



**SAN RAFAEL ZONING ADMINISTRATOR
REGULAR HEARING
January 10, 2024**

***Minutes and Notice of Decision
(Pursuant to San Rafael Municipal Code 14.28.050)***

- 10:00 -10:09 am 1. **721 Francisco Blvd** - Request for a Conditional Use Permit to operate an automobile detailing business; APN: 014-204-11; General Commercial (GC) zoning district; BERMUDA PALMS MOTEL INVESTMENT, Owner; Jerry Liang, Applicant; File No: UP23-030 (PLAN23-126)

Project Planner: Renee Nickenig, Associate Planner

PERMITS REQUIRED

- **Conditional Use Permit (UP23-030)** The project proposes to operate an auto detailing business in the General Commercial (GC) district, which requires a Conditional Use Permit approved by the Zoning Administrator pursuant to San Rafael Municipal Code (SRMC) Section 14.05.020.

SITE DESCRIPTION

The project site is located to the northeast of Highway 101 and Francisco Boulevard East, between Hoag Street and Medway Road. The site is approximately 50,744 square feet in area and is occupied by five (5) non-connected buildings. The subject building is located at the southwest corner of the site and is directly accessed from Francisco Boulevard East.

The landscaping at the entire site is varied. The subject building is fronted by a concrete patio and a grouping of short trees towards the southeast. A short metal fence encloses the patio and the grouping of trees along Francisco Boulevard East.

PROJECT DESCRIPTION

The project proposes to operate a "TINT WORLD" location at the identified subject building. The business would specialize in window tinting, protective film, vehicle wraps, audio and electronic systems, security systems, car and truck accessories, wheels and tires and other styling services. The business will also provide "ceramic coating" services, which would not include any type of painting or spray-booth use. Mobile services are also identified to provide off-site services.

The proposal expects to begin business operations with three (3) to four (4) onsite employees, with a possible increase of five (5) to six (6) onsite employees as the business progresses. The daily onsite customer expectation is nine (9) to 12 total, limited to three (3) to four (4) at a time. Customers would have the option to wait for services or to leave their

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vehicle and return to pick-up. Customer business hours would be Monday through Saturday 8:00am-6:00pm, and employee hours would be 7:30am to 6:00pm.

An existing six (60 exterior parking spaces are allotted to the subject building, with access to an additional 14 shared parking spaces on site. Automobiles will be housed inside when work is underway.

PUBLIC HEARING

On January 10, 2024, a Zoning Administrator hearing was convened for this Use Permit (UP23-030). The Acting Zoning Administrator, Margaret Kavanaugh-Lynch, opened the hearing at 10:00 am.

A. Planner Presentation

The Project Planner, Renee Nickenig, gave a brief overview of the item and the proposed use of an auto detailing business.

B. Applicant presentation

The applicant and property owner representative briefly commented on the proposed business and acknowledged the overview provided by the Project Planner.

C. Public Comments

No members of the public were present at the meeting and no comments were received prior to the start of the meeting.

D. Zoning Administrator Discussion

The Zoning Administrator briefly discussed the conditions to be imposed on the proposed use. The Zoning Administrator requested that the applicant confirm that any vehicles parked at the exterior of the building will not be actively worked on. The applicant confirmed that no vehicles under maintenance will be visible from the public street.

E. Action

The Zoning Administrator Conditionally Approved the request for Use Permit (UP23-030) to operate an automobile detailing business at 721 Francisco Boulevard East.

These conditions of approval are listed below and included as part of the Zoning Administrators decision.

The meeting was adjourned at 10:09 am.

FINDINGS

CEQA Finding

The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations,

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§15000, et seq.) pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities). Furthermore, none of the exceptions found in Government Code §15300.2 apply.

Use Permit Findings (SRMC §14.22.080)

A. That the proposed use is in accord with the general plan, the objectives of the zoning ordinance, and the purposed of the district in which the site is located;

The subject property has a General Plan 2040 designation of Community Commercial Mixed Use and is in the General Commercial (GC) zoning district. The proposed use for auto detailing is in accord with General Plan 2040 and the objectives of the zoning ordinance as auto detailing businesses are conditionally permitted in the General Commercial (GC) district.

B. That the proposed use together with the conditions will not be detrimental to the public health, safety or welfare, or materially injurious to property or improvements in the vicinity, or the general welfare of the city;

The proposed services will be entirely contained within the existing footprint of the building. No services are proposed that would have an external impact on the property or to the public right-of-way. The new use will utilize the existing traffic patterns at the site.

C. That the proposed use complies with each of the applicable provisions of the zoning ordinance.

The proposed auto detailing business will be held to the performance standards prescribed by SRMC § 14.17.090.

Under California Assembly Bill (AB) 2097, the new business is not subject to the minimum parking standards prescribed in SRMC § 14.18.040.

CONDITIONS OF APPROVAL

Planning Division Standard Conditions of Approval

1. Approved Project. This Use Permit (UP23-030) conditionally approves the operation of an auto-detailing business at 721 Francisco Boulevard East, including the proposed operations in the "Project Description" of these minutes. Plans submitted for building permit shall be in substantial conformance to the approved plans submitted October 30, 2023, with regard to building techniques, materials, elevations, and overall project appearance except as modified by these conditions of approval. Minor modifications or revisions to the project shall be subject to review and approval by the Community Development Department, Planning Division. Modifications deemed greater than minor in nature by the Community Development Director shall require review and approval by the Zoning Administrator.

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2. Subject to All Applicable Laws and Regulations. The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Building Division, Public Works Department and other affected City divisions and departments.
3. Permit Validity. This Permit shall become effective on **January 18, 2026** and shall be valid for a period of two (2) years from the date of final approval or **January 18, 2026**, and shall become null and void if a building permit is not issued or a time extension granted by **January 18, 2026**. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property.
4. Building Permit. Prior to the commencement of work, a building permit shall be obtained from the Building Division.
5. Sign Permit. A separate sign permit will be required through the Building Division.
6. Construction Hours. Except as otherwise provided in subsection B of the San Rafael Municipal Code Section 8.13.050, or by the planning commission or city council as part of the development review for the project, on any construction project on property within the city, construction, alteration, demolition, maintenance of construction equipment, deliveries of materials or equipment, or repair activities otherwise allowed under applicable law shall be allowed between the hours of seven a.m. (7:00 a.m.) and six p.m. (6:00 p.m.), Monday through Friday, and nine a.m. (9:00 a.m.) and six p.m. (6:00 p.m.) on Saturdays, provided that the noise level at any point outside of the property plane of the project shall not exceed ninety (90) dBA. All such activities shall be precluded on Sundays and holidays. Violation of the foregoing may subject the permittee to suspension of work by the chief building official for up to two (2) days per violation.
7. Colors, Materials, and Lighting. Colors, materials and lighting shall be designed to avoid creating undue off-site light and glare impacts. New or amended building or site colors, materials and lighting shall comply with San Rafael Municipal Code Section 14.16.227, subject to review and recommendation by the police department, public works department, and community development department.
8. Exterior Lighting. Any exterior lighting shall be subject to a 90-day post installation inspection to allow for adjustment and assure compliance with San Rafael Municipal Code Section 14.16.227 - Light and glare. The project proponent is responsible for hiring a qualified lighting expert to conduct the inspection and to prepare a summary analysis verifying the projects meets City standards to be submitted to the Planning Division.



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9. Rooftop Equipment. Equipment placed on the rooftop of a building or in an exterior yard area shall be adequately screened from public view. See Chapter 14.16 for exclusions to maximum height requirements and Chapter 14.25 for design review requirements.
10. Mechanical Equipment. Equipment placed on the rooftop of a building or at the site shall be adequately screened from public view. See Chapter 14.16 for exclusions to maximum height requirements and Chapter 14.25 for design review requirements.
11. Temporary Fences. Temporary security fences may be erected around construction sites during the time a valid building permit is in effect for construction on the premises. Temporary security fences need not comply with San Rafael Municipal Section 14.16.140 and must be immediately removed upon completion of the construction authorized by the building permit.
12. Landscape Maintenance. All landscaping shall be maintained in good condition and any dead or dying plants, bushes, trees, or groundcover plantings shall be replaced with new healthy stock of a size appropriate and compatible with the remainder of the growth at the time of replacement.

Project-Specific Conditions of Approval

13. Vehicle Storage.
 - a. All vehicles which are visually damaged, disabled or visually in the process of repair shall be stored and/or worked upon in a location on-site that is not visible from off-site. Vehicles not visually damaged, waiting to be repaired or waiting to be picked up after repair, shall be stored on-site but may be visible from off-site; or, in lieu of said on-site parking, alternate parking of appropriate size and within five hundred feet (500') may be substituted provided that at the time a business license is issued or renewed, a lease for said parking concurrent with the term of the business license is submitted.
 - b. Where non-administrative use permits are required, parking lot screening and landscape standards (Section 14.18.160) shall be used as guidelines in project review.
14. Outside Storage. There shall be no outside storage of materials or equipment unless screened from view in a manner approved by the planning director.
15. Future Service. Any future additional services proposed may require additional review by the Planning Division.

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ACTION TAKEN: On January 10, 2024, the Zoning Administrator Conditionally Approved the requested Use Permit (UP23-030) subject to the Findings and Conditions above.

This Notice of Zoning Administrator decision is provided in compliance with SRMC Section 14.28.050 - *Notice of decision*. Any aggrieved party may appeal this decision pursuant to SRMC Section 14.28.030 - *Filing and time limit of appeals*, by submitting a letter of appeal and the appropriate fees within five (5) working days of the date of approval, or by **January 17, 2024 at 5:00 p.m.** This approval shall become effective at the end of the appeal period.

Once a permit approval has been implemented/established in compliance with all City requirements, it shall run with the land and be valid for the time period specified; e.g., duration of the project/use.

Margaret Kavanaugh-Lynch

1/17/2024

Margaret Kavanaugh-Lynch, Acting Zoning Administrator

Date