

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT: 2009 STANDARD CONDITIONS OF APPROVAL UPDATE
(CITY INITIATED)**

DATE: NOVEMBER 10, 2009

Needs: For the Planning Commission to open the public hearing continued from the October 13, 2009 meeting, and consider the 2009 Standard Conditions of Approval Update.

- Facts:**
1. On October 7, 2009, the City received notification from Jerry Bunin of the Central Coast Home Builders Association (HBA) requesting that this item be continued from the October 13th Commission meeting in order to allow time for the HBA to meet with staff to review the proposed Update.
 2. Based on the request by the HBA and questions from the public and various Commissioners at the October 13th meeting, the Commission continued the item to the November 10, 2009 meeting.
 3. City Staff met with Jerry Bunin, Wes Willhoit and Dick Willhoit on October 30th to go over the proposed changes in the update. At the conclusion of the meeting, only minor changes were suggested.
 4. As requested by the Commission, staff changed the format of the draft Conditions of Approval to better describe the reasoning for the modifications. The original standard conditions forms are attached to this staff report with a statement at the end of each condition describing the corresponding condition within the new checklist. **Note: the new checklist is attached as Exhibit A to the proposed Resolution located at the end of this staff report.**

**Analysis
and**

Conclusions: After hearing from the public and the Commission at the October 13th meeting, Staff revised the format of the Conditions of Approval to make the proposed changes easier to understand.

The intent of the update of the Conditions of Approval is to remove conditions and language that no longer applies, and update the conditions with new language. Additionally, it is important to keep in mind that standard conditions are accompanied by site specific conditions for each project. If a specific condition is not listed in the standard conditions check list, it may be included as a site specific condition.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, 2006 Paso Robles Economic Strategy and City of Paso Robles Municipal Code.

Fiscal Impact: None.

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

- a. Adopt the attached Resolution approving the 2009 Standard Condition Update.
- b. Amend, modify, or reject the above-listed action.
- c. Request additional information and analysis.

Prepared by Darren Nash

Attachments:

1. October 13th Staff Report
2. Original Condition Forms with notes (CUP/PD)
3. Original Condition Forms with notes (Subdivision)
4. Resolution to Approve the 2009 Standard Conditions Update
5. Newspaper Notice Affidavit

TO: HONORABLE CHAIRMAN AND PLANNING COMMISSION

FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT: 2009 STANDARD CONDITIONS OF APPROVAL UPDATE
(CITY INITIATED)**

DATE: OCTOBER 13, 2009

Needs: For the Planning Commission to consider the 2009 Standard Conditions of Approval Update.

- Facts:**
1. On November 21, 1994, the Planning Commission adopted Resolution No. 94-38 establishing the City's first set of standard conditions. The standard condition checklists consist of conditions that typically apply to a majority of projects. In addition to the standard conditions, Staff develops site specific conditions for each project.
 2. The approval in 1994 established two standard condition checklists, one for Single Family Residential Tracts and Parcel Maps, and the other for Planned Developments and Conditional Use Permits.
 3. The standard conditions have not been revised since the original 1994 version. This 2009 update includes minor refinements, and clarifications. The Update does not include policy changes; therefore, no amendments to the General Plan, Zoning Code or other City policies are warranted with this update.
 4. Besides the minor refinements and clarifications, additional conditions have been included that relate to activities such as recycling practices, Low Impact Design (LID), and storm water pollution. Additionally, some conditions have been omitted since they were outdated, repetitive or no longer apply.
 5. The Development Review Committee (DRC) reviewed the draft conditions at their meetings on September 28th and October 5th 2009.
 6. A draft version of the Update has been sent to a list of "interested parties" for their review and comments. At the time of the preparation of this staff report, the City has not received any comments. Any comments or suggestions will be reported at the Planning Commission meeting on October 13th.

Attachment 1
October 13th Staff Report
(Std. Cond. Update)

**Analysis
and**

Conclusions: The intent of implementing the Standard Conditions Checklists back in 1994 was to establish a set of “standard conditions” of approval for the purpose of providing the development community with a consistent set of development conditions. The 2009 Update will incorporate any new conditions and omits conditions that no longer apply. In addition to the standard conditions, Staff develops site specific conditions for each project.

The Update also consolidates the conditions into one document rather than two, which should further make the process more streamlined for the development community.

An attachment to this staff report is a copy of the existing conditions in mark-up format so that the Planning Commissioners can see what is proposed to be deleted, and what would be added or reorganized. The proposed new and improved version is attached as Exhibit A to the draft resolution approving the 2009 Update.

Reference: Paso Robles General Plan and EIR, Paso Robles Zoning Ordinance, 2006 Paso Robles Economic Strategy and City of Paso Robles Municipal Code.

**Fiscal
Impact:** None.

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

- a. Adopt the attached Resolution approving the 2009 Standard Condition Update.
- b. Amend, modify, or reject the above-listed action.
- c. Request additional information and analysis.

Prepared by Darren Nash

- Attachments:**
- 1. Marked-up Versions
 - 2. Resolution to Approve the 2009 Standard Conditions Update
 - 3. Newspaper Notice Affidavit

EXHIBIT A OF RESOLUTION

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS
FOR PLANNED DEVELOPMENTS / CONDITIONAL USE PERMITS**

PROJECT #: _____

APPROVING BODY: _____

DATE OF APPROVAL: _____

APPLICANT: _____

LOCATION: _____

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 Community Development Department, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS:

- 1. This project approval shall expire on _____ unless a time extension request is filed with the Community Development Department prior to expiration. See Condition A-1
- 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans. See Condition A-2
- 3. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee. Not needed as a standard condition, this is standard procedure.
- 4. Any site specific condition imposed by the Planning Commission in approving this project may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval. See Condition A-4

(Adopted by Planning Commission

- 5. 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. **This condition was omitted; filing fee will be required to be paid up front at the time of the initial Planning Deposit.**
- 6. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition. **See Condition A-5**
- 7. 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. **See Condition A-6**
- 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code. **See Condition A-10**
- 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials such as painted metal or chain link with plastic slatting. **See Condition A-11**
- 10. All existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans. **See Condition A-12**
- 11. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans. **See Condition A-13**
- 12. 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 shall be subject to approval by the Community Development Director or his designee. **See Condition A-14**
- 13. All existing and/or new landscaping shall be installed with automatic irrigation systems. See **Condition A-15**
- 14. 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. **See Condition A-16**

(Adopted by Planning Commission Resolution 94-038)

15. The following areas shall be placed in the Landscape and Lighting District: See Condition F-9
-

The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department (237-3864).

16. All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six inch high solid concrete curb. Condition omitted, LID requirements don't allow curbing.

17. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City: See Condition B-5
-

18. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents. See Condition A-17

B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS:

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 prior to the issuance of building permits. See Condition A-22

2. Prior to the issuance of building permits, the See Condition A-23
- Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:

- a. A detailed site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
- b. A detailed landscape plan;
- c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
- d. Other: See site specific conditions in PD 08-007 Resolution

3. 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. Condition omitted, staff reviews plans with the PD on a case by case basis.

C. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OCCUPANCY:

1. Occupancy of the facility shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior to occupancy, plans shall be submitted to the Paso Robles Fire Department and the Building Division to show compliance. The building shall be inspected by the appropriate department prior to occupancy. This condition was

omitted since obtaining the necessary approvals and permits by the Building and Emergency Services Departments is standard practice.

- 2. All public or private manufactured slopes located adjacent to public right-of-ways on property in excess of six (6) feet in vertical height and of 2.5:1 or greater slope shall be irrigated and landscaped for erosion control and to soften their appearance as follows: one 15-gallon tree per each 250 square feet of slope area, one 1-gallon or larger size shrub per each 100 square feet of slope area, and appropriate ground cover. Trees and shrubs shall be staggered in clusters to soften and vary the slope plane. Slope planting shall include a permanent irrigation system be installed by the developer prior to occupancy. In lieu of the above planting ratio, the applicant may submit a slope planting plan by a licensed landscape architect or contractor providing adequate landscaping, erosion control and slope retention measures; the slope planting plan is subject to approval by the Development Review Committee. Hydroseeding may be considered on lots of 20,000 square feet or greater. Condition omitted, staff will review slope landscaping as a site specific condition.

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

APPLICANT: _____ PREPARED BY: JF

REPRESENTATIVE: _____ CHECKED BY: _____

PROJECT: _____ TO PLANNING: _____

All conditions marked are applicable to the above referenced project for the phase indicated.

D. PRIOR TO ANY PLAN CHECK:

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

E. PRIOR TO ISSUANCE OF A GRADING PERMIT:

- 1. Prior to approval of a grading plan, 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. See Condition D-1
- 2. The proposed structures and grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations". See Condition D-1, Floodplain Ordinance
- 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 removal. See Condition D-2

(Adopted by Planning Commission Resolution 94-038)

- 4. 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. See Condition D-3
- 5. A Preliminary Soils and/or Geology Report shall be prepared by a registered engineer for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site. See Condition D-4

F. PRIOR TO ANY SITE WORK:

- 1. All off-site public 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 the Public Works Department Standards and Specifications. See Condition E-1
- 2. 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 heads. See Condition E-2
- 3. 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. See Condition D-5, Standard Specifications
- 4. 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. Not needed as a standard condition required by Engineering Standard Specifications.
- 5. 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. See Condition E-3
- 6. The owner shall offer to dedicate and improve the following street(s) to the standard indicated: See Condition F-3

Golden Hill Road Arterial	A-1	
Street Name	City Standard	Standard Drawing No.

- 7. 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: See Condition F-9
 - a. Public Utilities Easement;
 - b. Water Line Easement;
 - c. Sewer Facilities Easement;
 - d. Landscape Easement;
 - e. Storm Drain Easement.

G. 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. **Not needed as a standard condition this is a Building Division Standard.**
- 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. **Not needed as a standard condition this is a Building Division Standard.**
- 3. When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer. **This condition is not applicable.**
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed. **Not needed as a standard condition this is a Building Division Standard.**
- 5. 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 per Fire Department recommendation. **See Fire Department Conditions G-1**
- 6. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following: **See Condition F-10**
 - 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.
- 7. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) - in 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. **See Condition F-11**
- 8. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map (FIRM) in 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 Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State California. **See Condition F-11, Floodplain Ordinance**

H. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services and any outstanding annexation fees. **See Condition F-1**
- 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council. **See Condition F-2**

(Adopted by Planning Commission Resolution 94-038)

- 3. All final property corners and street monuments shall be installed before acceptance of the public improvements. See Condition F-12
- 4. 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. N/A standards specifications
- 5. The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer. Not needed as a standard condition required by Engineering Standard Specifications.
- 6. If 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 graded shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition). See Condition F-5
- 7. If 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' wide travel lane and 4' wide graded shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition). See Condition F-5
- 8. When the project fronts on an existing street, the applicant shall pave-out from the proposed curb 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 is inadequate, 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). See Condition F-6
- 9. 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. See Condition F-7
- 10. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV and telephone) underground (as shown on the composite utility plan). 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. All underground construction shall be completed and approved by the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets. See Condition F-8
- 11. Prior to paving any street the water and sewer systems shall successfully pass a 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. Not needed as a standard condition required by Engineering Standard Specifications.

- 12. A blackline clear Mylar (0.4 MIL) copy and a blueline print 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. See Condition F-15
- 13. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element. See Condition F-14

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

I. 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. See Condition No. G. 1
- 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. See Condition No. G. 1
- 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance. See Condition No. G. 7
- 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. See Condition No. G. 5
- 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. This condition will be handled on a site by site basis.
- 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. This condition will be through the weed abatement process.
- 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. This condition will be handled on a site by site basis.
- 8. Provisions shall be made to update the Fire Department Run Book. Not needed as a standard condition.

(Adopted by Planning Commission Resolution 94-038)

EXHIBIT A OF RESOLUTION 0__ - ____

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

PROJECT #: _____

APPROVING BODY: _____

DATE OF APPROVAL: _____

APPLICANT: _____

LOCATION: _____

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 _____ unless a time extension request is filed with the Community Development Department prior to expiration. Same - see new condition A-1.
- 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. Same – see new condition A2.
- 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. Same – see condition A-21.
- 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. This condition was omitted; filing fee will be required to be paid up front at the time of the initial Planning Deposit.
- 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

(Adopted by Planning Commission Resolution 94-038)

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. Same – see new condition B-1.

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. Same – see new condition A-6.

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. Same – see new condition A-14.

8. All existing and/or new landscaping shall be installed with automatic irrigation systems. Same – see new condition A-15.

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. Same – see new condition A-16.

10. The following areas shall be placed in a Landscape and Lighting District: See new condition F-9.

11. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City: Same – see new condition B-5.

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. This condition has been omitted, and will be handled on as a site design manner during the development review process.

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. This condition has been omitted, and will be handled on as a site design manner during the development review process.

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. See new condition A-22.

(Adopted by Planning Commission Resolution 94-038)

- 2. Prior to the issuance of building permits, the
 - Development Review Committee shall approve the following:
 - Planning Division Staff shall approve the following:
 - a. A detailed landscape plan including walls/fencing;
 - b. Other: Architectural Site Plans and Elevations

See new condition A-23

- 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. **See new condition B-2**
- 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. **This condition has been omitted, Impact Fees are required to be paid in conjunction with a Building Permit and do not need to be addressed as a standard condition.**

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.~~

This condition has been omitted since the CFD related to the School District has been inactive for many years.

- 6. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map. **See new condition B-4**
- 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. **This condition has been omitted; there are more recent policies related to recycling and waste that supersede this condition.**
- 8. The developer shall provide constructive notice to future buyers that all residential units shall be required to be equipped with trash compactors. **This condition has been omitted; there are more recent policies related to recycling and waste that supersede this condition.**
- 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. **Staff reviews projects with the Police Department as necessary as part of the development review process, therefore this standard condition is not needed.**

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

APPLICANT:
REPRESENTATIVE:
PROJECT:

PREPARED BY:
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. See Condition C-1/F-1

- 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). See Condition F-4

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: See Condition F-10
 - 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: See Condition F-9
 - 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:

See Condition F-3

Street Name	City Standard	Standard Drawing No.
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6. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department. **See Condition E-3**

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. **See Condition E-1**

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. **See Condition D-4**

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. **See Condition E-2**

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. **See Condition D-3**

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. **Not needed as a standard condition required by State Subdivision Map Act.**

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. **See Condition F-8**

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. **Reworded, See Condition F-7**

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. **Not needed as a standard condition required by Engineering Standard Specifications.**

- 15. The owner shall install all street name, traffic signs and traffic striping as directed by the City Engineer. Not needed as a standard condition required by Engineering Standard Specifications.
- 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.) See Condition F-5
- 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.) See Condition F-5
- 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.) See Condition F-6

E. PRIOR TO ANY SITE WORK: This Section moved to Grading Permits, Section D

- 1. The applicant shall obtain a Grading Permit from the City Building Division. Removed N/A
- 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. See Condition D-1
- 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. See Condition D-2
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed. Removed N/A
- 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. See Condition D-5, Grading Ordinance
- 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. Not needed as a standard condition required by Engineering Standard Specifications.

(Adopted by Planning Commission Resolution 94-038)

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. **Not needed as a standard condition required by Building Division.**
- 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. **Not needed as a standard condition required by Engineering Standard Specifications.**
- 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. **See Fire Department Standard Condition G-1**
- 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. **See Condition E-4**
- 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. **See Condition E-4, Flood Plane Ordinance**

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. **See Condition F-12**
- 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. **See Condition F-2**
- 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. **See Condition D-5**
- 4. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection Services and any outstanding annexation fees. **See Condition F-1**
- 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. **Not needed as a standard condition required by Engineering Standard Specifications.**
- 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. **See Condition F-14**

- 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. See Condition F-4
- 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. See Condition F-15
- 9. A benchmark shall be placed for vertical control on the U.S.G.S. Datum as required by the City Engineer. See Condition F-15

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. See Condition No. G. 1
- 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. See Condition No. G. 1
- 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance. See Condition No. G. 7
- 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. See Condition No. G. 5
- 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. This condition will be handled on a site by site basis.
- 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. This condition will be through the weed abatement process.
- 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. This condition will be handled on a site by site basis.

(Adopted by Planning Commission Resolution 94-038)

- 8. Provisions shall be made to update the Fire Department Run Book. Not needed as a standard condition.

(Adopted by Planning Commission Resolution 94-038)

RESOLUTION NO.

**A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES
TO APPROVE THE 2009 STANDARD CONDITIONS OF APPROVAL UPDATE**

WHEREAS, On November 21, 1994, the Planning Commission adopted Resolution 94-38 establishing standard conditions of approval for the purpose of providing the development community with a consistent set of project conditions; and

WHEREAS, the 2009 Update of the Standard Conditions of Approval are modified to incorporate minor refinements and clarifications and includes new conditions that reflect current policies; and

WHEREAS, the 2009 Update does not require a change in the City's General Plan, Zoning Code, or other City policies; and

WHEREAS, the 2009 Update is consistent with the General Plan since it helps streamline the development review process by establishing a standard set of development conditions; and

WHEREAS, the Planning Commission held a noticed public hearing on October 13, 2009 to consider the draft standard conditions and to accept public testimony regarding the proposed draft standard conditions; and

WHEREAS, at the October 13, 2009 meeting, the Planning Commission continued the open public hearing to November 10, 2009 to allow additional time for Staff to review the conditions with the public; and

WHEREAS, the Planning Commission on November 10, 2009 opened the continued public hearing to consider the draft standard conditions and to accept public testimony regarding the proposed draft standard conditions; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve the attached standard conditions of approval as presented in attached Exhibit A

PASSED AND ADOPTED THIS 10th day of November, 2009 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHARLES E. TREATCH, CHAIRMAN

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

EXHIBIT A OF RESOLUTION
CITY OF EL PASO DE ROBLES
STANDARD DEVELOPMENT CONDITIONS

Planned Development _____ Conditional Use Permit _____

Tentative Parcel Map _____ Tentative Tract Map _____

Approval Body: _____ Date of Approval: _____

Applicant: _____ Location: _____

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 Community Development Department, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS – PD/CUP:

- 1. This project approval shall expire on _____ unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied 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 shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney's fees, incurred by City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City's actions with respect to the project.
- 4. Any site specific condition imposed by the Planning Commission in approving this project (**Conditional Use Permit**) may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case

(Adopted by Planning Commission Resolution _____)

of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

- 5. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 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 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.
- 8. Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation.
- 9. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
- 10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.
- 12. For commercial, industrial, office or multi-family projects, all existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.

(Adopted by Planning Commission Resolution _____)

- 13. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- 14. 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 shall be subject to approval by the Community Development Director or his designee.
- 15. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 16. 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.
- 17. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
- 18. Prior to the issuance of a building permit, the property owner shall record an instrument, to be approved by the City Attorney, naming the City of Paso Robles as the sole agent for pumping and delivering the overlyer's groundwater rights.

NOTE: THIS CONDITION IS CURRENTLY UNDER REVIEW BY THE CITY ATTORNEY.

- 19. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., 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 removal.
- 20. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 21. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community

(Adopted by Planning Commission Resolution _____)

Developer Director or his designee.

- 22. 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 prior to the issuance of building permits.
- 23. 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 site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
 - b. A detailed landscape plan;
 - c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
 - d. Other:

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

- 1. 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.
- 2. 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.
- 3. The owner shall petition to annex residential Tract (or Parcel Map)_____ into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
- 4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
- 5. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

(Adopted by Planning Commission Resolution _____)

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

All conditions marked are applicable to the above referenced project for the phase indicated.

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 ISSUANCE OF A GRADING PERMIT:

- 1. Prior to approval of a grading plan, 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.
- 2. 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.
- 3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.
- 4. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
- 5. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

(Adopted by Planning Commission Resolution _____)

- 1. All off-site public 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 the Public Works Department Standards and Specifications.
- 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.
- 3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
- 4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
- 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Street Name	City Standard	Standard Drawing No.
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- 4. If, at the time of approval of the final 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.

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

- 5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the

(Adopted by Planning Commission Resolution _____)

applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic.

- 6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.
- 7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on _____ along the frontage of the project.
- 8. The applicant shall install all utilities. 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.
- 9. 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.
- 10. 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/open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
- 11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
- 12. All final property corners shall be installed.
- 13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.

(Adopted by Planning Commission Resolution _____)

- 14. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.
- 15. Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

PASO ROBLES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the Department of Emergency Services, (805) 227-7560, for compliance with the following conditions:

G. GENERAL CONDITIONS

- 1. Prior to the start of construction:
 - Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines.
 - Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.
 - Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.
 - A based access road sufficient to support the department's fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project.
 - Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.
- 2. Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
 - Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.
- 3. Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
- 4. If required by the Fire Chief, provide on the address side of the building if applicable:
 - Fire alarm annunciator panel in weatherproof case.
 - Knox box key entry box or system.

(Adopted by Planning Commission Resolution _____)

- Fire department connection to fire sprinkler system.
- 5. Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
- 6. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
- 7. Prior to the issuance of Certificate of Occupancy:
 - Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
 - Final inspections shall be completed on all buildings.

(Adopted by Planning Commission Resolution _____)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

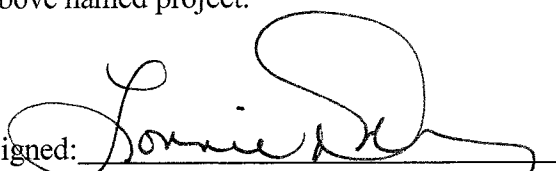
Newspaper: Tribune

Date of Publication: September 29, 2009

Hearing Date: October 13, 2009
(Planning Commission)

Project: Update of the City's Standard
Conditions of Approval

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

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CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider the 2009 Update of the City's Standard Conditions of Approval.

The current version of the Standard Conditions was approved by the Planning Commission in 1994. The 2009 version consists of minor refinements and/or clarifications and would not necessitate a change to the City's General Plan, Zoning Code, or other City policies.

The Planning Commission hearing will take place on Tuesday, October 13, 2009, at the hour of 7:30 PM in the City Hall/Library Conference Room, 1000 Spring Street, Paso Robles, California, at which time all interested parties may appear and be heard.

Comments on the proposed Update 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.

A draft version of the proposed 2009 Standard Conditions Update is available on the City's website located at: <http://www.prcity.com/government/departments/commdev/planning/>

Additionally the Draft Update is now available for review at the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446. The Staff Report pertaining to the 2009 Update will be available on the Thursday before the scheduled date of each hearing.

If you challenge the 2009 Standard Condition Update 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 29, 2009 6846656