

RESOLUTION NO.: 02-046
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE CONDITIONAL USE PERMIT 02-014
(DART)
APN: 025-041-010

WHEREAS, Section 21.16E.260 of the Municipal Code requires a Conditional Use Permit for an accessory building that exceeds 15 feet in height and 50 percent of the existing floor area on a single-family zoned lot, and

WHEREAS, an application for a Conditional Use Permit was submitted by the applicant for a 32 foot by 40 foot workshop with a storage loft that would exceed 15 feet in height and 50 percent of the floor area of the existing residence on a lot located at 955 Walnut Drive, and

WHEREAS, the project was reviewed by the Development Review Committee on July 22 and July 29, 2002, and found to be acceptable, including the use of the T-111 type siding on the accessory structure's exterior, and

WHEREAS, the project is categorically exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Section 15301, and

WHEREAS, a public hearing was conducted by the Planning Commission on August 13, 2002, to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit request, 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 use herein applied for, will not, under the circumstances of the particular case, 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.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 02-014 subject to the following conditions:

STANDARD CONDITIONS:

1. This project approval shall expire on August 13, 2004 unless a time extension request is filed with the Community Development Department prior to expiration. Implementation of any phase of this project eliminates this time constraint.
2. 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.

3. Prior to issuance of a building permit, the applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.
4. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
5. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
6. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.
7. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and subject to approval by the Community Development Director or his designee.

SITE SPECIFIC CONDITIONS:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

COMMUNITY DEVELOPMENT:

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

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Proposed Site Plan
B	Floor Plan and Elevations
C	Building Section
D	Color Board (on file)

9. This Conditional Use Permit (CUP) authorizes construction of a 1,280 square foot, two-story accessory structure, not be used for vehicular parking or storage purposes unless paved access is provided as required by code, in a manner described in attached exhibits and as by conditions contained within this resolution.

10. Prior to issuance of a building permit, the applicant shall record against the property title an affidavit stating that the accessory building will not be used for vehicle storage or parking at any time, unless the applicant shall first submit to City staff a letter stating the intent to use the building for vehicle storage, and a plan showing the vehicular access to the building, meeting all applicable City codes and requirements.
11. Pursuant to submittal requirements and City Standard Condition B-1, prior to occupancy the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.

ENGINEERING CONDITIONS:

12. Prior to the issuance of a Certificate of Occupancy, the applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services and any outstanding annexation fees.
13. Undergrounding of overhead utilities on or adjacent to the site is required with this project. In lieu of undergrounding at this time, the Applicant shall agree not to protest the formation of, and to participate in, a special district whose specific purpose is the future "undergrounding" of overhead utilities in this vicinity. All new on-site utility services extended to the project shall be installed underground.

PASSED AND ADOPTED THIS 13th Day of August 2002 by the following roll call vote:

AYES: Calloway, Ferravanti, Johnson, Kemper, Steinbeck, Warnke,

NOES: None

ABSENT: McCarthy

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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