

**TO:** James L. App, City Manger  
**FROM:** Robert A. Lata, Community Development Director  
**SUBJECT:** Certificates of Occupancy – Tract 2369-1A (Fallingstar Homes)  
**DATE:** July 15, 2003

**Needs:** That the City Council authorize the issuance of certificates of occupancy in Tract 2369-1A (Lots 1-24 and Lots 36-40) resulting in completion of public improvements.

- Facts:**
1. On June 4, 2002, the City Council accepted Tract 2369-1 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
  2. This subdivision is located on Kleck Road and Montebello Oaks Drive, north of Union Road (see Vicinity Map & Site Plan, Attachment 1).
  3. The subdivider provided a plan of sub-phasing for Phase 1 in accordance with condition No. 7 approved by the Planning Commission at their meeting of August 8, 2000. The public improvements in sub-phase A have been constructed to the satisfaction of City staff.
  4. The Subdivider has constructed the following streets in accordance with the Subdivision Improvement Agreement and in compliance with the improvement plans and all applicable City standards:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>	<u>MILES</u>
Kleck Road	700 feet n/o Union Road	Leah Way	0.10
Leah Way	Kleck Road	Susannah Lane	0.17

**Analysis  
And**

**Conclusion:** The public improvements, which the developer was required to install for this subdivision, have been completed. Upon completion of all improvements in all sub-phases of Phase 1, the City will retain a Maintenance Bond for a period of one-year as warranty for the improvements installed. Parkway landscape improvements will be completed within 60 days after the issuance of the first certificate of occupancy in accordance with Condition No. 48 of the Tentative Tract approval by the City Planning Commission, at their meeting of August 8, 2000.

**Policy**

**Reference:** Paso Robles Municipal Code, Section 22, Subdivision Map Act

**Fiscal  
Impact:**

The Contractor is obligated to maintain all public improvements for a one-year period following acceptance of all improvements in Phase 1 by the City Council. The one-year period will start at the completion of the last sub-phase of Phase 1. Once the one-year period has been completed, and the Contractor has completed all correction items, the City will assume additional street, sewer and drainage maintenance costs.

Parkway landscaping and street lighting costs will be financed by the benefiting property owners through the Landscape and Lighting District.

**Options:** Based upon completion of construction of all required public improvements to the satisfaction of the City in Tract 2369-1A:

- a.** Adopt Resolution No. 03-xxx allowing issuance of certificates of occupancy as the result of completion of the public improvements in Tract 2369-1A. Release of Performance and Payment Bonds will occur with the acceptance of all sub-phases of Tract 2369-1.
- b.** Amend, modify or reject the above option.

Attachments: (2)

1. Phase Site Plan & Vicinity Map
2. Resolution

RESOLUTION NO. 03 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR TRACT 2369-1A  
(FALLINGSTAR HOMES)

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WHEREAS, Tract 2369-1 was accepted June 4, 2002, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all public improvements required as Conditions of Approval for Sub-Phase A of this subdivision have been constructed in compliance with the improvement plans and all applicable City Standards, and the City Engineer has certified to the Council the completion of such public improvements; and

WHEREAS, the Subdivider has constructed, installed or completed the following streets or roads in accordance with the Subdivision Improvement Agreement, the improvement plans and all applicable City Standards:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>	<u>MILES</u>
Kleck Road	700 feet n/o Union Road	Leah Way	0.10
Leah Way	Kleck Road	Susannah Lane	0.17

WHEREAS, Subdivider has requested that the City Council approve issuance of Certificates of Occupancy in Tract 2369-1, Sub-Phase A, (Lots 1-24 and Lots 36-40) as a result of completion of said public improvements.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Upon completion of all public improvements to the satisfaction of the Planning Division and the City Engineer, and upon completion of all Building Code requirements to the satisfaction of the City Building Official, Certificates of Occupancy may be issued for new homes in Tract 2369-1, Sub-Phase A.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 15th day of July 2003 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

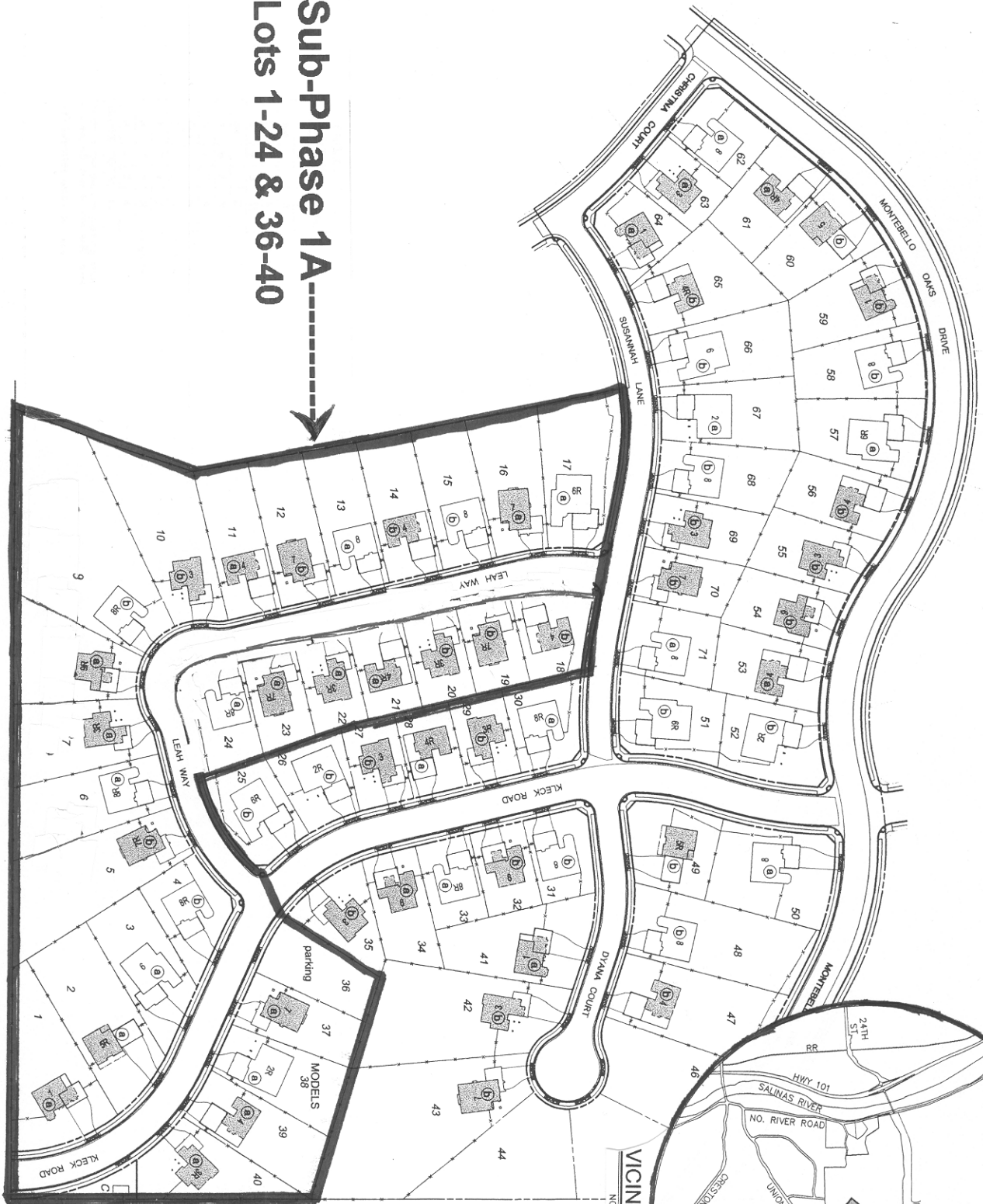
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Sharilyn M. Ryan, Deputy City Clerk

# Sub-Phase 1A

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## Lots 1-24 & 36-40



VICINITY MAP  
NO SCALE



0 30' 60' 120'

- LEGEND**
-  INDICATES SECOND STORY
  -  FENCE

WATER POSTER  
STATION

**MONTEBELLO**  
 PHASE I  
 TRACT 2369-1  
 SITE PLAN

**NCE** NORTH COAST ENGINEERING, INC.  
 775 Oakdale Rd. Suite B, Paso Robles, CA 93426  
 209-239-3177