

RESOLUTION NO.: 02-066

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 02-019  
(SNIDER)  
APN: 025-181-011

WHEREAS, Section 21.16E.260 of the Municipal Code requires a Conditional Use Permit for an accessory building that exceeds 15 feet in height or that exceeds 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 Bruce Snider for a detached garage and storage building that would exceed 15 feet in height and 50 percent of the floor area of the existing residence on a lot located at 753 North Trigo Lane, and

WHEREAS, the project was reviewed by the Development Review Committee on September 16, 2002 and found to be acceptable, 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 September 24, 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 02-019 subject to the following conditions:

**STANDARD CONDITIONS:**

1. This project approval shall expire on September 24, 2004 unless a time extension request is filed with the Community Development Department prior to expiration and approved by the Planning Commission. 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, compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans shall not be waived.
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         |
| C              | Elevations         |

9. This Conditional Use Permit (CUP) authorizes construction of a 1,680 square foot, two-story accessory structure, to be used for vehicular parking and storage purposes 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 converted to habitable space or be used as a separate dwelling unit unless the property owner shall first submit plans and obtain all applicable building permits, in compliance with all applicable City codes and requirements.
11. Prior to issuance of a building permit, the applicant shall submit a colorboard to Staff for approval. Colors, materials and details shall match the existing residence.
8. 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:**

14. 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.
15. All new on-site utility services extended to the project shall be installed underground.

PASSED AND ADOPTED THIS 24<sup>th</sup> day of September 2002 by the following roll call vote:

AYES: Calloway, Johnson, Kemper, McCarthy, Warnke

NOES: None

ABSENT: Ferravanti, Steinbeck

ABSTAIN: None

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CHAIRMAN PRO TEM RALPH McCARTHY

ATTEST:

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TINA RYDER, ACTING PLANNING COMMISSION SECRETARY

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