

RESOLUTION NO.: 02-016
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 01-355
(PEMBERTON)
APN: 025-402-001

WHEREAS, Parcel Map PR 01-355, an application filed by Margaret Pemberton, to divide an approximate 12.3 acre parcel located at 1650 Kleck Road, and

WHEREAS, the subject site is located in the Residential Single Family – 3 (RSF-3) land use category (3 dwelling units per acre) and the R1, PD3 zoning district, and

WHEREAS, the proposed Parcel 1 is currently developed with one single family residence and the remainder parcel is vacant, and

WHEREAS, the applicant proposes to create one parcel of approximately 2.7 acres and one remainder parcel of approximately 9.5 acres, and

WHEREAS, the proposed subdivision is within the boundaries of the Union/46 Specific Plan, and

WHEREAS, The Development Review Committee reviewed the tentative parcel map on December 3, 2001 where the main topic of discussion was related to the applicant's approach to meeting the open space dedication requirement as outlined in the Specific Plan by providing all open space at the time of development of the remainder parcel and recommended approval of the proposed open space configuration to the Planning Commission; and,

WHEREAS, the proposed parcel map is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), and

WHEREAS, a public hearing was conducted by the Planning Commission on March 12, 2002 to consider facts as presented in the staff report prepared for the tentative parcel map, and to accept public testimony regarding the application, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the Planning Commission makes the following findings as required by Government Code Sections 66474 and 65457:

1. The proposed tentative parcel map is consistent with the adopted General Plan for the City of El Paso de Robles;
2. The proposed tentative parcel map is consistent with the adopted Union/46 Specific Plan;

3. The design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance;
4. The site is physically suitable for the type of development proposed;
5. The site is physically suitable for the proposed density of development;
6. The design of the land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
7. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
8. The design of the land division 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 for Parcel Map PR 01-355 subject to the following conditions of approval:

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer of the remainder parcel shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution.

SITE SPECIFIC CONDITIONS OF APPROVAL:

NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede the standard condition.

COMMUNITY DEVELOPMENT

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

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Tentative Parcel Map PR 01-355
C	Conceptual Open Space Area
D	New Driveway Alignment
E	Ingress/Egress Easement

3. The applicant for the remainder parcel shall post a security for the undergrounding of the existing overhead utility pole, which shall be undergrounded in conjunction with development of the remainder parcel.

4. No further development shall be allowed on the remainder parcel prior to the issuance of a subdivision map or a conditional certificate of compliance.
5. Concurrent with the recordation of the final map, the applicant shall record constructive notice to any future buyers or owners of the remainder parcel that any future development, including, but not limited to, the issuance of a single family residential building permit, will require application and approval of a subdivision map or conditional certificate of compliance. All applicable conditions of approval of this parcel map, including, but not limited to, utility undergrounding, will be required prior to development entitlement for the remainder parcel. All deferred public improvements and impact fee payments associated with this parcel map will be required at the time of final approval of a subsequent subdivision map or prior to any development for a conditional certificate of compliance for the remainder parcel.
6. All open space dedication requirements as defined in the Union/46 Specific Plan shall be required at the time of approval of a subdivision map or a conditional certificate of compliance for the remainder parcel.
7. The open space requirements shall be in substantial conformance with the attached Exhibit C.
8. When the right of way is improved, as shown on the improvement plans for Tentative Tract 2369, the applicant shall relocate the driveway entrance for access to Parcel 1 to align with Kleck Road as shown on the attached Exhibit D.
9. The applicant shall connect the existing residence on Parcel 1 to the City's sewer system and abandon the septic system in accordance with County of San Luis Obispo Health Department and City Municipal Code requirements or apply to the City Council for approval to continue use of the septic system.
10. The applicant shall obtain all necessary permits and abandon the existing agricultural well in accordance with Section 14.06.046 of the City's Municipal Code. If the applicant wishes to retain the use of the well for agricultural purposes, the applicant shall demonstrate the agricultural uses on the property for which the well is being used and make application to the City Council for approval to continue use of the well.
11. Concurrent with the recordation of the final map for this subdivision, the applicant shall record constructive notice of the right to use the property described in an Irrevocable and Perpetual Offer to Dedicate, recorded at the County Recorder's Office, San Luis Obispo County as Document No. _____ of Official Records for ingress and egress to the remainder parcel. The approximate location of the easement is as shown on Exhibit E attached to this resolution.
12. Concurrent with the recordation of the final parcel map, the applicant shall record constructive notice of the drainage easement over the remainder parcel.

13. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to occupancy the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant's expense.

PASSED AND ADOPTED THIS 12th day of March, 2002 by the following Roll Call Vote:

AYES: FERRAVANTI, JOHNSON, KEMPER, McCARTHY, STEINBECK,
WARNKE

NOES:

ABSENT: CALLOWAY

ABSTAIN:

CHAIRMAN, ED STEINBECK

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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