

**RESOLUTION NO.: 05-0077**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO DENY APPROVAL FOR TENTATIVE LOT LINE ADJUSTMENT PRAL 04-0056  
(OCCHIPINTI)  
APN: 009-011-008**

WHEREAS, Tentative Lot Line Adjustment PRAL 04-0056, an application filed by Joseph Occhipinti, is a proposal to adjust the lot line between Lots 12 and 13 of Tract 37, located at 2420 Greenwood Drive, and

WHEREAS, the subject site is located in the Residential Single-Family Low Density land use category and R-1 B2 zoning district; and

WHEREAS, the applicant proposes to create two parcels of 1.00 acres and 0.56 acres; and

WHEREAS, a house currently exists across the common lot line of Lots 12 and 13 of Tract 37.

WHEREAS, Parcel 1 is proposed to include the house which will remain, and proposed Parcel 2 would be vacant, available for building; and

WHEREAS, the subject area proposed for development generally exceeds 35 percent slope and there would not be a reasonable building site without a significant adverse impact on mature oak trees; 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 lot line adjustment is not 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 not consistent with the General Plan and Zoning Ordinance;
3. The site is not physically suitable for the type of development proposed;
4. The site is not physically suitable for the proposed density of development;
5. The design of the land division is likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby deny approval for Tentative Lot Line Adjustment PRAL 04-0056.

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

AYES: Flynn; Holstine; Hamon; Johnson; Menath; Steinbeck  
NOES:  
ABSTAIN:  
ABSENT: Mattke

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CHAIRMAN, ED STEINBECK

ATTEST:

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ROBERT A. LATA  
SECRETARY OF THE PLANNING COMMISSION