

RESOLUTION NO.: 01-022

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT APPROVAL FOR TENTATIVE PARCEL MAP 99-070  
(APPLEBAUM)

APN: 008-092-025

WHEREAS, Parcel Map 99-070 has been filed by Charles Applebaum, a proposal to subdivide an approximate 46,034 square foot site into four (4) multiple family residential lots and one (1) open space “remainder” lot, and

WHEREAS, the proposed subdivision would be located at 344 24<sup>th</sup> Street, and

WHEREAS, the General Plan land use designation is RMF-L (Residential Multiple Family Low Density) and the zoning is R-2, PD (Residential Multiple Family Low Density, Planned Development) for the four developable lots, and

WHEREAS, the General Plan land use designation is RSF (Residential Single Family) and the zoning R-1, B-2 for the “remainder” lot, and

WHEREAS, Planned Development 00-018 has been filed in conjunction with this parcel map request for the purpose of establishing lot sizes and configurations which meet the requirements of the R-2 zoning district, and

WHEREAS, the applicant has proposed to dedicate the R-, B-2 zoned portion of the property (non-buildable area) of approximately 30,651 square feet, in fee, to the City of Paso Robles as permanent open space, and

WHEREAS, an Initial Study was prepared for this project and a mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) was approved by the Planning Commission on February 27, 2001, and

WHEREAS, a public hearing was conducted by the Planning Commission on February 27, 2001, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and associated planned development, and

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

the following findings as required by Government Code Section 66474:

1. As conditioned, the proposed tentative subdivision map is consistent with the adopted General Plan for the City of El Paso de Robles.
2. As conditioned, the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
3. The site is physically suitable for the type of development proposed;
4. The site is physically suitable for the proposed density of development;
5. The design of the subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the subdivision and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the subdivision and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant tentative map approval to Parcel Map 99-070 subject to the following conditions of this resolution:

**STANDARD CONDITIONS:**

1. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 00-018 and its exhibits.
2. 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.

3. 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>
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B Tentative Parcel Map  
C Grading Plan

4. This Tentative Parcel Map 99-070 and Planned Development 00-018 authorizes the subdivision of an approximate 46,034 square foot parcel of multiple family zoned property into four (4) residential lots with two (2) units per lot for a total of eight (8) units. This project proposes to fully develop the hypothetical density (4 lots/ 8 units). The remainder parcel of 30,651 square feet shall be dedicated to the City as an open space lot and annexed to the Landscaping & Lighting District.
5. The applicant shall provide an access easement to the City for the dedicated open space lot.
6. The maximum number of residential developable lots permitted within this development plan shall be four (4). No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments) and no lots shall be permitted to be developed beyond one unit per recorded lot.
7. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan (Exhibits B & C - **reductions attached**; full size copy is on file in the Community Development Department) and as amended by site specific and standard conditions contained in this resolution.
8. The Parcel Map is proposed to be built in a single development phase. If the developer were to propose phasing of the project, it shall be necessary for a phasing plan to be considered as an amendment to the Parcel Map and Planned Development applications, to be considered by the Planning Commission at a public hearing.
9. Prior to recordation of a Final Map, Planned Development 00-018 detailed plans shall be submitted for review and approval by the Development Review Committee (DRC).
10. Prior to the issuance of a grading permit, the applicant shall receive approval from the Federal Emergency Management Administration (FEMA) to allow the revision to the 100 year floodplain line.
11. Concurrent with map recordation and in a format to be approved by the City Attorney, the developer shall provide constructive notice to future lot owners that the conditions and stipulations of PD 00-018 govern the density and design standards for this subdivision. This notice shall explicitly state that the maximum number of permissible dwelling units per lot shall be two (2), and that there shall be only two points of access from the development to 24<sup>th</sup> Street.
12. The applicant shall implement all mitigation measures contained in the Project Mitigation Table of the Project's Environmental Initial Study, including:
  - a) The 30,651 square feet of Open Space designated on the Parcel Map as remainder parcel shall be dedicated in fee to the City of Paso Robles as permanent open space with

map recordation, consistent with the City's General Plan policies for preservation and conservation of natural resource areas.

- b) Erosion control measures shall be undertaken throughout construction to reduce water velocity and inhibit soil movement.
  - c) Prior to issuance of a grading permit, the applicant shall obtain all the required permits from Fish and Game, and other agencies as applicable, to allow work adjacent to or within the seasonal creek.
13. Prior to development and/or final map, a permit from FEMA is required that demonstrates flow velocity has been reduced to a rate that will not increase drainage turbidity or cause erosion to the seasonal creek.
14. In the event that during site construction there are archaeological or historical resources unearthed, work shall stop and the developer and/or his contractor shall contact the Community Development Department so that appropriate mitigation measures can be identified and implemented per CEQA requirements.

#### **ENGINEERING SITE SPECIFIC CONDITIONS**

15. The property owner shall offer to dedicate 2 feet of property frontage. The property owner shall offer to dedicate 2 feet of property frontage along 24<sup>th</sup> Street (minor arterial, 42 foot half width, City Std. A-2).
16. The property owner shall construct half width improvements of 24<sup>th</sup> Street (curb, gutter and sidewalk). The improvements shall join the existing improvements on the west, and shall transition to meet the existing improvements on the east. The improvements shall be completed and accepted by the City Council prior to recordation of the final map. The applicant may post bonds in lieu of completion of improvements in accordance with Standard Condition No. D-2.
17. The existing overhead utility line shall be installed underground.
18. The street light hanging from the wooden pole with the overhead wires shall be replaced with a street light conforming to current City standards (City Std. U-3).
19. The property owner shall annex to the City's Landscape and Lighting District (see Standard Condition No. D-3) to provide for the funding of operation and maintenance of open space area and street lights.
20. Individual sewer and water laterals are to be constructed to the sewer and water mains in 24<sup>th</sup> Street. Individual sewer clean-outs and water meters shall be located at the right of way boundary of 24<sup>th</sup> Street.

21. If necessary, the developer shall obtain any required permits from the Department of Fish and Game and/or the Corps of Engineers for any improvement work adjacent to the creek.
22. The applicant shall enter into a Private Maintenance Agreement for the common driveway, and a reciprocal access shall be noted on the parcel map.

**AIR POLLUTION CONTROL DISTRICT CONDITIONS:**

23. Walls and attic insulation shall be increased beyond Title 24 requirements. The building plans shall include calculations for Title 24 requirements and indicate how additional insulation has been added.
24. Construction traffic shall avoid unpaved roads and use paved roads to access the site when feasible.
25. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
26. Water trucks or sprinklers systems shall be used in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency shall be required whenever wind speeds exceed 15 mph.
27. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
28. All dust control mitigation measures required shall be shown on the grading plans. The contractor shall designate a person to monitor the dust control program and the name and number of such persons shall be provided to the City.

PASSED AND ADOPTED THIS 27<sup>th</sup> Day of February, 2001 by the following Roll Call Vote:

AYES: Calloway, Nicklas, Tascona, McCarthy, Steinbeck, Warnke, Johnson

NOES: None

ABSENT: None

ABSTAIN: None

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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