

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: CONDITIONAL USE PERMIT 14-003 - JOHN BOY'S TOWING, INC.
(APN: 025-421-020)

DATE: APRIL 8, 2014

Needs: For the Planning Commission to consider an application filed by John Coulter of Johnboy's Towing, to establish a towing service and vehicle impound yard.

- Facts:**
1. The site is located at 1850 Ramada Drive, Unit 1, see attached Vicinity Map (Attachment 1).
 2. The zoning designation of the site is M-PD (Manufacturing, Planned Development) and the General Plan Land Use designation is BP (Business Park).
 3. According to Table 21.16.200, Permitted Land Use Matrix, a vehicle storage yard in the M zone requires the approval of a Conditional Use Permit (CUP) by the Planning Commission.
 4. The towing business is proposing to be located within an existing building and utilizing the 5,000 square foot storage area that has already been established.
 5. The building and yard area is setback approximately 180-feet away from Ramada Drive.
 6. This application is categorically exempt from environmental review per Section 15301 (existing building) of the State's Guidelines to Implement CEQA.

**Analysis
And**

Conclusions: The Development Review Committee (DRC) reviewed this CUP request at their meeting on March 17, 2014. The DRC agreed that the proposed site seemed acceptable for the use since the building and outdoor storage yard has already been established.

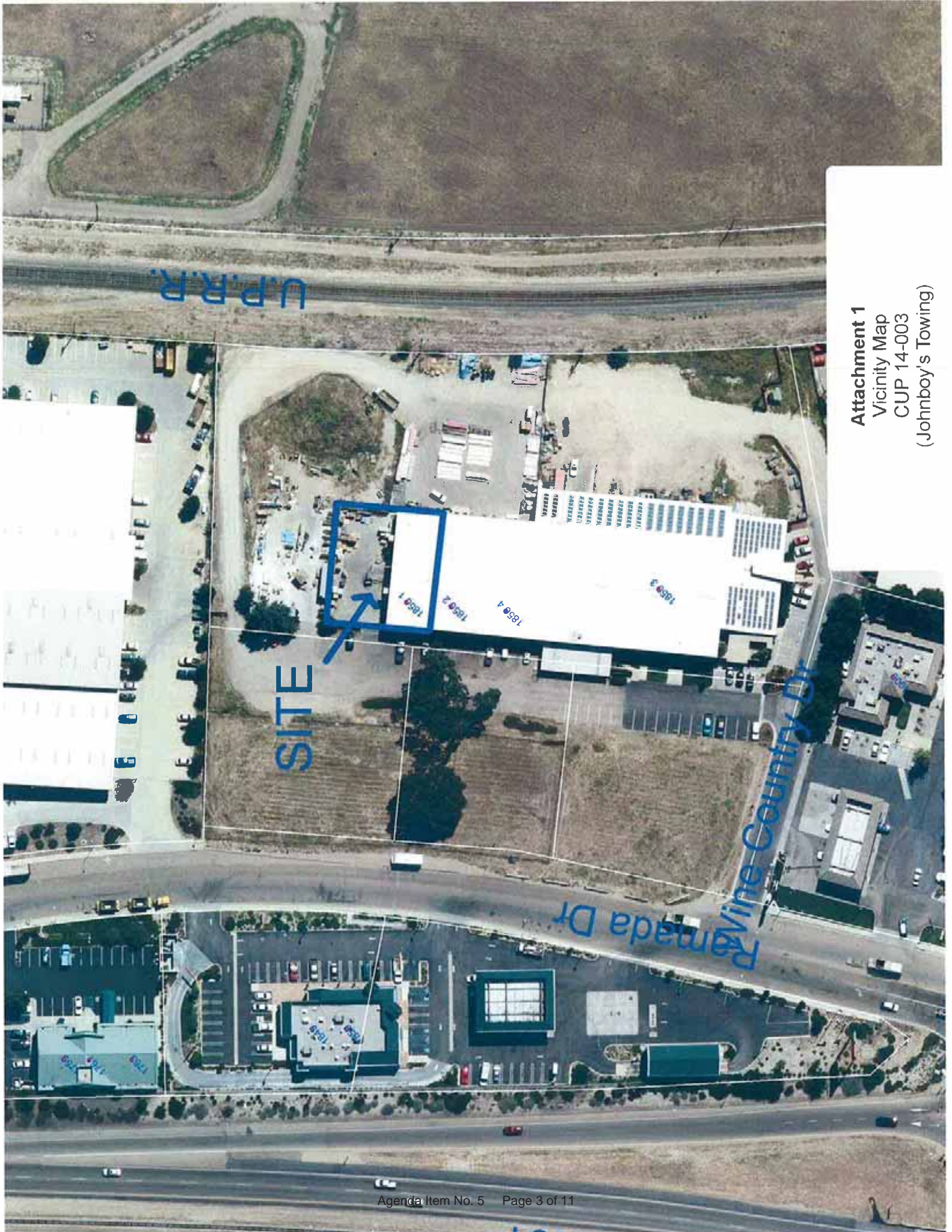
The DRC recommended that the Planning Commission approve the CUP request with the requirement to renew the landscaping within the existing 8-foot planter along the fence line adjacent to the parking lot, and to replace any broken or missing slats in the fence.

Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

- a. Approve Conditional Use Permit 14-003, subject to site specific and standard conditions of approval.
- b. Amend, modify, or reject the above-listed actions.
- c. Request additional information and analysis.

Attachments:

1. Vicinity Map
2. Applicant's Project Description
3. Resolution approving CUP 14-003
4. Public Notice Affidavits



Attachment 1
Vicinity Map
CUP 14-003
(Johnboy's Towing)

Address: 1850 Ramada Drive Paso Robles
APN: 009-831-024
Owner: John Alban
Petitioner: Johnboy's Towing

The increased growth of Paso Robles has prompted Johnboy's Towing to establish a storage yard within the Paso Robles city limits in order to provide better service for our customers in this city. We hope to be granted a position on rotation for Paso Robles Police Department and CHP for this area.

John Coulter of Johnboy's has worked closely with Paso Robles Planning Department to identify a location with the correct zoning for a storage yard that would also correspond with the city's overall plan. The 1850 Ramada Drive location has the correct zoning for a vehicle storage yard. It has a storage yard enclosed by chain link fence with privacy slats. Because the yard is located over a hundred feet from the road the yard contents would be practically invisible. Johnboy's Towing would also be renting a portion of the adjacent building as an office. Since the space was previously occupied by Wine Country Pack and Ship we believe it to meet all requirements the city has for a business office.

The proposed use of the storage yard would be for the storage of vehicles in conjunction with our towing business. The office would be open to the public Monday through Friday from 8 AM to 5 PM. Of course the nature of the towing business would require 24 hour access to the yard for the tow trucks. The yard would also be used for parking of said tow trucks when needed. The site provides 8 dedicated public parking spaces for the business.

No exceptions to the City's Property Development Standards were identified in our meeting with a planner.

MAR 07 2014
City of Paso Robles
Community Development Dept.

Attachment 2
Project Description

CUP 14-003
Agenda Item No. 5 Page 4 of 11
(Johnboy's Towing)

RESOLUTION NO: _____

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, John Coulter of Johnboy's Towing, has submitted an application for CUP 14-003, requesting to establish an outdoor vehicle storage/impound yard within the existing building located at 1850 Ramada Drive; and

WHEREAS, according to Table 21.16.200, Permitted Land Use Matrix, a vehicle storage yard in the M 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 April 8, 2014, 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 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 14-003 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 14-003 allows for the towing business with accessory outdoor storage yard within Unit 1 of the existing building located of 1850 Ramada Drive.
3. Prior to issuance of a Business License, the planter located adjacent to the parking area shall be planted with new landscaping. Additionally, any broken or missing slats within the existing fence shall be replaced 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.
 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 April 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DOUG BARTH, CHAIRMAN

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

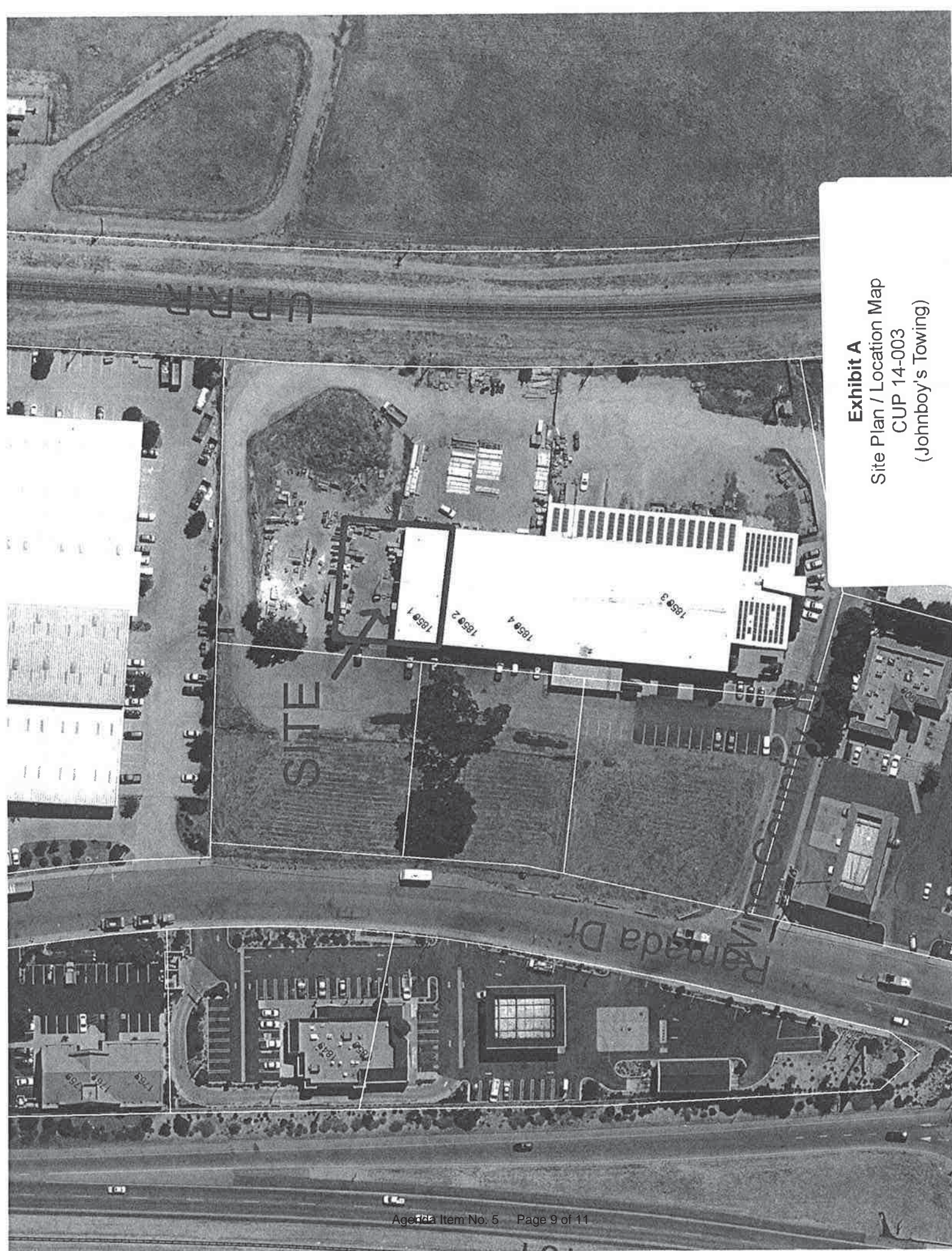


Exhibit A
Site Plan / Location Map
CUP 14-003
(Johnboy's Towing)



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

AFFIDAVIT OF MAIL NOTICES PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Kristen Buxkemper, 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 14-003 located at 1850 Ramada Drive, on this 25th day of March, 2014.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Kristen Buxkemper

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION
PROJECT NOTICING

Newspaper: The Tribune

Date of Publication: 03/27/2014

Meeting Date: 04/08/2014
Planning Commission

Project: CUP 14-003
Johnboy's Towing to establish a
towing impound yard and storage

I, Kristen L. Buxkemper, employee of the
Community Development Department, Engineering
Division, of the City of El Paso de Robles, do hereby
certify that this notice is a true copy of a published
legal newspaper notice for the above named project.

Signed: _____
Kristen L. Buxkemper

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, April 8, 2014, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

Conditional Use Permit (CUP 14-003), a request filed by Johnboy's Towing to establish a towing impound yard within the existing building and storage yard located at 1850 Ramada Drive (Unit 1).

The application and staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to planning@prcity.com, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970 or by email at dnash@prcity.com.

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

Darren Nash
Associate Planner
March 27, 2014

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