

RESOLUTION NO.: 04-072

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 04-0126
(MUMFORD)
APN: 008-245-014

WHEREAS, Parcel Map PR 04-0126, an application filed by Micah Mumford to divide 7,000 square foot lot into two (2) individual parcels for development of one house and one detached garage on each lot; and

WHEREAS, the site is located at the end of 19th Street, west of Riverside Avenue, adjacent to the railroad tracks; and

WHEREAS, Section 21.20.215 of the Municipal Code (Ordinance No. 719 N.S.) of the City of El Paso de Robles requires approval of a Conditional Use Permit for the development of new residential uses in the Commercial Service area bounded by 18th Street, 24th Street, the railroad tracks and Highway 101, and

WHEREAS, in conjunction with PR 04-0126, the applicant has filed Conditional Use Permit 04-006; and

WHEREAS the property in which the house would be located is zoned R3 (Multi-family Residential, Medium Density) and the General Plan designation is CS (Commercial Service); and

WHEREAS, although the zoning designation is R3, the Ordinance requires that R2 densities be used when calculating the number of residential units on a lot in this geographic area of the City; 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 June 8, 2004 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 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 land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

6. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
7. 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 04-0126 subject to the following conditions of approval:

STANDARD CONDITIONS OF APPROVAL:

1. The applicant/developer 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.

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>
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B	Tentative Parcel Map PR 04-0126
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3. The project shall comply with all conditions within the resolution to approve Conditional Use Permit 04-0126.
4. Prior to issuance of a building permit for each Parcel, the applicant shall submit site plans, landscaping plans, elevations and a materials and color board for review and approval by the Staff.
5. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to the recordation of the final parcel map, 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.
6. Prior to or concurrent with the recordation of the final map, a private maintenance agreement or some other means of agreement shall be recorded on Parcels 1 and 2 regarding the maintenance of the driveway. Language shall be reviewed by the City Engineer.
7. Prior to the recording of the final map, or of the issuance of a building permit for either parcel, an oak tree preservation security shall be posted in the amount based on the valuation of the trees

according to the guidelines set forth within the council of tree and landscape appraisers "Guide for Plan Appraisal" as approved by the Director (Section 10.01.050).

ENGINEERING SITE SPECIFIC CONDITIONS

8. Prior to occupancy of any building permit, curb, gutter and sidewalk shall be constructed in accordance with plans approved by the City Engineer.
9. Prior to final map approval, the applicant shall enter into an agreement not to protest the formation of an assessment district to underground existing overhead utilities in the block.
10. The final parcel map shall include all utility and access easements necessary, including easements for water and sewer services.

PASSED AND ADOPTED THIS 8th day of June, 2004 by the following Roll Call Vote:

AYES: Ferravanti, Hamon, Johnson, Mattke, Kemper, Steinbeck

NOES: Flynn

ABSENT: None

ABSTAIN: None

CHAIRMAN, TOM FLYNN

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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