

City of El Paso de Robles

RESOLUTION NO. 87-22

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
ESTABLISHING THE MAXIMUM DENSITY
FOR THE PRIVATELY-OWNED PORTIONS
OF LOTS 59 AND 60 OF TRACT 846
WITHIN THE R-1, PD ZONING DISTRICT
(TRACT 1397 AND PD 80007-C, DICKSON)

WHEREAS, Douglas Dickson has filed applications (Tract 1397 and PD 80007-C) to subdivide a 5.5 net acre site consisting of privately-owned portions of lots 59 and 60 of Tract 846 into 54 zero lot line lots with net areas less than 6,000 sq ft, and

WHEREAS, the site is designated by the General Plan for Low Density Residential Land Use and is located within both the R-1 and Planned Development Zoning Districts, and

WHEREAS, while the R-1 Zoning District Regulations (Municipal Code Section 21.16.020) prescribe that the minimum lot size shall be 6,000 sq ft, the Planned Development District Regulations (Municipal Code Section 21.16A.020e) provides that a development plan may incorporate "the use of density zoning employing the concept of dwelling unit density per acre rather than using the minimum lot size criterion", and

WHEREAS, a public hearing was conducted by the City Council on April 7, 1987 to consider facts, as presented in the staff reports prepared for this project, the recommendations of both the Planning Commission and the City Attorney and public testimony regarding these proposed amendments, and

WHEREAS, based upon the facts, summarized on Exhibit "A" (attached), the City Council finds that the 5.15 acres of land dedicated for park, open space and drainage use from the total 10.65 acres of land in lots 59 and 60 of Tract 846 was originally planned via EIR 79053, and PD's 80007 and 83010 to be used as a basis for calculating the permitted density on the remaining 5.5 acres, and

WHEREAS, although the General Plan Land Use Designation of Low Density Residential would permit up to 63 units to be built upon a 10.65 gross acre site, based upon public testimony received at the public hearing citing current traffic congestion on Scott Street and potential negative effect on adjacent properties developed at lower net densities than the proposed project's net density of 9.8 units per acre (54 lots on 5.5 acres), the City Council finds it necessary, for purposes of protecting the health, safety and general welfare of persons residing in the neighborhood and of protecting the property and improvements in the neighborhood, to limit the maximum permissible density on the 5.5 net acre site to a range of 44 to 48 dwelling units,

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NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso De Robles, to establish the maximum permissible density on the 5.5 net acre, privately-owned portion of lots 59 and 60 of Tract 846 at a range of 44 to 48 dwelling units subject to subsequent approval of a development plan following public hearings and the making of findings regarding the compliance of the proposed development plan with the General Plan and with the purposes and intent of the Zoning and Subdivision Ordinances as required by the Planned Development Zoning District Regulations.

PASSED AND ADOPTED THIS 21ST Day of APRIL, 1987 by the following Roll Call Vote:

AYES: OVITT, DOLAN AND STEMPER

NOES: COUSINS AND RUSSELL

ABSENT: NONE



MAYOR NICK RUSSELL

ATTEST:



REPUTY. CITY CLERK, DAWN HUDSON

City of El Paso de Robles

EXHIBIT A: FACTS RELATIVE TO DENSITY CALCULATIONS ON LOTS 59 & 60 OF TRACT 846

1. EIR 79053 prepared for Annexation No. 36, Rezone 79008 and Tract 846 was certified by the Planning Commission on July 10, 1979 and identified Planning Areas "PD No. 1" and "PD No. 2" which combined totalled 6.26 acres and was proposed to contain 62 units. Page 11 of this EIR stated that "the planned development areas will probably contain a mix of housing types, including condominiums and 'zero lot line' structures as well as more conventional duplex, townhouse and other multi-unit rental dwellings." This EIR noted that areas PD No. 1 and PD No. 2 were proposed to be located within a 14.01 acre area which was to be zoned R-1,PD and included only open space in addition to the PD areas. Table 1 on page 10 of this EIR indicated that a maximum of 84 units would be permitted on the 14.01 acres to be zoned R-1,PD.
2. Ordinance 430 N.S. (Rezone 79008) as adopted by the City Council on June 19, 1979, showed 11.0 acres of R-1,PD zoning; the zoning map exhibit indicated that 3.01 acres of open space located to the east of Areas PD No. 1 and PD No. 2 would not be zoned R-1,PD.
3. Tract 846, approved by the Planning Commission on October 9, 1979, subdivided the entire 80 acres of Annexation No. 36 and created lots 59 and 60 which combined totalled 10.65 acres and corresponded to the 11.0 acres zoned R-1,PD. Condition no. 33 of Tract 846 required the preparation of plans for the proposed open space and recreation area. No condition of Tract 846 required dedication of land for open space/recreation or drainage purposes.
4. Planned Developments (PD) 80007 and 83010, approved by the Planning Commission on November 11, 1980 and December 27, 1983 respectively provided a master development plan for the entire 80 acres subdivided by Tract 846. This PD showed "Area A-2", corresponding to lots 59 and 60 of Tract 846, as proposed to contain a maximum of 63 dwelling units on a building site of approximately 5.5 acres with the remaining 5.15 acres to be developed as open space/recreation and drainage facilities. No condition of either PD required dedication of land for these purposes.
5. Tract 1157, approved by the Planning Commission on January 24, 1984, subdivided lot 58 of Tract 846. Condition no. 10 of Tract 1157 stated:

"The subdivider shall obtain any open space per the Oak Creek Master Plan necessary to complete the plan and bikeway for this tract. The subdivider shall dedicate this land to the public."
6. On May 1, 1984, the City Council approved the dedication of approximately 5.15 acres of land from lots 59 and 60 of Tract 846 for "park, open space, and drainage as described in the Oak Creek Estates Master Plan" as a "requirement of development of Tracts 1157 and 1161." (Note: Tract 1161 subdivided lots 61 and 62 of Tract 846.)