



AGENDA

RIO DELL PLANNING COMMISSION
SPECIAL MEETING– 6:30 P.M
THURSDAY, JUNE 4, 2015
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

***WELCOME . . .** By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the Commission are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell Planning Commission meetings often.*

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL

E. CONSENT CALENDAR

1) 2015/0604.01 - Approve Minutes of the March 26, 2015 Regular Meeting (**ACTION**)

F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Commission on any matter not on this agenda and over which the Commission has jurisdiction. As such, a dialogue with the Commission or staff is not intended. Items requiring Commission action not listed on this agenda may be placed on the next regular agenda for consideration if the Commission directs, unless a finding is made by at least 2/3rds of the Commission that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

G. SCHEDULED MATTERS/PUBLIC HEARINGS/STUDY SESSIONS

1) 2015/0604.02 - Conditional Use Permit for Design Review of a proposed 840 square foot restaurant and 200 square foot attached deck with a drive-up window (The Green Bean) located at 281 Wildwood Ave. (APN 053-141-052)

2) 2015/0604.03 - Continued review and discussion of:

- Draft Land Use Matrix
- Potential New Use Types
- Appropriate Zones for New Use Types
- Definitions

H. ADJOURNMENT



In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting.

The next Regular meeting is scheduled for June 25, 2015 at 6:30 p.m.

Planning Commission Meeting

March 26, 2015

Minutes

Commission

Present: Nick Angeloff, Billy Joe Long, Alice Millington

Absent: Bud Leonard, Jared Wilson

Staff

Present: Kevin Caldwell

Absent: Karen Dunham

1. Approval of Minutes of October 23, 2014 and January 22, 2015. Correction to minutes of January 22, 2015 to identify Nick Angeloff as Chair for meeting. Commission Long was identified as Chair for the meeting.
2. Continue Discussion of Land Use Matrix. The Commission resumed discussion of the Land Use Matrix commencing with Mortuaries and Funeral Homes.

Mortuaries and Funeral Homes: The Commission felt that there would be little if any demand for Mortuaries and Funeral Homes in the City and therefore recommended that the use type be removed from the Matrix.

Movie Theaters and Drive-In Movie Theaters: The Commission discussed Movie Theaters and Drive-In Movie Theaters. Recommends that Movie Theaters be principally permitted in the TC and CC zones and conditionally permitted in the NC zone. Drive-In theaters be conditionally permitted in the IC zone.

Museums: the Commission recommends that Museums be principally permitted in the TC, CC and PF zones.

Nurseries and Garden Centers: Retail Nurseries and Garden Centers are recommended to be principally permitted in the R, TC, NC and IC zones. *Need to confirm the Commission's intent to recommend to principally permit Retail Nurseries and Garden Centers on R and TC zoned parcels. Currently the R designation allows for the sale (roadside sales) of products produced on-site. Based on the lack of larger, vacant TC parcels, staff would recommend that Retail Nurseries and Garden Centers not be allowed on TC designated and be principally permitted in the CC zone.*

Painters, Decorators, Plumbing, Electrical Contractor Yards Wholesale Sales: The Commission is recommending that this use type be principally permitted in the I zone and conditionally permitted in the IC zone.

Pawn Shops: Pawn Shops are recommended as conditionally permitted uses in the TC and CC zones.

Penal, Correctional or Detention Facilities: The Commission is recommending that these use types be limited to and conditionally permitted in the PF zone.

Pet Shops: Pet shops are recommended to be principally permitted in all three commercial zones, TC, CC and NC.

Plumbing Shops: Plumbing shops with retail sales are recommended to be principally permitted in the TC, CC and IC zones.

Power Generation: Power Generation facilities, including substations and commercial solar arrays are recommended to be principally permitted in the I and PF zones.

Printing and Sign Shops: The Commission recommends that Printing and Sign Shops be principally permitted in the TC, CC, NC and IC zones.

Public Buildings and Facilities: The Commission is recommending that Public Buildings and facilities, including City Hall, Community Centers, Police and Fire Stations, Libraries, Schools, Auditoriums, Hospitals and other publicly owned buildings, other than Penal, Correctional or Detention facilities, Water and Wastewater Treatment Plants, Corporation/Storage Yards, Fairgrounds, Public Garages/Parking Areas, Public Parks and Playgrounds be principally permitted in the PF zone.

Public Recreation: See Commercial Recreations recommendations.

Recreational Vehicle Parks: The Commission recommends that Recreational Vehicle Parks be conditionally permitted in the S, R and NR zones.

The Commission also discussed the potential legalization of recreational marijuana in 2016. The Commission recommends that recreational marijuana production and processing be a conditionally permitted use in the I and IC zones.

The Commission continued the review and discussion of the Land Use Matrix to the next regularly scheduled Planning Commission meeting.

The meeting was adjourned at 8:45 pm.

Nick Angeloff, Chair

Attest:

Kevin Caldwell, Community Development Director

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: June 4, 2015

To: Planning Commission

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: May 28, 2015

Subject: Green Bean Coffee and Sandwich Shop Design Review Conditional Use Permit
File No. 053-141-052; Case No. DR-CUP 15-01

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed Conditional Use Permit;
2. Open the public hearing, receive public input, close the public hearing and deliberate;
3. Assuming that public testimony is substantially in support of the proposal, find that:

Zoning Consistency

- The proposed project is consistent with the applicable Zoning regulations and complies with the applicable "Guiding Principles and Design Concepts" in Section 17.250.050(5) Rio Dell Municipal Code (RDMC); and
- The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community; and
- The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior

appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties; and

- The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation; and

General Plan Consistency

- The proposed project is consistent with the General Plan

California Environmental Quality Act

- The Design Review Conditional Use Permit has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA);

4. Adopt Resolution No. PC 087-2015 approving the Design Review Conditional Use Permit subject to the recommended Conditions of Approval in Exhibit A.

Background/Summary

The City has received an application for a Conditional Use Permit for the Design Review of a proposed 840 square foot restaurant and 200 square foot attached deck with a drive-up window.

The project site is currently vacant and located at the southwest corner of the intersection of Wildwood Avenue and Ash Street on property known as 281 Wildwood Avenue. It should be noted that based on the location, size of the parcel and proximity to the City parking lot, staff has discussed the possibility of a parking exception so as not to require any on-site parking. However, the applicant has chosen to provide 3 parking spaces (only 2 are required), 2 regular spaces and 1 handicap space.

The parcel is located in the Town Center zone. The purpose of the Town Center or TC zone is to provide an area for a broad range of uses which generate high pedestrian traffic and which do not have large space requirements, including artisan workshops and galleries, retail businesses, personal services, offices, eating places, visitor accommodations, and similar uses.

The proposed use is principally permitted. However, the project is subject to the City's Design Review regulations, Section 17.25.050 *et seq* of the Rio Dell Municipal Code (RDMC). The purpose of the City's adopted Design Review Guiding Principles and Concepts are:

- To encourage high quality land/site planning, architecture and landscape design;
- To ensure physical, visual, and functional compatibility between uses: and

- To ensure proper attention is paid to site and architectural design, thereby protecting land values.

Attachment 1 includes proposed building elevations. It should be noted that staff recently met with the applicant regarding the submitted building elevations and the applicant has indicated that she is going to revise the front of the building to reflect a traditional western look, including a covered porch, similar to the Great Western Clothing building in Eureka and Hot Brew and Wildwood Saw building in Fortuna. Figure 1 depicts the type of store front the applicant is proposing.



Figure 1
Great Western Clothing Store, Eureka

The applicant has recently contacted with a designer to modify the plans accordingly. Staff has conditioned the project as such. Please see Exhibit A. Attachment 2 includes the floor plan, Attachment 3 includes the site plan and Attachment 4 is the landscaping plan.

Required Findings/Staff Analysis

Section 17.35.030 Rio Dell Municipal Code (RDMC) Conditional Use Permits.

1. Zoning Consistency

(a) The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and all other City ordinances;

Land Use: The property is zoned Town Center (TC). Retail uses, including coffee/sandwich shops are principally permitted uses in the Town Center zone.

Parking: Section 17.30.180 of the Rio Dell Municipal Code (RDMC) identifies Parking and Loading requirements, including the required number of spaces, landscaping, lighting, surface requirements, striping, wheel stops, number of spaces, handicap spaces, bicycle and motorcycle parking and loading spaces.

Based on the size of the proposed building, 841 square feet, Section 17.30.180(17)(a) of the RDMC requires one parking space for every 4 seats or one space for every 200 square feet of the dining area, which is ever greater. The floor plan identifies 8 seats, which would require 2 parking spaces. The dining area is 211 square, which would also require 2 parking spaces. Based on the parking requirements, the applicant is required to provide 2 parking spaces. The site plan identifies 3 parking spaces, 2 regular spaces and 1 handicap space. The handicap space must be permanently signed and the space painted with the international symbol of accessibility. The submitted site plan identifies the required handicap parking space, striping and signage.

Section 17.30.180(6) of the RDMC identifies the minimum dimensions of parking spaces and aisles. The applicant is proposing perpendicular spaces with direct access off of Ash Street. As such the minimum dimensions are 8.5 feet wide and 19 feet long. The submitted site plan demonstrates compliance with the size requirements.

Section 17.30.180(7)(a) of the RDMC requires all parking spaces, access drives and maneuvering areas to be improved with and permanently maintained with an all weather durable asphalt, concrete or comparable surface as required by the Director of Public Works. The submitted site plan indicates that the access drive and parking area will be improved with asphalt. Staff has included as an operational condition that the paving be permanently maintained in good condition. **Please see Exhibit A.**

Section 17.30.180(8) of the RDMC requires that the parking spaces be clearly delineated with white 4 inch wide lines and that the striping be continuously maintained in a clear and visible manner. The project has been conditioned accordingly. **Please refer to Exhibit A.**

Section 17.30.180(9) of the RDMC requires concrete curbing at least 6 inches in height and 6 inches wide around the perimeter of the parking and landscaped areas. The submitted site plan indicates compliance with this provision.

Section 17.30.180(10) of the RDMC identifies driveway and access requirements. The purpose of the driveway provisions is to limit the number of driveways to avoid potential conflicts with pedestrians, bicyclist and vehicles. The number of access drives per parcel shall be the minimum number required to serve the intended use of the parcel.

The applicant is proposing 2 driveways, a 16 foot exit driveway (drive-thru lane) off of Wildwood Avenue and a driveway off of Ash Street that provides direct access to the 3 parking spaces and the proposed 16 foot wide drive-thru lane. The total width of the proposed driveway off of Ash Street is approximately 49 feet. Staff, including the Director of Public Works, Streets Superintendent, Police Chief and Community Development Director, based on the size and location of the parcel and the intended use that are the minimum number of driveways needed.

Section 17.30.180(10)(b) of the RDMC requires that each access driveway be located a minimum of 50 feet from the nearest intersection, as measured from the centerline of the access road driveway to the centerline of the nearest travel lane of the intersecting street, unless a lesser or greater distance is approved or required by the Director of Public Works. Both driveways comply with this requirement.

Section 17.30.180(11)(b) of the RDMC requires that one-way driveways be a minimum of 16 feet wide. The proposed drive-thru lane is 16 feet wide. However, based on the intended use, should the applicant desire, staff supports reducing the drive-thru lane width to 12 feet, except in the radius of the drive-thru lane.

Sections 17.30.180(12), (13) and (14) of the RDMC identifies parking area landscape requirements for parking lots containing 3 spaces or more. As indicated previously, based on the size of the dining area and number of seats, only 2 parking spaces are required. However, the applicant has chosen to provide 3 parking spaces.

Landscaping has to be provided throughout the parking lot as a combination of ground cover, shrubs and trees. Based on the location, shape and size of the parcel and the intended use, the parking area is not a typical parking lot. Again, as the plans indicate, parking is proposed directly off of Ash Street. Most if not all the parking landscaping requirements refer to interior parking lots. However, the landscaping plan does incorporate the use of ground cover including grass, shrubs and trees.

Section 17.30.180(12)(a)(iii) of the RDMC encourages on-site stormwater detention/retention, pollutant cleansing and groundwater recharge. In addition, it is a City policy that there is no net increase in stormwater runoff during a 25 year storm event as a result of a project. The applicant is proposing bioretention basins, including the use of bio-swales (grassy-swales). Bio-swales are used to reduce sediment and pollutants form stormwater runoff. The incorporation

of detention/retention facilities and bio swales is consistent with the City's Open Space and Conservation Element, Policies CO 5.2-7 and CO 5.6-2. The project has been conditioned to require the applicant to submit a drainage/hydraulics analysis to verify that there is no net increase in stormwater runoff during a 25 year storm event as a result of a project. **Please refer to Exhibit A.**

Section 17.30.180(13) of the RDMC requires that parking areas be screened from streets and adjoining properties and contains the following perimeter parking landscaping requirements:

(i) A proposed parking area adjacent to a public street shall be designed with a landscaped planting strip between the street right-of-way and parking area with a minimum depth of 6 feet.

(ii) Landscaping within the planting strip shall be designed and maintained to screen cars from view from the street to a minimum height of 18 inches, but shall not exceed any applicable height limit for landscaping within a setback.

(iv) Trees that reach a mature height of at least 20 feet shall be provided within the planting strip in addition to trees within the parking lot interior required by Subsection (a)(v). Trees types shall have root systems that will not extend beyond the planting area.

(v) Plant materials, signs, or structures within a traffic safety sight area of a driveway shall comply with Section 17.30.090(1) (Corner Lots – Sight Distance).

As previously indicated, the above parking lot landscaping requirements are intended for interior parking lots. Based on the location, shape and size of the parcel and the intended use, the parking area is not a typical parking lot. Again, as the plans indicate, parking is proposed directly off of Ash Street. As such, based on the location, shape and size of the parcel, staff supports the location of the parking spaces and the absence of the planting strip between the parking area and the street.

The proposed landscaping plan appears to be consistent with the City's visibility regulations. However, staff has conditioned the project to ensure that the required sight distances are maintained. **Please see Exhibit A.** It should be noted that although the drive-thru lane exit is not on a corner, staff has conditioned the project to restrict the height of both the one-way sign at the entrance of the drive-thru lane and the exit only/stop sign to no more than 3 feet. **Please see Exhibit A.**

Section 17.30.180(14) of the RDMC requires that 10% of the gross area of the parking lot be landscaped. The parking area is approximately 646 square feet. Accordingly, 65 square feet of landscaping within or adjacent to the parking area is required. The amount of proposed landscaping easily exceeds the required 65 feet.

In addition pursuant to Section 17.30.180(14)(a) of the RDMC, trees that reach a minimum height of twenty (20) feet are required within or adjacent to the parking lot at a minimum ration of one (1) tree for every five (5) parking spaces. The applicant is proposing 1 Sargent

Cherry tree within the proposed landscaping strip at the rear of the parcel. Under ideal conditions, Sargent Cherry trees can grow to a height of 50 feet.

Pursuant to Section 17.30.180(14)(b) of the RDMC, parking areas for nonresidential uses shall provide a screen or perimeter landscape strip where the parking area adjoins a side or rear property line unless, the sites share a joint access drive. The requirement for a landscape strip may be satisfied by a setback or buffer area that is otherwise required. Again, the parking area does not adjoin a side or rear property line. However, the applicant is proposing a 3 foot landscaped area on the interior side property line and a 10 foot landscaped area at the rear of the parcel.

In addition, a parking area for a nonresidential use adjoining a residential is required to provide a 6 foot landscaped buffer between the parking area and the common property line bordering the residential use. A solid wall or fence, except for approved pedestrian access, and landscape buffer, shall be provided along the property line to address land use compatibility issues (e.g., nuisance, noise, and light/glare) as determined by the review authority. Once again, the parking area does not border the adjacent residential lot west of the parcel. However, there is an existing chain link fence with privacy slats and the applicant is proposing a 10 foot landscape buffer between the drive-thru lane and the adjacent residential property.

Pursuant to Section 17.30.180(15) of the RDMC, outdoor lighting fixtures are limited to a maximum height of fifteen (15) feet and the fixtures must be directed downward and away from adjoin properties and public rights-of-way, so that no on-site lighting directly illuminates adjacent properties. The applicant is proposing 1 free standing LED light fixtures 15 feet in height within the proposed 3 foot landscaping strip on the south side of the parcel and 6 light fixtures attached to the building. The project has been conditioned so that each light fixture shall be directed downward and away from adjoining properties and public rights-of-way and so that no on-site light fixture directly illuminates adjacent properties. **Please see Exhibit A.**

Section 17.30.180(19) of the RDMC identifies bicycle parking requirements. The number of required bicycle spaces required is based on the number of required parking spaces. Below is a copy of the bicycle parking demands.

Vehicle Parking Spaces Required	Number of Bicycle Spaces Required
3 - 25	3
26 - 50	5
51 - 75	10
76 - 100	15
100+	20

Section 17.30.180(19)(b)RDMC

Again the applicant is required to provide 2 parking spaces. Based on Section 17.30.180(19) of the RDMC, the applicant is not required to provide any bicycle spaces. However as the Site Plan indicates the applicant is proposing a bicycle rack that can accommodate 4 bicycles. Section 17.30.180(20) of the RDMC identifies motorcycle parking requirements. Parking lots with 20 or more spaces are required to provide motorcycle parking facilities. Based on the required parking spaces, the applicant is not required to provide motorcycle parking spaces.

Section 17.30.180(21) of the RDMC identifies the number of required loading spaces. Commercial and office uses are required to provide 1 loading space for 15,000 to 100,000 square feet of gross floor area. The gross area of the proposed building is 840 square feet. Therefore a loading space is not required.

Design Review: Section 17.25.050 *et. seq.* for the RDMC contains the Design Review Regulations. The Design Review Regulations apply to new buildings and/or structures. The Planning Commission is required to review and approve, conditionally approve, or deny Design Review applications using the guiding principles and design concepts, application review process, and findings identified in Section 17.25.050(8) of the RDMC. Below are the Guiding Principles and Design Concepts:

- To encourage high quality land/site planning, architecture and landscape design;
- To ensure physical, visual, and functional compatibility between uses: and
- To ensure proper attention is paid to site and architectural design, thereby protecting land values.

As indicated above the project is also subject to the required Design Review findings found in Section 17.25.050(8) of the RDMC. The required findings are as follows:

(1) The proposed project is consistent with the objectives of the General Plan, complies with applicable Zoning regulations, Specific Plan provisions, Special Planning Area provisions, and is consistent with the applicable "Guiding Principles" and "Design Concepts" in Section 17.250.050(5) Rio Dell Municipal Code (RDMC).

Staff will address General Plan consistency in Section 2 of this staff report. This section of the staff report is addressing the zoning consistency finding, including land use, parking, landscaping and design review.

(2) The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Attachment 1 includes proposed building elevations. As previously indicated, staff recently met with the applicant regarding the submitted building elevations and the applicant has indicated that she is going to revise the front of the building to reflect a traditional western look,

including a covered porch, similar to the Great Western Clothing building in Eureka and Hot Brew and Wildwood Saw building in Fortuna. Figure 1 on page 3 of this staff report depicts the type of store front the applicant is proposing.

Based on the submitted plans, including the revised store front and the character of the surrounding land uses, staff believes that the design of the building and associated landscaping does enhance the character of the neighborhood and community.

(3) The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties.

As indicated above staff believes the proposed design of the building is not only compatible with the character of the existing buildings and properties in the area, but enhances the area as well. Staff is recommending a 6 foot board on board fence surrounding the trash/recycling bins. The project has been conditioned accordingly. Please see Exhibit A.

Staff has previously addressed the proposed exterior lighting associated with the project. In regards to signage, Section 17.30.260 of the RDMC identifies the City's sign regulations. Basically, appurtenant signs are allowed 3 square feet for every foot of street frontage with a maximum limit of 300 square feet. The parcel is 53 feet wide. Therefore, the applicant is allowed a total of 159 square feet of total signage. The proposed on-building sign is 4 feet by 2.5 feet, 10 square feet. A directional LED light will be placed immediately above the sign. In addition, the applicant is proposing a 4 foot wide "One Way" sign at the entrance of the drive-thru lane and a 4 foot wide "Exit Only" on the Wildwood Avenue side and "Stop" sign on the other side facing the drive-thru lane. Again, the project has been conditioned to limit the height of these signs to 3 feet to maintain sight visibility entering and exiting the drive-thru lane. As such, the proposed signage does comply with the City's sign provisions.

(4) The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

As the site plan indicates, the proposed project is provided access off of Ash Street and egress on to Wildwood Avenue. An issue typically associated with drive-thru coffee shops is vehicle staging or stacking in the drive-thru lane and encroaching out into the street. The proposed design can accommodate 5 standard vehicles. As such staff believes the staging area is adequate for the proposed use.

Based on the proposed design and comments from referral departments and agencies, including the Director of Public Works, Streets Superintendent, Police Chief and Community Development Director, there is no evidence that the project will create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

Based on the information submitted, comments received from referral agencies, the use is allowed in the Community Commercial zone and complies with all other applicable provisions of Zoning Regulations, including parking, design review and signage.

2. General Plan Consistency

The proposed use is consistent with the General Plan and any applicable specific plan;

The General Plan designation is also Town Center. Commercial retail uses, including coffee/sandwich shops are considered principally permitted uses.

The General Plan also includes policies to encourage Low Impact Development (LID) techniques to minimize stormwater runoff and encourage groundwater recharge. The project has been conditioned to design stormwater facilities to accommodate a 25 year storm event, including the use of bio-swales and detention/retention facilities. **Please refer to Exhibit A.**

The General Plan also encourages landscaping to minimize visual impacts and ensure compatibility with adjacent and surrounding properties. The project has incorporated landscaping elements that will enhance the appearance of the project and the surrounding properties.

In addition, the proposed project is consistent with the following General Plan goal: "To promote a variety of commercial uses and allow light manufacturing in appropriate commercial areas."

There are no other goals or policies which would preclude the proposed use in the Town Center designation. Therefore, the proposed use is consistent with the General Plan.

3. California Environmental Quality Act

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project. Because the use is principally permitted, it is considered a ministerial project. Pursuant to Section 15268 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations ministerial projects are statutorily exempt.

Attachments:

Attachment 1: Proposed Building Elevations.

Attachment 2: Floor Plan.

Attachment 3: Site Plan and Irrigation Plan.

Attachment 4: Landscaping Plan

Attachment 5: Resolution No. PC 087-2015 approving the Design Review Conditional Use Permit subject to the recommended Conditions of Approval in Exhibit A.

EXHIBIT A

Conditions of Approval

Green Bean Design Review Conditional Use Permit

File No. 053-141-052; Case No. DR-CUP 15-01

Conditions of Approval

1. The applicant shall submit revised front building elevations reflecting a "western" type design.
2. The applicant shall submit a hydraulics/drainage plan to accommodate a 25 year storm events so that there is no net increase of stormwater runoff from the site. The plan shall incorporate Low Impact Development (LID) stormwater techniques, including the use of detention/retention facilities and bio-swales.
3. The applicant shall demonstrate to the satisfaction of the City that the proposed landscaping and signs are consistent with the City's visibility regulations. Signs at the entrance and exit of the drive-thru lane shall not exceed 3 feet in height.
4. The garbage/recycling area shall be screened/enclosed with a minimum 6 foot board on board fence and shall be secured at all times. The site plan and/or landscaping plan shall be revised accordingly.
5. The applicant shall construct a 6 foot board on board fence along the east property line to a point 30 feet north of the existing sidewalk. The remaining 30 feet shall be fenced with a 3 foot board on board fence.
6. The existing water meter within the proposed driveway approach shall be relocated outside the driveway approach to the satisfaction of the City Engineer and/or Streets Superintendent.
7. The applicant shall submit Improvement Plans for review and approval and obtain an Encroachment Permit.

Operational Conditions

1. All outdoor storage materials and equipment shall be screened from public view.

2. The building, parking lot, stripping and landscaping shall be maintained in good condition. The stripping shall be permanently maintained in a clear and visible manner.
3. The storm drain system, including the detention/retention basin shall be maintained to ensure it works properly.
4. Each light fixture shall be directed downward and away from adjoining properties and public rights-of-way and so that no on-site light fixture directly illuminates adjacent properties.

Informational Notes

1. If potential archaeological resources, paleontological resources or human remains are unearthed during grading activities, all work ground disturbing activities shall be stopped and a qualified archaeologist funded by the applicant and approved by the City of Rio Dell and the Bear River Band of the Wiyot Nation, shall be contracted to evaluate the find, determine its significance, and identify any required mitigation (e.g., data recovery, resource recovery, in-situ preservation/capping, etc.). Any such mitigation shall be implemented by the developer prior to resumption of any ground disturbing activities.
2. In accordance with California Health and Safety Code §7050.5 and California Public Resources Code §5097.94 and 5097.98, if human remains are uncovered during project subsurface construction activities, all work shall be suspended immediately and the City of Rio Dell, Humboldt County Coroner and the Bear River Band of the Wiyot Nation shall be immediately notified. If the remains are determined by the Coroner to be Native American in origin, the Native American Heritage Commission (NAHC) shall be notified within 24 hours of the determination, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains.

RESOLUTION NO. PC 087-2015



**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL GREEN
APPROVING THE BEAN COFFEE AND SANDWICH SHOP DESIGN REVIEW
CONDITIONAL USE PERMIT.**

WHEREAS the City has received an application for a Conditional Use Permit for the Design Review of a proposed 840 square foot restaurant and 200 square foot attached deck with a drive-up window; and

WHEREAS the project site is currently vacant and located at the southwest corner of the intersection of Wildwood Avenue and Ash Street on property known as 281 Wildwood Avenue; and

WHEREAS it should be noted that based on the location, size of the parcel and proximity to the City parking lot, staff has discussed the possibility of a parking exception so as not to require any on-site parking; and

WHEREAS the applicant has chosen to provide 3 parking spaces (only 2 are required), 2 regular spaces and 1 handicap space; and

WHEREAS the parcel is located in the Town Center zone and the purpose of the Town Center or TC zone is to provide an area for a broad range of uses which generate high pedestrian traffic and which do not have large space requirements, including artisan workshops and galleries, retail businesses, personal services, offices, eating places, visitor accommodations, and similar uses; and

WHEREAS the proposed use is principally permitted. However, the project is subject to the City's Design Review regulations, Section 17.25.050 *et seq* of the Rio Dell Municipal Code; and

WHEREAS the City processed the application pursuant to Section 17.25.050 of the Rio Dell Municipal Code; and

WHEREAS the project is consistent with the City's adopted Design Review Guiding

Principles and Concepts, which are:

- To encourage high quality land/site planning, architecture and landscape design;
- To ensure physical, visual, and functional compatibility between uses; and
- To ensure proper attention is paid to site and architectural design, thereby protecting land values.

WHEREAS the proposed project has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Rio Dell finds that as conditioned:

- The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of Rio Dell Municipal Code; and
- The proposed use is consistent with the General Plan and any applicable specific plan; and
- The proposed use is consistent with the City's Design Review regulations; and
- The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community; and
- The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of existing or anticipated buildings on adjoining and nearby properties; and
- The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation; and

● The use is principally permitted and is considered a ministerial project. Pursuant to Section 15268 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations ministerial projects are statutorily exempt.

I HEREBY CERTIFY that the forgoing Resolution was PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Rio Dell on June 4, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Nick Angeloff, Chairperson

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. PC 087-2015 adopted by the Planning Commission of the City of Rio Dell on June 4, 2015.

Karen Dunham, City Clerk, City of Rio Dell

Land Use Matrix Printed March 26, 2015

UR = Urban Residential; SR = Suburban Residential; SM = Suburban Medium; R = Rural; TC = Town Center; CC = Community Commercial; NC = Neighborhood Center; I = Industrial; IC = Industrial Commercial; NR = Natural Resources; PF = Public Facilities

Use Type	UR	S	SM	R	TC	CC	NC	I	IC	NR	PF
Non-Residential Use Types											
Administrative Offices								P	P		
Adult Entertainment					C						
Agricultural Processing									P		
Aggregate Resources Production								C			G
Amusement Arcades					P	P	P				
Antique Shops - Retail					P	P	P				
Apartments on upper floor of multistory buildings					P	P	P				
Appliance and Household Goods Sales and Service - Retail					P	P	P				
Art Galleries - Retail					P	C	P	C			
Artisan Studios and Showrooms Need to identify which requires CUP and which are Principally Permitted					C	C	C				
Assisted Living Facilities	P ≤ 6	P ≤ 6	P ≤ 6	P ≤ 6	P						
Audio-Video Stores - Retail					P	P	P				
Automobile Gas Stations, including charging stations					C	P	P		P		
Automotive Sales, Service and Repair (contained entirely within a building)					C	C	C				
Automobile Repair, Major								P			
Automobile Repair, Minor					C	C	C		C		

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Use Type	UR	S	SM	R	TC	CC	NC	I	IC	NR	PF
Bakeries – Large - Retail								P	P		
Bakeries – Small - Retail					P	P	P		P		
Banks and Financial Institutions w/o drive-up facilities - Service					P	P	P		P		
Banks and Financial Institutions with drive-up facilities - Service					C	P	P		P		
Bars (Licensed Premises) - Retail					CP	P	C		C		
Bars (Licensed Premises) Appurtenant to Restaurants - Service					P	P	P		P		
Barbershops - Service					P	P	P				
Bed and Breakfast Establishments - Lodging	C	C	P	P	C						
Bed and Breakfast Establishments in a Mixed Use Building					P	P	C				
Beauty Salons - Service					P	P	P		P		
Bicycle Sales, Rentals & Repairs					P	P	P		P		
Billiard Halls - Recreation					P	P	C				
Boarding and Rooming Houses						P	C				
Bookstores - Retail					P	P	P		P		
Bowling Alleys - Recreation					P	P	P		P		
Building Materials Stores and Yards - Retail						P	C		P		
Business and Professional Offices (Accountants, Architects, Engineers, Financial Advisors, Lawyers, Medical and Dental Offices)					P	C-1 st p-2 nd	P	C	C		
Car Washing and Detailing					P	P	C		C		
Card Rooms					P	P	C		C		
Caretaker's Apartment/Residence					C	C	C	P	P		C
Carpentry and cabinet-making shops					C	C	C	P	P		
Caterers					P	P	P		P		
Cemeteries			C	C						C	

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Use Type	UR	S	SM	R	TC	CC	NC	I	IC	NR	PF
Child Care See Day Care Home and Day Care Center											
Churches, Places of Worship* (Allowed in UR w/CUP). See Religious Institutions	C	P	P	P					C		
Civic Uses and Cultural Organizations	P	P	P	P	C		P				
Clothing and Apparel Businesses					P		P				
Clothing Manufacturers						C		P	P		
Coffee Shops					P						
Commercial Recreation											
Batting Cages						P	C		P		
Golf Courses				C						C	
Miniature Golf						C	C		P		
Indoor Sports Courts						P	C		P		
Outdoor Sports Courts	C	C	C	C			C		P		
Indoor Gun Ranges					C	C	C		P		
Outdoor Gun Ranges										C	
Indoor Go-Cart Tracks						P			P		
Outdoor Go-Cart Tracks						C			C		
Indoor Swimming Pools						P	P		P		
Outdoor Swimming Pools						C	C		P		
Waterparks						C	C		C		

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Community Care Facilities – Small Six (6) or Fewer	P	P	P	P							
Community Care Facilities – Large Seven (7) or More	C	C	C	C			P				
Contractor's Yards						C		P	C		
Convalescent Hospital	C					P					
Day Care Centers*	P	P	P	P		P	C				
Drug Stores*					P	P	P				
Dry Cleaning (Not including processing plants)*					P		P				
Dry Cleaning/Laundry Plants*								P			
Equestrian Facilities, Commercial	C	C	C	P							
Equestrian Facility, Hobby	C	C	C	P							
Equipment Sales and Rental	C	C	C	P							
Florist*					P	P	P				
Frame (Art) Shops*					P	P	P				
Fruit & Vegetable Markets/Stands*				P	P						P
Garden Center/Plant Nursery						P	P		P		
Grocery Stores – Supermarkets*					P	P	P		C		
Handicraft Manufacture* See Artisan Studio					P	CP		R	P		
Hardware Stores*					PC	P	P		P		
Health Clubs (Gyms)*					P	P	P		P		
Health Spas*					P	P	P				
Hobby and Craft Shops*					P	P	P				
Hotels and Motels*					C	CP			C		
Hotels and Motels in a mixed use building*						C					
Hostel					P						

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Kennels and Animal Boarding*				C				P	P		
Laundromats*					P	P	P				
Live-Work Units*					GP						
Lodging-Uses, including Lodging Provided as Part of the Civic or Cultural Use* See Bed & Breakfast											P
Lumber Yards* See Building Materials Stores and Yards.						C		P	P		
Manufacturing – Heavy*								P	P		
Manufacturing – Light (Conducted entirely within a building)*					C	P C	C	P	P		
Massage Establishments*					P	P	P		C		
Metal-Working-Shops* See Manufacturing & Artisan Studios								P	P		

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THIS PAGE DISCUSSED AT MARCH 26, 2015 MEETING

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Mortuaries and Funeral Homes	6,000	1 ac	12,500	5 ac							
Movie Theaters*					P	P	C				
Movie Theaters Drive -In*									C		
Museums*					P	P					P
Nurseries /Garden Centers*				P	P		P		P		
Commercial Greenhouses*				P				P	C	P	
Painters Decorators, Plumbing, Electrical Contractor Yards and Wholesale sales (No retail sales)*								P	C		
Pawn Shops*					C	C					
Penal, Correctional or Detention Institutions and Facilities for the Care of Mental Patients*											C
Pet Shops (retail sales)*					P	P	P				
Plumbing Shops (retail sales)*					P	P			P		
Power Generation*								P			P
Printing and Lithographic Shops (Sign Shops)*					P	P	P		P		
Public Buildings, including City Hall, Community Centers, Police and Fire Stations, Libraries, Schools, Auditoriums, Hospitals and other publicly owned buildings, other than Penal, Correctional or Detention facilities, Water and Wastewater Treatment Plants, Corporation/Storage Yards, Fairgrounds, Public Garages/Parking Areas, Public Parks and Playgrounds and Similar Uses*											P
Public Recreation (See Commercial Recreation)*											
Recreational Vehicle Parks		C		C							C

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The following to be discussed at the meeting of June 4, 2015

Use Type	UR	S	SM	R	TC	CC	NC	I	IC	NR	PF
Recycling Facilities											P
Renewable Energy Development*											P
Research and Development*										C	
Research and Light Industrial*								P	P		
Resource Protection*								P	P		
Restaurants*					P	P	P			P	
Restaurants and Appurtenant Licensed Premises (Bars)					P	P	P				
Restaurants with Sidewalk Cafés*					P	P	P				
Retail Establishments – Large*						P					
Second Hand Stores*					P	P	P				
Shoe Repair*					P	P	P				
Sporting Good Stores*					P	P	P				
Storage Warehouses - Private							P				
Storage Public Enclosed (Mini Storage)											
Tailors*					P		P				
Telecommunication Facilities See Quasi-Public Uses								P	P		
Timber Production with TPZ Overlay*										C	
Variety Stores*					P	P	P				
Veterinarians (Small Animals) (Completely enclosed within a building)*						C	C	P	P		
Veterinarians (Large Animals)*								C	P		

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Wetland/Watershed restoration*										P	
Wholesale Outlet Stores*						C		C	P		
Wood-Products-Manufacturing* See Manufacturing								P	P		

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