TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: TENTATIVE PARCEL MAP PR 04-0189, AT 319 4th STREET

(APPLICANT: MARQUEZ)

DATE: DECEMBER 12, 2006

Needs: For the Planning Commission to consider a Parcel Map application filed

by Twin Cities Surveying on behalf of Jose & Maria Marquez, to

subdivide an approximate 1-acre parcel into three parcels.

Facts: 1. The site is located at 319 4th Street (see attached Vicinity Map).

2. The General Plan land use designation for the site is RSF (Residential Single-Family). The Zoning designation is R-1 (Single Family Residential, 7,000 square foot minimum lot size).

- 3. Tentative Parcel Map PR 04-0189 is a request to subdivide the approximate 1-acre site into three parcels, where the existing house would be located on Parcel 1, new single family homes would be built on Parcel 2 and 3. Parcel 1 would be 7,460 square feet, Parcels 2 and 3 would each be approximately 15,000 square feet.
- 4. Based on the underlying average slope of Parcel 1 being in the 0-5 percent category, Table 21.16E.090 of the Zoning Code would require a 7,000 square foot minimum lot size. Additionally Parcels 2 and 3 would be within the 15-24 percent range, which would require a 15,000 square foot minimum lot size. The proposed parcel map complies with the minimum lot sizes as described in the Zoning Code. No further subdivision of the lots would be allowed under the current zoning.
- 5. Parcels 2 and 3, along with a new carport for the existing house on Parcel 1, would be accessed from a common driveway. Common access and maintenance agreements will be required to be recorded over the driveway.
- 6. There are several oak trees located on the site, mainly towards the front of the site. Staff along with the project Arborists worked with the applicants early in the process to relocate the driveway, and to reorient the proposed homes for lots 2 and 3 to lessen the impact to the trees. The Arborist report indicates that with the revised design, there would

not be a significant impact on the trees. The Arborist Report is attached to the resolution as Exhibit F.

- 7. Conceptual house plans for the new homes on Parcels 2 and 3 have been attached as exhibits to the resolution. Each home would be two stories with stepped foundations that work with the existing slope, resulting in minimal grading.
- 8. Plans have also been provided to improve the existing house, which would include the addition of a new carport. The addition of the carport would bring the house into conformance with the Parking Ordinance which requires two covered parking spaces for single family homes.
- 9. The Development Review Committee (DRC) reviewed the proposed subdivision multiple times, with the most recent being on October 30, 2006. As a result of the redesign of the driveway to accommodate the oaks, and the reorientation of the house on Lot 2 away from the western property line, the Committee recommended that the Planning Commission approve the parcel map.
- 10. This application is Categorically Exempt from environmental review per Section 15303 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Analysis and

Conclusion:

The project as designed is in conformance with the General Plan and Zoning Code requirements for single-family development and would be consistent with the R1 Zoning district.

The proposed subdivision would meet the General Plan & Economic Strategy policy of providing urban single family residential neighborhoods with a range of 1 to 6 units per acre.

Policy

Reference: General Plan, Zoning Ordinance

Fiscal

Impact:

The two parcels that are the incremental increase in land use intensity would be required to join the City Services Community Facilities District to offset the impacts on Police, Fire and other City Services.

Options:

After consideration of public testimony, the Planning Commission will be asked to consider the actions listed below:

- A. Adopt the attached Resolution, approving PR 04-0189, subject to standard and site specific development conditions; or
- B. Amend, modify, or alter the foregoing options.

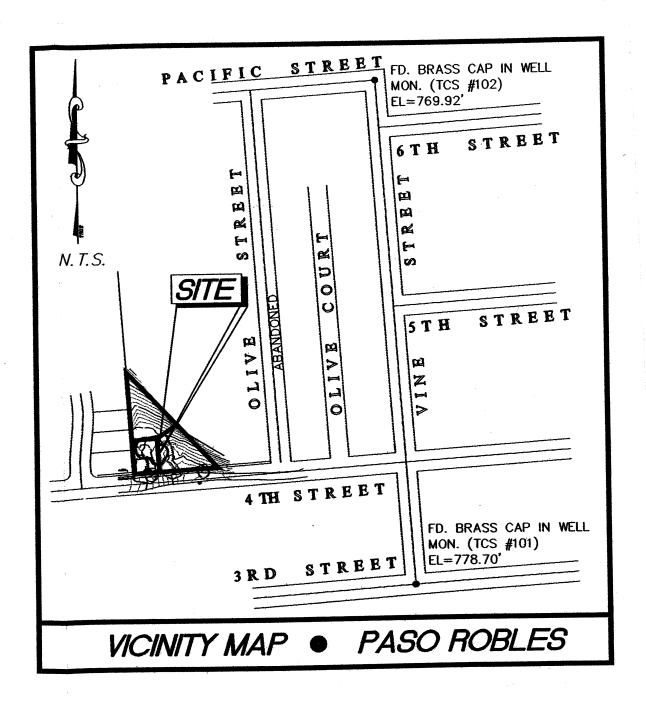
Prepared by:

Darren Nash Associate Planner

Attachments:

- 1. Vicinity Map
- 2. Memo from City Engineer
- 3. Resolution to Approve PR 04-0189
- 4. Newspaper and Mail Notice Affidavits

H:Darren/PR04-0189/Marquez/PCstaffreport



Vicinity Map PR 04-0189 (Marquez)

MEMORANDUM

TO: Darren Nash

FROM: John Falkenstien

SUBJECT: PR 04-0189

DATE: December 12, 2006

Streets

The subject property fronts along the north side of 4th Street between the abandoned Olive Street right-of-way and Peachtree Lane. 4th Street is classified as local street in the Circulation Element. Curb, gutter and some sidewalk will be required on 4th Street. In order to avoid impacts to oak trees, parking on 4th Street will not be provided. Sidewalk is not feasible along the easterly portion of the frontage without oak tree removal.

Pavement widening will be needed on 4th Street in order to provide a 12-foot wide east bound lane. The pavement widening will continue to the east to provide 20-foot wide paved access in accordance with Emergency Services standards.

Sewer

The existing residence will need to be connected to City sewer and water prior to final map approval. There is an existing 8-inch sewer line in 4th Street which terminates at Olive Drive. This sewer line will need to be extended to serve the property.

Water

Water is available from a 4-inch water line in 4th Street and an 8-inch line that terminates at the west boundary of the property. The nearest fire hydrant is located at the northeast corner of Peachtree Lane and 4th Street. The 8-inch line will need to be extended across the frontage of the property with a fire hydrant placed at the east boundary.

Recommended Site Specific Conditions

The Planning Commission must make a finding that the fulfillment of the construction requirements in Conditions 1 through 7 are necessary prerequisites to the orderly development of the surrounding area.

- 1. Prior to recordation of the final map curb, gutter, sidewalk and pavement widening shall be constructed on 4th Street in accordance with plans approved by the City Engineer. Parking will not be available on 4th Street. The pavement widening shall be extended to the east in order to provide a 20-foot wide paved access in accordance with Emergency Services standards.
- 2. Prior to recordation of the final map an 8-inch water main shall be constructed in 4th Street across the frontage of the property. A fire hydrant shall be placed at the east end of the new 8-inch water main.
- 3. Prior to recordation of the final map an 8-inch sewer line shall be extended in 4th Street from Olive Drive to serve the property.
- 4. Prior to recordation of the final map, indivdual water and sewer services shall be provided to each parcel. The final parcel map shall include all utility easements necessary, including an easements for water and sewer services to all parcels.
- 5. Prior to recordation of the final map, any existing wells on the property must be abandoned in accordance with City Code and County Health Department requirements.
- 6. Prior to recordation of the final map, the existing residence must be connected to City sewer service.
- 7. Prior to final map approval, existing overhead service lines shall be relocated underground. The applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.

RESOLUTION NO.	

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO GRANT TENTATIVE MAP APPROVAL FOR PARCEL MAP PR 04-0189 (MARQUEZ)

APN: 009-241-004

WHEREAS, Parcel Map PR 04-0189, an application filed by Twin Cities Surveying & EMK, on behalf of Jose & Maria Marques to subdivide a .8 acre site into three parcels; and

WHEREAS, the site is located at 319 4th Street; and

WHEREAS, the subject site is located in the Residential Single-Family (RSF) land use category and the R1 zoning district; and

WHEREAS, the existing house would remain on proposed Parcel 1; and

WHEREAS, the parcels would range in size from 7,000 to 15,000 square feet; and

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

WHEREAS, a public hearing was conducted by the Planning Commission on December 12, 2006, to consider facts as presented in the staff report prepared for the tentative parcel map, and to accept public testimony regarding the application; 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, which supports residential development in this area of the City;
- 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 land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

- 6. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
- 7. The design of the land division 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;
- 8. The fulfillment of the requirements listed in conditions No. 6-9 is 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 Parcel Map PR 04-0189 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 constructed so as to substantially conform with the following listed exhibit and conditions established by this resolution:

EXHIBIT	DESCRIPTION
A	Standard Conditions of Approval
B-1	Tentative Parcel Map -Existing Conditions
B-2	Tentative Parcel Map – Proposed Improvements
C-1	First Floor Plan – Parcel 2
C-2	Second Floor Plan – Parcel 2
C-3	Architectural Elevations – Parcel 2
C-4	Architectural Elevations – Parcel 2
D-1	First Floor Plan – Parcel 3
D-2	Second Floor Plan – Parcel 3
D-3	Architectural Elevations – Parcel 3
D-4	Architectural Elevations – Parcel 3

E-1 Floor Plan – Parcel 1
 E-2 Architectural Elevation – Parcel 1
 F Arborist Report

- 3. PR 04-0189 would allow the subdivision of the existing .8 acre site into three lots where Parcel 1 would be approximately 7,460 square feet, Parcels 2 and 3 would approximately 15,000. No further subdivision of the lots would be allowed under the current zoning.
- 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. 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 and maintain such services at the standards established in the General Plan.

If for any reason, applicant does not take the necessary steps to have the development included within a CFD, applicant shall, in a manner subject to approval by the City Council and City Attorney, provide for alternative means of fiscal mitigation at a level equal to the special taxes established in the Rate and Method of Apportionment applicable to CFD 2005-1, as they may be adjusted from time to time.

For any project resulting in the development of five (5) or more residential units on separate parcels, applicant shall also prepare and record the necessary documents to form a homeowners association (the "HOA") for such development, which HOA shall become active only if and when the CFD is terminated. The HOA documents shall provide that the HOA shall be required to fund the services provided by the CFD, and at the same level established in the Rate and Method of Apportionment for the CFD.

- 6. Prior to the recordation of the Parcel Map, the carport as shown on Exhibits B-2 & E-2 shall be installed, along with the paved driveway. Note: a temporary paved driveway may be necessary until the final shared driveway that will access parcel 2 and 3 is constructed.
- 7. Prior to the issuance of a building and/or grading permit for the carport or either of the homes on Lots 2 and 3, a letter from the project arborist shall be submitted indicating that the property tree protection measures have been installed.

- 8. Prior to recordation of the final map curb, gutter, sidewalk and pavement widening shall be constructed on 4th Street in accordance with plans approved by the City Engineer. Parking will not be available on 4th Street. The pavement widening shall be extended to the east in order to provide a 20-foot wide paved access in accordance with Emergency Services standards.
- 9. Prior to recordation of the final map an 8-inch water main shall be constructed in 4th Street across the frontage of the property. A fire hydrant shall be placed at the east end of the new 8-inch water main.
- 10. Prior to recordation of the final map an 8-inch sewer line shall be extended in 4th Street from Olive Drive to serve the property.
- 11. Prior to recordation of the final map, individual water and sewer services shall be provided to each parcel. The final parcel map shall include all utility easements necessary, including easements for water and sewer services to all parcels.
- 12. Prior to recordation of the final map, any existing wells on the property must be abandoned in accordance with City Code and County Health Department requirements.
- 13. Prior to recordation of the final map, the existing residence must be connected to City sewer service.
- 14. Prior to final map approval, existing overhead service lines shall be relocated underground. The applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.

PASSED AND ADOPTED THIS $\underline{12}^{\text{th}}$ day of <u>December</u>, 2006 by the following Roll Call Vote:

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	VICE-CHAIRMAN, MARGARET HOLSTINE
ATTEST:	VICE CIRMINATIN, IMMORINE I ITOESTINE
RON WHISENAND. SECRETA	RY OF THE PLANNING COMMISSION

EXHIBIT A OF RESOLUTION 06-____

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

PROJECT #:		Tentative Parcel Map PR 04-0189	
APPROVING BODY:		BODY: Planning Commission	
DATE	OF AP	PROVAL: December 12, 2006	
APPLI	CANT:		
LOCA	TION:_	319 4 th Street	
The che	ecked cor ally indic	onditions that have been checked are standard conditions of approval for the above referenced projections shall be complied with in their entirety before the project can be finalized, unless otherwated. In addition, there may be site specific conditions of approval that apply to this project in	vise
		DEVELOPMENT DEPARTMENT - The applicant shall contact the Planning Division, (8 mpliance with the following conditions:	305)
A.	GENERA	AL CONDITIONS	
\boxtimes	1.	This project approval shall expire on December 12, 2008 unless a time extension request is f with the Community Development Department prior to expiration.	iled
	2.	The site shall be developed and maintained in accordance with the approved plans and un specifically provided for through the Planned Development process, development shall comwith the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.	
\boxtimes	3.	Prior to recordation of the map, all conditions of approval shall be completed to the satisfaction the City Engineer and Community Developer Director or his designee.	n of
	4.	This project is subject to the California Environmental Quality Act (CEQA), which requires applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San I Obispo". The fee should be submitted to the Community Development Department within 24 ho of project approval, which is then forwarded to the San Luis Obispo County Clerk. Please note the project may be subject to court challenge unless the required fee is paid.	Luis ours
	5.	In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and harmless the City, or its agent, officers and employees, from any claim, action or proceed brought within the time period provided for in Government Code section 66499.37, against City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of subdivision. The City will promptly notify subdivider of any such claim or action and cooperate fully in the defense thereof.	ding the this

(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.
\boxtimes	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.
В.		FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF DING PERMITS OR RECORDATION OF THE FINAL MAP, WHICHEVER OCCURS:
	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: Architectural Site Plans and Elevations

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

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

APPLIC REPRES PROJEC	SENTAT	IVE: EMK	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 the City.	Inspection Services Agreement with
D.	PRIOR	TO RECORDING OF THE FINAL OR PARCEL MAP:	
	1.	The owner shall pay all Final Map fees, and current and ou Check and Construction and Inspection services and any annex	
	2.	If, at the time of approval of the final/record parcel map, any not been completed and accepted by the City the owner shall be Agreement with the City in accordance with the Subdivision owner shall also be required to post securities to guarantee the improvements as specified in the Subdivision Map Act and sequired by the City. The owner shall also be required to post with Section 7008 of the Uniform Building Code, latest edition amount to ensure completion of the grading and drainage development" has been made for this condition on parcel maps)	e required to enter into a Subdivision Map Act, prior to recordation. The e installation and completion of said submit a Certificate of Insurance as securities for grading in accordance on. This bond shall be of sufficient facilities. (A finding of "orderly
		Bonds required and the amount shall be as follows: Performance Bond100% of improvement costs. Labor and Materials Bond50% of performance bond.	
	3.	The developer shall annex to the City's Landscape and Lipoperating 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.	ghting District for payment of the
	4.	The owner shall offer to dedicate to the City a 6 foot publi adjacent to all road right-of-ways. The owner shall offer to easement(s). The location and alignment of the easement(satisfaction of the City Engineer: a. Public Utilities Easement; b. Water Line Easement; c. Sewer Facilities Easement; d. Landscape Easement; e. Storm Drain Easement.	dedicate to the City the following

(Adopted by Planning Commission Resolution 94-038)

5.	The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:
	4th Street Local (no parking lane) A-5 Street Name City Standard Standard Drawing No.
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.
15.	The owner shall install all street name, traffic signs and traffic striping as directed by the City Engineer.

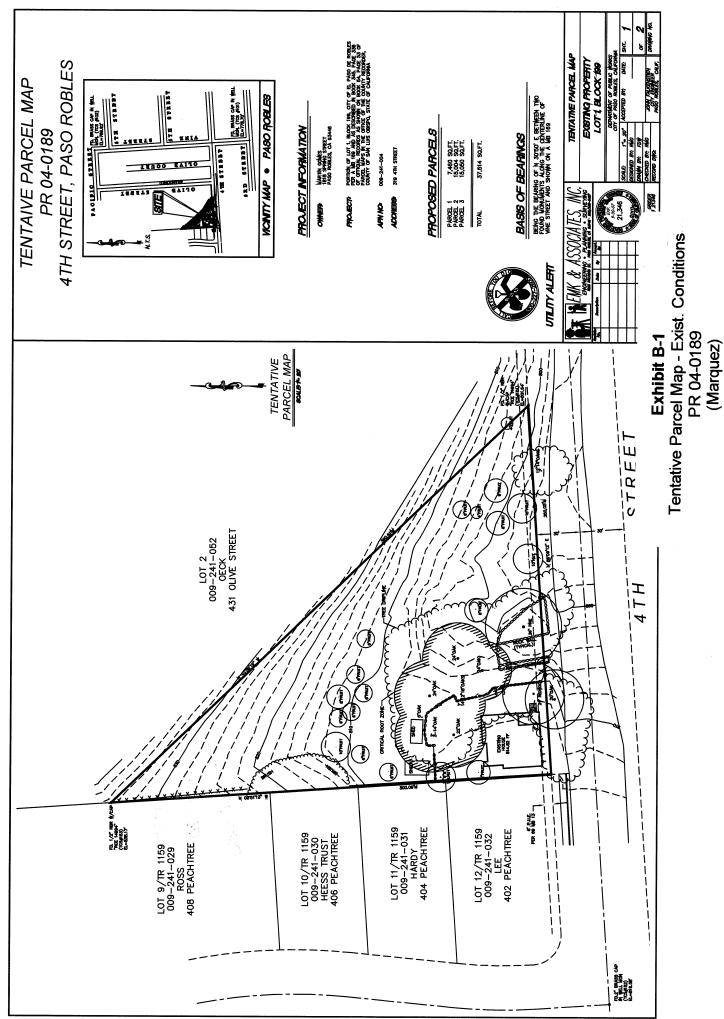
	16.	The adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction. The applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide base shoulder adequate 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:

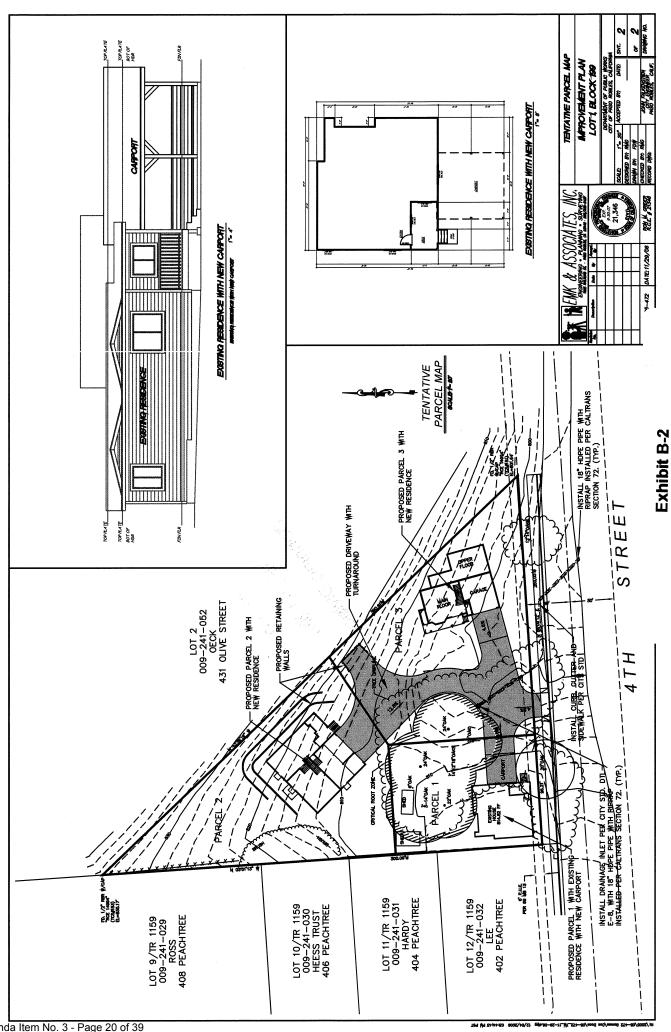
(Adopted by Planning Commission Resolution 94-038)

	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) blueline prints of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection.

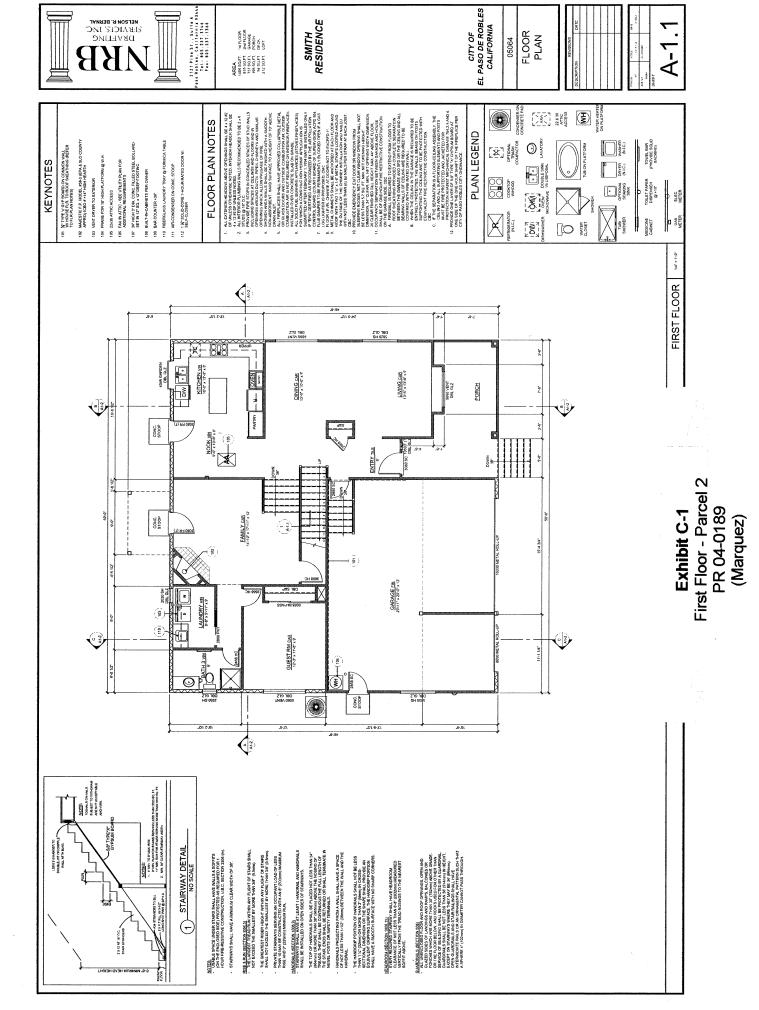
		A reduced copy (i.e. $1'' = 100'$) of the composite utility plan shall be provided to update the City's Atlas Map.
	9.	A benchmark shall be placed for vertical control on the U.S.G.S. Datum as required by the City Engineer.
*****	*****	******************
		FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for the following conditions:
H. GEI	NERAL.	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 multifamily 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.
\boxtimes	8.	Provisions shall be made to update the Fire Department Run Book.

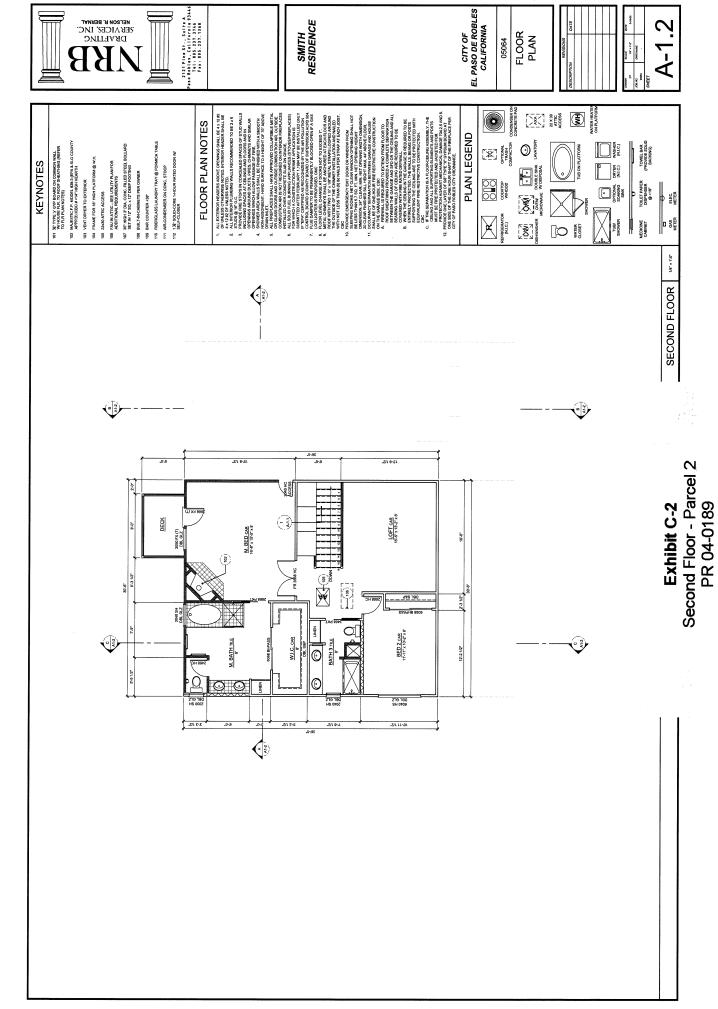


Marines works stage ndaytem Nov 8-20 mage 19 of 39

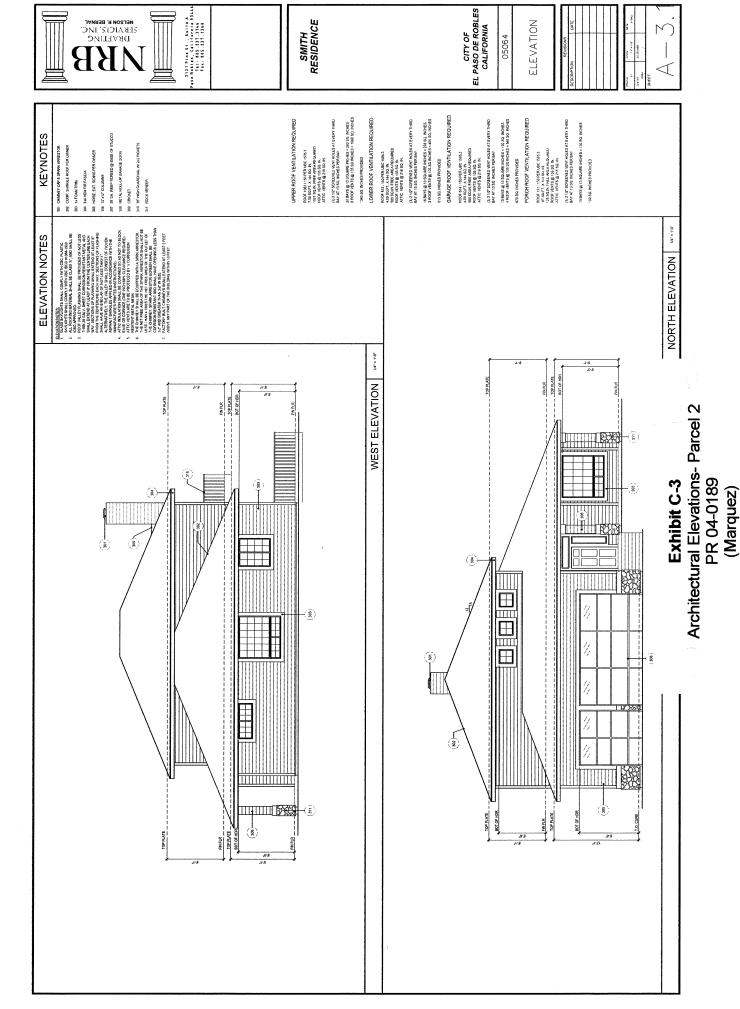


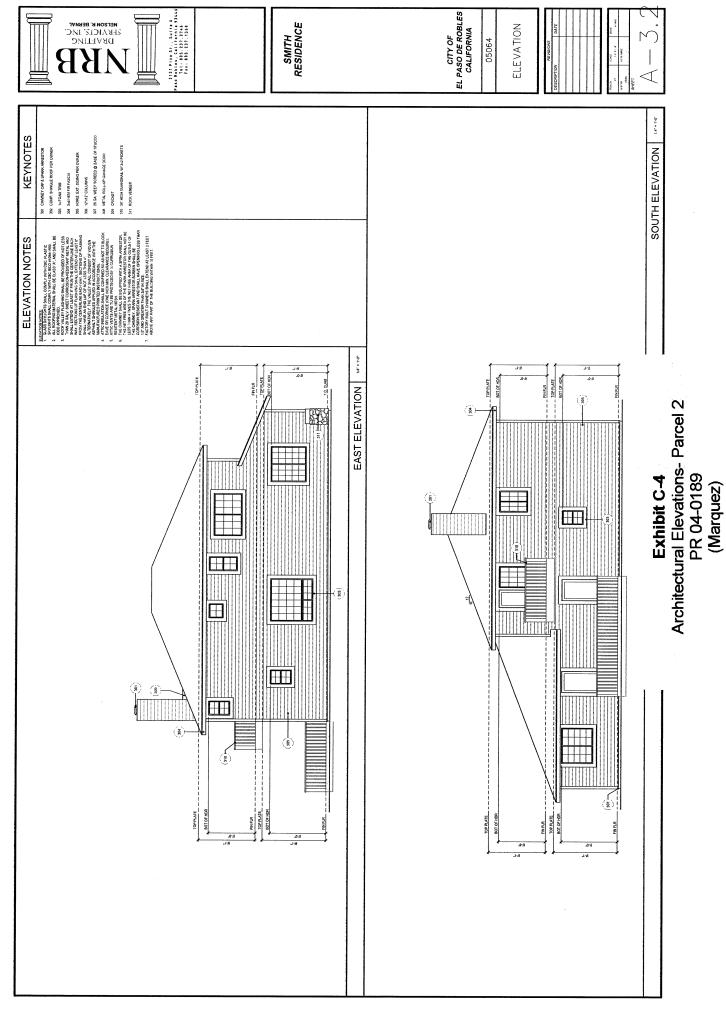
Tentative Parcel Map - Proposed Improv. PR 04-0189 (Marquez)

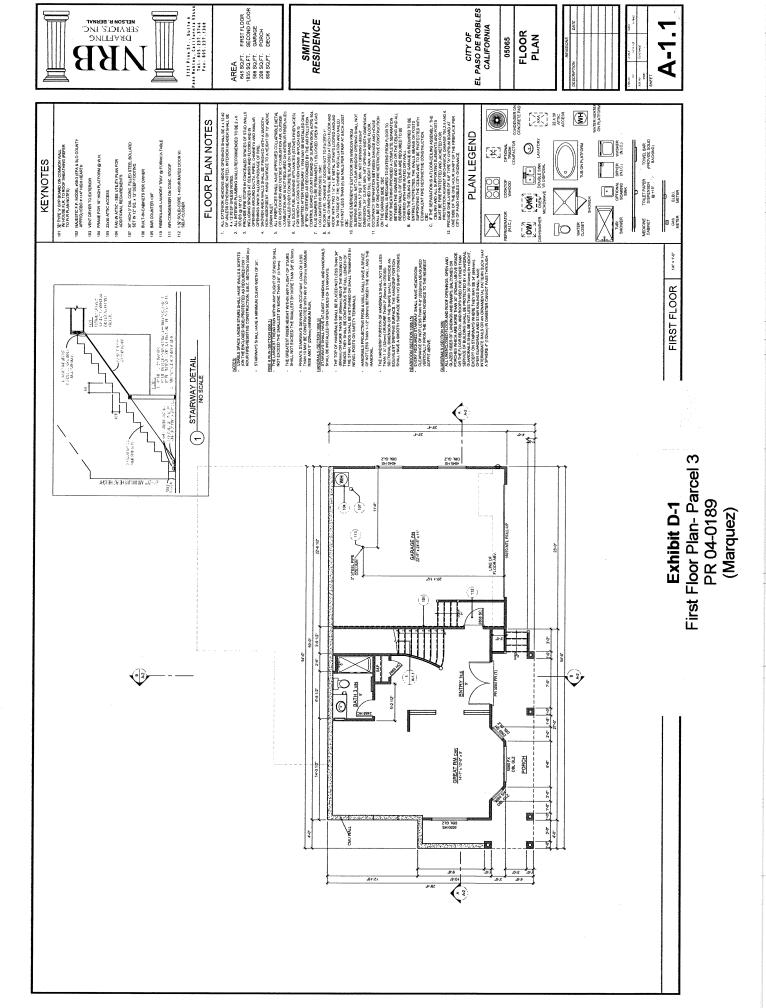


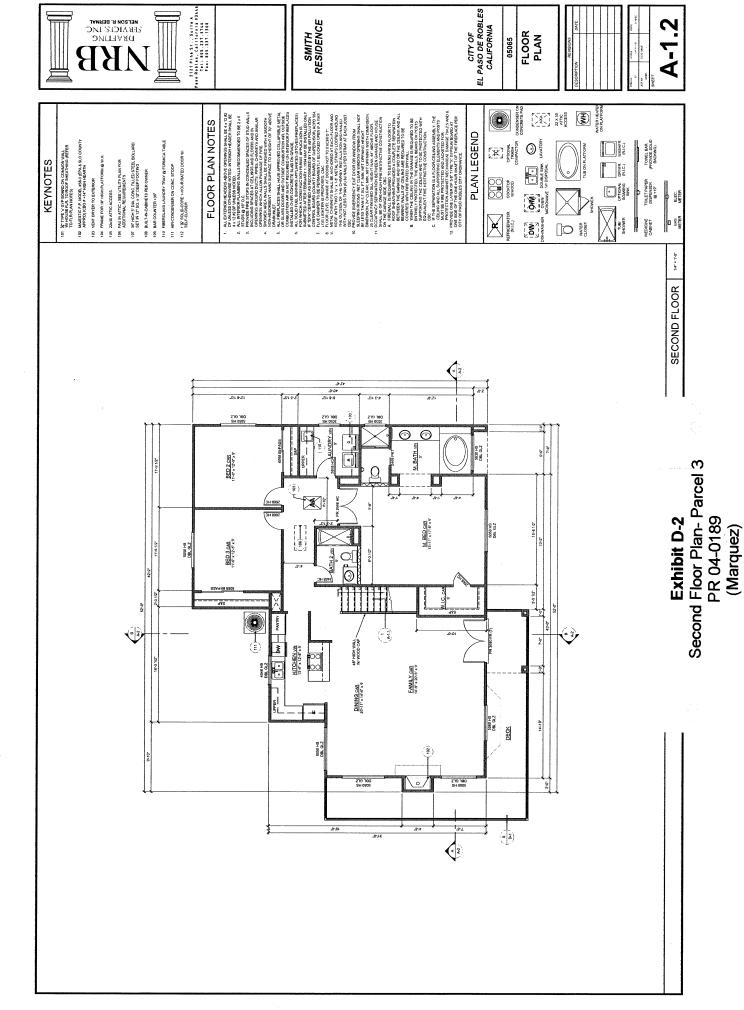


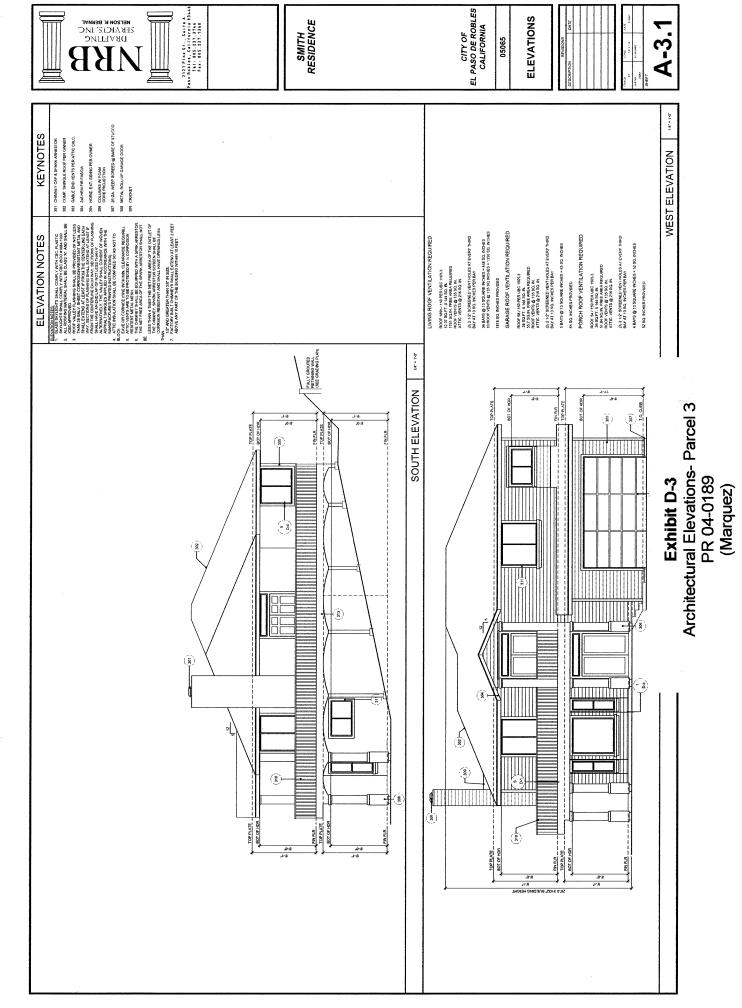
(Marquez)

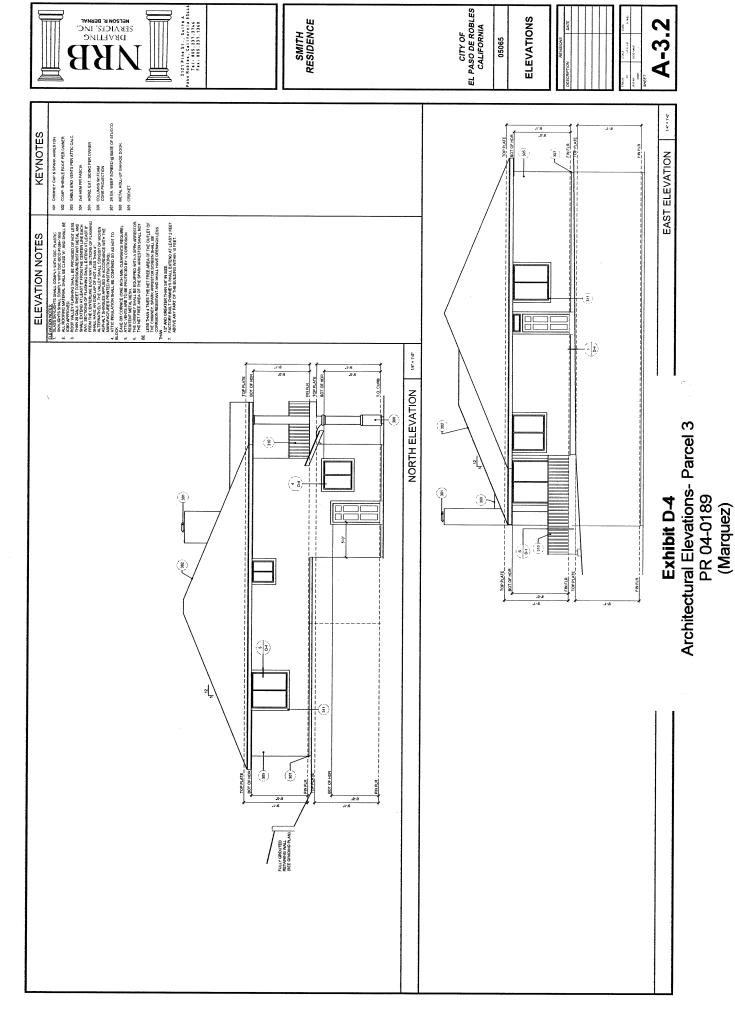


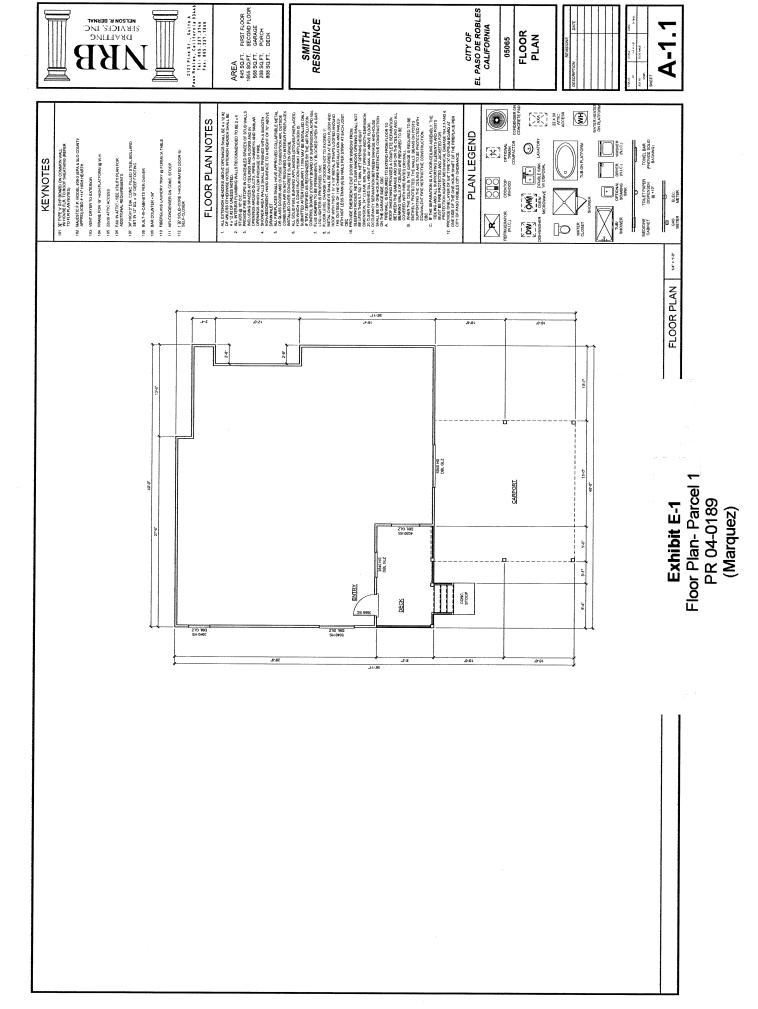


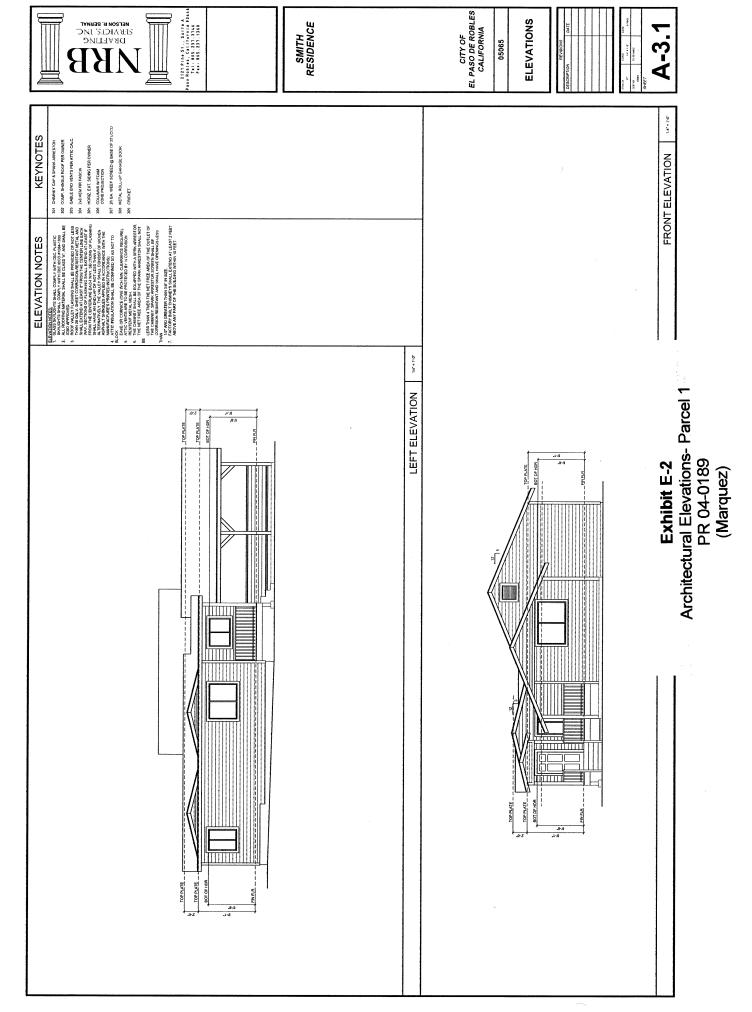












A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465

(805) 434-013°



Tree Preservation Plan For Marquez, Boyd, Gomes Paso Robles, CA



9-12-05

Prepared by A & T Arborists and Vegetation Management

Chip Tamagni Certified Arborist #WE 6436-A

Steven Alvarez
Certified Arborist #WE 511-A

Parcel Map #PR 04-0189

PD #____

Building Permit #____

Exhibit F Arborist Report PR 04-0189 (Marquez) Project Description: This project involves the dividing of a portion of Lot 1, Block 199 in Paso Robles, California. The property will be divided into three separate lots with the existing home remaining on parcel 1. Proposed parcel 3 will not encroach into any critical root zones. Proposed parcel 2 is planned to encroach in the critical root zones of trees #3, 4 and 5. The envelope need to be shifted a minimum of ten feet to the north. The lower portion of the new envelope shall be designed for driveway purposes within the critical root zones. Building footings will be allowed no closer than 20 feet from the trunks of trees #3 and 4. Footings may be constructed 15 feet away from the trunk of tree #5 because there is currently a 3 foot step down wall between the tree and the existing shed. There is a very minor probability any significant roots will be encountered from this tree.

Specific Mitigations to this Project: As stated above, shift the building envelope (proposed parcel 2) ten feet north and follow the building plan descriptions. All applicable mitigation measures described below shall be followed.

The term "critical root zone" or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan. In the field oak trees to be saved have yellow tape and trees to be removed (no removals at this time) have red tape attached to the tag. Both critical root zones and drip lines are outlined on the plans.

If pruning is necessary for building, road or driveway clearance, removal of limbs larger than 6 inches in diameter will require a city approved permit along with a deposit paid in advance (to the City of Paso Robles). The city will send out a representative to approve or deny the permit. Only 25% of the live crown may be removed.

Tree Rating System

A rating system of 1-10 was used for visually establishing the general health and condition of each tree on the spreadsheet. The rating system is defined as follows:

Rating	Condition
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.

3 Some past failures, some pests or structural defects that may be mitigated by class IV pruning. May have had minor past failures, excessive deadwood or minor 4 structural defects that can be mitigated with pruning. 5 Relatively healthy tree with little visual, structural and/or pest defects and problems. Healthy tree that probably can be left in its natural state. 6 7-9 Has had proper arboricultural pruning and attention or have no apparent structural defects. Specimen tree with perfect shape, structure and foliage in a 10 protected setting (i.e. park, arboretum).

Aesthetic quality on the spreadsheet is defined as follows:

- **poor** tree has little visual quality either due to severe suppression from other trees, past pruning practices, location or sparse foliage
- fair visual quality has been jeopardized by utility pruning/obstructions or partial suppression and overall symmetry is average
- **good** tree has good structure and symmetry either naturally or from prior pruning events and is located in an area that benefits from the trees position
- excellent tree has great structure, symmetry and foliage and is located in a premier location. Tree is not over mature.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

- 1. It is the responsibility of the **owner or project manager** to provide a copy of this tree protection plan to any and all contractors and subcontractors that work within the critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge this tree protection plan.
- 2. Any future changes (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said changes can proceed. This includes proposed shifting of the building envelope for proposed parcel 2.
- 3. Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

Tree Protection Zone

No personnel, equipment, materials, and vehicles are allowed
Do not remove or re-position this fence without calling:
A & T Arborists
434-0131

- 4. Soil Aeration Methods: Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.
- 5. Chip Mulch: All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.
- 6. Trenching Within Critical Root Zone: All trenching within the critical root zone of native trees shall be hand dug. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A Mandatory meeting between the arborists and grading contractor(s) must take place prior to work start.
- 7. Grading Within The Critical Root Zone: Grading should not encroach within the critical root zone unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.
- **8. Exposed Roots:** Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.
- 9. Paving Within The Critical Root Zone: Pervious surfacing is preferred within the critical root zone of any native tree. If pavers are required, the areas are outlined on the grading plans. Pavers must be interlocking with a minimum of 10% void space backfilled with pea gravel. Geo textile fabric shall be permeable. Depending on use within the CRZ, pavers may or may not be required depending on soil type, grade changes, etc. Not required for this project.
- 10. Equipment Operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.
- 11. Existing Surfaces: The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans and approved by the arborist.

including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, scientific name, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of critical root zone impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning, aesthetic value and individual tree notes along with canopy spread.

If all the above mitigation measures are followed, we feel there will be no long-term significant impacts to the native trees.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez Certified Arborist #WC 0511

Chip Tamagni Certified Arborist #WE 6436-A

ŀ	Š		BO Q. douglasii	BO Q. douglasii	BO Q. douglasii	VO Q. lobata	BO Q. douglasii	BO Q. douglasii								·	1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
ŀ	\dashv		ylasii	ylasii	ylasii	ata	ylasii	ylasii						-			FROM DUE
4	J		25	31	23	27	25	26									NORTH
ဂ	TREE	CONDITION	3	က	က	4	3.	5									
٥	CONST	STATUS	∢	-	_		_	4									
,	CRZ %	IMPACT	%0	<10%	35%	40%	35%	%0									8 8 8
0		IMPACT		GR	GR	GR	GR										CONSTRUCTION
		PROPOSAL REQUIRED	fencing	fencing	change	change	change	fencing									8 = CONSTRUCTION IMPACT TYPE: GRADING COMPACTION TRENCHING
	MONT	REQUIRE	2	ou	<u></u>	2	2	2									DING COMPACTIO
11	PRUNING	CLASS															CHINCHINE N
12	AESTH.	VALUE	poob	pood	pood	poob	poob	poop									
13	FIELD	NOTES			shift envelope N	shift envelope N	shift envelope N										
14	SN	E	40'e	41'e	42'ne	+-	╁	╀		_	_						

12= AESTHETIC VALUE 12 = FIELD NOTES 13= NORTH SOUTH/EAST WEST CANOPY SPREAD

5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL 7 = CRZ. PERCENT OF IMPACTED CRITICAL ROOT ZONE

4 = TRUNK DIAMETER @ 4'6" 3≈ SCIENTIFIC NAME

9/13/2005

10 = ARBORIST MONITORING REQUIRED: YES/NO

11 = PERSCRIBED PRUNING: CLASS 1-4

Arborist Report Tree location Map

AFFIDAVIT

OF MAIL NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, <u>Talin Shahbazian</u>, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for <u>Parcel Map PR 04-0189 to subdivide an approximately 1-acre site into three parcels, (Applicant: Jose & Maria Marquez) on this <u>29th</u> day of <u>November, 2006.</u></u>

City of El Paso de Robles Community Development Department Planning Division

Signed:

Telin Shahbazian

forms\mailaffi.691

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper:	Tribune
Date of Publication:	December 1, 2006
Meeting Date:	December 12, 2006 (Planning Commission)
Project:	Tentative Parcel Map PR 04-0189 Marquez – 319 14 th Street)
I, Lonnie Dolan	, employee of the Community
Development Departm	nent, Planning Division, of the City
of El Paso de Robles,	do hereby certify that this notice is
a true copy of a publish	hed legal newspaper notice for the
above named project.	

Lonnie Dolan

forms\newsaffi.691

Signed

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 to consider Parcel Map PR 04-0189, a parcel map application filed by EMK and Associates on behalf of Jose & Maria Marquez, to subdivide an approximate 1-acre parcel into three parcels, where the existing house would remain and two additional single family homes would be built. The site is located at 319 14th Street.

This hearing will take place in the City Hall/ Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, December 12, 2006, at which time all interested parties may appear and be heard.

This application is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

The proposed staff report for parcel map PR 06-0096 will be available for review at the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, on the Thursday before the scheduled date of this hearing.

If you challenge the 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.

Darren R. Nash, Associate Planner December 1, 2006

6497888