

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: TRACT 2796 AND PLANNED DEVELOPMENT 06-023
(Gene Barre)

DATE: FEBRUARY 13, 2007

Needs: For the Planning Commission to consider an application filed by Pam Jardini of Planning Solutions on behalf of Gene Barre, requesting to subdivide an approximate 2.5-acre site into 6 lots, 5 single-family residential lots and 1 open space lot.

Facts: 1. The subject property is located at the northeast corner of South River Road and Charolais Road (See attached location map).

2. The existing General Plan Land Use designation of the site is RSF-2 (Residential Single Family, two units per acre). The existing zoning is R1, B3-PD (Residential Single Family, 20,000 square foot minimum lot size, within the Planned Development Overlay District). The request to subdivide the site into 5 lots would comply with the density requirements in both the Zoning Code and the General Plan for this site.

3. The City Council on April 4, 2006, by recommendation from the Planning Commission (6-0), unanimously adopted Ordinance No. 06-917 approving Rezone 05-007 adding PD Overlay to this site. The request to add PD Overlay was initiated by the City to allow reduced lot sizes which would provide for additional right of way for future improvements at the Charolais Road and South River Road intersection.

4. In conjunction with the subdivision, Planned Development 06-023 is also being processed. The PD along with the Tract would establish the 5 parcels along with providing a framework for future development of the lots. The PD will have specific conditions related to house orientation, four-sided architecture as well as establish fencing and landscape standards for the street frontages.

5. Chapter 21.16A of the Zoning Code, Planned Development District, allows projects within the PD Overlay District flexibility in the design of residential development, especially to reduce impacts to oak trees and grading. The applicants are requesting that the Planning Commission allow the following modifications to the project:

a. reduce lot sizes from 20,000 square feet to a minimum lot size of 10,000 square feet (Only Lot 3 is 10,000 square feet, the other lots range from 13,500 to 16,500 square feet).

- b. to use a private driveway to access the 5-lots, rather than a public street.
-
6. Both of these modifications are in an effort to design the lots so that they are clustered in the flatter areas of the site to reduce grading, oak tree impacts and preserve a significant hillside in open space. If the project were designed to maintain the 20,000 square foot lot size, Lots 3 and 5 would extend up the hillside, and homes would be built on the steeper slope areas and more than likely impact the oak trees on the slope.
 7. The request to access the lots by the driveway seems reasonable, since it would allow additional flexibility for the building envelope of each lot, and reduce the number of driveways out to Charolais Road.
 8. The site has an average slope of less than 10-percent, and is proposed to be “pad-graded” as allowed by the Grading Ordinance.
 9. There are two oak trees located within the project boundaries, these trees will be located within the Open Space area (Lot 4) and will not be impacted. There are two other oak trees located within the street right of way that will be impacted with the construction of the required road improvements. An Arborist will need to be involved with the design of the road improvement plans to help reduce the impacts to the two trees.
 10. Since the trees within the right of way encroach into Lots 1 and 6, building envelopes have been provided showing that each lot has adequate area to construct a house without encroaching in to the oak tree critical root zones (CRZ). The plan showing the building envelopes along with specific conditions prohibiting the construction of homes and grading within the CRZ’s will be required to be recorded against Lots 1 and 6. All five trees will be preserved and protected during construction. The Arborist Report by A & T Arborist is on-file in the Community Development Department.
 11. An Environmental Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA). Project level mitigation measures were identified within the study, relating to oak tree preservation.
 12. The DRC reviewed this project at their meeting on October 23, 2006. The main topics of discussions at the meetings were related to the need to provide a landscape buffer area along the street frontage, similar to the existing landscape berms along South River Road for the existing residences to the north. The Committee recommended that the Planning Commission approve the project along with the requested reduction in lot widths as requested.

13. As a result of the DRC's requests, Pam Jardini has provided exhibits showing building envelopes, landscape setbacks, home orientation, façade articulation (architectural enhancements) and decorative fencing. These exhibits are attached to the PD Resolution attached to this staff report.

Analysis
and

Conclusion: The project at this time is to create the 6-lot subdivision (five residential and one open space lot). Individual lot development plans will be required to be submitted on a lot by lot basis to the DRC for review and approval. Conditions requiring four-sided architectural elements, landscape berming, and decorative fencing have been included in the PD Resolution.

Environmental mitigation measures have been incorporated into the project to reduce potential impacts to oak trees to a less than significant level. All oak trees will be protected and preserved during the construction of this tract.

Additionally, the applicants request for the modifications to the project, including reduced lot sizes and the use of the private driveway, seem reasonable since they would meet the intent of the Planned Development Overlay District by allowing the lots to be clustered to reduce impacts to grading and oak trees, without providing additional lots.

The residential subdivision and associated planned development are consistent with General Plan, Zoning Code and Economic Strategy policies for residential development by providing urban single-family residential neighborhoods consistent with the existing residential in this area of the City.

Policy

Reference: General Plan; Union/46 Specific Plan; Municipal / Zoning Code.

Fiscal

Impact:

The four (4) new residential lots 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 all public testimony, the Planning Commission should consider the following options:

Option A

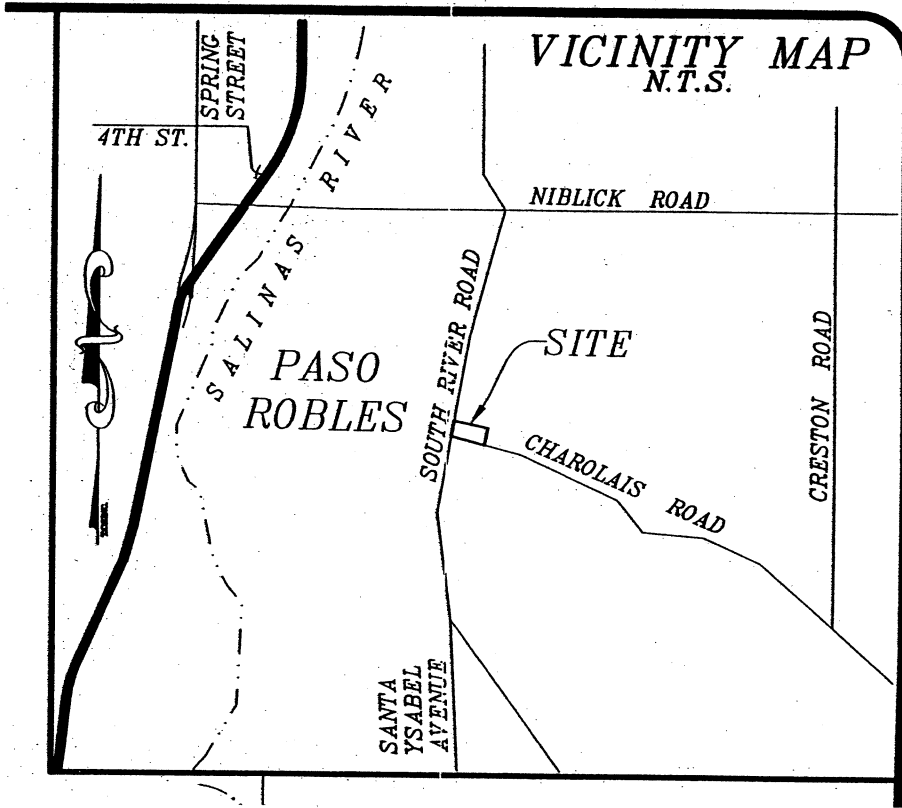
1. Adopt the attached Resolution approving a Mitigated Negative Declaration for Tentative Tract 2796 and PD 06-023;
2. Adopt the attached resolution granting approval of Planned Development 06-023 subject to standard and site specific development conditions and allow the reduction of lot sizes from 20,000 square feet to 10,000 square feet in order to reduce the impacts to the oak trees and grading as well as allow the homes to be accessed by a private driveway;
3. Adopt the attached Resolution granting approval of Tentative Tract Map 2796 subject to standard and site specific development conditions.

Option B

Amend, modify, or reject the above options.

Attachments:

1. Vicinity Map
2. Memo from City Engineer
3. Draft Resolution Approving a Negative Declaration & Initial Study
4. Draft Resolution Approving PD 06-023
5. Draft Resolution Approving Tent. Tract 2796
6. Newspaper and Mail Notice Affidavits



Vicinity Map
Tract 2769 & PD 06-023
(Barre)

MEMORANDUM

TO: Darren Nash

FROM: John Falkenstien

SUBJECT: Tentative Tract 2796

DATE: February 13, 2007

I have reviewed the tentative tract map and supporting documentation submitted with this application. The following are my comments.

Streets

Tentative Tract 2796 is located at the northeast corner of South River Road and Charolais Road. Both are classified as Arterial Streets in the Circulation Element of the General Plan. Improvements to other sections of South River Road have been completed in accordance with City Standard A-1, including the placement of a landscape median. The City has adopted a special standard, A-11 for Charolais Road. The Charolais Road standard includes a multi-use trail along its north side.

At their meeting of January 16, the City Council adopted a plan line for the intersection of Charolais and South River Roads. As background, a study of the intersection was completed by W-Trans of Santa Rosa. The W-Trans study compared layouts and operations of a traffic signal and a roundabout. The roundabout was chosen by the Council due to operational efficiency, flexibility for use with the future southern connection to Highway 101 and right-of-way constraints.

The street right-of-ways are constrained by large oak trees. The ultimate roundabout design will save the 60-inch oak tree on River Road just north of the site and the 40-inch oak tree on Charolais Road. The 48-inch oak tree on Charolais Road, closer to the intersection, will ultimately have to be removed.

It is anticipated that an interim improvement plan can be developed that will meet the subdivider's obligation of frontage improvements. The subdivider's obligation for participation in the ultimate intersection improvements will be met with development impact fees assessed upon occupancy of new houses in the tract.

The City Standard for Charolais Road works well in conjunction with the conceptual roundabout design. Improvements to Charloais Road can be constructed per standard along the frontage of the tract to a point roughly 150 feet from the South River Road intersection. The multi-purpose path can be continued along the frontage of the subdivision to join the River Road sidewalk to the north. A pedestrian crossing will be installed to provide access to the west side of South River Road.

Sewer and Water

Sewer is available to the project from a 12-inch line in South River Road and an 8-inch line in Charolais Road.

Water is available to the project from 16-inch water mains in South River Road and Charolais Road. Fire hydrants will be placed in accordance with Emergency Services requirements.

Site Specific Conditions of Approval

1. The subdivider shall prepare a horizontal geometric design of a roundabout at the intersection of Charlais Road and South River Road in accordance with the plan line adopted by the City Council for the purposes of right-of-way dedication and construction of frontage improvements.
2. The subdivider shall dedicate right-of-way on the final tract map at the intersection of Charolais Road and South River Road and along the frontages of both roads in accordance with the horizontal geometric design of the intersection and the plan line adopted by the City Council.
3. Frontage improvements to South River Road and Charolais Road shall be constructed in accordance with plans approved by the City Engineer. The Charolais Road frontage shall be constructed in accordance with City Standard A-11 where practical. A multi-use (pedestrian-bike) path shall be constructed across the entire frontage of the property in accordance with the roundabout design and right-of-way dedication. A pedestrian walkway shall be provided to connect to the west side of South River Road in accordance with plans approved by the City Engineer.
4. The access easement serving the lots shall be private and shall be improved in accordance with City Standard A-10.

RESOLUTION NO:

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
ADOPTING A MITIGATED NEGATIVE DECLARATION
ADDRESSING TRACT 2796 & PD 06-023
(GENE BARRE)
APN: 009-770-004

WHEREAS, Tentative Tract 2796 has been filed by Pam Jardini on behalf of Gene Barre to subdivide an approximate 2.5-acre site into 5 single family residential lots with 1 open space lot; and

WHEREAS, the site is located on the northeast corner of South River Road and Charolais; and

WHEREAS, the existing General Plan Land Use designation of the site is RSF-2 (Residential Single Family, two units per acre), and the existing zoning is R1, B3-PD (Residential Single Family, 20,000 square foot minimum lot size within the Planned Development Overlay District); and

WHEREAS, Planned Development 06-023 has been filed in conjunction with this tentative map request to meet Section 21.23B.030 of the Zoning Code, which requires Planning Commission approval of a development plan for base zones which are in the planned development (overlay) district; and

WHEREAS, as provided for by Section 21.16A of the Zoning Code for project within the PD Overlay District, the applicant is requesting the Planning Commission allow for reduced lot sizes in order to reduce the amount of grading necessary to construct the development as well as reduce the impacts to oak trees; and

WHEREAS, the applicant is also requesting as part of the approval of Tract 2796 and PD 06-023 for the Planning Commission to allow the use of a private driveway to serve the 5 lots; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, at its February 13, 2007 meeting, the Planning Commission held a duly noticed public hearing on the project, to accept public testimony on the proposal (including all of the applications filed) and the environmental determination therefore; and

WHEREAS, public notice of intent to adopt a Mitigated Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds no substantial evidence that there would be a significant impact on the environment based on the attached mitigation measures described in the initial study and contained in the resolution approving PD 06-023 as site specific conditions summarized below.

Topic of Mitigation	Condition #
Biological (Oak Tree)	8

PASSED AND ADOPTED THIS 13th day of February, 2007, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

**ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
PLANNING DIVISION**

- 1. PROJECT TITLE:** Tract 2796, Gene Barre
- Concurrent Entitlements:** Tentative Tract 2796
Planned Development 06-023
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Darren Nash, Associate Planner
John Falkenstien, City Engineer
- Phone:** (805) 237-3970
- PROJECT LOCATION:** Northeast corner of South River Road and Charolais Road
- 3. PROJECT PROPONENT:** Land Rhythms
Contact Person: Pamela Jardini
Phone: (805) 801-0453
- 5. GENERAL PLAN DESIGNATION:** RSF-2 (2 dwelling units to the acre maximum)
Union / 46 Specific Plan Overlay (plan adopted Feb. 1988)
- 6. ZONING:** R-1, B3-PD (single family, 20,000sf min. lot size, Planned Development Overlay)
- 7. PROJECT DESCRIPTION:** Proposal to subdivide and develop approximately 2.5 acres into 5 single-family residential lots. The project is proposed in one (1) development phase.
- 8. ENVIRONMENTAL SETTING:** The project site is located on a vacant lot that gradually slopes up to the east from South River Road. The steeper portion of the site would be dedicated to the City as open space. The site is on the corner of two arterial roads. Residential development surrounds the property on all sides.
- 9. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):**
To be determined.

10. PERSONS PARTICIPATING IN THE PREPARATION OF THE INITIAL STUDY:

Darren Nash, Associate Planner
John Falkenstien, City Engineer
Kevin Taylor, Emergency Services

11. RELATED ENVIRONMENTAL DOCUMENTATION:

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population & Housing | <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy & Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.” An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect(s) that remain to be addressed.

I find that although the proposed project could have a significant effect(s) on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. (See item #11 above, for a specific reference to that EIR.)

Signature

Darren Nash

Printed Name

Date

Associate Planner

Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. “Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided at the end of the checklist. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix I of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the needs and requirements of the City of Paso Robles.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers’ information, a list of applicable standard conditions identified in the discussions has been provided as an attachment to this document.)_

SAMPLE QUESTION:

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potential ly Significa nt Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<i>Would the proposal result in or expose people to potential impacts involving:</i>				
<i>Landslides or Mud flows? (Sources: 1, 6)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Discussion: The attached source list explains that 1 is the Paso Robles General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).</i>				

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING. Would the Proposal:

- a) Conflict with general plan designation or zoning?

Discussion: The proposed 5 residential dwellings units would be compatible with the General Plan and Zoning designations. The applicant is requesting the Planning Commission to allow lot sizes below the 20,000 square foot requirement in order to cluster the lots to design around the existing oak trees and to reduce the amount of grading on the site. The Zoning Code allows the Planning Commission to allow reductions in lots sizes for lots within the PD Overlay district, especially if it reduces the impacts to oak trees and reduces grading.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

Discussion: There would not be conflict with other environmental plans or policies. The development would be consistent with other residential development in this area of the City.

- c) Be incompatible with existing land use in the vicinity?

Discussion: The project would be similar to other surrounding properties in this area of the City.

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?

Discussion: No agricultural land use would be displaced as a result of the proposal.

- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?

Discussion: Not anticipated as an issue.

II. POPULATION AND HOUSING. Would the proposal:

- a) Cumulatively exceed official regional or local population projections?

Discussion: The proposed project would meet the General Plan and Zoning densities anticipated for this site. Impacts on population are not anticipated as an issue.

- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?

Discussion: This project would be considered infill, since it is surrounded by existing residential development. Growth inducing impacts are not anticipated.

- c) Displace existing housing, especially affordable housing?

Discussion: No housing will be displaced as a result of this project.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant No Impact
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III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

- a) Fault rupture?

Discussion: This portion of San Luis Obispo County (generally the Paso Robles area) is located at the far southerly end of the Salinas Valley which also extends up into Monterey County. There are two known fault zones on either side of this valley. The San Marco-Rinconada Fault system runs on the west side of the valley. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. No unusual factors are expected to be present for this project area.

- b) Seismic ground shaking?

Discussion: See the response to Section III(a). Based on that response, the potential for exposure of persons or property to seismic hazards is not considered significant.

- c) Seismic ground failure, including liquefaction?

Discussion: The City's General Plan contains public safety policies that would require special attention to projects with potential for liquefaction. Also, see the response to Section III(a). Based on the above discussion, the potential for exposure of persons or property to seismic hazards, including liquefaction is not considered significant.

- d) Seiche, tsunami, or volcanic hazard?

Discussion: The project site is not located in an area identified at risk for seiche, tsunami, or volcanic hazards.

- e) Landslides or Mud flows?

Discussion: Each house for each lot within this project will be required to submit for the necessary grading and building permits. Through the plan check process, the plan will be required to be designed to meet the requirements which would include grading, drainage as well as compaction and foundations. As such, potential impacts would be considered less than significant.

- f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?

Discussion: See the discussion in Section III(e). In addition to standard erosion control measures being part of a future development, all grading would be subject to standard conditions of approval ensuring that soils conditions are suitable for the proposed structures and improvements. As such, no significant impacts are anticipated. As such, impacts are less than significant.

- g) Subsidence of the land?

Discussion: See the discussion in Sections III (e) (f) and (g) above

- h) Expansive soils?

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See the discussion in Sections III (e) (f) and (g) above.				
i) Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See the discussion in Sections III (e) through (h) above. No significant adverse impacts are anticipated based on past identified analysis within the Specific Plan and its EIR.				

IV. WATER. Would the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The development of the project area will increase the historic drainage flows associated with this site. However, the quantities of storm water associated with the requested incremental increase in development intensity is not anticipated to be significant. The developer must document to satisfaction of the city engineer prior to map recordation that the overall drainage flows for the site can be adequately detained or appropriately channeled so as not to increase off-site historic flows.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of people or property to water related hazards such as flooding? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The incremental change in the development pattern for the project area is not expected to affect exposure of persons to flooding.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen, turbidity)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The physical site construction will increase impervious surfaces on the site and thus increase storm water runoff as discussed in Item IV(a). However, incremental increases associated with the proposed change in land use is not expected to be significant.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Changes in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The physical site construction will increase impervious surfaces on the site and thus increase storm water runoff as discussed in Item IV(a). The drainage calculations provided prior to map recordation must be able to show that this increase runoff can be adequately detained. With this standard mitigation measure in place, storm water impacts are expected to be mitigatable to a less than significant level.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Changes in currents, or the course or direction of water movement? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: No significant impacts resulting from the incremental increase in land use intensification are anticipated.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The project's water use needs are consistent with those residential demands anticipated within the Specific Plan and the City's General Plan. Impact is considered less than significant since the proposed density is consistent with the Specific Plan .

- g) Altered direction or rate of flow of groundwater?

Discussion: See the discussion in item (f) above. Impacts are considered less than significant since the project is consistent with the residential density contemplated in the Union/46 Specific Plan.

- h) Impacts to groundwater quality?

Discussion: It is not anticipated that this subdivision would have an impact on ground water quality.

- i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?

Discussion: See the discussion in Section IV (f) above.

V. AIR QUALITY. Would the proposal:

- a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Source: 10)

Discussion: The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which would cause local and state standards to be exceeded. The potential for future project development to create adverse air quality impacts falls generally into two categories: Short term and Long term impacts.

Short term impacts are associated with the grading and development portion of a project where earth work generates dust, but the impact ends when construction is complete. Long term impacts are related to the ongoing operational characteristics of a project and are generally related to vehicular trip generation and the level of offensiveness of the onsite activity being developed.

Because of this project being infill, and meeting the zoning and general plan policies, it is not anticipated that the construction of the 5 homes will create a significant impact related to air quality.

During the construction phase, standard air quality requirements to control dust and emissions from equipment will be required.

- b) Expose sensitive receptors to pollutants?

Discussion: There would not appear to be significant impacts associated with sensitive pollutant receptors.

- c) Alter air movement, moisture, or temperature?

Discussion: Impacts to air movement, moisture or temperature are not anticipated to be significant.

- d) Create objectionable odors?

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: Impacts are not anticipated.

VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- a) Increased vehicle trips or traffic congestion?

Discussion: Based on information from the ITE Manual, a typical single family home will generate approximately ten (10) trips per day. With the proposed 5-lot subdivision, approximately 50 trips would be generated.

Based on the project meeting the current General Plan and Zoning designations, the traffic generated by this project would be considered less than significant.

- b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion: It is not anticipated that there would be hazards to safety from design features or incompatible uses with the development of this subdivision.

- c) Inadequate emergency access or inadequate access to nearby uses?

Discussion: The project has been reviewed by the Emergency Service Department and the necessary standard conditions have been added to project.

- d) Insufficient parking capacity on-site or off-site?

Discussion: Each home will have a two car garage with room to park in front of the garage door. Impacts of this project are not considered significant.

- e) Hazards or barriers for pedestrians or bicyclists?

Discussion: none anticipated.

- f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion: The proposed project would not appear to conflict with the City's bicycle master plan or other alternative transportation documents.

- g) Rail, waterborne or air traffic impacts?

Discussion: Ability to impact rail or waterborne traffic is considered less than significant.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant	No Impact
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VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: It is not anticipated that this 2.5 acre infill site, which is surrounded by existing residential development would have a significant impact to endangered, threatened or rare species of habitat.

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Locally designated species (e.g., heritage trees)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: There are two oak trees locate on this site, and three others that are adjacent to the site within the street right of way. The project has been designed to provide sufficient areas on each lot that would allow the construction of a house outside of the Critical Root Zones (CRZ) of the trees.

There will need to be encroachment into the driplines of the trees in order to install the new street improvements. At the time of the design of the improvement plans, the City Engineer will take in consideration the oak trees and construct the improvements with the least impacts to the trees as possible.

The following mitigation measures will be added to insure proper preservation of the oak trees on site with the construction of the homes:

- Constructive notice shall be recorded against the title of Lot 1&6 notifying future owners that any construction on these lots will need to stay out of the Critical Root Zone of the Oak Trees. A plan exhibit that graphically shows the relationship of the building envelope with the oak tree critical root zones shall be included with the Constructive Notice.

- | | | | | |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Discussion: See the above discussion in items VII a and b related to oak trees. There is no coastal habitat associated with this project.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Wetland habitat (e.g., marsh, riparian and vernal pool)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There is no wetland habitat on this site.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Wildlife dispersal or migration corridors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There is not an impact to a wildlife dispersal or migration corridor.

VIII. ENERGY AND MINERAL RESOURCES. Would

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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the proposal:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with adopted energy conservation plans? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposal is consistent with the City's Mineral and Energy Resource Conservation policies in as much as it does not jeopardize the conflict with any efforts for water and mineral resource extraction in the area.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Use non-renewable resource in a wasteful and inefficient manner? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Any new development occurring within this project area would be subject to all Uniform Building Code standards and energy conservation standards required by that code.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no known mineral resources associated with this site that would be compromised as a result of this proposal. No impacts are anticipated.

IX. HAZARDS. Would the proposal involve:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: This project, as described, in and of itself would not have the potential to release or create hazardous substance concerns.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Possible interference with an emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Non anticipated, the Fire Marshall has reviewed the proposed project and is recommending approval. A turn-around will be constructed at the west end of the new street. The turn-around will be required to comply with the Emergency Services standards.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) The creation of any health hazard or potential hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As discussed in Items IX (a) and (b), above, health or other hazards are anticipated to be less than significant and/or mitigatable as the project is currently described.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Increased fire hazard in areas with flammable brush, grass, or trees? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See discussion IX (B) above. Impacts are not considered to be significant as the project is designed.

X. NOISE. Would the proposal result in:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Increases in existing noise levels?

Discussion: Besides additional noise from construction equipment, this 5-lot residential project will not increase noise levels in the area .

- b) Exposure of people to severe noise levels?

Discussion: See the discussion within Section X(a), above.

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

- a) Fire protection?

Discussion:. All fire suppression measures would be subject to approval by the Fire Chief. Based on discussions with the Emergency Services personnel, the incremental impacts associated with the build-out of the project would be reduced to a less than significant level based on standard / codified requirements for placement of hydrants and fire access.

- b) Police Protection?

Discussion: Impacts are considered less than significant since the project is consistent with the residential density contemplated General Plan.

- c) Schools?

Discussion: It is not anticipated that this project would have an impact on schools, since the density is consistent with the General Plan policies. With the building permit for each home, all necessary school impact fees will be required to be paid.

- d) Maintenance of public facilities, including roads?

Discussion: There would not be a significant impact, since the density of this project is consistent with the General Plan Policies. The project will be required to install new curb, gutter and sidewalk on the project frontages on both Charolais and South River Roads.

- e) Other governmental services?

Discussion: Impacts are considered less than significant since the project is consistent with the residential density contemplated in General Plan.

XII. UTILITIES AND SERVICE SYSTEMS. Would the

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- a) Power or natural gas?

Discussion: Southern California Gas Company provides service to the Paso Robles area. The project is not anticipated to interfere with gas services or create an unmet demand.

- b) Communication systems?

Discussion: The Pacific Bell Company provides service to the Paso Robles and County areas. The project is not anticipated to interfere with phone/communication services.

- c) Local or regional water treatment or distribution facilities?

Discussion: Impacts are considered less than significant since the project is consistent with the residential density contemplated in the General Plan.

- d) Sewer or septic tanks?

Discussion: Impacts are considered less than significant since the project is consistent with the residential density contemplated in the General Plan.

- e) Storm water drainage?

Discussion: Impacts are considered less than significant since the project is consistent with the residential density contemplated in the General Plan.

- f) Solid waste disposal?

Discussion: The City's land fill is located on the north side of Highway 46, east of Airport Road. The incremental change in proposed land use is not anticipated to significantly impact that land fill facility.

- g) Local or regional water supplies?

Discussion: Impacts are considered less than significant since the project is consistent with the residential density contemplated in the General Plan.

XIII.AESTHETICS. Would the proposal:

- a) Affect a scenic vista or scenic highway?

Discussion: The project is not located on a scenic vista or highway.

- b) Have a demonstrable negative aesthetic effect?

Discussion: See the discussion in Item XIII (a), above. The potential for aesthetic impacts are of set with the recommended development standards for future home construction, oak tree preservation and additional street tree

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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planting.

- | | | | | |
|---------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Create light or glare? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Impacts are considered less than significant since the project is consistent with the anticipated patterns of development and policies contained in the Specific Plan.

XIV.CULTURAL RESOURCES. Would the proposal:

- | | | | | |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: No known paleontological resources exist in this area, or were identified in the Specific Plan EIR.

- | | | | | |
|--------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Disturb archaeological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The Paso Robles area has been classified as territory occupied by the Migueleno Salinan and the Obispeno Chumash Native California populations. Past community populations have been evidenced at several sites within the Paso Robles area and unincorporated portions of the surrounding County. The 1987 Union/46 Specific Plan EIR conducted an archaeological site investigation and determined that the potential for archaeological resources on this site were very low. Therefore, impacts are considered less than significant.

- | | | | | |
|---------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Affect historical resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: There are no known historical structures located on this site. Impacts are considered insignificant.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Have the potential to cause a physical change which would affect unique ethnic cultural values? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As noted in Item XIV (b), impacts are not anticipated.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: As discussed in Item XIV (b) and (d), impacts are not anticipated.

XV.RECREATION. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The school and park sites that were anticipated for the Union/46 Specific Plan are to be constructed with the Montebello tract to the west. The Specific Plan does not require this tract to provide additional parks or recreation facilities.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Affect existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Impacts are considered less than significant since the project is consistent with the residential density contemplated in the Union/46 Specific Plan.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI.MANDATORY FINDINGS OF SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion: Based on the discussions within preceding sections of this document, the project is designed to be consistent with the adopted Specific Plan and its EIR. As such, the impacts that were identified, and the mitigation measures incorporated into the project and/or its approvals are expected to reduce impacts to a less than significant level.

- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?

Discussion: Based on the discussions within this document, the design of this project is consistent with the Specific Plan development framework and would therefore not diminish ability to meet long term environmental goals identified either within the Specific Plan or the General Plan.

- c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Discussion: The project is designed to be consistent with the Union /46 Specific Plan and its EIR where cumulative impacts were discussed, and therefore not considered to be significant based on the conclusions and policies of those documents.

- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion: The project is consistent with the development framework of the Specific Plan and will not have adverse affects upon human beings.

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	1977 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Sewer Master Plan	Same as above
8	City of Paso Robles Housing Element	Same as above
9	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
10	Applicant's Tentative Map 2796	Same as above
11	Oak Tree Preservation / Protection Plan Prepared by Steve Alvarez, Certified Arborist	On-file

Summary of Mitigation Measures

Description of Impact

Biological – Oak Trees

Mitigation Measure

Recordation of Building Envelopes;
Arborist sign-off prior to Grading Permit;

RESOLUTION NO.
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TENTATIVE TRACT 2796
(GENE BARRE)
APN: 009-770-004

WHEREAS, Tentative Tract 2796 has been filed by Pam Jardini on behalf of Gene Barre to subdivide an approximate 2.5-acre site into 5 single family residential lots with 1 open space lot; and

WHEREAS, the site is located on the northeast corner of South River Road and Charolais; and

WHEREAS, the existing General Plan Land Use designation of the site is RSF-2 (Residential Single Family, two units per acre), and the existing zoning is R1, B3-PD (Residential Single Family, 20,000 square foot minimum lot size within the Planned Development Overlay District); and

WHEREAS, Planned Development 06-023 has been filed in conjunction with this tentative map request to meet Section 21.23B.030 of the Zoning Code, which requires Planning Commission approval of a development plan for base zones which are in the planned development (overlay) district; and

WHEREAS, as provided for by Section 21.16A of the Zoning Code for project within the PD Overlay District, the applicant is requesting the Planning Commission allow for reduced lot sizes in order to reduce the amount of grading necessary to construct the development as well as reduce the impacts to oak trees; and

WHEREAS, the applicant is also requesting as part of the approval of Tract 2796 and PD 06-023 for the Planning Commission to allow the use of a private driveway to serve the 5 lots; and

WHEREAS, an Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and a Mitigated Negative Declaration was approved by the Planning Commission on February 13, 2007, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 13, 2007, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and associated planned development; and

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

1. As conditioned, the proposed tentative subdivision map is consistent with the adopted General Plan for the City of El Paso de Robles by providing urban single-family residential neighborhoods;
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 as shown on the tentative tract map (Exhibits B to this resolution);
4. The site is physically suitable for the proposed density of development by meeting the General Plan and Zoning requirements;
5. The design of the subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the subdivision and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the subdivision and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;
8. The use of one private driveway to serve the 5 lots as proposed with this subdivision would reduce the amount of driveways on to the adjacent streets and thereby reduce the opportunity for traffic hazards on the adjacent street.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant tentative map approval to Tract 2796 subject to the following conditions of this resolution:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution. When future applications are submitted to the City for development of the newly created lots, additional site specific conditions will apply. Note: All checked standard conditions shall apply unless superseded by a site specific condition.

COMMUNITY DEVELOPMENT SITE SPECIFIC CONDITIONS:

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

2. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Standard Conditions
B	Tentative Tract Map

3. Tentative Tract Map 2796 coincides with Planned Development 06-023 and authorizes the subdivision of approximately 2.5-acres into a maximum of 5 single family residential lots ranging from approximately 10,000 square feet to 17,101 in size, with one 36,600 square foot open space lot.
4. The maximum number of residential lots permitted within this subdivision/development plan shall be 5. No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments).
5. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map, preliminary grading plan (Exhibits A&B, reductions attached; full size copies are on file in the Community Development Department) and as amended by site specific and standard conditions contained in this resolution.
6. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 06-023 and its exhibits.
7. The project shall be conditioned to comply with all applicable District regulations pertaining to the control of fugitive dust (PM-10) as contained in section 6.4 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:
 - a. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible.
 - b. All dirt stockpile areas should be sprayed daily as needed.
 - c. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
 - d. Exposed ground areas that are to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grass seed and watered until vegetation is established.
 - e. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
 - f. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

- g. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
 - h. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
 - i. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
 - j. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.
 - k. Reduce the amount of the disturbed area where possible.
8. Regarding the oak trees on site, the following mitigation measures will be added to insure proper preservation:
- a. Prior to the issuance of a grading permit for Lots 1 & 6, and prior to the approval of the improvement plans, all mitigations as outlined in the Arborist Report performed by A&T Arborist (attached) shall be complied with. A letter from the Arborist will need to be submitted to the City acknowledging that all necessary mitigations have been complied with. Additionally, a letter from the Arborist will need to be submitted to the City prior to the final tract acceptance indicating that the mitigation has been completed in an acceptable manner.
 - b. Constructive notice shall be recorded against the title of Lot 1 & 6 notifying future owners that any construction on these lots will need to stay out of the Critical Root Zone of the Oak Trees. A plan exhibit that graphically shows the relationship of the building envelope with the oak tree critical root zones shall be included with the Constructive Notice.
9. In the event that buried or otherwise hidden cultural resources are discovered during construction work in the area of the find, work should be temporarily suspended and the City of Paso Robles should be contacted immediately, and appropriate mitigations measures shall be developed by qualified archeologist or historian if necessary, at the developers expense.
10. 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.

11. Prior to the recordation of the final map, the landscape berming and fencing shall be installed along the Charolais Road and South River Road frontage as shown on Exhibit A&B of the Resolution approving PD 06-023. The final landscape, berm and fencing plans shall be approved by the DRC prior to the approval of the improvement plans.

ENGINEERING SITE SPECIFIC CONDITIONS

12. The subdivider shall prepare a horizontal geometric design of a roundabout at the intersection of Charolais Road and South River Road in accordance with the plan line adopted by the City Council for the purposes of right-of-way dedication and construction of frontage improvements.
13. The subdivider shall dedicate right-of-way on the final tract map at the intersection of Charolais Road and South River Road and along the frontages of both roads in accordance with the horizontal geometric design of the intersection and the plan line adopted by the City Council.
14. Frontage improvements to South River Road and Charolais Road shall be constructed in accordance with plans approved by the City Engineer. The Charolais Road frontage shall be constructed in accordance with City Standard A-11 where practical. A multi-use (pedestrian-bike) path shall be constructed across the entire frontage of the property in accordance with the roundabout design and right-of-way dedication. A pedestrian walkway shall be provided to connect to the west side of South River Road in accordance with plans approved by the City Engineer.
15. The access easement serving the lots shall be private and shall be improved in accordance with City Standard A-10.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS

16. Prior to the start of construction, documentation shall be submitted to Emergency Services showing that required fire flows can be provided to meet all project demands.

PASSED AND ADOPTED THIS 13th Day of February, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

H:\darren\Tract 2796 Barre\Tract Reso

EXHIBIT A OF RESOLUTION 07-_____

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

PROJECT #: Tentative Tract 2796

APPROVING BODY: Planning Commission

DATE OF APPROVAL: February 13, 2007

APPLICANT: Barre

LOCATION: South River Road-Charolais Road

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 February 13, 2009, 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:
NONE
- 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: House plan for each lot.
- 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

(Adopted by Planning Commission Resolution 94-038)

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.

- 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: Barre
REPRESENTATIVE: P. Jardini
PROJECT: Tentative Tract 2796

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.

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

(Adopted by Planning Commission Resolution 94-038)

Charolais Road		A-11
South River Road	Arterial	A-1
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.

(Adopted by Planning Commission Resolution 94-038)

- 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:

- 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.

(Adopted by Planning Commission Resolution 94-038)

- 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.
- 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:

(Adopted by Planning Commission Resolution 94-038)

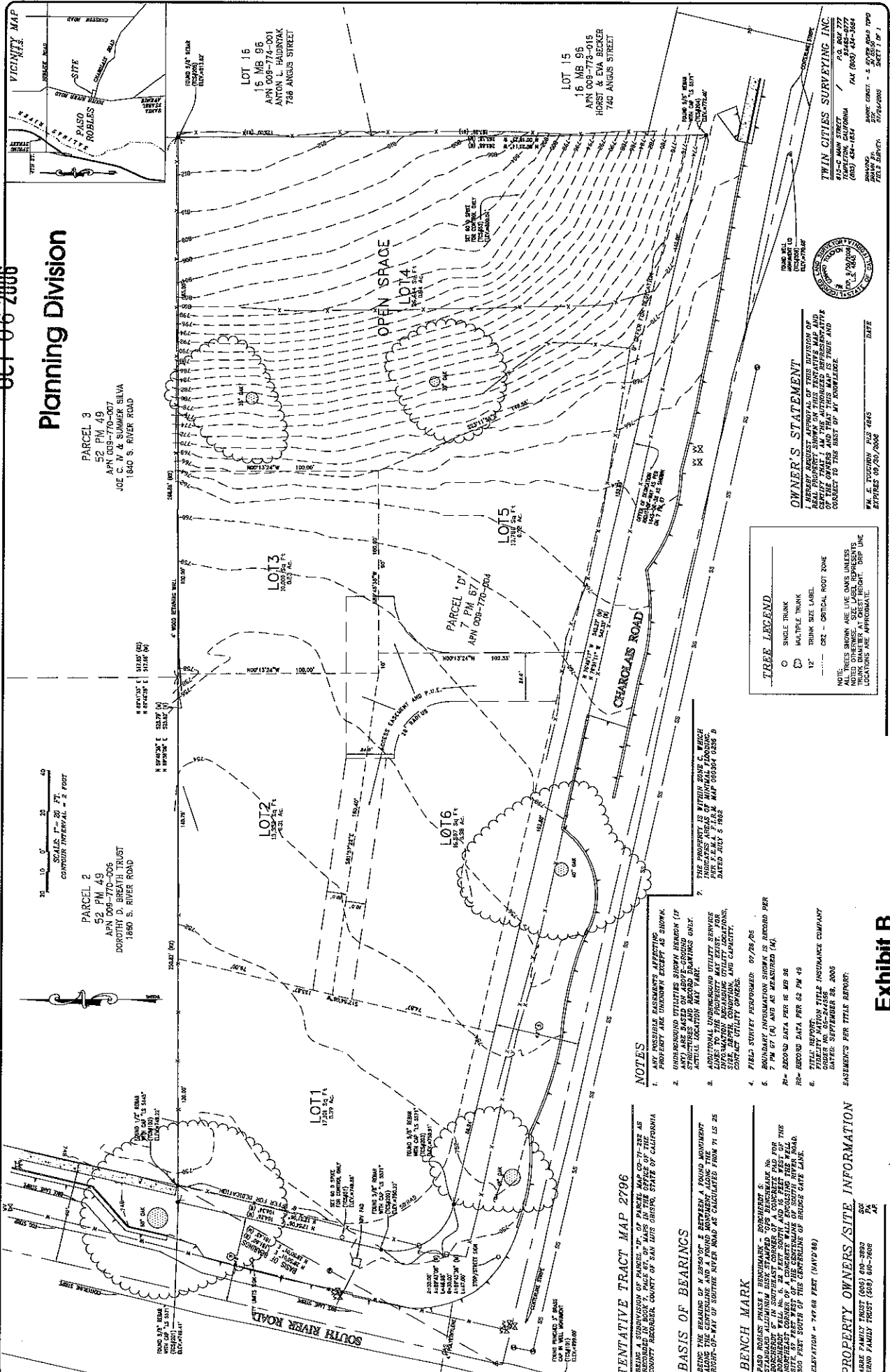
H. GENERAL CONDITIONS

- 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.

Paso Robles

OCT 06 2006

Planning Division

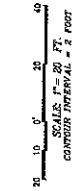


PARCEL 3
52 PM 49
APN 009-770-007
JOE C. IV & SUMNER SILVA
1840 S. RIVER ROAD

PARCEL 2
53 PM 49
APN 009-770-005
DOROTHY D. BREATH TRUST
1880 S. RIVER ROAD

LOT 16
15 MB 96
APN 009-774-001
ANTON L. HUDONIAK
738 ANGUS STREET

LOT 15
15 MB 96
APN 009-773-015
HOBST & EVA BECKER
740 ANGUS STREET



- NOTES**
1. ANY POSSIBLE BASEMENTS APPEARING ON THIS MAP ARE SHOWN AS DOTTED LINES. IF ANY ARE FOUND, THE OWNER SHALL BE RESPONSIBLE FOR REMOVAL AT HIS OWN RISK.
 2. UNDERGROUND UTILITIES SHOWN HEREON (IF ANY) ARE BASED ON AERIAL PHOTOGRAPHS AND FIELD SURVEY DATA. THE ACTUAL LOCATION MAY VARY.
 3. ADDITIONAL UNDERGROUND UTILITY SERVICE LINES TO THE PROPERTY MAY EXIST. FOR USE, REFER TO THE RECORD MAP, DATE, SIZE, DEPTH, CONDITION, AND CAPACITY. CONTACT UTILITY OWNERS.
 4. FIELD SURVEY PERFORMED: 07/26/06
 5. BOUNDARY INFORMATION SHOWN IS RECORD PER 7 PM 67 (N) AND AS MEASURED (M).
 6. RE-RECORD DATA PER 18 MB 96
RE-RECORD DATA PER 62 PM 48
 7. TITLES REPORT:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
DATED: SEPTEMBER 28, 2005
EASEMENTS PER THIS REPORT.

TENTATIVE TRACT MAP 2796
SUBDIVISION OF PARCEL 7 OF TRACT MAP 007-17-222 AS RECORDED IN PUBLIC RECORDS, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

BASIS OF BEARINGS
BEING THE BEARING OF N 89°40'00" E BETWEEN A FOUND MONUMENT ALONG THE CENTERLINE AND A FOUND MONUMENT ALONG THE RIGHT-OF-WAY OF SUTHER RIVER ROAD AS CALCULATED FROM N 15 25

BENCH MARK
A BENCH MARK WAS ESTABLISHED AT THE INTERSECTION OF SUTHER RIVER ROAD AND SUTHER AVENUE. THE BENCH MARK IS A CONCRETE PAD FOR THE SOUTHWEST CORNER OF A CONCRETE WALL ENVELOPING THE WELLS. THE BENCH MARK IS A CONCRETE WALL ENVELOPING THE WELLS. THE BENCH MARK IS A CONCRETE WALL ENVELOPING THE WELLS. THE BENCH MARK IS A CONCRETE WALL ENVELOPING THE WELLS.

PROPERTY OWNERS/SITE INFORMATION
BARRE FAMILY TRUST (06) 600-3883
BARRE FAMILY TRUST (06) 800-1688
AP

TREE LEGEND

- SINGLE TRUNK
- ⊖ MULTIPLE TRUNK
- 1" TRUNK SIZE LABEL
- OPTICAL ROOT ZONE

NOTES: TREES SHOWN ARE LIVE UNLESS NOTED OTHERWISE. SEE LABEL REPRESENTS TREE HEIGHT. TRIP LINE LOCATIONS ARE APPROXIMATE.

OWNER'S STATEMENT
I HEREBY REQUEST APPROVAL OF THIS DIVISION OF THE PROPERTY AND I AM THE AUTHORIZED REPRESENTATIVE OF THE OWNERS AND I AM THAT THIS MAP IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

W. J. TUCKER, PLS 1643
EXPIRES 08/30/2006



TWIN CITIES SURVEYING, INC.
1000 N. GARDEN AVENUE
TWIN FALLS, IDAHO 83429
(208) 738-1834
FAX (208) 738-3884

Exhibit B Tentative Tract Map Tract 2796 & PD 06-023 (Barre)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING PLANNED DEVELOPMENT 06-023
(GENE BARRE)
APN: 009-770-004

WHEREAS, Tentative Tract 2796 has been filed by Pam Jardini on behalf of Gene Barre to subdivide an approximate 2.5-acre site into 5 single family residential lots with 1 open space lot; and

WHEREAS, the site is located on the northeast corner of South River Road and Charolais; and

WHEREAS, the existing General Plan Land Use designation of the site is RSF-2 (Residential Single Family, two units per acre), and the existing zoning is R1, B3-PD (Residential Single Family, 20,000 square foot minimum lot size within the Planned Development Overlay District); and

WHEREAS, Planned Development 06-023 has been filed in conjunction with this tentative map request to meet Section 21.23B.030 of the Zoning Code, which requires Planning Commission approval of a development plan for base zones which are in the planned development (overlay) district; and

WHEREAS, as provided for by Section 21.16A of the Zoning Code for project within the PD Overlay District, the applicant is requesting the Planning Commission allow for reduced lot sizes in order to reduce the amount of grading necessary to construct the development as well as reduce the impacts to oak trees; and

WHEREAS, the applicant is also requesting as part of the approval of Tract 2796 and PD 06-023 for the Planning Commission to allow the use of a private driveway to serve the 5 lots; and

WHEREAS, an environmental Initial Study was prepared for this project in accordance with the California Environmental Quality Act (CEQA) and although mitigation measures were identified within the study (on file in the Community Development Department), the conclusion was such to enable a finding of consistency of the project with the approved Union/46 Specific Plan for which an Environmental Impact Report was already prepared and certified by the City Council, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 13, 2007 to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and associated planned development, and

WHEREAS, based upon the facts and analysis presented in the staff reports, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings:

1. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:

- a. The granting of this permit will not adversely affect the policies, spirit and intent on the general plan, applicable specific plans, the zoning code, policies and plans of the City;
- b. The proposed project is designed to be sensitive to, and blend in with, the character of the site and surrounding area;
- c. The proposed project's design and density of developed portion of the site is compatible with surrounding development and does not create a disharmonious or disruptive element to the surrounding area;
- d. The development would be consistent with the purpose and intent of this chapter and would not be contrary to the public health, safety and welfare;
- e. The request to allow the reduced lot sizes for the 5 lots would allow the lots to be clustered away from the hillside and oak trees, which would reduce the impacts of hillside grading and development with the critical root zones of the oak trees and would comply with the intent of Chapter 21.16.A (Planned Development Overlay District Regulations).
- f. The use of the common private driveway to serve the 5 lots would be a better design for the 5-lots since it would reduce the number of driveways out to the adjacent City streets.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve Planned Development 06-023 subject to the following conditions:

STANDARD CONDITIONS:

- 1. The project shall comply with all conditions of approval contained in the resolution granting approval to Tentative Tract 2796 and its exhibits.

SITE SPECIFIC CONDITIONS:

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

- 2. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION
A	Tentative Tract Map/Lot Design Notes
B	Fence and Landscape Detail

- 3. This Planned Development 06-023 coincides with Tentative Tract Map 2796 and authorizes the subdivision of approximately 2.5-acre site into a maximum of 5 single family residential lots and 1

open space lot. In conjunction with the approval of PD 06-023, the Planning Commission authorizes the reduction in lot sizes from 20,000 square feet to a minimum lot size of 10,000 square feet to 17,101 square feet in size with one open space lot.

4. With the approval of PD 06-023 & Tentative Tract Map 2796 the Planning Commission authorizes the use of a private driveway to access the 5 lots as shown on Exhibit A.
5. The maximum number of residential lots permitted within this subdivision/development plan shall be 5. No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments).
6. Prior to the issuance of a Building Permit for each lot, site plans, architectural elevations, colors/materials, fencing plans and landscaping plans shall be submitted to the Development Review Committee (DRC). The plans shall be developed to address the guidelines noted on the Exhibit A and B to this resolution pertaining to house orientation, architectural elements/façade articulation, parking, setbacks and rear yards.
7. The homes on Lot 1 & 6 shall be constructed within the developable area as shown on the Tentative Tract Map attached to this resolution (Exhibit A). In no circumstance can the house foot print extend out of the developable area and further impact the oak trees.
8. Prior to the recordation of the final map, the landscape berming and fencing shall be installed along the Charolais Road and South River Road frontage as shown on Exhibit A&B of the Resolution approving PD 06-023. The final landscape, berm and fencing plans shall be approved by the DRC prior to the approval of the improvement plans.

PASSED AND ADOPTED THIS 13th day of February, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

darren\Tract\ 2796\pd res

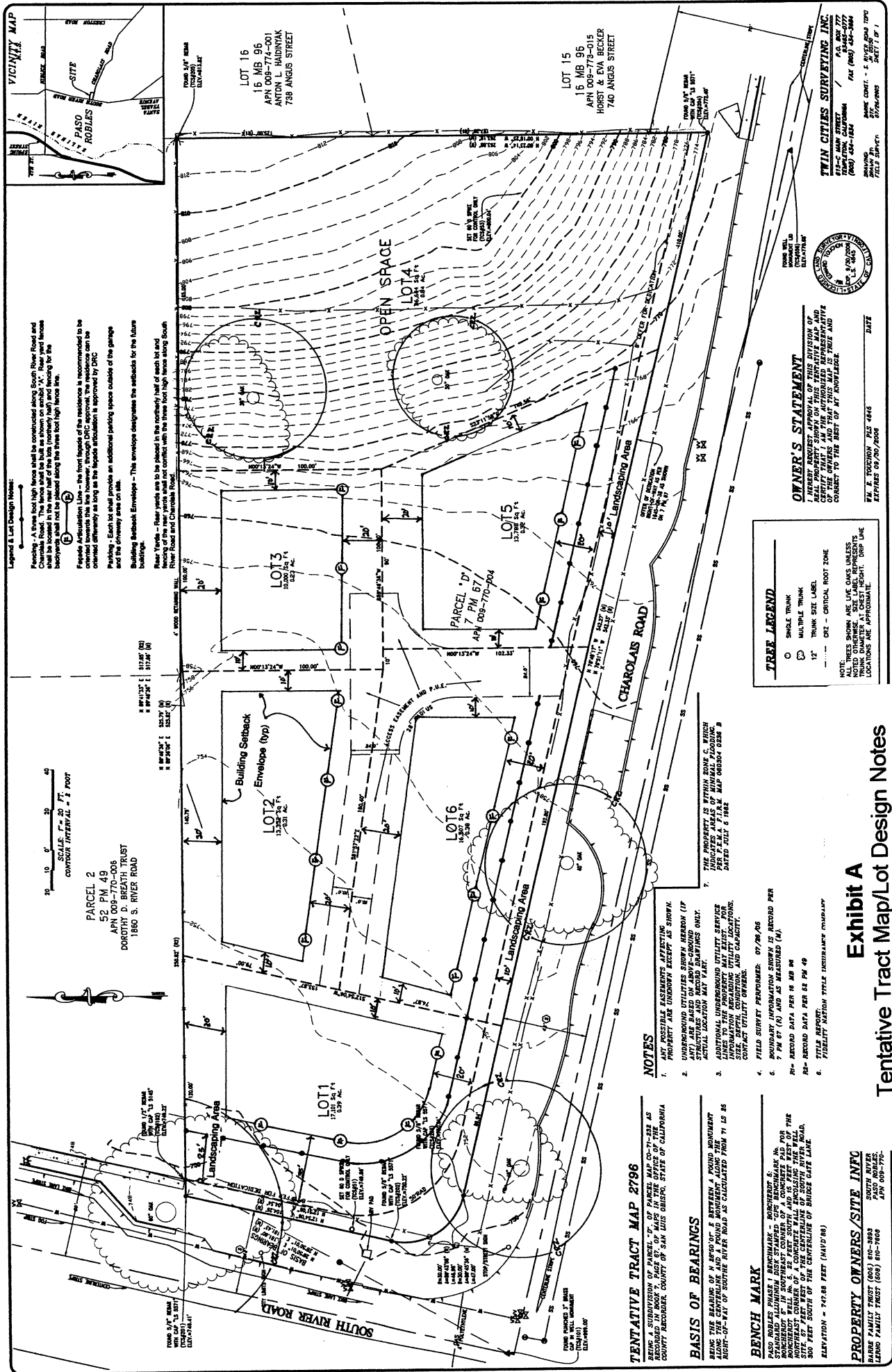


Exhibit A
Tentative Tract Map/Lot Design Notes
Tract 2796 & PD 06-023
(Barre)

Fence & Landscaping Detail Tract Map 2796

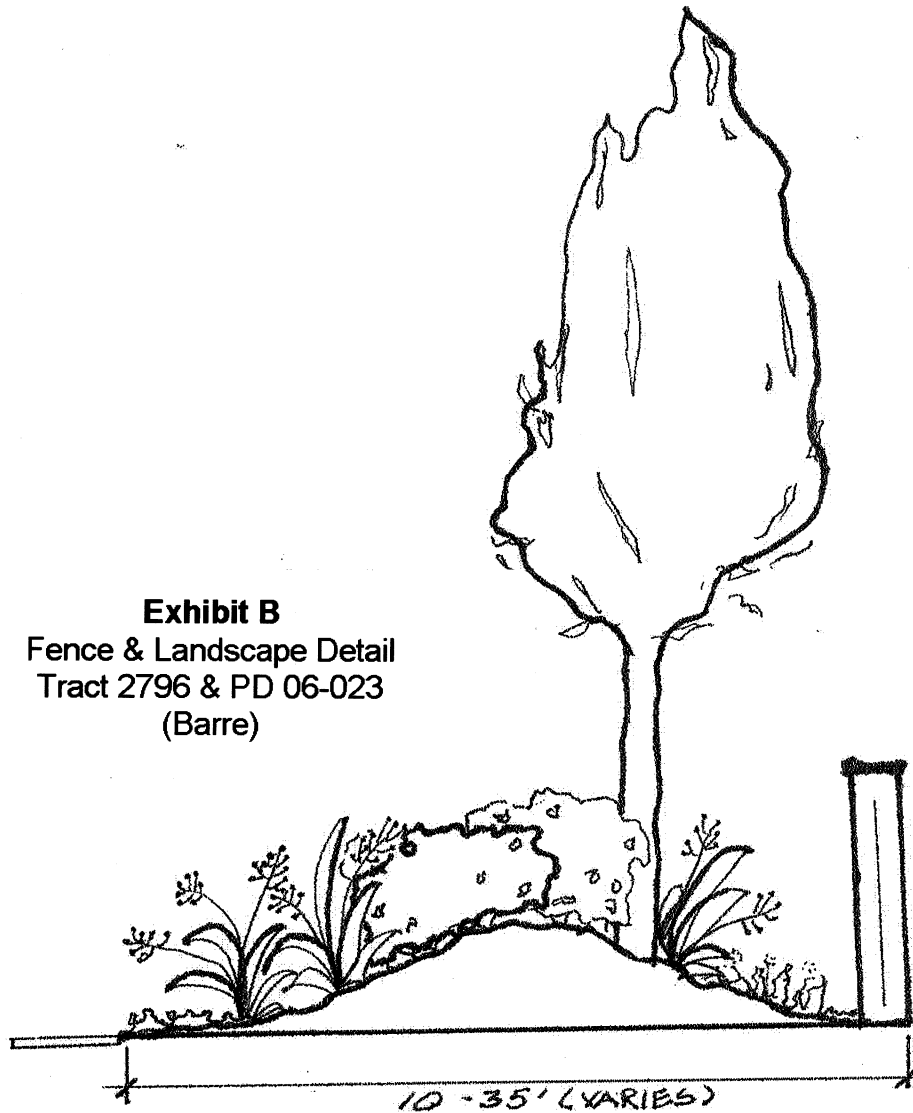
Fence Detail

Three foot high wood and stucco fence example to be located along
South River Road and Charolais Road



Landscaping Cross Section Detail

Cross section of landscaping area with berm and fence



PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

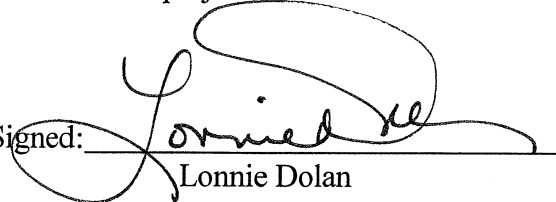
Newspaper: Tribune

Date of Publication: January 24, 2007

Meeting Date: February 13, 2007
(Planning Commission)

Project: Planned Development 06-023
and Tentative Tract 2796
(Barre – So River & Charolais)

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 OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider approval of a Planned Development and Tentative Tract Map and adoption of a Mitigated Negative Declaration (statement that there will be no significant environmental effects because of the required mitigation measures) in accordance with the provisions of the California Environmental Quality Act (CEQA), and for the following project:

Tentative Tract Map 2796 & PD 06-023: a tentative tract map and development plan, filed by Pamela Jardini of Planning Solutions on behalf of Gene Barre, for the creation of a 5 lot single family residential subdivision. The project is located on the 2.47 acre parcel located on the northeast corner of South River Road and Charolais Road.

The public review period for the Draft Mitigated Negative Declaration commences on January 24, 2007 and ends at the Public Hearing, which is scheduled to take place on Tuesday, February 13, 2007 at the hour of 7:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

The proposed Mitigated Negative Declaration 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 tract map, development plan and negative declaration 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 public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.

If you challenge the tentative tract map, development plan or negative declaration 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 Nash, Associate Planner
January 24, 2007


6525261

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 PD 06-023 & Tentative Tract 2796, A tentative tract map and development plan to subdivide the 2.47 acre site, for the creation of five (5), 20,000 square foot single family residential lots. (Applicant: Gene Barre / Pamela Jardini - Land Rythms) APN: 009-770-004, on this 30th day of January, 2007.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____



Gevorg Nazaryan

forms\mailaffi.691