

RESOLUTION NO: 14-013

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 13-005
(WILCOX RANCH, LP)
APN: 025-381-008

WHEREAS, Table 21.16.200 Permitted Land Uses, requires approval of a Conditional Use Permit for equestrian facilities and horse keeping in the RA (Residential Agricultural) zoning district; and

WHEREAS, the applicant, Wilcox Ranch LP has filed a Conditional Use Permit (CUP) application to establish and operate an equestrian facility and horse keeping on the 7.7 acre site located at 1448 Fontana Road; and

WHEREAS, a public hearing was conducted by the Planning Commission on April 22, 2014, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed Conditional Use Permit, and associated Mitigated Negative Declaration; and

WHEREAS, a resolution was adopted by the Planning Commission approving a Mitigated Negative Declaration status for this project, and a Mitigated Negative Declaration was prepared for the proposed Conditional Use Permit application in accordance with the California Environmental Quality Act; 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; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 13-005, 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> |
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| A | Site Plan |
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2. This Conditional Use Permit (CUP) authorizes the establishment of an equestrian facility that includes equestrian riding lessons and horse keeping with the ability to board up to 40 horses. The hours of operation of the equestrian riding lessons business shall be 3:30pm to 5:30pm during the months of September through May, and 8:30am to 8:00pm for the months of June, July, and August.

3. This CUP shall expire on April 22, 2019, but may be extended following a public hearing by the Planning Commission and provided the time extension request is filed with the City prior to the expiration date. Please note the Planning Commission has the ability to review this CUP and modify, add or delete conditions as described in Condition No. 11 of this Resolution.
4. Prior to the issuance of a business license for the equestrian riding lessons business, the CUP Implementation Plan shall be submitted to the City for review and approval, and all dust, fly, and odor control conditions/mitigations shall be completed to the satisfaction of the Development Review Committee (DRC) within 30 days from Planning Commission's approval of CUP 13-005.
5. This CUP shall be reviewed before the Planning Commission via a public hearing 6 months from the approval of the CUP.
6. Signs shall be placed at the entrance to the driveway at Fontana Road indicating a 10-15 mph speed limit to reduce noise and dust in order to respect the adjacent neighbors. Signage shall also be posted that provides the name and phone number of the on-site manager. The details of the sign shall be provided for in the CUP Implementation Plan.
7. Plants and/or trees for the purpose of filtering dust shall be planted along western edge of Pen No. 1 at the 100-foot setback distance from the project westerly boundary and "jog" to include the westerly edge of the trailer parking area. The details of the size, spacing and species of plants/trees shall be presented to the DRC with the CUP Implementation Plan.
8. All signage shall be reviewed and approved by the Development Review Committee (DRC) as necessary, prior to installation.
9. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
10. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney's fees, incurred by City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City's actions with respect to the project.
11. Any site specific condition imposed by the Planning Commission in approving this project 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 approval of this project. 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 for this approval.

12. ENVIRONMENTAL MITIGATION MEASURES:

AQ-1 Section 3.6.3 Fugitive Dust, of the 2012 APCD CEQA Handbook and more specifically describes that a potential source of fugitive dust can come from equestrian facilities, which may be a nuisance to local residents. To minimize nuisance impacts and to reduce fugitive dust emissions from equestrian facilities the following mitigation measures should be incorporated into the project:

- a. Reduce the amount of the disturbed area where possible;
- b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water shall be used whenever possible;
- c. Permanent dust control measures shall be implemented as soon as possible following completion of any soil disturbing activities;
- d. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the Air District;
- e. All access roads and parking areas associated with the facility should be paved to reduce fugitive dust. As an alternative, an all-weather surface such as decomposed granite can be used, subject to the conditions outlined within mitigation measure AQ-2; and,
- f. A person or persons shall be designated to monitor for dust and implement additional control measures as necessary to prevent transport of dust offsite. The monitor's duties shall include holidays and weekend. The name and telephone number of such persons shall be provided to the Air District prior to operation of the arena.
- g. The project shall provide a 100 foot buffer area between Pen No. 1 and the western property boundary as shown in Exhibit A. Landscaping shall be provided to create a vegetative filtration to reduce fugitive dust concentrations to adjacent receptors. Details of the required landscaping will be determined with the CUP Implementation Plan (refer to Condition No. 7 of this Resolution).

AQ-2 If paving is not required for the internal roads and parking areas for this project and the applicant chooses not to pave these areas on their own accord, the APCD recommends inclusion of the following mitigation measures:

- a. For the life of the project, actively maintain the internal unpaved roads, driveways, and/or parking areas with a dust suppressant (See Technical Appendix 4.3 of the APCDs CEQA Handbook for a list of APCD-approved suppressants) such that on-site fugitive dust emissions do not exceed the APCD 20% opacity limit for greater than 3 minutes in any 60 minute period (APCD Rule 401) or prompt nuisance violations (APCD Rule 402);

- b. To improve the dust suppressants long-term efficacy, the applicant shall also implement and maintain design standards to ensure vehicles that use the on-site unpaved road are physically limited (e.g., speed bumps) to a posted speed limit of 5 mph or less;
- c. If upon review of the Conditional Use Permit by the Planning Commission, it is apparent that additional dust control measures are warranted, install a rumble strip at the northern edge of existing pavement in the driveway that leads to Fontana Road for the purpose of knocking dust/dirt off tires;
- d. An alternative dust control method to implement for the site's parking area(s) is to plant and maintain fast germinating non-invasive grass or low cut dense vegetation that can withstand this site's vehicle and vehicle-trailer combination parking activities. The applicant would need to irrigate this area as needed to minimize dust emissions;
- e. Sweep the paved driveway that leads to Fontana Road weekly if visible soil material is carried onto it from the project's unpaved internal roads/parking areas. In addition, this paved driveway shall need to be maintained in good condition over the life of the project; and
- f. If the applicant cannot effectively use the above measures to adequately address fugitive dust impacts that are caused by on-site vehicle and trailer activity, the APCD recommends a requirement for the applicant to pave the site's parking areas and internal roads to ensure the site is actively managed to minimize dust emissions from entrained road and parking dust for the life of the project.

AQ-3 Prior to the issuance of a business license, a dust control plan shall be provided for Planning Staff review and approval that incorporates the dust control measures listed above and indicates the program in which they will be implemented.

AQ-4 All animal enclosures, including but not limited to pens, stalls and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Site shall be maintained in a neat and sanitary manner.

PASSED AND ADOPTED THIS 22nd day of April, 2014 by the following Roll Call Vote:

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| AYES: | Gregory, Rollins, Vanderlip, Garcia, Donaldson, Cooper, Barth |
| NOES: | None |
| ABSENT: | None |
| ABSTAIN: | None |



 DOUG BARTH, CHAIRMAN

ATTEST: 

 ED GALLAGHER, SECRETARY OF THE PLANNING COMMISSION



Google earth

35°53'703.59" N 120°38'56.97" W elev 847 ft eye alt 1903 ft

UCI 17 2013

City of Pasa Robles
Community Development Dept

Exhibit A
Site Plan
CUP 13-005
(Wilcox Ranch, LP)

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