

Owner – Tracy Burns A request to amend Conditional Use Permit 15-018 in order to amend a previously approved guest house addition to a detached garage by increasing its overall size and height at 1311 Chestnut Street.

Date: May 9, 2017

Facts

- 1. The project site is located at 1311 Chestnut Street (see Vicinity Map, Attachment 1).
- 2. The General Plan designation for this location is Residential Single Family (RSF) with a Zoning designation of Residential Single Family (R1).
- 3. In 2015, Conditional Use Permit 15-018 was approved via Resolution No. 15-029 to allow for a 585 square foot guest house addition to the existing 270 square foot one car garage, for a total of 855 square feet. As a result of the building being constructed into a slope, the 2-story addition was approved to be 25-feet in height at the front and right side elevations (along the northern property line), while the rear and left side elevations would be less than 25-feet (See Exhibit F of Resolution 15-029, Attachment 2).
- 4. In 2016, the owner began construction on the approved guest house addition and has since completed installation of a new foundation in the garage including a concrete wall reinforcement and new slab to support the upper level of the guest house (See Photos of Existing Conditions, Attachment 3). During the construction process, the owner determined a larger footprint would accommodate new intentions of converting the guest house to a second unit, which is allowed under Section 21.16D of the Zoning Code.
- 5. By amending Conditional Use Permit 15-018, the above-mentioned guest house would increase in size from 855 square feet to 978 square feet of gross floor area and would increase the front and right side elevations from 25-feet to 31-feet (See Architectural and Structural Plans, Exhibit B to Attachment 5).
- 6. Section 21.16E.210 of the Zoning Code requires a Conditional Use Permit (CUP) for detached accessory buildings if the structure is over 15-feet in height and Section 21.16E.260.C requires a CUP when the gross floor area of the detached accessory building exceeds 50-percent of the gross floor area of the main dwelling. Section 21.16E.260.C also requires detached accessory buildings to be architecturally compatible with the main building.
- 7. Since the existing primary residence is 1,183 square feet, the proposed addition would exceed 50percent of the primary residence and as noted above would be taller than 15-feet. Therefore, as a result of the size and the height, it is necessary to process a CUP for the accessory building

request. In this instance, the project requires an amendment to the existing CUP to increase the size and height of the guest house addition.

- 8. In accordance with the Historic Preservation Ordinance (Chapter 21.50), the existing singlefamily residence is recognized by the City of Paso Robles as historically significant and may warrant special consideration in local planning. One of the purposes of the Historic Preservation Ordinance is to provide for the recognition, preservation, and use of historic resources in the City by establishing procedures and regulations necessary to ensure that new development maintains continuity with the City's historic character and scale.
- 9. The proposed CUP amendment would add a third-story to what was originally approved under CUP 15-018. Despite the guest house addition using the same Spanish Revival architecture as the single-family residence by utilizing the same white stucco finish, terra cotta roof tiles, and similar windows, there are concerns whether the guest house addition would preserve the architectural significance of the existing residence due to the increased height.
- 10. The Development Review Committee (DRC) reviewed this project on March 27, 2017. The DRC discussed the reason for needing to increase the overall size and height of the detached accessory building and raised concerns regarding the scale of the building in relationship to surrounding neighbors.
- 11. This application is categorically exempt from environmental review per Section 15303 (new construction of small structures) of the State's Guidelines to Implement CEQA.

Options

After consideration of any public testimony, the Planning Commission should consider the following options:

- 1. Approve Draft Resolution A (Attachment 5), approving Conditional Use Permit Amendment 15-018.
- 2. Refer the project back to the Development Review Committee to further address height compatibility concerns.
- 3. Approve Draft Resolution B (Attachment 6), denying Conditional Use Permit Amendment 15-018.

Analysis and Conclusions

Project Summary

For the Planning Commission to consider a request to amend Conditional Use Permit 15-018 in order to amend a previously approved guest house addition to a detached garage by increasing its overall size and height at 1311 Chestnut Street. The request would increase the size of the structure from 855 square feet to 978 square feet of gross floor area and would increase the height from 25-feet to 31-feet.

The intent of the requirement of a Conditional Use Permit (CUP) for detached accessory buildings is to insure that the building would be compatible with the surrounding neighborhood and not negatively impact neighboring properties. The Planning Commission will need to review this CUP request to determine the project's compatibility. The CUP gives the Planning Commission the ability to require special conditions of approval to insure that a particular use is compatible with surrounding uses.

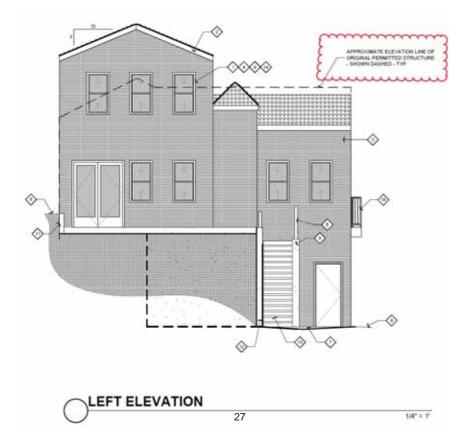
General Plan / Zoning Consistency

The General Plan land use designation for the site is Residential Single Family (RSF). The Zoning designation is Residential Single Family (R1). Detached accessory buildings are a permitted use in the R1 Zone. Since the existing primary residence is 1,183 square feet, the proposed addition would exceed 50-percent of the size of the primary residence. Section 21.16E.260.C of the Zoning Ordinance requires a CUP when the gross floor area of the detached accessory building exceeds 50-percent of the gross floor area of the detached accessory building is proposed to be over 15-feet in height, Section 21.16E.210 of the Zoning Code requires a CUP. In this instance, the project requires an amendment to the existing CUP to increase the size and height of the guest house addition.

Neighborhood Compatibility / Site Design Issues

In 2015, Conditional Use Permit 15-018 was approved via Resolution No. 15-029 to allow for a 585 square foot guest house addition to the existing 270 square foot one car garage, for a total of 855 square feet. As part of the application, the guest house was approved to be 25-feet in height at the front and right side elevations (along the northern property line). In 2016, the owner began construction on the approved guest house addition and has since completed installation of a new foundation in the garage including a concrete wall reinforcement and new slab to support the upper level of the guest house. During the construction process, the owner determined a larger footprint would accommodate new intentions of converting the guest house to a second unit, which is allowed under Section 21.16D of the Zoning Code.

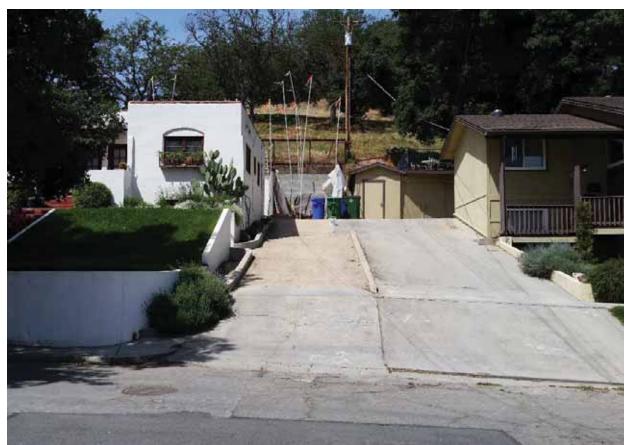
The request under consideration would increase the structure's size from 855 square feet to 978 square feet of gross floor area and would increase the front and right side elevations from 25-feet to 31-feet. A comparison of the size and height of the original permitted structure is demonstrated via a dashed line on the Architectural and Structural Plans (Exhibit B to Attachment 5) on Sheets C-1.1 and A-4.1 (Site Plan and Elevations), respectively. The owner's intent for increasing the square footage by 123 square feet is to allow extra space to be used as a future laundry room and kitchen as part of converting the guest house to a second unit. Furthermore, the owner has indicated the increase in height for the third story of the structure would be to incorporate vaulted ceilings from the Spanish Revival style, which is reflected in the applicant's Conformity Report provided at the Development Review Committee (DRC) meeting from March 27, 2017 (Attachment 4, Conformity Report).



One of the main issues discussed during the DRC meeting was whether the increase in building height was necessary as part of the CUP request since the additional 6-feet in height does not substantially increase storage space, considering the proposed attic is only 40 sf in size. Additionally, although the vaulted ceilings would provide aesthetic value to the owner of the property, the overall height of the structure would cause it to be substantially taller that the existing single-family residence and the property immediately to the north. As a result of the Development Review Committee's concerns regarding the height, the applicant offered to erect "story-poles" on the property to demonstrate what the height of the structure would look like compared to what was previously approved. As shown in the following site photos, the applicant erected color-coated story-poles with corresponding locations noted on the Site Plan (Sheet C-1.1). The red flags represent what was previously approved under CUP 15-018 and the yellow flags represent what is proposed under the new CUP 15-018 Amendment. The story-poles will be available to be viewed from Saturday, May 6th through Tuesday, May 9th. In addition to the story-poles, the Architectural and Structural Plans (Exhibit B to Attachment 5) contain elevations showing the proposed addition and its height compared to the surrounding neighbors.



Story Pole Photo 1: Looking southwest at the project site.



Story Pole Photo 2: Looking west at the project site.

Architecture and Appearance

The existing single-family residence is recognized by the City of Paso Robles as historically significant and may warrant special consideration in local planning. One of the purposes of the Historic Preservation Ordinance is to provide for the recognition, preservation, and use of historic resources in the City by establishing procedures and regulations necessary to ensure that new development maintains continuity with the City's historic character and scale. Projects in which the proposed work is minor and will not diminish, eliminate, or adversely affect the character of the historic resource are considered eligible for a Certificate of No Effect, a document which may be issued by staff prior to issuance of a building permit. Since the Planning Commission is the approving body in regards to the project, approval of the project would reflect a determination consistent with the Certificate of No Effect.

Although the guest house addition would utilize the same architecture as the existing residence, the request to increase the height of the building from 25-feet to 31-feet will result in the guest house addition being out of scale with the existing structure. This could result in the guest house having a potentially negative affect on the existing residence's historical significance and affect the project's eligibility for a Certificate of No Effect.

The Planning Commission will need to make findings to determine whether the proposed project will be consistent with the character of the immediate neighborhood or contrary to its orderly development, in addition to taking into consideration the project's impact on the historical significance of the existing home. Because these findings have yet to be made, there is an option for the Planning Commission to approve the project as proposed (see Draft Resolution A, Attachment 5) as well as an option to deny the project (see Draft Resolution B, Attachment 6).

CEQA Issues

This application is categorically exempt from environmental review per Section 15303 (new construction of small structures) of the State's Guidelines to Implement CEQA.

Options

Option 1. Approval of the request to amend Conditional Use Permit 15-018 in order to amend a previously approved guest house addition to a detached garage by increasing its overall size and height would allow the applicant to incorporate a laundry room and wet bar / kitchen with the intent of one day converting the guest house into a second unit. Under Option 1, Exhibit A to Draft Resolution A reflects modifications from the originally approved conditions of approval for CUP 15-018, with additions shown as underlined (blue) and deletions shown as stricken-out (red).

Option 2. Referring the item back to the Development Review Committee to further discuss the height compatibility concerns would allow staff to work with the applicant on the issues previously raised at the DRC meeting held on March 27, 2017. Consideration of this option should be contingent on the applicant's willingness to reduce the height as part of a concession to the overall height concerns.

Option 3. Option 3 takes into account the Planning Commission may consider denying the project since the height of the proposed accessory building could be considered contradictory to the historical integrity of the primary residence and/or surrounding neighborhood.

Fiscal Impact

None identified at this time.

Recommendation

Option 2. Refer the project back to the Development Review Committee to further address height compatibility concerns.

Attachments

- 1. Vicinity Map
- 2. Resolution 15-029
- 3. Existing Conditions
- 4. Conformity Report
- 5. Draft Resolution A
- 6. Draft Resolution B
- 7. Mail Affidavit
- 8. Newspaper Affidavit

Attachment 1 Vicinity Map



Project Site

1311 Chestnut Street

Attachment 2

RESOLUTION NO: 15-029

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO APPROVE CONDITIONAL USE PERMIT 15-018 FOR SIZE, HEIGHT, AND SETBACK EXCEPTIONS FOR AN ACESSORY STRUCTURE (1311 CHESTNUT - BURNS) APN: 009-021-039

WHEREAS, Tracey Burns has filed a Conditional Use Permit (CUP) application to allow for the construction of an addition to an existing detached accessory structure at 1311 Chestnut Street; and

WHEREAS, the project proposes to add a 585 square foot guest house addition to the existing 270 square foot one car garage, for a total of 855 square feet; and

WHEREAS, the proposed 2-story addition would be 25-feet in height, and would extend the structures existing non-conforming side setback to the northern property line of less than 3-feet; and

WHEREAS, Zoning Code 21.16E.210 allows detached accessory buildings to exceed 15-feet in height and, and have a building square footage greater than 50-percent of the primary residence, with the approval of a CUP in the R-1 zoning district; and

WHEREAS, Section 21.20.350(b) of the Zoning Code, Non-Conforming Buildings and Structures, gives the DRC, and in this case the Planning Commission the ability to approve extensions to a non-conforming setback, or building structure height, provided that such extension does not have a significant adverse effect on public safety of the existing or planned visual character of the neighborhood; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the proposed 855 square foot, 25-foot tall detached accessory building, located within 3-feet of the side property line, does not have a significant adverse effect on public safety of the existing or planned visual character of the neighborhood, and would therefore be consistent with the General Plan and not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 15-018, subject to the following conditions:

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION	
Α	Title Sheet	
В	Site Plan	
С	Existing Floor Plan	
D	First Floor Plan	
E	Second Floor Plan	
F	Elevations and Materials	
G	Section	

Attachment 2

- 2. This Conditional Use Permit (CUP) authorizes the construction of an 855 square foot, 25-foot tall, detached accessory building located within 3-feet of the side property line, as described in Exhibit A-H to this resolution.
- 3. In conjunction with the development of the construction drawings for building permit plan check submittal, the plans shall be modified to allow for a garage door to accommodate for a one car garage on the first floor.
- 4. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process, shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 5. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

PASSED AND ADOPTED THIS 10th day of November, 2015 by the following Roll Call Vote:

AYES:	Brennan, Donaldson, Cooper, Rollins, Burgett, Barth, Vanderlip
NOES:	None
ABSENT:	None
ABSTAIN:	None
A	VINCE VANDERLIP, CHAIRMAN
ATTEST:	
	2/
WARREN FRAG	CE, SECREPARY OF THE PLANNING COMMISSION

PC Resolution 15-029 Page 2 of 9

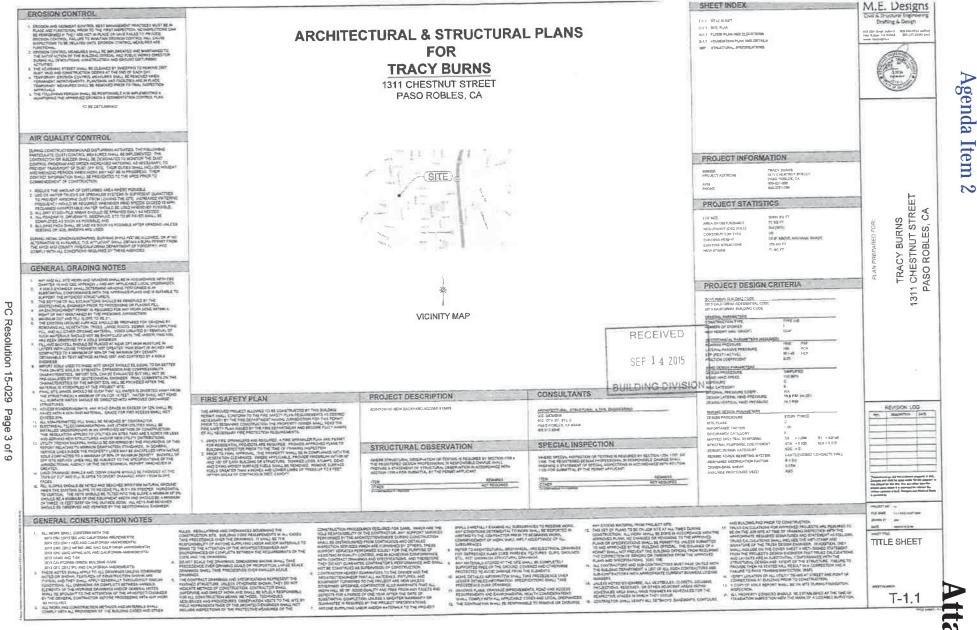
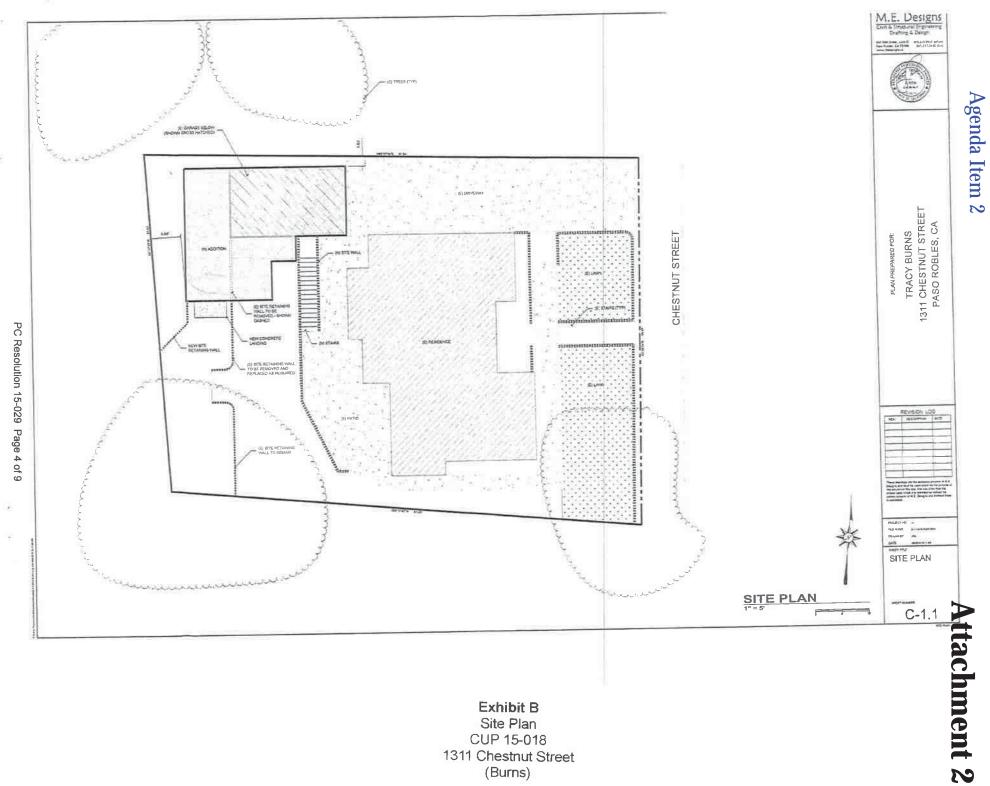


Exhibit A Title Sheet CUP 15-018 1311 Chestnut Street (Burns)

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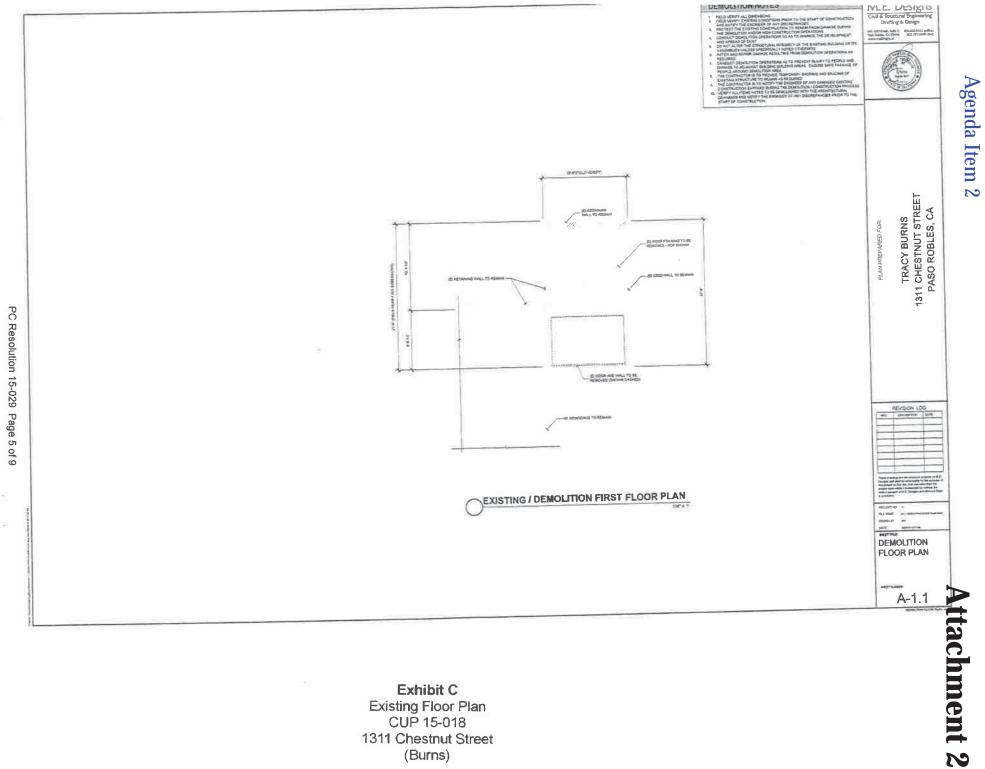
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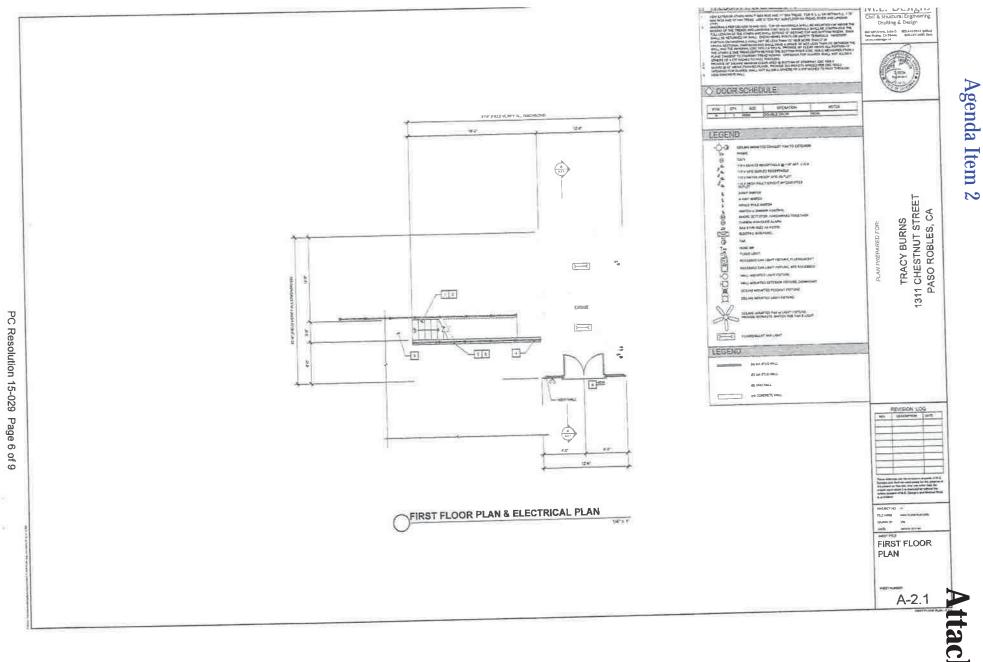
(Burns)

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Existing Floor Plan CUP 15-018 1311 Chestnut Street (Burns)

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Exhibit D First Floor Plan CUP 15-018 1311 Chestnut Street (Burns)

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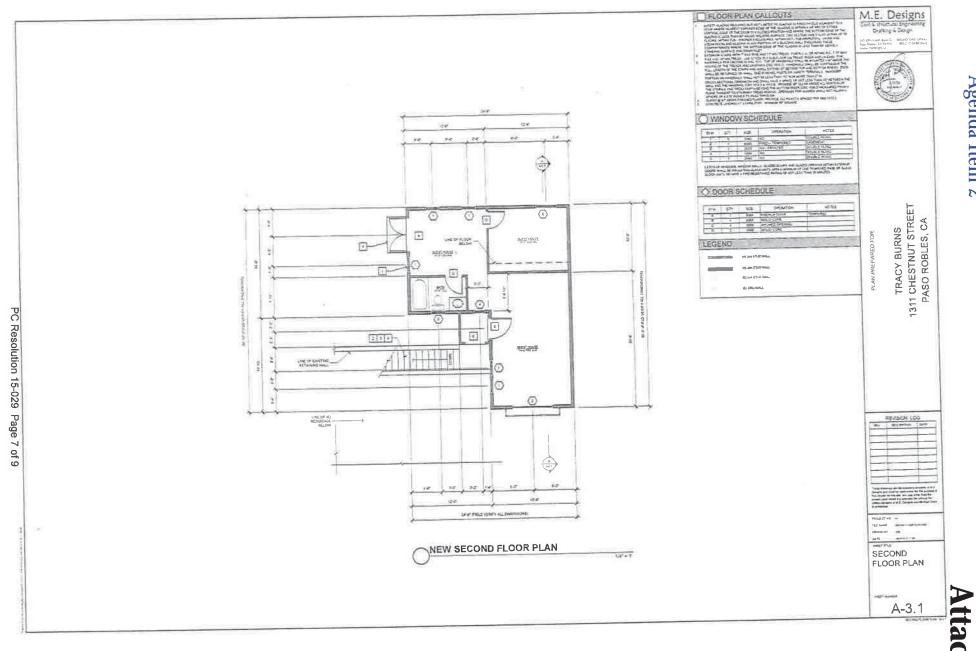


Exhibit E Second Floor Plan CUP 15-018 1311 Chestnut Street (Burns)

ttachment 2

Agenda Item 2

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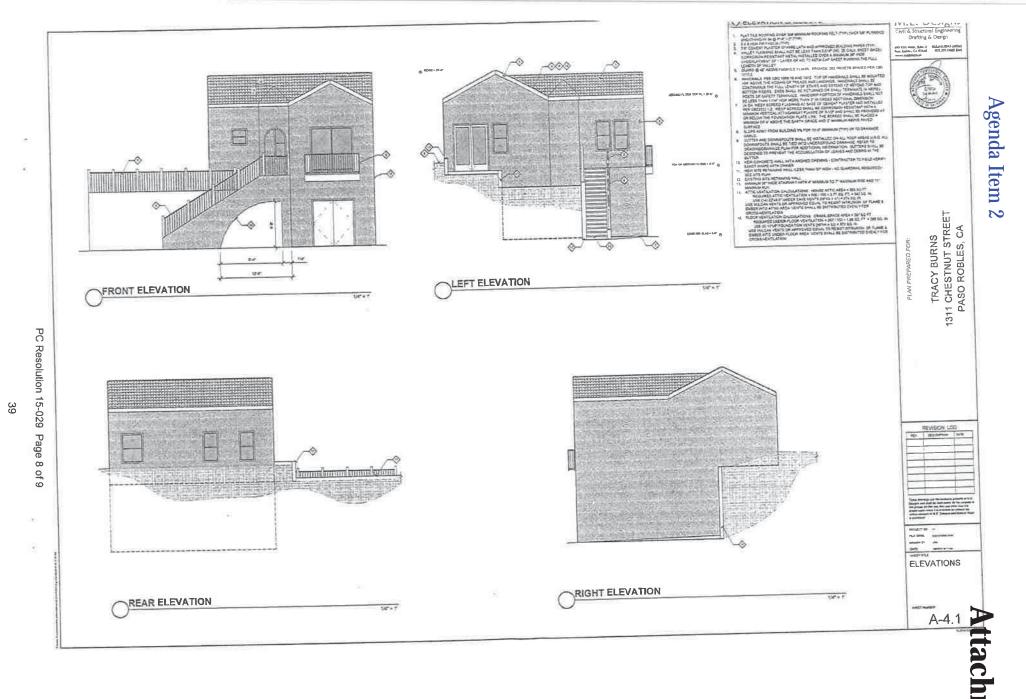
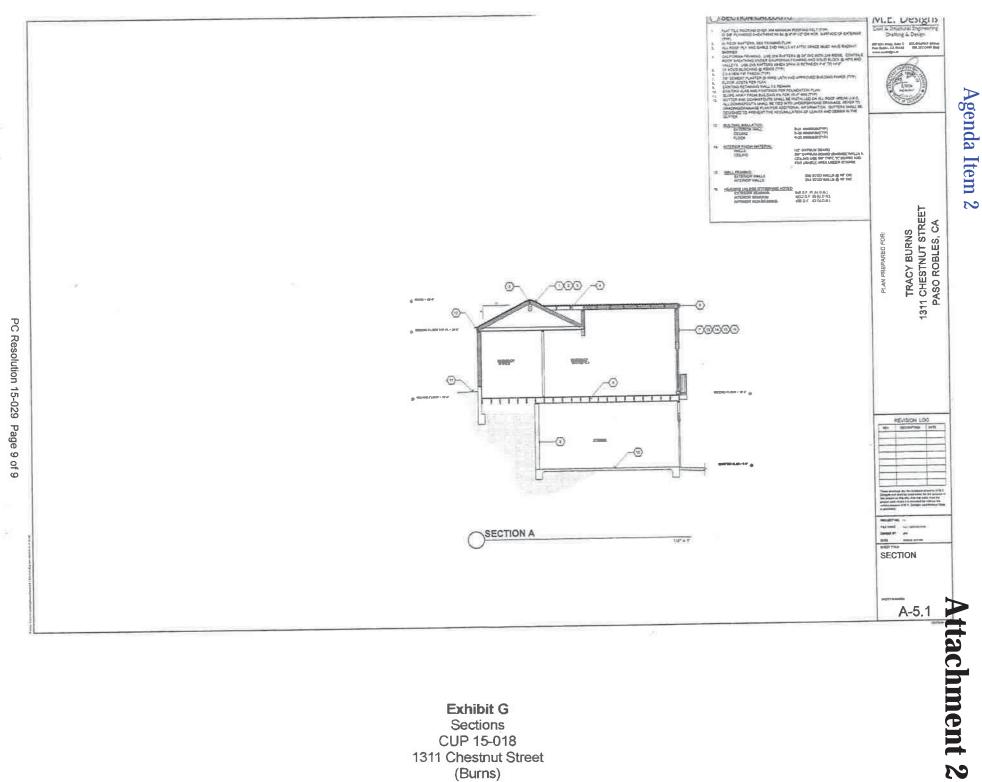


Exhibit F Arch. Elelvations CUP 15-018 1311 Chestnut Street (Burns)

tachment 2



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Exhibit G Sections CUP 15-018 1311 Chestnut Street (Burns)

Attachment 3 Existing Conditions



Site Photo 1: View of foundation for the upper level of the guest house addition, looking northeast.



Site Photo 2: View of foundation for the upper level of the guest house addition, looking north.



Site Photo 3: View of garage on the lower level, looking west.

Attachment 4

1311 Chestnut Paso Robles Conformity Report for Paso Robles Planning Commission

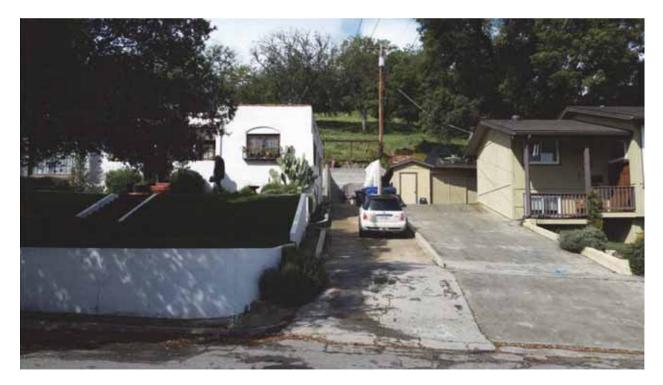
The purpose of this report is to expand on provided plans and structural drawings. This report is mostly visual to give a better perspective of the surrounding neighborhood for the detached accessory building taking place above the existing garage at 1311 Chestnut. This report will show existing structures of the neighborhood taken from Chestnut Street and the Fire Road that runs along parallel to Chestnut Street to give a perspective from the opposite side of the new structure. Also included are pictures of the foundation that has been built as well architectural inspirations the owner hopes to emulate in the new conditional use permit.

Attachment 4



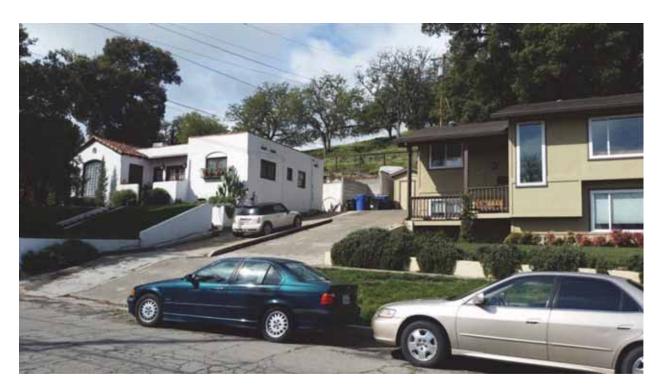
Surrounding Neighborhood from Chestnut Street

Front on view of 1311 Chestnut from the street



Front on view of 1311 Chestnut from the driveway

Attachment 4

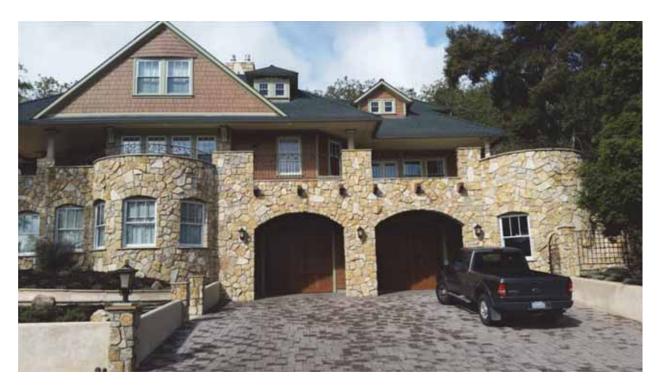


Street view of 1311 and 1321 Chestnut



Street view of 1321 Chestnut

Attachment 4



Street view of 1301 Chestnut (1)



Street view of 1301 Chestnut (2)

Attachment 4

Surrounding Neighborhood from Fire Road behind Chestnut Street



Behind 1311 Chestnut taken from fire road



1311 and 1321 Chestnut taken from fire road

Attachment 4

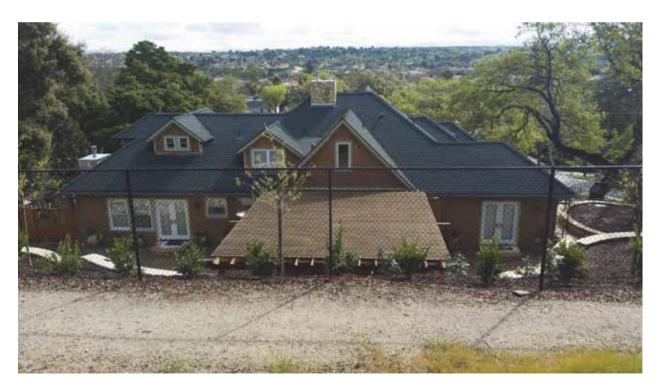


Directly behind 1321 Chestnut taken from fire road



1311 and 1301 Chestnut taken from fire road

Attachment 4



Directly behind 1301 Chestnut taken from fire road



Directly behind 1291 Chestnut taken from fire road

Attachment 4



Directly behind 1271 Chestnut 2nd unit taken from fire road



Behind 1271 Chestnut 2nd unit taken from fire road

Attachment 4



Terrace Hill Spanish Style taken from fire road

Attachment 4

Current Site



Taken at property line of 1321 and 1311 Chestnut



Property line of 1321 and 1311 Chestnut

Attachment 4



View facing north to 1321 Chestnut



View of new structure and proximity to back fence/property line

Attachment 4

Inspirational Architecture taken from <u>California Colonial The Spanish and</u> <u>Rancho Revival Styles</u>



The owner would like a room similar to this with high ceilings but not including the staircase

Attachment 5 Draft Resolution A

RESOLUTION NO: PC 17-XXX A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO APPROVE CONDITIONAL USE PERMIT AMENDMENT 15-018 FOR SIZE AND HEIGHT EXCEPTIONS FOR AN ACESSORY STRUCTURE (1311 Chestnut Street – Burns) APN: 009-021-039

WHEREAS, in accordance with the Historic Preservation Ordinance (Chapter 21.50), the primary residence at 1311 Chestnut Street is recognized by the City of Paso Robles as historically significant and may warrant special consideration in local planning; and

WHEREAS, one of the purposes of the Historic Preservation Ordinance is to provide for the recognition, preservation, and use of historic resources in the City by establishing procedures and regulations necessary to ensure that new development maintains continuity with the City's historic character and scale. Furthermore, it is unlawful for any person, owner, or entity to directly or indirectly alter, remodel, demolish, grade, remove, construct, reconstruct, or restore and site, building, structure, object or district listed in the historic resources inventory without first obtaining a certificate of no effect; and

WHEREAS, an application has been filed by Mark Foos (representative) on behalf of Tracy Burns (owner), requesting to amend Conditional Use Permit 15-018 in order to amend a previously approved guest house addition to a detached garage by increasing its overall size and height at 1311 Chestnut Street; and

WHEREAS, the request would increase the size of the guest house addition from 855 square feet to 978 square feet of gross floor area and would increase the height from 24-feet to 31-feet; and

WHEREAS, since the existing primary residence is 1,183 square feet, the proposed addition would exceed 50-percent of the primary residence and as noted above would be taller than 15-feet; and

WHEREAS, Zoning Code sections 21.16E.210 and 21.16E.260.C allow detached accessory buildings to exceed 15-feet in height and have a building square footage greater than 50-percent of the primary residence, with the approval of a CUP in the R-1 zoning district; and

WHEREAS, this application is Categorically Exempt from environmental review per Section 15303 (new construction of small structures) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was conducted by the Planning Commission on May 9, 2017, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding the application; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2 - Findings: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings:

- 1. The proposed use is consistent with the General Plan and Zoning Ordinance; and
- 2. The proposed use satisfies the applicable provisions of the Zoning Ordinance; and
- 3. The establishment, and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use; and
- 4. That the proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development; and
- That the proposed use or project will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved in conjunction with the project, or beyond the normal traffic volume of the surrounding neighborhood; and

<u>Section 3 - Environmental Determination</u>: This application is Categorically Exempt from environmental review per Section 15303 (new construction of small structures) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Section 4 - Approval: Conditional Use Permit Amendment 15-018 is approved subject to the following:

EXHIBIT	DESCRIPTION
A	Project Conditions of Approval
В	Architectural and Structural Plans

PASSED AND ADOPTED THIS 9th Day of May 2017 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN JOHN DONALDSON

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY

Exhibit A

Project Conditions of Approval – CUP Amendment 15-018

Planning Division Conditions:

1. <u>The project shall substantially conform to Exhibit B (Architectural and Structural Plans) as attached to</u> <u>this Resolution.</u> The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	DESCRIPTION
Α	Title Sheet
B	Site Plan
C	Existing Floor Plan
Ð	First Floor Plan
E	Second Floor Plan
F	Elevations and Materials
G	Section

- This Conditional Use Permit <u>Amendment</u> (CUP) authorizes the construction of <u>a 978 an 855</u>-square foot, <u>31-2" 25 foot</u> tall, detached accessory building located within 3-feet of the side property line, as described in Exhibits A-G to this resolution located at 1928 Experimental Station Road.
- 3. In conjunction with the development of the construction drawings for building permit plan check submittal, the plans shall be modified to allow for a garage door to accommodate for a one car garage on the first floor.
- 4. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Conditional Use Permit process, shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 5. Any site specific condition imposed by the Planning Commission in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the Conditional Use Permit.
- 6. <u>Prior to the issuance of a building permit, the Planning Division Staff shall approve the following:</u>
 - a. Final site plan and architectural elevations;
 - b. Floor Plans;
 - c. <u>Detailed building elevations of all structures indicating materials, colors, and architectural</u> <u>treatments.</u>

EROSION CONTROL

- THE SATISFACTION OF THE BUILDING OFFICIAL AND PUBLIC WORKS DIRECTOR DURING ALL DEMOLITIONS, CONSTRUCTION AND GROUND DISTURBING 3 THE ADJOINING STREET SHALL BE CLEANED BY SWEEPING TO REMOVE DIRT.
- THE ADJOINING STREET SHALL BE CLEANED BY SWEEPING TO REMOVE DIR DUST, MUD AND CONSTRUCTION DEBRIS AT THE END OF EACH DAY. TEMPORARY EROSION CONTROL MEASURES SHALL BE REMOVED WHEN PERMANENT MIRROVEMENTS, PLANTINGS AND FACILITIES ARE IN PLACE. TEMPORARY MEASURES SHALL BE REMOVED PRIOR TO FINAL INSPECTION PROPOSION

APPROVALS THE FOLLOWING PERSON SHALL BE RESPONSIBLE FOR IMPLEMENTING & MONITORING THE APPROVED EROSION & SEDIMENTATION CONTROL PLAN

TO BE DETERMINED

AIR QUALITY CONTROL

DURING CONSTRUCTIONIGROUND DISTURBING ACTIVITIES, THE FOLLOWING PARTICULATE (DUST) CONTROL MEASURES SHALL BE IMPLEMENTED. THE CONTROL PROGRAM MON GOODE INCOMENSION OF THE SHALL BE AND AND AND AND PORTER TRANSPORT OF DUST OFF SITE. THEIR DUTIES SHALL INCLUDE HCLIDAY ADD VEEXEMD DEFICIOS WHEN WORK MAY NOTE BE IMPRORESS. THEIR CONTACT INFORMATION SHALL BE PRESENTED TO THE APCD PRIOR TO COMMENCEMENT OF CONSTRUCTION.

- SEEDING OR SOIL BINDERS ARE USED.

DURING INITIAL GRADING/SCRAPING, BURNING SHALL NOT BE ALLOWED, OR IF NO ALTERNATIVE IS AVAILABLE, THE APPLICANT SHALL OBTAIN A BURN PERMIT FROM THE APCO AND COUNTY REACALIFORNIA DEWATIVENT OF FORESTRY, AND COMPLY WITH ALL CONDITIONS REQUIRED BY THESE AGENCIES.

GENERAL GRADING NOTES

- 1. ANY AND ALL SITE WORK AND GRADING SHALL BE IN ACCORDANCE WITH CBC
- 4.
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FIRE SAFETY PLAN

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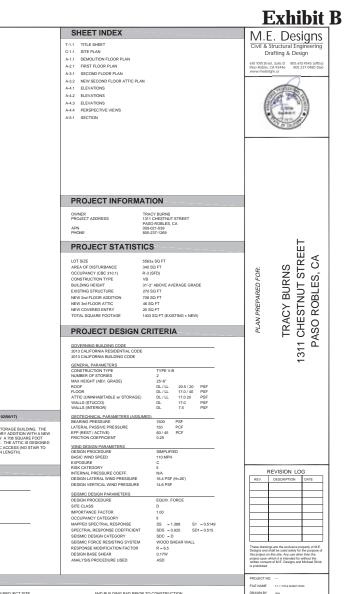
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ARCHITECTURAL & STRUCTURAL PLANS

FOR

TRACY BURNS

1311 CHESTNUT STREET

PASO ROBLES, CA

SITE

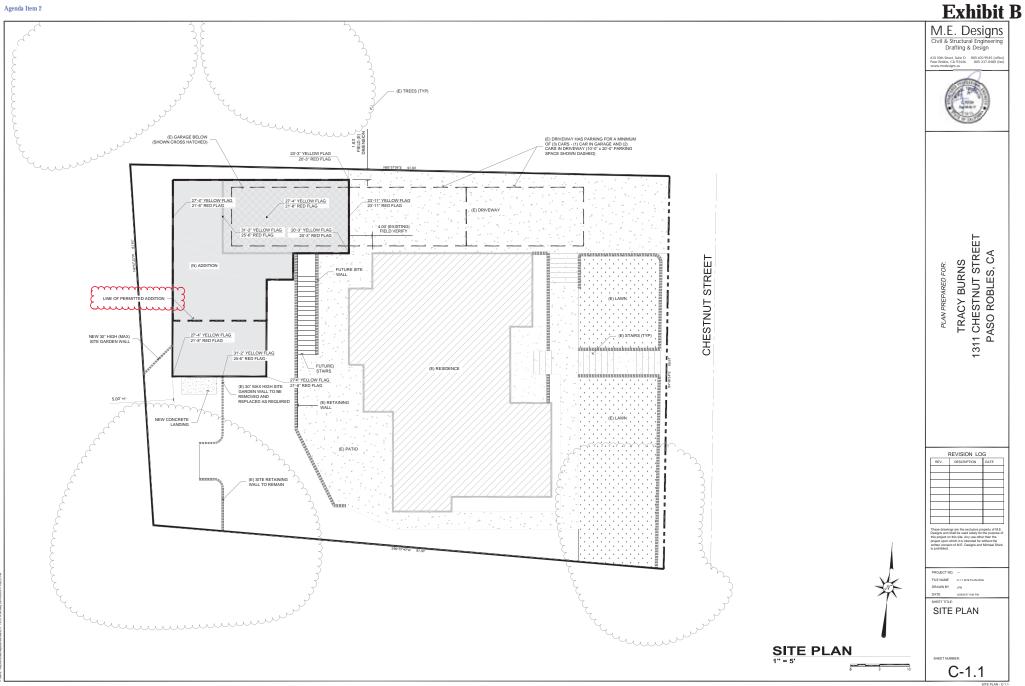
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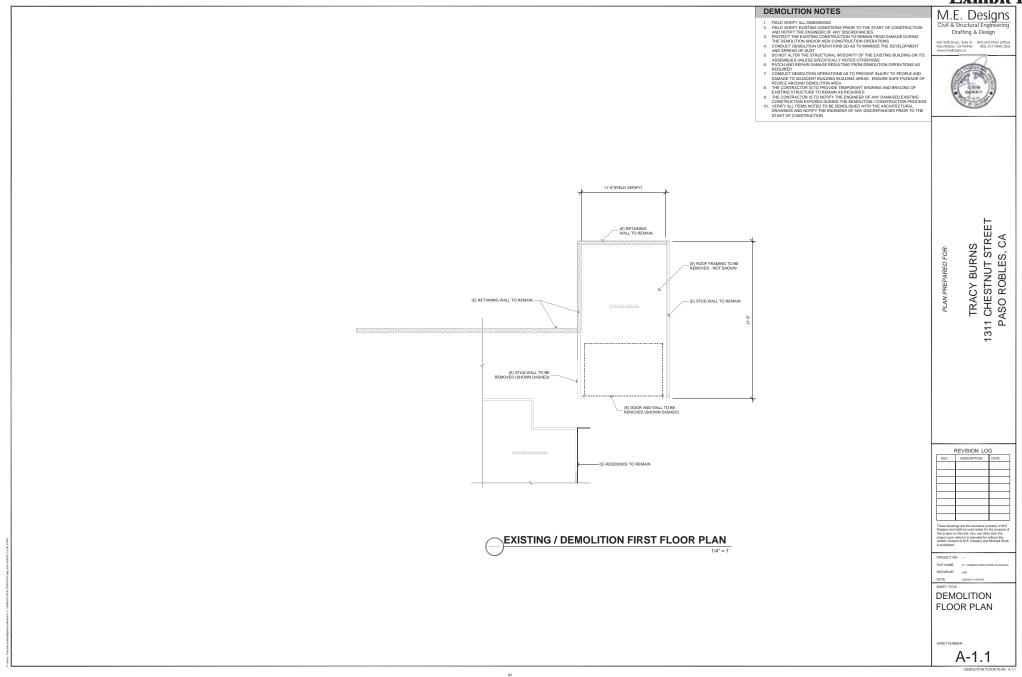
PROJECT DESCRIPTION (UPDATED 02/06/17)

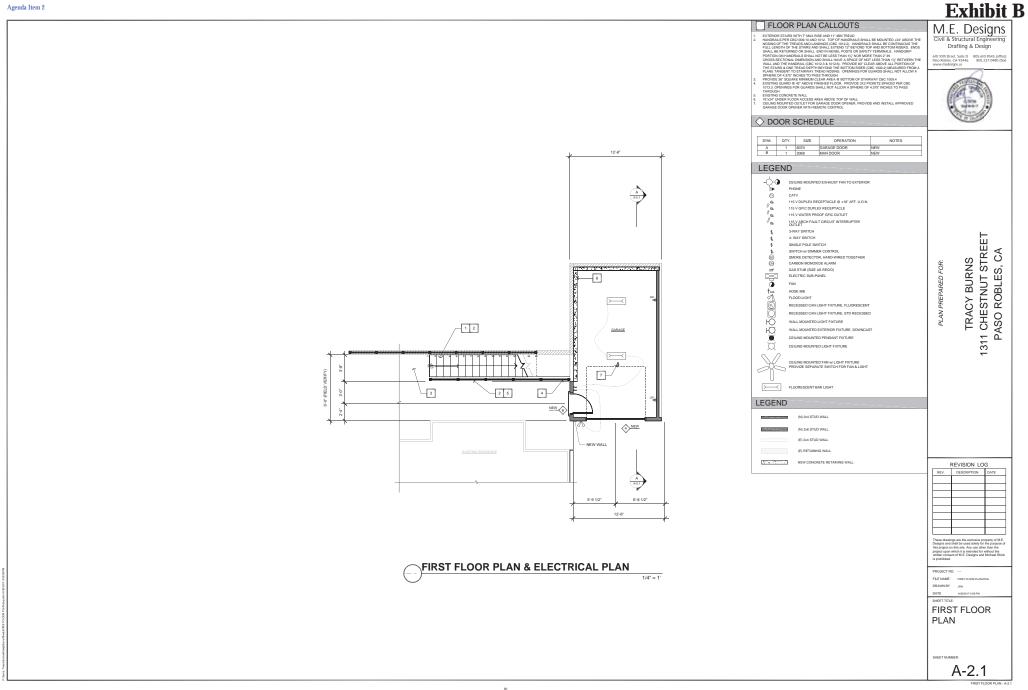












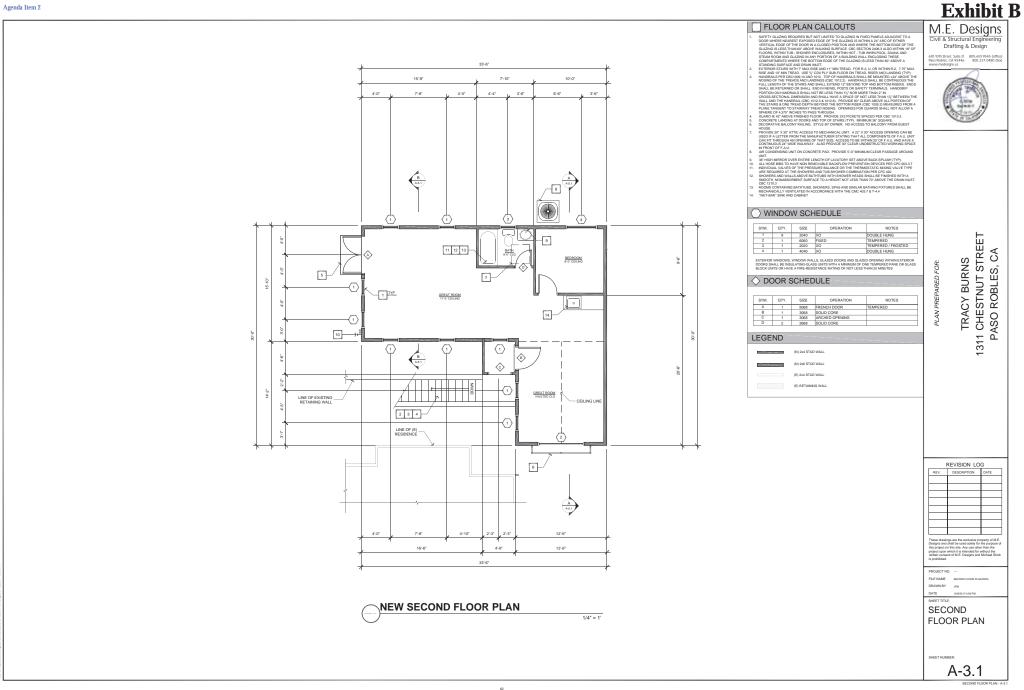
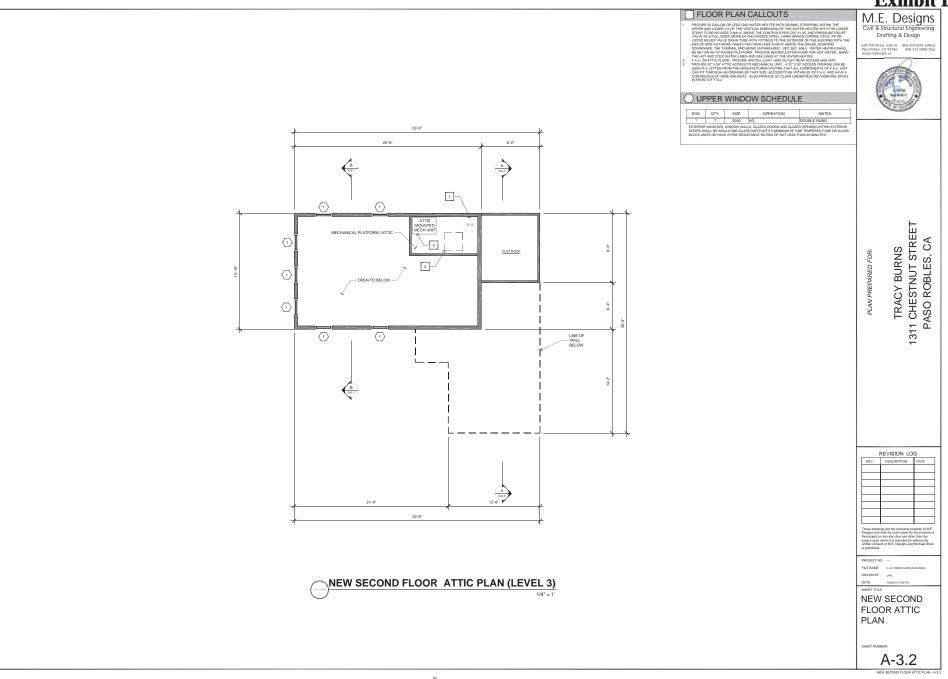
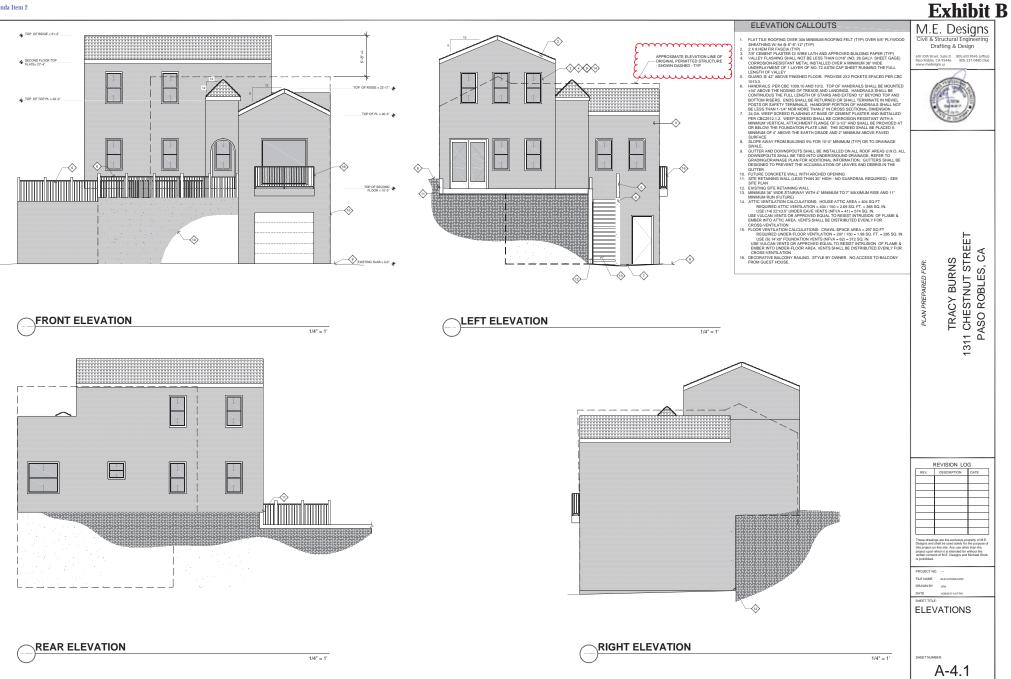


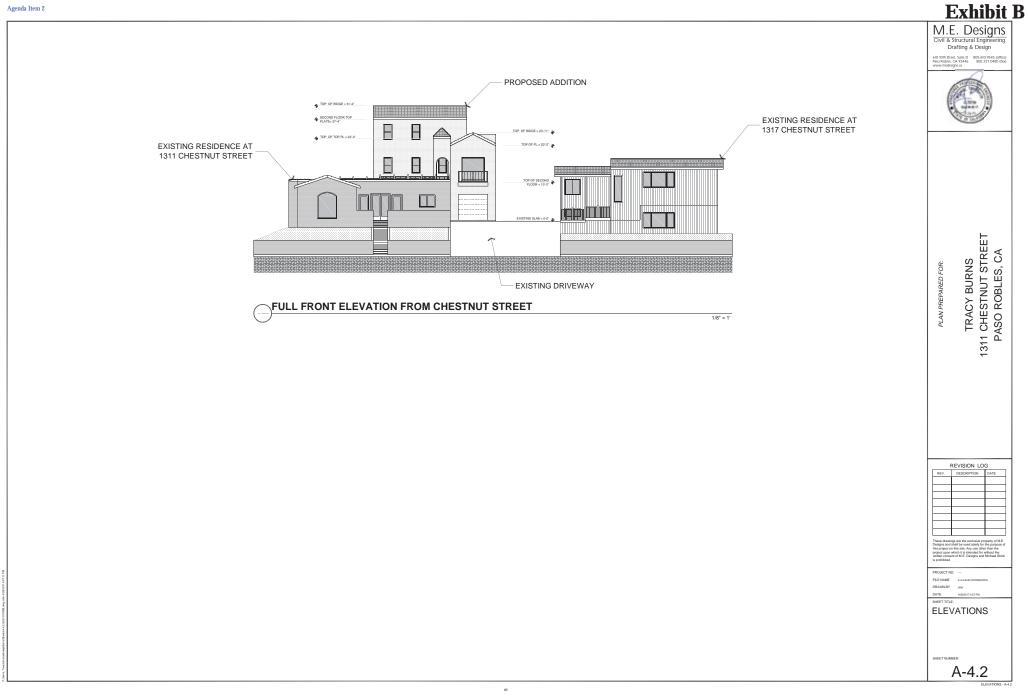


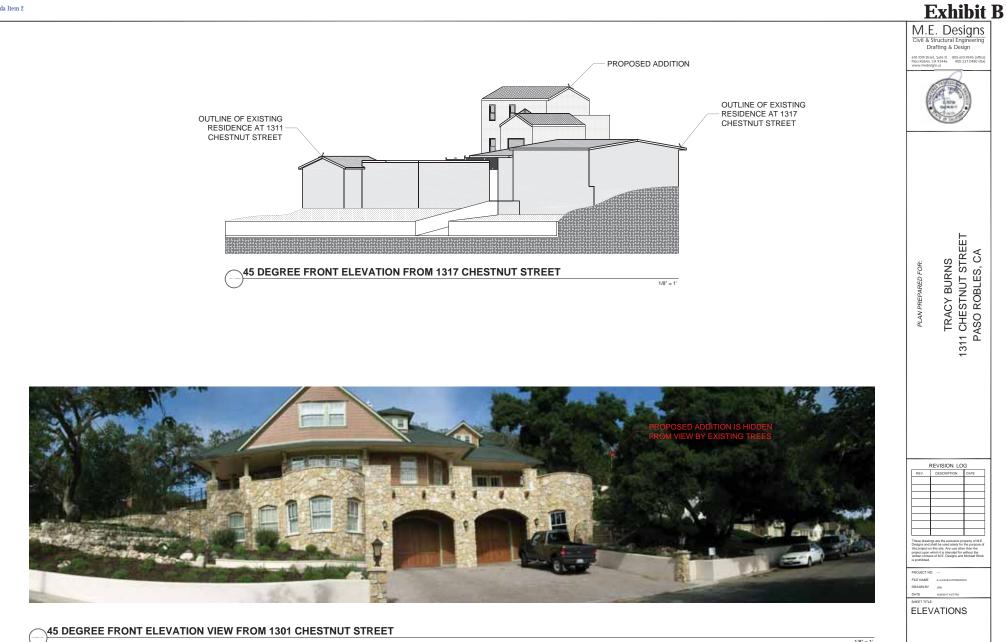
Exhibit B







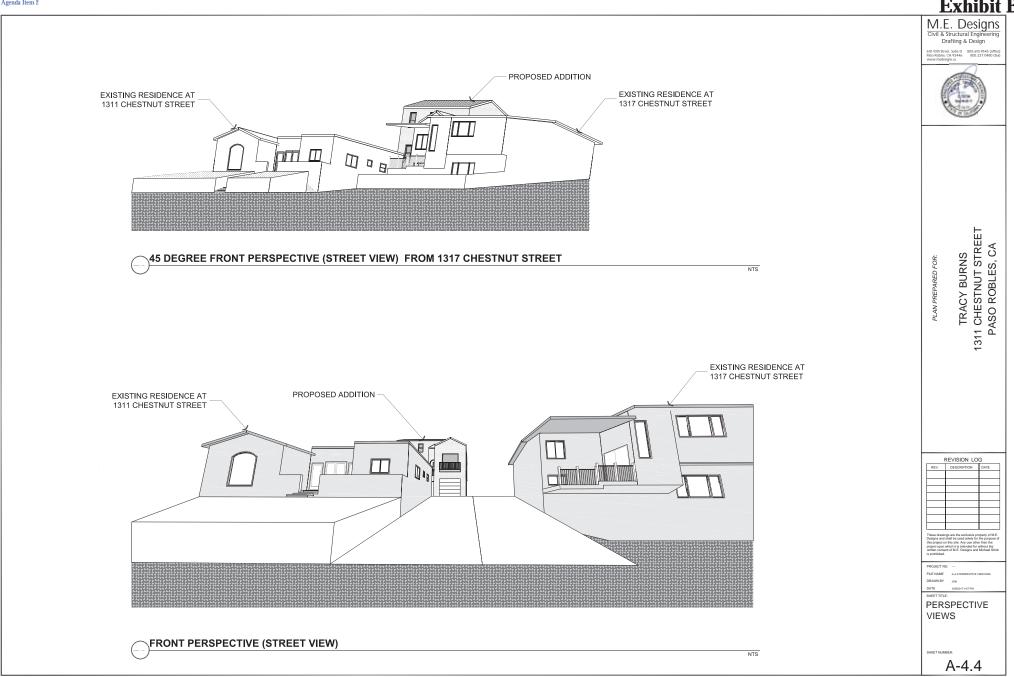




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Exhibit B

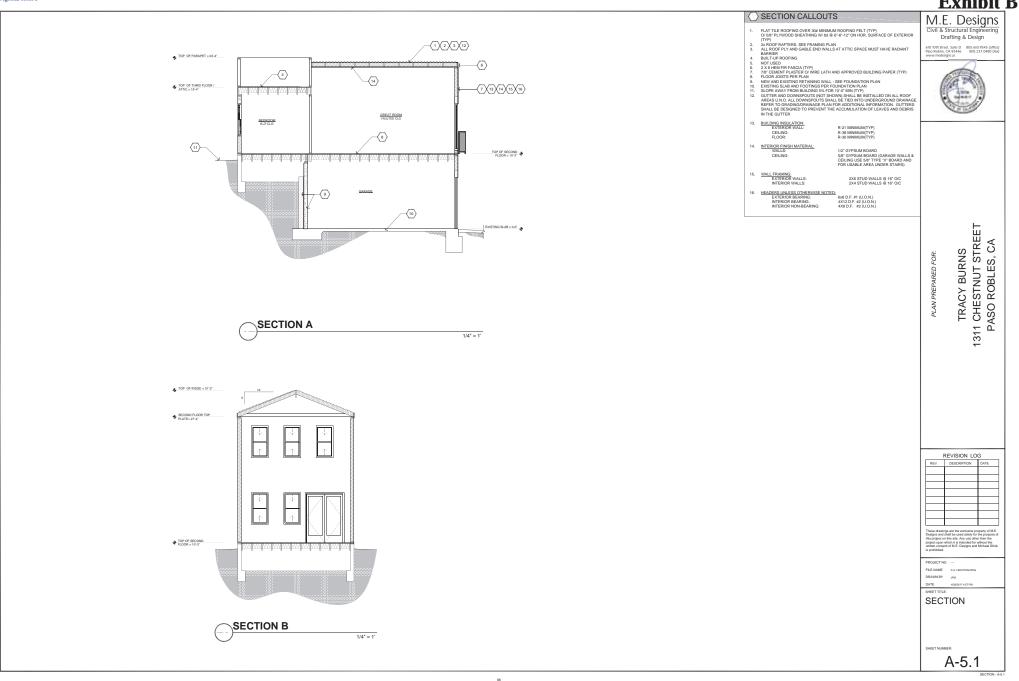


Exhibit B

Attachment 6 Draft Resolution B

RESOLUTION NO: PC 17-XXX A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO DENY AN AMENDMENT TO CONDITIONAL USE PERMIT 15-018 FOR SIZE AND HEIGHT EXCEPTIONS FOR AN ACESSORY STRUCTURE (1311 Chestnut Street – Burns) APN: 009-021-039

WHEREAS, in accordance with the Historic Preservation Ordinance (Chapter 21.50), the primary residence at 1311 Chestnut Street is recognized by the City of Paso Robles as historically significant and may warrant special consideration in local planning; and

WHEREAS, one of the purposes of the Historic Preservation Ordinance is to provide for the recognition, preservation, and use of historic resources in the City by establishing procedures and regulations necessary to ensure that new development maintains continuity with the City's historic character and scale. Furthermore, it is unlawful for any person, owner, or entity to directly or indirectly alter, remodel, demolish, grade, remove, construct, reconstruct, or restore and site, building, structure, object or district listed in the historic resources inventory without first obtaining a certificate of no effect; and

WHEREAS, an application has been filed by Mark Foos (representative) on behalf of Tracy Burns (owner), requesting to amend Conditional Use Permit 15-018 in order to amend a previously approved guest house addition to a detached garage by increasing its overall size and height at 1311 Chestnut Street; and

WHEREAS, the request would increase the size of the guest house addition from 855 square feet to 978 square feet of gross floor area and would increase the height from 24-feet to 31-feet; and

WHEREAS, since the existing primary residence is 1,183 square feet, the proposed addition would exceed 50percent of the primary residence and as noted above would be taller than 15-feet; and

WHEREAS, Zoning Code sections 21.16E.210 and 21.16E.260.C allow detached accessory buildings to exceed 15-feet in height and have a building square footage greater than 50-percent of the primary residence, with the approval of a CUP in the R-1 zoning district; and

WHEREAS, based on the facts and analysis presented in the staff report and the attachments thereto, the height and location of the proposed accessory building would not be considered compatible with the immediate neighborhood nor the primary residence which is a historic resource, and therefore it would not be consistent with maintaining continuity with the historic character of the property established under the Historic Preservation Ordinance; and

WHEREAS, a public hearing was conducted by the Planning Commission on May 9, 2017, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding the application; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

<u>Section 2 - Findings</u>: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings to support the denial of the Amendment to Conditional Use Permit 15-018:

- 1. That the proposed project or use will be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the overall height of the structure would cause it to be substantially taller that the existing single-family residence as well as the property immediately to the north; and
- 2. The proposed work will diminish, eliminate or adversely affect the character of the historic resource because the increase in the height of the building from 25-feet to 31-feet will result in the guest house addition being out of scale with the existing single-family residence resulting in a negative effect on the existing residence's historical significance.

Section 3 - Denial: The Amendment to Conditional Use Permit 15-018 is denied based on the findings the proposed use would not be consistent with the character of the immediate neighborhood and would adversely affect the historical significance of the existing single-family residence.

PASSED AND ADOPTED THIS 9th Day of May 2017 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CHAIRMAN JOHN DONALDSON

WARREN FRACE, PLANNING COMMISSION SECRETARY





CITY OF EL PASO DE ROBLES "The Pass of the Oaks"

Attachment 7

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Monica Hollenbeck</u>, employee of the City of El Paso de Robles, California, do hereby

certify that the mail notices have been processed as required for Conditional Use Permit

Amendment CUP 15-018, on this 27th day of April, 2017.

City of El Paso de Robles **Community Development Department** Planning Division

Signed: Monica Hollenbeck

1000 SPRING STREET • PASO ROBLES, CALIFORNIA 93446 • www.prcity.com





MAY 01 2017

City of Paso Robles Community Development Dept

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California In and for the County of San Luis Obispo AFFIDAVIT OF PUBLICATION

AD # 3048714 CITY OF PASO ROBLES

STATE OF CALIFORNIA

SS.

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state: that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit: APRIL 28, 2017 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signature of Principal Clerk) DATE: APRIL 28, 2017 AD COST: \$225.06

CITY OF PASO ROBLES NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission will hold a Public Hearing to consider the following project:

APPLICATION: Conditional Use Permit Amendment (CUP 15-016), a request to amend a previously approved guest house addition to a detached garage by increasing its overall size and height. The request would increase the size of the structure from 855 square feet to 978 square feet of gross floor area and would increase the height from 24-feet to 31-feet.

APPLICANT: Tracy Burns

OCATION: 1311 Chestnut Street; Assessor's Parcel Number 009-021-039

ENVIRONMENTAL DETERMINATION: This application is Categorically Exempt from environmental review per Section 15303 (new construction of small structures) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

HEARING: The Planning Commission will hold a Public Hearing on Tuesday, May 9, 2017, at 6:30 p.m. at the Library Conference Center, 1000 Spring Street, Paso Robles, California.

Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at <u>planning@prcity.com</u>. Comments on the proposed application may be mailed to the Community Development Department, or emailed to <u>planning@prcity.com</u> provided that such comments are received prior to the time of the hearings.

If you challenge the application in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or in written correspondence delivered to the Planning Commission or City Council at, or prior to, the public hearings.

Copies of the staff report pertaining to this project will be available for review at the Community Development Department on the Thursday preceding each hearing (copies are available for purchase for the cost of reproduction). If you have any questions, please contact the Community Development Department at (805) 237-3970.

Darcy Delgado Assistant Planner April 28, 2017

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