

COUNTY PLANNING COMMISSION  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, February 23, 2006

PRESENT: Commissioners Bob Roos, Bruce Gibson, Penny Rappa, Sarah Christie,  
and Chairman Eugene Mehlschau.

ABSENT: None

RESOLUTION NO. 2006-009  
RESOLUTION RELATIVE TO THE GRANTING  
OF A VESTING TENTATIVE TRACT MAP

WHEREAS, the County Planning Commission of the County of San Luis Obispo, State of California, did, on the 23<sup>rd</sup> day of February, 2006, grant a Vesting Tentative Tract Map to **WOODY WOODRUFF** to subdivide an existing 24,975 square foot parcel into 7 residential parcels ranging from 1,505 square feet to 2,396 square feet each and 1 open space parcel at 14,996 square feet for the purpose of sale and/or development. The project will result in the disturbance of the entire 24,975 square foot parcel. The division will require extending 9<sup>th</sup> Street and James Street through the property. The proposed project is within the Commercial Retail land use category and is located on James Way, 200 feet south of 8<sup>th</sup> Street, in the community of Templeton, in the Salinas River planning area.

WHEREAS, The Planning Commission, after considering the facts relating to said application, approves this Permit based on the Findings listed in Exhibit A.

WHEREAS, The Planning Commission, after considering the facts relating to said application, approves this permit subject to the Conditions listed in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the County of San Luis Obispo, State of California, in a regular meeting assembled on the

23<sup>RD</sup> day of February, 2006, does hereby grant the aforesaid Permit, SUB2005-00010  
TRACT 2743.

An approved or conditionally approved tentative tract map shall expire twenty-four months after its approval or conditional approval. The expiration of the approved or conditionally approved tentative tract map shall terminate all proceedings, and no tract map of all or any portion of the real property included within such tentative tract shall be filed without first processing a new tentative map. Upon application of the divider filed with the Department of Planning and Building prior to the expiration of the approved or conditionally approved tentative map, the Planning Commission may extend or conditionally extend the time at which such map expires for a period of periods not exceeding a total of five years pursuant to the provisions of Sections 66412.3, 66473 and 66474 of the Subdivision Map Act and Section 21.48.080 of the Real Property Division Ordinance (Section 21.06.010).

On motion of Commissioner Roos, seconded by Commissioner Christie and on  
the following roll call vote, to-wit:

AYES: Commissioners Roos, Christie, Gibson, Rappa, and Chairman Mehlschau.

NOES: None

ABSENT: None

the foregoing resolution is hereby adopted.

/s/ Eugene Mehlschau  
Chairman of the Planning Commission

ATTEST:

/s/ Ramona Hedges  
Secretary Pro Tem, Planning Commission

**FINDINGS - EXHIBIT A**  
**Tract 2743**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a previously adopted Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) adopted on June 26, 2003 was relied upon for this project. Mitigation measures are proposed to address drainage and public services/utilities and are included as conditions of approval.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Commercial Retail 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.
- 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 7 multi-family units.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support the proposed 7 multi-family units.
- 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 development is proposed on a level site that is vegetated with grasses and scattered oak trees. No endangered species were evident on site.
- 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.

**CONDITIONS - EXHIBIT B**  
**Tract 2743**

**Approved Project**

1. Construction of seven attached, three bedroom units totaling 12,430 square feet. The individual units are two story units and are between 1,430 and 1,632 square feet, including the garage area. Each unit has a single car garage with the second required parking space provided in the driveway. Three guest-parking spaces are provided in parallel spaces along the south property line. Each unit will have a private fenced yard located at the rear of each unit.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - a. James Street constructed to a TCSD Fire Department approved section fronting the property including a sidewalk as shown on the site plan.
  - b. James Street constructed to a TCSD Fire Department approved section from the property to 8<sup>th</sup> street including a pedestrian walkway that complies with ADA requirements.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
  - a. A private easement be reserved on the map for access to lots 1-7.
  - b. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

**Improvement Plans**

4. 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. Water plan (County Health).
  - d. Sewer plan (County Health).
  - e. Grading and erosion control plan for subdivision related improvement locations.
  - f. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.

- g. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.
5. 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.
6. 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**

7. Submit complete drainage calculations to the Department of Public Works for review and approval.
8. If calculations so indicate, drainage must be retained or 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.
9. If a drainage basin is required, the drainage basin along with rights of ingress and egress be offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
10. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program. Provide WDID number to the County.

#### **Utilities**

11. Electric and telephone lines shall be installed underground.
12. Cable T.V. conduits shall be installed in the street.
13. Gas lines shall be installed.

#### **Design**

14. The lots shall be numbered in sequence.

#### **Vector Control and Solid Waste**

15. A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the

project for central facilities that meet Land Use Ordinance requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

### **Covenants, Conditions and Restrictions**

16. 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. On-going maintenance of drainage basin / adjacent landscaping in a viable condition on a continuing basis into perpetuity for any drainage basin required by calculations.
  - b. Maintenance of common areas.
  - c. Maintenance of all local streets within the subdivision and providing access to the subdivision.
  - d. Establishment of a home owners association.

### **Miscellaneous**

17. 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.
18. A storm water pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
19. 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.

*Staff report was prepared by Josh LeBombard and reviewed by Kami Griffin.*