

RESOLUTION NO.: 05-0106

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 05-0186
(KELSHEIMER)
APN: 009-441-031

WHEREAS, Dan Stewart on behalf of Merle Kelsheimer, has submitted an application to subdivide an approximate 1-acre parcel into two half acre parcels; and

WHEREAS, the General Plan land use designation for the site is RSF-2 (Residential Single-Family, 2 units per acre), the Zoning designation is R1-B2 (Residential Single Family, 20,000 square foot minimum lot size); and

WHEREAS, the exiting house would remain on proposed Parcel 2, a new single family home would be built on proposed Parcel 1; 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 November 22, 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 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;
8. The fulfillment of the construction requirements in Condition Number 10 is a necessary prerequisite to the orderly development of the 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 Parcel Map PR 05-0186 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.

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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>
A	Standard Conditions of Approval
B	Tentative Parcel Map

3. PR 05-0186 would allow the subdivision of the existing 1-acre lot into two lots where Parcel 1 would be 21,780 square feet and Parcel 2 would be 27,240 square feet.
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 a building permit for the home on Parcel 1, the final site plans, architectural elevations (showing architectural details on all four sides) and colors/materials shall be reviewed by the Development Review Committee (DRC).
6. All utilities and driveways shall stay out of the Critical Root Zone of the 14-inch oak tree that is located on proposed Parcel 1, unless an arborist can conclude that a driveway can be placed along the northern property line and not impact the tree.
7. Prior to the recordation of the final map, a City approved arborist shall review with the project engineer the proposed final map including the driveway location, and design the location of the driveway so that it does not impact the oak tree.
8. 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 and maintain such services at the standards established in the General Plan

If for any reason, applicant does not take the necessary steps to have the development included within a CFD, applicant shall, in a manner subject to approval by the City Council and City Attorney, provide for alternative means of fiscal mitigation at a level equal to the special taxes established in the Rate and Method of Apportionment applicable to CFD 2005-1, as they may be adjusted from time to time.

For any project resulting in the development of five (5) or more residential units on separate parcels, applicant shall also prepare and record the necessary documents to form a homeowners association (the "HOA") for such development, which HOA shall become active only if and when the CFD is terminated. The HOA documents shall provide that the HOA shall be required to fund the services provided by the CFD, and at the same level established in the Rate and Method of Apportionment for the CFD.

9. Prior to the recordation of the final parcel map, the existing shed shown across the proposed property line shall be relocated or removed.
10. Prior to occupancy of any building permit on Parcel 2, Walnut Drive shall be improved in accordance with the City's Standard for Orchard Bungalow streets across the frontage of the property.

11. Easements must be shown on the final map to provide access to sewer and water for Parcel 2. Utility lines, including sewer and water lines, serving the existing residence on Parcel 2 may have to be relocated prior to recordation of the final map depending upon the easement locations.
12. Prior to the recording of the final map, the project Engineer shall show on the plan an approved Emergency Services turnaround located at the dwelling on Parcel 2.
13. The proposed driveway shall be designed and constructed so that it is capable of supporting the imposed loads of fire apparatus. Design and construction of the driveway shall comply with Municipal Code chapter 21.22.060 sections 4, 6, 8 and 9.

PASSED AND ADOPTED THIS 22nd day of November, 2005 by the following Roll Call Vote:

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

NOES: Flynn

ABSENT: None

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST:

ROBERT A. LATA, SECRETARY OF THE PLANNING COMMISSION

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