

**CITY OF CLOVERDALE
CITY COUNCIL**

RESOLUTION NO. 076-2020

A RESOLUTION OF THE CITY OF CLOVERDALE CITY COUNCIL APPROVING A CONDITIONAL USE PERMIT FOR APPROXIMATELY 4.55 +/- ACRES OF DEVELOPED LAND LOCATED AT 28277 & 28243 OLD REDWOOD HIGHWAY (APNS 117-040-086 & -087)

WHEREAS, Robert and Patricia Weiss own approximately 4.55+/- acres of land (APN 117-040-086 & -87) in the unincorporated portion of Sonoma County lying south of the City of Cloverdale and has requested approval of a Conditional Use Permit and Annexation of these two properties into the City of Cloverdale for the purpose of obtaining City services to the existing outdoor storage use; and

WHEREAS, the properties for annexation to the City lie within the Sphere of Influence and Urban Service Boundary of the City of Cloverdale; and

WHEREAS, annexation of these properties is desired by Robert and Patricia Weiss for the purpose of obtaining City water, sewer, drainage and other municipal services including Police services provided by the City of Cloverdale; and

WHEREAS, the City of Cloverdale has determined that all requisite municipal services can be provided to the Weiss properties; and

WHEREAS, pursuant to state annexation law, lead agencies, such as the City of Cloverdale, are required to prezone properties prior to annexation; and

WHEREAS, pursuant to California Government Code Section 65859, rezoning becomes effective at the time the annexation to the City of Cloverdale becomes effective; and

WHEREAS, the rezoning district and property ownership for the Payless Storage Rezoning & Annexation Project are described in Exhibit 1 is hereby incorporated by reference into this Resolution; and

WHEREAS, the Property is proposed to be zoned to the General Industrial (M-1) Zoning District and although self-storage uses are permitted, outdoor storage with screening of recreational vehicles is an allowed use in the M-1 Zoning District subject to approval of a Conditional Use Permit; and

WHEREAS, based upon the information presented in the application materials, the City Council finds that this project qualifies for a categorical exemption under California Environmental Quality Act (CEQA) Guidelines Section 15319 (Annexations of Existing Facilities and Lots for Exempt Facilities) as well as an exemption under CEQA Guidelines Section 15061 (Common Sense Exemption) because the project involves the annexation of developed land and no new construction or uses are proposed. Furthermore, based on the application materials, existing site improvements and location of the project none of the exceptions in CEQA Guidelines section 15300.2 would limit the above referenced categorical exemption for the project.; and

WHEREAS, on June 23, 2020, the Planning Commission held a properly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Planning Commission considered the staff report, recommendations, and testimony before making a recommendation on the Project; and

WHEREAS, on June 23, 2020, the Planning Commission adopted Resolution No. 009-2020, recommending that the City Council approve the Conditional Use and adopt the Ordinance Rezoning the 4.55 +/-acre project site to M-1 (General Industrial); and

WHEREAS, on August 12, 2020, the City Council held a properly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the rezoning district and change to the M-1 District will become effective upon approval by the City Council and LAFCO and completion of annexation of the Property to the City of Cloverdale; and

WHEREAS, the City Council has determined that the findings required for approval of the Conditional Use Permit required by Section 18.03.110 of the Zoning Ordinance have been met. Based on the application information and the information contained in the staff report, the following findings have been made:

1. The proposed use is permitted within the subject district pursuant to the provisions of this Section (18.03.110) and complies with all the applicable provisions of this ordinance, the goals, and objectives of the Cloverdale General Plan, and the development policies and standards of the City.

According to Table 18.06.030-A (Uses Permitted Within Industrial Zoning Districts) of the Zoning Ordinance, outdoor storage of recreational vehicles with screening uses are permitted in the M-1 Zoning District subject to Conditional Use Permit approval. Approval of this Conditional Use Permit helps to preserve the industrial/mixed use character and appearance of the neighborhood. No new development is included with this annexation and Conditional Use Permit and the existing use meets the development standards of, and is consistent with, the M-1 Zoning District.

Furthermore, the project furthers the goals, policies and implementation measures of the General Plan as it would further the longevity and usefulness of the existing self storage and outdoor recreational vehicle storage business, helping to further economic development and quality of life in Cloverdale. The project will also be adequately served by existing services and utilities.

2. The proposed use would not impair the integrity and character of the Zoning District in which it is to be established or located.

The existing use is compatible with the General Industrial (M-1) Zoning District as the surrounding neighborhood is substantially comprised of similar industrial uses and structures, including a mini-storage use across Sandholm Road, gas station, tool and equipment repair shop, and manufacturing. The Payless Storage business has been in operation for several years at the project site and approval of this permit does not authorize expansion of the existing use nor does it introduce any new uses to the neighborhood. The project, as designed and the conditions of approval, ensure the use is compatible with the M-1 Zoning District.

3. The site is suitable for the type and intensity of use or development that is proposed.

Industrial uses significantly surround the property and encompass a significant part of the surrounding neighborhood on Sandholm Road and S. Cloverdale Boulevard. A mini-storage use with outdoor storage of recreational vehicles is located across Sandholm Road to the north. The 4.55-acre Payless Storage site is developed with a managers unit, storage containers and separate areas designated for outdoor storage of recreational vehicles. Should future expansion of the existing use be proposed, such as adding additional storage containers, the Building Permit review process would ensure that any new structures conform to applicable development standards.

Moreover, the Conditional Use Permit can be brought back before the Planning Commission at a public hearing should the property owners or operators of the outdoor storage use fail to comply with any conditions of approval, or if City staff or the Commission determine that such a review is warranted.

4. There are adequate provisions for water, sanitation and public utilities and services to ensure public health and safety.

The site is developed with the existing outdoor storage use, managers residence and related site improvements. Adequate provisions for water, sanitation and public utilities and services exist to ensure public health and safety including installation of a new fire hydrant(s). Finally, any new construction would be subject to the requirements of the California Building Code and Fire Code to ensure the public health and safety.

5. The proposed use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.

The property owners are not expanding the Payless Storage use and no new construction is required. The outdoor storage use is compatible with surrounding industrial uses and the M-1 Zoning District, and the use is not anticipated to interfere with the use of surrounding properties. The conditions of approval ensure the use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Council pursuant to Implementing Zoning Ordinance §18.030.080, the City Council adopts by Ordinance, the pre-zoning designation for the Payless Storage Properties (APNs 117-040-086 & -087) as General Industrial (M-1), as depicted by the Zoning Map, and approves a Conditional Use Permit to allow for the existing outdoor storage use post annexation of the Payless Storage Properties based on the following findings and conditions of approval:

1. The amendment is consistent with the adopted Cloverdale General Plan. The General Plan designates the property General Industry (GI), which is consistent with the rezoning designation of General Industrial (M-1).
2. The amendment is internally consistent with other applicable provisions of this Zoning Ordinance.
3. The amendment will not be detrimental to the public health, safety, or welfare or to the use of land in any adjacent zone.
4. The site is suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning district and anticipated land uses/developments.

**CONDITIONS OF APPROVAL
PAYLESS STORAGE PREZONING AND CONDITIONAL USE PERMIT
28277 & 28243 OLD REDWOOD HIGHWAY (APNS 117-040-086 & -087)**

Planning Department:

1. Prezoning and Conditional Use Permit approval is granted to allow the existing indoor and outdoor storage business (Payless Storage) at 28277 & 28243 Old Redwood Highway (APNs 117-040-086 & -087), Cloverdale, CA as summarized above and shown in the application materials submitted to the Community Development Department. The applicant shall adhere to the submitted application materials and the Conditions of Approval. Minor modifications to the approved plans and/or Conditions of Approval require Community Development Department approval. More significant modifications to the approved plans and/or Conditions of Approval require Planning Commission approval.
2. This approval is subject to appeal within 10 consecutive days from the date of approval.
3. All conditions of this Prezoning and Conditional Use Permit are necessary to protect the general health, safety and welfare, and to minimize or eliminate adverse environmental effects of the project. If any condition of this permit is held to be invalid by a court, then the entire permit shall be invalid. The Planning Commission specifically declares that it would not have issued this permit unless all of the conditions herein are held as valid.
4. This Prezoning and Conditional Use Permit shall expire, and become null and void, two years from the date of approval unless the properties are annexed into the City of Cloverdale, or a written request for an extension of time is submitted to the Community Development Department prior to the expiration date and an extension is granted by the Planning Commission.
5. The approval of this permit shall be subject to the latest adopted ordinances, resolutions, policies and fees of the City of Cloverdale. Applicant shall be responsible for any and all costs associated with any required special inspections necessary for the project.
6. This permit shall be subject to revocation or modification by the Planning Commission if the Commission finds that there has been any of the following:
 - a) Noncompliance with any of the foregoing conditions, or
 - b) The Commission finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to the City of Cloverdale Municipal Code.
7. The owner/operator shall maintain the property in good visual and functional condition. This shall include, but not be limited to all exterior elements of the buildings such as paint, roof, paving, signs, lighting and landscaping as well as any frontage improvements and storm drain systems.

Outdoor Storage

8. The recreational vehicle outdoor storage area shall be screened through the installation of solid fencing within two (2) years of the subject properties being annexed into the Cloverdale City limits. Chain-link fencing with wood, plastic or metal slating is not permitted when visible from the public right-of-way.
9. Screening for outdoor storage shall be a minimum of eight (8) feet and a maximum of 12 feet.

10. Outdoor storage of goods, materials, wood pallets, cardboard, recyclables, etc., is prohibited outside of a screened outdoor storage area.

Lighting

11. All exterior lighting shall be aimed downward, shielded and maintained in order to prevent glare, light trespass and light pollution, in compliance with Section 18.09.050.

Fire District:

12. Each lot shall be identified with a numeric address based upon the street used to access the property. Neither property abuts South Cloverdale Boulevard. The north lot is accessed by Sandholm Road, the south lot is accessed by Kelly Road. CFC 505
13. Submitted application materials prevented the Cloverdale Fire Protection District from fully evaluating the site for fire department access. However, the existing main access point is a gravel road more representative of a driveway and is a non-compliant fire department access. If a compliant access to the south lot does not exist from Sandholm Road, the gravel road will require improvement and identification as a fire lane. CFC 505
14. Both properties lack a sufficient water supply for firefighting. Buildings on the site are in excess of 500 feet from the nearest fire hydrant. RV's parked on site are in excess of 700 feet from the nearest fire hydrant. One, or more, on-site fire hydrants are needed to provide coverage to existing buildings, storage containers and RV storage areas. CFC 507
15. The water service connection to serve this project shall include a Fire Flow Analysis including proposed building areas, type of construction, and calculated available fire flow at the proposed fire hydrants and shall be provided to the Fire Department for review and approval concurrent with submittal of Grading plans. Minimum adjusted (50% sprinkler credit) Fire Flow for this commercial project is estimated at 1500 gallons per minute with 20 residual psi in the water main for a minimum 2-hour duration. CFC 507.
16. Hydrant spacing for this commercial property shall comply with current Fire District standards of CA Fire Code Chapter 9 and Appendix C and three (3) copies of the final site plan shall be submitted for approval of hydrant locations within 2 years of the properties being annexed into the City. Fire hydrants shall be provided along fire department access roads with spacing not greater than 300', at entrances to flag lots and in locations supporting fire department operations. CFC Appendix C.
17. The Cloverdale Fire Protection District has adopted a local ordinance which requires automatic fire sprinkler systems in certain type/size of new construction. All new structures, or those undergoing significant renovation, shall be protected with automatic fire sprinkler systems in accordance with CA Fire Code Chapter 9 as adopted by the Fire District. CFC 903.
18. Private Underground Fire Mains (aka on-site mains behind the detector check) require a separate Fire Department permit. Public or private fire mains may not run under buildings. CFC 507.
19. The project is located in excess of an 8-minute response time from the nearest fire station. This exceeds the local and national standards for fire service delivery.
20. Upon annexation into the City of Cloverdale, the property owner shall provide the fire department with a Fire Safety Plan that addresses:
 - a. Placement of minimum 2A:10BC rated fire extinguishers and signs
 - b. Installation of NO SMOKING signs
 - c. Identification of fire lanes and "No Parking-Fire Lane" signage

- d. Installation of hazard control signs for "NO REPAIRS, WELDING OR CUTTING"
 - e. Abatement of weeds, especially in the 10' no storage area adjacent property lines
 - f. Identification of waste receptacles (location of dumpster(s))
 - g. Maintenance of the no storage area within 10' of property lines
 - h. Removal of old tires, non-compliant structures (wooden canopy), especially in the NW corner
 - i. Placement of a spill kit (container, absorbent, shovel, gloves, eye protection) to address minor leaks and spills from parked vehicles
 - j. Location of any propane tanks or cylinders not mounted on a vehicle.
21. The project site is located in an area designated as a "moderate" Wildland Urban Interface location per CalFire. This reinforces the importance of weed abatement, hazard reduction and maintaining storage setbacks (minimum 10 feet) from property lines.
22. Required Fire Department access roads shall be signed "No Parking-Fire Lane" per current Fire Department standards and the CA Vehicle Code. CFC 503.
23. Traffic calming measures or controls (speed bumps, humps, undulations, gates, etc.) are not approved as a part of this review and require specific approval from the Fire Department. CFC 503.4.
24. Lockable gates limiting vehicle access to commercial developments shall be equipped with a Fire Department approved locking device ("Knox" lock or "Knox" keyed lock). CFC 506.
25. Fire hydrants, gas meters, propane tanks, etc. shall be provided with Vehicle Impact Protection. CFC 312
26. Access roads (1st lift of asphalt) and water supplies for fire protection shall be installed and made serviceable prior to storage of, or construction with, any combustible materials. CFC 3312.

Public Works/Engineering:

27. Future sewer lateral(s) serving the parcel shall be designed by a California Registered Civil Engineer. Construction of future sewer lateral(s) shall be performed under separate permit issued by the City and conform with all applicable City Development Design Standards.
28. The map supplied with the annexation documents includes references to facilities not yet constructed or installed. Applicant shall remove from annexation map(s) and documents all references to facilities not yet constructed or installed including references to "container storage" in areas currently used for parking. New facilities requiring approval by the City shall be addressed in a Grading, Building and/or Encroachment permit application after annexation is granted.
29. Applicant shall ensure all permanent driveways accessing the parcel conform to City Development Design Standards.
30. Applicant shall show on annexation map adequate right-of-way setback for future sidewalk development fronting Sandholm Lane in accordance with Cloverdale Municipal Code (CMC) Sections 15.36.030 and 17.12.240.
31. All boundary line monuments shall be constructed in accordance with City Standards and CMC 17.12.090. Missing boundary line monuments shall be replaced prior to annexation.

Building Department:

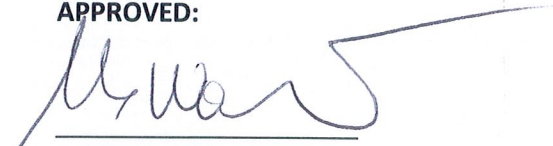
32. All future construction and/or building modifications shall meet the applicable building and fire safety codes in effect at the time of building permit application.

33. The applicant shall submit construction documents for plan review as part of any future building permit application process for all improvements subject to the California Building Code (CBC). A Building Permit shall be obtained prior to any future construction and all work shall be inspected and approved prior to issuance of Certificate of Occupancy.

It is hereby certified that the foregoing Resolution No. 076-2020 was duly introduced and duly adopted by the City Council of the City of Cloverdale on August 12, 2020, by the following roll call vote:


AYES: (4) Councilmembers Bagby and Brigham, Vice Mayor Turner, and Mayor Wolter
NOES: (0) None
ABSTAIN: (0) None
ABSENT: (1) Councilmember Cruz

APPROVED:




Gus Wolter, Mayor,

ATTEST:



Irene Camacho-Werby, City Clerk

I, IRENE CAMACHO-WERBY, City Clerk of the City of Cloverdale, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 076-2020 adopted by the City Council of the City of Cloverdale on the 12th day of August 2020.



Irene Camacho-Werby, City Clerk

