



Agenda of the National City Planning Commission

Meeting of August 15, 2022 – 6:00 p.m.
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950



The Planning Commission requests that all mobile and/or smart devices be turned off or silenced during the meeting.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the Planning Department at (619) 336-4310 to request a disability-related modification or accommodation. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Public Participation: Public participation is encouraged in a number of ways as described below. Members of the public may attend the Planning Commission meeting in person, watch the Planning Commission meeting via live web stream on the City's website at <http://nationalcityca.new.swagit.com/views/33>, or participate remotely via Zoom. Recordings of meetings are archived and available for viewing on the City's website.

Public Comment: Persons wishing to address the Planning Commission on matters not on the agenda may do so under Public Comments. Those wishing to speak on items on the agenda may do so when the item is being considered. Please submit a Speaker's Slip to the Planning Commission Secretary prior to the meeting or immediately following the announcement of the item. All comments will be limited up to three (3) minutes.

There are multiple ways you can make sure your opinions are heard and considered by our Planning Commission as outlined below:

Submit your public comment prior to the meeting: To submit a comment in writing, email plcpubcomment@nationalcityca.gov and provide the agenda item number and title of the item in the subject line of your email. **Public comments or testimony is limited to up to three (3) minutes.**

If the comment is not related to a specific agenda item, indicate General Public Comment in the subject line. All email comments received by 4:00 p.m. on the day of the meeting will be read into the record at the Planning Commission meeting and retained as part of the official record. All comments will be available on the City website within 48 hours following the meeting.

Register online and participate in live public comment during the meeting: To provide live public comment during the meeting, you must pre-register on the City's website at <https://www.nationalcityca.gov/government/community-development/planning/public-comment>

by 4:00 p.m. on the day of the meeting to join the National City and Planning Commission Meeting.

*****Please note that you do not need to pre-register to watch the meeting online, but you must pre-register if you wish to speak.**

Once registered, you will receive an email with a link from Zoom to join the live meeting. You can participate by phone or by computer. Please allow yourself time to log into Zoom before the start of the meeting to ensure you do not encounter any last-minute technical difficulties.

*****Please note that members of the public will not be shown on video; they will be able to watch and listen and speak when called upon.**

Public microphones will be muted until it is your turn to comment. Each speaker is allowed up to three (3) minutes to address the Planning Commission. Please be aware that the Chair may limit the comments' length due to the number of persons wishing to speak or if comments become repetitious or unrelated. All comments are subject to the same rules as would otherwise govern speaker comments at the meeting. Speakers are asked to be respectful and courteous. Please address your comments to the Planning Commission as a whole and avoid personal attacks against members of the public, Planning Commissioners, and City staff.

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Welcome to the National City Planning Commission meeting. The National City Planning Commission conducts its meeting in the interest of community benefit. Your participation is helpful. These proceedings are video recorded.

Roll Call

Pledge of Allegiance by Commissioner Sanchez

Approval of Minutes

1. Approval of Minutes from the Meeting of August 1, 2022

Approval of Agenda

2. Approval of the Agenda for the Meeting on August 15, 2022

ORAL COMMUNICATIONS (3 MINUTE TIME LIMIT).

NOTE: Under State law, items requiring Planning Commission action must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature.

PRESENTATIONS

CONTINUED PUBLIC HEARINGS

PUBLIC HEARINGS

3. Resolution taking action on a Conditional Use Permit for the expansion of a self storage facility with accessory truck rental and a Zone Variance to allow trucks to back in from a public street located at 1300 Wilson Avenue (U-Haul). (Case File No.: 2021-10 CUP, Z)
4. Resolution taking action on a Conditional Use Permit for a Tobacco Specialty Business to be located at 1635 Sweetwater Road. (Case File No.: 2022-17 CUP)

OTHER BUSINESS

5. Request to Initiate a Code Amendment to Title 18 (Zoning) of the National City Municipal Code to create an Interim Use Ordinance related to the use of nonconforming buildings within the City. (Case File No.: 2022-28 A)

STAFF REPORTS

City Attorney's Office

Director of Community Development

Planning Manager

Commissioners

Chairperson

ADJOURNMENT

Adjournment to the regularly scheduled meeting on September 19, 2022 at 6:00 p.m.



Planning Commission Minutes

Planning Commission Meeting
Meeting of August 1, 2022
ONLINE ONLY MEETING - LIVE WEBCAST
<https://www.nationalcityca.gov/webcast>
Council Chambers, Civic Center
1243 National City Boulevard
National City, CA 91950

These minutes have been abbreviated. Video recordings of the full proceedings are on file and available to the public.

Agenda Items

The meeting was called to order by Chair Yamane at 6:01 p.m.

Roll Call

Pledge of Allegiance by Chair Yamane

Commissioners Present: Sendt, Yamane, Castle, Valenzuela, Natividad, Sanchez

Commissioners Absent: Miller

Staff Also Present: Director of Community Development Armando Vergara, Legal Counsel Elizabeth Mitchell, Planning Manager Martin Reeder, Associate Planner David Welch

1. Approval of Minutes from the Meeting of July 18, 2022

Motion by Sendt, second by Valenzuela to approve the Minutes for the Meeting of July 18, 2022.

Motion carried by the following vote:

Ayes: Sendt, Valenzuela, Castle, Yamane

Abstain: Natividad, Sanchez

Noes:

Absent: Miller

Motion approved.

2. Approval of the Agenda for the Meeting on August 1, 2022.

Motion by Natividad, second by Sendt to approve the Agenda for the Meeting on August 1, 2022.

Motion carried by the following vote:

Ayes: Sendt, Valenzuela, Castle, Yamane, Natividad, Sanchez

Noes:

Absent: Miller

Motion approved.

ORAL COMMUNICATION: None

PRESENTATIONS: None

CONTINUED PUBLIC HEARINGS: None.

PUBLIC HEARINGS:

3. Resolution taking action on a Conditional Use Permit for off-sale Beer and Wine (Type 20) at an existing retail store (99 Cents Only) to be located at 1320 Highland Avenue. (Case File No.: 2022-16 CUP)

Presented by Associate Planner David Welch

Representing the applicant, Steve Rawlings confirmed that he had read, understood, and accepted the conditions.

Public Comments were received from:

Written comment read into the record in opposition

Joan Rincon

Motion by Natividad, second by Sanchez to close the Public Hearing

Motion carried by the following vote:

Ayes: Sendt, Valenzuela, Castle, Yamane, Natividad, Sanchez

Abstain:

Noes:

Absent: Miller

Motion Approved.

Motion by Castle, second by Sendt to approve the Resolution taking action on a Conditional Use Permit for off-sale Beer and Wine (Type 20) at an existing retail store (99 Cents Only) to be located at 1320 Highland Avenue (Case File No.: 2022-16 CUP) with added condition for surplus alcohol to be locked in the back of the store.

Motion carried by the following vote:

Ayes: Sendt, Valenzuela, Castle, Yamane,

Abstain:

Noes: Natividad, Sanchez

Absent: Miller

Motion approved.

4. Resolution taking action on a Conditional Use Permit for a drive-through fast food restaurant to be located at 1900 East Plaza Boulevard. (Case File No.: 2021-11 CUP)

Presented by Associate Planner David Welch.

Applicant Cassie Ruiz with traffic engineer and Tom Huang, were present and answered questions posted by the Commissioners.

Applicant Cassie Ruiz confirmed that she had read, understood, and accepted the conditions.

Public Comments were received from:

Written comment read into the record in opposition

Nathan Guerrero

Substitute Motion by Valenzuela, second by Sendt to approve the Public Hearing and the Resolution taking action, on a Conditional Use Permit for a drive-through fast food restaurant to be located at 1900 East Plaza Boulevard. (Case File No.: 2021-11 CUP) with an added condition to review traffic median if it is needed in the next three years.

Motion failed by the following vote:

Ayes: Sendt, Valenzuela,

Abstain:

Noes: Castle, Natividad, Sanchez, Yamane

Absent: Miller

Motion Fails.

Motion by Natividad, second by Castle to deny the Public Hearing and the Resolution taking action, on a Conditional Use Permit for a drive-through fast food restaurant to be located at 1900 East Plaza Boulevard. (Case File No.: 2021-11 CUP)

Motion carried by the following vote:

Ayes: Castle, Natividad, Sanchez, Yamane

Abstain:

Noes: Sendt, Valenzuela

Absent: Miller

Motion Approved.

5. Resolution taking action on a Conditional Use Permit for on-site Distilled Spirit Sales and Live Entertainment at an existing beer and wine-licensed bar (Machete Beer House) Located at 2325 Highland Avenue (Case File No.: 2022-08 CUP)

Presented by Associate Planner David Welch

Applicant Eduardo Trejo, was present and answered questions posted by the Commissioners.

Applicant, Eduardo Trejo confirmed that he had read, understood, and accepted the conditions.

Written comment read into the record in opposition

Joan Rincon
David Garcia Ozua

Motion by Sendt, second by Sanchez to close the Public Hearing

Motion carried by the following vote:

Ayes: Sendt, Castle, Natividad, Valenzuela, Sanchez, Yamane,

Abstain:

Noes:

Absent: Miller

Motion Approved.

Motion by Sendt, Second by Sanchez to approve the Resolution taking action on a Conditional Use Permit for on-site Distilled Spirit Sales and Live Entertainment at an existing beer and wine-licensed bar (Machete Beer House) Located at 2325 Highland Avenue (Case File No.: 2022-08 CUP)

Motion carried by the following vote:

Ayes: Sendt, Castle, Natividad, Valenzuela, Sanchez, Yamane

Abstain:

Noes:

Absent: Miller

Motion Approved.

OTHER BUSINESS: None.

STAFF REPORTS:

Legal Counsel: No report.

Director of Community Development: No report.

Planning Manager: Martin Reeder wanted to inform the commission that the next Planning Commission meeting will be in person unless otherwise noticed.

Associate Planner: No report.

COMMISSIONER REPORTS:

Sanchez: None.

Yamane: None.

Sendt: Commissioner Sendt wanted to bring awareness on the littering and homeless issue on Harbison Ave, between 8th street and Plaza Blvd.

Natividad: Council Natividad wanted to make the commissioners aware of districts and their boundaries.

Valenzuela: Commissioner Valenzuela wanted to bring awareness of safety concerns with people living in the storm drain area along plaza Blvd.

Castle: Commissioner Castle wanted to inform on safety and fire hazard concerns on the corner of 21st street and Highland Ave.

Miller: Absent

ADJOURNMENT by Chair Yamane at 9:48 p.m. to the meeting of August 1, 2022.

CHAIRPERSON

The foregoing minutes were approved at the Regular Meeting of August 15, 2022.



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: CONDITIONAL USE PERMIT MODIFICATION FOR THE EXPANSION OF A SELF STORAGE FACILITY WITH ACCESSORY TRUCK RENTAL AND A ZONE VARIANCE TO ALLOW TRUCKS TO BACK IN FROM A PUBLIC STREET LOCATED AT 1300 WILSON AVENUE (U-HAUL)

Case File No.: 2021-10 CUP, Z

Location: Southeast corner of Civic Center Drive and I-5

Assessor's Parcel Nos.: 559-061-14 and 559-061-18

Staff report by: David Welch – Associate Planner

Applicant: Miguel Sanchez

Zoning designation: Limited Commercial (CL) / Westside Specific Plan (WSP)

Adjacent use and zoning:

- North: Caltrans R.O.W. across Civic Center Dr. and parking lot / CL
- East: Industrial and residential uses across Wilson Avenue / Mixed Commercial Residential (MCR-1) and (MCR-2)
- South: Westside Building Material / CL
- West: San Diego Trolley and I-5 / Rights-of-way

Environmental review: The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 32, Section 15332 (In-fill Development Projects) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit and Zone Variance.

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the request to expand an existing self-storage facility with accessory truck rental and a zone variance to allow trucks to back in off a public street, subject to the attached recommended conditions. A self-storage facility is a conditionally-allowed use in the CL zone and the proposed expansion would better serve the storage and truck rental needs of the area.

Executive Summary

The applicant proposes to construct a single-story 30,925 square-foot warehouse building to store U-Box containers for their self-storage customers. A modification of the existing Conditional Use Permit (CUP) for the self-storage facility is requested to add this new building and the accessory warehouse use. A zone variance is also requested to permit a loading area that will require trucks to back in off the street. The design is intended to limit the number of trucks entering the site as well as reduce conflict with customer traffic. Additional parking will be provided off-site at a parking lot under common ownership across Civic Center Drive.

Site Characteristics

The project site is a 3.29-acre property located on the west side of Wilson Avenue south of Civic Center Drive. The property is developed with a 170,002 square-foot self-storage building with three floors. The property is unique in that the lot is long and skinny. Although it is over 970 feet long, it is only 183 feet deep. Rental trucks on site are limited to 50 by the existing CUP approved in 2013, Case File No. 2013-20 CUP. A Specific Plan Amendment, along with the CUP, permitted the existing use and an adaptive re-use of the property. Parking and rental truck storage exist on the northern and southern portions of the property along with two smaller structures that would be demolished to make room for the proposed warehouse. The approved CUP established a parking requirement of 11 spaces. There is currently sufficient space for overflow parking on the southern portion of the property, which is proposed to be redeveloped. U-Haul has also acquired a 0.52 acre property across Civic Center Drive that is currently being developed with additional parking for this site. Existing pedestrian signals and crosswalks at the intersection with Wilson Avenue would provide safe access to the new parking area for customers and employees.

The area has a mix of uses with single-family residential properties alongside warehouses, light manufacturing, and auto repair businesses, which is typical of the Westside. The site is also adjacent to rights-of-way for the San Diego Trolley

and Interstate 5. To the north, there is an entrance ramp to northbound Interstate 5 and the proposed parking area for U-Haul. To the south, there is an existing building materials business. To the east, there is a mix of businesses and residences. The west side of the site is adjacent to the San Diego Trolley right-of-way.

Proposed Use

The applicant proposes to expand the existing self-storage facility permitted with 2013-20 CUP by adding a 30,925 square-foot warehouse building. The warehouse would house U-Haul's "U-Box" product, which is a type of container used for self-storage and moving. U-Haul would require advanced notice from customers to access a U-Box from the new building. Since this product is also used for moving, U-Haul is proposing a loading dock that is capable of accommodating 10-12 semi-trucks per day. The trucks would allow U-Haul to transport the U-Boxes to larger facilities before they are shipped to their ultimate destination. Site constraints would make it infeasible to use smaller vehicles for transport since it is not well-suited for a large number of trucks. A Zone Variance is requested to allow the semi-trucks to back in off of Wilson Avenue into the site, which is not permitted in Chapter 18.41 – Site Planning Standards of the Land Use Code. An increase in required parking will be met with an off-site parking facility. No increase in the number of rental trucks is proposed. No changes are proposed to the hours of operation, which are 7:00 a.m. to 7:00 p.m. Monday through Thursday and Saturdays, 7:00 a.m. to 8:00 p.m. Fridays, and 9:00 a.m. to 5:00 p.m. Sundays.

Analysis

General Plan

A self-storage facility is a conditionally-allowed use within the CL zone of the WSP, which is consistent with the General Plan. However, the proposed loading area would accommodate truck traffic accessing the property. The Circulation Element of the General Plan has one policy related to truck traffic:

Policy C-6.2: Enforce the use of designated truck routes for both local and regional goods transport.

The subject property is located at the southwest corner of Civic Center Drive and Wilson Avenue. Civic Center Drive is designated as an alternate truck route with direct freeway access and links to a primary truck route at Harbor Drive and an

alternative route on National City Boulevard. U-Haul is currently utilizing semi-trucks at the subject site, which are not easily accommodated in the existing parking areas. With immediate access to Civic Center Drive and Interstate 5, the property is well-located to utilize existing truck routes. The proposed loading docks are intended to alleviate difficulties loading trucks on the site. Staff has included conditions of approval to require trucks to turn left out of the site towards Civic Center Drive to avoid the use of neighborhood streets as well as limit the number of trucks serving the facility daily to prevent an increase in traffic.

Specific Plan

The WSP was amended in 2013 to allow self-storage facilities as a conditionally-allowed use in the CL zone, which was when the existing U-Haul facility was proposed. The new warehouse building would be an accessory use to this facility. The development helps address one of the goals of the CL zone, which is for the zone to serve as a buffer between the freeway and the adjacent neighborhood. The WSP has modified development standards that the portion of the site being developed would need to adhere to, such as a requirement for an eight-foot high wall along the freeway. Conditions of approval are included to address compliance with the development standards of the WSP.

Land Use Code

The project site, as described above, is a long and skinny property that is bifurcated by a large existing building that was redeveloped into the existing self-storage facility. Since the site was developed before many of the development standards in the LUC were adopted by the City, the site and existing building are considered legal, non-conforming for certain development standards such as internal circulation. However, the proposed warehouse building and any related site improvements would be required to conform with the current code since it is new development.

During staff review of the original design for the proposed development a comment was provided to the applicant stating that a section of Chapter 18.41 – Site Planning Standards of the LUC was not met by the design, which would have required trucks to back in off the public street to utilize the proposed loading area. The applicant was able to provide revised drawings in conformance with this section of the Code. However, the resulting three-point turning movement that allowed semi-trucks to turn around within the site posed a potential conflict with U-Haul customers accessing the storage facility on the south side of the main building and raised safety concerns with the applicant. Based on the shape

of the lot, the location and shape of the existing building, and the location customer entrance, the applicant is requesting a zone variance to allow a loading area that requires trucks to back in from a public street. The applicant also proposes to use semi-trucks for the new warehouse to limit the number of vehicles accessing the site. The ability to back in would also reduce the amount of maneuvering operations of the trucks, which reduce emissions and noise impacts, as well as being safer for customers on site.

Parking

The existing self-storage facility was approved with 11 required parking spaces, nine for the retail component of the business and two additional spaces for the self-storage use. At the time, it was taken into consideration that the site had additional space for overflow customer parking should it be needed. The facility was also permitted to have up to 50 rental trucks on the site. The proposed warehouse building will take away the overflow space on the site and, therefore, create a need for more parking in conformance with the LUC. The new 30,925 square-foot building will be used as a warehouse, which has a parking ratio of one space per 1,000 square feet of floor area, and result in an increase of 31 spaces for a total parking requirement of 42 spaces. U-Haul is developing a new parking area on the north side of Civic Center Drive with 40 new spaces. Along with ten existing spaces on the south side of the main building and twelve more spaces directly adjacent to the retail section of the building, the new spaces will be sufficient to serve customers and employees for the overall use of the site. Additional spaces remain on the north side of the main building, which can be used for the storage of the rental trucks. A condition of approval is included to require an off-site parking agreement for the new parking area in conformance with Chapter 18.45.030 – Off-site facilities of the code.

Traffic/Circulation

U-Haul generally serves the community within 3-½ miles of the outlet. The existing CUP has conditions of approval that limit the maximum number of rental trucks to 50, require only non-diesel rental vehicles, and require that all vehicles be stored on site (not on adjacent city streets). These conditions will remain in effect unless modified by resolution.

According to U-Haul, storage and rental centers generate less and lighter vehicle traffic than a comparably-sized industrial or commercial use. For example, a typical center of 80,000 square feet would generate approximately 31 average daily trips (ADT) on a weekday and 53 on a weekend day. The opinion of staff for

the original CUP was that the self-storage facility would result in a lower than expected ADT and not have a significant impact on traffic in the area. The new warehouse building, per information provided by SANDAG, would generate approximately 5 ADT per 1,000 square feet. Information provided by U-Haul suggests an average trip generation rate of 0.36 ADT per 1,000 square feet on weekdays and 0.72 on weekend days. This would result in the new building generating 155 ADT on weekdays using SANDAG's numbers and 11.1 ADT using U-Haul's numbers (22.3 ADT on weekends). Based on the low expected increase in ADT and access to the freeway, staff is still of the opinion that the facility would not have a significant impact on traffic in the area.

Mailing

All property owners and occupants within a distance of 300 feet are required to be notified of a public hearing for a CUP application. Notice of this public hearing was sent to 108 occupants and owners. No comments in response to the mailing have been received as of the drafting of this report.

Department Comments

Comments were provided by the Engineering and Fire Departments related to standard requirements for new developments. The Planning Division also provided a cursory review of the proposed plans with comments related to the Land Use Code and Westside Specific Plan. All comments have been incorporated as conditions of approval for the CUP.

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

Self-storage facilities are identified as a conditionally-allowed use in the Limited Commercial (CL) zone, and the conditions of approval will require compliance with all applicable development standards in the Land Use Code.

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

The Westside Specific Plan conditionally allows self-storage uses in the CL zone; the Westside Specific Plan is consistent with the General Plan. The proposed warehouse building will be required to meet applicable development standards in the Westside Specific Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

The property will be partially redeveloped with a new warehouse building and an off-site parking facility will provide enough parking spaces based on provisions outlined in the Land Use Code. The proposed development, subject to the conditions of approval, meets all requirements for such uses outlined in the Land Use Code, as discussed above, and the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The property is large enough to accommodate an additional building complying with Land Use Code standards along with existing driveways and sufficient access to utilities.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed project will provide an adequate loading area for trucks to service the new warehouse building and additional parking for customers and employees will be provided with an off-site parking facility. The new warehouse building will serve as a buffer blocking noise and views of Interstate 5 from the neighborhood.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically

exempt from environmental review pursuant to Class 32, Section 15332 (In-fill Development Projects) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

In addition, the Municipal Code requires three additional findings for the granting of a Zone Variance:

1. Due to special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Land Use Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

With few exceptions, properties in the Limited Commercial zone were developed before Chapter 18.41 – Site Planning Standards, which established requirements for loading facilities with adequate space to allow trucks to enter a site without backing in from a public street, and Chapter 18.45.110 – Loading Requirements, which established minimum standards for the provision of loading space. Furthermore, most properties in the zoning classification are less than 10,000 square feet in area and, thus, unable to comply with either Chapter. The subject property is relatively narrow, with a depth of 183 feet, and bifurcated by a large existing building. The provision of turnaround space for trucks on the site is infeasible as it would lead to safety concerns for customers accessing the existing building.

2. The variance is subject to conditions that will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

The project will be subject to conditions of approval that limit the daily number of trucks that will back in from the public street assuring the site will not have an increase over the number of trucks currently utilizing the site.

3. The variance is not granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

The property is within the CL zone, which conditionally-allows self-storage facilities. The proposed warehouse is an expansion of an existing facility and is allowed as an accessory use.

Findings for Denial

There are two findings for denial of the CUP as follows:

1. The proposed expansion of the use is not deemed essential and desirable to the public convenience and welfare, because there are five other self-storage facilities serving the city and the existing development fully utilizes the existing site.
2. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because it would allow for trucks to back in off the public street and permit the use of trucks with diesel engines further contributing to air quality issues.

There is one finding for denial of the Zone Variance as follows:

1. The proposal to construct a warehouse building as an accessory to an existing self-storage facility will increase the movement of goods at the site and thereby grants a special privilege inconsistent with the limitations of other properties in the zone classification.

Conditions of Approval

Conditions of Approval are included that address City Department comments. Conditions cover code requirements (Fire & Building), grading and improvement requirements (Engineering), and the proposed loading docks (Planning). Staff has also included a condition that maintains the existing conditions of approval from previous CUP unless otherwise modified by resolution.

Summary

The proposed expansion of the self-storage facility with a new accessory warehouse building is consistent with the Land Use Code and Westside Specific Plan with the approval of a CUP and Zone Variance request. Conditions of Approval will ensure that the business operates in harmony with existing uses in the area. The expansion of the use is minimal since the number of trucks serving

the new warehouse will be limited by the conditions of approval and they will be required to turn left out of the site to utilize existing truck routes. Adequate parking for the expansion will be provided at an off-site parking area. Staff is recommending approval of this CUP and Zone Variance request. A Notice of Decision will then be provided to the City Council.

Options

1. Approve 2021-10 CUP, Z subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2021-10 CUP, Z based on the attached findings or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2021-10 CUP, Z, dated 7/7/2022)
5. Notice of Exemption
6. Public Hearing Notice (Sent to 108 property owners & occupants)
7. Resolutions



DAVID WELCH
Associate Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT
2021-10 CUP, Z – U-Haul

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because self-storage facilities are identified as a conditionally-allowed use in the Limited Commercial (CL) zone, and the conditions of approval will require compliance with all applicable development standards in the Land Use Code.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because the Westside Specific Plan conditionally allows self-storage uses in the CL zone; the Westside Specific Plan is consistent with the General Plan. The proposed warehouse building will be required to meet applicable development standards in the Westside Specific Plan.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the property will be partially redeveloped with a new warehouse building and an off-site parking facility will provide enough parking spaces based on provisions outlined in the Land Use Code. The proposed development, subject to the conditions of approval, meets all requirements for such uses outlined in the Land Use Code, as discussed above, and the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the property is large enough to accommodate an additional building complying with Land Use Code standards along with existing driveways and sufficient access to utilities.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed project will provide an adequate loading area for trucks to service the new warehouse building and additional parking for customers and employees will be provided with an off-site parking facility. The new warehouse building will serve as a buffer blocking noise and views of Interstate 5 from the neighborhood.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 32, Section 15332 (In-fill Development Projects) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

RECOMMENDED FINDINGS FOR APPROVAL
OF THE ZONE VARIANCE

2021-10 CUP, Z – U-Haul

1. Due to special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Land Use Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification because with few exceptions, properties in the Limited Commercial zone were developed before Chapter 18.41 – Site Planning Standards established requirements for loading facilities with adequate space to allow trucks to enter a site without backing in from a public street and Chapter 18.45.110 – Loading Requirements established minimum standards for the provision of loading space. Furthermore, most properties in the zoning classification are less than 10,000 square feet in area and, thus, unable to comply with either Chapter. The subject property is relatively narrow, with a depth of 183 feet, and bifurcated by a large existing building. The provision of turnaround space for trucks on the site is infeasible as it would lead to safety concerns for customers accessing the existing building.
2. The variance is subject to conditions that will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated because the project will be subject to conditions of approval that limit the daily number of trucks that will back in from the public street assuring the site will not have an increase over the number of trucks currently utilizing the site.
3. The variance is not granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property, because the property is within the CL zone, which conditionally-allows self-storage facilities. The proposed warehouse is an expansion of an existing facility and is allowed as an accessory use.

RECOMMENDED FINDINGS FOR DENIAL
OF THE CONDITIONAL USE PERMIT

2021-10 CUP, Z – U-Haul

1. The proposed expansion of the use is not deemed essential and desirable to the public convenience and welfare, because there are five other self-storage facilities serving the city and the existing development fully utilizes the existing site.
2. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because it would allow for trucks to back in off the public street and permit the use of trucks with diesel engines further contributing to air quality issues.

RECOMMENDED FINDINGS FOR DENIAL
OF THE ZONE VARIANCE

2021-10 CUP, Z – U-Haul

1. The proposal to construct a warehouse building as an accessory to an existing self-storage facility will increase the movement of goods at the site and thereby grants a special privilege inconsistent with the limitations of other properties in the zone classification.

RECOMMENDED CONDITIONS OF APPROVAL

2021-10 CUP, Z – U-Haul

General

1. This Conditional Use Permit and Zone Variance authorizes an expansion of an existing self-storage facility with accessory truck rental (U-Haul) located at 1300 Wilson Avenue to allow a new warehouse building and trucks to back in from a public street to access a loading area. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2021-10 CUP,Z, dated 7/7/2022.
2. Unless specifically modified by this resolution, all Conditions of Approval of City Council Resolution 2012-175 shall remain in full force and effect.
3. Before this *Conditional Use Permit* and *Zone Variance* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit* and *Zone Variance*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* and *Zone Variance* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
4. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
5. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
6. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
7. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law. The property, the use and the permittee shall comply with all applicable law at all times.

Engineering

8. All public improvements shall be in accordance with the San Diego Regional Standard Drawings (SDRSD), National City Standard Drawings, Cal Trans Standard Drawings, and the Standard Specifications for Public Works Construction (The Greenbook).
9. A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
10. A drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared by a Registered Civil Engineer, or other qualified professional, and shall be in accordance with the City requirements. In particular, the plan shall show the following:
 11. Site drainage away from the building foundation (including downspouts), the drainage collection system, site BMPs, and flow from the site drainage system to the street and city storm drain.
 12. The Storm Water BMP Requirements Applicability Form I-1 and if required I-2 checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Division web site at the link below *. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.

*<http://www.nationalcityca.gov/city-government/engineering-public-works/engineering-division/online-services-forms-fees>.

13. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.

14. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development. An executed BMP Maintenance Agreement shall be submitted for approval by the City and recorded against the property. The agreement is available at the Engineering Division web site at the link below *.

*<https://www.nationalcityca.gov/home/showpublisheddocument/13694/636268151047970000>

15. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.
16. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.
17. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.
18. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
19. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall

be 6 inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.

20. Street and sewer plans prepared by Registered Civil Engineer, shall be include in the grading plan set showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
21. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
22. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
23. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
24. The driveway on Wilson Avenue shall be an alley entrance type driveway with pedestrian ramps per SDRSD G-17.
25. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.
26. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.
27. The site plan shall be revised to show the following:
 - Existing and proposed contour lines to a distance of 15 feet beyond the property lines.

- Proposed pad elevation.
- Proposed finish floor elevation.
- Proposed drainage flow indicator arrows with slope shown.
- All existing utility mains in the street and all existing utility service laterals on site to include sewer, water, gas, and electric.
- All existing structures on site identified as existing to remain or existing to be demolished.

28. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.

29. NO PARKING zone(s) (red curbing) shall be provided along the property frontage(s) at the following location(s): Twenty feet on either side of the proposed expanded driveway.

30. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. A deposit in the amount of three percent (3%) of the engineers cost estimate or \$10,000 (whichever is greater) shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.

31. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.

32. Please add the following to the site plan:

- A legend showing all line types and symbols used
- Clearly show all ROWs and identify the street name.
- The State Highway Right of Way shall be shown and identified
- The proposed building shall be dimensioned and distances from property lines and other buildings shown.
- The proposed expanded driveway will have red curb marking painted on either side of the opening from the PCR to a distance of twenty feet (20') along the street.
- Appropriate signage shall be installed along Wilson Avenue to warn drivers of trucks entering the roadway and movements across the center line into oncoming traffic. Distances from the centerline of the driveway to the warning signs shall be shown.

Fire

33. Project shall be designed to code.
34. The National City Fire Department utilizes all current codes and ordinances. Currently, we are using the 2019 editions of NFPA, CFC and the current edition of the CCR.
35. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
36. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of **all** portions of the facility and **all** portions of the exterior walls of the first story of the building as measured by an **approved** route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
37. The required width of emergency fire apparatus access roads shall not be **obstructed in any manner**, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
38. Fire hydrants that may be located throughout the project as not to have a separation distance greater than 300 feet. Fire hydrants to be located within 300 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project)
39. Parking shall not impact requirements of turn-around provision of roadway at any time, if required.
40. The following items pertain to fire hydrants:
 - a. Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - b. Fire hydrant to be of three outlet design.
41. Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch).
42. Fire hydrants to be marked by use of blue reflective marker in the roadway.
43. Upon submittal for an underground permit, the following shall be included:
 - Data sheet for Back-Flows
 - Data sheets for Private and Commercial Hydrants
 - Data sheets for Post Indicator Valves

Information on required fire hydrants back-flow devices, etc.; can be acquired from Sweetwater Authority.

All pipe and their appliances, shall meet industry/code standards for underground use

44. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site
45. Approved vehicle access for firefighting shall be provided to all construction and demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available
46. Approved signs or other approved notices or markings (Red Curb) that include NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designed shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. **All projects shall be evaluated for this necessary application.**
47. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire rescue operations or where necessary to meet the public safety objectives of the jurisdiction.
48. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
49. If entrance/exit gates are used, they shall be equipped with Knox Box and Emergency Strobes so as to provide emergency vehicle access and egress. A Knox Key Switch shall be required in conjunction with strobe for emergency access, and shall be placed at front of property. Please contact the National City Fire Department for exact field location
50. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway
51. Where the roof has a slope less than four units vertical in 12 unit's horizontal, a hose connection shall be located to serve the roof of at the highest landing of a stairway with stair access to the roof provided in accordance with the current code
52. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of

this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

53. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.

Planning

54. An off-site parking agreement shall be recorded for the property located at 433 ½ Civic Center Drive in conformance with Chapter 18.45.030 – Off-site facilities and submitted to the Planning Division prior to the issuance of any permits for the proposed warehouse building.
55. Prior to the issuance of any permits for the proposed warehouse building, plans shall be revised in conformance with the development standards of the Westside Specific Plan and Land Use Code and comments provided by the Planning Division in a letter dated June 3, 2021.
56. Permits shall be obtained for any new signage associated with the proposed expansion of the business. Please contact the Planning Division for information on sign regulations in National City.
57. A maximum of 12 semi-trucks of up to 72 feet in length are permitted on site per day. Any additional movement of goods shall be accommodated by non-diesel powered vehicles capable of accessing the loading area without backing in from the public street. No vehicles used for loading and unloading on the site shall be stored on adjacent public streets.
58. A sign shall be installed on site, visible to vehicles existing the driveway serving the proposed warehouse building, which includes language prohibiting trucks from turning right onto Wilson Avenue.
59. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. Installation and continued maintenance of minimum landscaping items required by the Westside Specific Plan and the Land Use Code, including adequate landscaped area, street trees, and shrubs.
60. Plans submitted for improvements must comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

2021-10 CUP,Z – 1300 Wilson Ave. – Overhead



Exhibit A, Case File No. 2021-10 CUP,Z, received 7/7/2022

Municipality: City of National City
 Project Address: 1300 Wilson Ave., National City, CA 91950
 APN /Acre / Area: 559-061-15-00/ 3.82 acres/ 166,529 sf.
 Zone: CL - Limited Commercial within Westside Specific Plan
 Uses: Self-storage (requires CUP)

Setbacks:
 Front yard: 10-ft.
 Side interior yard: 0-ft./10-ft.*
 Side exterior yard: 10-ft.
 Rear yard: 5-ft.
 * = 10-ft. if adjacent to an existing single-family or multi-family development without commercial/office uses.

FAR: 0.6 max
 166,529 x .60 = 99,917 sf allowed
 1.02 or 170,002 sf existing
 1.21 or 200,927 sf proposed

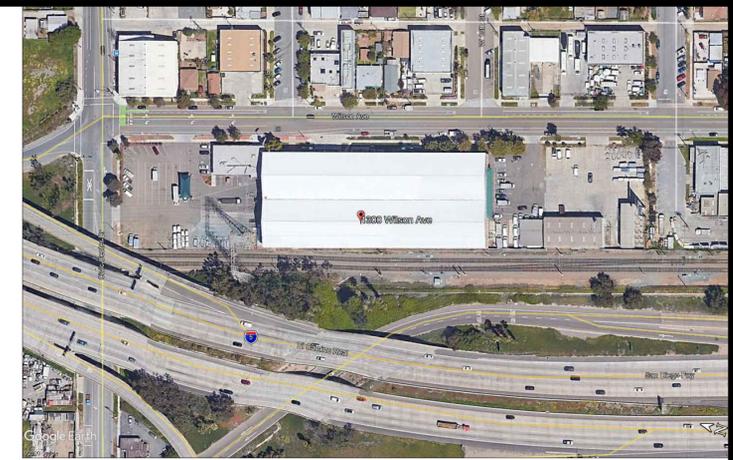
Height Limit: 50-ft. and 3 stories max.

Max lot Coverage: N/A

Parking:
 Industrial = 2 sp./ 1,000 sf. of floor area
 Bicycle Parking = 10% of vehicle spaces

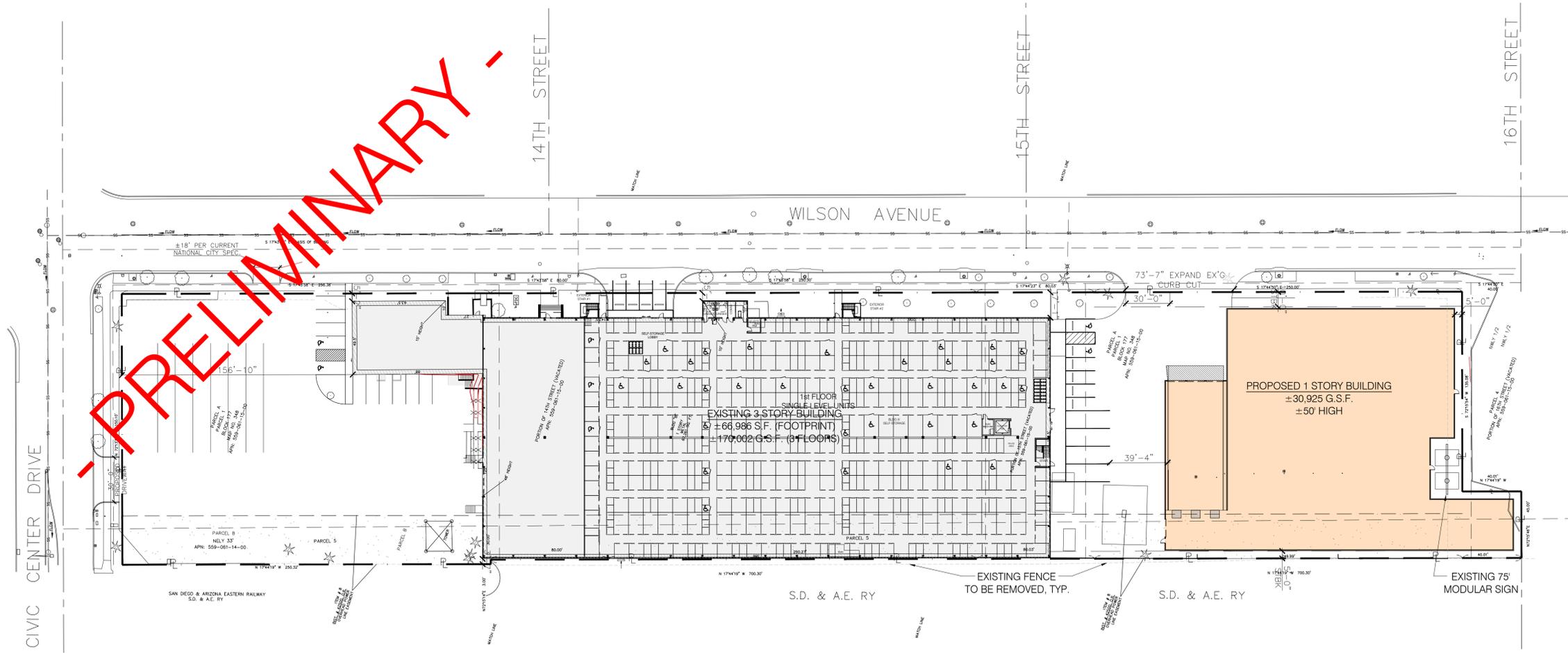
Note: Joint parking arrangements are encouraged and can be developed within on-site or off-site parking structures within 500 ft. of the property line.

Landscape: 20% min.
 166,529 x .20 = 33,306 sf required



AERIAL VIEW

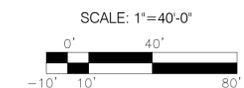
N.T.S.



PRELIMINARY

SITE PLAN

ATTACHMENT 4



SHEET NOTES:

REVISIONS:

NO.	DATE	INITIALS	NOTES
1	11/04/20	NH	ADDED EX'G MOD. SIGN
2	11/09/20	BLC	REVISE PER EJS REVIEW
3	11/25/20	BLC	LARGER BLDG B PER EJS REVIEW
4	01/04/21	BLC	ADJUST BLDG B FOOTPRINT
5	03/31/21	BLC	ADJUST BLDG B FOOTPRINT & HEIGHT
6	06/29/21	NH	ENCLOSE DOCK PER ADVP/MCP
7	07/26/21	NH	MOVE DOCK BACK PER ADVP
8	03/31/22	NH	BLDG B REV'S

PROFESSIONAL SEAL:

PRELIMINARY DOCUMENTS,
 NOT FOR CONSTRUCTION,
 FOR INFORMATION ONLY

ARCHITECT LOGO:

AMERCO
 REAL ESTATE COMPANY

CONSTRUCTION DEPARTMENT
 2727 NORTH CENTRAL AVENUE
 PHOENIX, ARIZONA 85004
 P: (602) 263-6502

SITE ADDRESS:
 U-Haul of National City
 1300 Wilson Ave
 National City, CA 91950

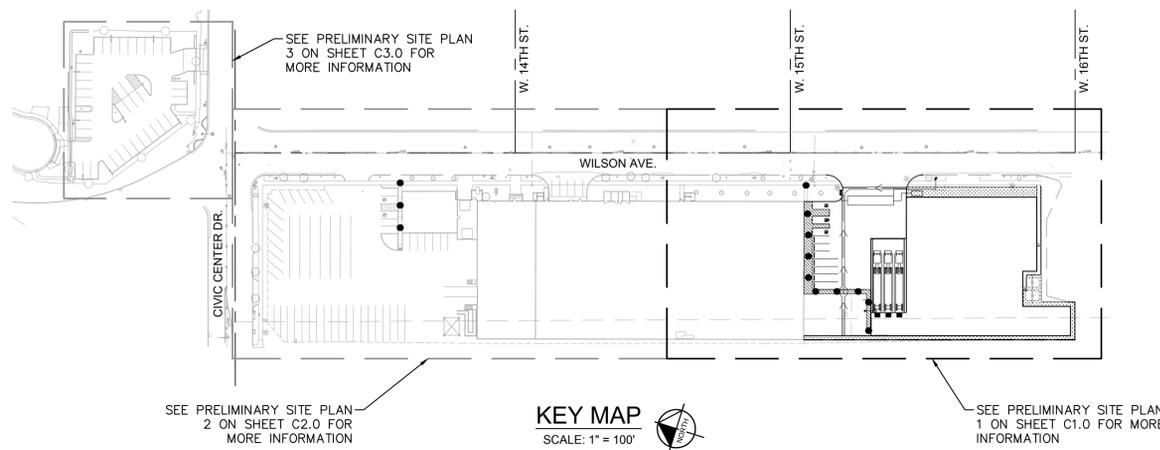
SHEET CONTENTS:
 Proposed Site Plan

717028

DRAWN: BLC
 CHECKED: NH
 DATE: 11/03/20

717028 A1L

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DATA SUMMARY

ZONING DISTRICT:	WESTSIDE SPECIFIC PLAN (CL ZONE)		
APN:	559-061-14, 559-061-18, 559-032-19 (FOR PARKING COUNT REFERENCE ONLY)		
SCHOOL DISTRICT:	NATIONAL SCHOOL DISTRICT		
FLOOD ZONE:	ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE (FEMA MAP NO: 06073C1911H)		
TOTAL DISTURBED AREA:	52,688 S.F.	(1.21 AC)	
LOT COVERAGE:			
TOTAL SITE AREA:	166,529 S.F.	(3.82 AC)	100%
BUILDING AREA:	97,911 S.F.	(2.25 AC)	58.9%
NEW LANDSCAPE AREA:	4,074 S.F.	(0.09 AC)	2.4%
FLOOR AREA RATIO:	0.59		
SETBACKS:			
FRONT:	10.0'		
REAR:	5.0'		
SIDE:	10.0'		

PARKING SUMMARY

PARKING REQUIREMENTS:
PER TABLE 18.45.050 OF THE NATIONAL CITY MUNICIPAL CODE - TITLE 18:
2 SPACES PER 1,000 S.F. FLOOR AREA FOR A CL ZONE (WESTSIDE SPECIFIC PLAN) INDUSTRIAL.

PARKING PROVIDED:	PROVIDED:
STANDARD	70
COMPACT (C)	0
ACCESSIBLE	0
TRUCK	29
TOTAL*	99 STALLS

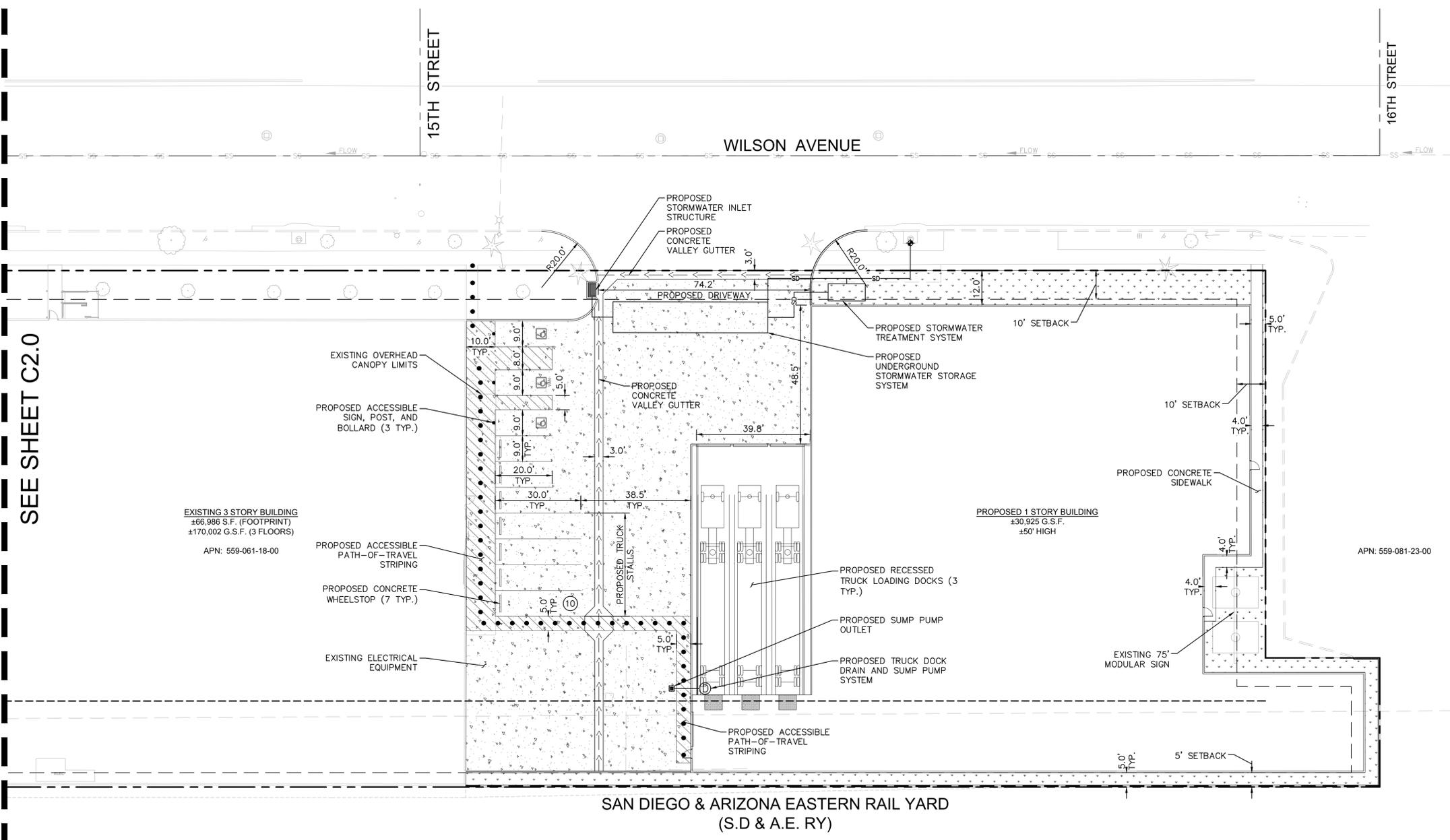
*EXISTING PARKING WITHIN APN 559-032-19 IS INCLUDED AS PART OF PARKING TOTALS. REFER TO SHEET C3.0 FOR MORE INFORMATION.

UTILITY PURVEYORS

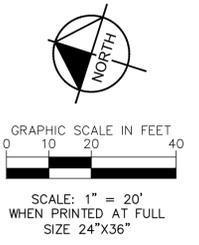
WATER & SEWER NATIONAL CITY PUBLIC WORKS 1243 NATIONAL CITY BLVD. NATIONAL CITY, CA 91950 (619) 336-4580	STORM WATER NATIONAL CITY STORMWATER HOTLINE (619) 336 4369
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LEGEND

	STREET CENTERLINE
	PROPERTY LINE
	SETBACK LINE
	ACCESSIBLE ROUTE (LOCATION PURPOSES ONLY, DO NOT PAINT)
	PROPOSED LANDSCAPING
	PROPOSED CONCRETE PAVING
	PARKING STALL COUNTS



SAN DIEGO & ARIZONA EASTERN RAIL YARD
(S.D & A.E. RY)



Drawing name: C:\Users\thomas.kim\appdata\local\temp\AcPublish_14588\Preliminary Site Plan.dwg SITE PLAN 1 Jul 06, 2022 11:28am By: Thomas.Kim

SEE SHEET C2.0

PREPARED BY: **Kimley-Horn**

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1100 W TOWN AND COUNTRY RD.
SUITE 700, CHARGE, CA 92688
WWW.KIMLEY-HORN.COM

PREPARED FOR: **U-HAUL AMERCO**
REAL ESTATE COMPANY

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

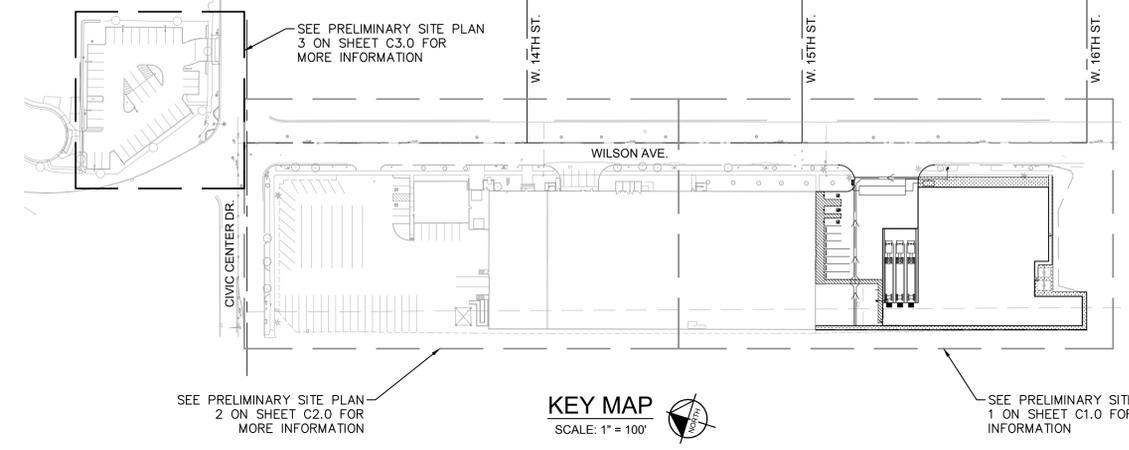
PROJECT: **U-HAUL NATIONAL CITY, CA**
1300 WILSON AVE. NATIONAL CITY, CA 91950

NOT FOR CONSTRUCTION

GSWCC NO. (LEVEL II)	00000XXXXX
DRAWN BY	EO
DESIGNED BY	AV
REVIEWED BY	TK
DATE	6/30/2022
PROJECT NO.	194333014
TITLE	PRELIMINARY SITE PLAN 1
SHEET NUMBER	C1.0

This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Drawing name: C:\Users\thomas.kim\appdata\local\temp\AcPublish_14588\Preliminary Site Plan.dwg SITE PLAN 3 Jul 06, 2022 11:28am By: Thomas.Kim



LEGEND

- STREET CENTERLINE
- PROPERTY LINE
- SETBACK LINE
- ACCESSIBLE ROUTE (LOCATION PURPOSES ONLY, DO NOT PAINT)
- PROPOSED LANDSCAPING
- PROPOSED CONCRETE PAVING
- PARKING STALL COUNTS

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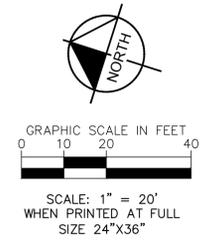
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PARKING PROVIDED:	PROVIDED
STANDARD	70
COMPACT (C)	0
ACCESSIBLE	5
TRUCK	29
TOTAL*	99 STALLS

*EXISTING PARKING WITHIN APN 559-032-19 IS INCLUDED AS PART OF PARKING TOTALS. REFER TO SHEET C3.0 FOR MORE INFORMATION.

UTILITY PURVEYORS

WATER & SEWER NATIONAL CITY PUBLIC WORKS 1243 NATIONAL CITY BLVD. NATIONAL CITY, CA 91950 (619) 336-4580	STORM WATER NATIONAL CITY STORMWATER HOTLINE (619) 336 4389
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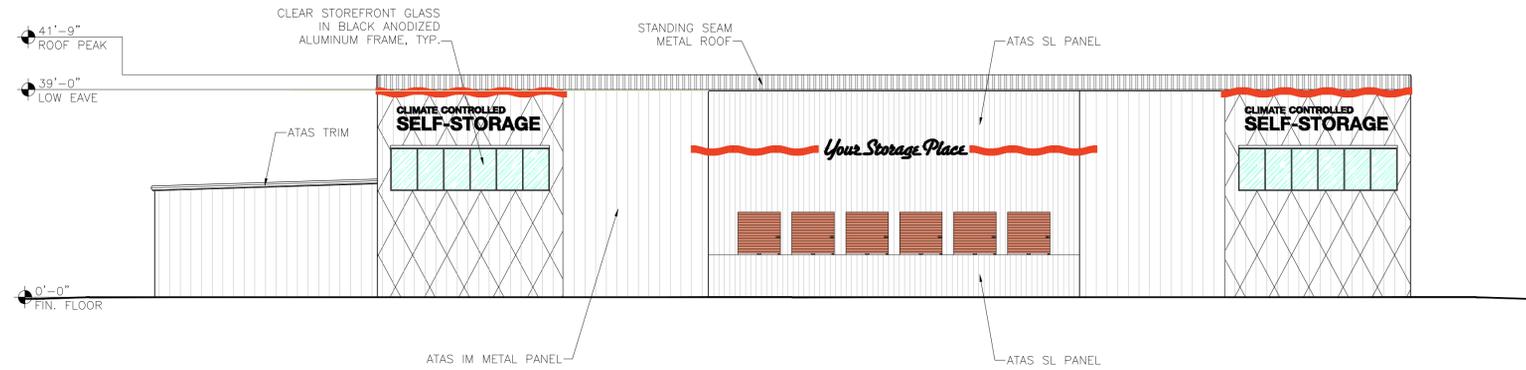
PREPARED FOR: **U-HAUL AMERCO**
REAL ESTATE COMPANY

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

U-HAUL
NATIONAL CITY, CA
1300 WILSON AVE. NATIONAL CITY, CA 91950

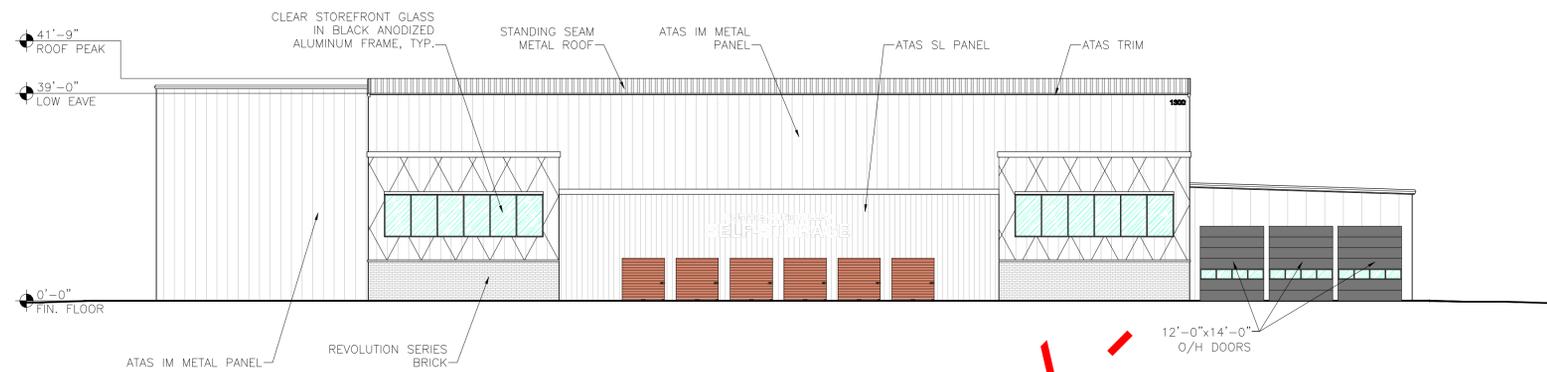
PROJECT: **NOT FOR CONSTRUCTION**

GSWCC NO. (LEVEL II)	00000XXXX
DRAWN BY	EO
DESIGNED BY	AV
REVIEWED BY	TK
DATE	6/30/2022
PROJECT NO.	194333014
TITLE	PRELIMINARY SITE PLAN 3
SHEET NUMBER	C3.0



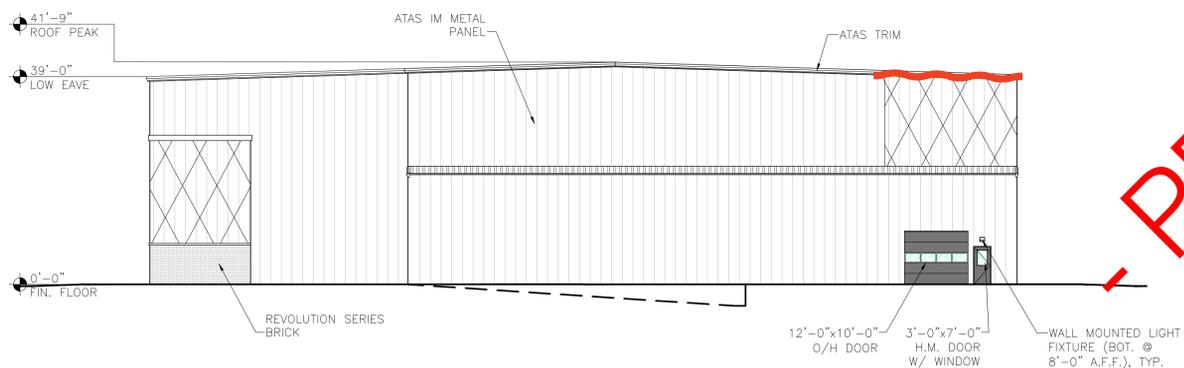
WEST ELEVATION

SCALE: 1/16"=1'-0"



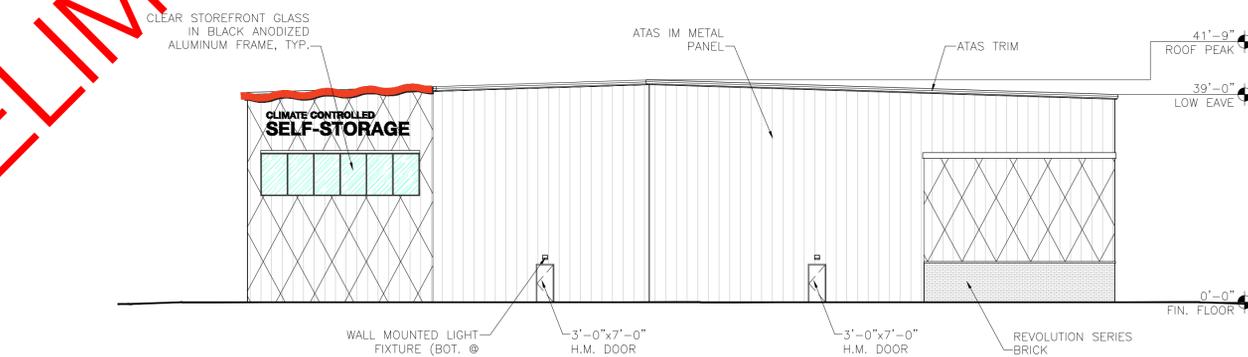
EAST ELEVATION

SCALE: 1/16"=1'-0"



NORTH ELEVATION

SCALE: 1/16"=1'-0"



SOUTH ELEVATION

SCALE: 1/16"=1'-0"

REVISIONS:

NO.	DATE	INITIALS	NOTES
1	03/17/21	BLC	ADJUST HEIGHT
2	03/31/21	BLC	ADJUST TO MATCH REVISED FOOTPRINT
3	05/20/22	BLC	REVISED TO MATCH PLAN CHANGES
4	06/04/22	AS	REVISED TO MATCH ART DEPARTMENT
5			
6			
7			
8			

PROFESSIONAL SEAL:
 PRELIMINARY DOCUMENTS -
 NOT FOR CONSTRUCTION -
 FOR INFORMATION ONLY

ARCHITECT LOGO:

AMERCO
 REAL ESTATE COMPANY

CONSTRUCTION DEPARTMENT
 2727 NORTH CENTRAL AVENUE
 PHOENIX, ARIZONA 85004
 P: (602) 263-6502

SITE ADDRESS:
 U-Haul of National City
 1300 Wilson Ave
 National City, CA 91950

SHEET CONTENTS:
 Proposed Elevations

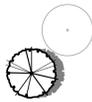
717028

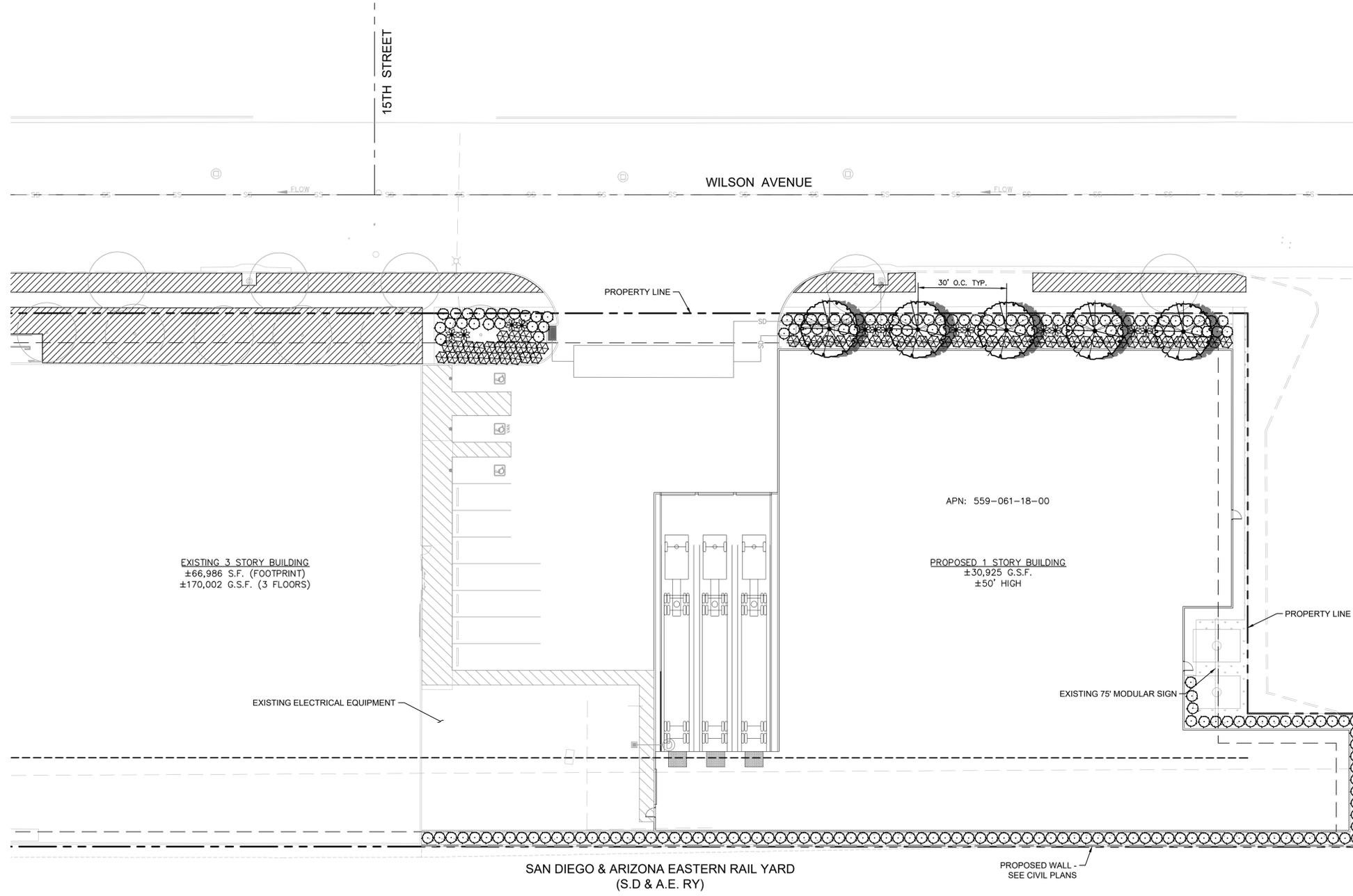
DRAWN:	BLC	A2
CHECKED:	NH	
DATE:	01/04/21	

© 2021 AMERCO REAL ESTATE COMPANY

Drawing name: \\kimley-horn.com\CA_LDT\ORA_LDEV\U-Haul\U-Haul\Exhibits\Preliminary Landscape Plan.dwg L2.0 Jul 06, 2022 11:20am by: Ebony Westfield

PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	CONT.	WUCLOS
	15	EXISTING TREE / TO REMAIN PROTECT IN PLACE	-	-
	5	PISTACIA CHINENSIS / CHINESE PISTACHE	24" BOX	MODERATE
SHRUBS	QTY	BOTANICAL / COMMON NAME	CONT.	WUCLOS
	13	AGAVE DESMETIANA / SMOOTH AGAVE	5 GAL.	LOW
	189	CALLISTEMON VIMINALIS 'LITTLE JOHN' / LITTLE JOHN WEeping BOTTLEBRUSH	5 GAL.	LOW
	61	CHONDROPETALUM TECTORUM / CAPE RUSH	5 GAL.	LOW
GROUND COVERS	QTY	BOTANICAL / COMMON NAME	CONT.	SPACING
	8,167 SF	EXISTING LANDSCAPE / TO REMAIN - PROTECT IN PLACE	-	-



LANDSCAPE NOTE:

THE SELECTION OF PLANT MATERIAL IS BASED ON CLIMATIC, AESTHETIC, AND MAINTENANCE CONSIDERATIONS. ALL PLANTING AREAS SHALL BE PREPARED WITH APPROPRIATE SOIL AMENDMENTS, FERTILIZERS AND APPROPRIATE SUPPLEMENTS BASED UPON A SOILS REPORT FROM AN AGRICULTURAL SUITABILITY SOIL SAMPLE TAKEN FROM THE SITE. DECOMPOSED GRANITE SHALL FILL IN BETWEEN SHRUBS TO SHIELD THE SOIL FROM THE SUN, EVAPOTRANSPIRATION, AND RUN-OFF. ALL SHRUB BEDS SHALL BE MULCHED TO A 3" DEPTH TO HELP CONSERVE WATER. LOWER SOIL TEMPERATURE, AND REDUCE WEED GROWTH. THE SHRUBS SHALL BE ALLOWED TO GROW IN THEIR NATURAL FORMS. ALL LANDSCAPE IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE NATIONAL CITY MUNICIPAL CODE.

IRRIGATION NOTE:

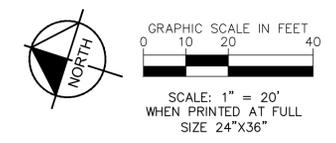
AN AUTOMATIC IRRIGATION SYSTEM SHALL BE INSTALLED TO PROVIDE 100% COVERAGE FOR ALL PLANTING AREAS SHOWN ON THE PLAN. THE WATER SUPPLY FOR THIS SITE IS A POTABLE WATER CONNECTION AND A DEDICATED IRRIGATION METER WILL BE PROVIDED. LOW VOLUME EQUIPMENT SHALL PROVIDE SUFFICIENT WATER FOR PLANT GROWTH WITH NO WATER LOSS DUE TO WATER CONTROLLERS, AND OTHER NECESSARY IRRIGATION EQUIPMENT. ALL POINT SOURCE SYSTEM SHALL BE ADEQUATELY FILTERED AND REGULATED PER THE MANUFACTURER'S RECOMMENDED DESIGN PARAMETERS. ALL IRRIGATION IMPROVEMENTS SHALL FOLLOW THE GUIDELINES SET FORTH BY THE NATIONAL CITY MUNICIPAL CODE.

I HAVE COMPLIED WITH THE CRITERIA OF THE WATER EFFICIENT LANDSCAPE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE AND IRRIGATION DESIGN PLAN.

Michael P. Madsen
MICHAEL P. MADSEN, LLA 5798

PARKING LOT TREE REQUIREMENTS

PARKING LOT TREES	
1 TREE FOR EVERY 4 PARKING SPACES REQUIRED	
10 PARKING SPACES / 4 SPACES PER TREE =	3 TREES
PROVIDED =	5 PROPOSED TREES



PREPARED BY
Kimley»Horn
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
1100 W TOWN AND COUNTRY RD.
SUITE 700, CHARGE, CA 92688
WWW.KIMLEY-HORN.COM

PREPARED FOR
U-HAUL
AMERCO
REAL ESTATE COMPANY

NO.	ISSUANCE AND REVISION DESCRIPTIONS	DATE	BY

PROJECT
U-HAUL
NATIONAL CITY, CA
1300 WILSON AVE. NATIONAL CITY, CA 91950

NOT FOR CONSTRUCTION

GSWCC NO (LEVEL II)	00000XXXXX
DRAWN BY	EO
DESIGNED BY	AV
REVIEWED BY	TK
DATE	6/30/2022
PROJECT NO.	194333014

TITLE
PRELIMINARY
LANDSCAPE PLAN

SHEET NUMBER
L1.0



COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego, CA 92101
MS: A-33

Project Title: 2021-10 CUP,Z

Project Location: 1300 Wilson Avenue National City, CA 91950

Lead Agency: City of National City

Contact Person: David Welch **Telephone Number:** (619) 336-4224

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit for the expansion of an existing self-storage facility with an accessory warehouse building located at 1300 Wilson Avenue

Applicant: Miguel Sanchez **Telephone Number:** (702) 931-1586
1300 Wilson Ave.
National City, CA 91950

Exempt Status:

Categorical Exemption - Class 32 Section 15332 In-fill Development Projects

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since construction of the warehouse will be an accessory building on a developed site, which is devoid of any habitat or sensitive lands use. Traffic will be restricted by a condition of approval limiting the number of trucks entering the site. The approved zone variance is consistent with the use and limitations of other properties in the same zone classification.

Date:

DAVID WELCH, Associate Planner



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT MODIFICATION FOR
THE EXPANSION OF A SELF STORAGE FACILITY
WITH ACCESSORY TRUCK RENTAL AND A
ZONE VARIANCE ALLOW TRUCKS TO BACK IN FROM A PUBLIC STREET
LOCATED AT 1300 WILSON AVENUE (U-HAUL)
CASE FILE NO.: 2021-10 CUP, Z
APNs: 559-061-14 and 559-061-18

The National City Planning Commission will hold a public hearing at their regular meeting after the hour of 6:00 p.m. **Monday, August 15, 2022**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Miguel Sanchez)

The applicant is proposing to expand an existing 170,002 square-foot self-storage facility with accessory truck rental with an existing Conditional Use Permit (CUP) with a new 30,925 square-foot warehouse building on the same site to be utilized by the business. The applicant is also requesting a zone variance to be able to construct a loading dock serving the new warehouse building that will necessitate trucks to back in from the public street.

Plans are available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 4:00 p.m., **August 15, 2022** by submitting it to PlcPubComment@nationalcityca.gov. Planning staff who can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DIVISION

ARMANDO VERGARA
Director of Community Development

RESOLUTION NO. 2022-20

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT MODIFICATION FOR THE EXPANSION
OF A SELF-STORAGE FACILITY WITH ACCESSORY TRUCK RENTAL AND A ZONE
VARIANCE TO ALLOW TRUCKS TO BACK IN FROM A PUBLIC STREET
LOCATED AT 1300 WILSON AVENUE (U-HAUL)
CASE FILE NO. 2021-10 CUP,Z
APN: 559-061-14 AND 559-061-18

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit modification for the expansion of a self-storage facility with accessory truck rental and a zone variance to allow trucks to back in from a public street (U-Haul) located at 1300 Wilson Avenue at a duly advertised public hearing held on August 15, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2021-10 CUP,Z maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 15, 2022, support the following findings:

RECOMMENDED FINDINGS FOR APPROVAL
OF THE CONDITIONAL USE PERMIT

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because self-storage facilities are identified as a conditionally-allowed use in the Limited Commercial (CL) zone, and the conditions of approval will require compliance with all applicable development standards in the Land Use Code.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because the Westside Specific Plan conditionally allows self-

storage uses in the CL zone; the Westside Specific Plan is consistent with the General Plan. The proposed warehouse building will be required to meet applicable development standards in the Westside Specific Plan.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because the property will be partially redeveloped with a new warehouse building and an off-site parking facility will provide enough parking spaces based on provisions outlined in the Land Use Code. The proposed development, subject to the conditions of approval, meets all requirements for such uses outlined in the Land Use Code, as discussed above, and the current street network is able to absorb additional vehicular traffic without resulting in an unsatisfactory level of service.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the property is large enough to accommodate an additional building complying with Land Use Code standards along with existing driveways and sufficient access to utilities.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed project will provide an adequate loading area for trucks to service the new warehouse building and additional parking for customers and employees will be provided with an off-site parking facility. The new warehouse building will serve as a buffer blocking noise and views of Interstate 5 from the neighborhood.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 32, Section 15332 (In-fill Development Projects) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

**RECOMMENDED FINDINGS FOR APPROVAL
OF THE ZONE VARIANCE**

1. Due to special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the Land Use Code deprives such property of privileges enjoyed by other property in the vicinity and

under identical zoning classification because with few exceptions, properties in the Limited Commercial zone were developed before Chapter 18.41 – Site Planning Standards established requirements for loading facilities with adequate space to allow trucks to enter a site without backing in from a public street and Chapter 18.45.110 – Loading Requirements established minimum standards for the provision of loading space. Furthermore, most properties in the zoning classification are less than 10,000 square feet in area and, thus, unable to comply with either Chapter. The subject property is relatively narrow, with a depth of 183 feet, and bifurcated by a large existing building. The provision of turnaround space for trucks on the site is infeasible as it would lead to safety concerns for customers accessing the existing building.

2. The variance is subject to conditions that will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated because the project will be subject to conditions of approval that limit the daily number of trucks that will back in from the public street assuring the site will not have an increase over the number of trucks currently utilizing the site.
3. The variance is not granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property, because the property is within the CL zone, which conditionally-allows self-storage facilities. The proposed warehouse is an expansion of an existing facility and is allowed as an accessory use.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit and Zone Variance authorizes an expansion of an existing self-storage facility with accessory truck rental (U-Haul) located at 1300 Wilson Avenue to allow a new warehouse building and trucks to back in from a public street to access a loading area. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2021-10 CUP,Z, dated 7/7/2022.
2. Unless specifically modified by this resolution, all Conditions of Approval of City Council Resolution 2012-175 shall remain in full force and effect.
3. Before this *Conditional Use Permit* and *Zone Variance* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the

Conditional Use Permit and Zone Variance. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit and Zone Variance* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.

4. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
5. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
6. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
7. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law. The property, the use and the permittee shall comply with all applicable law at all times.

Engineering

8. All public improvements shall be in accordance with the San Diego Regional Standard Drawings (SDRSD), National City Standard Drawings, Cal Trans Standard Drawings, and the Standard Specifications for Public Works Construction (The Greenbook).
9. A Hydrology study (100 year flood) is required for the new project. The study should consider the proposed project area to the closest municipal storm drain collection point. The study should consider the adequacy of the existing storm drain system to convey any additional run off. All Hydrology study findings and recommendations are part of Engineering Department requirements.
10. A drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared by a Registered Civil Engineer, or other qualified professional, and shall be in accordance with the City requirements. In particular, the plan shall show the following:
11. Site drainage away from the building foundation (including downspouts), the drainage collection system, site BMPs, and flow from the site drainage system to the street and city storm drain.

12. The Storm Water BMP Requirements Applicability Form I-1 and if required I-2 checklist for the National Pollutant Discharge Elimination System (NPDES) is required to be completed and submitted to the Engineering Department. The checklist will be required when a project site is submitted for review of the City Departments. The checklist is available at the Engineering Division web site at the link below *. If it is determined that the project is subject to the "Priority Project Permanent Storm Water BMP Requirements" and the City of National City Storm Water Best Management Practices of the Jurisdictional Urban Runoff Management Program (JURMP) approved Standard Urban Storm Water Mitigation Plan (SUSMP) documentation will be required prior to issuance of an applicable engineering permit. The SUSMP shall be prepared by a Registered Civil Engineer.

*<http://www.nationalcityca.gov/city-government/engineering-public-works/engineering-division/online-services-forms-fees>.

13. The Best Management Practices (BMPs) for the maintenance of the proposed construction shall be undertaken in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations which may require a Storm Water Pollution Prevention Plan (SWPPP) for the project. An approved SWPPP will be required prior to issuing of a construction permit.

14. All surface run-off shall be treated with an approved Standard Urban Runoff Mitigation Plan (SUSMP) Best Management Practice (BMP) for all Priority SUSMP projects. No runoff will be permitted to flow over the sidewalk. Adjacent properties shall be protected from surface run-off resulting from this development. An executed BMP Maintenance Agreement shall be submitted for approval by the City and recorded against the property. The agreement is available at the Engineering Division web site at the link below *.

*<https://www.nationalcityca.gov/home/showpublisheddocument/13694/636268151047970000>

15. The property owner, or its successors and assigns shall be responsible for the maintenance, repair, or reconstruction of all irrigation and landscaping improvements installed within the public right-of-way. Sprinkler heads shall be adjusted so as to prevent overspray upon the public sidewalk or the street. The proposed sprinkler heads shall be installed behind the sidewalk, and the irrigation mainline upon private property only, as required by the City. The property owner or, its successors or assigns, shall be remove and relocate all irrigation items from the public right-of-way at no cost to the City, and within a reasonable time frame upon a written notification by the City Engineer.

16. Metallic identification tape shall be placed between the bottom layer of the finished surface and the top of all irrigation lines in the public right-of-way.

17. A grading and drainage plan shall be submitted showing all of the proposed and existing on-site and off-site improvements. The plan shall be prepared in accordance

with the City's standard requirements by a Registered Civil Engineer. All necessary measures for prevention of storm water pollution and hazardous material run-off to the public storm drain system from the proposed parking lot or development shall be implemented with the design of the grading. This shall include the provision of such devices as storm drain interceptors, clarifiers, or filters. Best Management Practices for the maintenance of the parking lot, including sampling, monitoring, and cleaning of private catch basins and storm drains, shall be undertaken in accordance with the National Pollution Discharge Elimination System (NPDES) regulations. A private storm water treatment maintenance agreement shall be signed and recorded. A check list for preparation of the grading plan/drainage plan is available at the Engineering Department.

18. All existing and proposed curb inlet on property shall be provided with a "No Dumping" signage in accordance with the NPDES program.
19. A sewer permit will be required. The method of sewage collection and disposal shall be shown on the grading/drainage plan. Any new sewer lateral in the City right-of-way shall be 6 inch in size with a clean out. A sewer stamp "S" shall be provided on the curb to mark the location of the lateral.
20. Street and sewer plans prepared by Registered Civil Engineer, shall be include in the grading plan set showing all of the existing and proposed improvements. The plans shall be in accordance with City requirements.
21. A soils engineering report shall be submitted for the Engineering Department's review, after Planning Commission approval. The report shall address the stability of all of the existing and proposed slopes on the property. It shall also address the adequacy of the building pads, the criteria for any new retaining wall design, the maximum allowable soil bearing pressure and the required pavement structural sections for the proposed streets, the parking areas, and the driveways. As a minimum, the parking lot pavement sections shall be 2 inch A.C. over 4 inch Class II aggregate base. The street pavement sections shall be in accordance with National City modified Standard Drawing G-34. All soils report findings and recommendations shall be part of the Engineering Department requirements.
22. The existing street improvements along the property frontage(s) shall be kept free from weed growth by the use of special weed killers, or other approved methods.
23. All existing survey monuments, including any benchmark, within the boundaries of the project shall be shown on the plans. If disturbed, a licensed land surveyor or civil engineer shall restore them after completion of the work. A Corner Record shall be filed with the County of San Diego Recorder. A copy of the documents filed shall be given to the City of National City Engineering Department as soon as filed.
24. The driveway on Wilson Avenue shall be an alley entrance type driveway with pedestrian ramps per SDRSD G-17.

25. A permit shall be obtained from the Engineering Department for all improvement work within the public right-of-way, and any grading construction on private property.

26. Street improvements shall be in accordance with the City Standards. All missing street improvements shall be constructed. Abandoned driveway aprons shall be replaced with curb, gutter, and sidewalks.

27. The site plan shall be revised to show the following:

- Existing and proposed contour lines to a distance of 15 feet beyond the property lines.
- Proposed pad elevation.
- Proposed finish floor elevation.
- Proposed drainage flow indicator arrows with slope shown.
- All existing utility mains in the street and all existing utility service laterals on site to include sewer, water, gas, and electric.
- All existing structures on site identified as existing to remain or existing to be demolished.

28. A title report shall be submitted to the Engineering Department, after the Planning Commission approval, for review of all existing easements and the ownership at the property.

29. NO PARKING zone(s) (red curbing) shall be provided along the property frontage(s) at the following location(s): Twenty feet on either side of the proposed expanded driveway.

30. A cost estimate for all of the proposed grading, drainage, street improvements, landscaping and retaining wall work shall be submitted with the plans. A performance bond equal to the approved cost estimate shall be posted. A deposit in the amount of three percent (3%) of the engineers cost estimate or \$10,000 (whichever is greater) shall also be deposited with the City as an initial cost for plan checking and inspection services at the time the plans are submitted. The deposit is subject to adjustment according to actual worked hours and consultant services.

31. A hydromodification plan or a letter sealed and signed by the Engineer of Work explaining why the project is exempt from hydromodification requirements shall be submitted.

32. Please add the following to the site plan:

- A legend showing all line types and symbols used
- Clearly show all ROWs and identify the street name.
- The State Highway Right of Way shall be shown and identified
- The proposed building shall be dimensioned and distances from property lines and other buildings shown.

- The proposed expanded driveway will have red curb marking painted on either side of the opening from the PCR's to a distance of twenty feet (20') along the street.
- Appropriate signage shall be installed along Wilson Avenue to warn drivers of trucks entering the roadway and movements across the center line into oncoming traffic. Distances from the centerline of the driveway to the warning signs shall be shown.

Fire

33. Project shall be designed to code.
34. The National City Fire Department utilizes all current codes and ordinances. Currently, we are using the 2019 editions of NFPA, CFC and the current edition of the CCR.
35. Fire alarm and fire sprinkler shall be evaluated and installed for intended use per code.
36. Fire apparatus access roads shall comply with the requirements of this section (Section 5 CFC 2013) and shall extend to within 150 feet of **all** portions of the facility and **all** portions of the exterior walls of the first story of the building as measured by an **approved** route around the exterior of the building. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.
37. The required width of emergency fire apparatus access roads shall not be **obstructed in any manner**, including parking of vehicles. All access roads shall be no less than 20 feet wide, no less than 14 feet high and shall have an all weathered road with the ability to support 75 thousand pounds or greater. Where a fire hydrant is located on a fire apparatus road, the minimum road width shall be 26 feet. A 28 foot turning radius is required for fire department access through site. All fire department access roads shall be painted and signed to prevent parking in these required designated emergency areas.
38. Fire hydrants that may be located throughout the project as not to have a separation distance greater than 300 feet. Fire hydrants to be located within 300 feet of all locations which are roadway accessible. (Measurement starts from nearest public fire hydrant to project)
39. Parking shall not impact requirements of turn-around provision of roadway at any time, if required.
40. The following items pertain to fire hydrants:
 - a. Size and location, including size and number of outlets and whether outlets are to be equipped with independent gate valves.
 - b. Fire hydrant to be of three outlet design.

41. Provide calculation confirming flow availability to meet fire flow demands and supply large diameter hose (4 inch).
42. Fire hydrants to be marked by use of blue reflective marker in the roadway.
43. Upon submittal for an underground permit, the following shall be included:
 - Data sheet for Back-Flows
 - Data sheets for Private and Commercial Hydrants
 - Data sheets for Post Indicator Valves

Information on required fire hydrants back-flow devices, etc.; can be acquired from Sweetwater Authority.

All pipe and their appliances, shall meet industry/code standards for underground use

44. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site
45. Approved vehicle access for firefighting shall be provided to all construction and demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available
46. Approved signs or other approved notices or markings (Red Curb) that include NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designed shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. **All projects shall be evaluated for this necessary application.**
47. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire rescue operations or where necessary to meet the public safety objectives of the jurisdiction.
48. Grade of fire apparatus road shall be within the limits established (15% Grade) by the fire code official based on fire department's apparatus.
49. If entrance/exit gates are used, they shall be equipped with Knox Box and Emergency Strobes so as to provide emergency vehicle access and egress. A Knox Key Switch shall be required in conjunction with strobe for emergency access, and shall be placed at front of property. Please contact the National City Fire Department for exact field location

50. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway
51. Where the roof has a slope less than four units vertical in 12 unit's horizontal, a hose connection shall be located to serve the roof of at the highest landing of a stairway with stair access to the roof provided in accordance with the current code
52. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.
53. Should any plan corrections be required, contractor must correct the plan and re-submit to the Fire Department for approval once again prior to installation.

Planning

54. An off-site parking agreement shall be recorded for the property located at 433 ½ Civic Center Drive in conformance with Chapter 18.45.030 – Off-site facilities and submitted to the Planning Division prior to the issuance of any permits for the proposed warehouse building.
55. Prior to the issuance of any permits for the proposed warehouse building, plans shall be revised in conformance with the development standards of the Westside Specific Plan and Land Use Code and comments provided by the Planning Division in a letter dated June 3, 2021.
56. Permits shall be obtained for any new signage associated with the proposed expansion of the business. Please contact the Planning Division for information on sign regulations in National City.
57. A maximum of 12 semi-trucks of up to 72 feet in length are permitted on site per day. Any additional movement of goods shall be accommodated by non-diesel powered vehicles capable of accessing the loading area without backing in from the public street. No vehicles used for loading and unloading on the site shall be stored on adjacent public streets.
58. A sign shall be installed on site, visible to vehicles existing the driveway serving the proposed warehouse building, which includes language prohibiting trucks from turning right onto Wilson Avenue.
59. A landscape and underground irrigation plan shall be submitted as part of the construction permitting process. Installation and continued maintenance of minimum landscaping items required by the Westside Specific Plan and the Land Use Code, including adequate landscaped area, street trees, and shrubs.

60. Plans submitted for improvements must comply with the current editions of the California Building, Electrical, Plumbing, Mechanical, and Fire Codes.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 15, 2022, by the following vote:

AYES:

NAYS:

ABSENT: None.

ABSTAIN: None.

CHAIRPERSON

RESOLUTION NO. 2022-20

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
DENYING A CONDITIONAL USE PERMIT MODIFICATION FOR THE EXPANSION
OF A SELF-STORAGE FACILITY WITH ACCESSORY TRUCK RENTAL AND A ZONE
VARIANCE TO ALLOW TRUCKS TO BACK IN FROM A PUBLIC STREET
LOCATED AT 1300 WILSON AVENUE (U-HAUL)
CASE FILE NO. 2021-10 CUP,Z
APN: 559-061-14 AND 559-061-18

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit modification for the expansion of a self-storage facility with accessory truck rental and a zone variance to allow trucks to back in from a public street (U-Haul) located at 1300 Wilson Avenue at a duly advertised public hearing held on August 15, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2021-10 CUP,Z maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 15, 2022, support the following findings:

RECOMMENDED FINDINGS FOR DENIAL
OF THE CONDITIONAL USE PERMIT

1. The proposed expansion of the use is not deemed essential and desirable to the public convenience and welfare, because there are five other self-storage facilities serving the city and the existing development fully utilizes the existing site.
2. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is

located, because it would allow for trucks to back in off the public street and permit the use of trucks with diesel engines further contributing to air quality issues.

RECOMMENDED FINDINGS FOR DENIAL
OF THE ZONE VARIANCE

1. The proposal to construct a warehouse building as an accessory to an existing self-storage facility will increase the movement of goods at the site and thereby grants a special privilege inconsistent with the limitations of other properties in the zone classification.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit and Zone Variance is hereby denied.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 15, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR A TOBACCO SPECIALTY BUSINESS TO BE LOCATED AT 1635 SWEETWATER RD. STE. D

Case File No.: 2022-17 CUP

Location: Sweetwater Plaza shopping center on the north side of Sweetwater Road, between Grove Street and Prospect Street

Assessor's Parcel Nos.: 563-161-70

Staff report by: David Welch – Associate Planner

Applicant: Jessy Tooma

Zoning designation: Major Mixed-Use District (MXD-2)

Adjacent use and zoning:

- North: Single-family residential / San Diego County
- East: Sweetwater Plaza West shopping center / MXD-2
- South: Sweetwater Crossing shopping center / MXD-2
- West: Sweetwater Medical Plaza and National City Golf Course / MXD-2

Environmental review: The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

Staff recommendation: Approve

Staff Recommendation

Staff recommends approval of the request to operate a tobacco specialty business, subject to the attached recommended conditions. A tobacco specialty business is a conditionally-allowed use within the MXD-2 zone.

Executive Summary

The applicant proposes to operate a tobacco specialty business within an existing 1,290 square-foot commercial suite. The previous business in the suite was a sports nutrition shop. The new business will be a retail store selling smoking and vaping products with two employees. Proposed hours of operation are 9:00 a.m. to 12:00 a.m. daily.

Site Characteristics

The project site is located in an existing shopping center along Sweetwater Road. The property is approximately 1.77 acres in size and houses a variety of business including restaurants, offices, personal services, and a tire shop. The suite is approximately 1,290 square feet in size and is within one of four multi-tenant buildings on the property. The area is mostly commercial in nature and the site is adjacent to two other multi-tenant commercial properties, Sweetwater Plaza West and Sweetwater Medical Plaza, as well as across Sweetwater Road from Sweetwater Crossings. The National City Golf Course is also across Grove Street to the west. To the north of the property there are single-family residences that are within unincorporated San Diego County.

Proposed Use

The applicant is proposing to sell tobacco products and paraphernalia in an existing 1,290 square-foot commercial retail suite. Proposed operation hours are 9:00 a.m. to 12:00 a.m. daily.

Analysis

Section 18.30.230 of the Land Use Code (LUC) allows for tobacco specialty businesses with an approved Conditional Use Permit (CUP). Additional requirements for a tobacco specialty business CUP include distance requirements, a restriction on the selling of alcohol or food, and a restriction on allowing minors on the premises without a parent or legal guardian.

Traditional tobacco products, such as cigarettes and cigars, are well-known to have harmful health effects. Newer products, such as electronic cigarettes used for vaping, may also be sold under a CUP for a tobacco specialty business. The

health effects of electronic cigarettes and similar products are a concern to the FDA due to the exposure to the risks of tobacco-related disease and death. In addition, safety problems have been reported including overheating, fires, and explosions, lung injuries, and seizure and other neurological symptoms. “A drastic increase in youth use of e-cigarette products in recent years” has led the FDA to increase prevention efforts.¹

The Health and Environmental Justice (HEJ) element of the National City General Plan states that the rates of asthma and chronic obstructive pulmonary disease (COPD) are higher in the 91950 zip code than the rest of San Diego County. These diseases are tied to environmental air quality with risk factors stemming from both outdoor air pollution and cigarette smoke. One goal and one policy from the HEJ element are related to air quality and tobacco usage:

Goal HEJ-2: Improved air quality to protect human and environmental health and minimized air quality impacts on sensitive population groups.

Policy HEJ-2.8: Encourage smoke-free workplaces, multi-family housing, parks, and other outdoor gathering places to reduce exposure to second-hand smoke.

The above goal and policy do not specifically address the sale of tobacco or tobacco-related products. However, they are intended to reduce exposure of the public to the harmful effects of poor air quality and smoking. Conditions of approval are proposed to reduce this risk with restrictions related to products and advertising that may lead to youth initiation such as e-cigarettes and flavored cigars.

Land Use – A tobacco specialty business is defined as any business the primary use of which is the use and/or sale of tobacco products or paraphernalia. At least 40% of the floor area must be dedicated to the sale of these items to be considered this use. The proposed business is requesting retail sales of these items in excess of 40% of the floor area. The subject property is located within the MXD-2 zone. A commercial business, including retail sales, is a permitted use in this zone.

¹ U.S. Food and Drug Administration website (<https://www.fda.gov/tobacco-products/products-ingredients-components/e-cigarettes-vapes-and-other-electronic-nicotine-delivery-systems-ends#Are%20You%20Looking%20for%20General%20Health%20Information%20about%20ENDS%20Products?>)

Additional Requirements – Section 18.030.230 of the LUC requires a one thousand-foot distance from any school, playground, recreation center or facility, childcare center, or library in the City. No such land uses are within one thousand feet of the subject property. No alcohol or food sales are proposed for this business. Conditions of approval prohibiting the sale of alcohol and food are attached.

Mailing – All property owners and occupants within a distance of 300 feet are required to be notified of a public hearing for CUP applications. Notice of this public hearing was sent to 60 occupants and owners. No comments from neighbors have been received as of the drafting of this report.

Department Comments

Comments were received from the Building Division. These comments are related to physical improvements of the commercial suite and have been included as conditions of approval. The applicant has not proposed any commercial tenant improvements for the property at this time. In addition, the Institute for Public Strategies had no comments on this application.

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is permitted within the MXD-2 zone pursuant to a CUP and the proposed use meets the required standards in the Land Use Code for a tobacco specialty business, as discussed in the staff report.

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

Tobacco specialty businesses are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. Commercial businesses are a permitted use in the MXD-2 zone.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The site has sufficient access to streets and highways that are adequate in width and pavement type of traffic generated by the proposed use, since Sweetwater Road is classified as an arterial street in the Circulation Element, and the use will be within an existing retail suite and thus is not expected to result in an appreciable increase in traffic.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed use will not have an adverse effect upon adjacent or abutting properties, since the proposed retail use is compatible with nearby businesses; and since the proposed use will be subject to conditions that limit the sale and display of tobacco products and/or electronic cigarettes to minors.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

Finding for Denial

Due to the health risks of tobacco usage, there is also a finding for denial as follows:

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, since the proposed use for the sale and display of tobacco products and paraphernalia may lead to more people trying the products, which are known to cause disease and lead to premature death.

Conditions of Approval

Standard Conditions of Approval have been included with this permit as well as conditions specific to the operation of a tobacco specialty business.

Summary

A tobacco specialty store is a retail use, permitted with the issuance of a CUP in the MXD-2 zone. Concerns related to advertising and sales to minors or of incidental drug use are addressed by Conditions of Approval. The business would also be required to comply with all applicable federal government regulations.

Options

1. Approve 2022-17 CUP subject to the conditions listed within, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2022-17 CUP based on the attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings for Approval/Denial
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2022-17 CUP, dated 5/5/2022)
5. Notice of Exemption
6. Public Hearing Notice (Sent to 60 property owners & occupants)
7. Resolutions

David Welch

DAVID WELCH
Associate Planner



ARMANDO VERGARA
Director of Community Development

RECOMMENDED FINDINGS FOR APPROVAL

2022-17 CUP – Tobacco specialty business at 1635 Sweetwater Rd. Ste. D

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is permitted within the MXD-2 zone pursuant to a CUP and the proposed use meets the required standards in the Land Use Code for a tobacco specialty business, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because tobacco specialty businesses are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. Commercial businesses are a permitted use in the MXD-2 zone.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an existing commercial space, which was previously analyzed for traffic impacts when it was constructed.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the site has sufficient access to streets and highways that are adequate in width and pavement type of traffic generated by the proposed use, since Sweetwater Road is classified as an arterial street in the Circulation Element, and the use will be within an existing retail suite and thus is not expected to result in an appreciable increase in traffic.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will not have an adverse effect upon adjacent or abutting properties, since the proposed retail use is compatible with nearby businesses; and since the proposed use will be subject to conditions that limit the sale and display of tobacco products and/or electronic cigarettes to minors.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing

Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

RECOMMENDED FINDING FOR DENIAL

2022-17 CUP – Tobacco specialty business at 1635 Sweetwater Rd. Ste. D

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, since the proposed use for the sale and display of tobacco products and paraphernalia may lead to more people trying the products, which are known to cause disease and lead to premature death.

RECOMMENDED CONDITIONS OF APPROVAL

2022-17 CUP – Tobacco specialty business at 1635 Sweetwater Rd. Ste. D

General

1. This Conditional Use Permit authorizes the sale tobacco and tobacco related products and paraphernalia at a retail store located at 1635 Sweetwater Rd. Ste. D. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2022-17 CUP, dated 5/5/2022.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.
3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law.

Building

7. Building plans and permits shall be required to meet the 2019 California Building, Mechanical, Electrical, Plumbing, Accessibility, Green, Energy and Fire Codes if submitted prior to the end of the City working calendar year.

Planning

8. No tobacco sales are permitted until the applicant has been issued a Cigarette and Tobacco Products Retailer's License from the California Department of Tax and Fee Administration.
9. The sale of tobacco and tobacco related products and paraphernalia shall only be permitted between the hours of 9:00 a.m. and 12:00 a.m. daily.
10. The business shall not permit persons under the age of 21 to be on the premises.
11. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.
12. A permit shall be obtained for any new signage associated with the proposed business. Contact the Planning Division for information on sign regulations in National City.
13. Excepting business identification signage, exterior advertising and signs of all types, promoting or indicating the availability of electronic cigarettes (e-cigarettes), personal vaporizers (PV), or electronic nicotine delivery systems (ENDS), collectively known as electronic cigarettes, flavored tobacco products, or traditional tobacco products, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of electronic cigarettes, flavored tobacco products and signs, which are clearly visible to the exterior, shall constitute a violation of this condition
14. No sales of tobacco products, electronic cigarettes, personal vaporizers, or any other electronic or non-electronic nicotine delivery systems are permitted to minors.
15. No alcohol or food may be sold on the premises.
16. No products containing tetrahydrocannabinol (THC), cannabidiol (CBD), or any other cannabinoid, may be sold on the premises.
17. No smoking shall be allowed inside of the business at any time, per California law.
18. No employee of the business may smoke within 20 feet of the main entrance.
19. The business shall comply with all requirements of the U.S. Food and Drug Administration (FDA) related to electronic cigarettes (e-cigarettes), personal vaporizers (PV), electronic nicotine delivery systems (ENDS), or any tobacco or tobacco-related products sold at the store.

20. The permittee shall comply with all applicable law, including regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of tobacco products.

2022-17 CUP – 1635 Sweetwater Rd. Ste. D – Overhead

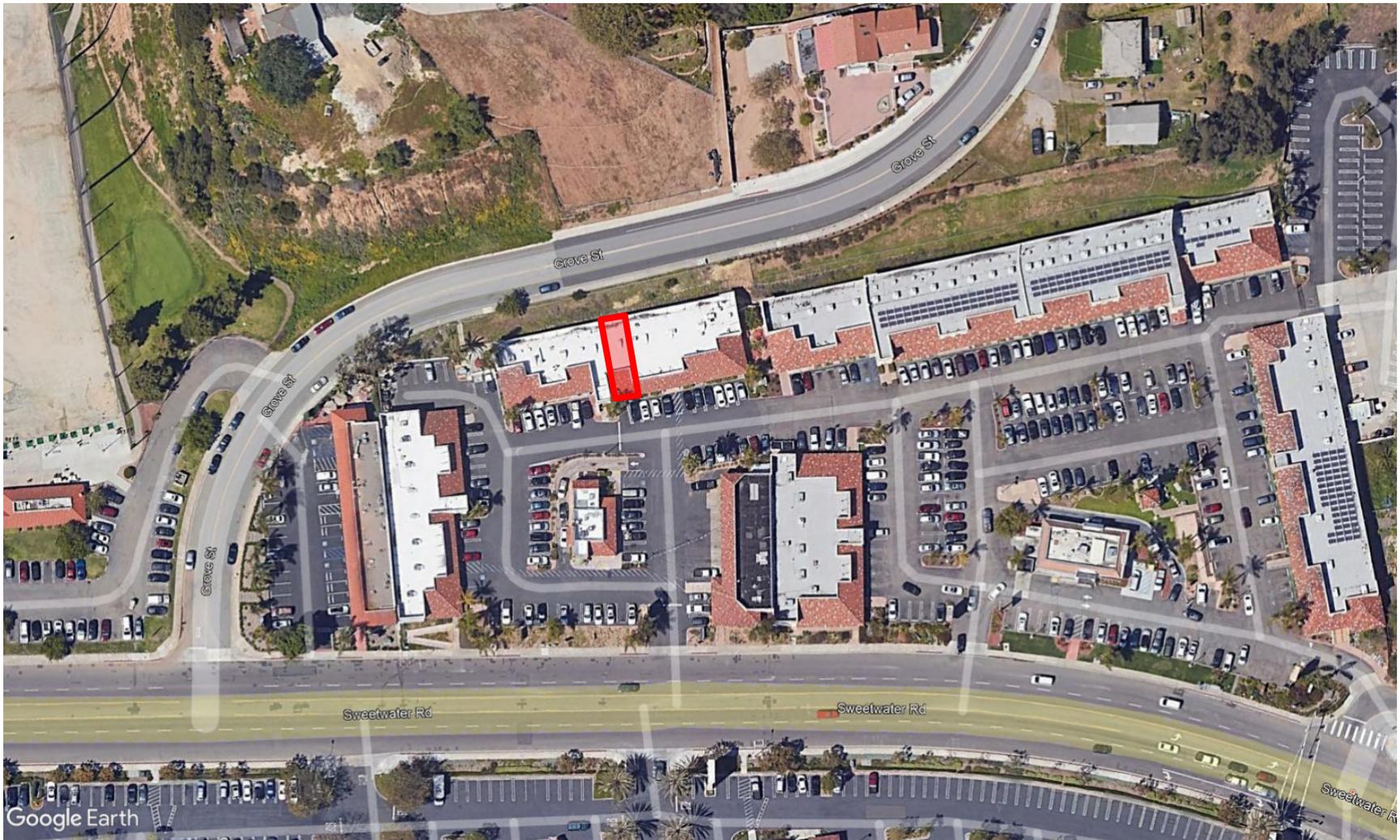
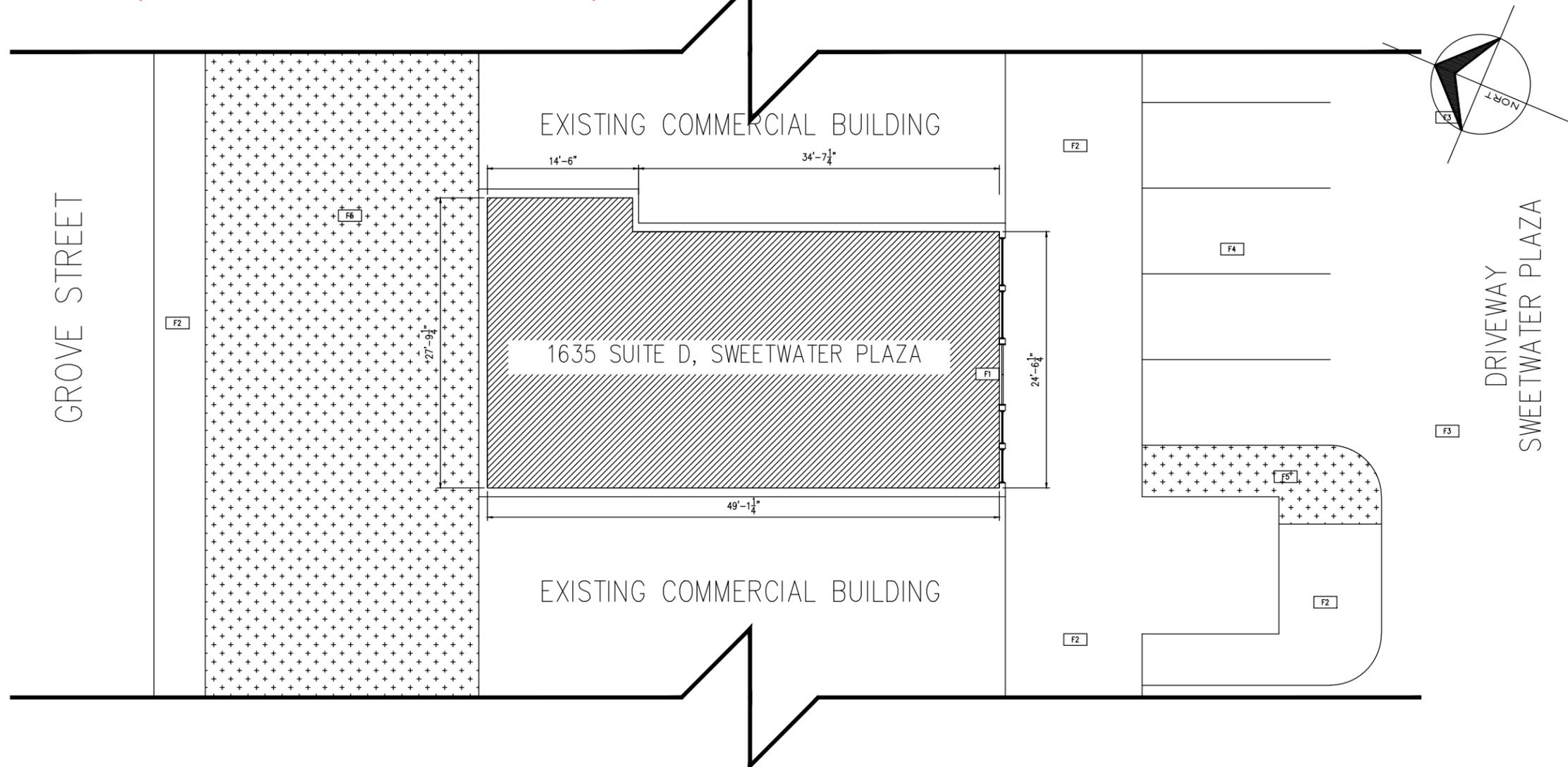


EXHIBIT A, CASE FILE NO. 2022-17 CUP, 5/5/2022



PROJECT:
COMMERCIAL OFFICES

LOCATION:
1635 SWEETWATER ROAD, STE. D
NATIONAL CITY, CA 91950

OWNER:

REVISIONS:

No.	DESCRIPTION	DATE

PROJECT DATA:
OFFICE NATIONAL CITY

PROJECT NUMBER:
2022-04001

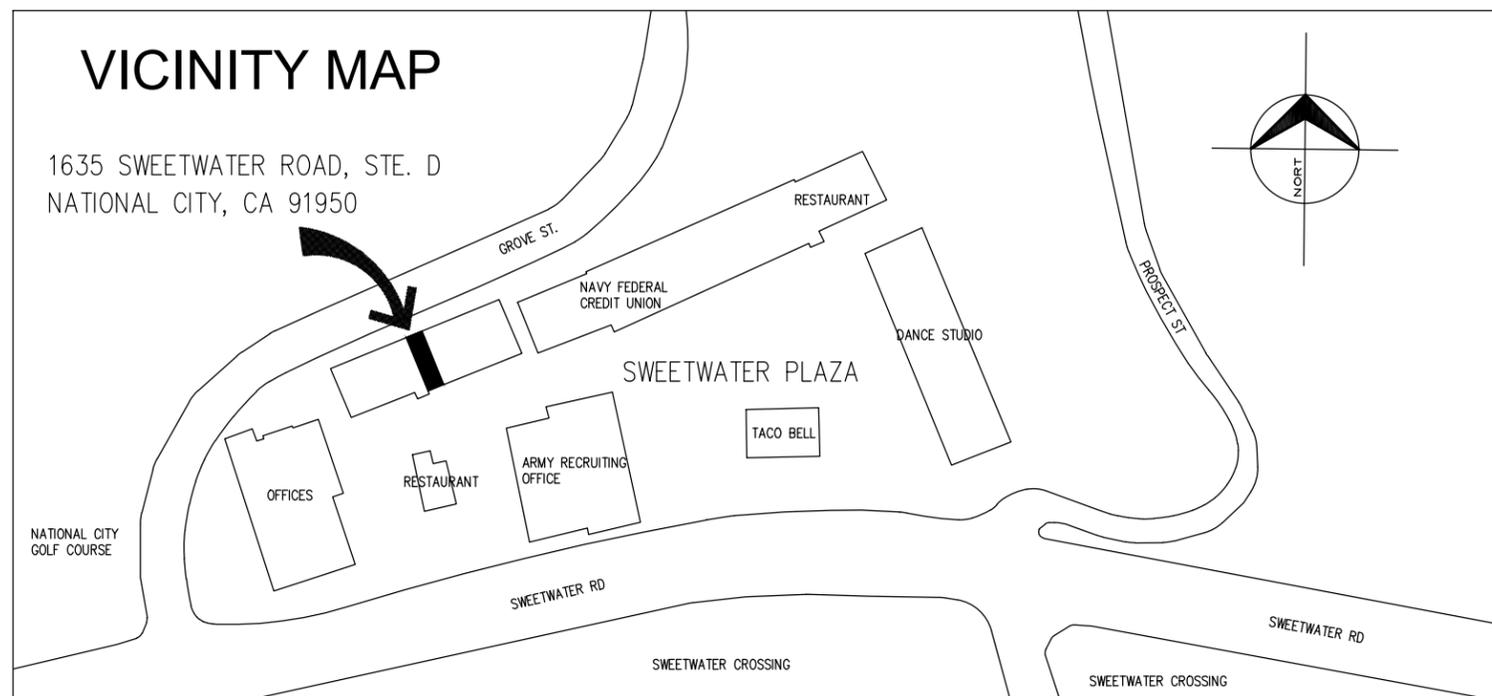
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DIMENSIONS: FT	SCALE: 1/8"
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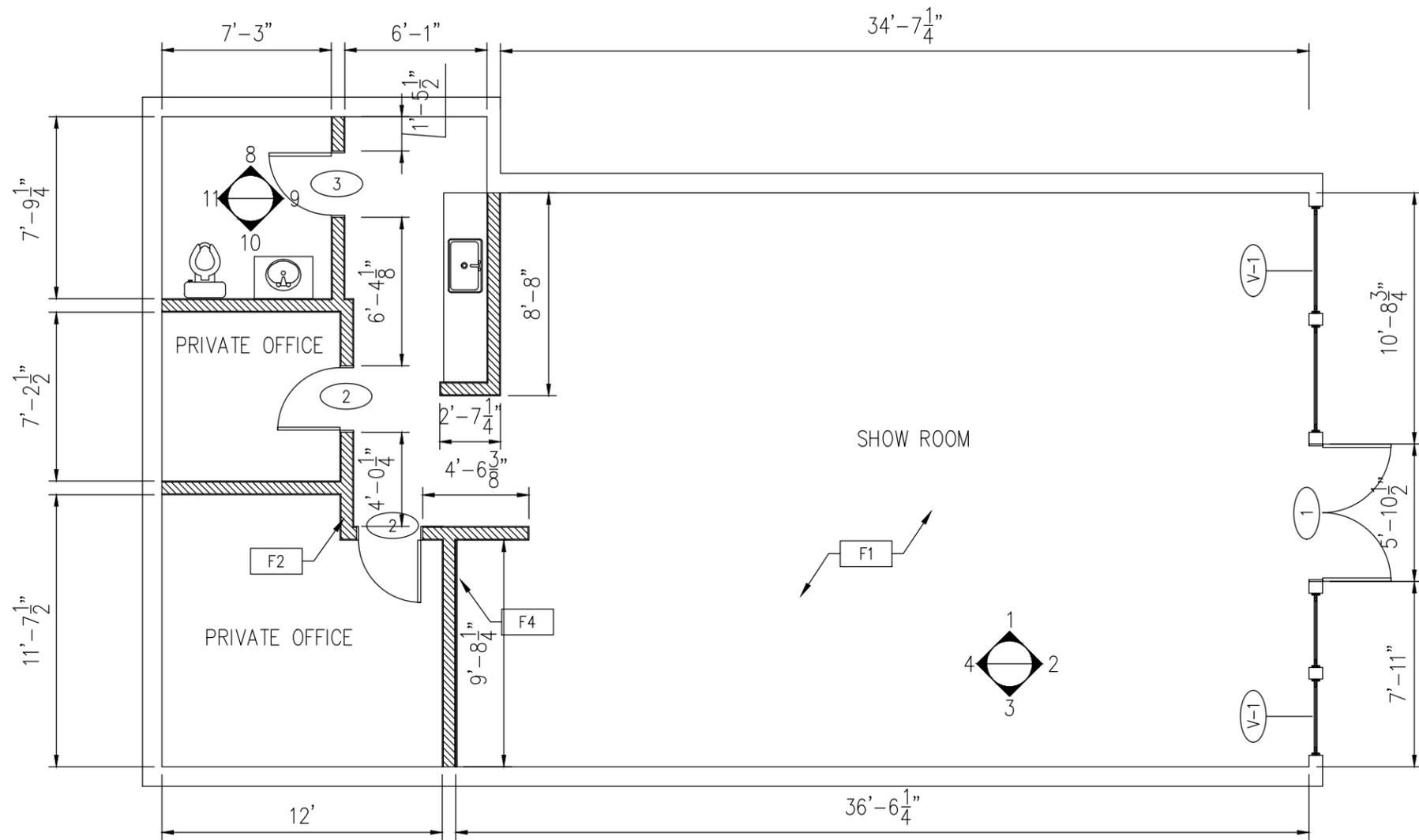
CONTENTS:
SITE PLAN

PLANE NUMBER
A-03

DATE
APRIL 7, 2022



- F1 ENTRY/EXIT
- F2 CONCRETE DRIVEWAY
- F3 ASPHALT PAVEMENT
- F4 PARKING SPACES
- F5 GREEN AREA



- F1 COMERCIAL GRADE TILE FLOOR
- F2 2"X4" METAL STUD GA20 @ 16" O.C., 5/8" GSP. 3" THERMAFIBER
- F3 BASE MOLDING, MDF, PAINT FIN (DUNN EDWARDS DEW,380)
- F4 WOODEN SLICES
- F5 WOODEN MOLDING

PROJECT:
COMMERCIAL OFFICES

LOCATION:
1635 SWEETWATER ROAD, STE. D
NATIONAL CITY, CA 91950

OWNER:

REVISIONS:

No.	DESCRIPTION	DATE

PROJECT DATA:
OFFICE NATIONAL CITY

PROYECT NUMBER:
2022-04001

ARCHIVE NUMBER:
04001

DIMENSIONS:	SCALE:
FT	1/8"

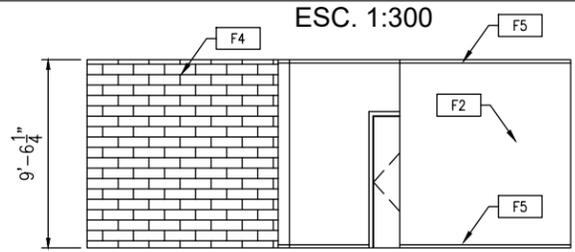
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FLOOR PLAN, INTERIOR
ELEVATIONS

PLANE NUMBER

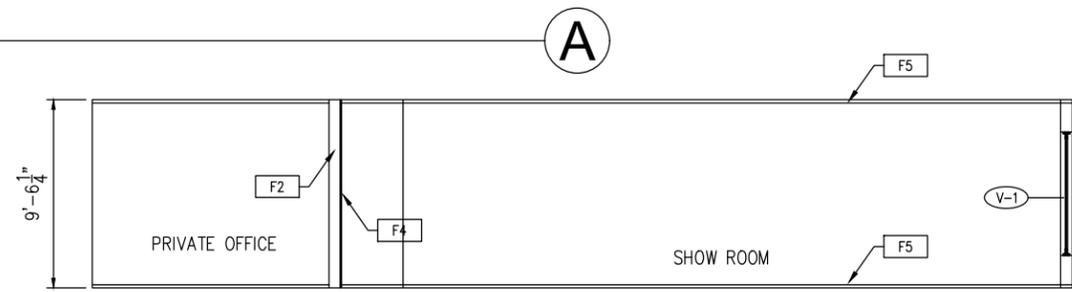
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DATE
APRIL 7, 2022

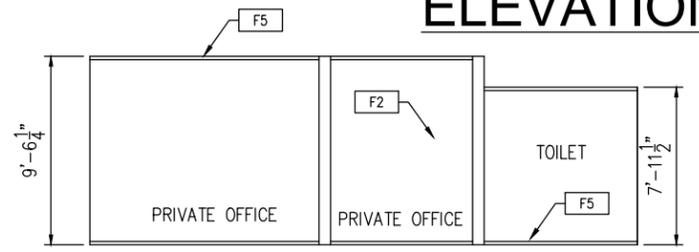
FLOOR PLAN



ELEVATION



ELEVATION



ELEVATION

1

2

8

A



COMMUNITY DEVELOPMENT DEPARTMENT – PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF EXEMPTION

TO: Assessor/Recorder/County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway, Suite 260
San Diego, CA 92101
MS: A-33

Project Title: 2022-17 CUP

Project Location: 1635 Sweetwater Rd. Ste. D National City, CA 91950

Lead Agency: City of National City

Contact Person: David Welch **Telephone Number:** (619) 336-4224

Description of Nature, Purpose and Beneficiaries of Project:

Conditional Use Permit for a tobacco specialty business to be located at 1635 Sweetwater Rd. Ste. D

Applicant:
Jessy Tooma
P.O. Box 489
El Cajon, CA 92022

Telephone Number:
(619) 654-2222

Exempt Status:

Categorical Exemption - Class 1 Section 15301 Existing Facilities

Reasons why project is exempt:

There is no possibility that the proposed use will have a significant impact on the environment since the use will reside in an existing facility and would basically be the same as the current uses of the site.

Date:

DAVID WELCH, Associate Planner



CITY OF NATIONAL CITY - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

NOTICE OF PUBLIC HEARING

CONDITIONAL USE PERMIT FOR A
TOBACCO SPECIALTY BUSINESS TO BE
LOCATED AT 1635 SWEETWATER RD. STE. D
CASE FILE NO.: 2022-17 CUP
APN: 563-161-70

The National City Planning Commission will hold a public hearing at their regular meeting after the hour of 6:00 p.m. **Monday, August 15, 2022**, in the City Council Chambers, Civic Center, 1243 National City Boulevard, National City, California, on the proposed request. (Applicant: Jessy Tooma)

The applicant is proposing to operate a new tobacco specialty business within an existing 1,290 square-foot commercial suite. The business proposes to operate a retail store with tobacco and tobacco-related products and paraphernalia for smoking and vaping. Operating hours will be from 9:00 am to 12:00 am daily.

Plans are available for review at the City's Planning Division, Civic Center. Members of the public are invited to comment. Written comments should be received by the Planning Division on or before 4:00 p.m., **August 15, 2022** by submitting it to PlcPubComment@nationalcityca.gov. Planning staff who can be contacted at 619-336-4310 or planning@nationalcityca.gov.

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

NATIONAL CITY PLANNING DIVISION

ARMANDO VERGARA
Director of Community Development

RESOLUTION NO. 2022-21

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT FOR A TOBACCO SPECIALTY
BUSINESS TO BE LOCATED AT 1635 SWEETWATER RD. STE. D
CASE FILE NO. 2022-17 CUP
APN: 563-161-70

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a tobacco specialty business in an existing commercial suite located at 1635 Sweetwater Rd. Ste. D at a duly advertised public hearing held on August 15, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-17 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 15, 2022, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because the use is permitted within the MXD-2 zone pursuant to a CUP and the proposed use meets the required standards in the Land Use Code for a tobacco specialty business, as discussed in the staff report.
2. The proposed use is consistent with the General Plan and any applicable specific plan, because tobacco specialty businesses are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. Commercial businesses are a permitted use in the MXD-2 zone.
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion of the building is proposed. The proposal involves an

existing commercial space, which was previously analyzed for traffic impacts when it was constructed.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints, because the site has sufficient access to streets and highways that are adequate in width and pavement type of traffic generated by the proposed use, since Sweetwater Road is classified as an arterial street in the Circulation Element, and the use will be within an existing retail suite and thus is not expected to result in an appreciable increase in traffic.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will not have an adverse effect upon adjacent or abutting properties, since the proposed retail use is compatible with nearby businesses; and since the proposed use will be subject to conditions that limit the sale and display of tobacco products and/or electronic cigarettes to minors.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to be categorically exempt from environmental review pursuant to Class 1, Section 15301 (Existing Facilities) for which a Notice of Exemption will be filed subsequent to approval of this Conditional Use Permit.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale tobacco and tobacco related products and paraphernalia at a retail store located at 1635 Sweetwater Rd. Ste. D. Plans submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2022-17 CUP, dated 5/5/2022.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Division, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Division

that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Director of Community Development prior to recordation.

3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
5. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
6. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval or applicable law.

Building

7. Building plans and permits shall be required to meet the 2019 California Building, Mechanical, Electrical, Plumbing, Accessibility, Green, Energy and Fire Codes if submitted prior to the end of the City working calendar year.

Planning

8. No tobacco sales are permitted until the applicant has been issued a Cigarette and Tobacco Products Retailer's License from the California Department of Tax and Fee Administration.
9. The sale of tobacco and tobacco related products and paraphernalia shall only be permitted between the hours of 9:00 a.m. and 12:00 a.m. daily.
10. The business shall not permit persons under the age of 21 to be on the premises.
11. The operator of the business shall maintain an active business license and ensure that the business license is renewed annually.
12. A permit shall be obtained for any new signage associated with the proposed business. Contact the Planning Division for information on sign regulations in National City.

13. Excepting business identification signage, exterior advertising and signs of all types, promoting or indicating the availability of electronic cigarettes (e-cigarettes), personal vaporizers (PV), or electronic nicotine delivery systems (ENDS), collectively known as electronic cigarettes, flavored tobacco products, or traditional tobacco products, including advertising/signs directed to the exterior from within, are prohibited. Interior displays of electronic cigarettes, flavored tobacco products and signs, which are clearly visible to the exterior, shall constitute a violation of this condition
14. No sales of tobacco products, electronic cigarettes, personal vaporizers, or any other electronic or non-electronic nicotine delivery systems are permitted to minors.
15. No alcohol or food may be sold on the premises.
16. No products containing tetrahydrocannabinol (THC), cannabidiol (CBD), or any other cannabinoid, may be sold on the premises.
17. No smoking shall be allowed inside of the business at any time, per California law.
18. No employee of the business may smoke within 20 feet of the main entrance.
19. The business shall comply with all requirements of the U.S. Food and Drug Administration (FDA) related to electronic cigarettes (e-cigarettes), personal vaporizers (PV), electronic nicotine delivery systems (ENDS), or any tobacco or tobacco-related products sold at the store.
20. The permittee shall comply with all applicable law, including the regulatory provisions of the Business and Professions Code that pertain to the sale, display and marketing or merchandising of tobacco products.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 15, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON

RESOLUTION NO. 2022-21

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
DENYING A CONDITIONAL USE PERMIT FOR A TOBACCO SPECIALTY BUSINESS
TO BE LOCATED AT 1635 SWEETWATER RD. STE. D
CASE FILE NO. 2022-17 CUP
APN: 563-161-70

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for a tobacco specialty business in an existing commercial suite located at 1635 Sweetwater Rd. Ste. D at a duly advertised public hearing held on August 15, 2022, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2022-17 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on August 15, 2022, support the following finding:

1. The proposed use is not deemed essential and desirable to the public convenience and welfare, since the proposed use for the sale and display of tobacco products and paraphernalia may lead to more people trying the products, which are known to cause disease and lead to premature death.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of August 15, 2022, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

CHAIRPERSON



COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: REQUEST TO INITIATE A CODE AMENDMENT TO TITLE 18 (ZONING) OF THE NATIONAL CITY MUNICIPAL CODE TO CREATE AN INTERIM USE ORDINANCE RELATED TO THE USE OF NONCONFORMING BUILDINGS WITHIN THE CITY.

Case File No.: 2022-28 A

Staff report by: Martin Reeder, AICP – Planning Manager

Applicant: City-initiated

Environmental review: The proposed ordinance has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been determined to not be a project as defined in Section 15378.

BACKGROUND

Staff Recommendation

Staff recommends that the Planning Commission initiate proceedings to add a section to Title 18 (Zoning) of the Municipal Code related to the interim use of nonconforming structures or properties.

Overview

In recent years, multiple buildings have lost their nonconforming status as structures due to discontinuance of use and are currently vacant. As nonconforming structures, they may no longer be used as they were designed (e.g. a nonconforming commercial building in a residential zone) without either redevelopment of the property or significant and expensive alteration. As a result, these buildings are languishing in addition to not creating any income for their owners nor business taxes for the City. Furthermore, some could potentially be in danger of becoming nuisances if the nonuse continues indefinitely.

Proposal

Staff is considering the creation of an Interim Use Ordinance that would permit the use of a nonconforming building for a set amount of time in the interim between the current nonconforming situation and the eventual redevelopment of the property. The Ordinance is intended to be a section or chapter in Title 18 (Zoning) of the Municipal Code.

Analysis

Chapter 18.11 (Nonconforming uses, structures, and parcels) of the Land Use Code (Title 18 of the Municipal Code) outlines the regulations afforded to properties that are considered lawful nonconforming. A lawful nonconforming use, building, or property (“use”) is one that was legally established, but is no longer consistent or conforming with the Municipal Code due to subsequent changes in zoning or allowable uses. Examples include churches in single-family residential zones, residential uses in the industrial zones west of Interstate 5, and commercial buildings in residential zones of the Downtown Specific Plan (to name a few).

Generally-speaking, Chapter 18.11 allows for the continuation of lawful nonconforming uses, so long as they do not lapse for more than 12 months. If more than this period of time passes between lawful uses of the property in question, the property loses its lawful nonconforming status. Use of the property would henceforth revert to the current zoning. This is not always an issue with a lawful nonconforming commercial use in a commercial building, as the building may be leased to a different and conforming commercial use. However, if the building is an industrial building located in a residential zone of the Westside Specific Plan, the building may no longer be used for industrial purposes, as it was designed to do.

Since the creation of the Downtown and Westside Specific Plans, there have been issues with buildings and uses becoming nonconforming. The issues have been exacerbated by downturns in the economy and (in particular) the COVID-19 pandemic. Without timely replacement of tenants (within 12 months), some properties have lost their lawful nonconforming status and can no longer function as originally intended.

Staff is suggesting that an Interim Use Permit be created that would allow use of a property for up to five years so that property owners may create a revenue stream leading to eventual redevelopment or conversion. It is suggested that the permit be for an initial period of two to three years, with annual extensions available upon request for a total of up to five years. It is staff’s intention that an applicant provide a timeline for redevelopment of

the property with their Interim Use Permit application. Furthermore, any request for an extension would be accompanied by documentation that the timeline is being followed and that redevelopment is being pursued. The application would be approved by staff and appealable to the Planning Commission. There is a possibility of the consideration of additional time through a discretionary process, although that is not necessarily recommended – the intention of this effort is to encourage redevelopment rather than prolong a nonconforming situation.

The proposed Interim Use Permit Ordinance would make reference to an approved list of uses for certain uses and structures, with latitude given for staff-level determinations to be made in cases of unique proposed uses. Examples may include:

- Co-work office space
- Art studios or galleries
- Resource centers
- “Pop-up” retail

Previous discussions have also included addressing design-specific buildings (e.g. auto repair) or single use buildings in mixed-use zones. Uses in these situations could include minor auto repair (e.g. oil change, tire installation, etc.) or Accessory Commercial Units on residential parcels in mixed-use zones. However, uses would need to be addressed on a case-by-case basis and would factor into approval of the permit. Ultimately, while this process is intended to allow interim use of the property for the owner to gain income, any interim uses should not be impactful upon neighboring uses.

California Environmental Quality Act (CEQA)

The ordinance being proposed is considered exempt from CEQA because it is not a project as defined in Section 15378. As proposed, the ordinance would allow the temporary continuance of existing nonconforming uses and would therefore have no potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Summary

Staff is suggesting the creation of an Interim Use Permit in order to address longstanding vacant properties that have lost their lawful nonconforming status, but that lack imminent redevelopment potential. If this process is initiated, staff will return with additional details

and recommend Ordinance language at a public hearing. The subsequent recommendation of the Planning Commission will then be taken up by the City Council.

Staff will be making a presentation at the Planning Commission meeting to include examples of existing lawful nonconforming properties and invites further discussion by the Planning Commission.

RECOMMENDATION

1. Initiate proceedings to amend Title 18 (Zoning) of the National City Municipal Code;
or,
2. File the report and deny the request.



MARTIN REEDER, AICP
Planning Manager



ARMANDO VERGARA
Director of Community Development