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

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PLANNING COMMISSION

Promoting the wise use of land
Helping build great communities

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
January 26, 2006	Stephanie Fuhs (805) 781-5721	Gary and Suzanne Wells	TRACT 2766 SUB 2005-00038

SUBJECT
Hearing to consider a request by Gary and Suzanne Wells for a Vesting Tentative Tract Map/Conditional Use Permit (Tract 2766) to convert six rental units into individual condominium units for sale by subdividing an existing approximately 10,500 square foot parcel into six parcels ranging in size from 788 square feet to 902 square feet. The proposed project is within the Residential Multi-Family land use category and is located on the north side of Beach Street (at 2445 Beach Street), in the community of Oceano. The site is in the San Luis Bay (Inland) planning area.

RECOMMENDED ACTION
1. Approve Vesting Tentative Tract 2766 and Conditional Use Permit SUB2005-0006 based on the findings listed in Exhibits A and C and the conditions listed in Exhibits B and D.

ENVIRONMENTAL DETERMINATION
A Class 1(k) Categorical Exemption was issued on November 15, 2005.

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Multi-Family	Airport Review Area	062,131,018	4

PLANNING AREA STANDARDS:
22.106.070 – Oceano Urban Area Standards – Community wide and Residential Multi-Family

LAND USE ORDINANCE STANDARDS:
22.10.090 – Height Restrictions, 22.10.130 – Residential Density Standards, 22.10.140 – Setbacks, 22.18.050 – Parking Standards, 22.22.080 – Subdivision Design Standards (Residential Single and Multi-Family Land Use Categories)

EXISTING USES:
6-unit apartment complex

SURROUNDING LAND USE CATEGORIES AND USES:
North: Residential Multi-Family/Residences
South: Residential Multi-Family / Residences
East: Residential Multi-Family/ Residences
West: Residential Multi-Family /Residences

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:
The project was referred to: Oceano/Halcyon Community Advisory Council, Public Works, Environmental Health, County Parks, CDF, Oceano Community Services District, APCD

TOPOGRAPHY:	VEGETATION:
Nearly level	Grasses, ornamentals

PROPOSED SERVICES:	ACCEPTANCE DATE:
Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Oceano Community Services District	October 4, 2005

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BACKGROUND
The units were originally constructed in 1983 (construction permit 47095) as rental apartments.

PROJECT DESCRIPTION / SITE DESIGN:
The proposed project is a small-lot multi-family residential project consisting of six attached residences, within two separate buildings, all with two bedrooms, ranging in size from 788 square feet to 902 square feet, excluding garages. Each residence has one covered parking space of 200 square feet. Seven additional parking spaces are available for resident and guest parking and will be provided on a commonly-owned lot.

The architectural design of the structures is Mediterranean with off-white stucco and red tile roofing.

ORDINANCE COMPLIANCE:

Minimum Parcel Size
Section 22.22.080 of the Land Use Ordinance allows for the Review Authority, through Conditional Use Permit approval, to determine minimum parcel size for a planned development. The density of residential units must be in compliance with Planning Area Standards and Section 22.10.130 for Residential Multi-Family projects. The proposed Tract Map and Conditional Use Permit meets all requirements as follows:

Standard	Allowable/Required	Proposed	Complies w/Standard?
Density	.24 acre @ 26 units per acre * = 6 units	6 units	Yes
Maximum Floor Area	5,040 square feet (48%)	5,106 square feet (48%)	Yes
Minimum Open Area	4,725 square feet (45%)	5,613square feet (53%)	Yes

Quimby Fees
Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees
Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

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Design Standards
The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Development Standards
Section 22.10, 16, and 18 of the Land Use Ordinance establishes Development Standards. The proposed Tract Map and Conditional Use Permit meets all requirements as follows:

Standard	Allowable/Required	Proposed	Complies w/Standard?
Setbacks	May be set by map with minimum of 10 feet between all structures	Minimum of 10 feet between all structures Front – 25 feet, Side – 5 foot right side, 10 foot left side Rear – 10 feet	Yes
Height	35 feet	less than 35 ft	Yes
Parking	Resident – 9 spaces Guest - 2 spaces	Resident – 11 spaces Guest – 2 spaces	Yes
Landscaping	Landscape plan for entire site	Landscape plan for entire site	Yes, as existing and proposed
Fencing	Fencing plan	Fencing plan	Yes, as existing and proposed

REAL PROPERTY DIVISION ORDINANCE STANDARDS:

Landscaping
Street trees shall be provided for all parcels of one acre or less to be served by a community water system. Trees shall be provided at a ratio of one for every 25 feet of frontage. Grouping of the required trees is preferred over equal spacing. The species of trees shall be native and/or drought tolerant. The proposed common interest development has a street frontage of approximately 75 feet, which would require three street trees. As proposed and conditioned, the project complies with this standard.

Public Utilities
All public utilities, including cable television systems, shall be placed underground for all parcel maps located within urban areas. All utilities shall be shown on the improvement plans for the subdivision. As proposed and conditioned, the project complies with this standard.

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Subdivision Map Act Findings – Condominium Conversions
The hearing body shall not approve a parcel map for condominium conversion unless the following findings regarding tenant noticing can be made:

Each tenant has received written notice of intention to convert 60 days prior to the filing of the tentative map – The applicant has provided a copy of a letter dated June 13, 2005 notifying the tenants of the filing of the tentative map. The tentative map application was filed 74 days later on July 21, 2005. A copy of the letter is attached to this document.

Each tenant has received all applicable notices required by the Map Act – The applicant has provided a copy of the letter satisfying noticing requirements prior to hearing. Additionally, the tenants have been noticed by the County along with property owners within a 300 foot radius of the subject property.

Each tenant has received 10 days' written notice regarding the submittal of an application for a public report to the Department of Real Estate – In a letter dated October 4, 2005, the agent for the project has indicated that the applicant is aware of this noticing requirement and will provide noticing at least 10 days prior to the submittal of a public report to the Department of Real Estate. The project has been conditioned to meet this requirement.

Each tenant will be given written notification within 10 days of final map approval – In a letter dated October 4, 2005, the agent for the project has indicated that the applicant is aware of this noticing requirement and will provide noticing within 10 days of final map approval. The project has been conditioned to meet this requirement.

Each tenant will be given 180 days' written notice of intention to convert prior to termination of tenancy – The applicant has provided a copy of a letter dated May 8, 2005 notifying tenants of the intention to convert. The project has been conditioned to prohibit termination of tenancy until after January 17, 2006 (180 days from date of letter).

PLANNING AREA STANDARDS:

<u>Residential Multi-Family</u>: Density requirements were discussed above.

OCEANO SPECIFIC PLAN
Site Planning

a. The placement of new units should consider the existing character of the surrounding residential area. New development should respect the privacy of adjacent residential uses through appropriate building orientation and structure height, so that windows do not overlook and impair the privacy of the indoor or outdoor living space of adjacent units. *These units are existing units, and were constructed prior to this requirement in the specific plan. This standard would apply to new development*

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b. Multi-family units should be clustered. Projects of more than ten units should be designed as groups of structures with each containing not more than six units. *Four units are clustered in one building with two units together above the garages in the second building; therefore the project meets this standard.*
c. Multi-family structures should be set back from adjacent public streets consistent with the prevailing setback pattern of the immediate neighborhood. *The units are existing and are setback consistent with the pattern of the immediate neighborhood.*
d. The entrance to at least one unit in each multi-family structure should face a public street and be provided pedestrian access from that street. *These units are existing and were built prior to the specific plan. This standard would apply to new development*
e. All residential units and activity areas on multi-family project sites should be accessible via pedestrian walkways that are separate from vehicle parking areas and driveways. *The common open area is located in the center of the site as to be available for all residents of the project.*

Parking and Driveways

a. Individual closeable garages are the preferred method for providing parking for residents in multi-family projects. If garages within the residential structures are not provided, dispersed parking courts are acceptable. Long, monotonous parking drives and large, undivided parking lots are discouraged. *One car garages are provided for each unit as well as parking on both sides of the project site. As proposed, the project meets this standard.*
b. The main vehicle access into a multi-family site should be through an attractive entry drive. Colored and textured paving treatment is encouraged outside of the public street right-of-way. *The project currently has stucco and tile entry columns along both sides of the driveway providing an attractive entry feature. The project has been conditioned to provide colored and textured paving treatment to meet this standard.*
c. Parking areas should be visible from the residential units to the extent possible. *As proposed, the project meets this standard.*
d. Parking courts should not consist of more than two double-loaded parking aisles (bays) adjacent to each other. The length of a parking court should not exceed the width of eight adjoining stalls. *As proposed, the project meets this standard.*
e. Parking courts should be separated from each other by buildings within the project or by landscape or natural open space areas at least 30 feet wide. *As proposed, the project meets this standard.*

Garages and Carports

a. Garages with parking aprons less than 20 feet in length should be equipped with automatic garage door openers and roll-up doors. *As proposed, the project meets this standard.*
b. Where carports are utilized, they should follow the same spacing criteria as parking courts. Carports may be bordered by patio walls or used to define public and private open space, but should not be located adjacent to perimeter streets. The ends of each cluster of carports should be screened by low walls, berms, and landscaping including trees. *No carports are proposed, therefore this standard does not apply.*
c. Where multiple garages are located together, trees in landscaped tree wells should be placed between every two garage doors. *This standard would apply to new development, not the existing project.*
d. Carports and detached garages should be designed as an integral part of a project. Their materials, color, and details should be the same as the principal structures. Carports may have flat roofs but should not project above the exterior walls of any

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buildings adjacent to streets. Prefabricated metal carports should not be used. *As proposed, the project meets this standard.*

Multi-Family Project Architecture

Facade and Roof Articulation
Structures with three or more attached units should incorporate significant wall and roof articulation to reduce apparent scale. Changes in wall planes and roof heights, and the inclusion of elements such as balconies, porches, arcades, dormers, and cross gables can avoid the barracks-like quality of long flat walls and roofs. Secondary hipped or gabled roofs covering the entire mass of a building are preferable to mansard roofs or segments of pitched roof applied at the structure's edge. Structures (including garages and carports) exceeding 150 feet in length are discouraged. *As proposed, the project includes archways and balconies to break up the scale of the two buildings, and therefore meets this standard.*

Scale
Because multi-family projects are usually taller than one story, their bulk can impose on surrounding uses. The larger scale of these projects should be considered within the context of their surroundings. *As proposed, the project incorporates archways, balconies, courtyards and landscaping to limit bulk and scale. Surrounding development includes other two-story multi-family development with taller structures than the current project. The project meets this standard.*

Structures with greater height may require additional setbacks at the ground floor level and/or upper levels (stepped-down) along the street frontage so they do not shade adjacent properties or visually dominate the neighborhood. Large projects should be broken up into groups of structures, and large single structures should be avoided. *As proposed, the project is located in two buildings and therefore meets this standard.*

Exterior finish materials
Exterior finish materials should be durable and require low maintenance. The use of combined materials (such as stucco and wood siding) can provide visual interest and texture. *As proposed, the project consists of stucco, tiling, iron railings and paving features and meets this standard.*

Balconies, porches, and patios
The use of balconies, porches, and patios as part of multi-family structures is encouraged for both practical and aesthetic value. These elements should be used to break up large wall masses, offset floor setbacks, and add human scale to structures. *As proposed, the project provides porches, balconies and courtyards and meets this standard.*

Dwelling unit access
The use of long, monotonous access balconies and corridors that provide access to five or more units should be avoided. Access points to units should instead be clustered in groups of four or less. To the extent possible, main entrances to individual units should be from adjoining streets. Distinctive architectural elements and materials should be used to highlight primary entrances. *The project does not include access for more than five units from one balcony or corridor, therefore this standard does not apply. Main entrances to four of the units are provided by an archway.*

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Exterior stairways
Stairways should be of stucco, plaster or wood, with accent trim to match the main structure. Thin-looking, open metal, prefabricated stairs that are not integrated with the design of the structure are discouraged. *As proposed, the exterior stairway is stucco with iron railway and meets this standard.*

Accessory structures
Accessory structures should be designed as an integral part of a project. Their materials, color, and details should be the same as the principal structures. *No accessory structures are proposed, so this standard does not apply.*

COMMUNITY ADVISORY GROUP COMMENTS: No comments were received from the community advisory group for this project.

STAFF COMMENTS: With regard to condominium conversions and compliance with current Land Use Ordinance and General Plan standards, Government Code Section 66427.2 states that "the requirements of the Subdivision Map Act for consistency with general plans and specific plans under §66473.5,§66474,and §66474.61 do not apply to condominium projects or stock cooperatives that subdivide airspace in existing structures unless a specific plan contains definite objectives and policies, specifically directed to the conversion of existing buildings pursuant to §66427.2. Consistency may also be required where new structures or additions to existing structures occur." The Oceano Specific Plan does not contain such objectives and does not address the issue of condominium conversions. The project also does not propose any new structures or additions to existing facilities. Since the project, when it was constructed in 1983, complied with building and zoning ordinances at that time, staff has determined that the project complies with state law.

At present, the County does not have an adopted condominium conversion ordinance in place to limit the number of units that can be converted either county-wide or within specific communities. Until ordinance amendments are adopted regarding this issue, staff has little authority to recommend denial of projects which comply with current Land Use Ordinance standards. However, the recently updated Housing Element contains a program to evaluate and prepare ordinance amendments to address this and other housing issues.

AGENCY REVIEW:
Public Works – Supports with conditions
Environmental Health – Provide stock conditions for community water and sewer
County Parks- Require Quimby and applicable building division fees
Oceano Community Services District –Responded with "no comment"

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

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FINDINGS - EXHIBIT A

Environmental Determination

A. The project qualifies for a Categorical Exemption (Class 1(k)) pursuant to CEQA Guidelines Section 15303 because this exemption applies to the division of existing multi-family or single family residences into common interest ownership where no physical changes will occur. This project does not propose any additions or changes to the existing facilities, therefore, this exemption is applicable.

Tentative Map

B. The proposed map is consistent with applicable the county general plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Multi-Family land use category.

C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance, as set by approval of the Conditional Use Permit.

D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.

E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of a multi family residential project.

F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a multi family residential project.

G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project is located within an urban area that does not contain substantial fish or wildlife habitat.

H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

Conversion of Residential Real Property to Condominium

J. Each of the tenants of the proposed condominium has, or will have received, pursuant to Government Code Section 66459.9, written notification of intention to convert at least 60 days prior to the filing of a tentative map. Each tenant, and each person applying for the rental of a unit, has, or will have, received all applicable notices and rights now or hereafter required by the Subdivision Map Act.

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K. Each tenant has been, or will be, given 10 days' written notification that an application for a public report will be, or has been, submitted to the Department of Real Estate when required by California Government Code and Business and Professions Code, and that such report will be available on request.

L. Each of the tenants of the proposed condominium has been, or will be, given written notification within 10 days of approval of a final map for the proposed conversion.

M. Each of the tenants of the proposed condominium has been, or will be, given 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. The provisions of this subdivision shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent or the obligations imposed by Sections 1941, 1941.1, and 1941.2 of the California Civil Code.

N. Each of the tenants of the proposed condominium has been, or will be, given notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, unless the tenant gives prior written notice of his or her intention not to exercise the right.

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CONDITIONS - EXHIBIT B
CONDITIONS OF APPROVAL FOR WELLS TRACT MAP (TRACT 2766)

Approved Project

1. A Vesting Tentative Tract Map/Conditional Use Permit (Tract 2766) to convert six rental units into individual condominium units for sale by subdividing an existing approximately 10,500 square foot parcel into six parcels ranging in size from 788 square feet to 902 square feet. The proposed project is within the Residential Multi-Family land use category and is located on the north side of Beach Street (at 2445 Beach Street), in the community of Oceano. The site is in the San Luis Bay (Inland) planning area.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:

   a. Beach Street widened to complete an A-2 section fronting the property.

Improvement Plans

3. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
   a. Street plan and profile.
   b. Drainage ditches, culverts, and other structures (if drainage calculations require).
   c. Colored and textured paving treatment for the main vehicle access outside of the public street right-of-way.

4. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.

5. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

6. Submit complete drainage calculations to the Department of Public Works for review and approval.

7. If calculations so indicate, drainage must be detained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.

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8. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
   a. reserved as a drainage easement in favor of the owners and assigns.

Fire Protection

9. The applicant shall obtain a fire safety clearance letter from the Oceano Community Services District establishing fire safety requirements prior to filing the final parcel or tract map.

Parks and Recreation (Quimby) Fees

10. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.

Affordable Housing Fee

11. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Covenants, Conditions and Restrictions

12. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
    a. Maintenance of common areas.

Conversion of Residential Property

13. The applicant shall submit to the Department of Planning and Building a copy of the following tenant notices as required by California Government Code Section 66427.1, along with receipts of registered certified mail showing delivery of notices:
    a. Notification within 10-days of approval of final map
    b. 10-day notice that an application for a public report will be, or has been, submitted to the Department of Real Estate when required by California Government Code and Business and Professions Code.

14. In the event that any tenancy will be terminated due to the proposed conversion, the applicant shall submit to the Department of Planning and Building proof that each of the tenants of the proposed condominium has been given 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. The provisions of this subdivision shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent or the obligations imposed by Sections 1941, 1941.1, and 1941.2 of the California Civil Code.

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Miscellaneous

15. This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and sewer, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

16. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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FINDINGS - EXHIBIT C
Conditional Use Permit SUB2005-00066 (Wells)

Environmental Determination

A. The project qualifies for a Categorical Exemption (Class 1(k)) pursuant to CEQA Guidelines Section 15303 because this exemption applies to the division of existing multi-family or single family residences into common interest ownership where no physical changes will occur. This project does not propose any additions or changes to the existing facilities, therefore, this exemption is applicable.

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 six-unit condominium 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 six-unit condominium 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 Beach Street, a local road constructed to a level able to handle any additional traffic associated with the project.

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EXHIBIT D - CONDITIONS OF APPROVAL
Conditional Use Permit SUB2005-00066 (Wells)

Approved Development

1. This approval authorizes

   a. the conversion of six existing rental units ranging in size from 788 square feet to 902 square feet into individual condominium units for sale.

   b. maximum height is 35 feet, five inches from average natural grade.

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

2. In the event that any tenancy will be terminated due to the proposed conversion, the applicant shall submit to the Department of Planning and Building proof that each of the tenants of the proposed condominium has been given 180 days' written notice of intention to convert prior to termination of tenancy due to the conversion or proposed conversion. The provisions of this subdivision shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent or the obligations imposed by Sections 1941, 1941.1, and 1941.2 of the California Civil Code.

3. The applicant shall submit to the Department of Planning and Building proof that each of the tenants of the proposed condominium has been, or shall be, given notice of an exclusive right to contract for the purchase of his or her respective unit upon the same terms and conditions that such unit will be initially offered to the general public or terms more favorable to the tenant. The right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report, unless the tenant gives prior written notice of his or her intention not to exercise the right.

4. 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.

5. 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.

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STANDARD CONDITIONS OF APPROVAL FOR
SUBDIVISIONS USING COMMUNITY WATER AND SEWER

1. Community water and fire protection shall be obtained from the community water system.

2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.

3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.

4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.

5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an <u>approved</u> cross-connection control device installed at the meter or property line service connection <u>prior to occupancy</u>. (Chapter 8.30, San Luis Obispo County Ordinance)

6. Sewer service shall be obtained from the community sewage disposal system.

7. <u>Prior to the filing of the map</u> a "final will serve" letter be obtained and submitted to the county Health for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of county Public Works and sewer district.

8. No residential building permits shall be issued until community sewers are operational and available for connection.

9. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.

10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.

11. Any existing reservoir or drainage swale on the property shall be delineated on the map.

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12. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.

13. Required public utility easements shall be shown on the map.

14. Approved street names shall be shown on the map.

15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.

16. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.

17. Any private easements on the property shall be shown on the map with recording data.

18. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.

19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.

20. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.

21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner

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SF

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

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VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

AUG - 8 2005

Wells

DATE: 8/5/05

FROM PW

FROM South County Team
(Please direct response to the above)

SUB2005-00038/TR2766
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Concurrent Tract Map w/ CUP Condo conversion of existing 6-unit apartment complex. (built in 1985.) Located on .24 acre, in Oceano off 25th & Beach Streets. APN-062-131-024. (TR 2766)

Return this letter with your comments attached no later than: 8/21/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

✓ YES
____ NO

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

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

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 INDICATE**

Recommend Approval - Stock Conditions ATTACHED. I don't see any indication tenants were provided notice of conversion at least 60 days prior to filing application.

16 SEPT 2005
Date

GOODWIN
Name

5252
Phone

M:\PI-Forms\Project Referral - #216 Word.doc

Revised 4/4/03

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.slocoplanbldg.com

SUB2005-00038
WELLS GARY C
Conc. Tract Map w/ CUP
CONDOMINIUM CONVERSION OF EXISTING 6-UNIT APARTMENT PROJECT BUILT IN 1985
SLB/ OCNO
AR RMF
PSW

GENERAL APPLICATI

San Luis Obispo County Department of Planning and Bu

APPLICATION TYPE CHECK ALL THAT APPLY

- ☐ Public Lot ☐ Voluntary Merger ☐ Certificate of C
- ☐ Parcel Map ☐ Tract Map ☐ Receiving Site ☐ Sending Site
- ☒ Condominium (new or conversion) ☐ Road Abandonment ☐ Road Name
- ☐ Reversion to Acreage ☐ Reconsideration

SUB 2005 -

APPLICANT INFORMATION *Check box for contact person assigned to this project*

☒ Landowner Name GARY WELLS Daytime Phone 929-5966
Mailing Address P.O. BOX 950 ARROYO GRANDE, CA Zip 93421
Email Address: cantava@tcsn.net

☒ Applicant Name GARY WELLS Daytime Phone 929-5966
Mailing Address P.O. BOX 950 ARROYO GRANDE, CA Zip 93421
Email Address: cantara@tcsn.net

☐ Agent Name N/A Daytime Phone
Mailing Address Zip
Email Address:

TR 2766

PROPERTY INFORMATION

Total Size of Site: 0.24 ACRES Assessor Parcel Number(s): APN# 062-131-024
Legal Description: LOTS 23, 24, & 25, BLOCK 22, OF MAP #2, OCEANO, CALIFORNIA
Address of the project (if known): 2445 BEACH ST, OCEANO, CA 93445
Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: HWY 101 TO HALCYON; HALCYON TO HWY 1 - TURN RIGHT; RIGHT ON 25TH STREET; LEFT ON BEACH ST.
Describe current uses, existing structures, and other improvements and vegetation on the property: 6-PLEX RESIDENTIAL UNITS, GARAGES, PARKING AREAS, LAWN & LANDSCAPING, FENCED INDIVIDUAL COURTYARDS, 13 PARKING SPACES

PROPOSED PROJECT

Describe the proposed project (inc. size of all proposed parcels): CONDOMINIUM CONVERSION OF EXISTING 6-UNIT APARTMENT PROJECT BUILT IN 1985 ON 10,491 SQ.FT. PARCEL

LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature GARY WELLS Date 7-16-2005

FOR STAFF USE ONLY

Minimum Parcel Size: ☐ sq. feet ☐ acres ☐ by PAS? ☐ by Ordinance?

County of San Luis Obispo • Public Health Department

5-19

Environmental Health Services
2156 Sierra Way • P.O. Box 1489
San Luis Obispo, California 93406
(805) 781-5544 • FAX: (805) 781-4211

Gregory Thomas, M.D., M.P.H.
County Health Officer
Public Health Director

Curtis A. Batson, R.E.H.S.
Director

August 10, 2005

Gary and Suzanne Wells
P.O. Box 950
Arroyo Grande, CA 93421

ATTN: SUZANNE WELLS
RE: TENTATIVE TRACT MAP 2766 (WELLS)
APN 062-131-024

Water Supply and Wastewater Disposal

This office is in receipt of a **preliminary** will serve letter from the Oceano Community Services District to provide water and sewer services to the above noted tract map. Be advised that a final will serve letter and a full size map will be required prior to final recordation. The applicant states that water and sewer improvements already exist to each parcel. Please provide a letter from the Oceano Community Services District that confirms that water and sewer improvements are built and immediately serve the parcels.

TRACT 2766 is approved for Health Agency subdivision map processing.

Laurie A. Salo

LAURIE A. SALO, R.E.H.S.
Senior Environmental Health Specialist
Land Use Section

c Kami Griffin, County Planning
South County Team, County Planning
OCSD

19c

SP

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

RECEIVED 5-20

AUG 17 2005

Planning & Bldg

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

OCEANO COMM SERV DIST

Pull file: TR + DEV #6275 + give to Phil Wells

DATE: 8/5/05

TO: Oceano CSD

FROM: South County Team
(Please direct response to the above)

SUB2005-00038/TR2766
Project Name and Number

Development Review Section (Phone: 788-2009) *OR ASK THE SWITCH-BOARD FOR THE PLANNER

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No Comment

8-13-05
Date

Philip T. Davis
Name PHILIP T. DAVIS, UOS

805- 4816730
Phone

M:\PI-Forms\Project Referral - #216 Word.doc

Revised 4/4/03

5-21

GENERAL APPLICATI

San Luis Obispo County Department of Planning and Bu

SUB2005-00038
Conc. Tract Map w/ CUP
CONDOMINIUM CONVERSION OF EXISTING 6-UNIT APARTMENT PROJECT BUILT IN 1985
SLB/ OCNO
AR RMF PSW

WELLS GARY C

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Mailing Address P.O. BOX 950 ARROYO GRANDE, CA Zip 93421
Email Address: cantara@tcsn.net

☐ Agent Name N/A Daytime Phone
Mailing Address Zip
Email Address:

TR 2766

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Property owner signature GARY WELLS Date 7-16-2005

FOR STAFF USE ONLY

Minimum Parcel Size: ☐ sq. feet ☐ acres ☐ by PAS? ☐ by Ordinance?

Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475 (805) 481-6730 FAX (805) 481-6836

5-22

SUB 2005-00038 SF

JUN 30 2005

June 29, 2005

San Luis Obispo County
Department of Planning & Building
Rm. 310, County Government Center
San Luis Obispo, CA 93408

Attention: Sue McKeown:

SUBJECT: FIRE SAFETY PLAN FOR APN 062-131-024; OCSD PROJ# 6275; SLO CO # TRACT 2766; OWNER/PROJECT: WELLS / SIX-PLEX CONDOMINIUM CONVERSION

Dear Ms. McKeown:

After reviewing information concerning the above building permit application, OCSD has determined that this project falls under the EXCEPTION OF CONTENT REQUIREMENTS (Section 22.05.082, a (3)). As a result, the District will not require the builder to submit a fire safety plan.

If you require further information, please feel free to call.

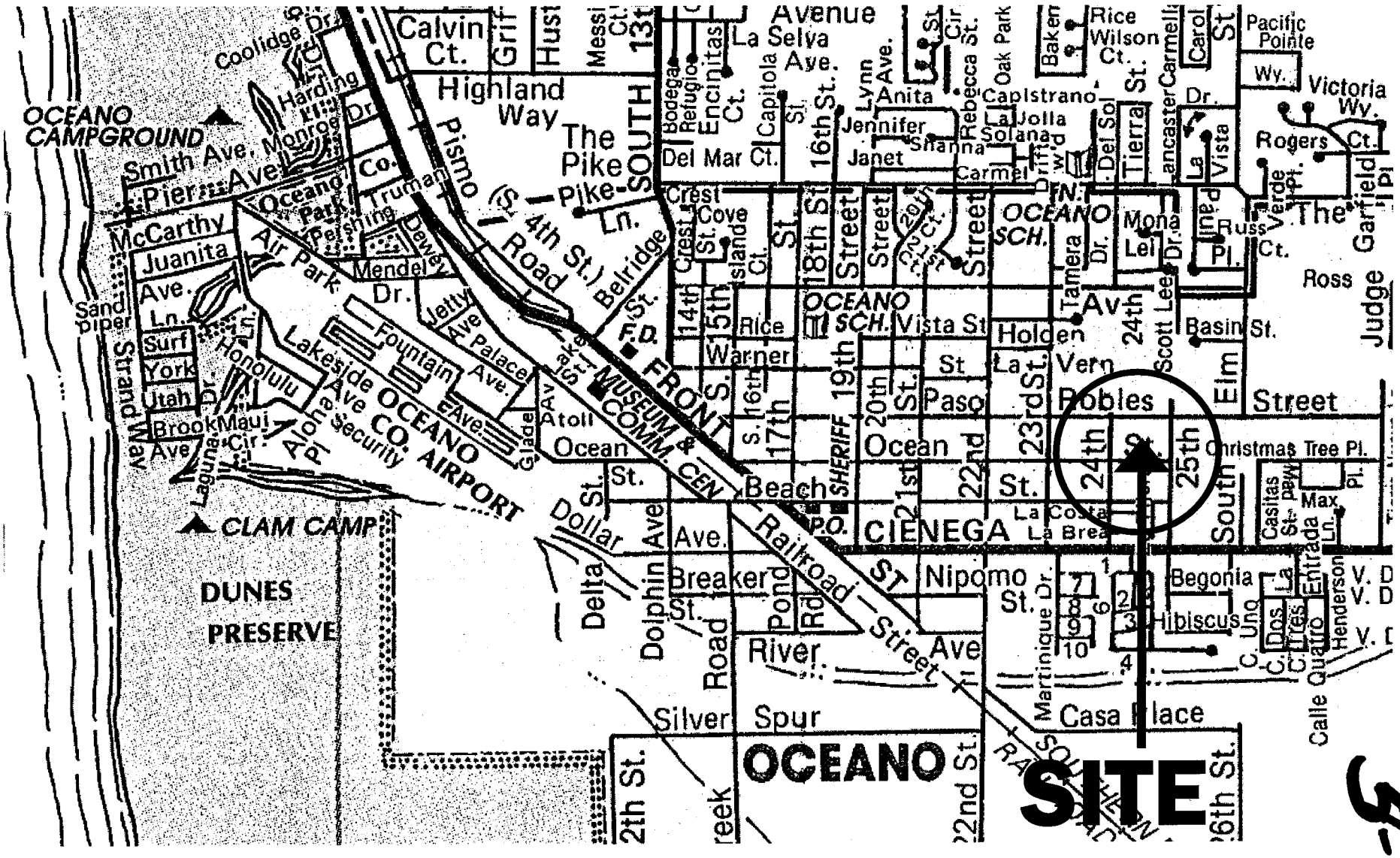
Yours truly,

OCEANO COMMUNITY SERVICES DISTRICT

Philip T. Davis

By Philip T. Davis, Utility Operations Supervisor
For Francis M. Cooney, General Manager

FMC/cc



PROJECT

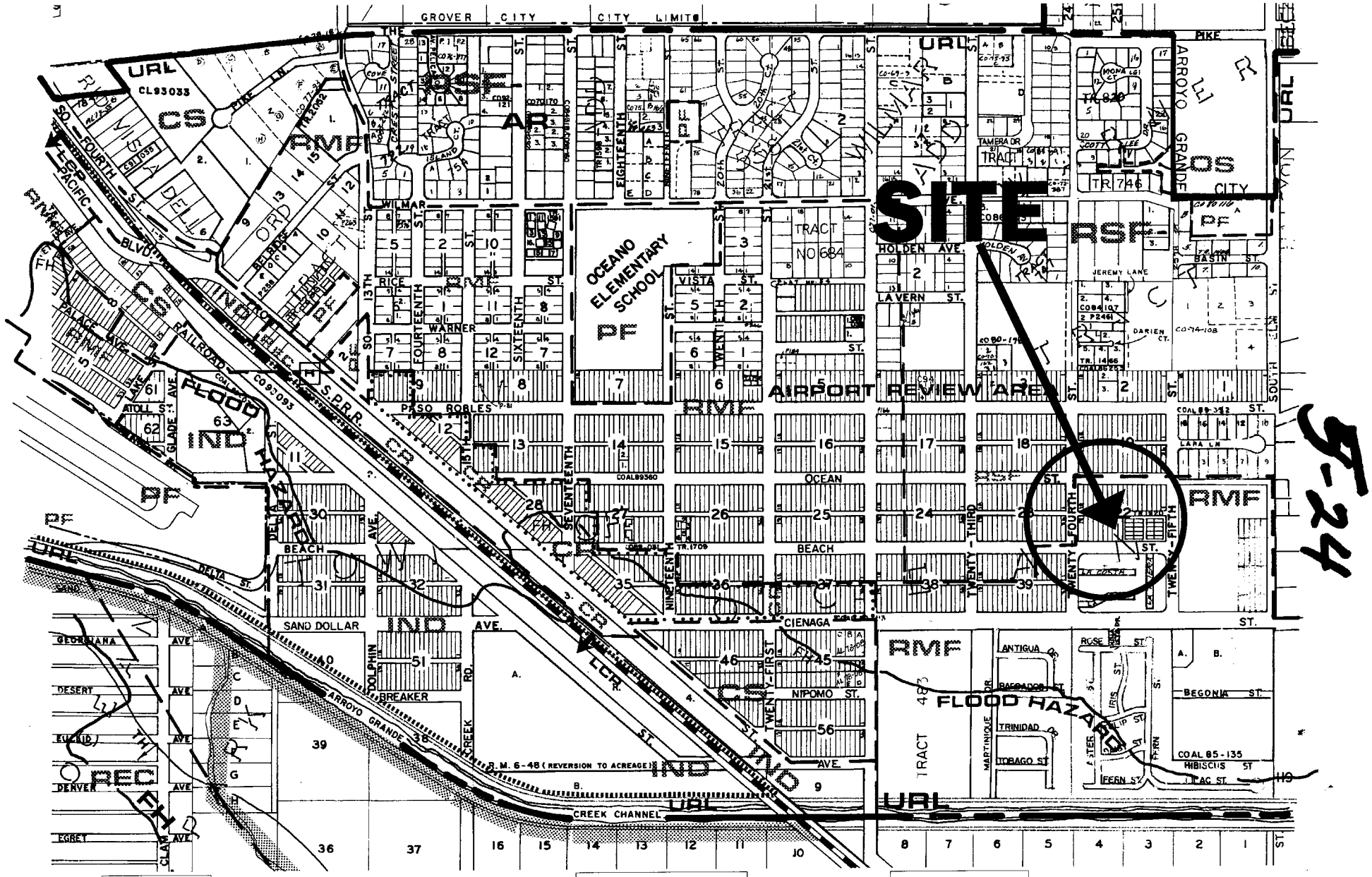
Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

EXHIBIT

Oceano Vicinity

5-23

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

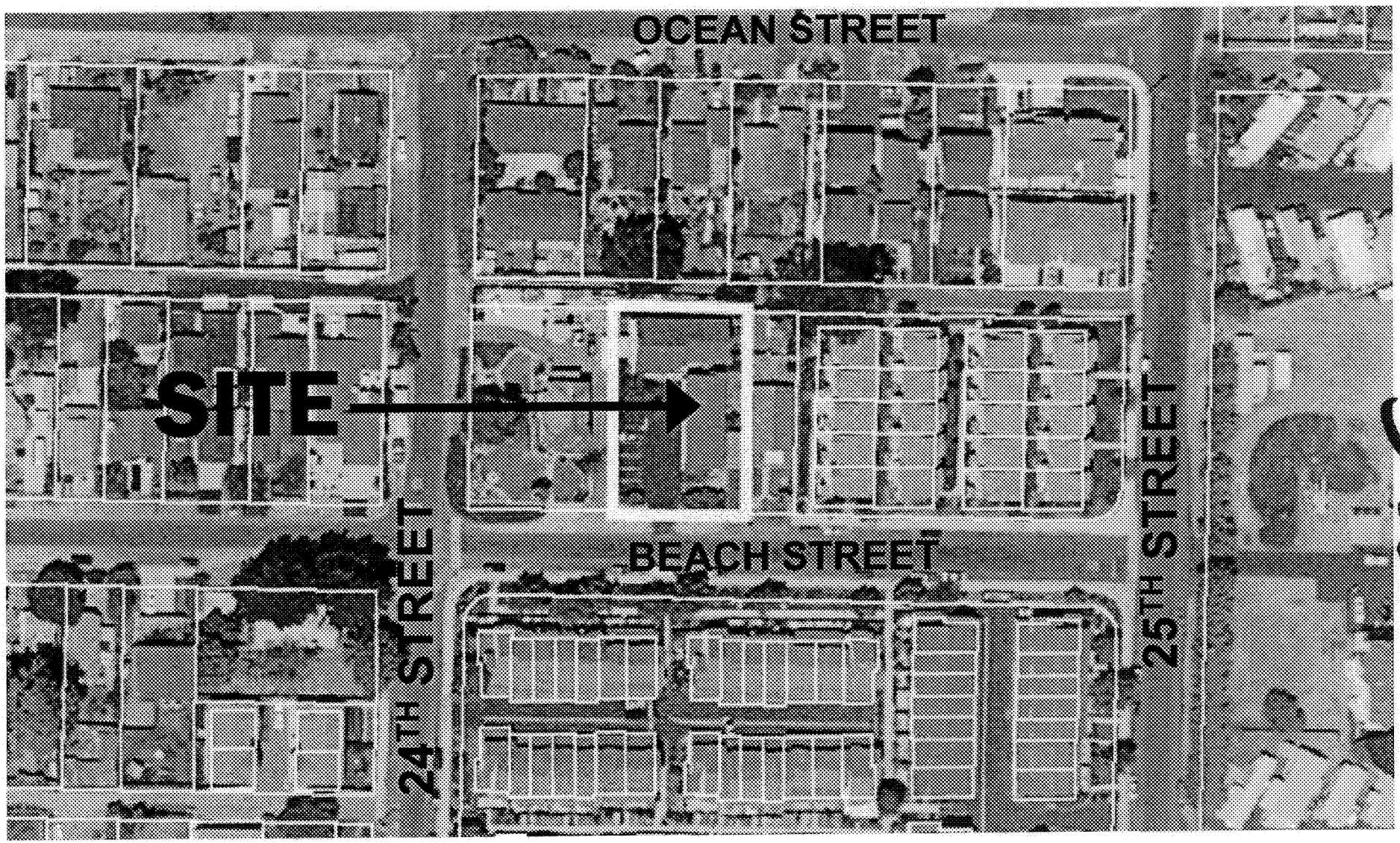
Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

EXHIBIT

Land Use Category

S-24

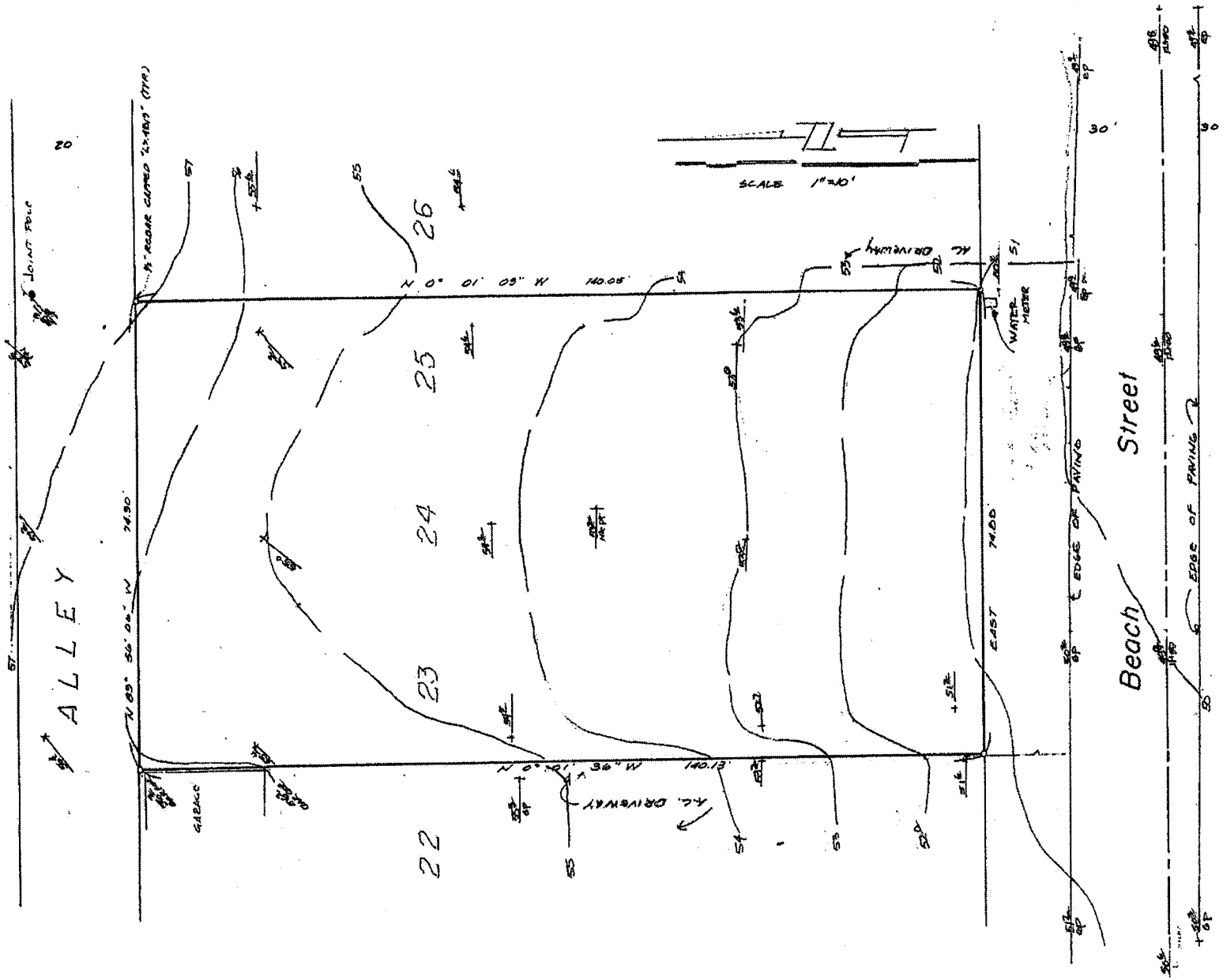
SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



5-25

PROJECT
Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

EXHIBIT
Aerial Photograph



PROJECT

Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

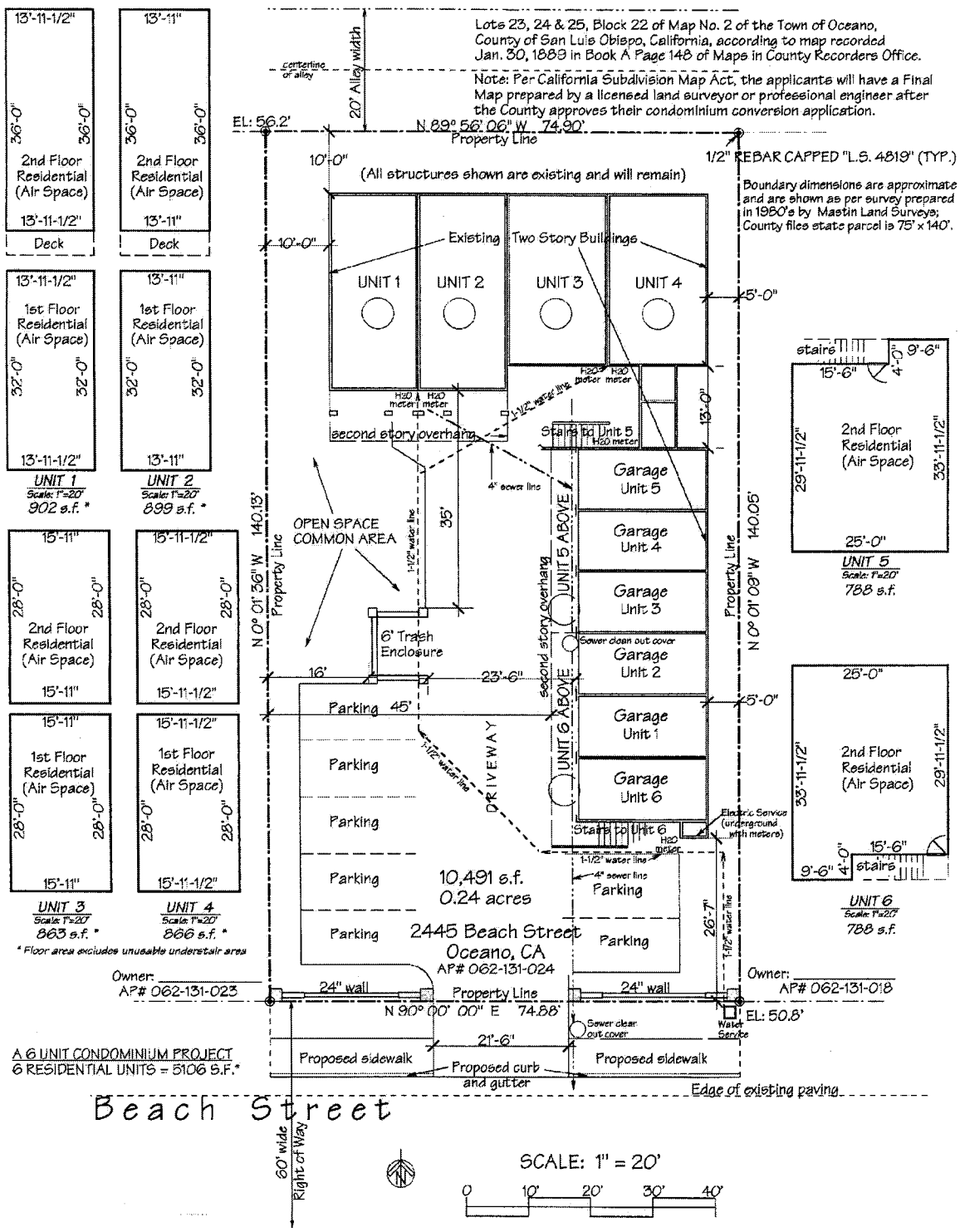
EXHIBIT

Site Topography

A-26

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

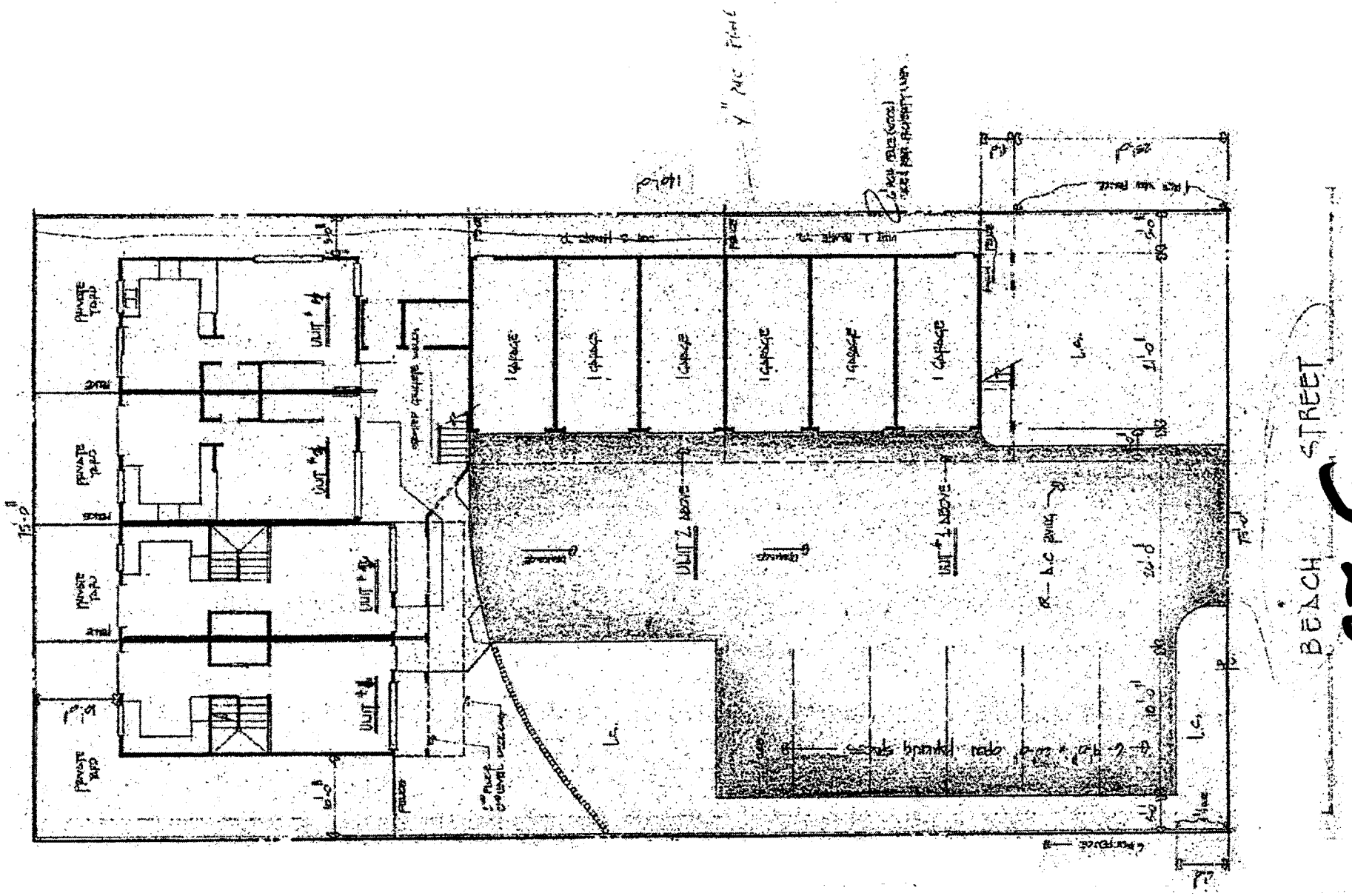
PROJECT
Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038



A 6 UNIT CONDOMINIUM PROJECT
6 RESIDENTIAL UNITS = 5106 S.F.*

EXHIBIT
Vesting Tentative Tract Map

5-27



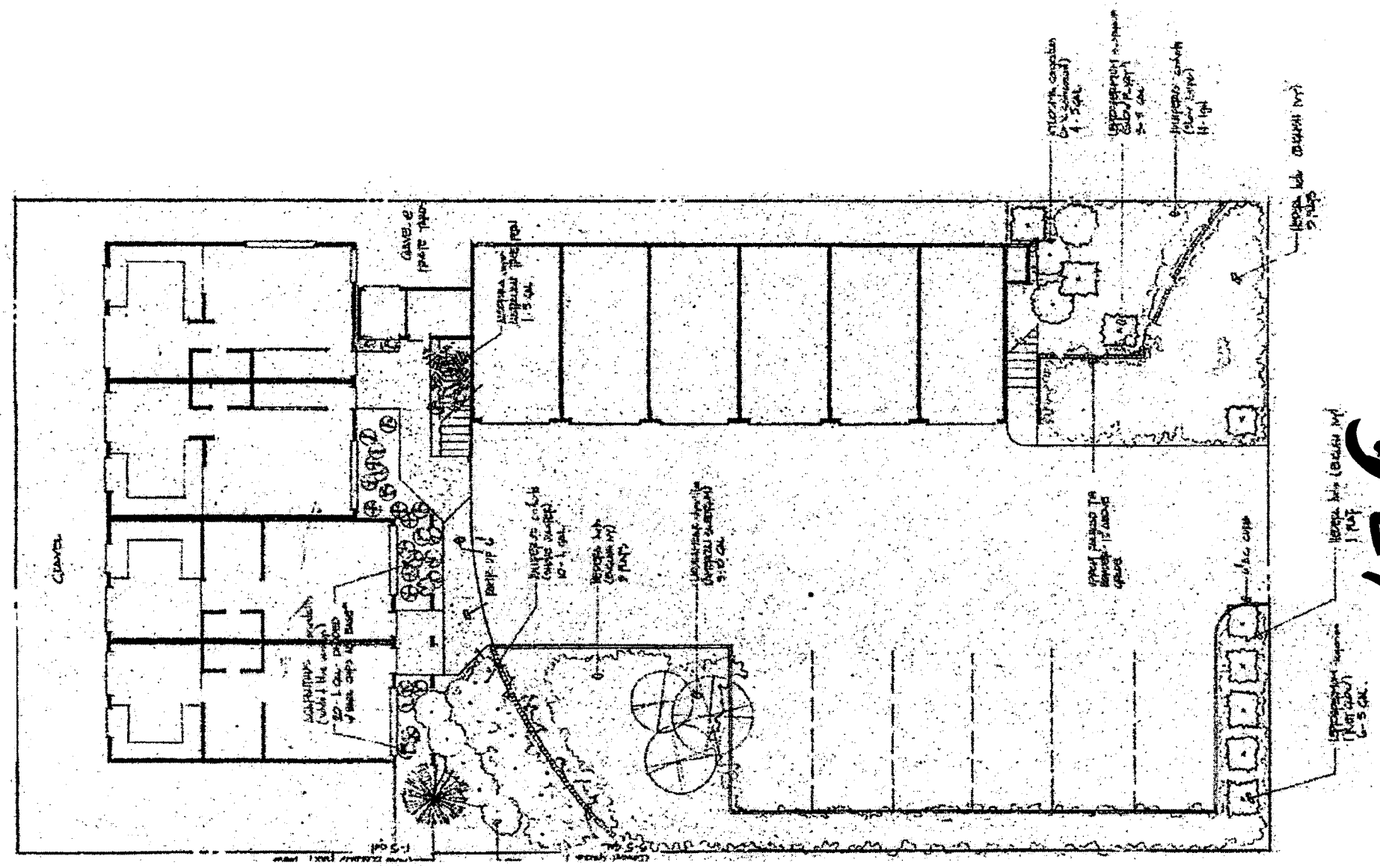
PROJECT

Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

EXHIBIT

Site Plan

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

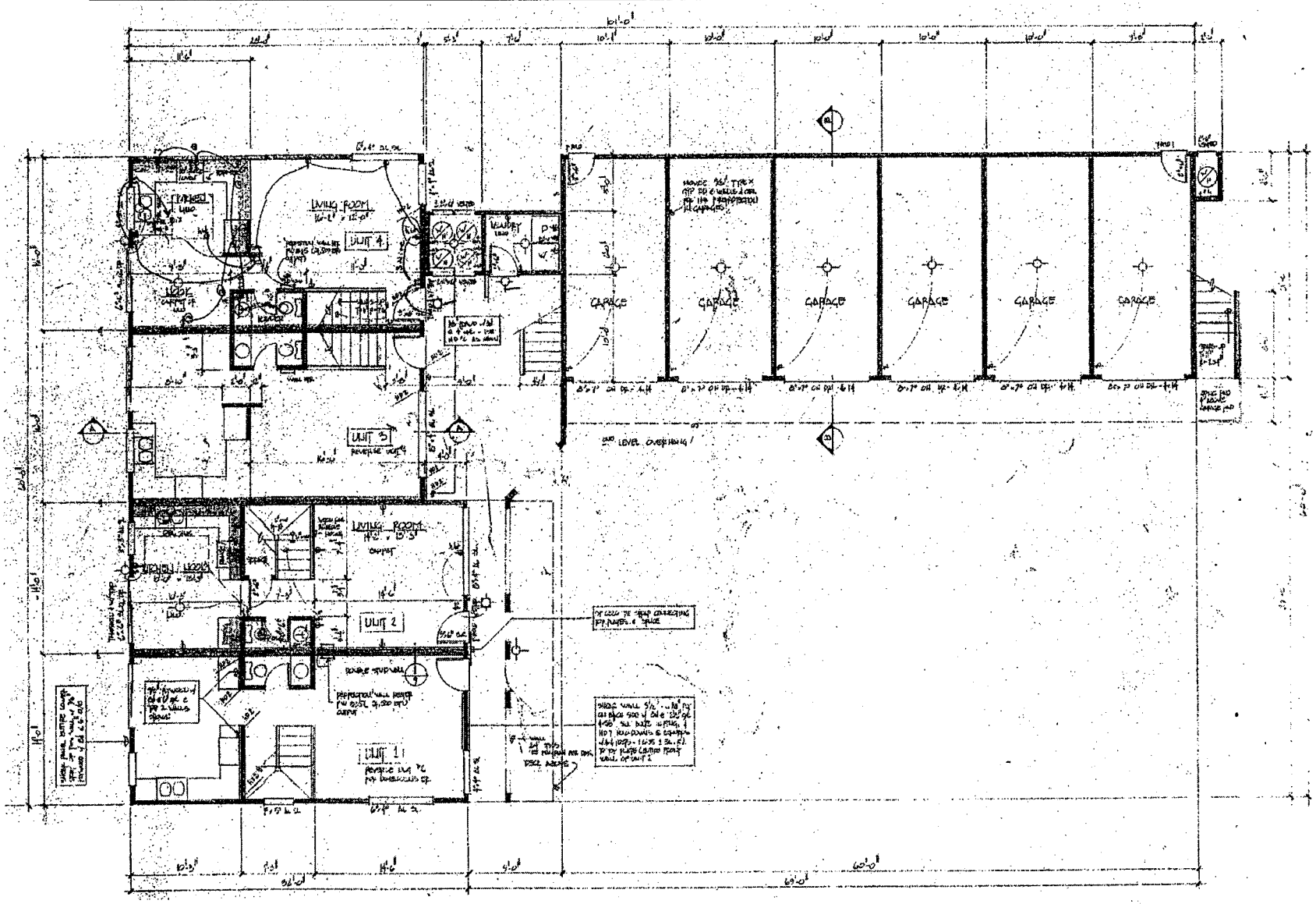
Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

EXHIBIT

Landscape Plan

9-29

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



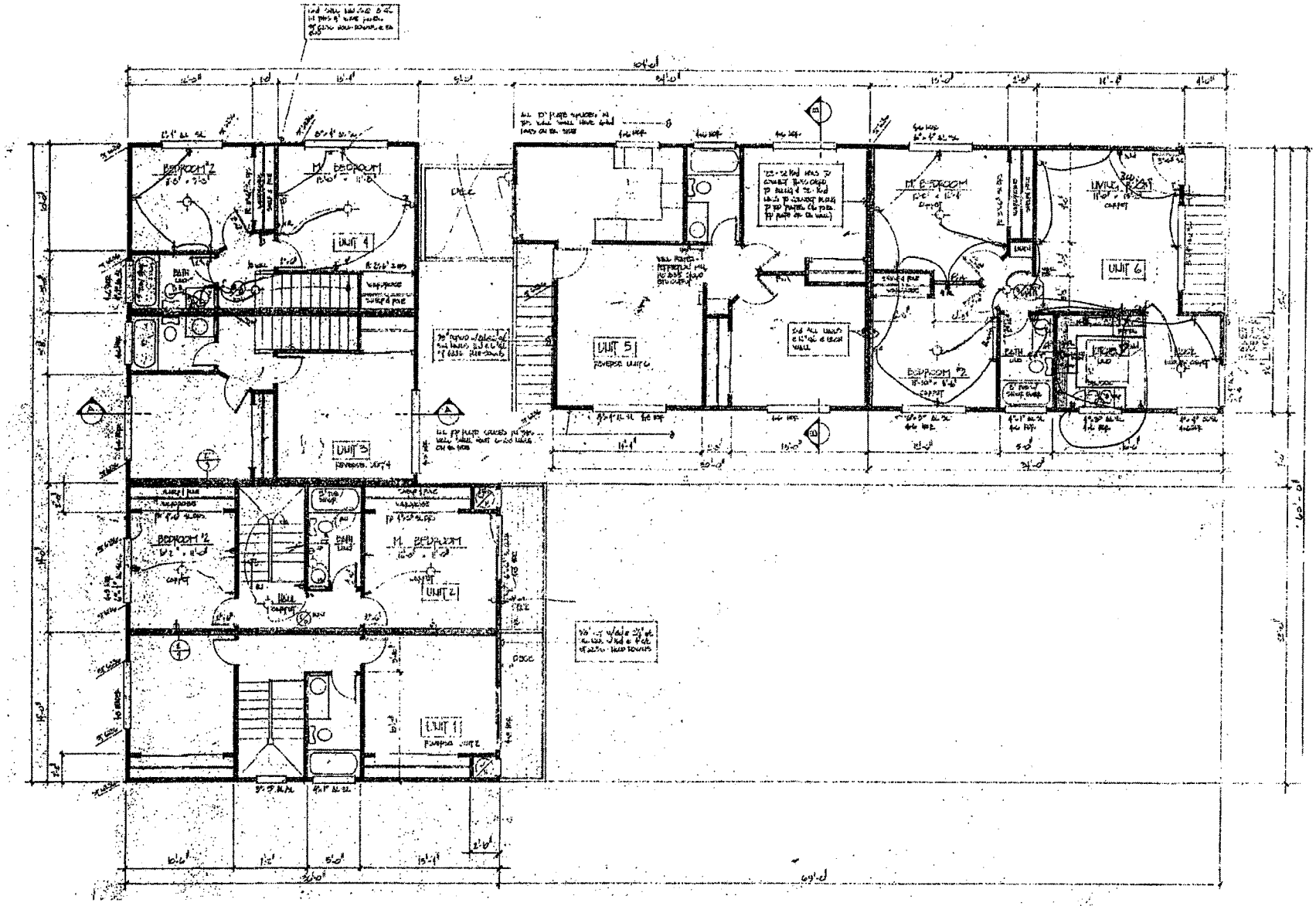
E-30

PROJECT

Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

EXHIBIT

1st Level Floor Plan



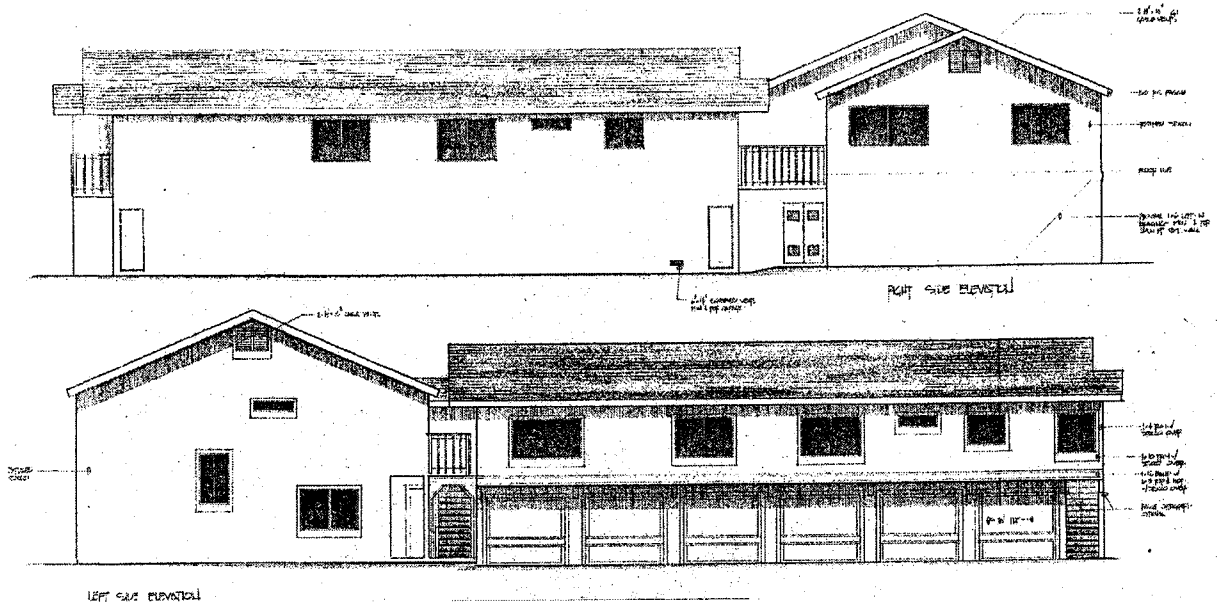
PROJECT

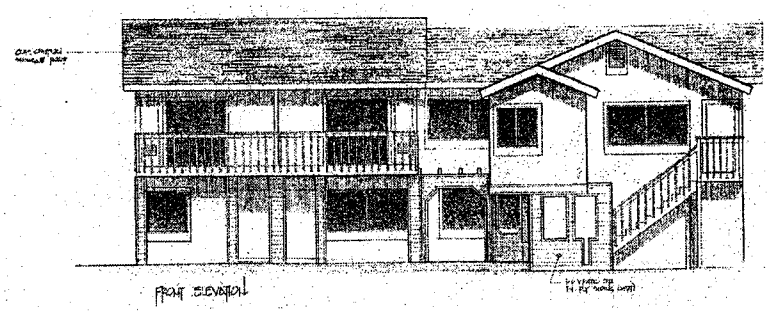
Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

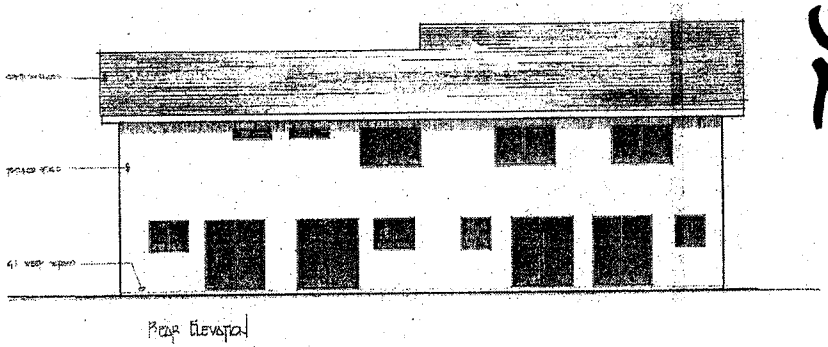
EXHIBIT

2nd Level Floor Plan

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING







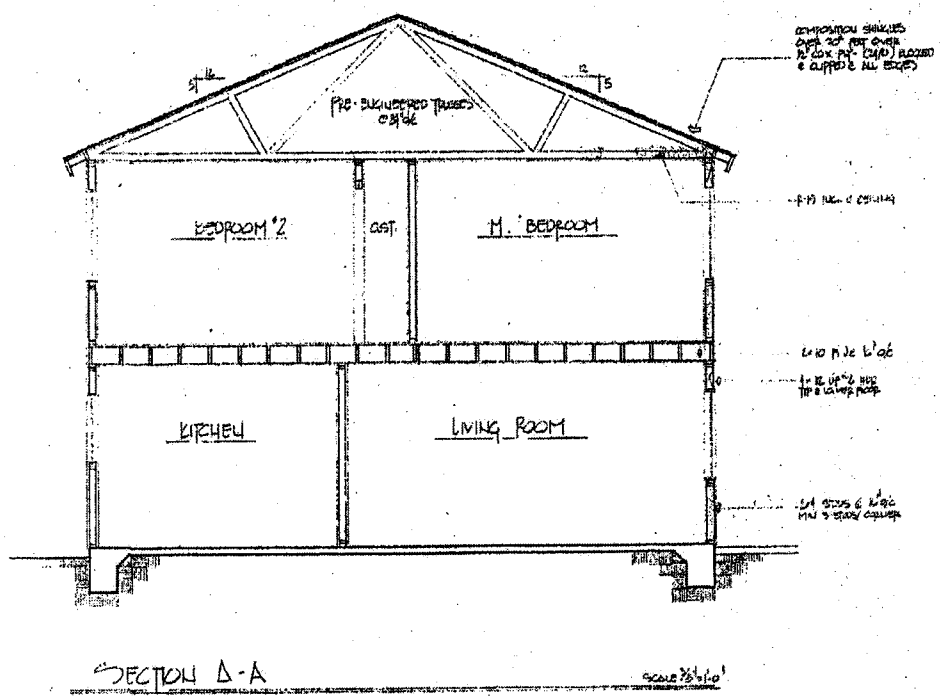
E-32

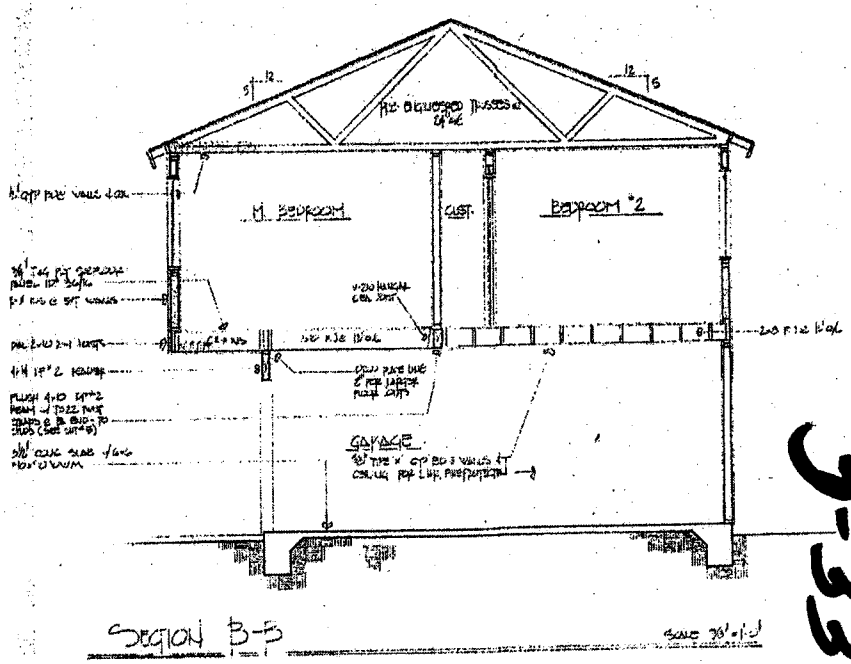
PROJECT

Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

EXHIBIT

Elevations





S-33

PROJECT

Vesting Tentative Tract Map w/ CUP
Wells SUB2005-00038

EXHIBIT

Sections

5-34