

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: TENTATIVE PARCEL MAP PR 06-0091, 529 VINE STREET
APN 009-251-015 (APPLICANT – ALAN MC ELWAIN)

DATE: OCTOBER 10, 2006

Needs: For the Planning Commission to consider an application for a Tentative Parcel Map to subdivide an existing lot into two parcels.

Facts:

1. The project site is located at 529 Vine Street. See Vicinity Map, Attachment 1.
2. The property is zoned R-2 (Low-Density Multi-Family), with a General Plan designation of RMF-8 (Residential Multi-Family Low Density).
3. Based on the site being within Blocks 1 – 196 (the original subdivision of the City), Section 21.16J.060 of the Zone Code would allow two dwelling units for this R-2 zoned lot.
4. The existing property is 6,990 sq. ft. and the proposed lot split would create two parcels of 3,920 s.f. for Parcel 1 and 3,070 s.f. for Parcel 2. See, Attachment 2, Tentative Parcel Map.
5. Proposed Parcel 1 has an existing single-family residence located on it. Proposed Parcel 2 has an existing accessory structure (dog-house 20 s.f.) that is to be removed.
6. The applicant is requesting the use of tandem parking spaces for the existing unit (Parcel 1).
7. There are no oak trees or other significant features on the property.
8. Access to Parcel 2 is proposed to be from Olive Drive.
9. The site is not located within the Westside Historic Guidelines area.
10. The Development Review Committee (DRC) reviewed the subdivision at their meeting on September 11, 2006, and recommended approval to the Planning Commission.
11. The project is exempt from requirements of the California Environmental Quality Act (CEQA) Class 15, Minor Land Divisions.

**Analysis
and**

Conclusions: The proposed project is an infill lot split, and is consistent with Zoning and General Plan regulations. No buildings are proposed with this application. The project only includes a request to approve of the tentative parcel map. The accessory structure will need to be removed prior to recordation of Final Map, should the lot split be approved.

Parking requirements for two parking spaces for Parcel 1 is already provided on the property. There is a concrete pavement area in front of the house that accommodates two parking spaces. The applicant is proposing a tandem parking arrangement on Parcel 1 with one space in the existing single car garage, and the second space in front of it. This will also the applicant the ability to redesign the front yard in the future in a more attractive manner. The Planning Commission may approve tandem parking if the Commission determines tandem parking is appropriate.

No other significant issues were identified by staff. The applicant will be required to construct street improvements on the east side of Olive Drive, including curbs per City Engineer. (See Attachment 3). City water and gas services are available to the new lot from Olive Drive, and sewer is available from Vine Street. The applicant will be required to bring the services to the new lot. Any new and existing utility lines will be required to be placed underground. A five foot access easement on lot 1 shall be provided in favor of lot 2 per Emergency Services Department requirement.

In accordance with the Zoning Code limiting density to two units per 7,000 square feet in the R2 zoning district, only 1 dwelling unit is allowed on each of the parcels. In this case where the property is 6,990 square feet, the site area and units permitted is rounded up and meets the intent of the density requirements.

Plans for a new house on Parcel 2 will be required to be submitted to the DRC for review prior to the issuance of a building permit.

This proposed lot split supports implementation of the General Plan by providing additional infill housing development. It also supports implementation of the 2006 Economic Strategy by providing opportunities for housing to meet the needs of different income levels and compact urban form.

Reference:

Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, and CEQA.

Fiscal

Impact:

None. Consistent with the City's adopted policy of fiscal neutrality, the applicants will be required to pay development impact fees at the time of development of the new parcel and park in-lieu fees prior to recordation of the

Final Map. The new parcel would also be required to be annexed to the City's Community Facility District, as conditioned for this project.

Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

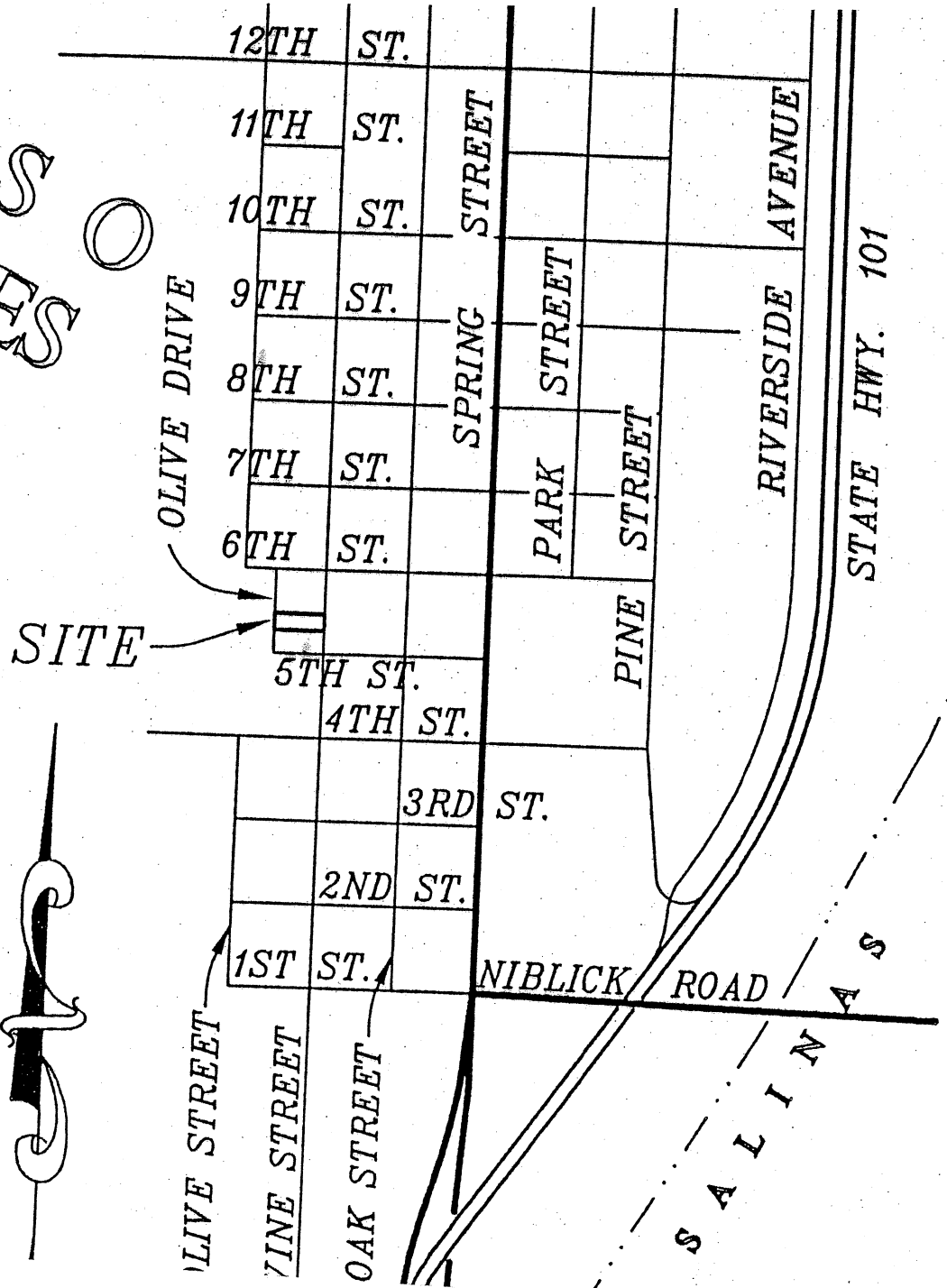
- a. Adopt the attached Resolution, approving Tentative Parcel Map PR 006 0091 subject to findings and standard and site specific conditions.
- b. Amend, modify, or reject the above-listed action.
- c. Request additional information and analysis.

Attachments:

1. Vicinity Map
2. Resolution to Approve Tentative Parcel Map PR 06-0091
3. Memo from City Engineer
4. Tentative Parcel Map PR 06-0091
5. Newspaper and Mail Notice Affidavits

ATTACHMENT 1
Vicinity Map

P A S
ROBLES



RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT APPROVAL FOR TENTATIVE PARCEL MAP PR 06-0091
APN: 009-251-015**

WHEREAS, this is Tentative Parcel Map PR 06-0091, an application filed by Alan McElwain, to divide a 6,990 square foot low density multiple family residential parcel into two (2) individual parcels with lot 1 proposed to be 3,920 s.f. and lot 2 proposed to be 3,070 s.f. located at 529 Vine Street; and

WHEREAS, the subject site is located in the Residential Multi-Family Low Density (RMF-8) land use category, and the R-2 zoning district; and

WHEREAS, an existing house is currently located on Parcel 1 and is proposed to remain, and proposed Parcel 2 includes an accessory structure that is proposed to be removed; and

WHEREAS, the proposed map would be consistent with the Zoning Code Section 21.16I.060, Density of Residential Development; and

WHEREAS, the proposed tentative parcel map is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), Class 15, Minor Land Divisions; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings as required by Government Code Sections 66474 and 65457:

1. The proposed tentative parcel map is consistent with the adopted General Plan for the City of El Paso de Robles in that it provides for infill development within close proximity to schools, shopping, and other services;
2. As conditioned, 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 land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The land division proposed is not likely to cause serious public health problems;

7. The design of the land division will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;
8. The fulfillment of the requirements listed in the Conditions below are a necessary prerequisite to the orderly development of the site and surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby grant tentative map approval for Tentative Parcel Map PR 06-0091 subject to the following conditions of approval.

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution.

SITE SPECIFIC CONDITIONS OF APPROVAL:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

PLANNING

2. The project shall be designed so that it substantially conforms with the following exhibit and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Standard Conditions of Approval
B	Tentative Parcel Map PR 06-0091

3. PR 06-0091 would allow the subdivision of the 6,990 s.f. lot into two lots of 3,920 and 3,070 s.f. respectively. The use of tandem parking is allowed for Parcel 1 with approval of this map.
4. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to occupancy the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.
5. Prior to the issuance of any building permits site plans, architectural elevations and landscaping plans shall be reviewed by the Development Review Committee. All development standards within the Zoning Code shall apply.

6. Prior to recordation of the Final Map for this lot split, the applicant will be required to construct one on-site permanent, paved parking space for Parcel 1. Tandem parking is permitted pursuant to Planning Commission action by this Resolution.
7. The applicant shall take the steps necessary to annex to or form a City Community Facilities District (CFD) in order to provide funding for City services for each new parcel or dwelling unit in the proposed development. The agreement to form or annex to a CFD shall be in a manner to be approved by the City Attorney. Participation in a City CFD for services is intended to fully mitigate the incremental impact of new residential development on City services.

In order to insure that there is adequate and consistent funding to provide for City services in a manner reflective of adopted General Plan standards, it is necessary to provide a “fall back” funding mechanism in case, for any reason, it is not possible to annex to or form a CFD that would fully mitigate the incremental fiscal impacts on City services. A fall back funding mechanism is also needed if a CFD is formed and for whatever reason the CFD is invalidated or otherwise is incapable of meeting its intended purpose of fully mitigating the impacts of new residential development on City services.

In order to insure that there is an alternative form of fiscal mitigation, prior to final approval of any project creating additional residential lots or dwelling units, the property owner shall agree, in a manner subject to approval by the City Attorney, to provide for alternative means of fiscal mitigation. The alternative means of fiscal mitigation could include, but would not be limited to, equivalent services being provided by a Homeowners Association, a perpetual endowment to cover the incremental costs of City services (including a CPI adjustment), a City road maintenance assessment district, or a combination of such tools to insure full fiscal mitigation of impacts to City services.

ENGINEERING

8. Prior to final map approval, the applicant shall reconstruct any damaged curb, gutter and sidewalk on Vine Street.
9. Prior to final map approval, the applicant shall remove the existing overhead utilities on the property. The applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.
10. The final parcel map shall include all utility easements necessary, including easements for water and sewer services.

11. Prior to occupancy of any building permit on Parcel 2, curb, gutter and standard driveway approach shall be constructed on Olive Drive in accordance with the Olive Drive Standard.

EMERGENCY SERVICES

10. No building shall be occupied until all improvements are completed and accepted by the City for maintenance.

11. Provisions shall be made to update the Emergency Services Run Book

PASSED AND ADOPTED THIS 10th day of October, 2006 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

AYES:

CHAIRMAN, JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

EXHIBIT A OF RESOLUTION 03-_____

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS
FOR SINGLE FAMILY RESIDENTIAL TRACT AND PARCEL MAPS**

PROJECT #: Tentative Parcel Map PR 06-0091

APPROVING BODY: Planning Commission

DATE OF APPROVAL: _____

APPLICANT: McElwain

LOCATION: 529 Vine Street

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Planning Division, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS

- 1. This project approval shall expire on September 26, 2006, unless a time extension request is filed with the Community Development Department prior to expiration.
- 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process, development shall comply with the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. Prior to recordation of the map, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- 4. This project is subject to the California Environmental Quality Act (CEQA), which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval, which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- 5. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.

(Adopted by Planning Commission Resolution 94-038)

- 6. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- 7. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and subject to approval by the Community Development Department.
- 8. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- 10. The following areas shall be placed in a Landscape and Lighting District:
- 11. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

- 12. The applicant shall install durable, decorative fence/wall treatments and landscaping along all arterial streets consisting of brick, tubular steel with pilasters, or other similar materials as determined by the Development Review Committee, but specifically excluding precision block and wood fences. Substantial setbacks with landscaping may be considered as an alternative, subject to approval by the Development Review Committee.
- 13. The applicant shall provide a one-foot non-access easement along the rear/side of all lots that back up/side against a collector or arterial street.

B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS OR RECORDATION OF THE FINAL MAP, WHICHEVER OCCURS FIRST:

- 1. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department.
- 2. Prior to the issuance of building permits, the
 - Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:
 - a. A detailed landscape plan including walls/fencing;
 - b. Other: Exterior Lighting Cut Sheets
- 3. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the

(Adopted by Planning Commission Resolution 94-038)

Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.

- 4. The applicant shall agree, in a manner acceptable to the City Attorney, to pay impact mitigation fees as may be established through a resolution or ordinance adopted by the City Council, in effect at the time building permits are issued.

- N/A 5. ~~In order for this tract/parcel map to be in conformance with the General Plan, the lots/parcels of the tract/parcel map shall be annexed into a Community Facilities District (CFD) that serves to mitigate impacts to public schools. Said CFD shall either be a joint City School District CFD or a CFD created by the School District that the City Council has approved. If at the time that the final map is submitted for approval, proceedings to annex the tract/parcel map into a CFD have not been completed, the applicant shall record on all lots/parcels, a waiver of future protest to the formation of a CFD joint City School District CFD or a CFD created by the School Districts that the City Council has approved. This condition shall not be imposed if the developer executes a development agreement with the District to mitigate school impacts.~~

- 6. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.

- 7. The developer shall provide constructive notice to all buyers that all homes are required to utilize semi-automated trash containers as provided by the City's franchisee for solid waste collection.

- 8. The developer shall provide constructive notice to future buyers that all residential units shall be required to be equipped with trash compactors.

- 9. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

(Adopted by Planning Commission Resolution 94-038)

PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

APPLICANT: McElwain
REPRESENTATIVE: Twin Cities
PROJECT: Tentative Parcel Map 06-0091

PREPARED BY: John Falkenstien
CHECKED BY:
TO PLANNING:

C. PRIOR TO ANY PLAN CHECK:

- 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

D. PRIOR TO RECORDING OF THE FINAL OR PARCEL MAP:

- 1. The owner shall pay all Final Map fees, and current and outstanding fees for Engineering Plan Check and Construction and Inspection services and any annexation fees due.
- 2. If, at the time of approval of the final/record parcel map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act, prior to recordation. The owner shall also be required to post securities to guarantee the installation and completion of said improvements as specified in the Subdivision Map Act and submit a Certificate of Insurance as required by the City. The owner shall also be required to post securities for grading in accordance with Section 7008 of the Uniform Building Code, latest edition. This bond shall be of sufficient amount to ensure completion of the grading and drainage facilities. (A finding of "orderly development" has been made for this condition on parcel maps).

Bonds required and the amount shall be as follows:
Performance Bond.....100% of improvement costs.
Labor and Materials Bond.....50% of performance bond.

- 3. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
 - a. Street lights;
 - b. Parkway and open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
- 4. The owner shall offer to dedicate to the City a 6 foot public utilities and 6 foot tree easement adjacent to all road right-of-ways. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
 - a. Public Utilities Easement;
 - b. Water Line Easement;
 - c. Sewer Facilities Easement;
 - d. Landscape Easement;
 - e. Storm Drain Easement.

(Adopted by Planning Commission Resolution 94-038)

5. The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:

Street Name	City Standard	Standard Drawing No.
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6. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
7. All improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to Public Works Department Standards and Specifications.
8. Prior to any site work a Preliminary Soils Report shall be prepared for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.
9. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater and Street Division Managers.
10. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.
11. The owner shall provide an additional map sheet to record concurrently with the final map or parcel map showing the lot configuration, and the area subject to inundation by the 100 year storm with base flood elevations shown in feet, in relation to the National Geodetic Vertical Datum of 1929.
12. The owner 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. All existing overhead utilities adjacent to or within the project shall be relocated underground, except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project, unless it is determined that no need for future extension exists. All underground construction shall be completed and approved by the City and the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
13. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City Streets.
14. Prior to paving any street, the water and sewer systems shall successfully pass a City pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.

(Adopted by Planning Commission Resolution 94-038)

- 15. The owner shall install all street name, traffic signs and traffic striping as directed by the City Engineer.
- 16. The adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction. The applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide base shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- 17. The development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' travel lane and 4' wide base shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- 18. The project fronts on an existing street. The applicant shall pave-out from the proposed gutter to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement, structural sections or geometrics are inadequate per current City Standards, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition.)

E. PRIOR TO ANY SITE WORK:

- 1. The applicant shall obtain a Grading Permit from the City Building Division.
- 2. Prior to issuance of a Grading Permit the developer shall apply, through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
- 3. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- 5. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a construction zone drainage and erosion control plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
- 6. Any construction within an existing street shall require a traffic control plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.

F. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

(Adopted by Planning Commission Resolution 94-038)

- 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
- 3. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks, in a manner approved by the Fire Chief.
- 4. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.
- 5. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.

G. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

- 1. All final property corners and street monuments shall be installed before acceptance of the public improvements.
- 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. All disturbed areas not slated for development shall be protected against erosion in a manner acceptable to the City Engineer, which may include hydroseeding or landscaping.
- 4. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection Services and any outstanding annexation fees.
- 5. All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
- 6. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood, gypsum board, etc.) and removed from the project to a recycling facility in accordance with the City's Source Reduction and Recycling Element.
- 7. If any of the public improvements or conditions of approval are not completed or met, then the subdivider may, at the discretion of the City Engineer, enter into a Performance Agreement with the City to complete said improvements at a later date and post securities to cover the cost of the improvements. The form of the agreement and amount of the securities are subject to the approval of the City Engineer.
- 8. A blackline clear Mylar (0.4 MIL) copy and two (2) blue-line prints of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.

(Adopted by Planning Commission Resolution 94-038)

- 9. A benchmark shall be placed for vertical control on the U.S.G.S. Datum as required by the City Engineer.

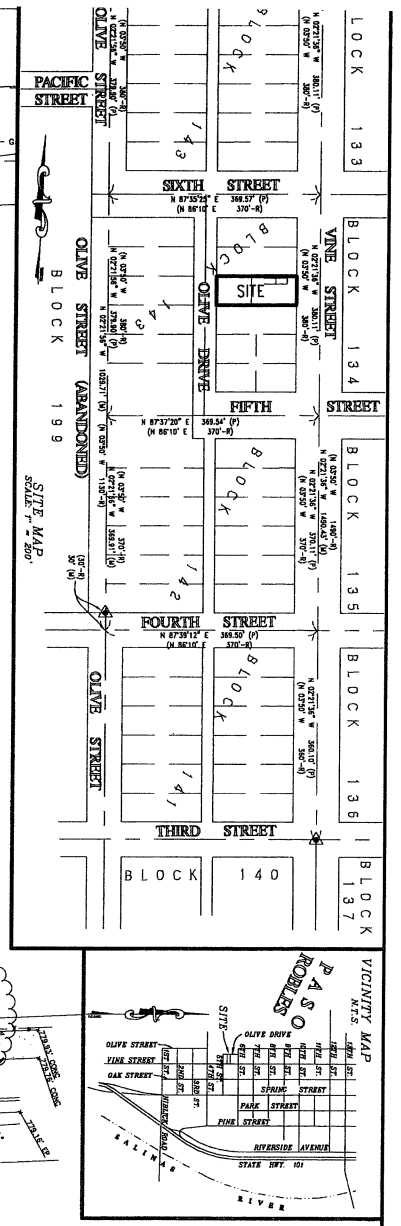
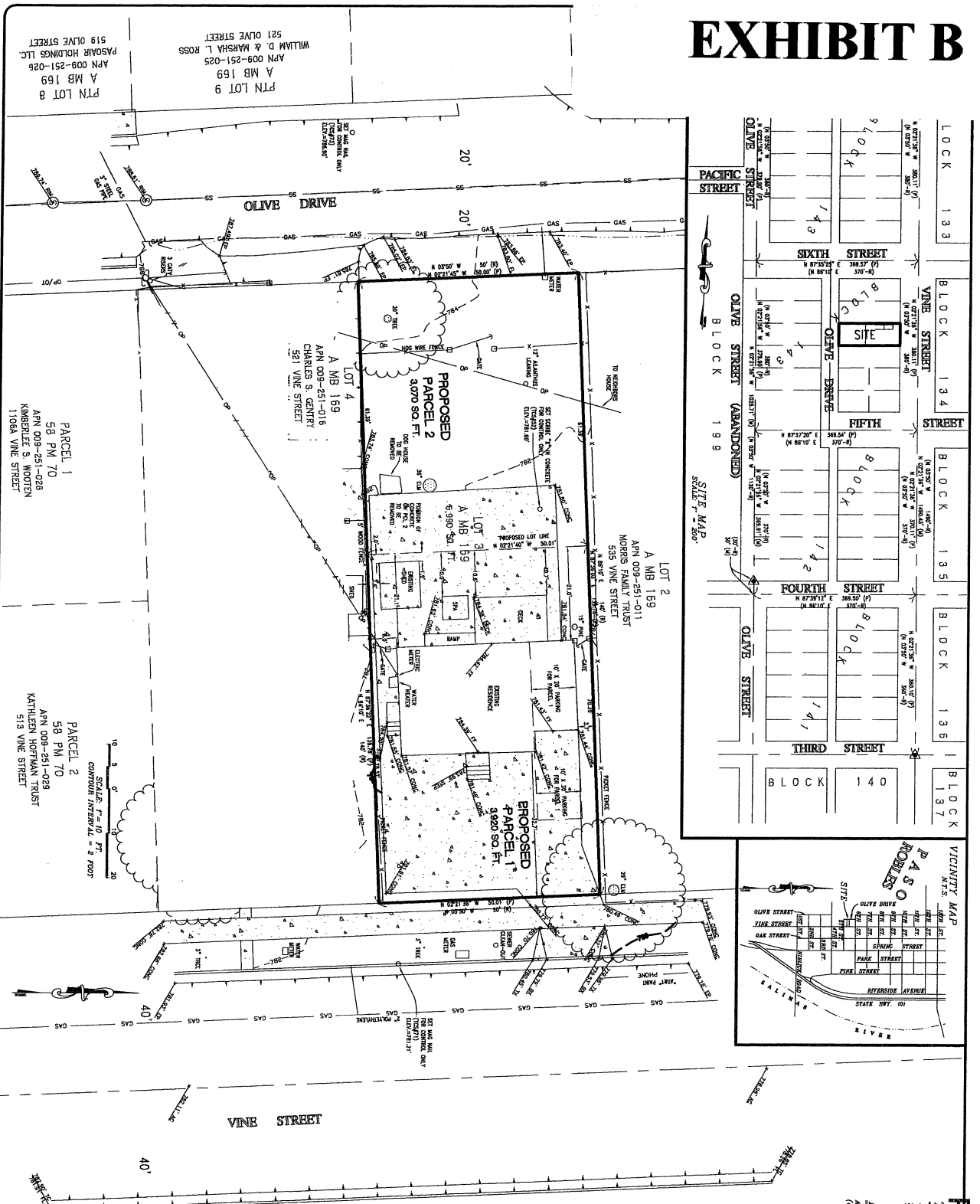
PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:

H. GENERAL CONDITIONS

- 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
- 2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.
- 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
- 4. If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.
- 5. All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
- 6. Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
- 7. Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
- 8. Provisions shall be made to update the Fire Department Run Book.

(Adopted by Planning Commission Resolution 94-038)

EXHIBIT B



Paso Robles
JUL 24 2006

Planning Division TENTATIVE PARCEL MAP PR 06-0091

BEING A SUBDIVISION OF LOT 2, BLOCK 169, IN THE CITY OF PASO ROBLES, CALIFORNIA, AND BEING THE COUNTY RECORD, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

PROPERTY OWNERS/SITE INFORMATION
ALAN & ESTHERA WERKMAN
535 VINE STREET
PASO ROBLES, CA 93446
(805) 259-1822

BASIS OF BEARINGS

MEASURED BEARINGS ARE RELATIVE TO GRID NORTH (GS 85-2008 5). THE MEAN CONVERGENCE ANGLE IS -1'32.05". MEASURED DISTANCES ARE GRID DISTANCES. TO OBTAIN CORRECTED SCALE FACTOR OF 0.999984293

BENCH MARK

STANDARD BENCH MARKS HAVE BEEN OBTAINED BY THE ENGINEER IN THE TOP AND 1.0 FEET EAST OF THE WEST END OF THE NORTH CORNER ABUTMENT OF UNION PACIFIC STREET 1/4 FEET WESTERLY OF THE WEST WALL AND ABOUT 1 FOOT LOWER THAN TACKS.
ELEVATION = 731.37 FEET (NAVD 88)

NOTES

1. ANY POSSIBLE EASEMENTS APPLICABLE PROPERTY ARE UNKNOWN EXCEPT AS SHOWN.
2. UNDERGROUND UTILITIES SHOWN HERON (IF ANY) ARE BASED ON ABOVE-GROUND STRUCTURES AND RECORD DRAWINGS.
3. ADDITIONAL UNDERGROUND UTILITY INFORMATION TO THE PROPERTY MAY EXIST FOR INFORMATION ONLY AND DOES NOT CONSTITUTE UTILITY OWNERS.
4. TITLE SUBJECT FORWARDED: 06/20/2006
5. BOUNDARY INVESTIGATION SHOWN IS RECORD PER A MB 09 (3) AND AS RECORDED (M).
6. P = DATA AS PROPORTIONED BETWEEN MEASURED & RECORD DATA: APRIL 06, 2006
7. PER P.F.K.A. FILE MAP 06086 000 8
8. DATED SEPTEMBER 16, 1981, WHEN UNDERGROUND AREAS BETWEEN THE LINES OF THE 100-FOOT WIDED AND 100-FOOT FLOOD, OR CERTAIN AREAS SUBJECT TO 100-FOOT FLOOD, OR CERTAIN AREAS SUBJECT TO LESS THAN ONE FOOT OR MORE, THE CONTRIBUTING AREAS PROTECTED BY LEAVES FROM THE BASE TIDAL.

ZONING

CURRENT ZONING IS DRINKER/TRINEX (R2)
TOTAL ACREAGE: 1 = 8,890 SQ. FT.
PROPOSED PARCEL 1 = 8,890 SQ. FT.
TOTAL ACREAGE: 2 = 8,070 SQ. FT.
PROPOSED PARCEL 2 = 8,070 SQ. FT.

OWNER'S STATEMENT

I HEREBY REQUEST RESPONSIBILITY FOR THE LOCATION OF ALL PROPERTY SHOWN ON THIS TENTATIVE MAP AND OF THE OWNERS, AND THE ATTORNEYS REPRESENTATIVE CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE: _____
BY: E. TOROIAN, PLS 4816
EXPIRES: 09/30/2006

TWIN CITIES SURVEYING, INC.
619-C MAIN STREET
ZIMMERMAN, CALIFORNIA 93445-9777
(805) 424-1822 FAX (805) 424-3884
OWNER: ALAN & ESTHERA WERKMAN
DRAWN BY: _____
CHECKED BY: _____
DATE: 05/20/2006 SHEET 1 OF 1

MEMORANDUM

TO: Susan DeCarli
FROM: John Falkenstien
SUBJECT: PR 06-0091, McElwain
DATE: September 26, 2006

The subject property has double frontage on Vine Street and Olive Drive. Vine Street is classified as a collector street. Olive Drive is classified as a local street and is subject to a special standard adopted by the City Council.

This property is serviced by 6-inch sewer lines in Vine Street and in Olive Drive.

There is a 6-inch water main in Olive Drive available to serve a new residence.

~~There are existing overhead utilities across the property serving the existing residence and at least one other property. These lines must be removed. The lines serving the existing residence must be relocated underground.~~

Recommended Site Specific Conditions

The Planning Commission must make a finding that the fulfillment of the construction requirements in Conditions 1 and 2 are necessary prerequisites to the orderly development of the surrounding area.

1. Prior to final map approval, the applicant shall reconstruct any damaged curb, gutter and sidewalk on Vine Street.
2. Prior to final map approval, the applicant shall remove the existing overhead utilities on the property. The applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.
3. The final parcel map shall include all utility easements necessary, including easements for water and sewer services.
4. Prior to occupancy of any building permit on Parcel 2, curb, gutter and a standard driveway approach shall be constructed on Olive Drive in accordance with the Olive Drive Standard.

ATTACHMENT 5
Newspaper and Mail Notice Affidavits

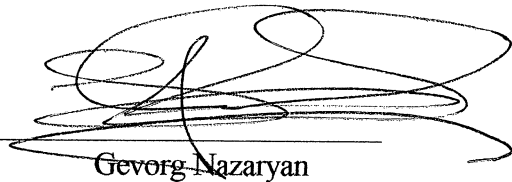
AFFIDAVIT
OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Gevorg Nazaryan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Tentative Parcel Map PR 06-0091, A request to subdivide a 6,990 sq. ft. lot into two separate parcels. (Applicant: Alan McElwain) APN: 009-251-015, on this 28th day of September, 2006.

City of El Paso de Robles
Community Development Department
Planning Division

Signed:



Gevorg Nazaryan

forms\mailaffi.691

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

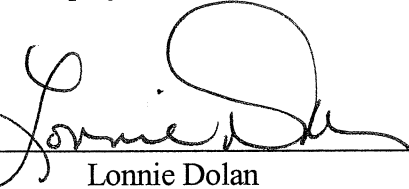
Newspaper: Tribune

Date of Publication: September 29, 2006

Meeting Date: October 10, 2006
(Planning Commission)

Project: Tentative Parcel Map 06-0091
(McElwain - 529 Vine Street)

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Lonnie Dolan

forms/newsaffi.691

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, October, 10, 2006, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

A request for Tentative Parcel Map 06-0091, filed by Alan McElwain, to split an existing lot into two separate parcels, located at 529 Vine Street, (APN 009-251-015).

The proposed Tentative Parcel Map and staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the proposed Tentative Parcel Map may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Susan DeCarli at (805) 237-3970.

If you challenge the Tentative Parcel Map application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

Gevorg Nazaryan
Planning Intern
September 29, 2006

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