

RESOLUTION NO.: 04-014

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING PLANNED DEVELOPMENT 03-014  
(ROBERT LAMB)  
APN: 008-071-005

WHEREAS, Planned Development 03-014 has been filed by Robert Lamb, to construct a duplex on the 7,000 square foot lot located at 3016 Spring Street; and

WHEREAS, Section 21.16E.220 of the Zoning Code allows the Planning Commission to reduce a front setback from 15-feet to a minimum of 5-feet, if the following findings can be made:

- a. The reduction is necessary to preserve oak trees and/or minimize grading;
- b. The project still maintains a 20-foot front setback to the garage door;
- c. The reduced setback would not be inconsistent with an established neighborhood pattern;

and;

WHEREAS, while Section 21.16E.220 specifically addresses front setbacks in R-1 zone, it would appear that the intent of the code is to reduce impacts to oak trees whether it be a reduction in a side, rear or front setback in any residential zone; and

WHEREAS, the request at this time is for the Planning Commission to make an interpretation that side or rear setbacks could be reduced in any of the residential zones if the required findings could be met; and

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

WHEREAS, at its February 24, 2004 meeting, the Planning Commission held a noticed public hearing on the project, to accept public testimony on the proposal including Planned Development 03-014; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:
  - a. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City.
  - b. The Project maintains and enhances the significant natural resources on the site.

- c. The Project is designed to be sensitive to, and blend in with, the character of the site and surrounding area.
- d. The Project is consistent with the purpose and intent of the Planned Development Chapters of the Zoning Ordinance and the Project is not contrary to the public health, safety and welfare.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Planned Development 03-014, subject to the following conditions:

**PLANNING SITE SPECIFIC CONDITIONS:**

1. The Project shall be constructed in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Site Plan
B	Architectural Elevations
C	Floor Plan
D	Arborist Report
E	Color and Materials Board (on file in the Community Development Dept.)

2. The approval of the PD 03-014 would allow the construction of the duplex with the associated driveway and parking area.
3. All construction techniques as described in the Arborist Report Attached as Exhibit D shall be complied with.
4. Prior to occupancy, the applicant shall remove existing curb, gutters and construct curb, gutter and sidewalk in accordance with the Spring Street Master Plan across the frontage of the property.
5. Prior to occupancy, the applicant shall enter into an agreement not to protest an assessment district to relocate all overhead utility lines across or adjacent to the site.

PASSED AND ADOPTED THIS 24<sup>th</sup> day of February, 2004 by the following Roll Call Vote:

AYES: Steinbeck, Ferravanti, Kemper, Mattke, Hamon, Flynn, Johnson  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

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CHAIRMAN TOM FLYNN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

h:darren/PD/PD03-014LambResolution