

RESOLUTION NO.: 05-0076

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT APPROVAL FOR TENTATIVE PARCEL MAP PR 05-0040**

(Craig/Stoll) APN: 009-252-003

WHEREAS, this is Tentative Parcel Map PR 05-0040, an application filed by Robert H. Craig and William C. Stoll, to divide an approximate 7,000 square foot multiple family residential parcel into two (2) individual parcels located at 429 Vine Street; and

WHEREAS, the subject site is located in the Residential Multi-Family Low Density (RMF-8) land use category and R-2 zoning district; and

WHEREAS, the applicant proposes to create two lots, where one parcel would be 3,422 square feet and one parcel would be 3,578 square feet; and

WHEREAS, a house currently exists on Parcel 1 and will remain, and proposed Parcel 2 is currently vacant; and

WHEREAS, the proposed map would be consistent with Section 21.16I.060, Density of Residential Development; and

WHEREAS, the proposed tentative parcel map is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA), Class 15, Minor Land Divisions; and

WHEREAS, the open public hearing was conducted by the Planning Commission on August 23, 2005 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 land division proposed is not likely to cause serious public health problems;
7. The design of the land division will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;
8. The fulfillment of the requirements listed in the Conditions below are a necessary prerequisite to the orderly development of the site and surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby grant tentative map approval for Tentative Parcel Map PR 05-0040 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.

PLANNING

2. The project shall be designed so that it substantially conforms with the following exhibit and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
B	Tentative Parcel Map PR 05-0040

3. In accordance with the Zoning Code limiting density to two units per 7,000 square feet in the R2 zoning district, only 1 dwelling unit is allowed on each of the parcels.

4. 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.
5. Prior to the issuance of any building permits site plans, architectural elevations and landscaping plans shall be reviewed by the Development Review Committee.

ENGINEERING

6. Prior to occupancy of any building permit on Parcel 2 a standard driveway approach shall be constructed on Olive Drive in accordance with the Olive Drive Standard.
7. Prior to final map approval, the applicant shall reconstruct any damaged curb, gutter and sidewalk on Vine Street.
8. 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.
9. The final parcel map shall include all utility easements necessary, including an easement for sewer service to Vine Street.
10. The applicant shall take the steps necessary to annex to or form a City Community Facilities District (CFD) in order to provide funding for City services for each new parcel or dwelling unit in the proposed development. The agreement to form or annex to a CFD shall be in a manner to be approved by the City Attorney. Participation in a City CFD for services is intended to fully mitigate the incremental impact of new residential development on City services.

In order to insure that there is adequate and consistent funding to provide for City services in a manner reflective of adopted General Plan standards, it is necessary to provide a "fall back" funding mechanism in case, for any reason, it is not possible to annex to or form a CFD that would fully mitigate the incremental fiscal impacts on City services. A fall back funding mechanism is also needed if a CFD is formed and for whatever reason the CFD is invalidated or otherwise is incapable of meeting its intended purpose of fully mitigating the impacts of new residential development on City services.

In order to insure that there is an alternative form of fiscal mitigation, prior to final approval of any project creating additional residential lots or dwelling units, the property owner shall agree, in a manner subject to approval by the City Attorney, to provide for

alternative means of fiscal mitigation. The alternative means of fiscal mitigation could include, but would not be limited to, equivalent services being provided by a Homeowners Association, a perpetual endowment to cover the incremental costs of City services (including a CPI adjustment), a City road maintenance assessment district, or a combination of such tools to insure full fiscal mitigation of impacts to City services.

PASSED AND ADOPTED THIS 23rd day of August, 2005 by the following Roll Call Vote:

AYES: STEINBECK, FLYNN, HAMON, HOLSTINE, JOHNSON, MENATH

NOES:

ABSENT: MATTKE

ABSTAIN:

AYES:

CHAIRMAN, ED STEINBECK

ATTEST:

ROBERT A. LATA
SECRETARY OF THE PLANNING COMMISSION