



**Planning Department
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AGENDA ITEM NO.: 6 (Action Item – Public Hearing)
PLANNING COMMISSION MEETING DATE: June 24, 2015
SUBJECT: Conditional Use Permit (CUP) 2015-01/Aspendell Fire Station

EXECUTIVE SUMMARY

The applicant has applied for a CUP to convert the westerly fire house apparatus bay of the Aspendell Fire Station into a studio dwelling unit to house a caretaker on site.

PROJECT INFORMATION.

Supervisory District: 1

Project Applicant: Roy W. Harthorn

Property Owner: Aspendell Mutual Water Company

Site Address: 111 Columbine Drive, Bishop, CA 93514

Community: Aspendell, CA

A.P.N.: 014-282-02

General Plan: Public Service Facility (PF)

Zoning: Public (P)

Size of Parcel: Approximately 6,300-Square-feet

Surrounding Land Use:

Location:	Use:	Gen. Plan Designation	Zoning
Site	Fire station and community center	Public Service Facility (PF)	Public (P)
North	Vacant	Residential Low Density - 2.0 to 4.5 du/ac (RL)	Single Family Residence - 10,000 sf minimum lot size (R1-10,000)
East	Residential	Residential Low Density - 2.0 to 4.5 du/ac (RL)	Single Family Residence - 10,000 sf minimum lot size (R1-10,000)
South	Residential	Residential Low Density - 2.0 to 4.5 du/ac (RL)	Single Family Residence - 10,000 sf minimum lot size (R1-10,000)
West	Residential	Residential Low Density - 2.0 to 4.5 du/ac (RL)	Single Family Residence - 10,000 sf minimum lot size (R1-10,000)

Staff Recommended Action:

1.) Approve the Conditional Use Permit (CUP) 2015-01/Aspendell Fire Station

Alternatives:

- 1.) Deny the CUP.
- 2.) Approve the CUP with additional Conditions of Approval.
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

Project Planner:

Elaine Kabala, Associate Planner

STAFF ANALYSIS

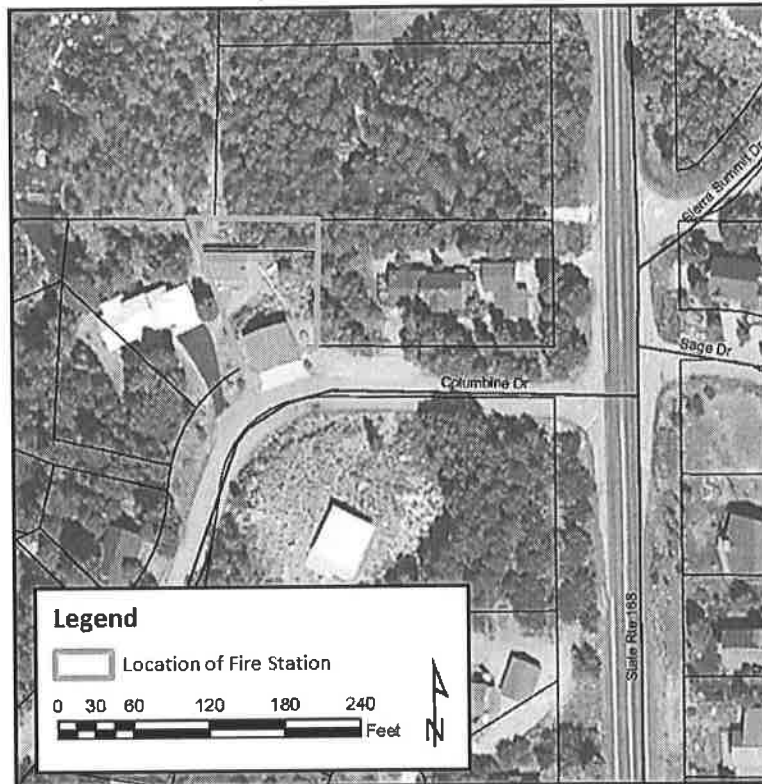
Background and Overview

The Aspendell South Fork Volunteer Fire Department, a California Corporation, and tenant of the Aspendell Mutual Water Company (owners of the existing fire station building), is requesting a CUP to convert the westerly fire house apparatus bay into a studio dwelling unit to house a caretaker on site. The project includes: adding a shower to the existing bathroom; remodeling the kitchen to include new cabinets, a counter, and sink; installing a one-hour occupancy separation wall between the westerly and easterly apparatus bays of the building; constructing an interior entry passage and an exterior closet accessed from the existing roll up door; installing two windows to provide natural light and ventilation; and other minor plumbing, electrical, and mechanical work.

The project is intended to provide a living environment for a caretaker residence to allow for the improved care and maintenance of the Aspendell fire station and associated fire apparatus and equipment. This will result in improved safety and security of the fire house and

immediate environment. The project will also allow for increased responsiveness by the fire department in case of emergency.

The general project area is in a location of residential uses and abuts vacant land on the north side of the property. The properties adjacent to the north, east, west, and south are currently developed with residential uses. The map below illustrates the location of the fire station.



General Plan Consistency

The goal of this project is to provide increased security for the fire station facilities and improved fire protection services to the community of Aspendell. The project is consistent with the General Plan designation of **Public Service Facility LU 5.2**, as it property owned and leased by public agencies and it will provide a public service by improving facility and equipment care and maintenance, and providing more efficient emergency services. It is also consistent with *Policy WF-1.1 Fire Protection Agencies*, which directs the County to “Support expansion of fire protection agencies and volunteer fire departments, and continue to cooperate with federal, state, local agencies and private landowners to provide greater fire protection for the County.”

Zoning Ordinance Consistency

The Public Zone 18.72 allows for caretaker residences as a conditional use, “where there exists an otherwise permitted or conditionally permitted use, and when such dwelling is to be used exclusively by a caretaker, superintendent or manager for the permitted or conditionally permitted use.”

ENVIRONMENTAL REVIEW

This project was deemed by Planning Department staff to be exempt from environmental review under CEQA Guidelines Section 15061.b.3:

“The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

Staff deemed that the proposed CUP could have no possibility of causing significant environmental effects, due to the fact that the proposed use does not constitute a significant intensification of existing uses, and does not require any external modification of the existing facility.

RECOMMENDATION

Planning Department staff recommends the approval of Conditional Use Permit No. 2015-01/Aspendell Fire Station, with the following Findings and Conditions of Approval:

Findings

1. The proposed Conditional Use Permit is consistent with the Inyo County General Plan Land Use designation of Public Service Facility (PF).
[Evidence: The proposed Conditional Use Permit is consistent with the goals and objectives of the Public Service Facility LU 5.2 designation, as it property owned and leased by public agencies and will provide a significant public service by improving facility and equipment care and maintenance, and providing more efficient emergency services. No conflicts exist with policies and objectives in the other adopted elements of the General Plan.]
2. The proposed Conditional Use Permit is consistent with the Inyo County Zoning Ordinance, which permits “public or quasi-public facilities” as a conditional use in the Public zone.
[Evidence: Section 18.72 The Public Zone allows for caretaker residences as a conditional use, “where there exists an otherwise permitted or conditionally permitted use, and when such dwelling is to be used exclusively by a caretaker, superintendent or manager for the permitted or conditionally permitted use.”.]
3. The proposed Conditional Use Permit is necessary or desirable.
[Evidence: General Plan Policy WF-1.1 Fire Protection Agencies encourages the expansion of volunteer fire departments. Allowing for a full-time caretaker onsite at the Aspendell Fire Station will result in improved maintenance of the facility and equipment, and more efficient emergency response. Thus, this is a desirable use.]

4. The proposed Conditional Use Permit is properly related to other uses and transportation and service facilities in the vicinity.
[Evidence: The proposed caretaker unit will be constructed within the existing fire station and will not require any external modifications to the building. The addition of the caretaker unit will not result in significantly increased vehicle trips or other usage of the property. Thus, the proposed caretaker unit will have no impact on transportation and service facilities. In fact, the project will increase the efficiency of public service facilities in the community.]

5. The proposed Conditional Use Permit would not, under all the circumstances of this case, affect adversely the health or safety of persons living or working in the vicinity or be materially detrimental to the public welfare.
[Evidence: The general area of the fire station is in a location of residential uses and vacant land, and the addition of a residential caretaker unit is similar to surrounding uses. The addition of a caretaker unit to fire station will not have an adverse impact on the health or safety of person living or working in the vicinity, nor will it be materially detrimental to the public welfare. Rather, the provision of a full-time caretaker at the fire station will result in improved maintenance of the fire station facility and equipment, and increase the efficiency of emergency services.]

6. Operating requirements necessitate the caretaker facility's location within the Public (P) zoning district.
[Evidence: The project requires that caretaker be able to reside onsite, thus the operating requirements necessitate the addition of a caretaker residence within the P Zone.]

7. The Planning Commission certifies that the provisions of the California Environmental Quality Act (CEQA) have been satisfied, as the project was deemed exempt from environmental review under CEQA Guidelines Section 15061.b.3, the general rule.
[Evidence: Staff determined that the proposed caretaker residence could not have a significant effect on the environment, due to the fact that there is an existing structure on the site, and the proposed residence is consistent in use and density to all surrounding parcels]

8. Based on substantial evidence in the record, the Planning Commission finds that the design or proposed improvements are not likely to cause substantial environmental damage, or substantially and avoidably injure fish, wildlife, or their habitat, or cause serious public health, welfare, or safety problems.

[Evidence: Pursuant to the analysis performed under the statues and guidelines of CEQA, potential adverse impacts will not exceed thresholds of significance, either individually or cumulatively. The existing parcel is already developed and the proposed project is completely within an already developed area, and is consistent with surrounding uses and densities.]

Conditions of Approval

1. Hold Harmless

The applicant/developer shall defend, indemnify and hold harmless Inyo County agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul an approval of the county, its advisory agencies, its appeals board, or legislative body concerning Conditional Use Permit No. 2015-01/ Aspendell Fire Station. The County reserves the right to prepare its own defense.

2. Compliance with County Code

The applicant/developer shall conform to all applicable provisions of Inyo County Code. Pursuant to County Code, the proposed residence shall be used exclusively by a caretaker, superintendent or manager of the facility. The applicant is required to obtain a building permit to make the necessary modifications to construct the proposed residence. The residence shall meet the building requirements specified in the Uniform Building Code by the Inyo County Building and Safety Department.

ATTACHMENTS

- A. General Plan Land Use Designation Map
- B. Zoning Map
- C. Proposed Building Floorplans