



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

Planning Commission Minutes

April 23, 2024, 6:30 p.m.

Library/Conference Center Council Chamber

1000 Spring Street

Paso Robles, CA 93446

Commissioners Present: Commissioner Neel, Commissioner Davis, Commissioner Koegler,
Commissioner Marlow

Commissioners Absent: Chairperson Christensen, Chair Pro Tem Covarrubias, Commissioner
Connally

A. Call to Order

The meeting was called to order at 6:30pm.

B. Pledge of Allegiance

C. Roll Call

Commissioner Connally, Covarrubias and Chairperson Christensen are absent.
Commissioner Neel to fill in as Acting Chair.

D. Staff Introductions

1. Staff Present

Warren Frace, Darren Nash, Katie Banister, Charlie Moloney, Dante Pecchenino,
Marci Reynoso, Ashleigh Peterson & Anne Branham.

E. General Public Comments Regarding Matters not on the Agenda

None

F. Agenda Items Proposed to be Tabled or Re-Scheduled

None

G. PUBLIC HEARINGS

1. Time Extension for Phase 2 of a Mixed-Use Development Project

Moved by: Commissioner Koegler
Seconded by: Commissioner Marlow

AYES: Commissioner Koegler, Marlow, Davis and Acting Chairperson Neel

ABSTAIN: None

ABSENT: Commissioner Connally, and Covarrubias and Chairperson Christensen

STAFF: Katie Banister

Public Comment: Harry Hamilton - Project Representative
Joel Peterson

A motion was made by Commissioner Koegler and Seconded by Commissioner Marlow approving Resolution 24-006 to grant Time Extension 24-04, a one-year time extension for Vesting Tentative Parcel Map PR 19-0070 and Amendment 21-01 to Development Plan 19-07, to February 4, 2025.

Roll Call Vote Passed

2. Variance for a second story side setback for a single-family residence

Moved by: Commissioner Marlow

Seconded by: Commissioner Davis

AYES: Commissioner Marlow, Davis, Koegler and Acting Chairperson Neel

ABSTAIN: None

ABSENT: Commissioner Connally, and Covarrubias and Chairperson Christensen

STAFF: Katie Banister

Public Comment: Steven Soenke
Joel Peterson

A motion was made by Commissioner Marlow and Seconded by Commissioner Davis approving the variance to allow a 5-foot interior side setback where 10 feet is required by adopting Resolution PC 24-007, based on findings, with the addition of the conditions of approval listed in (Attachments 1 & 2 and an additional condition to require the applicant to work with staff to provide features in the west-facing elevation typical of a front elevation (e.g., windows, a door, a porch, or similar).

Roll Call Vote Passed

H. DISCUSSION ITEMS

None

I. CONSENT CALENDAR

Moved by: Commissioner Davis
Seconded by: Commissioner Koegler

AYES: Commissioner Davis, Koegler, Marlow and Acting Chairperson Neel
ABSENT: Commissioner Connally and Covarrubias and Chairperson Christensen

A motion was made by Commissioner Davis and Seconded by Commissioner Koegler approving the minutes as presented with changes to be made to March 12, 2024 Planning Commission Minutes correcting 'Chairperson Neel' to 'Commissioner Neel'.

Roll Call Vote Passed

1. March 12, 2024 Planning Commission Minutes

Changes to be made to March 12, 2024 Planning Commission Minutes, correcting 'Chairperson Neel' to 'Commissioner Neel'.

2. March 26, 2024 Planning Commission Minutes

J. OTHER REPORTS

1. Paso Robles Street Streetscape Ad Hoc Committee Report

2. Housing Constraints and Opportunities Committee (HCOC) / Zoning Code Update Report

3. Development Review Committee Rotation Schedule

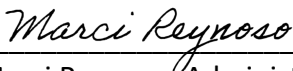
K. PLANNING COMMISSIONERS' COMMENTS

L. STAFF COMMENTS

Special Planning Commission Meeting end of May.

M. ADJOURNMENT

Meeting was adjourned at 7:29pm.



Marci Reynoso, Administrative Assistant
Approved May 14, 2024

Site Specific Conditions of Approval – VAR23-01 (P23-0077)

Planning Division Conditions:

1. The applicant/developer shall comply with the checked standard Conditions of Approval, “Exhibit B”.

NOTE: In the event of conflict or duplication between standard and site-specific conditions, the site-specific condition shall supersede the standard condition.

2. The project shall be constructed in substantial conformance with the Conditions of Approval and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT DESCRIPTION

A	Site-Specific Conditions of Approval
B	Standard Conditions of Approval
C	Project Plans
D	Arborist Report

3. Variance 23-01 shall allow for the construction of a two-story single-family residence with a 5-foot interior side setback and a 10-foot-wide driveway.

4. Approval of the project is valid for a period of two (2) years from the date of approval. Unless construction permits have been issued and site work has begun, the approval of Variance 23-16 shall expire on April 23, 2026. The Planning Commission may extend the expiration date if a time extension(s) application has been filed with the City along with the required fee before the expiration date.

5. Any condition imposed by the Planning Commission in approving this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Planning Commission makes the same findings for the modification as were made for the original approval and that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use.

6. Before final inspection, all exterior lighting shall be shielded so the light source is not visible offsite. Light fixtures shall be dark skies rated.

7. Before final inspection, all new utility service lines shall be placed underground.

Engineering Division Conditions:

8. The applicant shall provide an agreement acknowledging no property rights are established with allowance of long driveway in the City right-of-way. The City may in the future use the right-of-way to its full width unimpeded by this property improvements. The property will need to provide an alternative access at that time at the cost of property owner. **Timing: Determined by City Engineer.**

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9. The applicant shall remove any retaining walls from the right of way and not propose any new walls be constructed in the right of way. **Timing: Perpetuity**

CITY OF EL PASO DE ROBLES
STANDARD DEVELOPMENT CONDITIONS

<u>Variance 23-01</u>	<u>Conditional Use Permit</u>
<u>Tentative Parcel Map</u>	<u>Tentative Tract Map</u>
<u>Approval Body: Planning Commission</u>	<u>Date of Approval: April 23, 2024</u>
<u>Applicant: Chris and Christina Byham</u>	<u>Location: 2203 Vine Street</u>
	<u>APN: 008-152-021</u>

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Community Development Department, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS – PD/CUP:

1. This project approval shall expire on April 23, 2026, unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied prior to expiration.
2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
3. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney’s fees, incurred by City or held to be the liability of City in connection with City’s defense of its actions in any proceeding brought in any State or Federal court challenging the City’s actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City’s actions with respect to the project.
4. Any site-specific condition imposed by the Planning Commission in approving this project (**VAR23-01, P23-0077**) may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that

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such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

5. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.

6. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.

7. Prior to the issuance of a Building Permit, a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation. All existing and/or new landscaping shall be installed with automatic irrigation systems.

8. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).

9. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.

10. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for garbage, recycling, and green waste bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Size and closure details subject to approval of the City Solid Waste Manager.

11. For commercial, industrial, office or multi-family projects, all existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.

12. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.

13. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact

adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.

14. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.

16. It is the property owner's responsibility to ensure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and ensure compliance by the owner's agents.

17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.

18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.

19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.

20. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.

21. Prior to the issuance of building permits, the
Development Review Committee shall approve the following:
Planning Division Staff shall approve the following:

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

1. In accordance with Government Code Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.

2. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.

3. The owner shall petition to annex residential Tract (or Parcel Map)_____ into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.

4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.

5. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

ENGINEERING DIVISION- The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

All conditions marked are applicable to the above referenced project for the phase indicated.

C. PRIOR TO ANY PLAN CHECK:

1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

D. PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application. The requirement may be waived if compliance with the City's Floodplain Ordinance is demonstrated to the City Engineer's satisfaction.

2. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.

3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.

4. A Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.

5. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. All off-site public improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to the Public Works Department Standards and Specifications.

2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.

3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.

4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.

2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.

3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Street Name	City Standard	Standard Drawing No.
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4. If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act.

Bonds required and the amount shall be as follows:

Performance Bond.....100% of improvement costs.

Labor and Materials Bond.....50% of performance bond.

5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic.

6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.

7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on _____ along the frontage of the project.

8. The applicant shall install all utilities. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project.

9. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:

- a. Public Utilities Easement;
- b. Water Line Easement;
- c. Sewer Facilities Easement;
- d. Landscape Easement;
- e. Storm Drain Easement.

10. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:

- a. Street lights;
- b. Parkway/open space landscaping;
- c. Wall maintenance in conjunction with landscaping;
- d. Graffiti abatement;
- e. Maintenance of open space areas.

11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.

12. All final property corners shall be installed prior to final occupancy.

13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.

14. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

15. Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

PASO ROBLES FIRE AND EMERGENCY SERVICES- The applicant shall contact the Department, (805) 227-7560, for compliance with the following conditions:

G. GENERAL CONDITIONS

1. Prior to the start of construction:

Plans shall be reviewed, approved and permits issued by Paso Fire for underground fire lines.

Applicant shall provide documentation to Paso Fire that required fire flows can be provided to meet project demands.

Prior to delivery of combustible materials, fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code. (PRMC - A fire hydrant must be located within 150' of the FDC and connection to it must not block collector or arterial roadways).

Prior to delivery of combustible materials, a based access road sufficient to support the department's fire apparatus (Engines-43.5k lbs., Truck-69.5k lbs.) shall be constructed and maintained for the duration of the construction phase of the project.

Access roads shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance. All driveway and access roads shall be 10% or less in slope unless approved by PRFD.

Truck access road shall be at least twenty (26) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance. Minimum set-back 15', maximum 30'.

Project shall provide a secondary access fire road approved by PRFD.

2. Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.

Plans shall be reviewed, approved and permits issued by Paso Fire for the installation of fire sprinkler and alarm systems.

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3. Provide class 1 standpipe system(s) with 2 ½" hose connections to supply water for use by fire department personnel at each floor in accordance to NFPA 14 for all residential, commercial and industrial buildings that are or exceed three (3) stories in height or above 30 feet. Location shall be at the entrance/exit way of the stairway system. Travel distance greater than 200' feet will compel additional standpipe system(s) in each stairwell.

Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.
4. Provide on the address side of the building if applicable:

Fire alarm annunciator panel location to be approved by PRFD.
Provide a Knox box key entry box or system.
Fire department connection (FDC) location and access path must be approved by PRFD.
Address Numbers; size, location, and contrast shall be approved by PRFD.
5. Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
6. Motorized Gates blocking fire access require a separate PRFD and must include Knox Key Switch access.
7. Fire extinguisher placement shall be approved by PRFD.
8. Landscape plant selections shall be fire resistive within 30 feet of structures.
9. Landscape trees must not project into required vertical clearance of the fire access lanes.
10. Provide permanent turn-around to current City Engineering Standard for driveway/access roads that exceed 150 feet in length.
11. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
12. Prior to the issuance of Certificate of Occupancy:

Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.

A site pre-fire plan shall be submitted and approved by the Fire Marshal. Contact the Paso Robles Fire Prevention Office for exact requirements.

A Final Fire Walkthrough inspection shall be completed on all buildings.