

MEETING DATE: February 26, 2019

PREPARED BY: S. McCormick

PRESENTED BY: S. McCormick

AGENDA ITEM SUMMARY REPORT

APPLICATION NO.: Use Permit 1-19 (UP 1-19) and
Sign Permit Application 5-19 SA 5-19)

OWNER: Nancy Genn

APPLICANT: Teresa Larsen

REQUEST: Use Permit to convert an existing vacant commercial property to
Vehicle Storage located at 880-F Stewart Streets.

LOCATION: 880 Stewart Street, Unit F

ASSESSOR'S PARCEL NO.: 008-034-08

**ENVIRONMENTAL
DETERMINATION:** Categorically Exempt from CEQA pursuant to Section 15303 –
conversion of existing structures to new uses.

**SURROUNDING
LAND USES:** NORTH: Restaurant
EAST: Retail
SOUTH: Retail
WEST: Residential

APPEALABLE PROJECT: ☒ Can be appealed to City Council

ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA pursuant to Section 15303 – conversion of existing structures to new uses.

COASTAL DEVELOPMENT PERMIT EXEMPTION: per CLUDC 17.71.045 a Coastal Development Permit is required for development in the coastal zone. The change from Vehicle Repair to Vehicle Storage would not be considered an intensification of use and therefore would not meet the definition of development. Development means:

On land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the subdivision map act (commencing with Government Code Section [66410](#)), and any other division of land except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg Nejedly Forest Practice Act of 1973 (commencing with Public Resources Code Section [4511](#)).

PROJECT BACKGROUND AND DESCRIPTION

880 Stewart Street is a single story, two sided commercial building, comprised of six (6) units: Strictly Grover's Floor Coverings (Unit A), Fort Bragg Pet & Feed (Unit B, C, D, E) and Unit F, which is the subject of this Use Permit (Attachment 1 – Location Map). Unit F was recently vacated by Renzi's Auto Repair and the applicant is requesting to operate a Vehicle Storage business in this location. No external development is proposed.

The Coastal Land Use and Development Code (CLUDC) requires a Use Permit for Vehicle Storage in the General Commercial (CG) zoning district. A Use Permit provides a process for reviewing land uses which are likely compatible with the surrounding land uses, but in order to determine if a specific site is appropriate, further evaluation by the Planning Commission is necessary. This report will consider the specific site for the proposed business, Larsen Livery & Transfer Co., and determine what effects this business might have on the site and the surroundings.

VEHICLE STORAGE

The proposed site is located in General Commercial zoning district in the Coastal Zone, which land uses are generally auto-oriented and may include automotive and service-related uses, a wide range of retail stores, public assembly uses and professional services. In order to approve a Use Permit within the General Commercial zoning district the review authority must make the following findings:

Policy	Project Consistency
17.22.030(C)(4) General Commercial	
a. The use is generally oriented to clients arriving by auto rather than pedestrians;	Yes
b. The uses generally require larger display and/or storage areas; and	Yes
c. The use is not dependent on heavy customer traffic per square foot.	Yes

The Coastal Land Use and Development Code (CLUDC) defines Vehicle Storage as “a facility for the storage of operative cars and other fleet vehicles, trucks, buses, recreational vehicles, and other motor vehicles. Includes facilities for the storage and/or servicing of fleet vehicles”. The proposed location has a large, open interior space that is accessible to automobiles via a roll-up door. The proposed business will not have heavy customer foot traffic and is oriented to customers arriving via auto, thereby complying with the use permit requirements for the zoning district as shown in the table above.

In addition to compliance with the General Commercial zoning district requirements, Planning Commission must consider whether the design, location, size and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity. The previous occupant of Unit F, conducted auto repair service and as such, *Vehicle Storage* would not be considered an intensification of use. As previously mentioned the building has large metal roll-up doors suitable to vehicular access, which would be necessary for this type of business. Unit F is 1220 square feet in size and the open floor plan could accommodate a variety of vehicles for storage (Attachment 2 – Floor Plan). The table below depicts different types of vehicles and potential capacity limits:

Maximum Capacity Based on Vehicle Type					
Motorcycle	Small Auto up to 10'	Standard Auto up to 15'	Large Auto up to 20'	Class C up to 25'	Class C up to 30'
18	12	9	6	3	2

Depending on the type of vehicles being stored and how they are parked within the structure would determine the number of customers the proposed business would be serving. As the number of vehicles being stored would fluctuate, it is difficult to determine and assign how many customer parking spaces the business should provide.

However, Table 3-7 of the CLUDC requires at least 1 space for every 500 square feet of floor area. At 1,220 Square feet the use is required to have at least 3 dedicated parking spaces, and this requirement has been met as Unit F has five (5) designated parking spaces located directly in front (Attachment 3 – Parking).

In order to ensure that vehicles moving in and out of the warehouse will not have a negative impact on the existing neighboring businesses, staff recommends the following special conditions:

Special Condition 1: At no time will the circulation of traffic through the parking lot be impeded by vehicles staged for storage or customer retrieval.

Special Condition 2: At no time will the parking spaces designated to existing businesses in the vicinity be utilized by customers and/or the storage and retrieval of customer vehicles.

As no physical development is proposed as part of this application, site planning and design standards do not need to be considered, because pre-existing buildings do not need to conform to the zoning ordinance (they are grandfathered in).

SIGN PERMIT

The applicant requests Planning Commission approval for a wall mounted sign. Staff prepared an analysis of the proposed sign's compliance with the CLUDC as shown in the table below:

SIGN DEVELOPMENT STANDARD	REQUIREMENT	PROPOSAL	COMPLIANCE
Maximum Number	1	1	Yes
Maximum Height	below roof		Yes
Maximum Area (square footage)	25 square feet or less	5 feet x 5 feet (25 square feet)	Yes

In addition, CLUDC Section 17.38 states that signs should be designed by professionals, constructed with suitable materials, and that the sign copy should relate only to name/nature of the business. Braggadoon Signs and Graphics designed a wall mounted sign constructed using eco solvent printed cast vinyl that is UV laminated and mounted to aluminum with gold accents (Attachment 4 – Proposed Signage). The signage would be affixed to the north-facing façade of building next to the door of Unit F.

PLANNING COMMISSION ACTION

1. Hold a hearing, close the hearing, deliberate and approve Use Permit 1-19 (UP 1-19) subject to the required approval findings and subject to standard and special conditions.

ALTERNATIVE ACTIONS

1. Hold a hearing, close the hearing, deliberate without a decision, and revisit the application at the next scheduled meeting for a decision and the addition of any new findings.
2. Hold the hearing, and continue the hearing to a date certain if there is insufficient time to obtain all input from all interested parties. At the date certain, the Commission may then deliberate and make a decision.
3. Deny the Use Permit.

RECOMMENDATION

Staff recommends approval of UP 1-19 based on the following findings and conditions:

GENERAL FINDINGS

1. The proposed project is consistent with the purpose and intent of the zoning district, as well as all other provisions of the Coastal General Plan, Coastal Land Use and Development Code (CLUDC) and the Fort Bragg Municipal Code in general;
2. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
3. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located;
4. The project complies with Specific Use Regulations established for the project; and

5. For the purposes of the California Environmental Quality Act (CEQA), this project was found to be exempt under Section 15303 – conversion of existing structures to new uses.

SIGN PERMIT FINDINGS

1. The proposed signs do not exceed the standards of Section 17.38.070 (Zoning District Sign Standards) and 17.38.080 (Standards for Specific Sign Types), and are of the minimum size and height necessary to enable pedestrians and motorists to readily identify the facility or site from a sufficient distance to safely and conveniently access the facility or site;
2. The placement of the sign on the site is appropriate for the height and area of the freestanding or projecting sign;
3. The proposed signs do not unreasonably block the sight lines of existing signs on adjacent parcels;
4. The placement and size of sign will not impair pedestrian or vehicular safety;
5. The design, height, location, and size of the signs are visually complementary and compatible with the scale, and architectural style of the primary structures on the site, any prominent natural features on the site, and structures and prominent natural features on adjacent properties on the same street; and
6. The proposed signs are in substantial conformance with the design criteria in Subsection 17.38.060.F (Design Criteria for Signs).

USE PERMIT FINDINGS

1. The proposed use is consistent with the General Plan, any applicable specific plan, and the Local Coastal Program;
2. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Development Code and the Municipal Code;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the type, density, and intensity of use being proposed would not endanger, jeopardize, or otherwise constitute a hazard to the public interest, health, safety, convenience, or welfare, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.
5. The proposed use complies with any findings required by Section 17.22.030 (Commercial District Land Uses and Permit Requirements).

GENERAL COMMERCIAL USE PERMIT FINDINGS

1. The use is generally vehicular-oriented unless part of a larger visitor-oriented complex. The use is generally oriented to clients arriving by auto rather than pedestrians;
2. The uses generally require larger display and/or storage areas; and
3. The use is not dependent on heavy customer traffic per square foot.

SPECIAL CONDITIONS

1. At no time will the circulation of traffic through the parking lot be impeded by vehicles staged for storage or retrieval.

2. At no time will the parking spaces designated to existing businesses in the vicinity be utilized by customers and/or the storage and retrieval of customer vehicles.

STANDARD CONDITIONS

1. This action shall become final on the 11th day following the decision unless an appeal to the City Council is filed pursuant to CLUDC Chapter 17.92 - Appeals.
2. The use and occupancy of the premises shall be established and maintained in conformance with the requirements of this permit and all applicable provisions of the CLUDC.
3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and compliance therewith is mandatory, unless an amendment has been approved by the City.
4. This permit shall be subject to the securing of all necessary permits for the proposed development from City, County, State, and Federal agencies having jurisdiction. All plans submitted with the required permit applications shall be consistent with this approval. All construction shall be consistent with all Building, Fire, and Health code considerations as well as other applicable agency codes.
5. The applicant shall secure all required building permits for the proposed project as required by the Mendocino County Building Department.
6. If any person excavating or otherwise disturbing the earth discovers any archaeological site during project construction, the following actions shall be taken: 1) cease and desist from all further excavation and disturbances within 100 feet of the discovery; and 2) notify the Director of Public Works within 24 hours of the discovery. Evidence of an archaeological site may include, but is not necessarily limited to shellfish, bones, flaked and ground stone tools, stone flakes produced during tool production, historic artifacts, and historic features such as trash-filled pits and buried foundations. A professional archaeologist on the list maintained by the Northwest Information Center of the California Historical Resources Information System or Listed by the Register of Professional Archaeologists shall be consulted to determine necessary actions.
7. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - (a) That such permit was obtained or extended by fraud.
 - (b) That one or more of the conditions upon which such permit was granted have been violated.
 - (c) That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare, or safety or as to be a nuisance.
 - (d) A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more conditions.
8. Unless a condition of approval or other provision of the Coastal Land Use and Development Code establishes a different time limit, any permit or approval not exercised within 24 months of approval shall expire and become void, except where an extension of time is approved in compliance with CLUDC Subsection 17.76.070 (B).

ATTACHMENTS

1. Location Map
2. Floor Plan
3. Parking
4. Proposed Signage