



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 7/24/2012

TO: _____

FROM: Jo Manson, Inland Team

PROJECT DESCRIPTION: DRC2012-00007 DIMAURO- Minor Use Permit for a real estate sales trailer located off Holly Drive. APN: 012-190-029.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

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 10 days in which we must obtain comments from outside agencies.)

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.

Date

Name

Phone

GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building

NACI/ HERT

GS RS

APPLICATION TYPE - CHECK ALL THAT APPLY

- Emergency Permit
- Tree Permit
- Plot Plan
- Zoning Clearance
- Site Plan
- Minor Use Permit
- Variance
- Other
- Conditional Use Permit/Development Plan
- Surface Mining/Reclamation Plan
- Curb, Gutter & Sidewalk Waiver
- Modification to approved land use permit

APPLICANT INFORMATION

Check box for contact person assigned to this project

Landowner Name James DiMauro Daytime Phone _____

Mailing Address 2290 Heritage Loop Rd. Paso Robles, CA Zip Code 93446

Email Address: _____

Applicant Name Same as Landowner Daytime Phone _____

Mailing Address _____ Zip Code _____

Email Address: _____

Agent Name Kirk Consulting (Sarah Staton) Daytime Phone 805-461-5765

Mailing Address 8830 Morro Rd. Atascadero, CA Zip Code 93422

Email Address: _____

PROPERTY INFORMATION

Total Size of Site: .23 acres Assessor Parcel Number(s): 012-190-029

Legal Description: TR 1990-1 LT 1.

Address of the project (if known): 2295 Holly Drive in Community of Heritage Ranch Paso Robles, CA 93446

Directions to the site (including gate codes) - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: 101 North, 24st Exit, Right on Nacimiento Lake Dr., stay on Naci Lake Dr. right on Naci Lake Drive, follow approx. 6.1 miles, left onto Holly Dr. (Sales Trailer is located off Holly Drive at 2295).

Describe current uses, existing structures, and other improvements and vegetation on the property:

PROPOSED PROJECT

Describe the proposed project (inc. sq. ft. of all buildings): 440sf Temporary Sales Trailer

LEGAL DECLARATION

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

Property owner signature *Sarah Staton* Date 7/17/12

FOR STAFF USE ONLY

Reason for Land Use Permit: _____

LAND USE PERMIT APPLICATION

San Luis Obispo County Department of Planning and Building

File No _____

Type of project: Commercial Industrial Residential Recreational Other

Describe any modifications/adjustments from ordinance needed and the reason for the request (if applicable): No proposed changes to DRC2007-00087

Describe existing and future access to the proposed project site: Access is existing and proposed from Holly Drive

Surrounding parcel ownership: Do you own adjacent property? Yes No
If yes, what is the acreage of all property you own that surrounds the project site? _____

Surrounding land use: What are the uses of the land surrounding your property (when applicable, please specify all agricultural uses):

North: RS
East: CR

South: RS
West: RS

For all projects, answer the following:

Square footage and percentage of the total site (approximately) that will be used for the following:

Buildings: 440 sq. feet _____% Landscaping: _____ sq. feet _____%

Paving: _____ sq. feet _____% Other (specify) _____

Total area of all paving and structures: 440 sq. feet acres

Total area of grading or removal of ground cover: N/A sq. feet acres

Number of parking spaces proposed: N/A Height of tallest structure: _____

Number of trees to be removed: N/A Type: _____

Setbacks: Front 20' Right _____ Left _____ Back _____

Proposed water source: On-site well Shared well Other _____

Community System - List the agency or company responsible for provision: Heritage Ranch Owners Association

Do you have a valid will-serve letter? Yes No (If yes, please submit copy)

Proposed sewage disposal: Individual on-site system Other _____

Community System - List the agency or company responsible for sewage disposal: Heritage Ranch Owners Association

Do you have a valid will-serve letter? Yes No (If yes, please submit copy)

Fire Agency: List the agency responsible for fire protection: Cal Fire

For commercial/industrial projects answer the following:

Total outdoor use area: N/A sq. feet acres

Total floor area of all structures including upper stories: 440 sq. feet

For residential projects, answer the following:

Number of residential units: N/A Number of bedrooms per unit: _____

Total floor area of all structures including upper stories, but not garages and carports: _____

Total of area of the lot(s) minus building footprint and parking spaces: _____



James DiMauro
Reconsideration of Time Frame
SUPPLEMENTAL DEVELOPMENT STATEMENT

PROJECT DESCRIPTION

Purpose:

James DiMauro is requesting a 'Mini' Minor Use Permit to reconsider the time frames on Minor Use Permit, DRC2007-00087. DRC2007-00087 approved the use of a temporary real estate office trailer for Tract 1990 lot sales. The temporary trailer is currently located onsite at 2295 Holly Drive in the community of Heritage Ranch (APN#012-190-029).

Existing Uses:

A Minor Use Permit (MUP) DRC2006-00010 approved the temporary sales trailer until October 20, 2008. Since Tract 1990 was still under construction at that time and many lots had yet to be sold, a second MUP for the sales trailer was approved on February 1st, 2008 (DRC 2007-00087) which approved the use until February 1st, 2013.

Proposed Project:

The proposed project includes a request for an additional 5 years to keep the existing temporary sales trailer on-site for Tract 1990 lot sales. This request will extend the expiration date from February 1st 2013 to February 1st, 2018.

Phase II Construction for Tract 1990 wasn't signed off until 2011 which hasn't given them enough time to sell all of the lots. In this tough economy it would be in their best interest if they can get atleast 5 more years; this will give them ample time to wrap up the remaining sales.

Consistent with the existing sales trailer, this proposal will not be asking for any alterations or revisions to the existing/approved MUP, DRC2007-00087. This project is supported by the Heritage Ranch Owners Association; please see updated letter attached dated March 23, 2012.

Zoning:

The property is located in the Residential Suburban Land Use Category and is located in the Community of Heritage Ranch. The Site is in the Nacimiento Planning Area. The use is an allowed use and as conditioned is consistent with all the General Plan policies.

Land Use Permit Requirement:

Real estate offices are allowed on the site of an approved new subdivision under construction for a maximum of two years from recordation, unless a longer time period is authorized through a tentative subdivision map approval, Minor Use Permit or Specific Plan approval (Section 22.30.600, Section C #2 see below).

C. **Temporary business offices.** A temporary business office may be used as follows.

1. On the site of a permanent business facility where such building is under construction; or where a temporary office has been authorized through a land use permit approval; or
2. As a real estate office on the site of an approved new subdivision under construction within an urban or village reserve line or any other residential land use category, for a maximum of two years from recordation of a final subdivision map, unless a longer period is authorized through the tentative subdivision map approval, Minor Use Permit or Specific Plan approval. Such temporary real estate office may occupy one dwelling unit in the subdivision or may be a separate structure; or

A Minor Use Permit is required for a Temporary Trailer however there were already two MUP approvals (DRC2006-00010 & DRC2007-0087) so Planning Department Supervisor, Nancy Orton has decided to run this as a 'Mini' Minor Use Permit (email correspondence attached).

Environmental Review:

The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303. Categorical Exemption was issued on December 21, 2007. ED07-169

Trailer - Since 2007



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

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE February 1, 2008	CONTACT/PHONE Martha Miller, AICP	APPLICANT James DiMauro	FILE NO. DRC2007-00087
EFFECTIVE DATE February 15, 2008	805-781-4576		
SUBJECT Request by James DiMauro for a Minor Use Permit to extend the time limit for use of a temporary real estate office for Tract 1990 from October 20, 2008 until February 1, 2013. The project will not result in any disturbance as it is an existing trailer. The proposed project is within the Residential Suburban land use category and is located at 2295 Holly Drive in the community of Heritage Ranch. The site is in the Nacimiento planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2007-00087 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 December 21, 2007. ED07-169			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION Geologic Study Area	ASSESSOR PARCEL NUMBER 012-190-002	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Architectural and Environmental Control Committee review <i>Does the project meet applicable Planning Area Standards: Yes – see discussion</i>			
LAND USE ORDINANCE STANDARDS: Temporary Offices, Geologic Study Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on February 15, 2008, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Vacant			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban <i>East:</i> Commercial Retail <i>South:</i> Residential Suburban <i>West:</i> Residential Suburban			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Heritage Ranch Community Services District, RWQCB			
TOPOGRAPHY: Nearly level to gently sloping		VEGETATION: Grasses	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CDF		ACCEPTANCE DATE: December 21, 2007	

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

DISCUSSION

PLANNING AREA STANDARDS:

22.102.040 – Heritage Ranch Village Area Standards

A. (14) Building Permits. No grading or Building Permit shall be issued without review by the Architectural and Environmental Control Committee. The building permit for the temporary trailer was reviewed by the Architectural and Environmental Control Committee.

LAND USE ORDINANCE STANDARDS:

The final map for Tract 1990 recorded on October 20, 2004. The subdivision is currently under construction. Pursuant to Section 22.30.600 of the Land Use Ordinance, real estate offices are allowed on the site of an approved new subdivision under construction for a maximum of two years from recordation, unless a longer time period is authorized through a Minor Use Permit. Minor Use Permit DRC2006-00010 allowed the real estate office to remain until October 20, 2008.

Tract 1990 is still under construction and many of the lots have not yet been sold. Therefore, the applicant is requesting to extend the time limit for use of a temporary real estate office for Tract 1990 from October 20, 2008 until February 1, 2013.

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

AGENCY REVIEW:

Public Works – No comments received

Heritage Ranch Community Services District – Will serve letter conditioned on developer completing all water and sewer improvements in the tract. As of today's date, the District can provide water service on a temporary basis to the applicant's project. The District cannot provide sewer service to the applicant's project at this time.

LEGAL LOT STATUS: The lot was legally created by a recorded map at a time when that was a legal method of creating lots (Tract 1990).

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303.

Minor 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 Heritage Loop Road, a road constructed to a level able to handle any additional traffic associated with the project.

Temporary Office

- G. Authorizing the use of a real estate office for Tract 1990 until February 1, 2013 is appropriate because the subdivision improvements have not yet been completed and the lots have not yet been sold.

EXHIBIT B - CONDITIONS OF APPROVAL

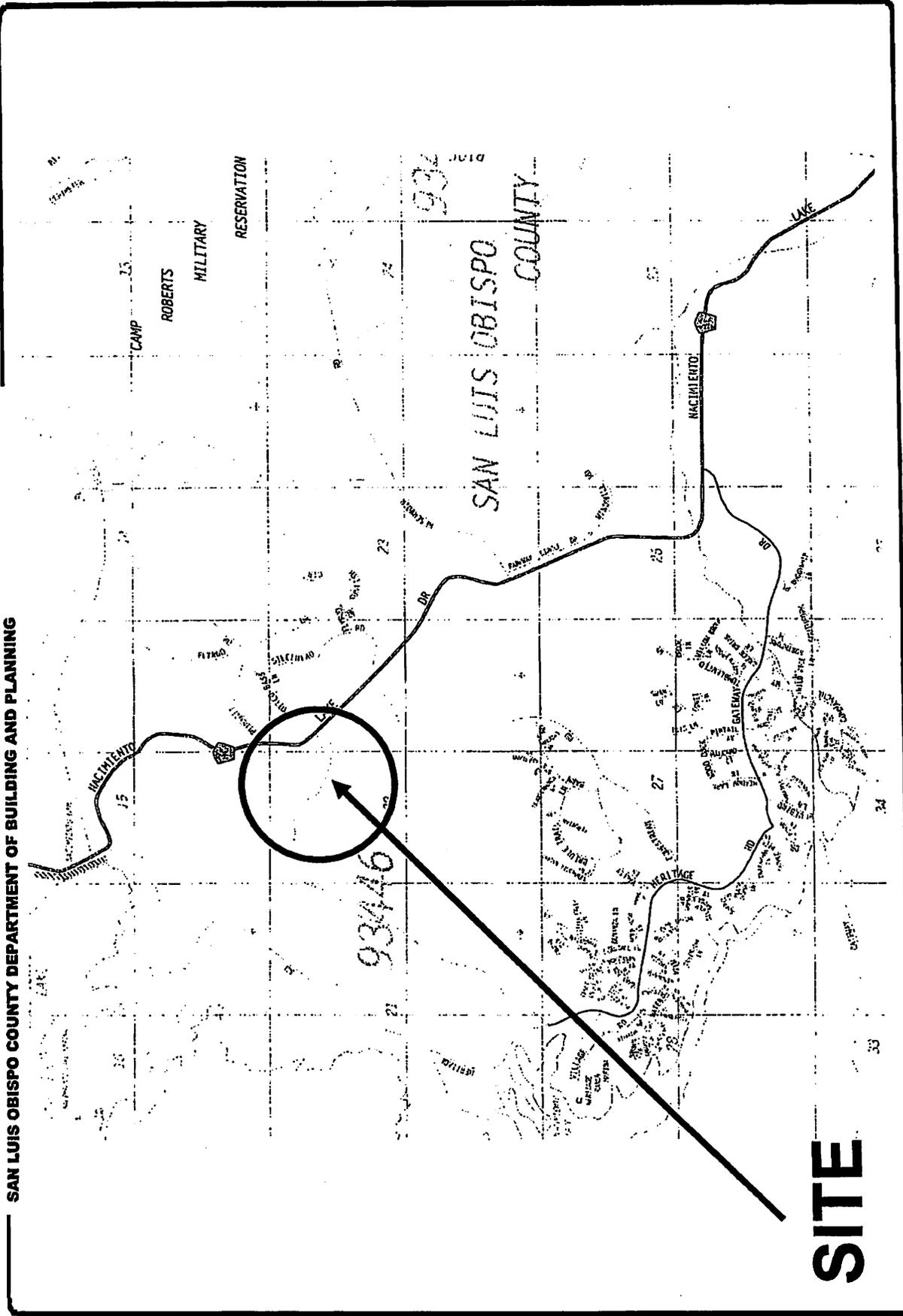
Approved Development

1. This approval authorizes
 - a. the use of the existing temporary real estate office until February 1, 2013.

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

2. The real estate office shall be removed and the site restored to its original state no later than February 1, 2013.
3. 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.
4. 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



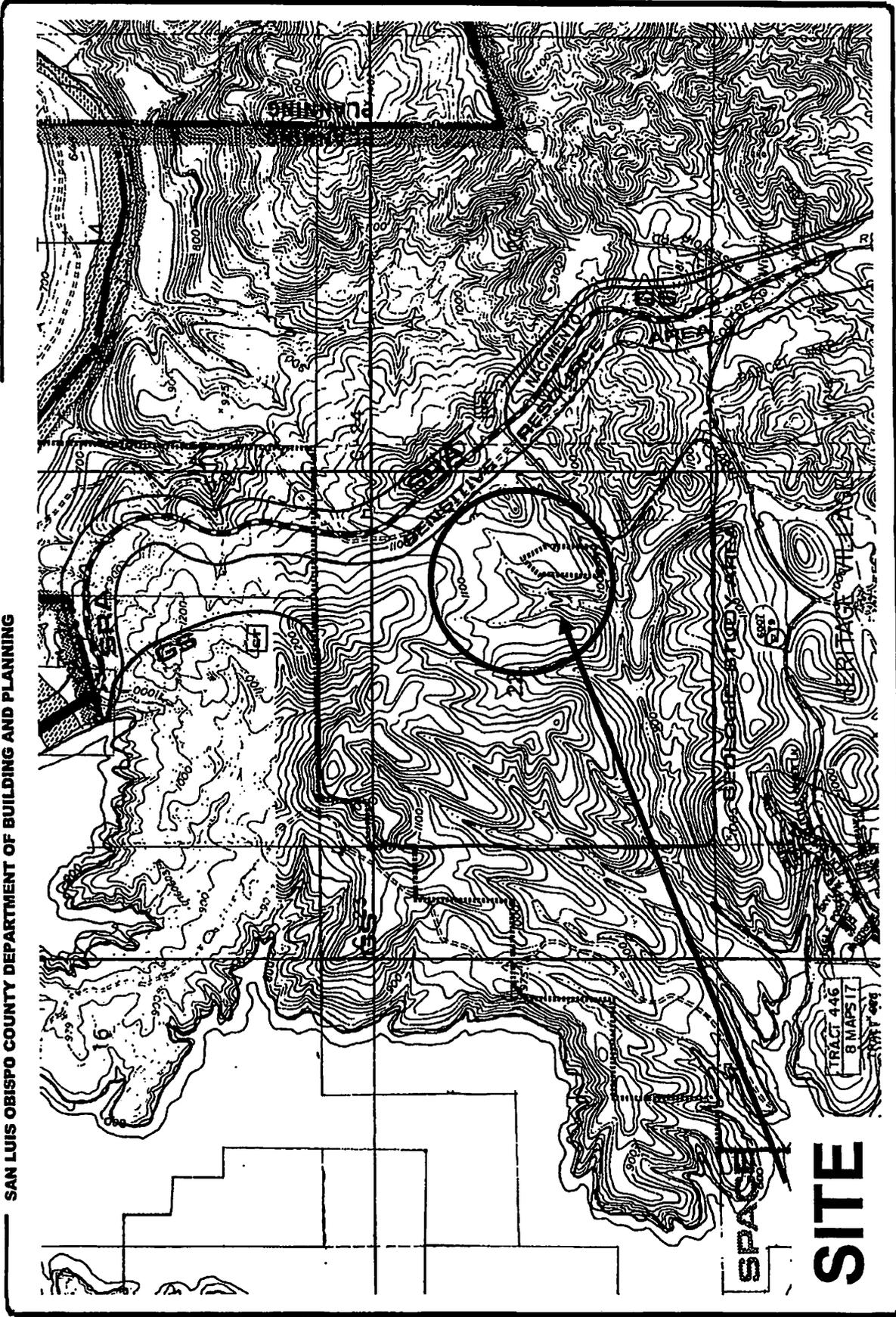
SITE

EXHIBIT

Vicinity Map



PROJECT
Minor Use Permit
Dimauro DRC2007-00087



EXHIBIT

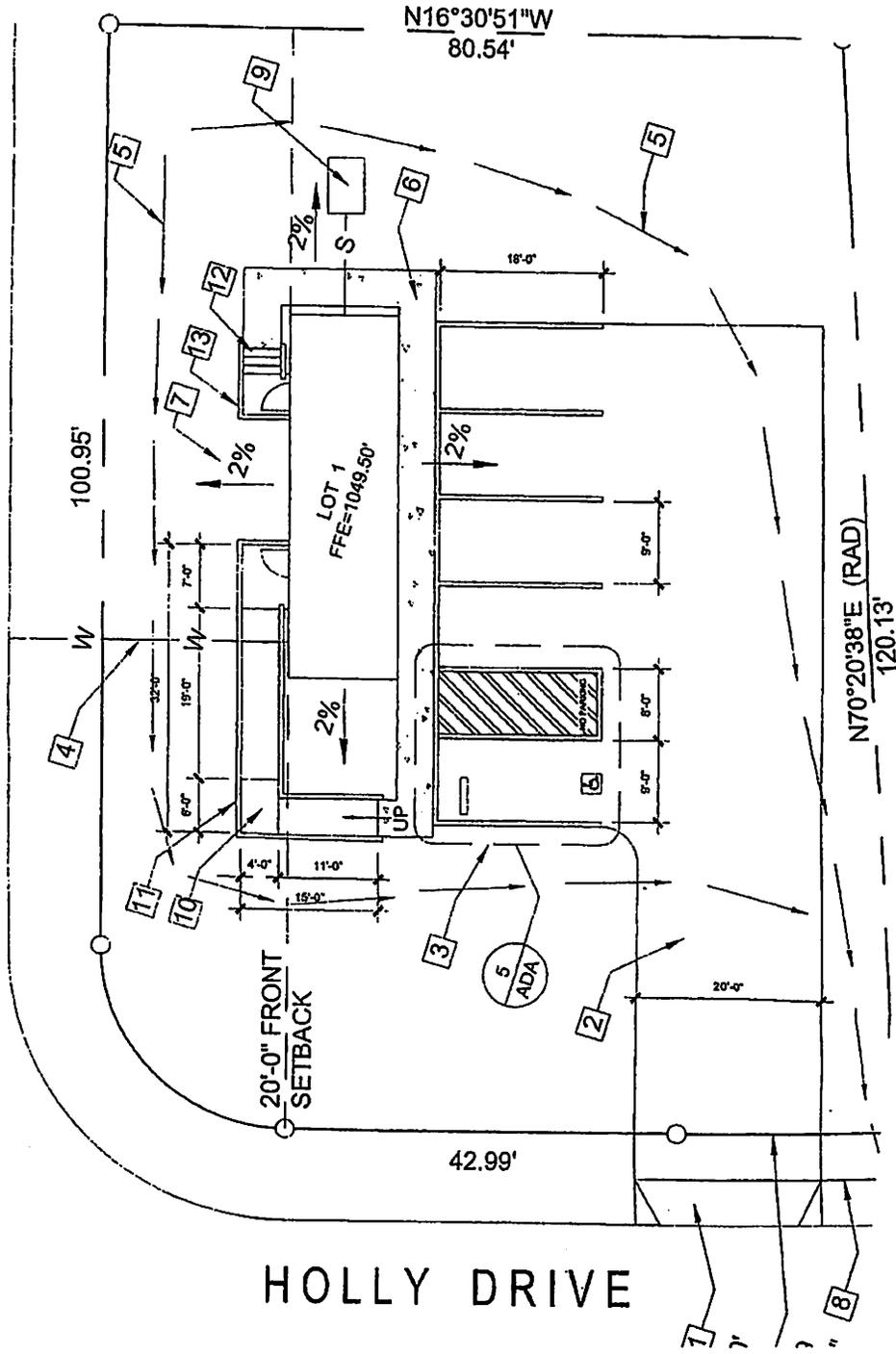
Land Use Category



PROJECT

Minor Use Permit
Dimauro DRC2007-00087

HERITAGE LOOP ROAD

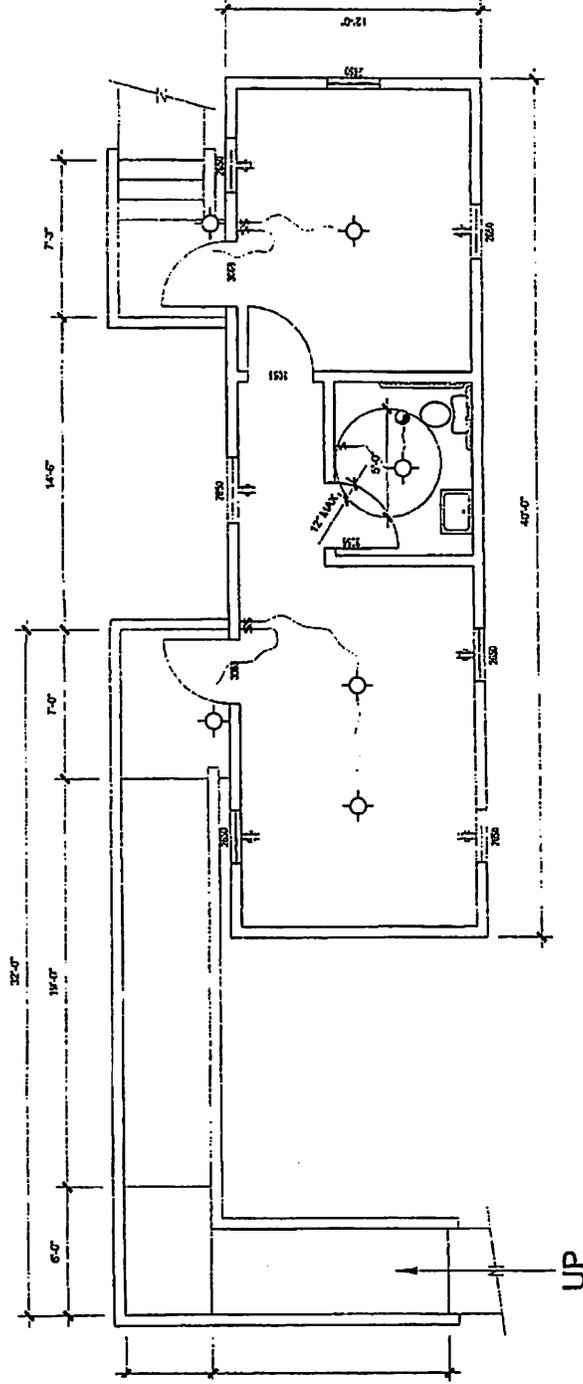


EXHIBIT

Site Plan



PROJECT
Minor Use Permit
Dimauro DRC2007-00087



EXHIBIT

Floor Plans



PROJECT

Minor Use Permit
Dimauro DRC2007-00087

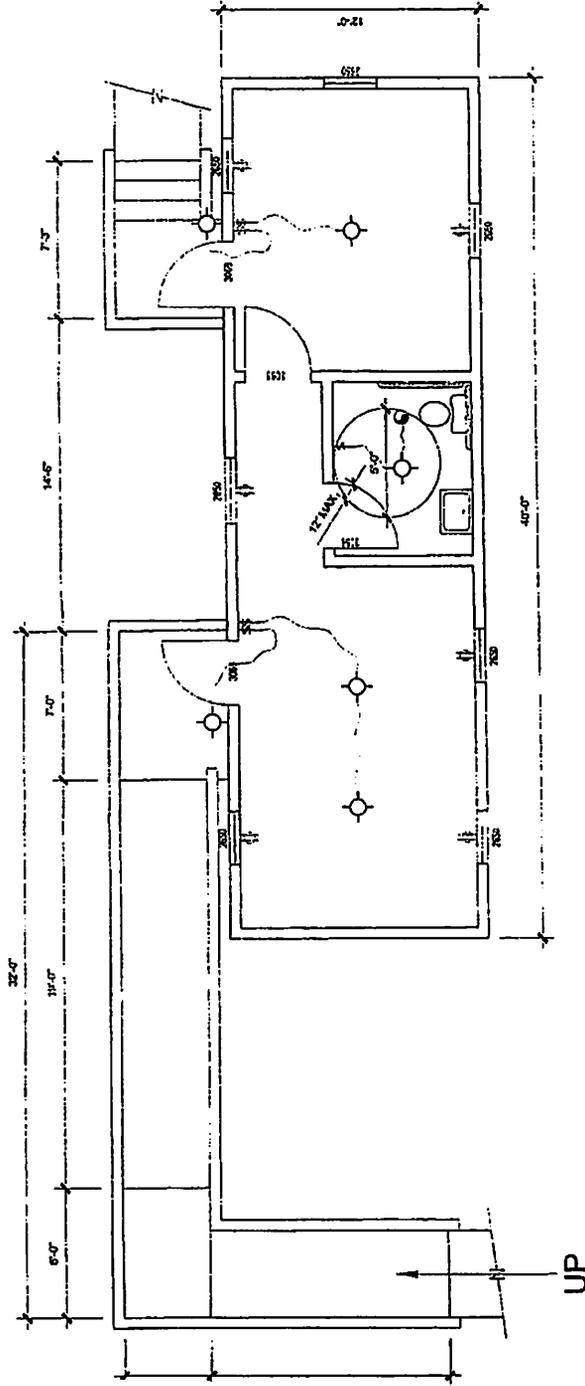
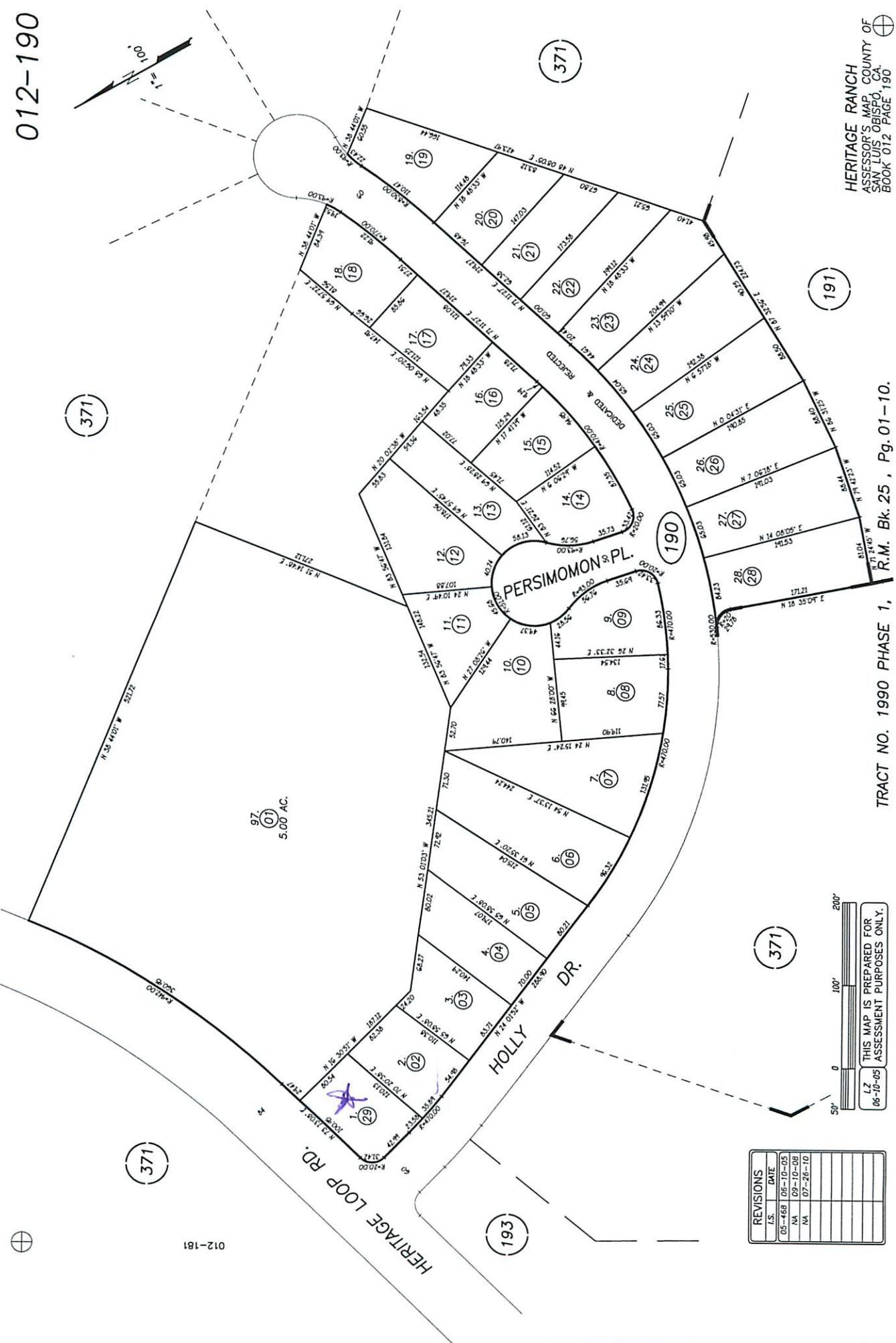


EXHIBIT Floor Plans



PROJECT
Minor Use Permit
Dimauro DRC2007-00087

012-190



HERITAGE RANCH
ASSESSOR'S MAP COUNTY OF
SAN JUAN, OBISPO, CALIF.
BOOK 012, PAGE 190

TRACT NO. 1990 PHASE 1,
R.M. Bk. 25, Pg. 01-10.

REVISIONS	I.S.	DATE
05-468	06-10-05	
NA	09-10-08	
NA	07-26-10	

THIS MAP IS PREPARED FOR
ASSESSMENT PURPOSES ONLY.

0 50' 100' 200'

012-181





Parcel Summary Report For Parcel # 012-190-029

7/18/2012
2:39:49PM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

People Information

Role Name and Address

OWN DIMAURO JAMES M
 1220 SKYLAR LN BRADLEY CA 93426-9437

OWN DIMAURO JAMES M & NINA M FAMILY TRU

OWN DIMAURO NINA M

Address Information

Status Address
 P 02290 HERITAGE LOOP RD HERT

Lot Information:

<u>Tract / Twshp</u>	<u>Block / Range</u>	<u>Section</u>	<u>Community:</u>	<u>Plan/Area:</u>	<u>Lue 1:</u>	<u>Lue 2:</u>	<u>Lue 3:</u>	<u>Lot:</u>	<u>Flags:</u>	<u>Misc</u>
1990 U1	0000	0001	Heritage Ranch	Nacimiento	RS	GS		Y	CD / SC / ID / IR	

Parcel Information

Status Description
 Active TR 1990-1 LT 1

Notes
 ADDRESS 2290 HERITAGE LOOP RD IS FOR COMMERICAL MODULAR ONLY. 3/13/09-PCS

Tax Districts
 SAN MIGUEL ELEM. SCHOOL
 PASO ROBLES JT(27,40) (SB1537) UNIFIED SCHOOL
 SAN LUIS OBISPO JT(27,40) COMM. COLLEGE
 AREA NO. 21 COUNTY SERVICE
 HERITAGE RANCH COMM. SERVICE
 SAN MIGUEL CEMETERY



Parcel Summary Report For Parcel # 012-190-029

7/18/2012
2:39:50PM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

NO. 01 ROAD-CO/SUPVR

Case Information

Case Number:

COD2011-00276

Case Status:

CLD

Primary Parcel

Description:

REPORTED SALES OFFICE AND OFF SITE SIGNS

COD2011-00476

CLD

Primary Parcel

Description:

UNAUTHORIZED REAL ESTATE SIGNS

DRC2006-00010

APV

Primary Parcel

Description:

MUP FOR 440 SQ FT TEMPORARY SALES TRAILER

DRC2007-00087

APV

Primary Parcel

Description:

MINOR USE PERMIT TO ALLOW 440 SQ FT, 12X12 TEMPORARY GE MODULAR TRAILER & APPURTENANT HANDICAP FACILITIES (EXPIRES IN 2013 ACCORDING TO STAFF REPORT)

DRC2012-00007

REC

Primary Parcel

Description:

PERMIT FOR REAL ESTATE SALES OFFICE

PMT2005-02683

FNL

Primary Parcel

Description:

COMMERCIAL MODULAR COACH WITH DISABLED ACCESS FOR TEMPORARY SALES OFFICE ON LOT 1 - TRACT 1990 / REAL ESTATE OFFICE MAY BE IN EXISTENCE UNTIL OCTOBER 20, 2008 OR PRIOR TO FINAL INSPECTION OF PERMANENT RESIDENCE ON PROPERTY, WHICHEVER COMES FIRST.

S890463T

PTX

Related Parcel

Description:

PROP CLUSTER SUBDIV 250 LOTS - INCLUDING SFD- COMM - PUBLIC FACIL (2 PHASES)

SUB2004-00123

REC

Related Parcel

Description:

NAMING 14 ROADS TRACT 1990