

RESOLUTION NO.: 05-0069
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING WAIVER 05-002 FOR 4025 DRY CREEK ROAD
(RANDY CANADAY)
APN: 025-431-068)

WHEREAS, Waiver 05-002 has been filed by Randy Canaday seeking approval of a waiver of curb, gutter and sidewalk improvements for street frontage at 4025 Dry Creek Road in connection with the construction of a second residence; and,

WHEREAS, Title 11 (Streets and Sidewalks) of the Paso Robles Municipal Code specifies that a building permit for construction with a valuation in excess of \$10,000 cannot be issued without requiring the property owner to construct curb, gutter and sidewalk on the public street adjacent to the property's frontage; and

Whereas, the required street improvements are limited to a construction cost of no greater than 25 percent of the building permit valuation; and

WHEREAS, Dry Creek Road is classified as an arterial street in the Circulation Element; and

WHEREAS, rather than waiving the improvements, with the approval of this resolution, the Planning Commission would defer the improvements to Dry Creek Road, consistent with what was required for other projects on Dry Creek Road, such as Santa Cruz Biotech and the Nunno Industrial project; and

WHEREAS, in accordance with the Union Road-Highway 46 Specific Plan requirements, the applicant will deposit fees for future improvements to Union Road as a condition of occupancy of the proposed residence at the subject address, and

WHEREAS, a public hearing was conducted by the Planning Commission on July 26, 2005, to consider the facts as presented in the staff report prepared for the project and to accept public testimony on Waiver 05-002; and

NOW, THEREFORE, BE IT RESOLVED, that based upon the facts and analysis presented in the staff report and the public testimony received, the Planning Commission of the City of El Paso de Robles does hereby:

1. Approve Waiver 05-002, deferring the curb, gutter, and sidewalk improvement requirements for the subject site subject to the following condition of approval:

Prior to the issuance of a Certificate of Occupancy for the second unit, the applicant shall enter into an agreement to participate in an assessment district or other financing program to pay their share of improvements to Dry Creek Road. The maximum amount that would be required would not exceed the 25 percent building permit valuation.

PASSED AND ADOPTED THIS 26th day of July, 2005, by the following Roll Call Vote:

AYES: Mattke, Holstine, Hamon, Flynn, Steinbeck, Menath

NOES: None

ABSENT: None

ABSTAIN: Johnson

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY