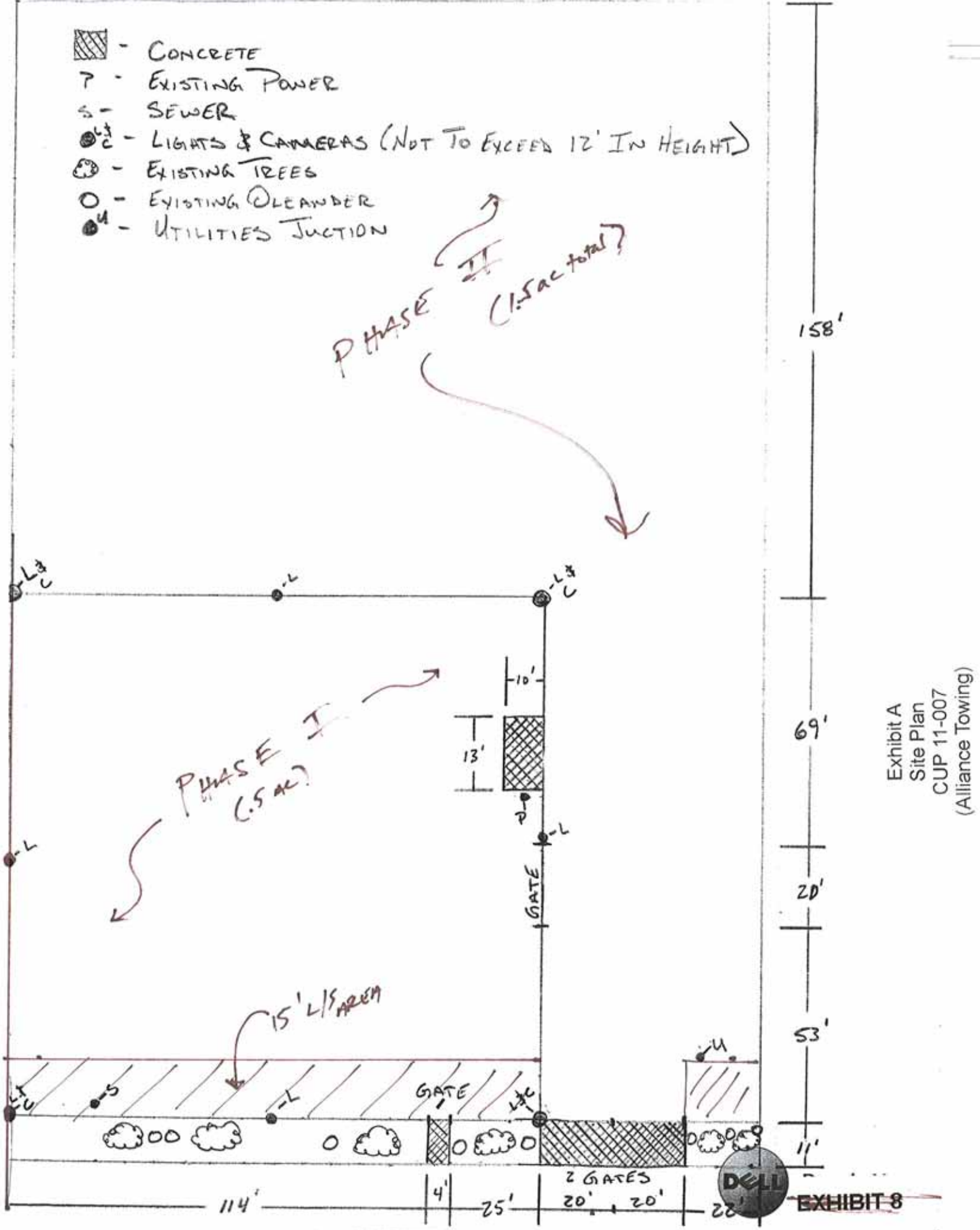
ED GALLAGHER, PLANNING COMMISSION SECRETARY

- ▨ - CONCRETE
- P - EXISTING POWER
- S - SEWER
- _{L/C} - LIGHTS & CAMERAS (NOT TO EXCEED 12' IN HEIGHT)
- - EXISTING TREES
- - EXISTING OLEANDER
- ₄ - UTILITIES JUCTION

PHASE II
(1.5 ac total?)

PHASE I
(1.5 ac?)

15' L/S AREA



158'

69'

20'

53'

11'

114'

4'

25'

2 GATES
20' 20'



EXHIBIT 8

Exhibit A
Site Plan
CUP 11-007
(Alliance Towing)