DEPARTMENT: Planning
By: Eric Jay Toll
Planning Director
Phone: 966-0302

AGENDA DATE: 7/23/02
AGENDA ITEM NO.: 5A

RECOMMENDED ACTION AND JUSTIFICATION:
Policy Item: Yes ___ No ___
- Adopt a resolution denying Appeal 2002-2 with the recommended findings.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
- None for this specific project site. The Board of Supervisors approved a General Plan/Zoning Amendment in 2000 establishing the Greeley Hill Business District Overlay (BDO) allowing for self-storage in the BDO subject to the Use Permit Determination process and landscaping, hours of operation, driveway surfacing, parking and building design standards.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: Uphold appeal.

NEGATIVE ACTION: If appeal is upheld, self-storage uses can be considered on any parcel in all Town Planning Areas in the county without specific zoning subject to the use permit determination process, and would be an outright permitted use on all other Neighborhood Commercial Zone-2 property in the county.

COSTS: (X) Not Applicable
A. Budgeted Current FY $ 
B. Total anticipated Costs $ 
C. Required additional funding $ 
D. Internal transfers $ 

SPECIAL INSTRUCTIONS
List the attachments and number the pages consecutively:
Memorandum to Board with Attachments
Attachment 1 Planning Commission Resolution
Attachment 2 Staff Report to Planning Commission
Attachment 3 Planning Commission Minutes
Attachment 4 Staff Report to Planning Commission
Attachment 5 Additional Correspondence
Attachment 6 Draft Resolution

COSTS: ( ) 4/5th Vote Required
A. Unanticipated revenues $ 

B. Reserve for Contingencies $ 
C. Source Description $ 
Balance in Reserve Contingencies, If Approved: $

CLERK'S USE ONLY
Res. No.: 20-292 Ord. No.: 
Vote - Ayes: ___ Noes: ___
Absent: ___ Abstained: ___
☐ Approved ☐ Denied
☐ Minute Order Attached ☐ No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: 
ATTEST: MARGIE WILLIAMS, Clerk of the Board

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:
☐ Recommended ☐ Not Recommended
☐ For Policy Determination ☐ Submitted for Comment
☐ Returned for Further Action
Comment: 

☐ A.O. Initials: 

Action Form Revised 10/95
TO: ERIC TOLL, Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: Lowell Young Appeal of Planning Commission Action
Resolution No. 02-292

THE BOARD OF SUPERVISORS OF MARIPosa COUNTY, CALIFOriNA,

ADOPTED THIS Order on July 23, 2002

ACTION AND VOTE:

Eric Toll, Planning Director;
A) PUBLIC HEARING: Appeal of Planning Commission Action to Dery Appeal of Planning Director
Determination that Self-Storage is Not Similar in Nature to Neighborhood Commercial Zone-2 Uses:
Applicant, Lowell Young

BOARD ACTION: Eric Toll presented the staff report and responded to questions from the Board relative
to staff's recommendation for processing the requested use after the General Plan Update process and
following amendments to Title 17; whether there is an option to conduct this business under a conditional
use permit; and whether this request could be approved at this time. Lowell Young responded to a question
relative to the location of the existing facilities in relation to the proposed project. Eric further responded to
questions from the Board relative to aesthetic issues, relative to this type of use not be allowed in the
Neighborhood Commercial Zone, and as to whether any other correspondence was received for this
hearing.

The public portion of the hearing was opened and input was provided by the following:
Lowell Young, applicant, provided input relative to the setback requirements for General Commercial
and Light Industrial; and he stated he feels he is being held to a higher standard than other businesses in the
County, and he cited the recent action for self-storage projects for Mr. Spacke and for a project in Greeley
Hill. He referred to Section 17.108.030 relative to similar uses, and Section 17.08.120 relative to other
permitted uses. He referred to average daily traffic counts for surrounding uses in the area. He also noted
that the self-storage operation is not a warehouse, that he is renting space for the use of others. He stated he
would like to expand his facility and sell the business, and the potential buyers would like to have the
facility expanded. He further stated he is willing to meet the aesthetic standards for Light Industry, and he
advised of his continuing efforts to correct a current problem with landscaping on one side of his business.
He stated he is asking if there is any way to process the expansion.
Eric Toll responded to a question from the Board relative to the process for the previous requests for self-storage facilities from Mr. Spacke and in Greeley Hill. He advised that the Greeley Hill project was a change in the zoning code and Mr. Spacke’s request was as a rural home industry, and these issues were not applicable to Mr. Young’s situation.

The public portion of the hearing was closed and the Board commenced with deliberations. Eric Toll responded to questions from the Board relative to options for action on this project. Lowell Young responded to a question from the Board relative to the location of the proposed expansion in relation to the former plant nursery business. Jeff Green, County Counsel, and Eric Toll responded to questions from the Board relative to similar uses. Eric responded to questions from the Board relative to the timeframes for processing a General Plan amendment to change the zoning code to add this type of use. (M)Pickard, (S)Balmain, Res. 02-292 was adopted denying the appeal and upholding the Planning Commission’s action of May 3, 2000 to deny the appeal of the planning Director determination with the recommended findings; and direction was given to staff to forward the self-storage use issue to the Planning Commission to begin the process of a change in the zone code. Eric responded to a question from the Board and clarified that this would be a County-initiated amendment. Ayes: Reilly, Balmain, Stewart, Pickard; Excused: Parker. The hearing was closed.

cc: File