

RESOLUTION NO.: 02-002  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 2430  
(RITTER)  
APN: 025-402-066

WHEREAS, Tentative Tract 2430 has been filed by Ron Grider, on behalf of Anthony Ritter and Ritter Construction, a proposal to subdivide an approximate 4.81 acre site located at the southwest corner of Arciero Way and Bella Vista Court into 9 residential lots and one open space parcel, for development with 9 single-family residences, and

WHEREAS, Planned Development 01-016 has been filed in conjunction with this tentative map request, and

WHEREAS, the proposed subdivision would be located west of Arciero Way and south of Bella Vista Court within the Union/46 Specific Plan area, and

WHEREAS, an Environmental Impact Report (EIR) was prepared for the Union/46 Specific Plan area and the EIR was certified for adequacy by the City Council in February of 1988, and

WHEREAS, there has been no significant increase or change in the severity of identified effects of the Specific Plan's build out since the preparation and certification of said EIR in 1988, and

WHEREAS, Section 15182 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA) exempts projects from additional environmental review when it can be determined that the subject project(s) is consistent with the adopted Specific Plan of which it is a part.

WHEREAS, a public hearing was conducted by the Planning Commission on, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision, 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, the applicable Specific 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 Tract 2430 subject to the following conditions of this resolution:

**STANDARD CONDITIONS:**

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.

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

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Tentative Tract Map
C	Site and Road sections

2. This Tentative Tract Map 2430 authorizes the subdivision of approximately 4.81 acres into 9 residential lots ranging in size from 10,001 to 19,230 square feet, and one open space parcel of 93,196 square feet.
3. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map (exhibit reductions attached; full size copies are on file in the Community Development Department).
4. The project shall comply with all conditions of approval in the resolution granting approval to Planned Development 01-016 and its exhibits.
5. All lighting located within the public right of way shall be shielded (directing light downward, rather than outward) to meet the City standard and maintained through a Landscape and Lighting District.

6. The project, as proposed, is to be developed in a single phase. Any subsequent phasing shall be approved by the Planning Commission following a public hearing as part of an application to amend the tentative map.
7. A Landscape Plan for all public street improvements and the pedestrian path shall be submitted for review by the Development Review Committee prior to map recordation.
8. The maximum number of residential lots permitted within this subdivision/development plan shall be nine (9). 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.
9. Concurrently with the recordation of the Final Map, the Subdivider shall record a Notice, as approved by the City Attorney, advising all future property owners of Lots 1 and 3 that absolutely no encroachment into the driplines of the oaks, and no site grading that will adversely impact the trees by cutting or filling around them, will be permitted. The Constructive Notice will advise all future property owners that these lots are required to be developed with custom home designs that work within the lot constraints.

#### **ENVIRONMENTAL MITIGATION MEASURES:**

##### **1. Air Quality**

The applicant shall incorporate the following design and operational measures to minimize short term air emissions:

- A. Reduce the amount of disturbed areas where possible;
- B. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceeds 15 mph. Reclaimed (nonpotable) water should be used whenever possible;
- C. All dirt stock-pile should be sprayed daily as needed;
- D. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities;
- E. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast-germinating native grasses seed and watered until vegetation is established;
- F. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the local agency (who may consult with APCD);
- G. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- H. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer);
- I. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;

- J. Sweep streets at the end of each day if visible soil material is carried onto adjacent road. Water sweepers with reclaimed water should be used where feasible.
- K. The applicant shall design and provide for the following long term air emission mitigations as part of the project design as follows:
- When feasible, orient buildings to maximize natural heating and cooling;
  - Provide for street tree planting as shown;
  - Provide for pedestrian and bicycle access within project;
  - Utilize outdoor electrical outlets to encourage the use of electric appliances and tools when feasible;
  - When feasible, use of built-in energy efficient appliances, double-paned windows, and energy efficient interior lighting.

## **2. Biology & Wildlife**

- A. Native oak trees shall be included in the final landscape palette for the project.
- B. The 93,196 square feet of Open Space designated on the Tentative Tract Map 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.
- C. Prior to issuance of a grading permit, the applicant shall obtain all the required permits from the CA. Department of Fish and Game, and other agencies as applicable, to allow any work that would be adjacent to the oak woodland or drainage swales that may be determined to be within CDFG jurisdiction. Any mitigation measures required by the CDFG as a result of their permitting process shall be incorporated into the project description and conditions of approval. The applicant shall provide Staff with a copy of the CDFG permit and any mitigations or conditions imposed thereon.

## **3. Cultural Resources**

Grading and/or construction shall be halted in the event that significant archaeological resources are discovered. Grading and/or construction may be resumed upon determination and implementation of appropriate mitigation measures as recommended by the archaeologist and approved by the City Engineer.

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

1. Roadway dedications shall be made for Bella Vista Court and Arciero Way as part of the recordation of the final map for Tentative Tract Map 2430. Prior to the recordation of the tract map, curb, gutter, sidewalk, parkway landscaping and/or streetlights shall be installed per City Standards and Specifications for that portion of the applicant's property along these streets.

2. The applicant shall dedicate a public easement twelve feet in width along the south boundary of lots 7 and 9, and the detention basin for the purpose of pedestrian access to the open space.
3. Drainage easements shall be recorded on lots 6, 7, 8, and 9, as approved by the City Engineer.
4. In accordance to the Subdivision Map Act, new property corners shall be set upon recordation of the final map.
5. Prior to the issuance of any building permits, the applicant shall pay the pro-rata share of the Airport Trunk Sewer Reimbursement Agreement, River Road sewer reimbursement and the Golden Hill Sewer Reimbursement Agreement.
6. The subdivider shall be responsible for paying his pro-rata share of the lift station for Tract 2223.
7. A separate grading plan shall be approved by the City Engineer concurrent with the application for any building permits. Oak tree protection measures shall be incorporated on lots 1 and 3.
8. The applicant shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the Street Lights and Parkway and Retention Basin Landscaping.
9. This property lies within the adopted Union/46 Specific Plan area. The Union/46 Specific Plan fees must be paid prior to the issuance of certificates of occupancy.
10. The applicant shall implement all mitigation measures contained in the associated Environmental Finding Resolution for this project, which include Project Mitigation Measures identified in the original Certified Environmental Impact Report for the Specific Plan. Additional project level mitigation measures are contained in this tract resolution and are designed to further off set potential impacts to a less than significant level.
11. Concurrently with the recordation of the Final Map, the Subdivider shall record a Notice, as approved by the City Attorney, advising all future property owners that all public improvements must be constructed and accepted by the City prior to the issuance of Certificate of Occupancy on any lot within the subdivision. The Constructive Notice shall also advise all future property owners of the conditions of approval contained in the Planned Development Resolution for this tract, particularly as pertaining to the design of future homes.
12. Prior to the issuance of a grading permit, the sewer design to serve Tentative Tract 2430 shall be submitted to the Public Works Department for review and approval. The developer shall construct a sewerline that will allow properties to the south to utilize the sewer pipes via gravity flow in accordance to the Sewer Master Plan.

PASSED AND ADOPTED THIS 8<sup>th</sup> Day of January, 2002, by the following Roll Call Vote:

AYES: CALLOWAY, JOHNSON, MCCARTHY, NICKLAS, STEINBECK, TASCONA,  
WARNKE

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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CHAIRMAN RON JOHNSON

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY