

RESOLUTION NO.: 99-016
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE AN AMENDMENT TO
PLANNED DEVELOPMENT 97010
(PIPPIN)
APN: 008-092-032

WHEREAS, Planned Development 97010 was filed in 1997 by Bill Pippin in conjunction with Parcel Map PR 97-138, to create four residential parcels from a 1.4 acre site located on the south side of 24th Street west of Royal Court (at Wild Deer Lane), and

WHEREAS, the existing zoning of the 1.4 acre site is R-2, PD, and

WHEREAS, the Planned Development and Parcel Map applications filed in 1997 by Bill Pippin were specifically intended to create four lots that would be limited to single family residential unit density, irrespective of the R-2,PD zoning of the site, and

WHEREAS, a public hearing was conducted by the Planning Commission on November 25, 1997 and December 9, 1997, to consider facts as presented in the staff report, and to accept public testimony regarding this proposed development plan and the accompanying parcel map, and

WHEREAS, the public hearing notices published in the newspaper and mailed to surrounding property owners, along with the staff report prepared for and considered by the Planning Commission at the above noted public hearings, properly referenced the applications for the creation of four (4) single family residential parcels, and

WHEREAS, on December 9, 1997 the Planning Commission adopted Resolution 97-056 (approving the Planned Development application), and Resolution 97-057 (approving the tentative parcel map), and

WHEREAS, said Planned Development Resolution 97-056 inadvertently did not contain a specific description reference or condition which specified the maximum density of the four created parcels as one dwelling unit per lot, and

WHEREAS, a Final Map has since been filed for Parcel Map PR 97-138 and the four lots are now each legal lots of record, and

WHEREAS, recent building permit and zoning inquiries on the subject parcels has brought the single family density discrepancy to light, and

WHEREAS, there was never any documented intent to create other than four (4) single family residential parcels at this 1.4 acre site, and

WHEREAS, the topography, private driveway access, drainage channel, adjoining land uses, and oak tree locations on these four lots makes them most suitable for single family residential density, and

WHEREAS, the project is located in the R2,PD zone where a Planned Development application needs to be approved by the Planning Commission for lot development, and

WHEREAS, Section 21.16A.030-5 of the Zoning Code establishes that the Planned Development Overlay designation, “can be used to limit the types and intensities of land uses within any base zone.”

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby resolve, determine and order as follows, based upon the facts and analysis presented in the staff reports, and public testimony:

Section I Findings

That the Planning Commission of the City of El Paso de Robles does hereby make the following findings:

1. That the proposed Planned Development is consistent with the goals and policies established by the general plan;
2. That the proposed Planned Development is consistent with the zoning code;
3. That the proposed Planned Development will be consistent with all other adopted codes, policies, standards and plans of the city;
4. That the proposed Planned Development will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the person residing or working in the neighborhood, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city;
5. That the proposed Planned Development accommodates the aesthetic quality of the city as a whole;
6. That the proposed Planned Development is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of environmental and social impacts;
7. That the proposed Planned Development contributes to the orderly development of the city as a whole.

Section 2 Environmental Determination

That based on the City’s independent judgment, the Planning Commission of the City of El Paso de Robles determines that the proposed Planned Development application is subject to the California Environmental Quality Act (CEQA) and qualifies as a Class 15 categorical exemption, section 15315(a) of the CEQA Guidelines.

Section 3 Planned Development Approval and Conditions

The Planning Commission of the City of El Paso de Robles does hereby approve the amendment to PD 97010 as follows:

CONDITIONS OF APPROVAL:

1. All conditions of Resolution 97-056, adopted by the Planning Commission on December 9, 1997, shall apply to these four parcels created by Parcel Map PR 97-138, and attached as "Exhibit A" to this resolution.
2. The maximum residential density for each and any of these four (4) parcels shown in the attached Exhibit "B" shall be one (1) single family dwelling unit.

PASSED AND ADOPTED THIS 9th day of February 1999, by the following Roll Call Vote:

AYES: FERRAVANTI, FINIGAN, JOHNSON, STEINBECK, WARNKE

NOES: NONE

ABSENT: NEMETH

ABSTAIN: NONE

CHAIRMAN GEORGE FINIGAN

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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