

TO: James L. App, City Manager

FROM: Robert A. Lata, Community Development Director

SUBJECT: Acceptance of Tract 2431 (Ritter ET AL) for recordation, execution of Subdivision Improvement Agreement, and annexation into the Landscape and Lighting Maintenance District

DATE: December 17, 2002

Needs: That the City Council consider taking a series of three steps toward finalizing development plans for a residential subdivision.

Facts:

1. The applicant, Anthony Ritter, has requested that Tract 2431 be accepted by the City for recordation. Tract 2431 is a 12-lot subdivision of a 4.2-acre site, located on Arciero Way and Prospect Avenue, north of Union Road (see Attachment 1).
2. Since the required public improvements have not been completed, the applicants have signed a Subdivision Improvement Agreement guaranteeing the construction of these improvements within a one-year period. Payment and Performance Bonds have been submitted and are on file in the office of the City Engineer.
3. The applicant has provided an offer of dedication for an off-site easement for a storm drain, drainage basin and sanitary sewer.
4. The applicants have signed a petition and voted in favor of annexation into the Landscape and Lighting District.

**Analysis
and**

Conclusion: Tract 2431 was originally approved by the Planning Commission on October 23, 2001. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission have been satisfied.

The Subdivision Map Act and the City of Paso Robles Municipal Code authorizes acceptance of final maps when securities have been posted guaranteeing construction of public improvements.

Acceptance of public improvements and release of the securities occurs only after these improvements have been constructed to the satisfaction of the City Engineer and following the adoption of a resolution of acceptance by the City Council.

**Policy
Reference:** California Government Code Section 66462 ("Subdivision Map Act")
Paso Robles Municipal Code Section 22.16.160

**Fiscal
Impact:** None.

Options:

a. Adopt Resolution No. 02-xxx:

- (1)** Accepting the recordation of Tract 2431, a 12-lot subdivision located on Arciero Way and Prospect Avenue, north of Union Road, and accept the offers of dedication for Arciero Way and Terrabella Court; and
- (2)** Accepting the recordation of the off-site offer of dedication for easement for storm drain, drainage basin and sanitary sewer; and
- (3)** Approving the Subdivision Improvement Agreement for Tract 2431, authorizing deferred construction of the subdivision improvements, with an established deadline of December 17, 2003 to complete these improvements, and that the Mayor be authorized to execute the Agreement; and
- (4)** Adopt Resolution No. 02-xxx annexing Tract 2431 into the Landscape and Lighting District.

b. Amend, modify or reject the above option.

Attachments: (3)

- 1) Vicinity Map
- 2) Resolution Final Map
- 3) Resolution L & L

RESOLUTION NO. 02-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING AND APPROVING THE EXECUTION AND RECORDATION
OF THE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR
TRACT 2431 (RITTER, ET AL)

WHEREAS, the Developer has met all conditions of the tentative map and has posted payment and performance securities to guarantee the installation of public improvements. A certificate of insurance has been submitted and all final map fees have been paid; and

WHEREAS, City staff has reviewed the final tract map and finds it to be in substantial conformance with the approved tentative map and technically correct.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council of the City of Paso Robles does hereby approve the final map for Tract 2431 and authorize the execution and recordation of the tract map.

SECTION 2. That the City Council of the City of Paso Robles does hereby accept the Performance and Payment securities posted to guarantee the installation of the public improvements.

SECTION 3. That the City Council of the City of Paso Robles accept the offer of dedication for an easement for drainage basin, open space and sanitary sewer.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of December 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

CITY OF EL PASO DE ROBLES
1000 SPRING STREET
PASO ROBLES, CA 93446

ATTN.: DITAS ESPERANZA

FOR RECORDERS USE ONLY

RESOLUTION NO. 02-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ANNEXING TRACT 2431 (RITTER ET AL) AS PART OF SUBAREA 76A
TO THE "PASO ROBLES LANDSCAPE AND LIGHTING DISTRICT NO. 1"
(STREETS AND HIGHWAYS CODE SECTIONS 22500, ET SEQ.)**

WHEREAS, the owner of the real property described in Exhibit 'A' has petitioned to annex Tract 2431 into the Paso Robles Landscape and Lighting District No. 1 ("District").

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council of the City of Paso Robles does hereby declare that the real property located in the City of Paso Robles, County of San Luis Obispo, as more particularly described in Exhibit 'A' hereto, is hereby annexed into the District and that all landscape and lighting improvements required as conditions of approval of Tract 2431 be installed by the developer.

SECTION 2. That the City Council of the City of Paso Robles does hereby declare that the current owners of the real property, according to the Petition for Formation of the District are Anthony and Kimberly Ritter; Daniel and Krystalyn Chivens; and Bruce and Debra Ferrante.

SECTION 3. That the City Council for the City of Paso Robles does hereby declare that the assessment for Tract 2431 shall begin with Fiscal Year 2003/2004.

SECTION 4. That the City Council for the City of Paso Robles does hereby declare that the area annexed shall be designated Paso Robles Landscape and Lighting District No. 1, as part of Sub Area 76A.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of December 2002 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

EXHIBIT "A"
(Legal Description)

Lot 34 of Prospect Heights, in the County of San Luis Obispo, State of California, according to map recorded January 9, 1923 in Book 3, Page 19 of Maps, in the office of the County Recorder of said county.

* * * * *