

AGENDA

CITY OF GUADALUPE PLANNING COMMISSION

Tuesday, February 15, 2011

Regular Meeting 6:00 p.m.

**City Hall, Council Chambers
918 Obispo Street, Guadalupe, CA 93434**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's office, (805) 356-3891. Notification of at least 72 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

*If you wish to speak concerning any item on the agenda, please complete the Request to Speak form that is provided at the rear of the Council Chambers prior to the completion of the staff report and hand the form to the City Clerk. **Note:** Staff Reports for this agenda, as well as any materials related to items on this agenda submitted after distribution of the agenda packet, are available for inspection at the office of the City Administrator, City Hall, 918 Obispo Street, Guadalupe, California during regular business hours, 8:30 a.m. to 12:00 pm. and 1:00 p.m. to 5:00 p.m., Monday through Friday; telephone (805) 356-3891.*

MEMBERS OF THE PLANNING COMMISSION: Commissioners Monika Huntley, Alejandro Ahumada, Kenneth Chamness, Vice-Chair Jesse Ramirez, and Chair Carl Kraemer.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** Commissioners Monika Huntley, Alejandro Ahumada, Kenneth Chamness, Vice-Chair Jesse Ramirez, and Chair Carl Kraemer.
4. **CONSENT CALENDAR** The following routine items are presented for Planning Commission approval without discussion as a single agenda item in order to expedite the meeting. Should a Commissioner wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.
 - a. Minutes of the Planning Commission meeting of October 19, 2010 to be ordered filed.

5. COMMUNITY PARTICIPATION FORUM

Each person will be limited to a discussion of 3 minutes. Pursuant to provisions of the Brown Act, no action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may direct Staff to investigate and/or schedule certain matters for consideration at a future Planning Commission meeting.

6. REPORTS FROM CITY STAFF OTHER THAN PLANNING STAFF

This item provides an opportunity for staff from other City Departments to provide updates to the Commission on activities of interest to the Commission. Items potentially to be discussed include Code Enforcement Efforts, City Parks activities, and Public Works activities.

- a. Update from Fire Chief and Police Chief on Code Enforcement Activities

7. PUBLIC HEARING TO CONSIDER A REVISED CONDITIONAL USE PERMIT FOR APIO OFFICE LAB RELOCATION (PLANNING APPLICATION #2010-010-CUP).

That the Planning Commission: 1) Receive a presentation from staff; 2) Conduct the Public Hearing on the project, 3) Adopt PC Resolution No. 2011-001 approving the Revised Conditional Use Permit (Case #2010-010-CUP) for the Apio Office Lab Relocation.

- a. Written Staff Report (Rob Mullane)
- b. Conduct Public Hearing;
- c. Planning Commission discussion and consideration.
- d. It is recommended that the Planning Commission: 1) Receive a presentation from staff; 2) Conduct the Public Hearing on the project, 3) Adopt PC Resolution No. 2011-001 approving the Revised Conditional Use Permit (Case #2010-010-CUP) for the Apio Office Lab Relocation.

8. PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A TWO-UNIT RESIDENTIAL STRUCTURE IN A GENERAL COMMERCIAL ZONE LOCATED ON 4531 9th STREET (PLANNING APPLICATION #2011-001-CUP).

That the Planning Commission: 1) Receive a presentation from staff; 2) Conduct the Public Hearing on the project, 3) Adopt PC Resolution No. 2011-002 approving the Conditional Use Permit (Case #2011-001-CUP) for the Two Unit Residential Structure on 4631 9th Street.

- a. Written Staff Report (Rob Mullane/Rob Fitzroy)
- b. Conduct Public Hearing;
- c. Planning Commission discussion and consideration.
- e. It is recommended that the Planning Commission: 1) Receive a presentation from staff; 2) Conduct the Public Hearing on the project, 3) Adopt PC Resolution No. 2011-002 approving the Conditional Use Permit (Case #2011-001-CUP) for the Two Unit Residential Structure on 4631 9th Street.

9. **PLANNING COMMISSION WORKSHOP ON BARBED WIRE USE AND AESTHETICS IN THE DOWNTOWN AREA.** That the Planning Commission receive the presentation from staff.
 - a. Written Staff Report (Rob Mullane)
 - b. Planning Commission discussion.
 - c. It is recommended that the Planning Commission receive the presentation, and provide direction to staff on any subsequent steps.

10. **PARKING RESTRICTIONS IN RESIDENTIAL AREAS FOR OVERSIZED VEHICLES.** That the Planning Commission review and discuss the draft Ordinance restricting the parking of oversized vehicles on residential streets within the city.
 - a. Written Staff Report (Rob Mullane)
 - b. Planning Commission discussion.
 - c. It is recommended that the Planning Commission receive the report and provide comments or direction to staff on subsequent steps.

11. **PLANNING DIRECTOR’S REPORT**

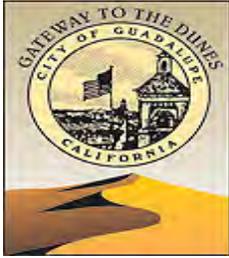
12. **FUTURE AGENDA ITEMS**

13. **ANNOUNCEMENTS**

14. **ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the City Hall display case, the Water Department, the City Clerk’s office, and Rabobank not less than 72 hours prior to the meeting. Dated this 15th day of February 2011.

By: _____
Regan Candelario, Deputy City Clerk



Draft MINUTES

CITY OF GUADALUPE PLANNING COMMISSION

Tuesday, October 19, 2010

Regular Meeting 6:00 p.m.

City Hall, Council Chambers
918 Obispo Street, Guadalupe, CA 93434

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's office, (805) 356-3891. Notification of at least 72 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

*If you wish to speak concerning any item on the agenda, please complete the Request to Speak form that is provided at the rear of the Council Chambers prior to the completion of the staff report and hand the form to the City Clerk. **Note:** Staff Reports for this agenda, as well as any materials related to items on this agenda submitted after distribution of the agenda packet, are available for inspection at the office of the City Administrator, City Hall, 918 Obispo Street, Guadalupe, California during regular business hours, 8:00 a.m. to 12:00 pm. and 1:00 p.m. to 5:00 p.m., Monday through Friday; telephone (805) 356-3891.*

MEMBERS OF THE PLANNING COMMISSION: Commissioners Monika Huntley, Alejandro Ahumada, Kenneth Chamness, Vice-Chair Jesse Ramirez, and Chair Carl Kraemer.

Staff present: Rob Mullane, City Planner; Shauna Callery, Associate Planner; and Dennis Delzeit, City Engineer

1. **CALL TO ORDER** 6:02 p.m. by Chair Kraemer
2. **PLEDGE OF ALLEGIANCE** Conducted.
3. **ROLL CALL** Commissioners Kenneth Chamness, Alejandro Ahumada, Monika Huntley, Vice-Chair Jesse Ramirez, and Chair Carl Kraemer: present.
4. **CONSENT CALENDAR** The following routine items are presented for Planning Commission approval without discussion as a single agenda item in order to expedite the meeting. Should a Commissioner wish to discuss or disapprove an item, it must be dropped from the blanket motion of approval and considered as a separate item.

Draft MINUTES – CITY OF GUADALUPE PLANNING COMMISSION

Regular Meeting– October 19, 2010

Page 2

- a. Minutes of the Planning Commission special meeting of September 21, 2010 to be ordered filed.

Motion: Chamness/Ahumada moved to approve the consent agenda.

VOTE: Ayes: 3

Noes: 0

Abstentions:2 (Huntley and Ramirez)

Motion passed

5. COMMUNITY PARTICIPATION FORUM

Each person will be limited to a discussion of 3 minutes. Pursuant to provisions of the Brown Act, no action may be taken on these matters unless they are listed on the agenda, or unless certain emergency or special circumstances exist. The Planning Commission may direct Staff to investigate and/or schedule certain matters for consideration at a future Planning Commission meeting.

No speakers.

6. REPORTS FROM CITY STAFF OTHER THAN PLANNING STAFF

This item provides an opportunity for staff from other City Departments to provide updates to the Commission on activities of interest to the Commission. Items potentially to be discussed include Code Enforcement Efforts, City Parks activities, and Public Works activities.

Mr. Mullane noted three written communications that were included in the agenda packet:

- An October 12, 2010 memo from the City Administrator regarding an update on O’Connell Park Maintenance
- A notice that is being included with regarding the City’s Water Service Billing and non-payment actions
- An announcement of the 2010 Ballot Initiative Open House that was held on October 14th and sponsored by the Santa Maria League of Women Voters and the American Legion Post 371.

7. A CONDITIONAL USE PERMIT FOR THE GUADALUPE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT (PLANNING APPLICATION #2010-011-CUP)

That the Planning Commission: 1) Receive a presentation from staff; 2) Conduct the Public Hearing on the project, 3) Adopt PC Resolution No. 2010-003 approving the Conditional Use Permit (Case #2010-011-CUP) for the Guadalupe Wastewater Treatment Plant Improvement Project.

- a. Written Staff Report (Rob Mullane and Dennis Delzeit)
- b. Conduct Public Hearing;
- c. Planning Commission discussion and consideration.

Draft MINUTES – CITY OF GUADALUPE PLANNING COMMISSION

Regular Meeting– October 19, 2010

Page 3

- d. It is recommended that the Planning Commission 1) Receive a presentation from staff; 2) Conduct the Public Hearing on the project, 3) Adopt PC Resolution No. 2010-003 approving the Conditional Use Permit (Case #2010-011-CUP) for the Guadalupe Wastewater Treatment Plant Improvement Project.

Chair Kraemer requested some introductory remarks from City Engineer Dennis Delzeit to assist in the Commission’s understanding of the project, the terminology, and the Regional Water Quality Control Board actions, prior to commencing with the staff report. Mr. Delzeit provided the requested overview of wastewater treatment processes, Regional Water Quality Control Board (RWQCB) oversight and requirements, and addressed question regarding odors and project funding.

Mr. Mullane introduced the item and turned over the oral staff report to Shauna Callery, Associate Planner and Mr. Delzeit for a joint presentation. Ms. Callery and Mr. Delzeit gave a brief staff report.

The Commission had questions on the project schedule in relation to grant deadlines, upgrades to equipment, potential for waterfowl in the area of work, the recycling potential for produced sludge, what other agency permits and fees would be required, and the degree of controversy for the project. Staff provided responses and clarifications.

Mr. Mullane noted that since the project is in the City’s Coastal Zone and since the City has a certified Local Coastal Program, the next step would be to provide the Coastal Commission staff in Ventura with a Notice of Final Local Action for concurrence with the City’s approval of the CUP.

Chair Kraemer opened the public hearing at 7:00 pm, and noting no speakers in the audience, closed the public hearing at 7:00 pm.

After a short discussion, where Commissioners noted support for the project, the Chair called for a motion.

Motion: Huntley/Ramirez moved to approve Planning Commission Resolution 2010-003 as proposed, approving Planning Application #2010-011-CUP.

VOTE: Ayes: 5
Noes: 0

Motion carried

The Chair called for a recess at 7:03 pm, to provide a short break. The Chair called the meeting back to order at 7:07

8. **PLANNING COMMISSION PROJECT REVIEW WORKSHOP** That the Planning Commission receive the presentation from staff.

- a. Written Staff Report (Rob Mullane)

Draft MINUTES – CITY OF GUADALUPE PLANNING COMMISSION

Regular Meeting– October 19, 2010

Page 4

- b. Planning Commission discussion.
- c. It is recommended that the Planning Commission receive the presentation from staff.

Mr. Mullane gave a brief presentation that discussed and showed three recently completed projects. The Commission had brief comments and discussion. No action was recommended or taken.

9. PLANNING DIRECTOR’S REPORT.

Mr. Mullane provided a brief update on the DJ Farms project, the Housing Element update, and recent grants that the City is pursuing.

10. FUTURE AGENDA ITEMS

Commissioner Chamness distributed a draft recommendation to the City Council for addressing barbed wire fencing along and near Guadalupe Street and showed some recent photos of properties with such fencing. Commissioner Chamness requested that the Planning Commission take up this topic at a future meeting. Chair Kraemer suggested that the topic be broadened to beautification of the downtown area. The Commission expressed general concurrence with having this as a future agenda item, and noted that involving the business community in beautification issues would be desirable and important. Chair Kraemer suggested that staff include pertinent excerpts from the Cal Poly Community Plan project for the item’s discussion.

Mr. Mullane noted that a Final Map application for the former Rodney Jones Subdivision has been submitted and that staff is reviewing the application for completeness. The Final Tract Map will come before the Planning Commission as a future item.

11. ANNOUNCEMENTS

Commissioner Huntley reminded the (television) audience to please spay and neuter their pets, and that there are opportunities to have the costs for this covered.

Commissioner Chamness reminded the audience to remember the Sabbath.

12. ADJOURNMENT

Chair Kraemer adjourned the meeting at 7:52 pm.

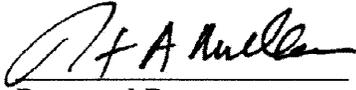
Submitted by:

Affirmed by:

Robert A. Mullane, City Planner
Planning Commission Secretary

Carl Kraemer, Chair

REPORT TO THE PLANNING COMMISSION
February 15, 2011



Prepared By:
Rob Mullane, City Planner
Shauna Callery, Associate Planner



Approved By:
Regan Candelario, City Administrator

SUBJECT: Public hearing to consider a Revised Conditional Use Permit for the Apio Office Trailer project at 4595 West Main Street (APNs 115-210-015 and 115-210-017) (Planning Application #2010-010-CUP).

EXECUTIVE SUMMARY:

The City received an application from Apio, Inc. (the “Applicant”) for a Revised Conditional Use Permit (CUP) to remove an existing 1,440-sq ft portable office trailer (mobile structure) from the southern portion of their facility and install a new, 588-sq ft portable office trailer on the northern portion of their facility at 4595 West Main Street (APNs 115-210-015 and 115-210-017). The existing office trailer, which would be removed, is permitted by a CUP that allowed the mobile structure to serve as additional office space at the current location on APN 115-210-015. The new trailer would be installed immediately north of their main processing facility building on APN 115-210-017.

RECOMMENDATION:

- 1) Receive a presentation from staff
- 2) Conduct Public Hearing, including: a) an opportunity for the applicant to present the proposed project, and b) any comments from the public
- 3) Approve PC Resolution 2011-001 approving the Apio Office Trailer Revised CUP (Planning Application #2010-010-CUP)

BACKGROUND:

The City received an application from Apio, Inc. (the “Applicant”) for a Revised CUP to the City of Guadalupe on September 8, 2010, to remove an existing 1,440-sq ft portable office trailer (mobile structure) from the southern portion of their facility and install a new, 588-sq ft portable office trailer on the northern portion of their facility at 4595 West Main Street (APNs 115-210-015 and 115-210-017). The existing office trailer is permitted by a CUP that was granted in 2000, allowing the mobile structure to serve as additional office. The new trailer would be installed immediately north of their main processing facility building on APN 115-210-017. This request requires a Revised CUP, per the City’s Zoning Code Section 18.57.020.

Additional application materials were received on January 27, 2011, and the project was reviewed at the City’s Development Review Committee (DRC) meeting on February 9, 2011. DRC members had no major concerns with the proposed project, although the Fire Department and the Building and Safety Division recommended specific conditions of approval to address Fire Department and Building Code requirements. The planning application was deemed complete on February 9, 2011.

DISCUSSION:

Project Description

The proposed project involves the removal of an existing 1,440-sq ft portable office trailer (mobile structure) from the southern portion of their facility (on APN 115-210-015) and installation of a new, 588-sq ft portable office trailer on the northern portion of their facility (on APN 115-210-017), at 4595 West Main Street. The location of the existing mobile structure that would be removed and the proposed location for the new mobile structure are indicated on the attached site plan (refer to Attachment 2).

The maximum height of the new portable office trailer would be 14 feet from ground level. An example of the proposed mobile structure is provided as Attachment 3. The new mobile structure would be located on an already developed and paved portion of the site.

Project Issues

Staff has reviewed the request and notes no Zoning Code or General Plan consistency issues.

Site Information

LOCATION	4595 West Main Street
APNs	115-210-015 and 115-210-017
ZONING	G-I General Industrial
SITE SIZE	Approximately 17.19 acres
PRESENT USE	Vegetable products processing facility
SURROUNDING USES AND ZONING	North: G-I General Industrial East: R-1 Single Family Residential West: G-I General Industrial South: G-I General Industrial

The property is currently developed with a processing facility for vegetable products. The proposed new portable office trailer would be located on an already graded and paved portion of the site.

Zoning Conformity

Section 18.57.020 of the City’s Zoning Ordinance (Title 18 of the City Municipal Code) sets forth the restrictions on the use of mobile offices, which states:

“No mobile office shall be erected, established, maintained, or operated in any zone until a conditional use permit has been obtained as provided in Chapter 18.72 of this title.”

Staff has reviewed the request’s conformity to zoning requirements and standards and notes no inconsistencies with zoning requirements.

General Plan Consistency

The project is consistent with applicable City General Plan policies.

CEQA Review

The project is exempt from CEQA pursuant to Section 15303(c) of the State CEQA Guidelines. This section states that a project characterized as a small structure that meets the following conditions is exempt:

(c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

The new portable office trailer would result in the addition of 588-sq ft and would not involve the use of significant amounts of hazardous substances. The new portable office trailer would be located within an existing developed portion of the site that is graded and paved. The associated removal of an existing 1,440-sq ft portable office trailer would result in a net 852-sq ft decrease in floor area on the Apio facility. The proposed project is required to conform current Uniform Building Code requirements, including those pertaining to seismic and fire safety. Furthermore, the request is in conformity to applicable general plan designation, general plan policies, and zoning designation and regulations. No significant environmental impacts are anticipated to result from the proposed project.

Planning Commission Consideration

The CUP process is set forth in Chapter 18.72 of the City's Zoning Code. In considering a CUP, the Planning Commission may approve as submitted, approve with conditions of approval, or provide direction to the applicant on recommended changes and continue the item to a future meeting of the Commission.

This is a public hearing item. Notices of the pending CUP and Planning Commission public hearing were published in the Santa Maria Times and mailed to all property owners within a 300 foot radius as required by the City's Zoning Code.

Planning Commission Action and Next Steps

A resolution to approve the CUP has been prepared (Attachment 1), and staff recommends approval of this resolution. Should the Commission approve or conditionally approve the CUP, staff would issue the associated Zoning Clearance once the 10-day appeal period has run (assuming no appeals are received) and once all prior to issuance conditions of approval have been met.

ATTACHMENTS:

1. Planning Commission Resolution #2011-001, including Conditions of Approval (Exhibit 1)
2. Project site plan
3. Project example photograph

AGENDA ITEM: 7

ATTACHMENT 1

Planning Commission Resolution #2011-001

PLANNING COMMISSION RESOLUTION NO. 2011-001

A Resolution of the Planning Commission of the City of Guadalupe Approving a Revised Conditional Use Permit for the Apio Office Trailer Project.

WHEREAS, Apio, Inc. (the “Applicant”) has submitted a Revised Conditional Use Permit (CUP) application (Planning Application 2010-010-CUP) to remove an existing 1,440-sq ft portable office trailer (mobile structure) from the southern portion of their facility and install a new, 588-sq ft portable office trailer on the northern portion of their facility at 4595 West Main Street (APNs 115-210-015 and 115-210-017); and

WHEREAS, the Planning Commission held a duly-noticed public meeting on February 15, 2011 at which all interested persons were given the opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed Planning Application 2010-010-CUP along with the findings required for approval; and,

WHEREAS, the Planning Commission finds that the project is exempt from review of the California Environmental Quality Act pursuant to Section 15303(c) as a small structure;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Guadalupe, California as follows:

The Planning Commission does hereby find and determine as follows:

Section 1. The Findings for Approval of the CUP:

- a. That the use *will be consistent with the General Plan*. The proposed use is for a new 588-sq ft portable office trailer on the northern portion of the Apio facility that would replace an existing 1,440-sq ft portable office trailer on the southern portion of their facility at 4595 West Main Street (APNs 115-210-015 and 115-210-017). This use would be consistent with the existing land use designation (Industrial) and the existing zoning (G-I General Industrial). The project requires a Conditional Use Permit, as do all proposed mobile structures per the City’s Zoning Code Section 18.57.020. For these reasons the use is determined to be consistent with the General Plan.
- b. That the use *will not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or*

detrimental to property and improvements in the neighborhood or to the general welfare of the city. The removal of the existing 1,440-sq ft portable office trailer and the addition of the new 588-sq ft portable office trailer would result in a net 852-sq ft decrease in floor area on the Apio facility. The proposed project is required to conform current Uniform Building Code requirements, including those pertaining to seismic and fire safety. Such a project would not be injurious or detrimental to property or the neighborhood or general welfare of the City.

- c. That the project is exempt from the California Environmental Quality Act pursuant to Section 15303(c) as a small structure.

Section 2. Planning Application 2010-007-CUP is approved, subject to the Conditions of Approval set forth in Exhibit 1 to this Resolution.

Section 3. The Planning Commission Secretary shall certify as to the adoption of this Resolution.

UPON MOTION of Commissioner _____, seconded by Commissioner _____, the foregoing Resolution is hereby approved and adopted the 15th day of February 2011, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I, **Robert A. Mullane**, Planning Commission Secretary of the City of Guadalupe, **DO HEREBY CERTIFY** that the foregoing Resolution, being **P.C. Resolution No. 2011-001**, has been duly signed by the Planning Commission Chair at a meeting of the Planning Commission, held February 15, 2011, and that same was approved and adopted.

ATTEST:

Robert A. Mullane, Planning
Commission Secretary

Carl Kraemer, Chair

EXHIBIT 1
CONDITIONS OF APPROVAL
APIO OFFICE TRAILER REVISED CUP
4595 W. MAIN STREET
CASE NO. 2010-010-CUP

GENERAL CONDITIONS

1. Subject to the conditions set forth below, this permit authorizes the use requested by Application No. 2010-010-CUP and shown in the project plans on file with the City of Guadalupe. Any deviations from the project description in the staff report, exhibits or conditions must be reviewed and approved by the City of Guadalupe for conformity with this approval. Deviations may require changes to the permit to be approved and/or further environmental review. Deviations without the above-described approval will constitute a violation of the permit approval.
2. Approval of this Conditional Use Permit is not valid until the property owner signs this list of conditions agreeing to the terms and Conditions of Approval.
3. The Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of this permit or to determine the reasonableness, legality or validity of any condition attach hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and city will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligation of this condition. Applicant's acceptance of this permit approval or commencement of construction or operations under the approval shall be deemed to be acceptance of all conditions of approval.
4. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threaten to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
5. In accordance with Section 18.72.130 of the City Municipal Code, this Conditional Use Permit approval shall expire one (1) year from the date of

approval, unless a building permit for the proposed improvements has been obtained, or an extension has been granted as provided for in Section 18.72.130.

PLANNING DEPARTMENT CONDITIONS

6. Prior to Zoning Clearance, the applicant shall pay all applicable permit processing fees in full.

PUBLIC WORKS DEPARTMENT CONDITIONS

None.

FIRE DEPARTMENT CONDITIONS

7. The portable office trailer shall meet current Building Code requirements, including seismic requirements.
8. The portable office trailer shall maintain a minimum of one 2A10BC rated fire extinguisher for each 3,000 square feet of floor space or fraction thereof. The extinguisher(s) shall be mounted so they are readily accessible and the top of the extinguisher is between 48 and 60 inches above the finished floor.

CITY ENGINEER CONDITIONS

None.

BUILDING AND SAFETY CONDITIONS

9. Prior to final inspection, the existing utilities for the trailer to be removed shall be abandoned in accordance with all applicable codes.

Applicant's Consent to Abide by the above Conditions of Approval

Signature

Date

Printed Name, Title

ATTACHMENT 2

Project Site Plan

APIO PROPERTIES				ADJOINING PROPERTIES			
TAG	APN	AREA	OWNER	TAG	APN	OWNER	
22	AP115-180-022	4.4	APIO	5	AP115-180-005	SOUTHERN PACIFIC RR	
27	AP115-180-027	1.25	APIO	25	AP115-180-025	JOSE ALVAREZ	
15	AP115-210-015	0.67	APIO	26	AP115-180-026	GUADALUPE COMMUNITY REDEVELOPMENT AGENCY	
17	AP115-210-017	5.42	APIO	10	AP115-210-010	BORTEL BANK AND TRUST	
22	AP115-210-022	6.13	APIO	19	AP115-210-019	LINDSEY ICE	
	TOTAL AREA	17.87 Acres		20	AP115-210-020	LINDSEY ICE	
				23	AP115-210-023	LINDSEY ICE	
				24	AP115-210-021	FELIPE C ZEPEDA	

EXISTING LANDSCAPING							
PARCEL TAG	PARCEL APN	AREA (ACRES)	AREA (SQ. FT.)	%	PROPOSED LANDSCAPE AREA REDUCTION TO 3%	EXISTING LANDSCAPE AREA (SQ. FT.)	PROPOSED LANDSCAPE (SQ. FT.)
1	22	AP115-180-022	4.0	174,348.0	4.7%	5,230	8,231
2	27	AP115-180-027	1.25	54,454.1	4.8%	1,634	2,651
3	17	AP115-210-017	11.94	520,028.8	3%	15,601	10,536
4	22	AP115-210-022					5,222
TOTAL OVERALL AREAS		17.19	748830.9	3.6%	22,465	18,767	7,873

SITE LANDSCAPE ANALYSIS

APIO COOLING PARKING ANALYSIS : 330 EMPLOYEES AT COMPLETION OF PROJECT

PARCEL TAG	PARCEL APN	BUILDING SQ.FT. OR/SITE IMPROVEMENTS SQ.FT.	NUMBER OF EMPLOYEES	REQUIRED PARKING SPACES Col. A/1000±.58	EXISTING PARKING SPACES	PROPOSED PARKING SPACES	TOTAL SPACES EXISTING + PROPOSED Col.D + Col.E	DEFICIT OR EXCESS PARKING SPACES Col.C - Col.F
1	22	AP115-180-022	17,357	3	18	179 + 7 HC	179 + 7 HC	168 EXCESS
2	27	AP115-180-027	0	0	100	0	100	100 EXCESS
3	17	AP115-210-017	203,586 S.F.	327	368	17	124	107 DEFICIT
4	22	AP115-210-022 (COMBINED LOTS)			7 HC	10 comp. vehicle		
APIO PROJECT SITE TOTALS:		220,943 S.F.	330	403	303	107	410	

PARKING ANALYSIS

PARCEL TAG	PARCEL APN	BUILDING SQ.FT. OR/SITE IMPROVEMENTS SQ.FT.	NUMBER OF EMPLOYEES	REQUIRED PARKING SPACES Col. A/1000±.58	EXISTING PARKING SPACES	PROPOSED PARKING SPACES	TOTAL SPACES EXISTING + PROPOSED Col.D + Col.E	DEFICIT OR EXCESS PARKING SPACES Col.C - Col.F
1	22	AP115-180-022	17,357	3	18	179 + 7 HC	179 + 7 HC	168 EXCESS
2	27	AP115-180-027	0	0	100	0	100	100 EXCESS
3	17	AP115-210-017	203,586 S.F.	327	368	17	124	107 DEFICIT
4	22	AP115-210-022 (COMBINED LOTS)			7 HC	10 comp. vehicle		
APIO PROJECT SITE TOTALS:		220,943 S.F.	330	403	303	107	410	

- EDGE OF EXISTING ASPHALT PAVEMENT. PROPOSED NO-BUILD EASEMENT
- EXISTING DROP INLET.
- PROPOSED PROPERTY LINE ADJUSTMENT BETWEEN APN 115-210-017 AND APN 115-180-022 EXISTING SWALE.
- HANDICAPPED PARKING 7 SPACES (4) (A0.1)
- EMPLOYEE PARKING - SEE PARKING CALC. ON COVER SHEET T-1
- EXISTING LANDSCAPE SCREEN
- EXISTING CHAIN LINK FENCE
- APIO TO PROVIDE SLATS IN CHAIN LINK AS REQ.
- EXISTING PROPERTY LINE BETWEEN APIO OWNED PARCELS
- OTHER PROPERTY LINES AND BOUNDARIES
- TRUCK TRAVEL PATH RECEIVING - SEE CIRCULATION PLAN FOR REFERENCE XXXXX EXISTING FENCE 6 FT.
- TRUCK SCALES
- STRIP PARKING AS SHOWN, PARKING PER CITY OF GUADALUPE STANDARDS, PARKING STALL MIN. 8'-6" X 20'-0" LENGTH SEE 24/A.01 ACCESSIBLE ENTRANCE SIGN AT FOURTH STREET ENTRANCE PER DETAIL (11) (A0.1)
- EXISTING LIGHT STANDARDS
- EXISTING FIRE HYDRANT
- EXISTING FIRE HYDRANT TO BE RELOCATED. SEE SITE UTILITY PLAN
- EXISTING LIGHT STANDARD TO BE RELOCATED PER OWNER DIRECTION.
- NEW BELOW GRADE LOADING DOCK RAMP
- REMOVE STORAGE TO ALLOW PARKING USE.
- PORTION OF EXISTING FENCING TO BE REMOVED FOR NEW LOADING DOCK CLEARANCE AS NECESSARY
- KEYNOTES SEE A-2.1 FOR ADDITIONAL CIRCULATION INFO.
- PORTION OF EXISTING PARKING AND CONCRETE CURB TO BE REMOVED FOR NEW LOADING DOCK CLEARANCE AS NECESSARY
- TRUCK TRAVEL PATH
- EXISTING PROPERTY LINE TO BE DISSOLVED TO COMBINE APN 115-210-017 AND APN 115-210-002
- EXISTING 40' ACCESS AND PUBLIC UTILITY EASEMENT PER RECORD DATA (PARCEL MAP 46-63)
- PROPOSED RELOCATION OF 40' ACCESS EASEMENT ALIGN WITH CENTER OF EASEMENT OF CEDAR AND THIRD.
- EMPLOYEE PERSONAL VEHICLE TRAFFIC ENTRANCE AND EXIT
- BOUNDARY LINE OF APIO OWNED PARCELS
- PROPOSED COMBINED NO-BUILD AND PUBLIC UTILITIES EASEMENT
- PROPOSED PUBLIC UTILITY EASEMENT
- RELOCATED FIRE HYDRANT, SEE UTILITY PLAN
- EXISTING 40' ACCESS AND PUBLIC UTILITY EASEMENT TO BE ABANDONED
- BOUNDARY OF PROPOSED EASEMENT MIN. OF 60' FROM PROPOSED BUILDING AND 10' TO THE NORTH OF EXISTING WATER LINE
- EXISTING PROPERTY LINE TO BE ADJUSTED - SEE KEYNOTE (4)
- NEW FIRE HYDRANT - RED STRIPE 20' SQUARE EA SIDE AND FRONT PROVIDE BOLLARDS AS REQUIRED BY CITY OF GUADALUPE.
- NEW 3' FIRE DEPT. ACCESS GATE-LOCK PER CITY STD.
- EXISTING LANDSCAPING TO BE RESTORED AS REQ'D. BY CITY OF GUADALUPE STANDARDS. LANDSCAPING PENDING PLANNING COMMISSION REVIEW AND APPROVAL-SEE LANDSCAPE PLANS FOR ADD. INFORMATION

RA
RAVATT ALBRECHT & ASSOCIATES, INC.
ARCHITECTURE ENGINEERING

ARCHITECTURE
CAREY RAVATT, AIA
MEL HANAUER, ELECTRONIC
PHIL ALBRECHT, PE

CORPORATE OFFICE
1227 LIGHTNING BOLT
SANTA MONICA, CALIFORNIA
TEL: 310 316 5212
FAX: 310 316 5213

SANTA MONICA, CA 90405
(805) 456-5500 FAX (805) 456-5510

SOUTH BAY OFFICE
TEL: 310 316 5212
FAX: 310 316 5213

SANTA BARBARA, CA 93103-2554
(805) 965-6000 FAX (805) 966-5512

CENTRAL CALIFORNIA
LITTON, CALIFORNIA
TEL: 925 255-1100 FAX: 925 255-1101

- REVISIONS**
- 12 June 2008 PROPERTY LINES AND EASEMENTS
 - 29 July 2008 PLANNING RESUBMITTAL
 - 21 April 2009 PLANNING COMMISSION MEETING/CONDITIONS FOR APPROVAL

SEAL

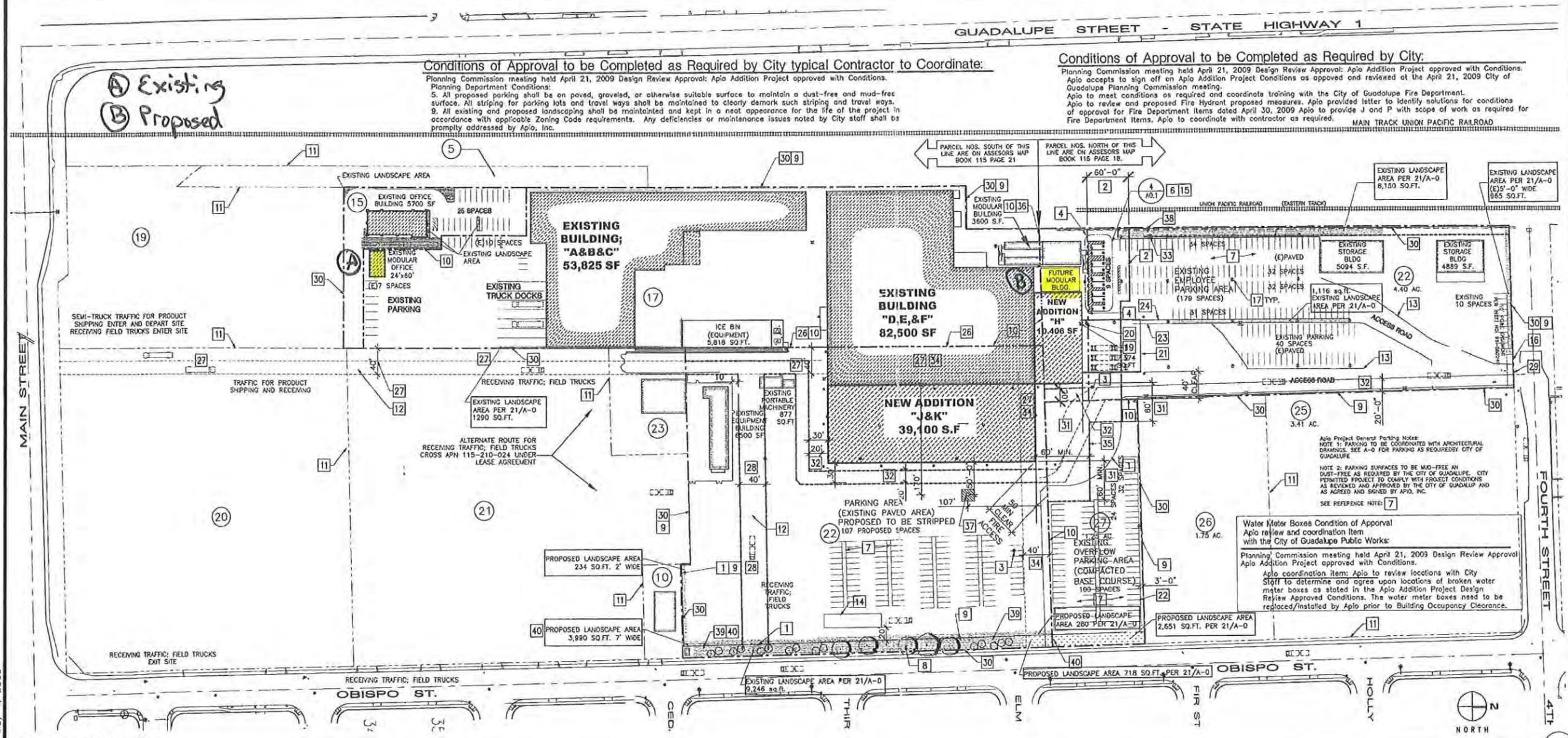
REGISTERED ARCHITECT
CAREY ALLEN RAVATT
LIC. NO. 020808
08-30-09
STATE OF CALIFORNIA

PROJECT
APIO Cooling Expansion
4595 West Main Street
Guadalupe, CA 93434

- SHEET TITLE**
- OVERALL SITE PLAN
 - PLANNING RESUBMITTAL 6/18/2008
 - PLANNING RESUBMITTAL 8/21/2008
 - PLANNING RESUBMITTAL 12/09/2008
 - BUILDING RESUBMITTAL 3/12/2009
 - BUILDING RESUBMITTAL 5/04/2009

RECEIVED
JAN 27 2009
City of Guadalupe
Planning Dept.

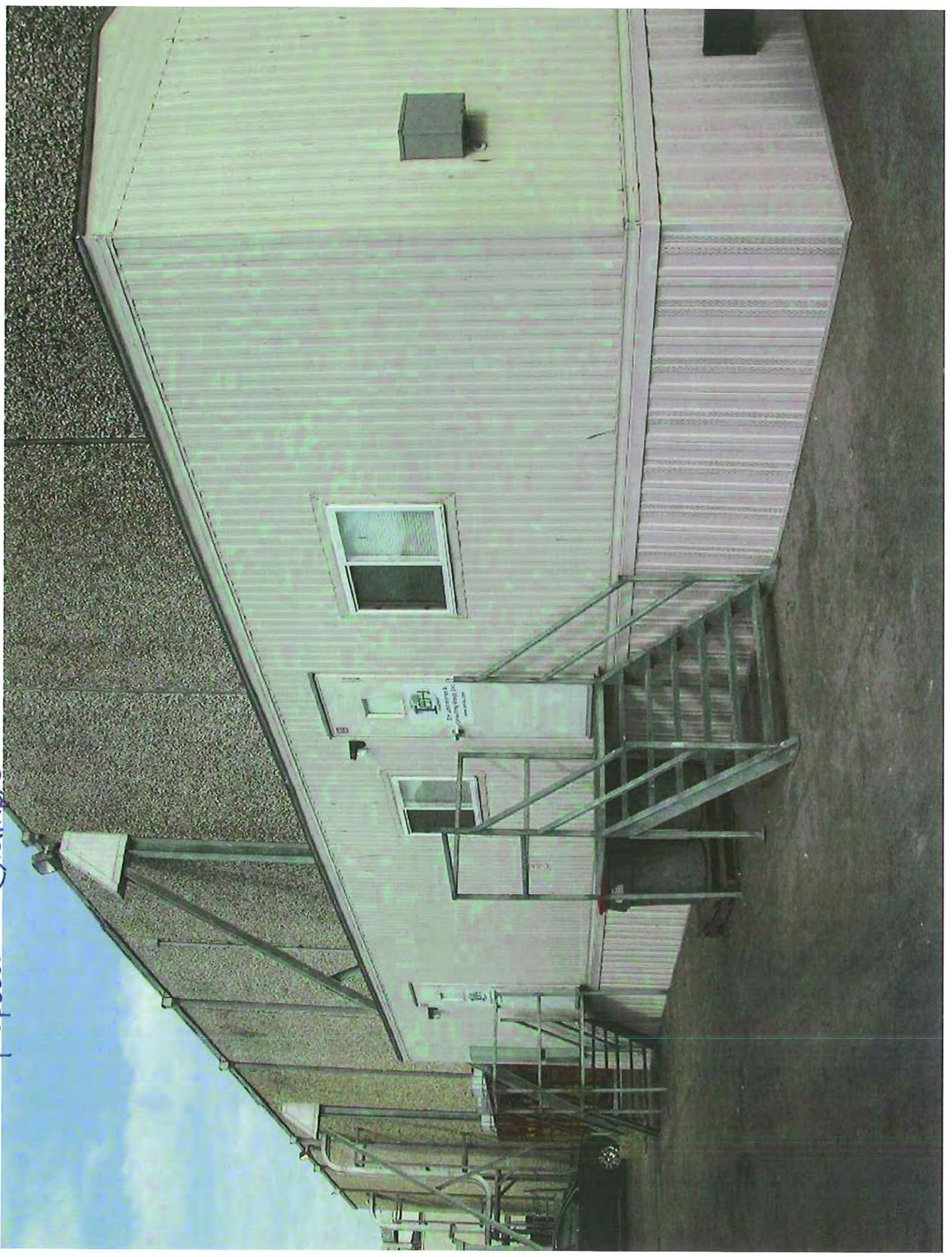
DATE: 05/08/2008
TECHNICAL: JW
PROJECT MANAGER:
JOB NUMBER: RA135
SHEET NUMBER:
A-0



ATTACHMENT 3

Project Example Photograph

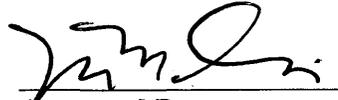
Proposed example



REPORT TO THE PLANNING COMMISSION
February 15, 2011



Prepared By:
Rob Mullane, City Planner
Rob Fitzroy, Associate Planner



Approved By:
Regan Candelario, City Administrator

SUBJECT: Public hearing to consider a Conditional Use Permit for the 9th Street Duplex at 4631 9th Street (APNs 115-071-015) (Planning Application #2011-001-CUP).

EXECUTIVE SUMMARY:

The City first received a Conditional Use Permit (CUP) application from Jeanette Heartwood (“Applicant”) for the construction of a two-unit residential structure within the General-Commercial zoning district at 4631 9th Street (APN 115-071-015). A total of 2,028 square feet of living space is proposed. Per Zoning Code Section 18.36.030 (A), dwelling units which are not located on a floor above a permitted General Commercial use are subject to a CUP.

RECOMMENDATION:

- 1) Receive a presentation from staff
- 2) Conduct Public Hearing, including: a) an opportunity for the applicant to present the proposed project, and b) any comments from the public
- 3) Approve PC Resolution 2011-002 approving the 9th Street Duplex CUP (Planning Application #2011-001-CUP)

BACKGROUND:

The City received a pre-application from the applicant, Ms. Jeanette Heartwood, (“Applicant”) in November 2010 for the construction of a two-unit residential structure within a General Commercial zone, located at 4631 9th Street (APN 115-071-015). During the pre-application process, the applicant was informed by staff that dwelling units which are not located on a floor above a permitted General Commercial use require a CUP. The applicant followed-up with the submittal of a CUP application on January 18, 2011, and the application was deemed complete on February 9, 2011.

DISCUSSION:

Project Description

The project involves the construction of a two-unit residential structure on a vacant lot zoned General Commercial, located at 4631 9th Street (APN 115-071-015). The

residential structure would be a duplex with each unit being two stories in height. A total of 2,028 square feet living space is proposed; Unit A would be 1,134 square feet, and Unit B would be 894 square feet. The structure would be 23 feet in height. (Attachment 2, Sheets 1 and 2 show the site plan, and Sheet 3 shows the building elevations).

Each unit would have two bedrooms, one bathroom, kitchen and living room. Unit A would also have an art studio and roof deck, both of which would be located above the two-car carport (refer to Attachment 2, Sheet 4, which shows the floor plan). A total of three off-street parking spaces are proposed. The project would include approximately 53% landscape coverage (refer to Attachment 2, Sheet 2). The residential structure would be served by City water and sewer facilities.

Project Issues

Staff has reviewed the request and notes that the project conforms to Zoning Code requirements. The Fire Department provided a review memo, which sets forth Fire Department requirements, some of which require minor revisions to the project. In addition, the City Engineer reviewed the project and requested minor revisions. Staff has incorporated these requirements as conditions of approval.

Site Information

LOCATION	4631 9 th Street
APNs	115-071-015
ZONING	G-C General Commercial
SITE SIZE	Approximately 0.26 acres
PRESENT USE	Vacant
SURROUNDING USES AND ZONING	North: G-C General Commercial East: G-C General Commercial West: G-C General Commercial South: G-C General Commercial

Zoning Conformity

Zoning Code Section 18.36.030 (A) states that dwelling units which are not located on a floor above a permitted General Commercial use are subject to a CUP. Staff has reviewed the request’s conformity to zoning requirements and standards and notes no inconsistencies with zoning requirements.

General Plan Consistency

The project is consistent with applicable City General Plan policies. The project is within the City’s Central Business District, where commercial uses or mixed uses are preferred. While the project is residential, the project site is a side street rather than the main commercial corridor (Guadalupe Street), and the proposed development retains space on the front portion of the lot that could be developed in the future by a commercial use.

CEQA Review

The project is exempt from CEQA pursuant to Section 15303(b) of the State CEQA Guidelines. This section states that a project characterized as a small structure that meets the following conditions is exempt:

(b) A duplex or similar multifamily residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units.

The proposed project would involve the construction of two units, which does not exceed the four-unit limit for exemption status. Furthermore, the request is in conformity to applicable general plan designation, general plan policies, and zoning designation and regulations. The project is within the City's center and is surrounded by existing development. No significant environmental impacts are anticipated to result from the proposed project.

Planning Commission Consideration

The CUP process is set forth in Chapter 18.72 of the City's Zoning Code. In considering a CUP, the Planning Commission may approve as submitted, approve with conditions of approval, or provide direction to the applicant on recommended changes and continue the item to a future meeting of the Commission.

This is a public hearing item. Notices of the pending CUP and Planning Commission public hearing were published in the Santa Maria Times and mailed to all property owners within a 300-foot radius as required by the City's Zoning Code.

Planning Commission Action and Next Steps

A resolution to approve the CUP has been prepared (Attachment 1), and staff recommends approval of this resolution. Should the Commission approve or conditionally approve the CUP, staff would issue the associated Zoning Clearance once the 10-day appeal period has run (assuming no appeals are received) and once all prior to issuance conditions of approval have been met.

ATTACHMENTS:

1. Planning Commission Resolution #2011-002, including Conditions of Approval (Exhibit 1)
2. Project Plans
3. Site Photos

AGENDA ITEM: 8

ATTACHMENT 1

Planning Commission Resolution #2011-002

PLANNING COMMISSION RESOLUTION NO. 2011-002

A Resolution of the Planning Commission of the City of Guadalupe Approving a Conditional Use Permit for the 9th Street Duplex Project.

WHEREAS, Jeanette Heartwood (the “Applicant”) has submitted a Conditional Use Permit (CUP) application (Planning Application 2011-001-CUP) to construct a two-unit residential structure a total of 2,028 square feet in size; and

WHEREAS, the Planning Commission held a duly-noticed public meeting on February 15, 2011 at which all interested persons were given the opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed Planning Application 2011-001-CUP along with the findings required for approval; and,

WHEREAS, the Planning Commission finds that the project is exempt from review of the California Environmental Quality Act pursuant to Section 15303(b) as a small structure;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Guadalupe, California as follows:

The Planning Commission does hereby find and determine as follows:

Section 1. The Findings for Approval of the CUP:

- a. That the use *will be consistent with the General Plan*. The proposed use is for a new 2,028 square foot two-unit residential structure at 4631 9th Street (APNs 115-071-015). This use would be consistent with the existing land use designation (General Commercial) because it is conditionally permitted. Per Zoning Code Section 18.36.030 (A), dwelling units which are not located on a floor above a permitted General Commercial use are subject to a CUP. The applicant has submitted a request for a CUP to construct said residential structure, and the City has had the opportunity to condition the project as necessary. For these reasons the use is determined to be consistent with the General Plan.
- b. That the use *will not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city*. A new two-unit residential structure would

provide housing to the City. The proposed project is required to conform current Uniform Building Code requirements, including those pertaining to seismic and fire safety. Such a project would not be injurious or detrimental to property or the neighborhood or general welfare of the City.

- c. That the project is exempt from the California Environmental Quality Act pursuant to Section 15303(b) as a small structure.

Section 2. Planning Application 2011-001-CUP is approved, subject to the Conditions of Approval set forth in Exhibit 1 to this Resolution.

Section 3. The Planning Commission Secretary shall certify as to the adoption of this Resolution.

UPON MOTION of Commissioner _____, seconded by Commissioner _____, the foregoing Resolution is hereby approved and adopted the 15th day of February 2011, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I, **Robert A. Mullane**, Planning Commission Secretary of the City of Guadalupe, **DO HEREBY CERTIFY** that the foregoing Resolution, being **P.C. Resolution No. 2011-002**, has been duly signed by the Planning Commission Chair at a meeting of the Planning Commission, held February 15, 2011, and that same was approved and adopted.

ATTEST:

Robert A. Mullane, Planning
Commission Secretary

Carl Kraemer, Chair

EXHIBIT 1
CONDITIONS OF APPROVAL
9TH STREET DUPLEX CUP
4631 9TH STREET
CASE NO. 2011-001-CUP

GENERAL CONDITIONS

1. Subject to the conditions set forth below, this permit authorizes the development and use of a two-story, 2,028-sq ft duplex as requested by Case No. 2011-001-CUP and as shown in the project plans on file with the City of Guadalupe. Any deviations from the project description in the staff report, exhibits or conditions must be reviewed and approved by the City of Guadalupe for conformity with this approval. Deviations may require changes to the permit to be approved and/or further environmental review. Deviations without the above-described approval will constitute a violation of the permit approval.
2. Approval of this Conditional Use Permit is not valid until the property owner signs this list of conditions agreeing to the terms and Conditions of Approval.
3. The Applicant agrees, as a condition of approval of this resolution, to indemnify, defend and hold harmless, at Applicant's expense, City and City's agents, officers, and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of this permit or to determine the reasonableness, legality or validity of any condition attach hereto. City shall promptly notify Applicant of any such claim, action or proceeding to which City receives notice, and city will cooperate fully with Applicant in the defense thereof. Applicant shall reimburse the City for any court costs and attorney's fees that the City may be required to pay as a result of any such claim, action or proceeding. City may, in its sole discretion, participate in the defense of any such claim, action or proceeding, but such participation shall not relieve Applicant of the obligation of this condition. Applicant's acceptance of this permit approval or commencement of construction or operations under the approval shall be deemed to be acceptance of all conditions of approval.
4. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threaten to be filed therein which action is brought within the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.

5. In accordance with Section 18.72.130 of the City Municipal Code, this Conditional Use Permit approval shall expire one (1) year from the date of approval, unless a building permit for the proposed improvements has been obtained, or an extension has been granted as provided for in Section 18.72.130.

PLANNING DEPARTMENT CONDITIONS

6. Prior to Zoning Clearance, the applicant shall pay all applicable permit processing fees in full.

PUBLIC WORKS DEPARTMENT CONDITIONS

None.

FIRE DEPARTMENT CONDITIONS

7. The proposed building shall be protected by an automatic fire sprinkler system designed and installed in accordance with NFPA Standard 13D. Prior to issuance of a Building Permit, plan set shall be revised to show the automatic fire sprinkler system.
8. The minimum width of the driveway shall be 15 feet. Prior to issuance of Building Permit, the plan set shall show the width of the driveway as 15 feet as well as a standard curb cut that provides the required driveway width per the City's Standard Drawing RD-13.
9. The driveway and walkway shall be concrete or asphalt. Prior to issuance of Building Permit, the plan set shall show whichever material is used to construct the driveway and walkway.
10. Prior to Occupancy Clearance, smoke detectors shall be installed as follows:
 - a. One in each sleeping room.
 - b. One at the top of each stairway.
 - c. One in the Art Studio.
 - d. One in the entry way outside of the sleeping rooms.
 - e. All smoke detectors in a dwelling unit shall be inter-connected so the activation of one detector causes all detectors in that dwelling unit to sound.
11. Prior to Occupancy Clearance, one fire extinguisher shall be provided for each kitchen. The minimum rating shall be 2A10BC and mounted in a conspicuous location so the top of the extinguisher is between 48 and 60 inches above the finished floor.
12. Prior to Occupancy Clearance, the building address numbers must be a minimum of 8-inches in height and shall contrast with their background.

CITY ENGINEER CONDITIONS

- 13. Prior to issuance of Zoning Clearance, the project plans shall be revised to eliminate or relocate the proposed parking space associated with the existing driveway curb cut and the existing curb cut shown as being restored to a curb, gutter, and sidewalk configuration. Should this parking space be relocated, it should be sited to be adjacent to and integrated into the proposed driveway.
- 14. Prior to Final Building Inspection, the existing driveway curb cut shall be removed and restored with a curb, gutter, and sidewalk in accordance City standards (refer to City Standard Drawings RD-11 and RD-14).
- 15. Prior to Final Site Inspection, any existing public sidewalk along the property's frontage that is cracked or damaged shall be removed and replaced in accordance with City Standard Drawing RD-14.
- 16. Prior to Final Site Inspection, any existing curb or gutter along the property's frontage that is cracked or damaged shall be removed and replaced in accordance with City Standard Drawing RD-11.

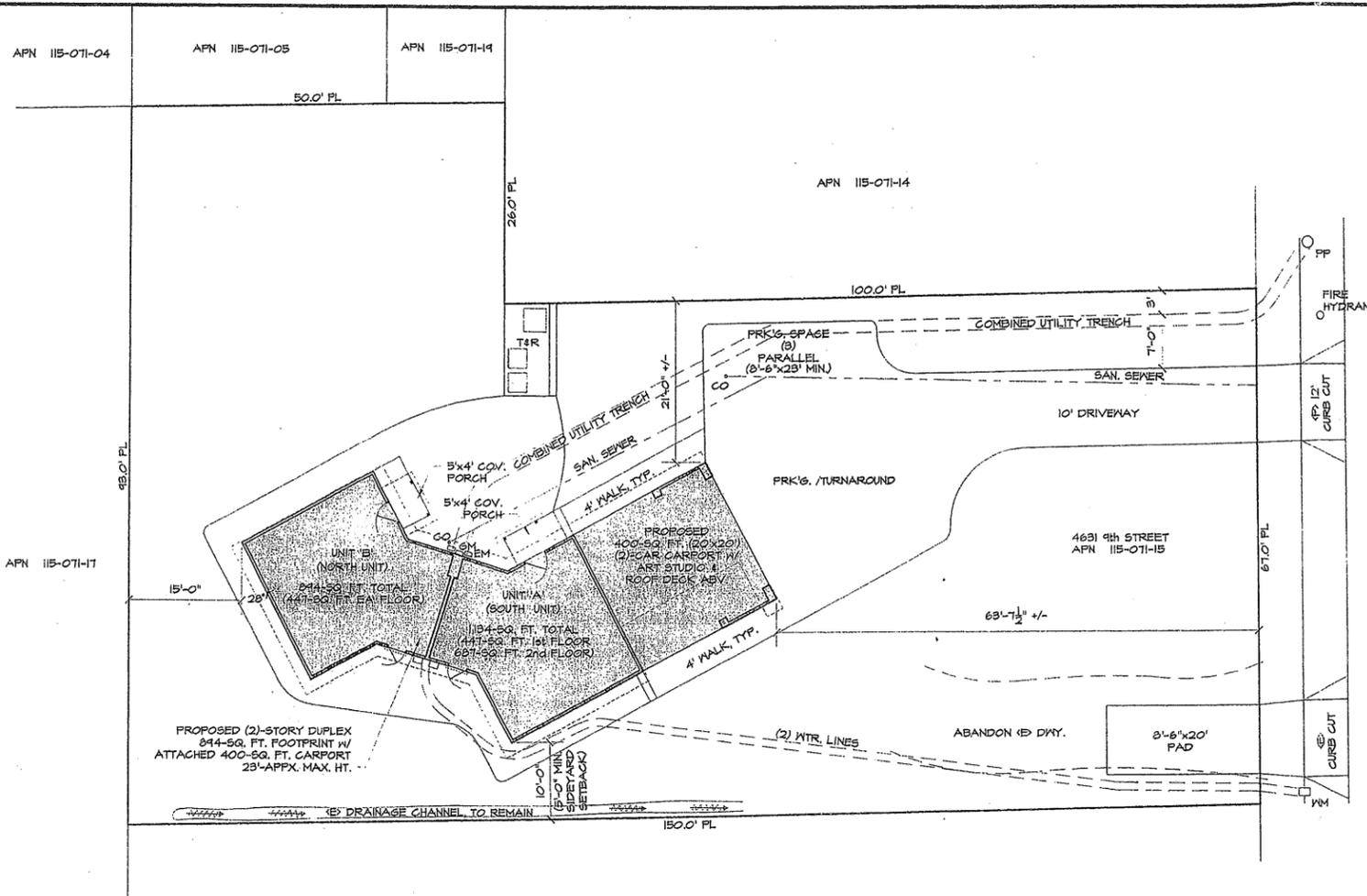
Applicant's Consent to Abide by the above Conditions of Approval

Signature _____ Date _____

Printed Name, Title _____

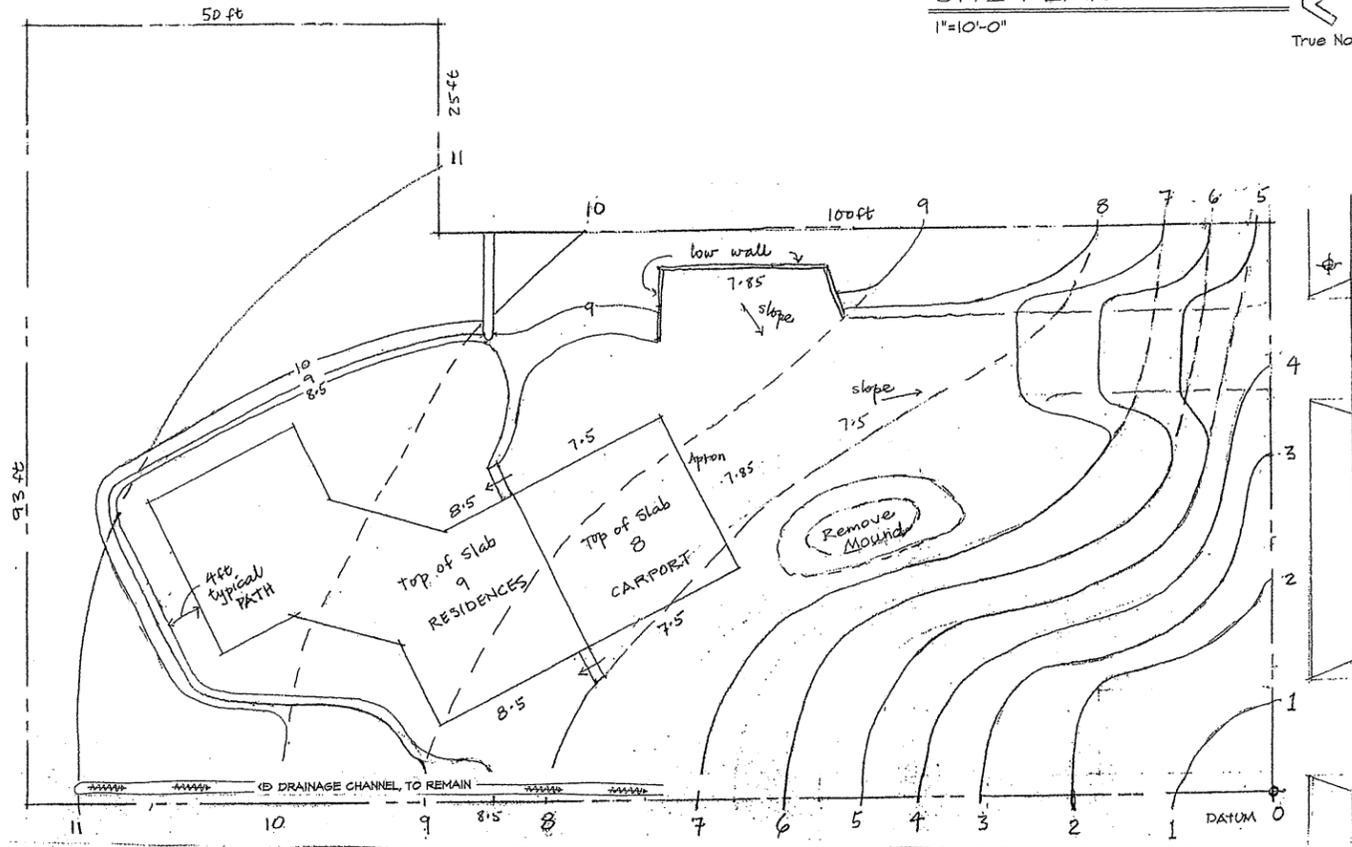
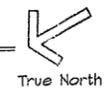
ATTACHMENT 2

Project Plans



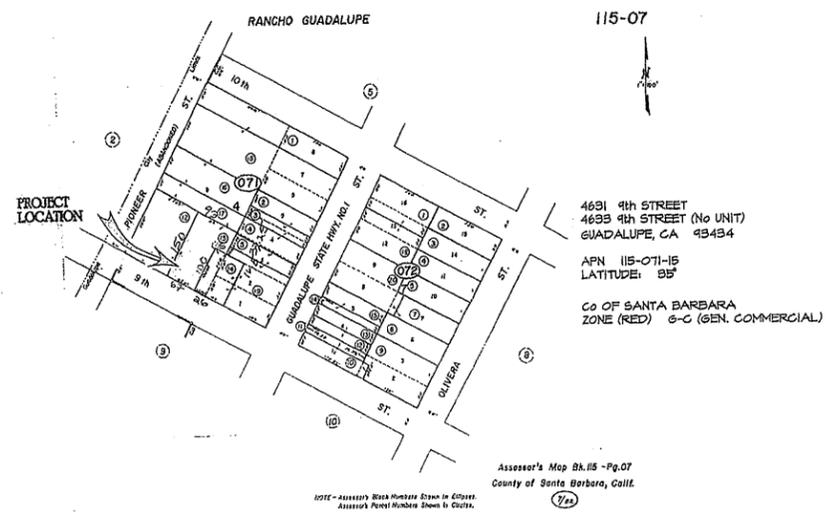
SITE PLAN

1"=10'-0"



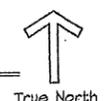
GRADING PLAN

1"=10'-0"



VICINITY MAP

DO NOT SCALE



PROJECT NOTES

1. NO KNOWN OR PROPOSED EASEMENTS.

CONTACT INFORMATION

APPLICANTS:
 CATHERINE UCCEL AND MARIJANE JACKSON
 236 SOUTH AVE. 60
 LOS ANGELES, CA 90042
 PH. (323) 255-7445

CONTACT:
 JANETTE HEARTWOOD
 HEARTWOOD CONSTRUCTION
 43 SOUTH 9 STREET
 ARCATA, CA 95521
 PH. (707) 683-6165
 FAX (707) 683-6165 (CONTACT FIRST)
 EMAIL Janetteheartwood@mac.com

LOT CALCS

LOT AREA:	11950-SQ. FT.
BUILDING COVERAGE:	1344-SQ. FT. (12%)
DRY, PRK'G., TURNAROUND:	1576-SQ. FT. (14%)
TRASH & RECYCLING:	100-SQ. FT. (01%)
FUTURE VEG. GARDEN:	2150-SQ. FT. (19%)
PAVED PATIO AREA:	260-SQ. FT. (2%)
LANDSCAPE AREA:	5920-SQ. FT. (52%)

RECEIVED

JAN 18 2011

City of Guadalupe
 Planning Dept.

REVISIONS	BY

Atkins Drafting ~ Sarah J. Atkins
 3123 H STREET EUREKA, CA 95503 (707) 476-0863

9th STREET DUPLEX
SITE & GRADING PLAN

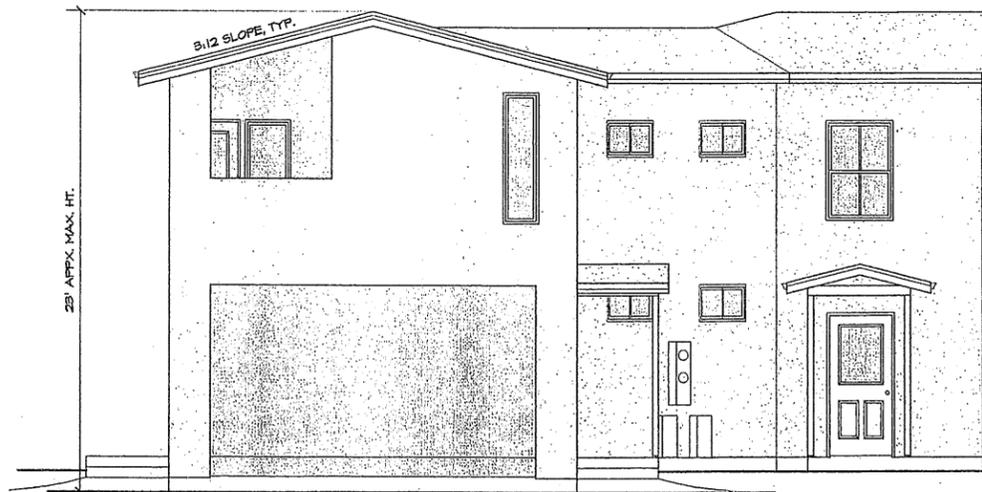
Date	JAN. 13, '11
Scale	AS NOTED.
Design	JH
Drawn	SJA
Job	
Sheet	1



NORTH ELEVATION
1/4"=1'-0"



WEST ELEVATION
1/4"=1'-0"



SOUTH ELEVATION
1/4"=1'-0"



EAST ELEVATION
1/4"=1'-0"

REVISIONS	BY

SJA
Atkins Drafting ~ Sarah J. Atkins
3123 H' STREET EUREKA, CA 95603 (707) 476-0863

9th STREET DUPLEX
4631 9th STREET GUADALUPE, CA 95434 CO. OF SANTA BARBARA AEN 115-071-15
BUILDING ELEVATIONS
C/O JANNETTE HEARTWOOD 43 SOUTH G STREET ARCATA, CA 95521 PH. (707) 632-6165

Date	JAN. 13, '11
Scale	AS NOTED
Design	JH
Drawn	SJA
Job	
Sheet	

DO NOT SCALE

ATTACHMENT 3

Site Photos



PROPOSED 9th ST DUPLEX. Looking down 9th Street



Looking from 9th Street to Back of Lot



Fence at Rear of Lot



Looking from Lot across 9th Street

CORRESPONDENCE

February 4, 2011

City Planning Department
City of Guadalupe
918 Obispo Street
Guadalupe, CA 93434

Re: 9th Street Duplex Conditional Use Permit

To Whom It May Concern,

I was dismayed to receive a notice that the City Planning Commission is considering granting a Conditional Use Permit for the property located at **4631 9th Street**. I sincerely hope that this permit is **not granted**.

I live in and own the residence adjacent to the above mentioned property at **4633 9th Street**. The property which is proposed for a two-story duplex sits higher than mine because we are on a hill. Even with a single-story residence being built on that property with a six-foot fence, I would lose some of my privacy. However a two-story residence would eliminate my privacy completely allowing my neighbors an unobstructed view into my entire yard. It was because of concerns such as these that Zoning Code Section 18.36.030 (A) was enacted.

In addition, the construction of a two-story dwelling in this neighborhood is completely inconsistent with the plan of the rest of the neighborhood. There is not another two-story dwelling on either 9th Street or Pioneer street west of Guadalupe Street. The construction of a two-story structure on this property would be an eyesore and would result in the loss of my privacy.

For the above reason I deeply oppose the granting of any Conditional Use Permit that involves the construction of a two-story structure at 4631 9th Street.

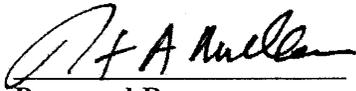
Sincerely,



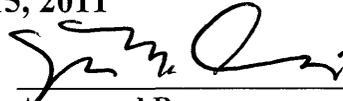
Rufugio Hernandez
Lifetime Resident of Guadalupe

REPORT TO THE PLANNING COMMISSION

February 15, 2011



Prepared By:
Rob Mullane, City Planner
Shauna Callery, Associate Planner



Approved By:
Regan Candelario, City Administrator

SUBJECT: Planning Commission Discussion on Downtown
Beautification and Barbed Wire Fencing

RECOMMENDATION:

- 1) Receive presentation from Staff
- 2) If appropriate, provide staff with further direction

BACKGROUND:

At previous Planning Commission meeting held on October 19, 2010, Commissioner Chamness distributed a draft recommendation to the City Council for addressing barbed wire fencing along and near Guadalupe Street and showed some recent photos of properties with such fencing. The draft recommendation is included for reference as Attachment 1.

Commissioner Chamness requested that the Planning Commission take up this topic at a future meeting. Chair Kraemer suggested that the topic be broadened to beautification of the downtown area. The Commission expressed general concurrence with having this as a future agenda item, and noted that involving the business community in beautification issues would be important. Staff has included the topic as a discussion item for today's agenda.

DISCUSSION:

Planning Commission Discussion and Future Consideration

The purpose of the discussion of this item at tonight's Planning Commission meeting is to discuss possible approaches to address barbed wire fencing within Guadalupe for the purpose of beautifying the City.

At the October 19, 2010 meeting, the Planning Commission expressed a number of questions and concerns in regards to existing Zoning Code requirements and standards for fencing, Zoning Code enforcement, and zoning text amendments, and directed staff to research these issues and return with more information for further discussion. Staff conducted this research for this meeting.

Existing Zoning Code Standards and Requirements

Attachment 2 contains pertinent excerpts of the City's Zoning Code that relate to this issue. Section 18.52.122, Walls and Fences Required, sets forth wall and fence requirements that must be met in conjunction with the issuance of a building permit for permitted uses, or as a condition of approval for discretionary projects. This section identifies requirements for: for subdivisions; multi-family projects; commercial and industrial projects; trash and refuse collection areas; and parking lots in conjunction with commercial, industrial, manufacturing or residential development. Specifically, Section 18.52.122(c) discusses commercial and industrial projects and states:

“A perimeter fence and/or wall may be required for all industrial and commercial projects to mitigate adverse visual, aesthetic, and noise impacts. Requirements for the size, location, and material of the fence and/or wall shall be determined during the site plan review process.”

Multi-family projects contain additional, specific restrictions on the types of fencing and wall materials that are permitted.

Section 18.52.123, Design, states, in part:

“Fencing shall be incorporated into developments in a manner which complements the project's architecture and blends with perimeter landscaping. Fences shall not detract from neighboring properties and long expanses of fence or wall surfaces shall be architecturally designed to prevent monotony.”

Section 18.52.124, Fence and Wall Heights, states that fences and walls may be constructed up to six feet in height at grade.

Section 18.52.125, Wall and Fence Maintenance and Enforcement, declares the following a public nuisance:

- A. A fence or wall in which over five percent of the material is missing or in disrepair.
- B. A fence or wall which is not repaired within thirty days after receiving a notice from the Zoning Administrator, due to any of the following: bowing, chipping, bending, breaking, graffiti, or peeling/chipping paint.

In regard to the more general topic of downtown beautification, Chapter 18.64 of the Zoning Code discusses landscaping requirements. According to Section 18.64.020, Purpose of Landscaping, landscaping shall be used to provide screening of parking areas, usable open space, privacy screening, noise barriers and visual accents to the development. The landscaping requirements in Chapter 18.64 apply to all uses except single-family residences, although single-family residences may have landscaping requirements established by design review or according to a specific plan, if applicable.

Section 18.64.040, Specifications and Minimum Standards, Part A, states the requirement that:

“...not less than ten percent of a parcel shall be covered with dense landscaping that consists of trees, plants and shrubs and may include fencing, fence panels, masonry and other structural decorative items.”

According to Sections 18.64.050 and 18.64.060, a landscape plan is required to be prepared and submitted with any plan filed with the City that requires a zoning or building permit (except for properties zoned as Single-Family Residential, per Section 18.64.030). The landscaping plan shall be prepared by a landscape professional and submitted to the City for review.

Section 18.64.120, Maintenance Requirements, states that:

“All required landscaping shall be maintained in good condition. Such maintenance shall include: pruning, moving, weeding, cleaning, fertilizing and watering. Whenever necessary, plant materials shall be replaced, and any structural materials included in the basic landscaping design shall be repaired or replaced.”

In addition, new projects that require a Design Review Permit or other discretionary permit (CUP, Rezone, Tract Map, etc.) would allow for Planning Commission review of fencing and landscaping.

Specific Issues to Consider

Certain types of uses within the City may have security or public safety needs that require the use of barbed wire, razor wire or similar fencing materials (i.e., securing fencing).

Options

Staff would like input from the Planning Commission on certain options to address fencing, landscaping, and property upkeep issues.

Option 1: Enforcement and Enhanced Staff Review. With this option, staff would conduct enforcement of the existing Zoning Code standards through mailed notice that a property owner is in violation of the Zoning Code. For example, if a fence is in disrepair or exceeds height limits, or if landscaping is not being maintained, City Code Enforcement staff would contact the property owner and take action to bring the fence or landscaping into compliance. Planning staff would also ensure that all new ministerial projects that require or propose fencing use materials that do not detract from the aesthetics of the area and would discourage barbed wire and similar components unless there is an overriding public safety need for such measures. No changes to the Zoning Ordinance would be necessary.

Option 2: Zoning Ordinance Amendment. With this option, staff would prepare a Zoning Ordinance amendment that would be brought forward for Planning Commission and then City Council consideration. The Zoning Ordinance amendment would place restrictions on the use of barbed wire, razor wire or similar fencing materials in some or all zoning districts. This option may also require that applicants who desire to construct a fence with such materials, first obtain a Conditional Use Permit or some other to be determined permit.

Next Steps

If Option 1 is selected, Planning staff would confer with the City Administrator's Office and the Fire Department Code Enforcement staff to address fencing and/or landscaping that are in violation of Zoning Code standards. Planning staff would also continue to closely scrutinize new Zoning Clearance and Landscape Plans to ensure that barbed wire or similar fencing is avoided except when necessary for security or health and safety reasons.

If Option 2 is selected, following any Planning Commission recommendation to amend the Guadalupe Zoning Code, staff will incorporate the Commission's input from this evening's meeting into a draft ordinance amending relevant sections of the Zoning Code. Staff will return at a future meeting with a draft Ordinance for further discussion or possible action. At this future meeting, the Commission's action would be the consideration and possible approval of a resolution in support of the Ordinance. The consideration of such a resolution requires a duly-noticed public hearing, and staff would contact business and property owners in the City with likely interest in potential new fencing regulations to inform them of the hearing.

Following any Planning Commission recommendation of approval, the Ordinance would then be brought to the City Council for action. The adoption of an Ordinance is a two step process, with the introduction and first reading of the Ordinance at one meeting, followed by second reading and possible adoption at a second Council meeting.

Attachments:

1. 10/19/10 Draft Recommendation to City Council from Commissioner Chamness
2. Guadalupe Zoning Code excerpts
3. Excerpt from Guadalupe Background Report - Chapter 12

AGENDA ITEM: 9

ATTACHMENT 1

10/19/10 Draft Recommendation to City Council from Commissioner Chamness

Recommendation to the City Council

It is the recommendation of the Planning Commission that the City of Guadalupe and the City Council of this City enact a city ordinance addressing the issue of fencing on Guadalupe Street and the adjoining streets which can be seen from the main street of the City of Guadalupe.

1. That barbed wire fencing on Guadalupe Street be removed
2. That no business or residence on Guadalupe Street or that has line of sight from this street which already has barbed wire fencing be grand-fathered in
3. That barbed wire fencing be removed within 90 days after this ordinance is approved
4. That the City of Guadalupe hold Public Hearings and invite all members of the community and any business owner or residence that has barbed wire fencing to attend and voice comments on this hearing
5. That the purpose of this ordinance is to foster a more inviting and business friendly environment, while at the same time adding beauty to the City of Guadalupe
6. That it is the feeling of the Planning Commission that no business will be harmed or endangered by this act, but rather this change will be beneficial to the City and will encourage others to want to move to and invest in this city
7. That this will be in addition to any codes that are currently in the City Code and that when implemented it will bring about a more pleasant city
8. This ordinance states that no new fencing may be erected on Guadalupe Street or any street which has line of sight visibility from this street unless it has been determined that this new fencing is both decorative and fitting of the image the City of Guadalupe is trying to maintain

ATTACHMENT 2

**Guadalupe Zoning Code Sections pertaining to Fences, Walls, Landscaping and
Development Review**

front or side yard setbacks. (Ord. 189 Art. 4 §4(part), 1980)

18.52.080 Side yards for certain existing narrow sites. Existing building sites which have a width of less than sixty feet may have a side yard setback of not less than ten percent of the width of the lot, provided that building code or fire prevention regulations are not violated and that eaves do not project less than six inches from the side lot line. (Ord. 189 Art. 4 §4(part), 1980)

18.52.090 Private usable open space--Multifamily dwelling units. Private usable open space, to the standards set out in Sections 18.52.100 and 18.52.110, shall be provided for all newly constructed multifamily dwelling units. Such space shall be located next to and accessible by a door from the dwelling unit served. (Ord. 189 Art. 4 §5(part), 1980)

18.52.100 Open space--Ground level. A ground-level space shall have a dust-free surface, and not be less than two hundred square feet in area in an R-2 zone or one hundred square feet in area in any other zone, and a rectangle inscribed in the space shall have no dimension less than eight feet. Such space shall be screened on all sides by a wall, fence, grill or dense landscaping not less than five feet in height. there shall be no obstructions over ground-level space except for devices that enhance the use of the space, except that fifty percent of the space may be covered by a private balcony on a higher story. (Ord. 189 Art. 4 §5.1, 1980)

18.52.110 Open space--Above ground level. Above-ground-level space shall be accessible only from the unit being served, contain not less than fifty square feet, and a rectangle inscribed within that space shall have not dimension less than five feet. At least one exterior side shall be open and unobstructed for eight feet above its floor level, except for incidental railings and balustrades. (Ord. 189 Art. 4 §5.2, 1980) (Rev. 8/87)

18.52.120 Walls and Fences--Restrictions in all Districts. Fences, walls, and retaining walls in all zoning districts shall be designed and regulated in accordance with appropriate chapters and sections of the Uniform Building Code and the Municipal Code. (Ord. 87-276, 1987)

18.52.121 Height Requirements. A. In all districts, fences and walls over six feet in height shall not be constructed within any yard setbacks required by §§18.52.040 through 18.52.080 inclusive of this chapter. Any wall or fence over six feet in height regardless of where located shall be deemed a structure and shall be subject to all regulations requiring issuing of a building permit or a zoning permit as required under the provisions of §§18.12.010 and 18.12.020 of this title.

B. In all R-1, R-1-M, R-2, and R-3 districts, a wall, fence or hedge shall not be constructed or allowed to grow over three feet in height within the front yard setback of any lot as required by §§18.52.040 through 18.52.080, inclusive of this chapter and §18.24.070 of this title except for the purpose of providing a screen for a trash enclosure. (Ord. 87-276, 1987)

18.52.122 Walls and Fences Required. In all zoning districts a permanent screen wall and/or fence shall be required in conjunction with the issuance of a building permit for permitted uses, or as a condition of approval for discretionary projects as follows:

A. Subdivisions (Parcel and Tract Maps). All subdivisions may be required, as a condition of approval, to construct either a masonry, pre-cast, cast-in-place, or brick wall six feet in height along the exterior rear and side yard boundaries of the project. The fencing material may be reviewed by the Planning Commission and approved by the City Council. Walls for the project, if phased, may be constructed as part of the first phase of the project.

B. Multi-Family Projects. All multi-family projects with six or more units shall be required, prior to the issuance of a certificate of occupancy and/or business, license, to construct a wall along the rear and the side yard boundaries of the development. The purpose of the wall is to mitigate adverse noise and land use impacts. Therefore, the wall, the height of which shall be determined by the Zoning Administrator, Planning Commission or City Council, depending upon the required level of processing, shall be constructed from the following materials: masonry, pre-cast, cast-in-place, or brick. A front wall may also be required for screening purposes.

C. Commercial and Industrial Projects. A perimeter fence and/or wall may be required for all industrial and commercial projects to mitigate adverse visual, aesthetic, and noise impacts. Requirements for the size, location, and material of the fence and/or wall shall be determined during the site plan review process.

D. Trash and Refuse Collection Areas. All refuse areas within all commercial, industrial and manufacturing zones, and all multi-family projects with six or more units shall be screened on three sides with a six foot high masonry wall. The material shall be finished to match the architectural character of the development project. Multi-family projects with five or less units shall provide fencing on three sides, the material shall be determined by the Zoning Administrator, Planning Commission, or City Council depending on the level of processing required for the project.

E. Parking Lots in Conjunction with Commercial, Industrial, Manufacturing or Residential Development. When a parking lot is proposed in conjunction with a multi-family residential, commercial, industrial or manufacturing project, the parking lot shall be screened from view with a wall, fence, berm or combination thereof as approved by the City Council, Planning Commission or Zoning Administrator. (Ord. 92-312 §1, 1992; Ord. 87-276, 1987)

18.52.123 Design. All fences, walls and retaining walls constructed within the City shall abide by the design standards of this title. Fencing shall be incorporated into developments in a manner which complements the project's architecture and blends with perimeter landscaping. Fences shall not detract from neighboring properties and long expanses of fence or wall surfaces shall be architecturally designed to prevent monotony. (Ord. 88-285 §1, 1988; Ord. 87-276, 1987)

18.52.124 Fence and Wall Heights. Fence and wall heights shall be measured at grade. In the event that there is a change in topography between adjoining lots, a fence may be constructed up to six feet in height at the property line. (Ord. 87-276, 1987)

18.52.125 Wall and Fence Maintenance and Enforcement. It is hereby declared a public nuisance, subject to the penalties of \$18.84.030, for any person owning, leasing or having charge of any premises in the City, to maintain such premises in which any of the following conditions are found to exist:

- A. A fence or wall in which over five percent of the material is missing or in disrepair.
- B. A fence or wall which is not repaired within thirty days after receiving a notice from the Zoning Administrator, due to any of the following conditions: fence or wall material which is bowing, chipping, bending, or breaking, and/or a wall or fence with graffiti on it or with paint that is peeling or chipping and which is not repaired within thirty days. (Ord. 88-285 §2, 1988) (Ord. 87-276, 1987)

18.52.140 Signs--Permits required. A zoning permit shall be required prior to the construction of any sign structure in excess of five square feet in area, or the painting of a sign on the side of a building where the perimeter of the sign encloses an area exceeding five square feet. Where a conditional use permit is required, all signing shall be considered as a part of the conditional use permit application. (Ord. 189 Art. 4 §7.1, 1980)

18.52.150 Signs--size and number restrictions. A. In all districts, one sign not over five square feet in area and used only to identify the occupants of the property, or to indicate that the property is for sale, lease or rent is permitted. House numbers shall not be considered signs.

B. In R-3, G-C, M-C and M-1 districts, one additional sign not more than sixty-four square feet in area identifying a permitted use is permitted. A double-faced sign containing sixty-four square feet on each side is permitted. (Ord. 189 Art. 4 §7.2, 1980)

18.52.160 Signs--conditional use permit required. all signs or signs structures in addition to or larger than those listed as permitted in this title are permitted subject to first obtaining a conditional use permit. (Ord. 189 Art. 4 §7.3, 1980)

Chapter 18.64LANDSCAPINGSections:

- 18.64.010 Title for citation.
- 18.64.020 Purpose of landscaping.
- 18.64.030 Landscaping required when.
- 18.64.040 Specifications and minimum standards.
- 18.64.050 Landscape plan--Procedures generally.
- 18.64.060 Landscape plan--Preparation and certification.
- 18.64.070 Landscape plan--Contents
- 18.64.080 Landscape plan--Submittal--Number of copies.
- 18.64.090 Landscape plan--Review for approval.
- 18.64.100 Landscape plan--Appeal from disapproval.
- 18.64.110 Landscape plan--Installation prerequisite to building approval and occupancy--Delays.
- 18.64.120 Maintenance requirements.

18.64.010 Title for citation. The ordinance codified in this chapter shall be known as the "Landscaping Requirements of the Guadalupe Zoning Ordinance." (Ord. 190 §1, 1980)

18.64.020 Purpose of landscaping. Landscaping shall be used to provide screening of parking areas, usable open space, privacy screening, noise barriers and visual accents to the development. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.3, 1980)

18.64.030 Landscaping required when. In all zones, excepting single-family residential uses, with all construction of new buildings, moving in of buildings, and expansion in floor area of existing buildings, and expansion in floor area of existing buildings by more than ten percent, landscaping shall be installed in accordance with the provisions of this chapter. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.1, 1980)

18.64.040 Specifications and minimum standards. A. Not less than ten percent of a parcel shall be covered with dense landscaping that consists of trees, plants and shrubs and may include fencing, fence panels, masonry and other structural decorative items. No more than seventy-five percent of the required landscaping shall consist of lawns and/or ground cover, including no or only sparse planting of plants, shrubs or trees. Screening shall be at least five feet in height, except that no landscaping shall exceed three feet in height within five feet of a property line that is within thirty-five feet of a street corner.

B. In meeting the screening height requirements, landscaping materials that would grow to five feet may be two feet shorter at the time of installation. Not more than two feet of an earthen berm or mound may count

toward height requirements. All height shall be measured from the normal finish grade of the parcel.

C. A sprinkler or other irrigation system shall be installed as part of the landscaping.

D. All shrubs and plants shall be of a minimum size of one gallon, or equivalent, at the time of installation, and all trees shall be of a minimum size of five gallons, or equivalent, at the time of installation. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.4, 1980)

18.64.050 Landscape plan--Procedures generally. Whenever any plan is filed with the city for a zoning or building permit after the effective date of the ordinance codified in this chapter, for where landscaping is required, the procedures set out in Sections 18.64.060 through 18.64.110 shall apply. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.5(part), 1980)

18.64.060 Landscape plan--Preparation and certification. A landscaping plan shall be filed with the other plans. It shall be prepared by a person licensed by the state to prepare landscape plans and shall be certified by the preparer as being appropriate for the climate and soils of the parcel, and shall include a list of the number and sizes of plant material included. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.5(A), 1980)

18.64.070 Landscape plan--Contents. A. The landscaping plan shall be drawn accurately to scale, and contain the following information:

1. The boundary of the applicant's property;
2. The location of all existing and proposed buildings or structures;
3. The location of all paved areas, existing and proposed;
4. The location and nature of all areas presently landscaped which

are to remain;

5. The location and specific designation of all proposed landscaping, drawn at a scale and in sufficient detail to clearly indicate the specific plant materials and landscape structures or facilities.

B. The zoning administrator shall reject any plans that are inadequate, for the purpose of enforcing this chapter. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.5(B), 1980)

18.64.080 Landscape plan--Submittal--Number of copies. The plan shall be submitted in three copies, together with a processing fee as set by resolution. However, should the plan be referred to the planning commission, the applicant shall provide five more copies. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.5(C), 1980)

18.64.090 Landscape plan--Review for approval. The city administrator shall review the plan and approve it if found in accord with the standards and intent of this chapter. If the plan is disapproved, the administrator shall report to the applicant the reasons therefor. If the administrator finds that exceptional conditions apply which require increasing or decreasing the standards set in this chapter, the plan shall be referred to the planning commission. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.5(D), 1980)

18.64.100 Landscape plan--Appeal from disapproval. In the event that the applicant disagrees with a disapproval of a plan by the administrator, the applicant may appeal the matter to the planning commission by filing a written notice of appeal which specifically states what action by the planning commission the applicant desires. (Ord. 189 §2(part), 1980: Ord. 189 Art. 4 §10.5(E), 1980)

18.64.110 Landscape plan--Installation prerequisite to building approval and occupancy--Delays. After plan approval, the installation of the plan shall be completed before final approval and occupancy of the building or expansion related to the landscaping, except that a thirty-day delay may be granted on application and the filing with the city of a cash bond in the amount of one hundred fifty percent of the work to be completed as mutually agreed, which bond shall be forfeited at the end of the thirty-day period and may be used by the city to complete the landscaping work. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.5(F), 1980)

18.64.120 Maintenance requirements. All required landscaping shall be maintained in good condition. Such maintenance shall include, where appropriate, pruning, moving, weeding, cleaning, fertilizing and watering. Whenever necessary, plant materials shall be replaced, and any structural materials included in the basic landscaping design shall be repaired or replaced. (Ord. 190 §2(part), 1980: Ord. 189 Art. 4 §10.2, 1980)

Chapter 18.68

NONCONFORMING USES

Sections:

- 18.68.010 Continuation of nonconforming uses permitted when.
- 18.68.020 Maintenance and repair limitations.
- 18.68.030 Enlargement or reconstruction--Conditional use permit required.
- 18.68.040 Restoration after damage--Conditional use permit required.

18.68.010 Continuation of nonconforming uses permitted when. Except as otherwise provided in this title, uses of land, buildings or structures existing at the time of the adoption of the ordinance codified herein (February 25, 1980), amendments to said ordinance, or the revision of district boundaries, may be continued, although the particular use, or the building or structure, does not conform to the regulations specified by this title for the district in which the particular building or structure is located or use is made, provided, however:

A. No nonconforming structure or use of land may be extended to occupy a greater area of land upon which the building is situated than is owned by

ORDINANCE NO. 2008-393

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE
ESTABLISHING A DESIGN REVIEW PROCESS FOR CERTAIN
DEVELOPMENT PROJECTS**

**THE CITY COUNCIL OF THE CITY OF GUADALUPE DOES ORDAIN AS
FOLLOWS:**

Section 1. A new chapter 18.73 is hereby added to Chapter 18 of the Guadalupe Municipal Code to read as follows.

Chapter 18.73

DESIGN REVIEW

Sections:

- 18.73.010 Applicability.
- 18.73.020 Minor Design Review Permits for Certain Small Projects.
- 18.73.030 Exceptions and Exemptions.
- 18.73.040 Application -- Information required.
- 18.73.050 Application -- Fee.
- 18.73.060 Decision Maker.
- 18.73.070 Notice to Adjacent Properties.
- 18.73.080 Procedure.
- 18.73.090 Components of Review.
- 18.73.100 Findings Required for Approval.
- 18.73.110 Appeals of Planning Commission Decision.
- 18.73.120 Expiration and Extension.

18.73.010 Applicability.

- (a) A Design Review Permit is required for any development, including either or both structural development and grading, on properties in the City's Central Business District (as defined in the General Plan) or on properties with frontage along Guadalupe Street or Main Street, unless the proposed development would not be visible from these streets, for example, if blocked by a sound wall or other intervening structure.
- (b) Regardless of location, the following types of development projects shall require a Design Review Permit:

1. All new structures fronting a public street or visible from a public street properties zoned General Commercial, Service Commercial, Neighborhood Commercial, or similar commercial zoning.
2. All new structures fronting a public street or visible from a public street on properties zoned General Industrial, Industrial Commercial, Light Industrial, or similar industrial zoning.
3. Additions to non-residential structures in any Commercial, Industrial, or Mixed Use zoning district that involve any exterior alterations to second and/or third stories.
4. Additions to non-residential structures in any Commercial, Industrial, or Mixed Use zoning district that would be visible from a public street or view point and that exceed 120 square feet in size.
5. All new wireless communications facilities.
6. New multi-family residential developments exceeding three (3) units or additions to existing multi-family developments where the addition would result in a total of three or more units on a given property.
7. All garage conversions.
8. Any development or remodeling of structures that have been officially designated historical landmarks by the City or the State.
9. Remodeling projects of the types and locations specified in this list, if the remodeling involves exterior alterations that would be visible from any public street or other public area.
10. Any other project not otherwise on this list that, in the opinion of the Planning Director or City Planner, would benefit from design review because of its visibility, scope, or historic merit, or potential for deprivation of private property rights of other landowners.

In addition, City-sponsored capital improvement projects may be referred to the Planning Commission for design review in an advisory capacity. Projects eligible for advisory review would include development within any City-owned park or open space. The decision on whether to refer a City-sponsored project for advisory Design Review would be made by the Planning Director or City Planner after consideration of the project's potential for aesthetic impacts and the potential benefit of input on project design.

18.73.020 Minor Design Review Permits for Certain Small Projects. A Minor Design Review Permit is required for any small project. A small project is defined as any new structure of less than 300 square feet, or an addition to an existing structure that adds less than 500 square feet of development or adds less than 10% of the size of the main structure, whichever is greater. Other projects that are at a similarly small scale, as determined by the Planning Director or City Planner, may be processed with a Minor Design Review permit.

18.73.030 Exceptions and Exemptions.

(a) A separate Design Review Permit is not required for those projects that require approval(s) under the jurisdiction of the Planning Commission (for example Conditional Use Permits) where the design of the project or development would be a part of the Planning Commission's consideration of the request.

(b) Notwithstanding the requirements set forth in Sections 18.73.010 and 18.73.020, the following projects do not require a Design Review Permit:

1. Interior alterations of structures other than historical landmarks, as long as such alterations do not result in any changes to the exterior of the building.
2. Structures or additions to existing structures on lots zoned single-family residential in areas outside of the Central Business District or which are located on streets other than Guadalupe Street or Main Street.
3. New structures in any Commercial, Industrial, or Mixed Use zoning district less than 200 square feet in size, unless such structure(s) because of the visual sensitivity of the site combined with its proposed location, architectural style, or would, in the opinion of the Planning Director or City Planner, result in a potential visual impact.

18.73.040 Application -- Information required. The applicant shall submit an application that meets the requirements of the City's Planning Application packet, but at a minimum, consisting of the following:

1. A completed Planning Application form, including a written project description discussing all existing and proposed structures and uses
2. The required application fee
3. Eight (8) plan sets, including a site plan, floor plans, a roof plan, and complete set of elevations
4. Landscape plans, if applicable and deemed necessary by Planning staff
5. Site photos including photos from any street frontage.
6. Two (2) sets of mailing labels with the addresses of property owners within a 300 feet radius of the subject property, and adequate first-class postage for two mailings to these recipients. A third or fourth review would require additional mailing labels and postage.

18.73.050 Application -- Fee. A fee set by City Council resolution shall accompany the application. This fee shall permit up to two rounds of review by the Planning Commission, and a separate fee set by City Council resolution shall be charged for any third or fourth round of review by the Planning Commission. Separate fees may be established by City Council Resolution for small projects as defined in Section 18.73.020.

18.73.060 Decision Maker. Design Review Permits will be considered by the Planning Commission. The Commission may approve, conditionally approve, or deny a Design Review Permit.

18.73.070 Notice to Adjacent Properties. For all regular Design Review Permits, notice of a pending Design Review Permit application shall be mailed to adjacent property owners within a 300-foot radius of the proposed development. Notices shall be mailed out at least 10 calendar days in advance of the meeting at which the Planning Commission will consider the Design Review Permit. Minor Design Review Permit applications shall not require mailed notices to be sent.

For both regular Design Review Permits and Minor Design Review Permits, at least 10 calendar days prior to the meeting at which the Planning Commission will consider the Design Review Permit, at least one notice of the pending Design Review Permit application shall be posted in a publicly-accessible location on the site, with such notice maintained on site until the day after the Planning Commission meeting.

18.73.080 Procedure. The procedure for requesting and obtaining a Design Review Permit is as follows:

1. An applicant requesting a zoning clearance is notified by City staff, after reviewing the project's location and description, that a Design Review Permit is required prior to consideration of the zoning clearance.
2. The applicant fills out a permit application for Design Review and submits the required application fee.
3. Staff reviews the application materials, conducts a preliminary review of the project's compliance with Zoning Code requirements, and determines if the application is complete or if additional materials are needed.
4. Once application is complete, the request is placed on the agenda for the next available Planning Commission meeting. Plan sets associated with the request would be included in each Commissioner's packet for review prior to the meeting.
5. During the Planning Commission's consideration of the request, the applicant and their architect or agent would present the project and field any questions from the Commission. If the design is acceptable as proposed or with minor changes or revisions that are of the nature that they could be verified by staff without the need for returning to the Commission, the Design Review Permit may be approved or conditionally approved. If more substantive revisions are deemed necessary, the Commission's comments at the meeting shall be conveyed to the applicant, who would then have the responsibility for addressing these comments through the preparation of revised plans.
6. If on a fourth review of the project by the Planning Commission, the applicant's design is still not acceptable or conditionally acceptable to a majority of the Commission, the Design Review Permit shall be denied, and the applicant shall not be permitted to resubmit a Design Review Permit for the same project for a period of twelve (12) months from the date of denial.

7. Upon any approval of a Design Review Permit, the applicant may then proceed with a request for a zoning clearance for the proposed development. The approved set of plans would be maintained with the file for verification of compliance once construction drawings are submitted to the Building Dept.

18.73.90 Components of Review. The Planning Commission shall consider the following design components when considering an application for a Design Review Permit:

1. Overall design of new or enlarged structures and the architectural style.
2. Physical and design relation with existing and proposed structures on the same site and in the immediately affected surrounding area.
3. Site layout, orientation, and location of buildings, and relationship with open areas and topography.
4. Colors, types, and variation of building materials.
5. Height, bulk, scale and area coverage of buildings and structures and other site improvements.
6. Potential interference with existing scenic views.
7. Height, materials, colors, and variations in boundary walls, fences, or screen planting.
8. Location and type of existing and proposed landscaping.

18.73.100 Findings Required for Approval. Prior to approval of a Design Review Permit, the Planning Commission shall make all of the following findings:

1. The buildings, structures, and landscaping are appropriate and of good design in relation to other buildings, structures, and landscaping, on-site or in the immediate vicinity of the project.
2. The development will be compatible with the neighborhood, and its size, bulk and scale will be appropriate to the site and the neighborhood.
3. There is harmony of material, color, and composition of all sides of a structure or buildings as well as consistency and unity of composition and treatment of exterior elevation.
4. Any mechanical or electrical equipment is well integrated in the total design concept and screened from public view to the maximum extent practicable.
5. All visible onsite utility services are appropriate in size and location.
6. The grading will be appropriate to the site.
7. Adequate landscaping is provided in proportion to the project and the site with due regard to the preservation of existing trees, and existing native vegetation, and adequate provision will be made for the long-term maintenance of such landscaping.
8. The development will not adversely affect significant public scenic views.
9. All exterior site, structure and building lighting is well-designed and appropriate in size and location.

10. The proposed development is consistent with any additional design standards as expressly adopted by the City Council.
11. The project architecture will respect the privacy of neighbors and is considerate of solar access.
12. The project will provide for adequate street design and sufficient parking for residents and guests in a safe and aesthetically pleasing way.
13. The proposed development as shown on the project plans is in conformance with all applicable policies of the General Plan and the requirements of this title.

18.73.110 Appeals of Planning Commission Decision. Appeals of any Planning Commission final decision under this chapter shall conform to the requirements of Chapter 18.80.

18.73.120 Expiration and Extension.

(a) A Design Review Permit shall expire two (2) years after final approval, if a building permit for the project has not been obtained by the applicant or the successor in interest.

(b) The Planning Commission may grant up to two (2) one-year extensions for good cause. A request for an extension shall be made in writing and filed sufficiently in advance of the expiration date to allow the request to be considered at a regular meeting of the Planning Commission.

Section 2. Savings and Interpretation Clause. This ordinance shall not be interpreted in any manner to conflict with controlling provisions of state law, including, without limitation, the Government Code of the State of California. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. If this ordinance, or any section, subsection or clause of this ordinance shall be deemed unconstitutional or invalid as applied to a particular appeal, the validity of this ordinance and its sections, subsections and clauses in regards to other contracts, shall not be affected.

Section 3. Publication and Effective Date. Within fifteen (15) days after passage, the City Clerk shall cause this ordinance to be posted in three publicly accessible locations in the City. The ordinance shall take effect thirty (30) days after adoption.

INTRODUCED at a regular meeting of the City Council held this 8th day of April, 2008 on motion of Councilmember Julian, seconded by Councilmember, Ponce and on the following roll call vote, to wit:

AYES: 5
NOES: 0
ABSENT: 0
ABSTAIN:

PASSED AND ADOPTED at a regular meeting of the City Council held this 22nd day of April, 2008 on motion of Councilmember **Julian**, seconded by Councilmember **Lizalde**, and on the following roll call vote, to wit:

AYES: 4 Julian, Lizalde, Ponce, Sabedra
NOES: 0
ABSENT: 1 Alvarez
ABSTAIN: 0

CITY OF GUADALUPE

BY: Virginia Ponce
Mayor Pro Tem, Virginia Ponce

ATTEST:

Brenda Hoff
City Clerk

ATTACHMENT 3

**Excerpt from Guadalupe Background Report – Chapter 12: Community Design
and Sense of Place**

City of Guadalupe

Volume One: Background Report



March 2009

12.0 COMMUNITY DESIGN AND SENSE OF PLACE

12.1 Introduction

This chapter analyzes the built and social environment of Guadalupe and describes how these contribute to the City's unique aesthetic qualities, or "sense of place." The information presented here is connected with information and principles in all other sections through an overall set of qualitative principles given by the California Office of Planning and Research (Office of Planning and Research [OPR], 2003). This chapter of the background report identifies important community characteristics to help guide the revision and creation of a new community plan.

Community Design

The community design element guides the town pattern, architectural design, and spatial qualities, provides the basis for aesthetic guidelines that guide the design of both public and private development projects. Such guidelines can effectively address public spaces, parks, streets, cultural features (public art and historic structures), neighborhoods, Downtown, retail centers, "big box" developments, commercial/industrial parks, and the relationships of these use types to the natural environment.

Sense of Place

A community's sense of place refers to the specific characteristics that create a unique identity for that place. It can be considered to be a result of the built environment, outdoor spaces, history, and social interaction coming together to create a perception of the community by users. Some of the characteristics that define Guadalupe are the historical buildings, its proximity to the Guadalupe-Nipomo Dunes Preserve, agricultural heritage and setting, and its people.

12.2 Guidelines

Various documents guide development and provide direction for design. These documents include the Guadalupe General Plan (2002), City of Guadalupe Downtown Design Guidelines (1999), and the City of Guadalupe Zoning Code. These documents address a wide range of design elements including site planning, parking and circulation, signs, landscaping, general commercial, residential and historical buildings.

In 2009, no historic sites or buildings in Guadalupe are listed on the National Register of Historic Places, the California Landmark Series, or List of State Points of Historical Interest. However, certain buildings may potentially be historically significant, so protection and conservation of such resources should be considered.

Blighted areas are defined as underutilized, abandoned, or regions that need physical development improvement. There are numerous conflict areas in Guadalupe, which are shown in Figure 12-1. There are areas that can be addressed through additional specific guidelines.

Encouraging specific plans or new ordinances can address current blighted areas, resolve conflict zones and noise issues, revive lower Guadalupe Street, increase visual quality in the downtown core, and treat current substandard housing stock.

12.3 Standards

Community Design

City of Guadalupe Downtown Design Guidelines (1999) provides standards that guide architectural standards and design elements for the City. This document outlines standards in the following areas: (1) site planning, (2) parking and circulation, (3) signs, (4) landscaping, (5) general commercial, and (6) residential. These guidelines provide direction for development in the downtown core and aim to make a friendlier environment for pedestrians. Although these guidelines are in place, they haven't been effectively implemented because they do not address all parts of the City and do not encourage infill development. Therefore additional standards should be created to address the following subjects:

1. Park and plaza design
2. Treatment of underutilized lots
3. Residential development in the downtown core
4. New additions and new construction in the downtown core
5. Industrial parks
6. Rear elevations of buildings along Pioneer Street
7. Buffer zones along the rail road and agriculture zones

Historic Preservation

In June 2005, the California Office of Historical Preservation released a revised version of "Drafting Effective Historic Preservation Ordinances: A Manual for California's Local Governments." This document provides useful information for local governments about historic preservation, including procedures and criteria for designation of historical resources. Designation procedures include notice, hearing requirements, and owner consent (California Office of Historic Preservation, 2005). Designation criteria can be diverse. In California, there are a variety of places designated as historic, including residential subdivisions, commercial buildings, and trailer parks (California Office of Historic Preservation, 2005). Since there are numerous reasons to designate historical sites, it is important that local governments include clear criteria in their preservation ordinances. In addition to clarity, it is important that designation criteria are flexible so that worthy historical resources are not excluded from protection (California Office of Historic Preservation, 2005). For example, some ordinances are based solely on the age of a building, but some worthy resources are less than fifty years old (California Office of Historic Preservation, 2005).

Furthermore, the U.S. Department of Interior provides preservation briefs for the preservation of historical buildings. Preservation Brief 14 guides new development for new exterior additions in historic buildings. Guadalupe's buildings that may be historic contributors should use the following guidelines in order to preserve the historical architecture in the downtown core.

- Preserve significant historic materials and features
- Preserve the character of the City
- Preserve Historical significance of building by proving a visual distinction between old and new.

Cultural Resource

California Department of Transportation (Caltrans) has developed procedures on dealing with cultural resources in the state of California. Any capital project undertaken must adhere to the standards provided. Caltrans defines cultural resources in the following manner:

“Cultural resources are physical or observable traces of past human activity, *regardless of significance*, in direct association with a geographic location, including tangible properties possessing intangible traditional cultural values.”

Cultural standards are also identified throughout every section of the National Historic Preservation Act (NHPA) as an overall targeted standard. Cultural preservation is a key component when enacting NHPA standards and the amended act of 2000 clearly makes this a top priority. Cultural significance of properties is left to professional consultants depending on the geographic region and/or historical lineages representing a specific race, religion, or tribe.

The National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) both have provisions for cultural preservation within each respective act. The guidelines are somewhat ambiguous as each act accounts for cultural significant areas and still allows leeway for municipal entities to further define standards. No published document was found for the City of Guadalupe that defines cultural resource standards.

12.4 Existing Conditions

Existing conditions in the City of Guadalupe were compiled through site investigation and community input. Firsthand knowledge was gathered through multiple site visits. The site visits provided opportunity to analyze and document existing conditions of the built environment. Community input was gathered through a series of visioning meetings where residents had the opportunity to provide valuable information and perspective on their surroundings.

Spatial Definition

The City of Guadalupe has distinct neighborhoods and land use patterns that provide spatial differentiation. Current land use designations include commercial, industrial, residential, and open space. These zones have unique qualities characterized by varieties in lot size, densities, setbacks, massing, lighting, and architecture styles. Residential zones and the shopping district have consistent land use patterns that are more attractive for pedestrian activity. In contrast, industrial and commercial areas to the south of the downtown core have abandoned buildings. Along the railroad and south of the downtown core, both need street and design improvements. Figure 12-1 identifies land uses in Guadalupe and highlights major conflict areas needing design improvements.

Figure 12-1. Major Parts of the City of Guadalupe, CA



Source: Google Earth, 2008

Downtown

The downtown area maintains a consistent “street wall”, or the arrangement and location of building faces along the street, and contains several buildings of historical or architectural importance. These are listed in Appendix 12-1. The architecture of these historical buildings contributes to Downtown’s unique look and feel. Local restaurants, a theater, and shops serve local residents and can potentially serve tourists and visitors along State Route 1 (SR 1). Design guidelines can address issues such as treatment of storefronts, bars on windows, lighting, signs, awnings, and streetscape to achieve transparency, compatibility, consistency and visual quality. Opportunities for adapt and reuse of buildings (using older buildings for new uses such as residential or mix use) should be explored in the downtown area. In 2009, there are vacant lots in the downtown core that can be used for infill projects. These infill projects should encourage mix uses, and enhance the current commercial district.

Residential Housing Stock

Guadalupe has several distinct residential developments. Figure 12-2 shows the locations of the various housing stock in Guadalupe.

1. Post World War II housing
2. Recent tracked developments (in the south east and southwest) with large garages in front of the property line
3. Historical housing near the downtown core with notable architectural articulation and apartments dwellings in the North East
4. Newer affordable housing projects with higher densities and compact development and common open spaces.

Figure 12-2. Residential Housing Stock



Source: Google Earth, 2008

Industrial Park

The industrial park is an important area where many jobs are located (City Administrator's Office, 2008). The industrial area is in the south central region of Guadalupe and has the following characteristics:

1. Large lot sizes
2. Big warehouses
3. Rail tracks
4. Unfriendly pedestrian streets

5. Abandoned buildings
6. Blighted areas
7. Light industrial, manufacturing, and storage
8. Streets that are not “pedestrian friendly”
9. No sidewalks
10. Lack of lighting and landscaping

Areas that Need Improvement

Field observations reveal various areas that need aesthetic improvements. They are shown in Figure 12-3.

1. *Lower Guadalupe Street* has abandoned businesses that are in proximity to the industrial park. Certain areas of throughout the City of Guadalupe lack sidewalks and hinder pedestrian connections.
2. The *Northern Region* has blighted housing stock.
3. Rear of buildings along *Pioneer Street*.

Figure 12-3. Areas Needing Aesthetic Improvement



Source: Google Earth, 2008

Areas that Need Buffer Zones

Guadalupe’s community form does not address noise and air pollution produced from agricultural lands. For example, tractor traffic generates additional air and noise pollution. Therefore, buffer zones along agricultural areas abutting residential zones and school

playgrounds should be encouraged. Residential areas and playgrounds next to agricultural land need transition areas with landscaping and setbacks.

Unique Features

Unique treasures in Guadalupe that should be retained and/or enhance include:

1. Agriculture and Natural Environment
2. Guadalupe Street/SR 1
3. Unique Downtown Core
4. Architecture
5. Landmarks
6. Murals

Agriculture and Natural Environment

The City of Guadalupe is surrounded by various open spaces that can be promoted to attract businesses, residents, and visitors. There are prime agricultural lands surrounding the City and a riparian ecosystem to the north. The Santa Maria River leads to the Pacific Ocean via the Guadalupe-Nipomo Dunes Preserve. Vistas of natural features and open spaces are integral parts of the community.

Guadalupe Street/ SR 1

Guadalupe Street corridor (SR 1) passes through the center of the city and is an important transportation connector in the region. SR 1 is also the scenic route that runs along the California Coast. Along this corridor there are two major zones, a commercial district and an industrial park. This pathway establishes a sense of place to the area, by being the principal transportation corridor, passing along historic structures and the downtown commercial center.

Unique Downtown Core

The downtown is located on upper Guadalupe Street (see Figure 12-1), which is home to many local serving businesses including a theater, restaurants, grocery stores, and local retail stores. Furthermore, there are historical buildings with unique architecture that are important landmarks to the community.

Architecture

The City of Guadalupe General Plan (2002) recognizes the value of the historical architecture of downtown Guadalupe. The community values historical architectural details and materials that reflect an architectural style and simpler time. Such buildings are in effect, monuments to the City's heritage and signposts for the future (as these can help guide the design of new, well-integrated development projects). Un-reinforced masonry, brick buildings, and terrazzo materials and styles are present in the downtown core.

Landmarks

The City has various landmarks that add to the visual quality in the community. For example, the downtown historical buildings, the Vietnam memorial, the cemetery, murals, parks, the water tower, and the Amtrak station contribute to Guadalupe's sense of place and indicate the diversity of local history. These landmarks are illustrated in figure 12-4, 12-5, and 12-6.

Figure 12-4. Vietnam Memorial

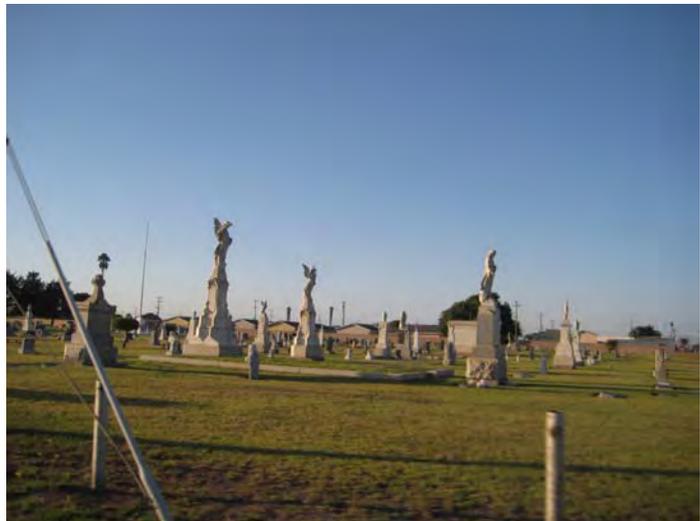


Source: Cal Poly, 2008

Figure 12-5. Water Tower



Figure 12-6. Cemetery



Murals

Murals provide insight to Guadalupe's identity, history, and sense of place. Figures 12-7, 12-8, 12-9, 12-10, and 12-11 illustrate examples of existing murals in Guadalupe.

Figure 12-7. Mural on Downtown Building



Figure 12-8. Image of Marine Life, Main St.



Figure 12-9. Image of Dunes in Downtown



Figure 12-10. Image of Dunes in City Hall



Figure 12-11. Latino Culture, Farm Workers, and Dunes



Source: Cal Poly, 2008

Historic Resources

The City of Guadalupe has several historic sites that help create the unique character of the city. The Rancho de Guadalupe Historical Society was formed in 1989 by residents who are committed to preserving the cultural history of the area. Currently, the museum site is located at 1025 Guadalupe Street, near the north entrance to the City on SR 1. The Historical Society offers a city map showing over thirty historically significant sites that are accessible on foot within a short walking distance from the museum.

Historically Significant Sites

Figures 12-12, 12-13, 12-14, and 12-15 are images of historically significant sites in the City of Guadalupe that can be visited at any time. Although none of these sites are registered as historical landmarks, each one contributes to the historic culture that the City of Guadalupe holds.

Figure 12-12. Royal Theater (437 Guadalupe Street)



Source: Cal Poly, 2008

Figure 12-13. Cultural Resource Center (1065 Guadalupe Street)



Source: Cal Poly, 2008

Figure 12-14. Historical Museum (1025 Guadalupe Street)



Source: Cal Poly, 2008

Figure 12-15. Katayama Clock (in front of 945 Guadalupe Street)



Source: Cal Poly, 2008

Cultural Resources

The area surrounding Guadalupe has a long history of culture beginning with the Chumash people who lived on this land and in surrounding areas thousands of years ago. Many cultural transitions have helped shape the community of Guadalupe; from expeditions and explorations to stage coach stop to agricultural business, which remains the heart of the area is productive activity today. The Guadalupe Cultural Arts & Education Center, located at 1065 Guadalupe Street near the north entrance to the City on SR 1, was established by two residents, Margie & Joe Talaugon, to celebrate and promote the history, culture, and experiences of the city.

12.5 Implications and Emerging Directions

Issues Affecting Guadalupe

Downtown Core

The downtown core has many commercial buildings that need rehabilitation and improvement. In order to provide a welcoming ambiance to visitors, there is a need for better visibility into interior of local businesses. Therefore, buildings need storefront and entryway improvements.

These issues can be addressed by adopting guidelines for the maintenance of the following design elements:

- Storefronts
- Signs
- Window treatments
- Grills
- Awnings
- Street Wall
- Lighting

Underutilized Downtown Plaza

The small plaza next to the Vietnam memorial (Figure 12-16) is dominated by parking and is an unfriendly environment for pedestrians. The plaza shown in Figure 12-16 and Figure 12-17 have unique features that include a mural, kiosk, and benches. Residents have identified that the benches in Figure 12-16 are underutilized because the benches face the street and contribute to the feeling of exposure.

Figure 12-16. Parking Dominated Plaza



Source: Cal Poly, 2008

Figure 12-17. Gazebo in Parking Lot



Source: Cal Poly, 2008

Historic Preservation

Several buildings in the downtown core are historically significant and should be protected. Guidelines should be in place to provide guidance for treatment of historical structures, new construction, and additions to ensure compatible and respectful development. These buildings and monuments are identified on the map in Appendix 12-1.

Gateways

Entering the City from the north there is no welcome sign or gateway. In the south, a small sign exists that can be improved. Gateways establish a sense of space and contribute to the spatial

definition of Guadalupe. Community stakeholders have identified that two gateways are planned for construction, at the North and South entrances of the City.

Streets, Sidewalks and Sidewalk Width

Along the downtown there are a few portions of extended sidewalks that provide landscaped areas (Figure 12-18). However, providing more sidewalk extensions at the corners and other areas in the downtown can reduce vehicular speed, encourage outdoor dining, and provide a safer pedestrian environment. In 2009, sidewalk bulb-outs are limited to mid-block locations. They should also be located at street corners to promote walking and shopping, and to provide additional room for landscaping. See Figures 12-19 and 12-20.

Figure 12-18. Downtown Streetscape



Figure 12-19. Mid-Block Bulb-Out



Figure 12-20. Lower Guadalupe Street,
No Lights and Minimal Landscaping



Industrial area

The industrial zone is located in the center of town, separating the residential areas. This zone has large lot sizes, large warehouses and lacks both landscaping and sidewalks. As a result, the

commercial corridor abutting the industrial area needs improvement and has some vacant structures.

Buffer Zones and Noise Issues

Guadalupe has minimal landscaping and transition areas, creating conflict between land uses. The downtown core and recent residential development along Main Street are few places in town that have landscaping. Better landscaping should be incorporated around the industrial park, train tracks and agricultural areas to provide buffer zones between different types of uses and address noise, agricultural and industrial pollution.

Figure 12-21. Walls and Landscaping



Source: Cal Poly, 2008

Figure 12-22. Absence of a Buffer



Source: Cal Poly, 2008

Railroad tracks

Homes and pedestrians in the North of the City are exposed to the railroad. The railroads isolate residential neighborhoods in the eastside and hinder connections to the downtown core. Visual or noise buffers like architecturally designed walls with landscaping can protect homes and pedestrians that are exposed to railroad traffic. The rail tracks in the South of the City are hidden from pedestrians and streets by industrial buildings.

Continuity and Connections

The lower southwest residential neighborhoods lack pedestrian connection to the downtown core. Walking trails and bike paths along the riparian ecosystem should be encouraged, as shown in Figure 12-23. Neighborhood sidewalks and streets can feed into a major lighted pathway that connects City parks. Furthermore, Leroy Park does not have adequate access; therefore Pioneer Street can be extended to increase continuity and connectivity. Additionally, there are streets in the downtown core that do not have sidewalks and access to Guadalupe Street.

Figure 12-23. Potential Pedestrian Connections and Network



Source: Google Earth, 2008

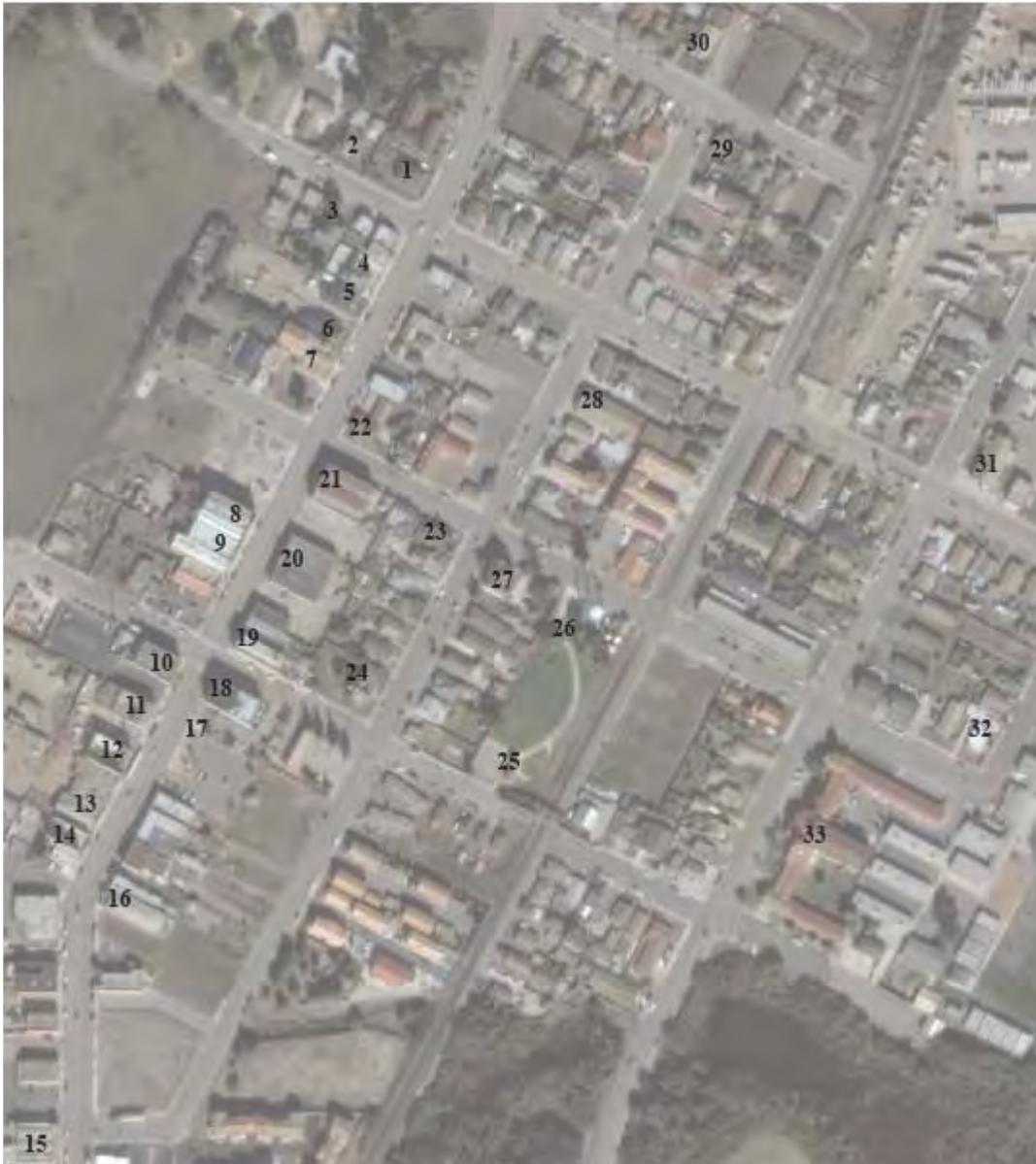
Pedestrian Bridge

The rehabilitation of the pedestrian bridge is necessary to improve access into the downtown core. The bridge over the railroad tracks is a major walking corridor that connects the eastside of the City to the downtown core.

Future trends

A complete tentative outline of the future trends is shown in Appendix 12-2.

Appendix 12-1. Potentially Historic Buildings and Sites



Source: Google Earth (October 2008) and Rancho de Guadalupe Historical Society & Museum (May 2003)

Description

1. Giacomini Home 1900
2. Calloway-Wise Home 1895
3. Grisingher Home 1898
4. Cultural Arts Center / Rosenblum Home 1920
5. Dunes Center / Grisingher Home 1912
6. National Wildlife Service / Bassi Home 1922
7. Historical Society Museum / American Legion Post #371 -Veterans Building 1931
8. Napa Auto Parts - Druids Lodge / 1914 & Masonic Lodge 1913

9. Bondiotti Buildings / Katayama Clock 1912 / 1917
10. Far Western Tavern / Palace Hotel 1958 / 1912
11. Margie & Joe's Café / El Ray Liquors 1940
12. Genoa Hotel (site) 1900
13. Chicago Chop Suey 1926
14. King Falafel Café / Bud Wong's New York Restaurant / Hop Sing Tong Benevolent Ass'n 1926
15. Masatani's Market 1922
16. Royal Theater 1939
17. Vietnam Memorial 2002
18. Santa Florita Hotel / Central Hotel 1919
19. Campodonico Store 1894
20. Grisingher Buildings 1916
21. Commercial Hotel 1923
22. Franklin Home 920
23. Tognazzini Home 1920
24. Dolcini Home 1901
25. Campodonico Home 1902
26. Guadalupe Jail 1926
27. Water Tank 1928
28. Buddhist Temple 1915 / 1950
29. Fleck/Wooley Home 1900
30. Tenrikyo / Fourth N. American Church 1948
31. Our Lady Guadalupe Church 1875 / 1957
32. Aratani Home 1925
33. Guadalupe City Hall 1931

Appendix 12-2. Future Trends

The following recommendations are derived from field observations and community input. The following sections highlight the directions that will guide City aesthetic policy and development standards.

Architecture

1. Introduce residential architectural guidelines to beautify residential housing stock and include the protection of historical residential dwellings.
2. Maintain, preserve, and rehabilitate existing commercial buildings.
3. Encourage complementary and new development in the downtown district.
4. Design additional guidelines for storefronts and facades to increase storefront visibility and encourage Downtown shopping and interesting displays.
5. Encourage articulation of new construction.
6. Design guidelines for new construction and additions. Figure 12-24 shows an addition to a historical building.
7. Create architectural guidelines for the rear of buildings along Pioneer Street.
8. Maintain a street wall in the downtown district.
9. Create interim architectural guidelines to rehabilitate unused buildings in the shopping district.
10. Protect ornamentation and details of historical buildings
11. Encourage use of period roll-up fabric awnings that compliment Downtown period architecture.

Figure 12-24. Building Additions



Source: Cal Poly, 2008

Landscape and Streetscape

1. Improve streetscape and landscape along the industrial park area.
2. Introduce corner sidewalk extensions in the downtown core (bulb-outs).

3. Revive lower Guadalupe Street by improving the streetscape and adding lighting.
4. Provide appropriately-designed street furniture
5. Provide street trees that create canopy, texture and seasonal interest
6. Provide interesting pedestrian street lighting for both safety and aesthetic interest.
7. Promote public art and seasonal displays

Land Use

- Encourage higher residential and commercial density in the downtown district.
- Encourage outdoor dining in the downtown district.
- Determine areas for mixed-use development.
- Determine opportunities for adaptive reuse.

Circulation and Connectivity

- Increase pedestrian and bike path connections through an improved network.
- Increase connection to Leroy Park via Pioneer Street.
- Provide better pedestrian connections to the downtown district from all part of town
- Rehabilitate the bridge over the railroad tracks.

Parks, Open Space, and Agricultural Lands

- Encourage a plaza and or park in the downtown district.
- Develop and enhance park design and playgrounds around the City of Guadalupe.
- Increase connectivity between parks.

Sustainable Design

- Encourage the use of drought resistant plants.
- Conserve water by limiting large lawns.
- Encourage development near transit stops and community amenities.
- Encourage the use of pervious pavements.
- Introduce energy efficient appliances.
- Encourage LEED-ND development.
- Include “green” and sustainability principles in new development.
- Encourage the use of native species in landscaping.

Public Facilities

- Provide design guidelines for patios and playgrounds in schools and public facilities to ensure compatibility with agricultural lands.

Culture and Landmarks

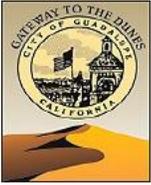
- Protect and preserve landmarks.
- Preserve public art and murals.
- Establish community gateways.

Social Environment

The City of Guadalupe has a strong social element that helps shape the community and its sense of place. Through conversations with citizens of Guadalupe and community meetings, the context of the social environment can be seen in the people. The fundamental underpinning of each element are the people who make up the community. Specific items that have been brought to the forefront in community meetings are:

1. Desire for a more walkable community.
2. Maintain and promote an inviting downtown district.
3. Preserve the historic feel of the downtown district.
4. Introduce a local farmers market.
5. Showcase agricultural background with an annual festival.

Each of these items relate to the residents of the City of Guadalupe and their desire to enhance community connections. This social environment plays a significant role in the City's sense of place.



AGENDA REPORT

SUBJECT/TITLE:
PARKING RESTRICTIONS IN RESIDENTIAL AREAS FOR OVERSIZED VEHICLES

RECOMMENDATION:

1. INTRODUCE BY TITLE ONLY ORDINANCE 2011-____, RESTRICTING THE PARKING OF OVERSIZED VEHICLES ON RESIDENTIAL STREETS WITHIN THE CITY

EXECUTIVE SUMMARY:

The City Council has previously requested an ordinance regulating the parking of certain oversized vehicles and non-motorized trailers on residential streets within the City. While generally the state has pre-empted the field of vehicle regulation, Vehicle Code Section 22507(a) states:

“Local authorities may, by ordinance or resolution, prohibit or restrict the stopping, parking, or standing of vehicles, including, but not limited to, vehicles that are six feet or more in height (including any load thereon) within 100 feet of any intersection, on certain streets or highways, or portions thereof, during all or certain hours of the day.”

Furthermore, this section of the Vehicle Code provides that:

“With the exception of alleys, the ordinance or resolution shall not apply until signs or markings giving adequate notice thereof have been placed.”

The draft ordinance prohibits the parking of certain specified oversized vehicles on residential streets for periods longer than eight hours, except under certain conditions, or except when a permit for such parking has been issued by the chief of police. Should the ordinance be adopted, the City will need to provide adequate notice of the ordinance by posting signs at each entrance to the City setting forth the parking prohibition, and in such other areas as will give sufficient notice of the ordinance.

The draft ordinance has been modified as requested at the January 25 City Council meeting to address various other types of vehicles. As such, staff recommends that the Council introduce by title only the attached draft ordinance, and set the next regular council meeting for second reading and adoption of the draft ordinance.

Prepared by: David Fleishman, City Attorney

Meeting Date: 8 February 2011

City Administrator Approval: _____

Agenda Item: _____

ORDINANCE NO. 2011-_____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUADALUPE,
CALIFORNIA RESTRICTING THE PARKING OF OVERSIZED VEHICLES ON
RESIDENTIAL STREETS WITHIN THE CITY**

WHEREAS, the City of Guadalupe has seen an increase in complaints regarding the parking and/or storage of oversized vehicles and non-motorized trailers in residential and commercial areas throughout the city; and

WHEREAS, safety issues such as sight distance from driveways and intersections and passing clearances result when such oversized vehicles are parked on public streets or rights of way in the city; and

WHEREAS, the City's residential streets, being intersected with numerous driveways and other entrances to the driving lanes, do not lend themselves well to the long-term parking of large motor vehicles or non-motorized trailers because such vehicles block the safe passage of other vehicles; and

WHEREAS, the extended parking and/or extended storage of large motor vehicles and non-motorized trailers on residential city streets causes blight in the city.

**THE CITY COUNCIL OF THE CITY OF GUADALUPE DOES ORDAIN AS
FOLLOWS:**

Section 1. Chapter 10.24 of the Guadalupe Municipal Code is amended to add the following sections:

10.24.190 Parking of large vehicles or utility trailers limited.

A. No person shall park or let stand any large vehicle, whether or not attached to a trailer or other device, or any utility trailer, on a public street in a residential district for more than eight hours except while loading or unloading property, unless additional time is reasonably necessary to complete such work; or when such large vehicle or utility trailer is parked in connection with or in aid of the performance of a service to or on property in the block in which such large vehicle or utility trailer is parked, and additional time is reasonably necessary to complete such service. A permit for the parking of a large vehicle or utility trailer may be issued by the chief of police as set forth in Section 10.24.200.

B. For the purposes of this section, a "large vehicle" is defined as any motor vehicle, house car, or recreational vehicle, which exceeds eight feet in width or eight feet in height or twenty-three feet in length. Such measurement shall include all fixtures, accessories or property, with the exception of single-post radio antennas and side mirrors. For the purposes of this section a "utility trailer" is defined as a non-motorized vehicle of any length or height designed to carry persons, property, boats or other watercraft,

animals, waste, materials, or any other items on its own structure and to be drawn by another motor vehicle.

C. For the purposes of this section, “residential district” shall mean any area within the city which is zoned as residential and specified for residential use.

D. Any person guilty of violating any of the provisions of this section or performing any act declared by such section to be unlawful, shall be deemed guilty of an infraction, and upon conviction thereof shall be punished by a fine in accordance with the general penalty provision then in effect in the city pursuant to Chapter 1.08 of this code, as amended.

E. Vehicles found in violation of this section may be cited or removed or both cited and removed in accordance with other provisions of this code.

10.24.200 Parking of large vehicles or utility trailers--Permit.

A. A permit for the parking of large vehicles or utility trailers during the time prohibited under Section 10.24.190 may be issued by the chief of police or the chief's representative upon application thereof. Each application shall be filed with the chief of police or the chief's representative upon a form to be furnished by the city and shall contain the following:

1. The name, residence and phone number of the applicant;
2. The license number, make, model and type of vehicle or trailer for which the permit is requested;
3. The name and current address of the registered owner of said vehicle or trailer;
4. The dates for which the permit is requested. Such dates shall consist of up to two twenty-four-hour periods, to commence in all cases at six p.m. and to end in all cases at six p.m. the following day;
5. The application shall be accompanied by a fee of twenty-five dollars, which fee shall be nonrefundable;
6. Such additional information as the chief of police or the chief's representative may require;
7. The application shall be signed by the applicant under penalty of perjury.

B. The chief of police or the chief's representative shall issue a permit hereunder if upon investigation the chief of police determines that the health, safety and general welfare of the neighborhood will not be adversely affected thereby. Such permit shall be displayed on the vehicle in such a manner as to be clearly visible to traffic enforcement officers.

C. In no event may a permit be issued under this chapter more than once a month for the parking of the same vehicle.

Section 2. Savings and Interpretation Clause. This ordinance shall not be interpreted in any manner to conflict with controlling provisions of state law, including, without limitation, the Government Code of the State of California. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. If this ordinance, or any section, subsection or clause of this ordinance shall be deemed unconstitutional or invalid as applied to a particular appeal, the validity of this ordinance and its sections, subsections and clauses in regards to other contracts, shall not be affected.

Section 3. Publication and Effective Date. Within fifteen (15) days after passage, the City Clerk shall cause this ordinance to be posted in three publicly accessible locations in the City.

INTRODUCED at a regular meeting of the City Council held this ____ day of _____, 2011 on motion of Councilmember _____, seconded by Councilmember _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

PASSED AND ADOPTED at a regular meeting of the City Council held this ____ day of _____, 2011 on motion of Councilmember _____, seconded by Councilmember _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

CITY OF GUADALUPE

City Clerk

BY: _____
Lupe Alvarez, Mayor