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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

PLANNING COMMISSION

Promoting the wise use of land
Helping build great communities

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
November 30, 2005	Martha Neder, Planner (805) 781-4576	Heritage Ranch Owner's Association (HROA)	DRC2005-00040

SUBJECT
Request by Heritage Ranch Owners Association (HROA) for a Conditional Use Permit to allow the demolition of an existing gatehouse and construction of a new approximately 435 square foot gatehouse. The project will result in the disturbance of approximately 500 square feet of a 10 acre parcel. The proposed project is within the Residential Single Family land use category and is located on Gateway Drive, near the intersection of Gateway Drive and Nacimiento Lake Drive in Heritage Ranch. The site is in the Nacimiento planning area.

RECOMMENDED ACTION
Approve Conditional Use Permit DRC2005-00040 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION
A Class 3 Categorical Exemption was issued on October 6, 2005 (ED05-144)

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Single Family	None applicable	012-351-001	1

PLANNING AREA STANDARDS:
Permit Requirement, Setback, Building Permit

EXISTING USES:
Gatehouse

SURROUNDING LAND USE CATEGORIES AND USES:
North: Residential Rural
East: Residential Rural
South: Residential Single Family
West: Residential Single Family

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER ✦ SAN LUIS OBISPO ✦ CALIFORNIA 93408 ✦ (805) 781-5600 ✦ FAX: (805) 781-1242

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, CDF, Heritage Ranch Community Services District, City of Paso Robles	
TOPOGRAPHY: Nearly level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual on-site system Fire Protection: CDF	ACCEPTANCE DATE: October 6, 2005

LAND USE ORDINANCE COMPLIANCE: The following section discusses the land use ordinance requirements that apply to this project.

22.18.050 Parking and Loading: One parking space is required for every 200 square feet of office space. The project conforms to this requirement as 6 parking spaces are provided.

22.18.060 Parking Lot Construction Standards: All parking lots of three or more spaces shall provide sufficient trees so that within 10 years, 60 percent of the surface area of the lot is shaded by deciduous or evergreen trees. The project is conditioned to conform to this requirement.

PLANNING AREA STANDARDS: The following sections discuss the planning area standards that apply to this project.

22.102.040 – Heritage Ranch Village Area Standards

A. (1) Permit Requirement – Previous approvals. Within Heritage Ranch, any changes to previously approved Conditional Use Permits or Development Plans require Conditional Use Permit approval. Conditional Use Permit D831122:1 allowed the continued use of the gatehouse authorized for temporary use by several earlier permits dating back to 1972.

The gatehouse is operated by the HROA and serves as a security checkpoint for vehicles entering and leaving Heritage Ranch. However, its original intended purpose appears to have been to provide information to guests and the public.

Conditions of approval of previous permits prohibit gate attendants from preventing access to public facilities within Heritage Ranch. Currently, few public facilities exist. This situation could change as the community grows. Therefore, the condition to retain access to public facilities is included with this permit. The previous conditions requiring a bond and a procedure for termination of the gatehouse at the time of public acceptance of the Lakeview Drive offer of dedication should also be retained.

A. (10) e. Setback. Provide a minimum open space setback of 500 feet from the centerline of Lake Nacimiento Drive for all development parcels, fences, and primary and accessory structures. The project conforms to this standard as it is setback more than 500 feet from the centerline of Lake Nacimiento Drive.

A. (14) Building Permits. No grading or Building Permit shall be issued without review by the Architectural and Environmental Control Committee. The project is conditioned to conform to this standard.

COMMUNITY ADVISORY GROUP COMMENTS: There is no advisory group for this area

AGENCY REVIEW:
Public Works – No response
City of Paso Robles - No response
CDF – No comment
Heritage Ranch Community Services District – See attached will serve letter

LEGAL LOT STATUS:
The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Martha Neder and reviewed by Kami Griffin

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FINDINGS - EXHIBIT A

Environmental Determination

A. The project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15301 because the project is the demolition and construction of a small structure.

Conditional Use Permit

B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.

C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.

D. 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 because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.

E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.

F. The proposed project or use 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 with the project because the project is located on Gateway Drive, a local road constructed to a level able to handle any additional traffic associated with the project.

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EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes

   a. demolition of an existing gatehouse and construction of a new approximately 435 square foot gatehouse.

   b. use of the gatehouse until Lakeview Drive is accepted by the Board of Supervisors into the county-maintained public road system.

   c. use of a gatehouse which does not prevent free public access to public facilities by gate attendants or other device.

   d. maximum height is 14 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.

3. **At the time of application for construction permits,** submit a landscape plan to the Department of Planning and Building for review and approval. The landscape plan shall be consistent with Land Use Ordinance Section 22.16, address all areas of the site disturbed by project construction, and provide sufficient trees so that within 10 years, 60 percent of the surface area of the lot is shaded by deciduous or evergreen trees.

4. **At the time of application for construction permits,** the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

5. **At the time of application for construction permits,** all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code.

Services

6. **At the time of application for construction permits,** the applicant shall provide a letter from Heritage Ranch Community Services District stating they are willing and able to service the property.

7. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

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Conditions to be completed prior to issuance of a construction permit

Fees

8. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Architectural Review Committee

9. **Prior to issuance of a construction permit**, the applicant shall provide evidence that the project has been reviewed by the Architectural and Environmental Control Committee.

Bond for Removal

10. **Prior to issuance of a construction permit**, the applicant shall post a bond with the County in a form approved by County Counsel for an amount guaranteeing that the building and improvements included within this approval shall be removed from the site or converted to such other use which may be approved by the Planning Commission at the time Lakeview Drive is accepted by the Board of Supervisors into the county-maintained public road system or upon violation and nullification of this approval.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

11. Landscaping in accordance with the approved landscaping plan shall be installed before **final building inspection**. All landscaping shall be maintained in a viable condition in perpetuity.

12. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.

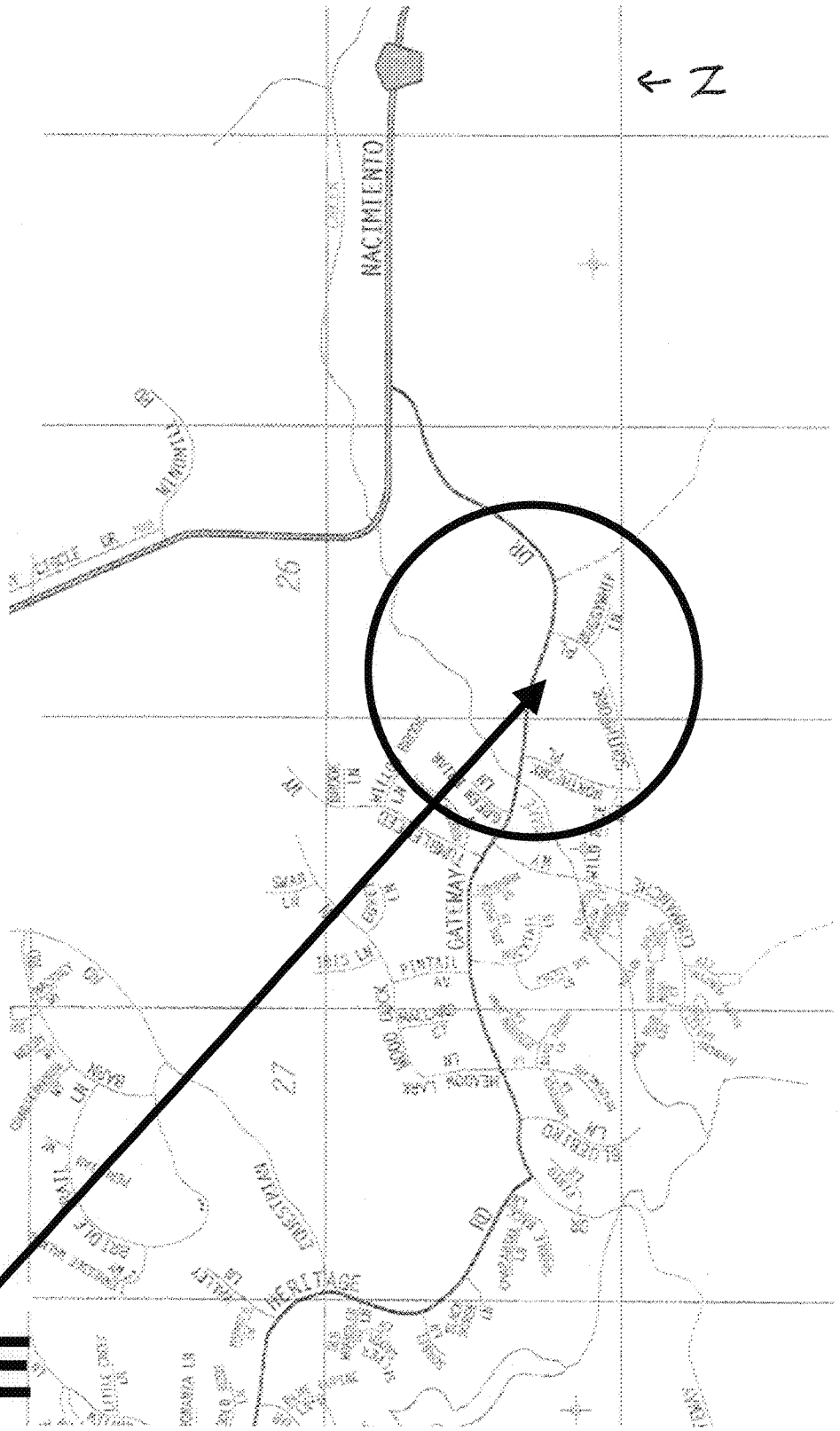
13. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

14. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

15. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Conditional Use Permit
Heritage Ranch DRC2005-00040

EXHIBIT

Vicinity

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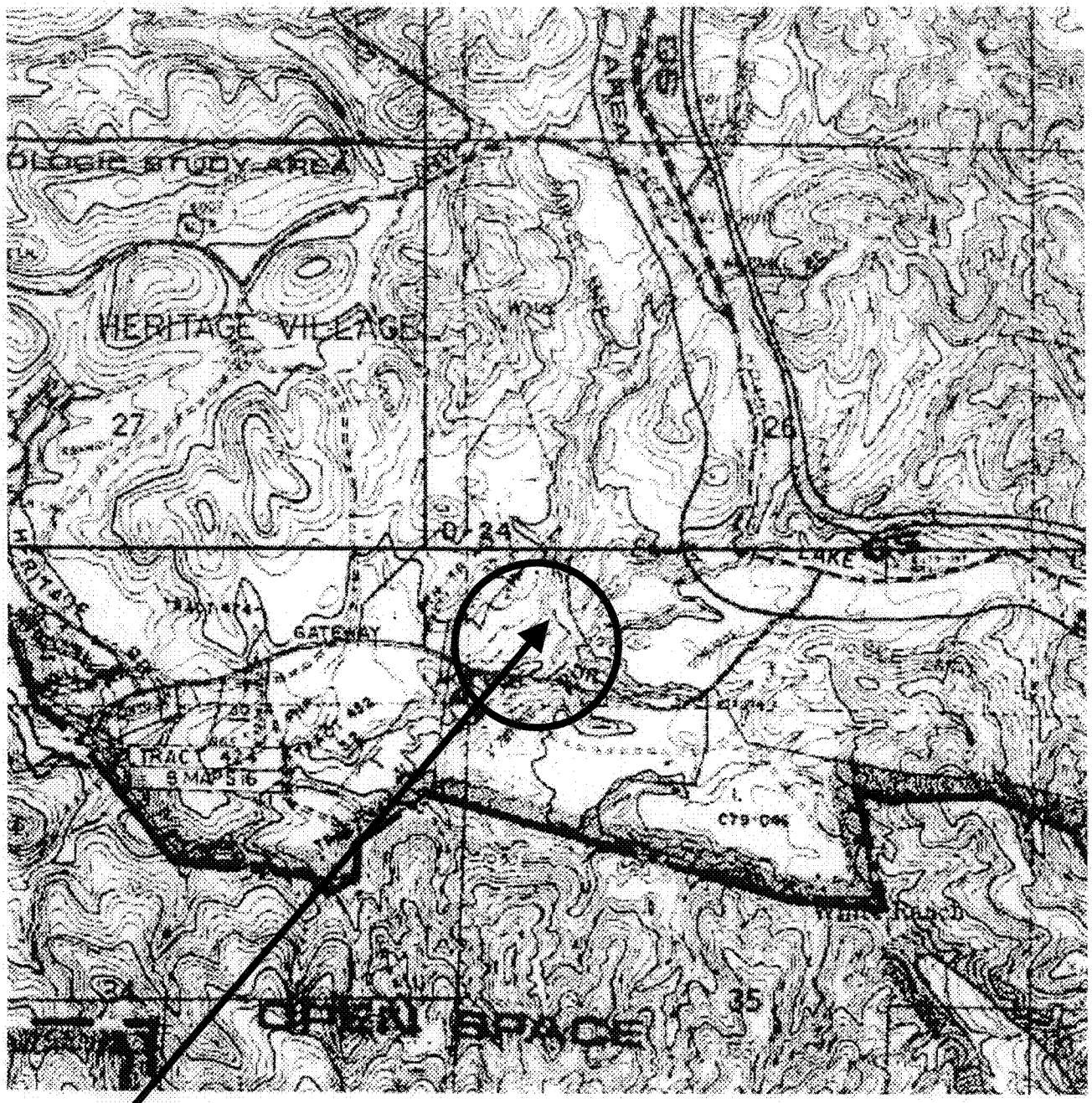
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



SITE

PROJECT

Conditional Use Permit
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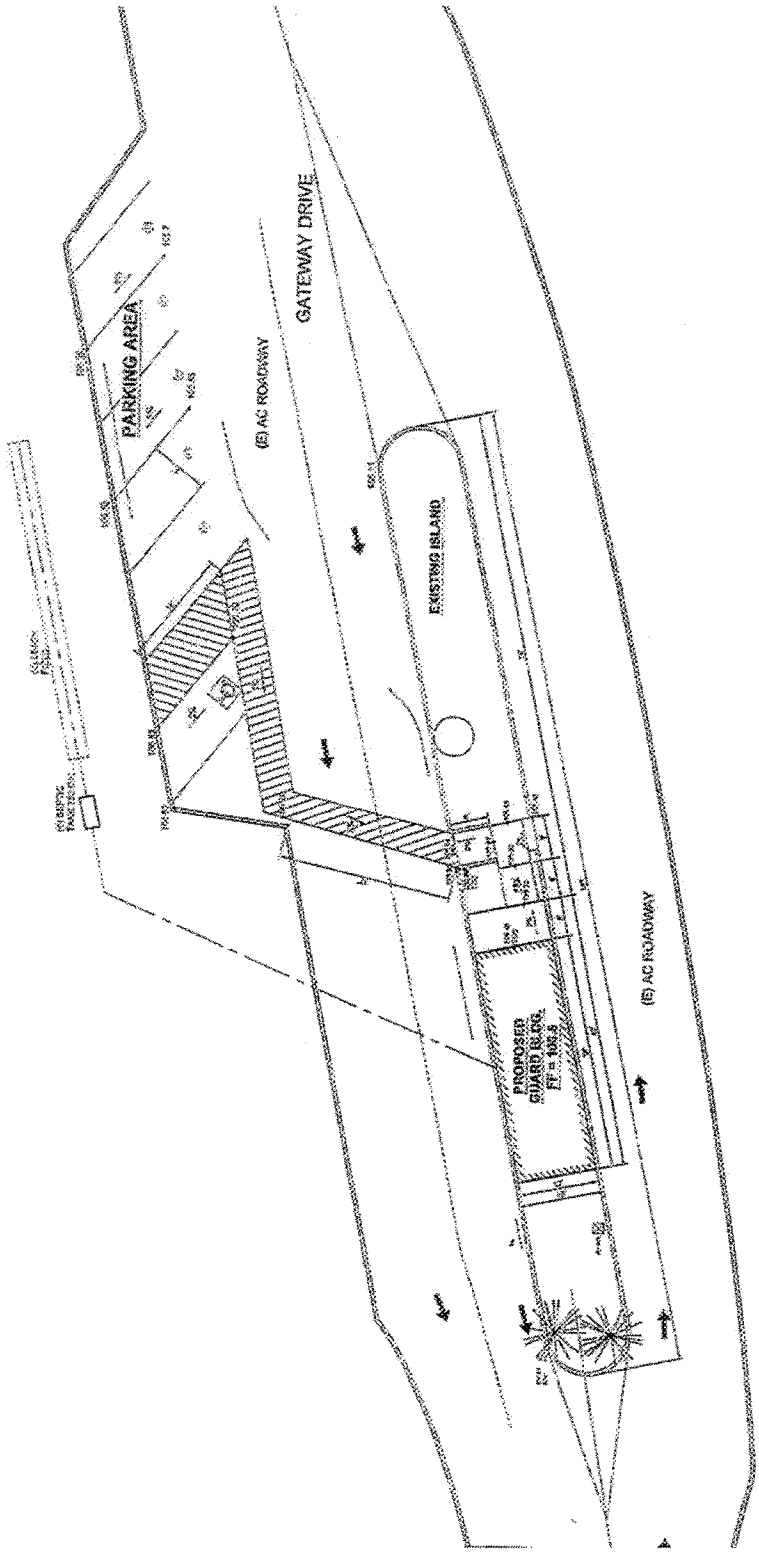
EXHIBIT

Land Use Category

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

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EXHIBIT

Site Plan

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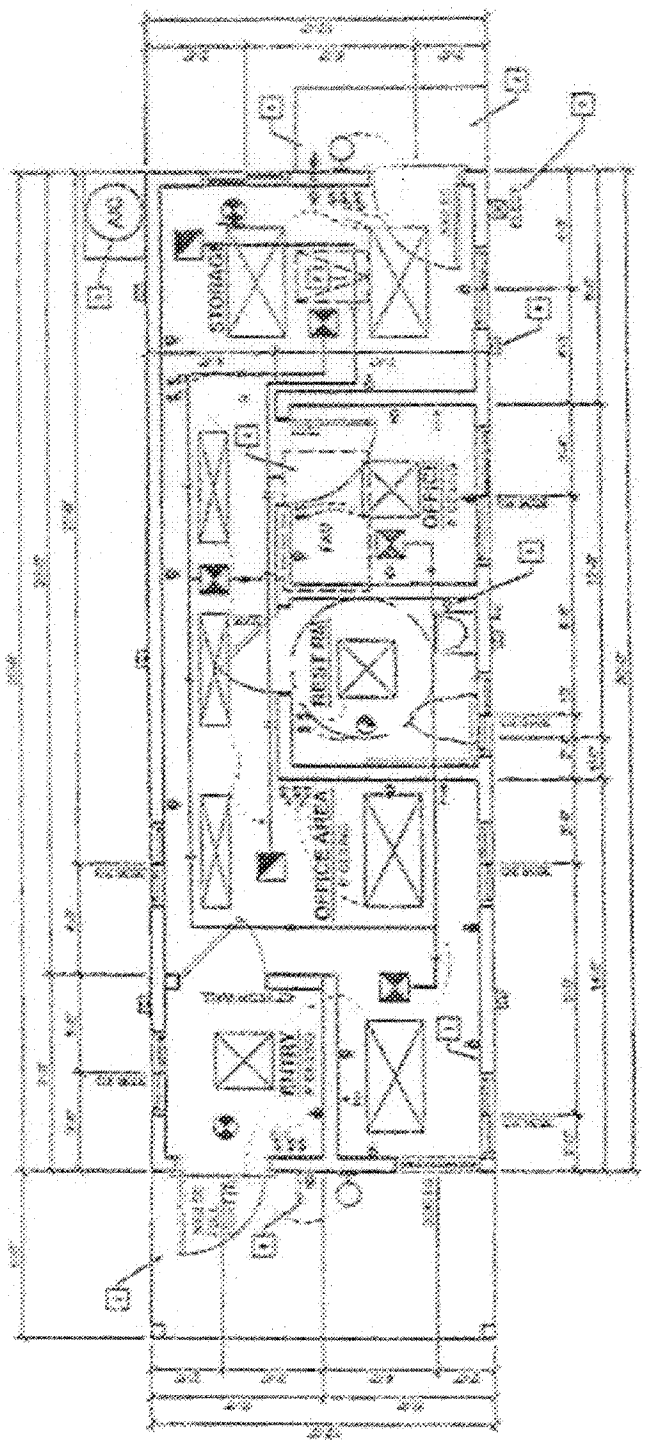
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Conditional Use Permit
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EXHIBIT

Floor Plan

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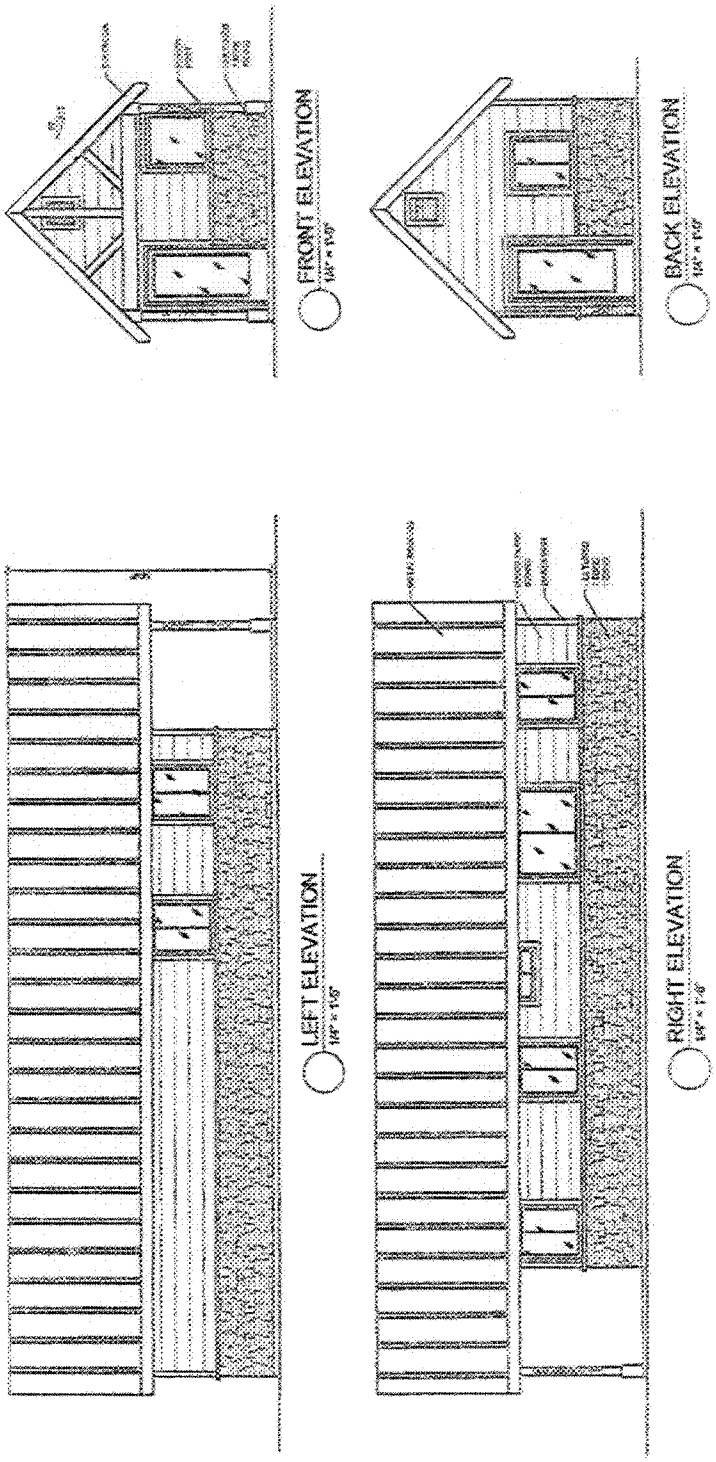
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Conditional Use Permit
Heritage Ranch DRC2005-00040

EXHIBIT

Elevation

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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 9/27/05

TO: H.R.CSD

FROM: ☐ - South County Team ☒ - North County Team ☐ - Coastal Team
Martha Neder

PROJECT DESCRIPTION: File Number: DRC2005-00040 Applicant: Heritage Ranch
CUP -> new gate house for Heritage Ranch. (approx. 432 sq.ft.) 9,000 acres. APN: 012-351-001.

Return this letter with your comments attached no later than: 10/13/05

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Will serve letter for water and conditions attached.

Date	Name	Phone
10-6-05	John D'Orsellas	227-6230

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.sloplanning.org

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Heritage Ranch Community Services District

4870 Heritage Road, Paso Robles, California 93446
(805) 227-6230 • fax 227-6231

October 6, 2005

Linda Richey, General Manager
Heritage Ranch Owners Association
3945 Heritage Road
Paso Robles, CA 93446

Subject: New Gatehouse Conditional Will Serve for Water

The Heritage Ranch Community Services District (District) has adequate water supply and will serve your new gatehouse facility located on Gateway Drive with water service, subject to the following conditions:

1. This conditional will serve letter may only be used for the new 432 square foot gatehouse facility as depicted on the September 27, 2005, San Luis Obispo County Department of Planning and Building Project Referral.

2. This will serve letter is for water service only. If sewer service is requested at the gatehouse facility, a separate application must be made.

3. This will serve is valid for one year. If the new gatehouse facility is not constructed and an Occupancy Permit is not obtained by October 6, 2006, this letter shall no longer be in effect.

4. The design and location of the new gatehouse facility will require relocation of the existing water meter. In accordance with Ordinance 5.560, the District will relocate its facilities when requested to do so by the consumer provided such relocation is acceptable to the District and upon payment to the District of the relocation cost. The District will work with you and your staff to minimize the cost for this project.

If you have any questions or concerns with the conditions or terms of this letter, please let me know as soon as possible.

Sincerely,

John D'Ornellas, General Manager
Heritage Ranch Community Services District