

City of El Paso de Robles

RESOLUTION NO. 87-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 1508 (MIDLAND PACIFIC)

WHEREAS, Tract 1508 has been filed by Midland Pacific Building Corporation for the subdivision of 100.3 acres of land generally located on the west side of South River Road, north of Charolais Road, into 251 single family residential lots and one open space lot located in the Salinas River area, and

WHEREAS, a public hearing was conducted by the City Council on July 21, and August 4, 1987 to consider facts as presented in the staff reports prepared for this project, minutes of the Planning Commission meeting of June 23, 1987 regarding this application, and to accept public testimony regarding the proposed subdivision, and

WHEREAS, a Negative Declaration was prepared for the proposed subdivision and accompanying General Plan Amendment, Rezone and Planned Development applications and was adopted by the City Council in accordance with the California Environmental Quality Act, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the City Council makes the following findings as required by Government Code Section 66474:

1. The proposed tentative subdivision map is consistent with the adopted General Plan for the City of El Paso De Robles;
2. The design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
3. The site is physically suitable for the type of development proposed;
4. The site is physically suitable for the proposed density of development;
5. The design of the subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the subdivision and types of improvements proposed are not likely to cause serious public health problems;

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a. Grade pads to match the adjacent natural slope in order to avoid fill slopes with toes adjacent to the tract boundary (which tend to become fenced-off and non-maintained) and to avoid retaining walls; or

b. Obtain slope easements from the owner of the property to the north and grade onto the northern property such that the property line remains at the top of the slope.

61. The Final Map shall show a 20 foot wide public utilities easement for the 70 kv power line on those portions of lots 184-191 within 20 feet of the right-of-way for South River Road.

62. A 6 foot high fence shall be installed along the westerly property lines of lots 211 - 218.

63. The applicant shall construct paving for South River Road as follows:

a. Reconstruct paving from the western edge of existing paving to centerline in accordance with City Standards;

b. Either install overlay paving beyond (east of) centerline to the eastern edge of existing pavement in a manner to be approved by the City Engineer or, if the City Engineer finds the existing paving beyond centerline to pose a safety hazard, reconstruct paving to a point 12 feet beyond centerline.

64. The applicant shall construct a 12 inch water main in South River Road along the tract boundaries. This water main shall be designed and constructed in a manner to be approved by the City Engineer.

PASSED AND ADOPTED THIS 4TH Day of AUGUST, 1987 by the following Roll Call Vote:

AYES: OVITT, COUSINS, RUSSELL

NOES: DOLAN

ABSENT: NONE


MAYOR NICK RUSSELL

ATTEST:


JERRY BANKSTON, CITY CLERK

Exhibit A

STANDARD CONDITIONS FOR SINGLE FAMILY RESIDENTIAL TRACTS

Dated: March 20, 1987

ENGINEERING DEPARTMENT

1. The applicant shall pay the following fees: Drainage, Recreation, Map and Plan Checking, and Construction Inspection.
2. Approval of this subdivision does not guarantee availability of sewer service. Availability of sewer service for each lot to be determined on a first-come-first-serve basis at the time of application for a Building Permit for each lot.
3. All subdivision improvement plans shall be prepared by a Registered Civil Engineer and be submitted to the City Engineer for approval. The improvements shall be designed and placed to City of Paso Robles Standards and Specifications.
4. A Preliminary Soils Report shall be prepared for the property to determine any subsurface problems and shall make recommendations regarding grading of the proposed site. A final report shall be made prior to the final inspection and shall certify that all grading was inspected and approved, and all work done according to the plans and preliminary report.
5. The applicant shall submit a composite utility plan signed as approved by a representative for each public utility.
6. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV and telephone) underground to each lot in the subdivision. Street lights shall be installed at locations as required by the City Engineer. Fire hydrants shall be installed at locations as required by the City Engineer and Fire Chief. All existing overhead utilities adjacent to or within the subdivision shall be relocated underground.
7. All utilities shall be extended to the boundaries of the subdivision, unless waived by the City Engineer.
8. All underground construction shall be completed and approved before paving the streets, and prior to issuance of any Building Permits.
9. All existing Oak trees shall be preserved except where the Municipal Services Director approves their removal for those reasons specified in Municipal Code Section 10.04.070(f).

10. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
11. A complete Grading and Drainage Plan shall be included with the Improvement Plans. Drainage calculations shall be submitted, with provisions made for on-site retention if adequate disposal facilities are not available.
12. All top soil removed shall be stockpiled and evenly distributed over all lots and slopes upon completion of rough grading. All graded areas shall be protected by hydroseeding or approved equal. Soil Conservation measures shall be maintained during construction to prevent drainage, erosion, or other damage to adjacent property.
13. When retaining walls are shown on the Grading Plan, all such walls shall be completed before approval of the rough grading, and prior to issuance of any Building Permits.
14. No buildings will be occupied until all improvements are completed and accepted by the City Engineer, and accepted by the City Council for maintenance.
15. The applicant shall plant approved street trees throughout the subdivision within the easement provided, or an in-lieu fee may be deposited with the City. One tree shall be planted on each interior lot; two trees shall be planted on each corner lot (one on each street).
16. The applicant shall install all necessary street name and traffic signs as well as all necessary traffic striping.
17. A blackline clear Mylar (0.4 MIL) copy of a blue line print of the tract map shall be provided to the City Engineer upon recordation. A Mylar copy and a blue line print of As-built improvement plans, signed by the engineer, shall be provided to the City Engineer prior to the Final Inspection. A certification shall be included that all survey monuments have been set as shown on the tract map.

COMMUNITY DEVELOPMENT DEPARTMENT

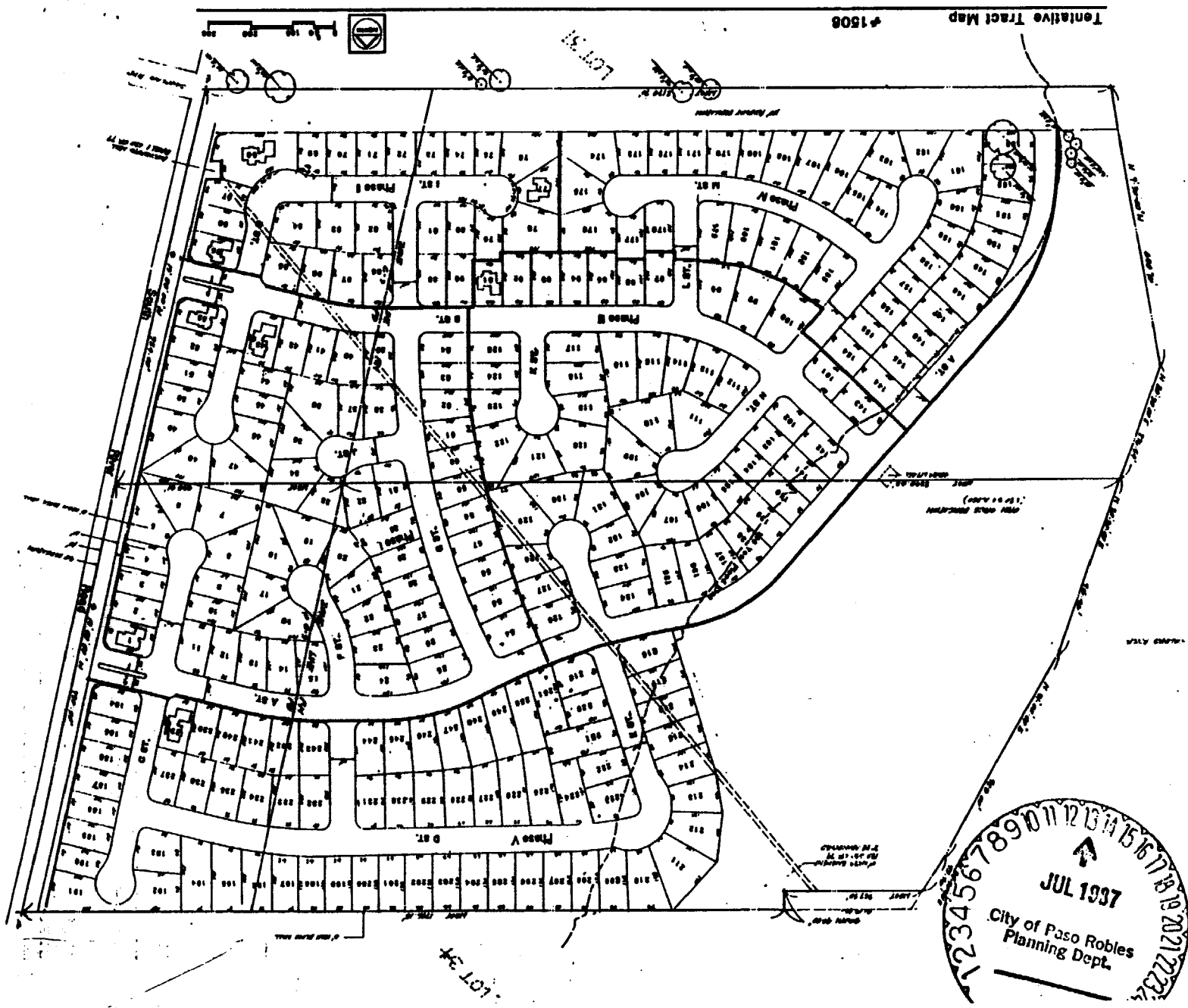
18. Any Conditions, Covenants and Restrictions (CC&Rs) for this subdivision shall be approved by the City Planner prior to Final Map approval. The City Planner may confer with the City Attorney, City Council and/or City Planning Commission prior to granting said approval.
19. Each dwelling unit shall provide the following minimum flat areas (less than 2% slope): (a) 10 feet in the front and rear; (b) 5 feet on one side; (c) 5 feet on the other side, no more than 60% of which may be encroached upon by fireplaces, air conditioning units, pool equipment, etc.; (d) any additional setback from the top or toe of slope as required by Chapter 70 of the UBC (1985 Edition). These flat areas may be waived on lots with slopes 15% or greater or on lots within a Planned Development (PD) overlay zone.

20. Prior to issuance of any building permit on any lot within this tract, a graded and based all-weather emergency access road shall be extended to each lot. This road shall be capable of supporting a 40,000 pound vehicle.

21. All ordinances, policy resolutions and standards of the City in effect at the time of tentative approval of this project shall be complied with as a condition of this approval.

POLICE DEPARTMENT

22. The applicant shall meet with the City's Crime Prevention Officer prior to Final Map approval or Building Permit issuance, whichever comes first, for recommendations on security measures to be incorporated into the design of any structures to be built in this subdivision.



This is a reduction of the full-sized copy kept in the file for Tract 1508 in the Community Development Department

Exhibit B

TRACT 1508

EXHIBIT C

INSERT

CC RESOLUTION #87-9

TO APPROVE PD 87001

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
CITY OF EL PASO DE ROBLES

} SS.

I, Jerry Bankston, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing Resolution No. 87-48 was duly and regularly adopted, passed, and approved by the City Council of the City of El Paso de Robles, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the 4th day, of August, 19 87, by the following vote:

AYES: Ovitt, Cousins and Russell

NOES: DoJan

ABSENT: None

Dated this 4th day of August, 19 87

Jerry Bankston
City Clerk and Ex-Officio Clerk of the City Council,
City of El Paso De Robles, State of California.

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7. The design of the subdivision and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso De Robles, does hereby grant tentative map approval to Tract 1508 subject to the following conditions:

STANDARD CONDITIONS:

1. This subdivision is subject to all of the Standard Conditions for Single Family Residential Tracts, dated March 20, 1987, attached as exhibit "A" with the following amendments:

a. Standard Condition 6 is amended to permit the 70 kv line in South River Road to remain overhead provided that this line is relocated at the applicant's expense in a manner to be approved by the City Engineer;

b. Standard Condition 15 is amended to require that two street trees per interior lot and four street trees per corner lot shall be planted. These street trees shall be 1 1/2 inch caliper and shall be planted prior to issuance of a certificate of occupancy for any dwelling unit to be built within this tract. All species of street trees to be planted shall be approved by the Architectural Review Committee. The existing oak trees near the front of the lot on lots 54, 223 and 251 shall receive credit for two street trees on each of these lots.

c. Standard Condition 19 is amended to delete the sentence which reads: "These flat areas may be waived on lots with slopes 15% or greater or on lots within a Planned Development (PD) overlay zone."

2. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map attached as Exhibit "B" as amended by Exhibit F-1 of PD87001 such that those lots marked with an "x" shall be adjusted to have a minimum area of 8,000 square feet. All conditions shall be complied with in a manner subject to approval of the City of El Paso De Robles.

SITE-SPECIFIC CONDITIONS APPLICABLE TO ALL PHASES:

3. The applicant shall, at no cost to the City, relocate all public utilities which conflict with public improvements.

4. Tentative map approval for this subdivision is not effective until Rezone 87005, as recommended for approval by the Planning Commission, has been approved by the City Council and has become effective.

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5. The applicant shall agree, in a form subject to approval by the City Attorney, that all lots within this subdivision shall be included within a benefit maintenance district, should the City Council approve the establishment of same, for the payment of operating and maintenance costs for the following:

- a. Street lights;
- b. Landscaping along arterial streets and bikeway;
- c. Storm drains and sewer lift station;
- d. Crossing guards for school children;
- e. Maintenance of common recreation facilities.

6. All development within this subdivision shall be in conformance with the conditions of approval for Planned Development 87001 attached as Exhibit C and contained in both the conceptual and detailed development plan approvals for PD 87001.

7. Construction of storm drainage shall be completed at each phase in a manner approved by the City Engineer.

8. Any amendments to the phasing plan are subject to Planning Commission and City Council approval. Prior to granting approval of any amendment to the phasing plan, the City may impose additional conditions upon this subdivision relative to phasing which are necessary to protect the public health, safety and welfare and orderly development of the City.

9. The applicant shall offer to dedicate rights-of-way for interior streets to be 60 feet wide with corner cut-offs at all intersections. All dedications shall be designed in a manner to be approved by the City Engineer.

10. Prior to Final Map Approval, the applicant shall record temporary easements for drainage and public utilities across Phase 3 in a manner approved by the City Engineer, including a provision to hold the City harmless from any possible on-site downstream damage, and an agreement to link required improvements to development phases.

11. The Final Map shall show one foot non-access easements on the rear of lots backing up to South River and Charolais Roads.

12. The site grading shall closely match the existing ground elevations at all oak tree locations; lot lines shall be placed so as to preserve oaks.

13. Oversizing of water and sewer mains and development of a municipal well shall be subject to reimbursement provisions as specified by Municipal Code.

14. The applicant shall either install or provide a cash deposit for the full cost of installing a school caution light at the

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future corner of South River Road and Nicklaus Drive at such time that this intersection meets traffic warrants for such a signal. Should warrants not be met by the time of final map approval for Phase Five, a cash deposit shall be made for the above-mentioned amount.

15. The open space lot in the Salinas River area shall be subject to a continuing (irrevocable) offer of dedication to the City, which the City shall exercise or relinquish the option to exercise by the time of the recordation of the Third Phase of the tract. The Planning Commission shall retain use permit land use control over this open space lot and said control shall be established as part of a deed restriction to be recorded prior to issuance of building permits for the First Phase of the development. Until such time as the City may exercise its option to accept the dedication of the open space lot the maintenance of this lot shall be the responsibility of the property owner.

PHASE ONE SITE-SPECIFIC CONDITIONS:

16. Phase 1 shall consist of Lots 1-64.

17. The balance of any unpaid annexation fees for bridge construction and public safety impact applicable to Phase One shall be paid prior to approval of the Final Map.

18. The applicant shall, at no cost to the City, design, construct to City standards, and dedicate to the City, a sanitary sewer lift station to adequately serve homes that are not accessible to the gravity main. This lift station shall be designed by a registered Civil Engineer in a manner to be approved by the City Engineer. This lift station shall be positioned at least one foot above the 100 year floodplain.

19. Prior to the issuance of a building permit for construction of homes in the third phase of the development, the applicant shall, at no cost to the City, design, construct and dedicate to the City a second source of water to serve the subject tract. The water supplied by the second source shall be of a quality, quantity, and pressure subject to approval of the City Engineer. A water pressure reducing station shall also be provided. These facilities shall be designed and constructed in a manner to be approved by the City Engineer. The head for any well that is proposed as a second water source shall be positioned at least one foot above the 100 year floodplain.

20. The applicant shall design and construct a 3 foot wide AC paved sidewalk for school children along the west side of South River Road from the northern boundary of Phase One to the northwest corner of South River and Niblick Roads and on the north side of Niblick Road from the northwest corner of South River And Niblick Roads to join the existing sidewalk at the

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northeast corner of Niblick Road and Quarterhorse Lane. Said walkway shall be designed, located and constructed in a manner to be approved by the City Engineer. There shall be no provision for reimbursement for this walkway.

21. The applicant shall construct 6 foot high (as measured from the highest adjacent grade) decorative (slumpstone or split-faced block) masonry wall along the South River Road frontage for Phase One. Plans for this wall shall be approved by the Planning Commission. This wall shall be installed and approved by the City at the same time as all public improvements.

22. The applicant shall install landscaping with automatic irrigation systems in the parkway within the public right-of-way of South River Road, for its frontage in Phase One, and in the two project entrances from South River Road. Street trees within the parkway and entrances shall be 1-1/2 inch diameter. In accordance with Planned Development 87001, landscaping and irrigation plans shall be subject to recommendations by the Planning Commission and approval by the City Council at the same time as the plans for the masonry walls. Landscaping and irrigation systems shall be installed at the same time as all other public improvements and shall be the applicant's responsibility for maintenance for a period of 6 months following approval. City acceptance following the 6 month maintenance period shall be subject to the approval of the Director of Parks and Recreation.

23. The applicant shall install a sewer main in South River Road (parallel to the existing 12 inch main) from the southern tract boundary to join the Munari Trunk Line (north of Nicklaus Drive). The size of this main shall be determined upon the completion of the Sewer Master Plan and shall be subject to the approval of the City Engineer.

24. Street names for all phases of this subdivision shall be approved by the Subdivision Review Committee prior to Final Map Approval.

25. The Final Map shall show a 20 foot wide public utilities easement for the 70 kv power line on those portions of lots 1-6, and 48-53 within 20 feet of the right-of-way for South River Road.

26. The applicant shall offer to dedicate right-of-way for South River Road along the entire tract frontage to be 50 feet west of centerline. All dedications shall be designed in a manner to be approved by the City Engineer.

27. The applicant shall construct paving for South River Road as follows:

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a. Reconstruct paving from the western edge of existing paving to centerline in accordance with City Standards;

b. Either install overlay paving beyond (east of) centerline to the eastern edge of existing pavement in a manner to be approved by the City Engineer or, if the City Engineer finds the existing paving beyond centerline to pose a safety hazard, reconstruct paving to a point 12 feet beyond centerline.

28. The applicant shall construct the following curb, gutter and sidewalk improvements along the South River Road frontage:

a. All curb, gutter, sidewalk, paving and landscaping improvements along South River Road in front of Phase 1;

b. All curb, gutter, sidewalk, and paving improvements along South River Road in front of Phase 2.

PHASE TWO SITE-SPECIFIC CONDITIONS:

29. Phase 2 shall consist of Lots 65-90.

30. The balance of any unpaid annexation fees for bridge construction and public safety impact applicable to Phase Two shall be paid prior to approval of the Final Map.

31. The applicant shall construct 6 foot high (as measured from the highest adjacent grade) decorative (slumpstone or split-faced block) masonry wall along the South River Road frontage for Phase Two. Plans for this wall shall be approved by the Planning Commission. This wall shall be installed and approved by the City at the same time as all public improvements.

32. The applicant shall install landscaping with automatic irrigation systems in the parkway within the public right-of-way of South River Road, for its frontage in Phase Two. Street trees within the parkway and entrances shall be 1-1/2 inch diameter. Landscaping and irrigation plans shall be approved by the Planning Commission at the same time as the plans for the masonry walls. Landscaping and irrigation systems shall be installed at the same time as all other public improvements and shall be the applicant's responsibility for maintenance for a period of 6 months following approval. City acceptance following the 6 month maintenance period shall be subject to the approval of the Director of Parks and Recreation.

33. The Final Map shall show a 20 foot wide public utilities easement for the 70 kv power line on those portions of lots 65-68 within 20 feet of the right-of-way for South River Road.

34. The applicant shall offer to dedicate 100 feet along the southerly tract boundary with corner cut-offs at its intersection with South River Road and A Street for right-of-way for Charolais

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Road along the entire tract frontage. All dedications shall be designed in a manner to be approved by the City Engineer.

PHASE THREE SITE-SPECIFIC CONDITIONS:

35. Phase 3 shall consist of Lots 91-143.

36. The balance of any unpaid annexation fees for bridge construction and public safety impact applicable to Phase Three shall be paid prior to approval of the Final Map.

37. The applicant shall design and construct slope protection measures in the Salinas River floodplain for the embankment placed within the channel, in a manner to be approved by the City Engineer.

38. The applicant shall set survey bench markers at a maximum spacing of 1,000 feet along the Salinas River and shall show said markers on the Final Map.

39. The applicant shall make a cash deposit for 25 percent of the cost of providing a traffic signal at the intersection of South River and Niblick Roads.

40. The applicant shall improve the open space lot as follows:

a. Install and dedicate as public right-of-way an 8 foot wide, bikeway, paved with 2 inches of AC pavement over 4 inches of class II base, from the north to south tract boundaries where this boundary parallels a public street (where the bikeway would lie west of private property the developer shall grade, dedicate, but shall not be required to improve the bikeway); this bikeway shall be located on top of the bank along the west side of A Street and provided in lieu of sidewalk and parkway improvements on the west side of the street;

b. Install drought-resistant ground cover landscaping and automatic irrigation systems adjacent to the improved portions of the bikeway;

c. Plant one 1-1/2 inch diameter tree for every 50 feet of bikeway length (where the bikeway is to be improved and also where it is to be provided in easement form).

d. The applicant shall provide at no cost to the City a furnished and landscaped play area to be located in the open space lot. The detailed design of the play area shall be subject to the Parks & Recreation Advisory Committee and Planning Commission recommendation to the City Council approval pursuant to PD 87001.

Plans for these improvements shall be approved by the Planning

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Commission and City Council at the same time as the plans for the masonry walls and parkway landscaping. These improvements shall be installed at the same time as all other public improvements and shall be the applicant's responsibility for maintenance for a period of 6 months following approval. City acceptance following the 6 month maintenance period shall be subject to the approval of the Director of Parks and Recreation.

41. The applicant shall obtain a Streambed Alteration Agreement from the Department of Fish and Game.

42. The applicant shall obtain a permit to fill within the Salinas River, as required by Section 404 of the Federal Clean Water Act, from the U.S. Army Corps of Engineers.

PHASE FOUR SITE-SPECIFIC CONDITIONS:

43. Phase 4 shall consist of Lots 144-183.

44. The balance of any unpaid annexation fees for bridge construction and public safety impact applicable to Phase Four shall be paid prior to approval of the Final Map.

45. The applicant shall design and construct slope protection measures in the Salinas River floodplain for the embankment placed within the channel, in a manner to be approved by the City Engineer.

46. The applicant shall set survey bench markers at a maximum spacing of 1,000 feet along the Salinas River and shall show said markers on the Final Map.

47. The applicant shall construct 6 foot high (as measured from the highest adjacent grade) decorative (slumpstone or split-faced block) masonry wall along the Charolais Road frontage for Phase Four. Plans for this wall shall be approved by the Planning Commission. This wall shall be installed and approved by the City at the same time as all public improvements.

48. The applicant shall obtain a Streambed Alteration Agreement from the Department of Fish and Game.

49. The applicant shall obtain a permit to fill within the Salinas River, as required by Section 404 of the Federal Clean Water Act, from the U.S. Army Corps of Engineers.

50. A temporary cul-de-sac shall be provided, in a manner to be approved by the City Engineer, in the right-of-way to be dedicated for Charolais Road, opposite lot 153.

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PHASE FIVE SITE-SPECIFIC CONDITIONS:

51. Phase 5 shall consist of Lots 184-251.
52. The balance of any unpaid annexation fees for bridge construction and public safety impact applicable to Phase Five shall be paid prior to approval of the Final Map.
53. The applicant shall design and construct slope protection measures in the Salinas River floodplain for the embankment placed within the channel, in a manner to be approved by the City Engineer.
54. The applicant shall set survey bench markers at a maximum spacing of 1,000 feet along the Salinas River and shall show said markers on the Final Map.
55. The applicant shall make a cash deposit for 25 percent of the cost of providing a traffic signal at the intersection of South River and Charolais Roads.
56. The applicant shall construct 6 foot high (as measured from the highest adjacent grade) decorative (slumpstone or split-faced block) masonry walls along the South River frontage and along the northern tract boundary behind the residential lots. Plans for these walls shall be approved by the Planning Commission. These walls shall be installed and approved by the City at the same time as all public improvements.
57. The applicant shall install landscaping with automatic irrigation systems in the parkway within the public right-of-way of South River Road. Street trees within the parkway and entrances shall be 1-1/2 inch diameter. Landscaping and irrigation plans shall be approved by the Planning Commission at the same time as the plans for the masonry walls. Landscaping and irrigation systems shall be installed at the same time as all other public improvements and shall be the applicant's responsibility for maintenance for a period of 6 months following approval. City acceptance following the 6 month maintenance period shall be subject to the approval of the Director of Parks and Recreation.
58. The applicant shall obtain a Streambed Alteration Agreement from the Department of Fish and Game.
59. The applicant shall obtain a permit to fill within the Salinas River, as required by Section 404 of the Federal Clean Water Act, from the U.S. Army Corps of Engineers.
60. Along the northern tract boundary, the applicant shall either: