

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REFILE FOR TENTATIVE PARCEL MAP 03-0338 & AMEND PD 91002 / 91003
(APPLICANT: MIKE HARROD)

DATE: SEPTEMBER 25, 2007

Needs: For the Planning Commission to consider a request filed by Mike Harrod, for a refile of Tentative Parcel Map 03-0338 & Amendment to Planned Development 91002 & 91003.

- Facts:
1. The subject property is located at 2330 Ashwood Place (See location map).
 2. The project consists of subdividing an existing 2.3 acre lot into 4 parcels ranging between 20,000 square feet and 30,000 square feet in size.
 3. The General Plan land uses designation is Residential Single Family, two units per acre (RSF-2) and the zoning is Residential Single Family (R1,B3, PD).
 4. This parcel is located within a Planned Development (PD) zoning overlay district, and this application is located within the geographical area covered by Planned Developments PD 91002 and 91003.
 5. In conjunction with PR 03-0338, an amendment to Planned Development 91002 / 91003 is necessary to allow subdivision of the subject property consistent with the density allowed by the zoning and general plan designations.
 6. The project was originally approved by the Planning Commission on June 8, 2004, via Resolutions 04-066, 04-067 & 04-068. The original entitlement was approved for two years, and since an application for a time extension was not submitted by the applicant prior to June 8, 2006, the tentative parcel map and development plan amendment expired on June 8, 2006.
 7. On August 9, 2007, the applicant submitted a request for a refile of the tentative map and development plan amendment.
 8. If a refile of the project were approved, the project would be approved for two years, until September 25, 2009.

Analysis

and

Conclusion: Staff has reviewed the refile request and since the proposed subdivision has not changed in form of lot configuration, and since there have not been significant changes to the General Plan and Zoning since the original tentative map and planned development amendment were approved that would create any inconsistencies, it has been determined that the tentative map and planned development are still in conformance with the General Plan and Zoning.

A condition of approval has been added that would require the three newly created parcels to join the City Community Facilities District to offset the impacts on Police, Fire and other City Services.

Policy

Reference: General Plan Land Use Element, Zoning Code.

Fiscal

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

Options: After consideration of public testimony, the Planning Commission should consider one of the following options:

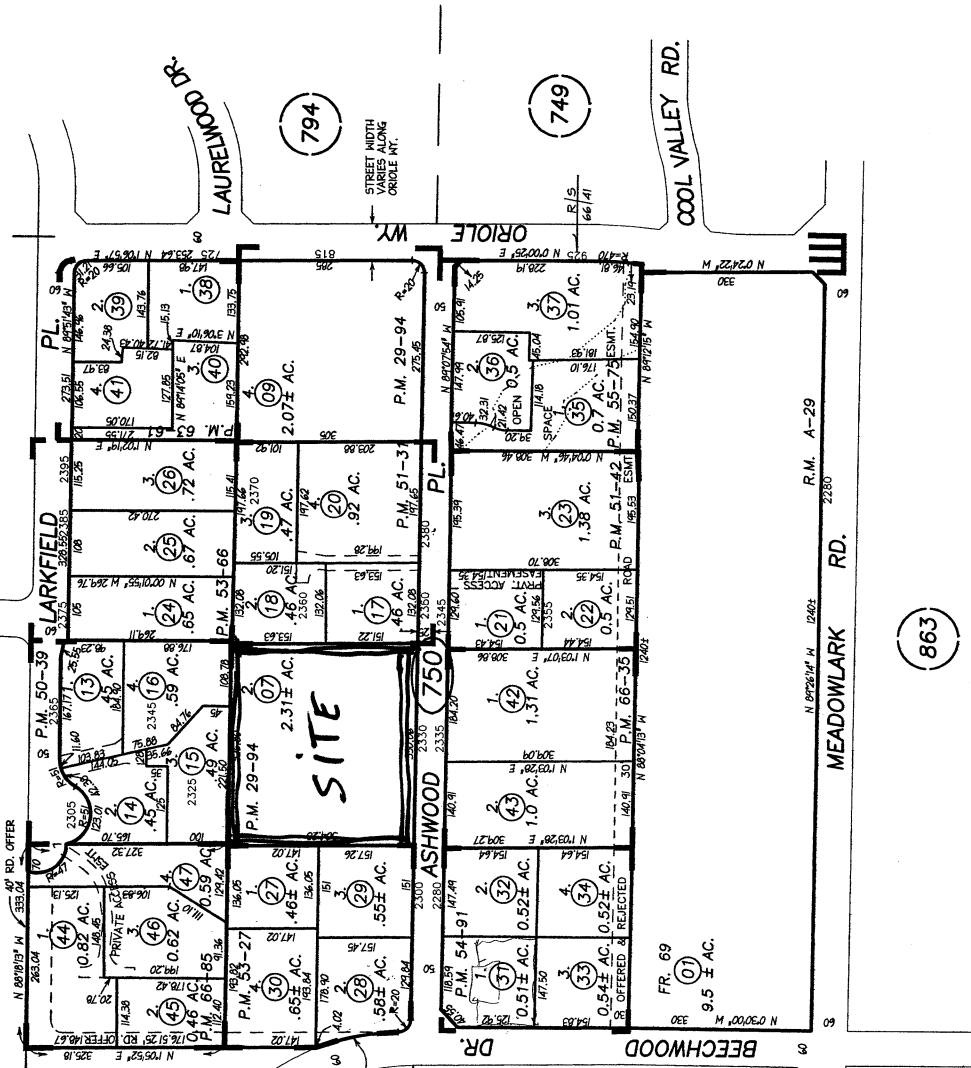
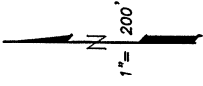
- a. Adopt a resolution granting approval of the refile of Tentative Parcel Map 03-0338 & Amendment to PD 91002 & 91003;
- b. Amend, modify or reject the above noted options.

Prepared By: Darren Nash, Associate Planner

Attachments:

1. Location Map
2. City Engineer Memo
3. Draft Resolution granting a refile of Tentative Parcel Map
4. Draft Resolution granting a refile of Planned Development Amendment
5. Mail and Newspaper Affidavits

H:\darren\Time Ext\ PR03-0338RefileHarrod\PC Staff Report



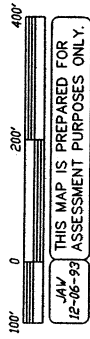
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JAN 12-06-93
THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.

REVISIONS	
L.S.	DATE
09-120	09-28-05
NA	01-24-06
07-075	07-14-06
07-155	08-01-06

CITY OF PASO ROBLES
ASSESSOR'S MAP COUNTY OF
SAN LUIS OBISPO, CALIF.
BOOK 009 PAGE 750

RANCHO SANTA YSABEL, R.M. Bk. A , Pg.29.

Vicinity Map
PR 03-0338 (Refile)
Harrod

MEMORANDUM

TO: Darren Nash
FROM: John Falkenstien
SUBJECT: PR 03-0338, Harrod
DATE: September 12, 2007

Streets

The subject property fronts on Ashwood Place. Ashwood Place is classified as a local street in the recently adopted Circulation Element of the General Plan. In accordance with PD 91-002 and PD 91-003, the north side of Ashwood Place was designated to be improved in accordance with Local Rural Street Standard A-7.

The street width outlined in the Local Rural Standard is consistent with the remainder of Ashwood Place, however, concrete curb and gutter should be constructed in lieu of asphalt dike as indicated in the Local Rural Standard. Standard curb, gutter and sidewalk has been established on the south side of Ashwood Place.

Utilities

There are existing 8-inch water and sewer lines in Ashwood Place available to serve the new parcels.

Drainage

The existing creek bed on the property must be maintained to preclude overgrowth. The parcels in the subdivision will be annexed into the landscape and lighting district for this purpose.

Recommended Site Specific Conditions

The Planning Commission must make a finding that the fulfillment of the construction requirements outlined in the following conditions are necessary prerequisites to the orderly development of the surrounding area.

The final Parcel Map shall include a 25-foot offer of dedication of public right-of-way from centerline of Ashwood Place and an additional 6-foot public utilities easement along the frontage of the subject property.

Prior to recordation of the final parcel map, street improvements shall be constructed along Ashwood Place in accordance with City Local Rural Street Standard A-7 with the exception that concrete curb and gutter be placed in lieu of asphalt dike. Concrete driveway approaches shall be constructed in accordance with City Standard B-12.

Prior to recordation of the final map, the subdivider shall install street lights on Ashwood Place in accordance with City Standard U-3, as required by the City Engineer.

Prior to recordation of the final map, sewer and water services shall be extended beyond the Ashwood Place street improvements to the frontage of the new parcels and to the access and utility easement to Parcels 1 and 2.

Prior to recordation of the final map, the subdivider shall connect the existing house to City water and shall abandon the existing well in accordance with the standards and requirements of the County Health Department and the City Municipal Code.

Prior to the recordation of the final map, the subdivider shall connect the existing house to City sewer and shall abandon the existing septic tank and leach field in accordance with the standards and requirements of the County Health Department and the City Municipal Code.

The area within the 100-year flood limits shall be dedicated to the City for maintenance by the Landscape and Lighting District.

RESOLUTION NO. ____
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT APPROVAL OF THE REFILE OF
TENTATIVE PARCEL MAP 03-0338
(HARROD)
APN: 009-750-007

WHEREAS, Tentative Parcel Map PR 03-0338 along with the amendment to Planned Development 91-002 & 91-003, were originally approved by the Planning Commission on June 8, 2004, via Resolutions 04-066, 04-067 & 04-068; and

WHEREAS, the original entitlement was good for two years and since an application for a time extension was not submitted by the applicant prior to June 8, 2006, the tentative parcel map and development plan amendment expired on June 8, 2006; and

WHEREAS, on August 9, 2007, Mike Harrod submitted a request for a refile of the tentative map and development plan; and

WHEREAS, Tentative Parcel Map 03-0338 along with amendment to Planned Development 91-002 & 91-003, would subdivide the existing 2.3 acre lot into 4 parcels ranging between 20,000 square feet and 30,000 square feet in size; and

WHEREAS, the subdivision is located at 2330 Ashwood Place; and

WHEREAS, In conjunction with PR 03-0338, an amendment to Planned Development 91002 / 91003 is necessary to allow subdivision of the subject property consistent with the density allowed by the zoning and general plan designations; and

WHEREAS, staff has reviewed the refile request and has concluded that there have been no changes to the General Plan and Zoning since the original tentative map was approved that would create any inconsistencies, and therefore the tentative map is still in conformance with the General Plan and Zoning; and

WHEREAS, a public hearing was conducted by the Planning Commission on September 25, 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, and since the proposed subdivision has not changed in form or lot configuration, and since there have not been significant changes to the General Plan and Zoning since the original tentative map and planned development amendment were approved that would create any inconsistencies, it has been determined that the tentative map and planned development are still in conformance with the General Plan and Zoning;

2. As conditioned, the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan, Zoning Ordinance;
3. The site is physically suitable for the type of development proposed;
4. The site is physically suitable for the proposed density of development;
5. As supported by the original Negative Declaration adopted on June 8, 2004 via Resolution 04-066, 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; and,
7. The design of the subdivision and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby reaffirm the Negative Declaration for the original subdivision and grant tentative map approval to PR 03-0338 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. 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>
B	Tentative Tract Map
C	Grading Plan

3. This Tentative Parcel Map PR 03-0338 and Planned Development Amendment authorizes the subdivision of approximately 2.3 acres into 4 single family residential lots ranging in size from 20,000 square feet to 30,000 square feet.

4. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan prepared for the project. (Exhibits B-C reductions attached; full size copies are on file in the Community Development Department).
5. Permits for future single family dwellings shall be reviewed and approved by the Development Review Committee (DRC). The DRC shall review proposed elevations, colors, materials, landscaping and fencing.
6. No oak trees shall be removed for construction of future homes. Future construction shall be limited to the building envelopes shown on the preliminary grading and drainage plan exhibit (Exhibit C).
7. The crossing of the creek for access to Parcel D shall be consistent with the creek crossing shown on the Tentative Parcel Map. Installation of a culvert will not be acceptable. The applicant shall be responsible for obtaining any applicable permits from the Army Corp of Engineers, the Department of Fish and Game and/or the U.S. Fish and Wildlife Service prior to construction of the crossing.
8. 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.

ENGINEERING SITE SPECIFIC CONDITIONS

9. The Planning Commission must make a finding that the fulfillment of the construction requirements outlined in the following conditions are necessary prerequisites to the orderly development of the surrounding area.

10. The final Parcel Map shall include a 25-foot offer of dedication of public right-of-way from centerline of Ashwood Place and an additional 6-foot public utilities easement along the frontage of the subject property.
11. Prior to recordation of the final parcel map, street improvements shall be constructed along Ashwood Place in accordance with City Local Rural Street Standard A-7 with the exception that concrete curb and gutter be placed in lieu of asphalt dike. Concrete driveway approaches shall be constructed in accordance with City Standard B-12.
12. Prior to recordation of the final map, the subdivider shall install street lights on Ashwood Place in accordance with City Standard U-3, as required by the City Engineer.
13. Prior to recordation of the final map, sewer and water services shall be extended beyond the Ashwood Place street improvements to the frontage of the new parcels and to the access and utility easement to Parcels 1 and 2.
14. Prior to recordation of the final map, the subdivider shall connect the existing house to City water and shall abandon the existing well in accordance with the standards and requirements of the County Health Department and the City Municipal Code.
15. Prior to the recordation of the final map, the subdivider shall connect the existing house to City sewer and shall abandon the existing septic tank and leach field in accordance with the standards and requirements of the County Health Department and the City Municipal Code.
16. The area within the 100-year flood limits shall be dedicated to the City for maintenance by the Landscape and Lighting District.

EMERGENCY SERVICES SITE SPECIFIC CONDITIONS

17. The creek crossing will be required to comply with Uniform Fire Code and Municipal Code requirements for bridges and construction shall be in compliance with Fire department access standards.
18. Emergency Services Run Book will need to be updated with the new lots, addresses and any new fire hydrants.

PASSED AND ADOPTED THIS 25th Day of September, 2007 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

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EXHIBIT A OF RESOLUTION 07-_____

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

PROJECT #: Tentative Parcel Map PR 03-0338

APPROVING BODY: Planning Commission

DATE OF APPROVAL: September 25, 2007

APPLICANT: Harrod

LOCATION: 2330 Ashwood Place

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

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

A. GENERAL CONDITIONS

- 1. This project approval shall expire on September 25, 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:

All lots shall be included in the Landscape and Lighting District for maintenance of street lights and the area within the 100-year flood inundation area
- 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: Plans for each home, see specific PD conditions for more info.

(Adopted by Planning Commission Resolution 94-038)

- 3. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
- 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.

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

APPLICANT: Ken Francik
REPRESENTATIVE: NCE
PROJECT: Tentative Parcel Map 03-0338

PREPARED BY: John Falkenstien
CHECKED BY:
TO PLANNING:

C. PRIOR TO ANY PLAN CHECK:

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

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

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

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

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

(Adopted by Planning Commission Resolution 94-038)

5. The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:
- | <u>Ashwood Place</u> | <u>Local Rural</u> | <u>A-7</u> |
|----------------------|--------------------|----------------------|
| 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:

(Adopted by Planning Commission Resolution 94-038)

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

G. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

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

(Adopted by Planning Commission Resolution 94-038)

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:

H. GENERAL CONDITIONS

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

(Adopted by Planning Commission Resolution 94-038)

RESOLUTION NO.: _____
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT A REFILE OF AMENDMENT TO PD 91002 / 91003
(Harrod) APN: 009-750-007

WHEREAS, Tentative Parcel Map PR 03-0338 along with the amendment to Planned Development 91-002 & 91-003, were originally approved by the Planning Commission on June 8, 2004, via Resolutions 04-066, 04-067 & 04-068; and

WHEREAS, the original entitlement was approved for two years, and since an application for a time extension was not submitted by the applicant prior to June 8, 2006, the tentative parcel map and development plan amendment expired on June 8, 2006; and

WHEREAS, on August 9, 2007, Mike Harrod submitted a request for a refile of the tentative map and development plan; and

WHEREAS, Tentative Parcel Map 03-0338 along with amendment to Planned Development 91-002 & 91-003, would subdivide the existing 2.3 acre lot into 4 parcels ranging between 20,000 square feet and 30,000 square feet in size; and

WHEREAS, the subdivision is located at 2330 Ashwood Place; and

WHEREAS, In conjunction with PR 03-0338, an amendment to Planned Development 91002 / 91003 is necessary to allow subdivision of the subject property consistent with the density allowed by the zoning and general plan designations; and

WHEREAS, staff has reviewed the refile request and has concluded that there have been no changes to the General Plan and Zoning since the original tentative map was approved that would create any inconsistencies, and therefore the tentative map is still in conformance with the General Plan and Zoning; and

WHEREAS, a public hearing was conducted by the Planning Commission on September 25, 2007, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and plan development amendment; 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. That the planned development overlay allow flexibility from the requirement for a minimum width of lots of 100 to accommodate the natural features of the site, including native oak trees, an intermittent stream, and areas subject to inundation by a 100-year flood event.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve the requested amendment to planned development PD 91002 / 91003 in conjunction with PR 03-0338, subject to the following conditions:

STANDARD CONDITIONS:

1. The project shall comply with all applicable conditions established for Planned Developments PD 91002 / 91003 by City Council action on January 7, 1992 and as amended by subsequent resolutions.

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 comply with all conditions of approval contained in the resolution granting approval to Tentative Parcel Map PR 03-0338 and its exhibits.
3. This amendment to Planned Development 91002 / 91003 coincides with Tentative Parcel Map PR 03-0338 and authorizes the subdivision of approximately 2.3-acres into 4 single family residential lots ranging from approximately 20,000 square feet to 30,000 square feet in size.
4. Permits for future single family dwellings shall be reviewed and approved by the Development Review Committee (DRC). The DRC shall review proposed elevations, colors, materials, landscaping and fencing.

PASSED AND ADOPTED THIS 25th day of September, 2007 by the following Roll Call
Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN MARGARET HOLSTINE

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: Tribune

Date of Publication: September 14, 2007

Meeting Date: September 25, 2007
(Planning Commission)

Project: Refile Tentative Parcel Map
PR 03-0338 (Harrod - 2330
Ashwood Place)

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider a request by Mike Harrod, for a refile of Tentative Parcel Map PR 03-0338. The project consists of subdividing a 2.3 acre lot into 4 parcels ranging in size from 20,000 square feet to 30,000 square feet.

This hearing will take place in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, September 25, 2007, at which time all interested parties may appear and be heard.

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

If you challenge the refile 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.

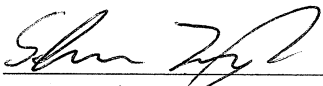
Darren Nash, Associate Planner
September 14, 2007

6637463

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Shaun Temple, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for TPM 03-0338 – 2330 Ashwood Place on this 14th day of September 2007.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Shaun Temple