



CITY OF ATASCADERO

ADMINISTRATIVE HEARING

NOTICE OF ACTION

TO: Phil Dunsmore, Administrative Hearing Officer

FROM: Kelly Gleason, Planning Manager

PREPARED BY: Sam Mountain, Assistant Planner

SUBJECT: USE24-0025, San Marcos Sloping Lot Adjustment

RECOMMENDATION:

The Administrative Hearing Officer approve Administrative Use Permit USE24-0025, approving a sloping lot setback reduction for an attached garage from 25 feet to 17 feet, based on findings and subject to conditions of approval.

DISCUSSION:

PROJECT SUMMARY

The applicants, James and Laurel Netz, request a sloping lot adjustment to reduce the front setback from 25 feet to 17 feet for a garage and carport attached to a proposed Urban Dwelling Unit (UDU). The UDU includes 1,342 square-feet (SF) of livable space with a 494 SF attached garage, 490 SF carport, and approximately 1,638 SF of deck and porch space. The primary structure on the property is a 2,154 SF single-family residence with an attached 440 SF garage. The subject property is a 0.87-acre lot in the Residential Single-Family Z (RSF-Z) zoning district located at 8150/8160 San Marcos Road (APN 031-202-031), directly fronts the public right-of-way, and has access to City sewer. No site distance concerns were identified by the Public Works Department during their review.

ANALYSIS

Street setbacks are regulated through Title 9 of the Atascadero Municipal Code (AMC). Properties in the RSF-Z zoning district are generally subject to a street setback of 25 feet from the front property line. AMC § 9-4.106(a)(3) allows the setback to be reduced for garages with approval of an AUP if the lot and proposed structure meets certain standards, as follows:

1. *A point on the subject property 50 feet from the centerline of the adjacent right-of-way is 7 feet above or below the elevation of that centerline.*

Points on the property 50' from the centerline of the San Marcos right-of-way measure approximately 7'-6" above the elevation of the centerline.

2. *The garage is set back a minimum of 5 feet from the front property line.*

The garage is set back 17 feet from the front property line.

3. *All other portions of the associated dwelling unit maintain the setback otherwise required.*

All portions of the dwelling space are set back a minimum of 25 feet from the front property line as required by the Municipal Code.

FINDINGS:

In addition to the above listed standards, AMC § 9-1.112 requires the Administrative Hearing Officer to make the following findings in order to approve an Administrative Use Permit:

1. *Modification of the applicable standard will not result in a project that is inconsistent with the General Plan.*

Discussion: Reduced setback standards are consistent with the Single-Family Residential land use designation and SFR-Z land use designation within the Atascadero 2025 General Plan. The sloping lot adjustment is intended to reduce cut grading into existing natural hillsides consistent with General Plan Goal LOC 5, which notes that construction on steep slopes should follow existing topography as the basis for design decisions. Building to a 25-foot standard front setback on this lot would require more extensive cuts and modifications to the site's natural topography.

2. *Modification of the applicable standards will not result in a project that is inconsistent with the character of the neighborhood or contrary to its orderly development.*

Discussion: The project is appropriately designed given the context of the site and neighborhood. The residence and attached garage are compatible with neighboring development in scale and design. Adjacent lots are developed with single-family residences and accessory structures. The nearest off-site neighboring residence is located approximately 140 feet from the proposed structure, across the San Marcos right-of-way.

3. *Modification of the applicable standard will not result in a project that is not in compliance with any pertinent City policy or criteria adopted by ordinance or resolution of the City Council.*

Discussion: The project, as conditioned, will not conflict with any applicable City policy or criteria and is consistent with all applicable provisions of the Atascadero Municipal Code and State law.

4. *Modification of the applicable standard will not result in the authorization of a use not otherwise allowed.*

Discussion: Urban Dwelling Units and attached accessory structures are allowed in the RSF-Z zoning district subject to Title 9 of the Atascadero Municipal Code and applicable State law. The subject property qualifies for the development of an Urban Dwelling Unit under the provisions of State law.

ENVIRONMENTAL DETERMINATION:

The proposed project qualifies for a Class 5 categorical exemption from the provisions of the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA")

and CEQA Guidelines (Title 14 California Code of Regulations §§ 15000, et seq.) pursuant to CEQA Guidelines Section 15305, "Minor Alterations in Land Use Limitations."

CONDITIONS:

1. Approval of Administrative Use Permit USE24-0025, as depicted and described on the following attachments, allows for the reduction in the front yard setback for an attached garage from 25-feet to 17-feet at 8150 San Marcos Road, Atascadero, CA 93422 (APN 031-202-031), as depicted on the attached plans. The approval of this entitlement runs with the land, regardless of the owner.
2. The approval of this entitlement shall become final and effective for the purposes of issuing building permits fourteen (14) days after the Administrative Officer action unless an appeal is made in accordance with the Atascadero Municipal Code.
3. Approval of this entitlement shall be valid for twenty-four (24) months after its effective date. At the end of the period, the approval shall expire and become null and void unless building permits have been issued for the project and construction has begun or the project has received a time extension consistent with the Atascadero Municipal Code.
4. The Community Development Department shall have the authority to approve minor changes to the project that result in a superior site design or appearance.
5. The Applicant shall defend, indemnify, and hold harmless the City of Atascadero or its agents, officers, and employees against any claim or action brought to challenge an approval by the City, or any of its entities, concerning this administrative use permit.

ACTION:

☒ APPROVE

☐ APPROVE AS MODIFIED

☐ DENY

☐ CONTINUE TO ALLOW _____

SIGNED: 

Phil Dunsmore, Administrative Hearing Officer

AUG 13 2025

Date

ATTACHMENTS:

1. Project Plans

▲ SPECIFICATIONS ▲

[illegible]

APPROVAL FORM FOR ORDERING MATERIALS REQUIRED FOR PURCHASE AGREEMENT # 107-0702 AND ASSOCIATED AMENDMENTS

[illegible]

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PROJECT CONSULTANTS

OWNER:
JAMES NETZ
8150 SAN MARCOS RD.
ATASCADERO, CA 93422
SAN LUIS OBISPO COUNTY
TEL:

ARCHITECTURAL DRAWINGS:
CONTACT: DAVE HUTCHINS
LINWOOD HOMES LTD.
8250 RIVER ROAD
DELTA, BC V4G 1B5
TEL: 1-800-663-5933 EXT. 211

TITLE 24 ENERGY & CALGREEN CODE:
CARSTAIRS ENERGY INC.
TIMOTHY CARSTAIRS
2238 BAYVIEW HEIGHTS DRIVE SUITE E
LOS OSOS, CA 93404
TEL.: 805-904-9048

STRUCTURAL ENGINEERING:
DARIN TRAVERSO
1155 ROLFE LN.
TEMPLETON, CA. 93465
TEL: 805-434-2950 MOBILE: 805-441-0268
E-mail: dtraverso@charter.net

GEOTECHNICAL ENGINEER:
BEACON GEOTECHNICAL INC.
GREG MCKAY
PO BOX 4814, PASO ROBLES, CA 93447
TEL: 805-538-5115

PROJECT SCOPE/DESCRIPTION

PROPOSED NEW URBAN DWELLING UNIT (UDU) AND GARAGE TO MATCH CITY APPLICATION.
PROPERTY IS IN A HIGH FIRE ZONE AND SHALL COMPLY WITH PROVISIONS OF CRC SECTION R337

PROJECT INFORMATION

OWNER:	A	JAMES NETZ
PROJECT ADDRESS:	A	816 S SAN MARCOS RD AT CASADERO 93422
CITY:		SAN ANTONIO
ZONING:	R-S-2	RS-2
OCCUPANCY GROUP:	(R-3 & I)	I
TYPE OF CONSTRUCTION:	V-B	A
REASON FOR SYSTEM INSTALLATION:	A DEFERRED SUBMITTAL	
SPRINKLER CODE:		
STORIES:	1	
SITE AREA:	73,697 SQ FT	
BUILDING AREA:	10,000 SQ FT CALCULATIONS	
SETBACK REQUIREMENTS:	FRONT: 25'	
	SIDES: 5'	
	REAR: 10'	
HEIGHT RESTRICTION:	30'	



CUSTOM HOMES

OFFICES / LOCATIONS

CANADIAN CORPORATE OFFICE:	1-800-693-5693
8250 RIVER ROAD, DELTA, BC, CANADA	
USA CORPORATE OFFICE:	1-800-451-4809
535 DOCK STREET, SUITE 100 TACOMA, WASHINGTON, USA	
CALGARY OFFICE:	1-800-267-4506
11 BOWRIDGE DRIVE NW, CALGARY, ALBERTA, CANADA	
MARMORA OFFICE:	1-613-689-1255
285 IRON TOWN LANE, MARMORA, ONTARIO, CANADA	
BARRIE OFFICE:	1-800-668-6936
20277 COMMERCE PARK DRIVE, INNISFIL, ONTARIO, CANADA	

CLIENT INFORMATION

PURCHASE AGREEMENT #: 107-0702

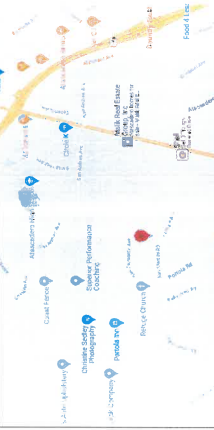
CUSTOMER:

SALES OFFICE: DELTA

PROJECT ADVISOR: SAM CLARK

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SITE LOCATION



AREA CALCULATIONS

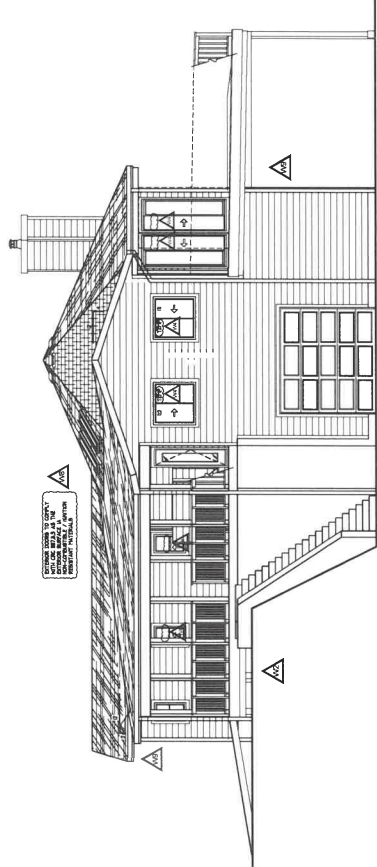
SITE AREA:	37,887 SQ. FT.	7.87%
BUILDING FOOTPRINT:	287,040 SQ. FT.	
DECK PORCH:		
TOTAL UNCONDITIONED AREA:	1,342.42 SQ. FT.	
ATTACHED GARAGE:	584.95 SQ. FT.	
TOTAL BUILTING AREA:	1,927.37 SQ. FT.	4.83%
ATTACHED GARPORT:	488.8 SQ. FT.	1.29%
PORCH & DECK:	402.54 SQ. FT.	1.07%
TOTAL DECK & PORCH:	1,929.92 SQ. FT.	5.07%
SUNDED DECK:	1,838.22 SQ. FT.	4.85%
TOTAL DECKS & PORCHES:	1,938.67 SQ. FT.	5.13%

SHEET SUMMARY

A000 SHEETS: COVERSHEETS, NOTES, LEGENDS, CODE COMPLIANCE & SPECIFICATIONS
 A001 SHEETS: GENERAL NOTES
 A002 SHEETS: FOUNDATION, STRUCTURAL & ROOF/VENTILING FLOOR PLANS
 A003 SHEETS: ELEVATIONS
 A004 SHEETS: ROOF, STAIRS & WALL FRAMING DETAILS
 A005 SHEETS: ARCHITECTURAL & STRUCTURAL DETAILS
 IMPORTANT NOTES: DETAILS ARE IN A SET GROUP (NUMBER MAY NOT BE LABELED IN SEQUENCE)
 IMPORTANT: THE LETTER A NUMBER WITH THE NUMBER MATCH THE SHEET END TAG (E.G. 12.00)
 A006 SHEETS: WINDOW, DOOR, SKYLIGHT, BEAM, POST & TIMBER SCHEDULES, WINDOW DETAILS
 A007 SHEETS: ENERGY COMPLIANCE SHEETS (AS REQUIRED)
 A008 SHEETS: ELECTRICAL FLOOR PLANS (AS REQUIRED)

CODE COMPLIANCE

PLANS TO COMPLY WITH CALIFORNIA
2022 California Building Code Volumes 1 & 2
 2022 California Building Code
 2022 California Plumbing Code
 2022 California Electrical Code
 2022 California Fire Code
 2022 California Energy Code
 2022 California Mechanical Code
 2022 California Green Building Code
 2022 California Historical Building Code
 2022 California Fire Alarm Code
 2018 International Pool and Spa Safety Code
 2018 International Fire Alarm Code
 Alexandria Municipal code



PLANS
APPROVED FOR
MANUFACTURE

DATE

SALES/ENGINEER'S
SIGNATURE

CUSTOMER
SIGNATURE

DATE

LINWOOD
CUSTOM HOMES

The enclosed details are
intended to provide a guide
only and are not to be used
as a basis for construction
without the approval of the
designer.

Every variation allowed
by N.I.C. is to be noted in
the details and is to be
noted in the contract.

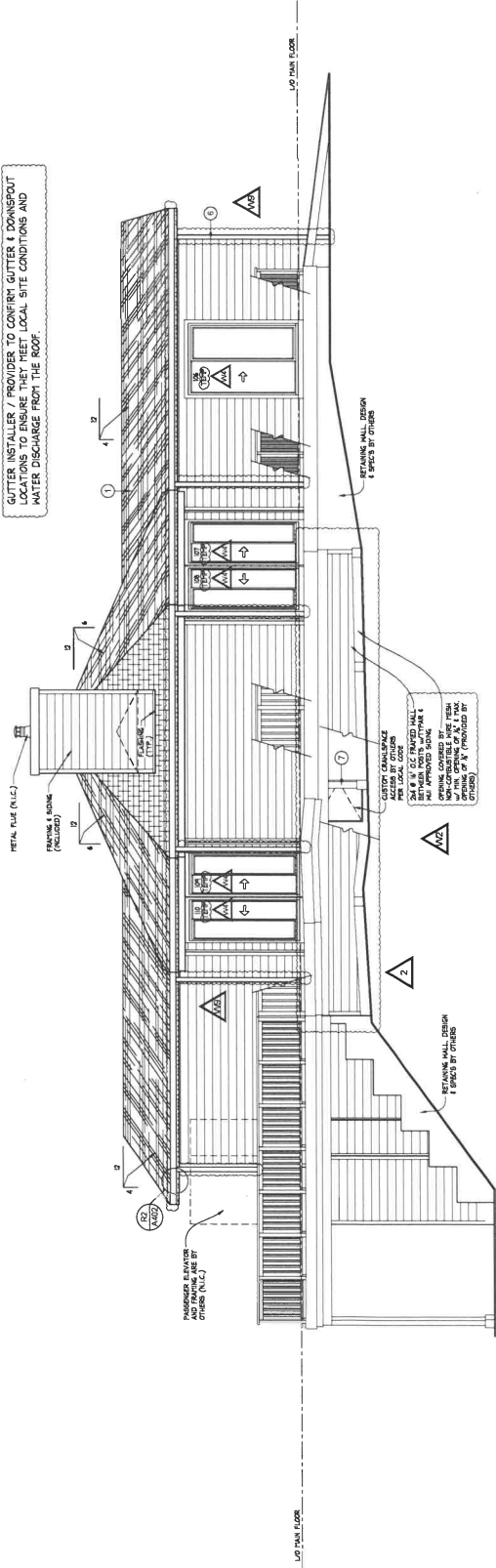
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Page 1 of 1

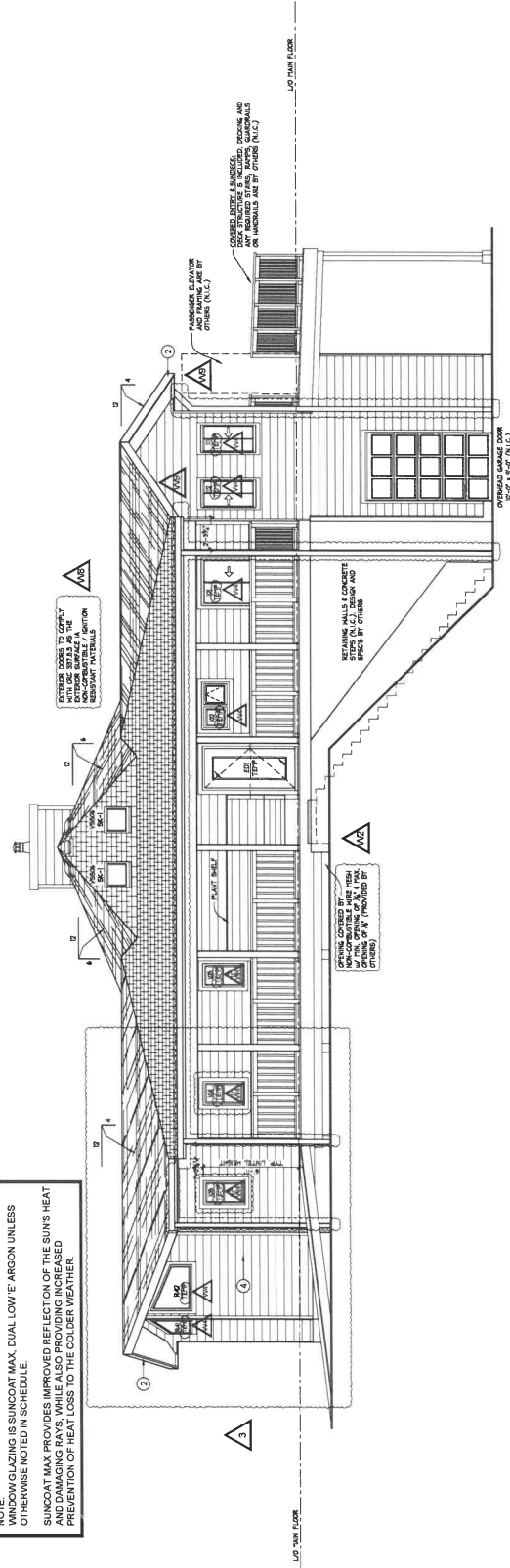
TYPICAL EXTERIOR MATERIALS & FINISHES	
NO.	MATERIALS & FINISHES
1	ROOFING: CERTIFIED LANDMARK (AS)
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GUTTER INSTALLER / PROVIDER TO CONFIRM GUTTER & DOWNSPOUT
LOCATIONS TO ENSURE THEY MEET LOCAL SITE CONDITIONS AND
WATER DISCHARGE FROM THE ROOF.



FRONT ELEVATION

NOTE:
WINDOW GLAZING IS SUNCOAT MAX. DUAL LOW E ARGON UNLESS
OTHERWISE NOTED IN SCHEDULE.
SUNCOAT MAX PROVIDES IMPROVED REFLECTION OF THE SUN'S HEAT
AND DAMAGING RAYS, WHILE ALSO PROVIDING INCREASED
PREVENTION OF HEAT LOSS TO THE COLDER WEATHER.



REAR ELEVATION

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PLANS
APPROVED
FOR
MANUFACTURE

DATE

SALES/REVISIONS
DATE/USER

CUSTOMER
DATE/USER

STYCA SERIES UNIVERSAL L1 (SCHEDULE 1)

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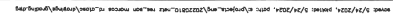
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GENERAL LEGEND

- [illegible]

STORM DRAIN LEGEND:

- 50.12"2000.55" - STORM DRAIN PIPE LENGTH, SIZE AND SLOPE (50)
 PROPOSED SLOPE/REACH DRAIN
 PROPOSED BIO RETENTION BASIN
 ENERGY DISPENSOR
 12000
 12000
 HORIZONTALLY/VERTICALLY
 FLARED END SECTION
 DROP INLET
 MANHOLE
 CLEANOUT

SANITARY SEWER LEGEND:

- 75LF5502.03— SANITARY SEWER PIPE LENGTH, SIZE AND SLOPE (SS)
 (S) SANITARY SEWER MANHOLE (SSMH)
 ● SANITARY SEWER CLEANOUT TO GRADE (SSCO)
 ● SANITARY SEWER BACKWATER VALVE

WATER LEGEND:

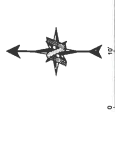
- 67MM _____ DOMESTIC WATER SERVICE AND SIZE (DW)
67MM _____ FIRE WATER SERVICE AND SIZE (FW)
GATE VALVE
11  FIRE HYDRANT (FH)
 POST INDICATOR VALVE (PIV)
 FIRE DEPARTMENT CONNECTION (FDC)
 BACKFLOW DEVICE FOR FIRE SERVICE (RP2 OR DDC)
 BACKFLOW DEVICE FOR DOMESTIC SERVICE (RP2)
 DOMESTIC WATER METER
14  IRRIGATION METER (ELEGANT BY OTHERS)
 THRUST BLOCK
15

DRY UTILITY LEGEND:

- CHARTS AUTUMN 200 — 17 — 10 — 3 — 2 —

UTILITY GENERAL NOTES

1. FOR PIPE MATERIALS AND ADDITIONAL NOTES, SEE SHEET C2.0.
2. FOR TRENCH SECTION, SHOULDER AND SURFACE REPLACEMENT, SEE DETAIL 12 ON SHEET C6.0.
3. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL VERIFY ALL INVERTS OF EXISTING UTILITIES AT POINTS OF CONNECTION AND PROPOSED UTILITY CROSSINGS BY OBSERVATION OR PNEUMATIC METHODS. NOTIFY THE ENGINEER OF ANY CONFLICTS OR DISCREPANCIES IN THESE PLANS AND ACTUAL, FIELD INFORMATION.



CAUTIONARY KEY NOTES

- (1)** THE EXIST UTILITY INGEST AND LOCATION IS UNKNOWN DURING PREPARATION OF THIS PLAN. THE CONTRACTOR SHALL POHOLE AND VERIFY EXISTING UTILITY DEPTHS PRIOR TO ANY CONSTRUCTION. PROVIDE ENGINEER WITH POTABLE INFORMATION ON DAYS PRIOR TO CONSTRUCTION OR ORDERING OF MATERIALS TO ALLOW ADEQUATE TIME FOR RESPONSE TO PLANS.
- (2)** EXISTING GAS METER TO REMAIN. CONTRACTOR SHALL INCORPORATE CONSTRUCTION REQUIREMENTS TO ENSURE THE GAS LINE IS NOT IMPACTED.
- (3)** EXISTING OVERHEAD UTILITY LINE TO REMAIN. CONTRACTOR SHALL INCORPORATE

Know what's below. Call 811 before you dig.

UTILITY PLAN | C4.0

C4.0

DATE:	03/02/90
BY:	MT
REVIEWED BY:	MT
DESIGNED BY:	MT



NETZ PROPERTY
8160 SAN MARCOS ROAD
ATASCADERO, CA 93422

WALSH
ENGINEERING
WALSHENGINEERING.NET (805) 319-4948
1108 GARDEN STREET, SUITE 202-204 SAN LUIS OBISPO, CA 95401

NO.	DATE	REVISIONS
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SANITARY SEWER KEY NOTES

- ① PROPOSED 4" SANITARY SEWER LATERAL. SEE PLUMBING PLANS BY OTHERS FOR EXISTING LATERAL. SEE SECTION 5 OF THE BUILDING, INCLUDING CLEANOUT AT FACE OF BUILDING.
- ② EXISTING POINT OF CONNECTION TO EXISTING LINE SERVING THE ADJACENT RESIDENCE ON 8160 SAN MARCOS ROAD.
- ③ EXTENDING 4" LATERAL TO THE LOCATION SHOWN TO FACILITATE CONNECTION TO THE FUTURE SEWER/STORMPIPE.

STORM DRAIN KEY NOTES

- ① PROPOSED ROOF DOWNSPOUT. CONNECT TO THE UNDERGROUND STORM DRAIN SYSTEM AS SHOWN.
- ② PROPOSED CLEANOUT WITH COVER TO GRADE.

WATER KEY NOTES

- 1 EXTEND 1" WATER LINE TO CONNECT TO EXISTING LINE SERVING THE EXISTING RESTROOM ON 8160 SAN MARCOS ROAD.
- 2 PROPOSED 12" WATER LINE TO PROVIDE DOMESTIC AND FIRE CONNECTIONS TO EXISTING MECHANICAL PLANS FOR OTHERS FOR CONTAMINATION WITHIN 5' OF BUILDING. MECHANICAL AND FIRE SPRINKLER DESIGNERS TO VERIFY SIZING. NOTIFY ENGINEER OF ANY DISCREPANCIES.
- 3 EXISTING FIRE HYDRANT TO REMAIN.
- 4 EXISTING WATER METER TO REMAIN.
- 5 EXTEND A 1" LATERAL TO THE LOCATION SHOWN TO FACILITATE CONNECTION TO THE FUTURE SHOP/CARPORT.

DRY UTILITY KEY NOTES

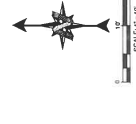
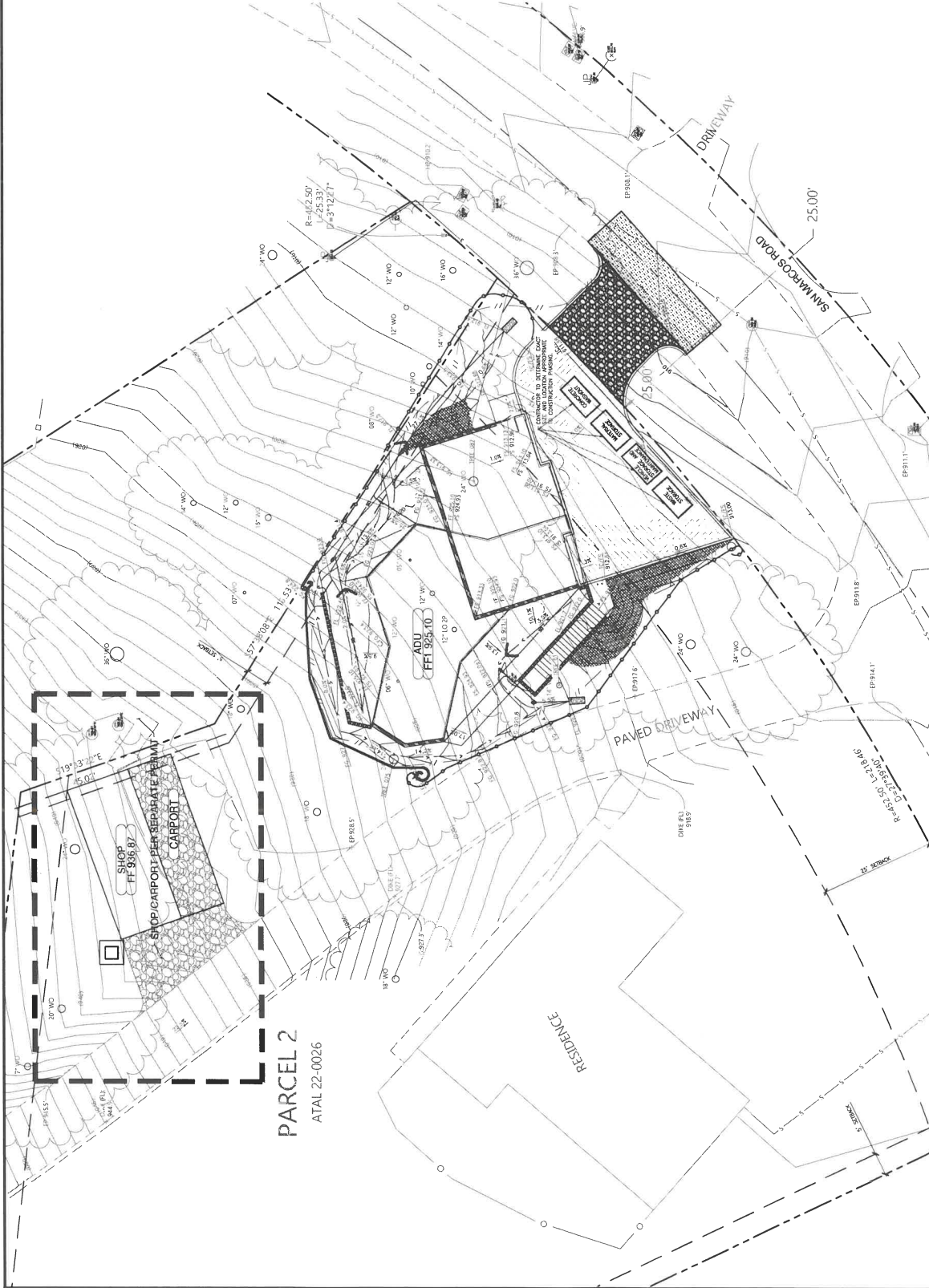
- PROPOSED POINT OF CONNECTION FOR ELECTRICAL SEE PLANS PREPARED BY UTILITY FURNISHER FOR ONSITE ROUTING AND CONNECTION TO THE PROPOSED BUILDING.



EXACT LOCATION AND ELEVATION OF EXISTING WATER LATERAL AND SEWER LATERAL UNKNOWN AT TIME OF DESIGN. CONTRACTOR SHALL VERIFY LOCATION AND INVERT INFORMATION PRIOR TO CONSTRUCTION. NOTIFY ENGINEER OF ANY DISCREPANCIES.

EROSION CONTROL LEGEND

- | | |
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|  | SUB FENCE SEGMENT CONTROL PER DETAIL 1 ON SHEET E22.0. |
|  | REAR FENCE SEGMENT CONTROL PER DETAIL 2 ON SHEET E22.0. |
|  | REAR FENCE SEGMENT CONTROL PER DETAIL 3 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 3 ON SHEET E22.0. |
|  | CONSTRUCTION ENTRANCE TRUNCING CONTROL RAMP PER DETAIL 4 ON SHEET E22.0. |
|  | JOINT SETTING SEGMENT CONTROL PER DETAIL 5 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 6 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 7 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 8 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 9 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 10 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 11 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 12 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 13 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 14 ON SHEET E22.0. |
|  | CONCRETE W/OUT RAMP PER DETAIL 15 ON SHEET E22.0. |



NETIC UTILITIES SHOWN WERE PLOTTED FROM OBSERVED EVIDENCE AND PUNTS LOCATIONS AND QUANTITIES MAY VARY. CONTRACTOR SHALL CALL 811 FOR UTILITIES LOCATING SERVICES PRIOR TO EXCAVATING AND USE EXTREME CAUTION WHEN EXPOSING UTILITIES, ANY DAMAGE TO EXISTING UTILITIES WILL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

Know what's below Call 811 before you dig

SCALE: 1" = 10'

1036

EROSION &
SEDIMENT
CONTROL
PLAN

EC1.0

DESIGNED BY: WLB
CHECKED BY: KDG
APPROVED BY: KDG
DATE: 04/26/2024



NETZ PROPERTY
8160 SAN MARCOS ROAD
ATASCADERO, CA 93422

WE WALSH
ENGINEERING
WALS HENGINEERING.NET (805) 319-4948
1108 GARDEN STREET SUITE 202-204 SAN LUIS OBISPO, CA 95401

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