

RESOLUTION NO.: 06-0096

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PASO ROBLES
APPROVING PLANNED DEVELOPMENT 06-007 AND TENTATIVE TRACT MAP 2847
FOR PROPERTY LOCATED AT 80 SOUTH RIVER ROAD
APNs : 009-661-040 AND 009-661-041
APPLICANT – CURTIS MORTENSON**

WHEREAS, PD 06-007 and TTM 2847 has been filed by Curtis Mortenson; and

WHEREAS, PD 06-007 and TTM 2847 is an application to subdivide property into 44 parcels and construct 43 residences, including 12 single family homes and 31 duplexes; and

WHEREAS, the project is consistent with the General Plan land use designation RMF-12 (Residential Multi-Family, Low Density) and the Zoning district which is R3-PD (Apartment/Planned Development); and

WHEREAS, the Planning Commission held a duly noticed public hearing on November 28, 2006 on this project to accept public testimony on the Planned Development application PD 06-007 and TTM 2847; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed residential project will not result in significant environmental impacts, the Planning Commission adopted a Mitigated Negative Declaration for this project on September 12, 2006, which was adopted under a separate resolution; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, and subject to the Conditions of Approval listed below, the Planning Commission makes the following findings:

1. The design and intensity/density of the proposed Planned Development and Tentative Tract Map is consistent with the adopted codes, policies, standards and plans of the City, specifically the Zoning Ordinance and General Plan with flexibility provided with the PD for reduced side yard setbacks since the project provides additional benefits and amenities with a significant amount of common open space, pedestrian connectivity, and excellence in architecture; and
2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City, and will provide an appropriate land use buffer and transition between commercial uses to the west and single family residences to the north and east; and
3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way, since the design of the subdivision layout and homes, reduced will not block views of properties to the east of the site; and

4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
5. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc., since oak trees are proposed to be preserved and exposed grading will be minimized and will utilize contour grading; and
6. The proposed development plan contributes to the orderly development of the City as a whole; and
7. The project complies with the following General Plan, RMF-12 criteria:
 - a. *provide an innovative site and building design that promotes architectural and design excellence;*
 - b. *provide a density as close to 12 dwelling units per acre as possible;*
 - c. *provide multi-family type design features such as common outdoor areas, courtyards, and recreation areas.*
8. The proposed tentative parcel map is consistent with the adopted General Plan for the City of El Paso de Robles; and
9. The design of lots, streets, open space, drainage, sewers, water and other improvements are consistent with the General Plan and Zoning Ordinance; and
10. The site is physically suitable for the type of development proposed; and
11. The site is physically suitable for the proposed density of development; and
12. 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; and
13. The land division proposed is not likely to cause serious public health problems; and
14. 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; and
15. The fulfillment of the requirements listed in the Conditions below is 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 approve Planned Development 06-007 and TTM 2847, subject to the following conditions:

STANDARD CONDITIONS:

1. This project shall comply with the checked standard Conditions of Approval, attached hereto as Exhibit "A" and incorporated herein by reference.

SITE SPECIFIC CONDITIONS:

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 in substantial conformance with the Conditions of Approval established by this Resolution and it shall be constructed in substantial conformance with the following Exhibits:

EXHIBIT	DESCRIPTION
A	Standard Conditions of Approval
B	Site Plan
C	Tract 2847
D	Elevations

Planned Development Conditions:

3. This PD 06-007 allows for development of 43 residential parcels and an open space lot on the project site.
4. The project shall be designed and constructed to be in substantial conformance with the site plan, landscaping plan, and elevations approved with this resolution.
5. Approval of this project is valid for a period of two (2) years from date of approval. Unless permits have been issued and site work has begun, the approval of PD 06-007 shall expire on November 28, 2008. The Planning Commission may extend this expiration date for an additional three (3) years if a time extension application has been filed with the City along with the fees before the expiration date.
6. Prior to issuance of certificates of use and occupancy, the property-owner or authorized agent is required to pay the City's Development Impact Fees.
7. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
8. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
9. Temporary construction noise levels in excess of 60 decibels shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.
10. Use and operation of the project and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).
11. Prior to occupancy, the applicant shall relocate overhead utility lines adjacent to the property underground.
12. Prior to grading permit, the applicant shall provide plans for the treatment of storm water leaving the site.
13. Tree protection measures shall be incorporated into the project site design and construction in the critical root zone shall be employed for any construction near oak trees as specified in the project Arborist Report.

14. The project shall be in compliance the following recommendations of the San Luis Obispo County Air Pollution Control District so as to minimize creation of fugitive dust and other emission resulting from use of construction equipment as follows:

CONSTRUCTION PHASE MITIGATION:

Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the District's 402 "Nuisance" Rule. Due to this project's proximity to neighboring commercial uses the APCD conditions this project to comply with all applicable air quality regulations pertaining to the control of fugitive dust (PM10) as contained in section 6.5 of the Air Quality Handbook. **All site grading and demolition plans noted shall list the following regulations:**

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (nonpotable) water should be used whenever possible.
- c. All dirt stock pile areas should be sprayed daily as needed.
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established.
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD.
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114.
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible.

All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. **The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and finished grading of the area.**

Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed.** If NOA is not present, an exemption request must be filed with the District (see Attachment 1). If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM. This

may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Karen Brooks of our Enforcement Division at 781-5912.

Permits

Based on the information provided, we are unsure of the types of equipment that may be present at the site. Portable equipment used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or a District permit. Operational sources, such as back up generators, may also require APCD permits. To minimize potential delays, prior to the start of the project, please contact David Dixon of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

15. All lighting shall be shielded and downcast to reduce light and glare spillage onto adjacent properties in compliance with City codes.
16. All trash containers shall be stored in individual garages.
17. Each lot on the east side of Allen Court shall construct an individual pedestrian walkway from the front porch to the street instead of walkways connecting to the driveways.
18. A constructive notice shall be recorded that prohibits future property owners of the individual lots or the Home Owners Association from removing any oak trees, unless it is dead or hazardous, in compliance with the City's Oak Tree Ordinance.
19. The project site shall utilize contour grading techniques and shall not result in sharp angled exposed grading.
20. Street trees shall be planted no farther than 2 feet from the back of sidewalk on Allen Court as part of the street design.
21. The Site Plan, Landscape Plan and house Elevations shall be approved by the Development Review Committee (DRC) prior to issuance of building permits.
22. The driveways and guest parking spaces for the duplex units shall be constructed with brick, decorative pavers or similar materials as approved by the DRC prior to issuance of building permits. Said driveways shall be posted and have curbs painted red prohibiting parking in driveways and/or in front of garages.
23. Garages for the duplex units shall be required to have curtains or other window coverings installed which shall be installed prior to issuance of certificate of occupancy.
24. Rear yard fencing of parcels on the uphill/east side of the site shall be approved by the DRC.

Tentative Tract Map Conditions:

25. A reciprocal access and parking agreement, and a maintenance agreement for common open space areas and landscaping shall be recorded prior to recordation of the Final Map, that applies to all properties. A Home Owners Association shall be established with Covenants, Conditions and Restrictions to ensure implementation of said agreements for access, parking and maintenance of the project common open spaces, and hardscape.

26. 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.

27. South River Road shall be improved in accordance with City Arterial Standard A-1 and plans approved by the City Engineer.
28. Navajo Avenue shall be constructed in accordance with City Local Standard A-5 and plans approved by the City Engineer (Traffic Index = 6.0). Two westbound lanes will be provided to approach a left turn lane and a shared right-through lane at the South River Road intersection. Sidewalk, along with a parkway, shall be constructed to join the existing sidewalk on the south side of Mohawk Court. Parking lanes on both sides of Navajo Avenue may be deleted.
29. Development impact fees, paid at the time of building permits, will mitigate the project impacts at the intersection of Niblick and South River Roads.
30. The structural design of Allen Court (private street) shall be based upon a Traffic Index of 5.5 and a minimum pavement depth of 2.5 inches.
31. The applicant shall relocate all overhead utilities (with the exception of 70KV lines) along South River Road, Cary Street and the Niblick Road right-of-way adjacent to the project boundary in accordance with plans approved by the City Engineer (Majco Inc. has provided a bond to the City to guarantee their participation in this effort).
32. A sewer main serving all lots in Tract 2847 shall be connected to the existing sewer manhole at the intersection of Navajo Avenue and Navajo Court.
33. Storm drain inlets in Tract 2654 shall be fitted with environment filtering devices as approved by the City Engineer.

34. Cary Street shall be improved in accordance with City Local Standard A-5 and plans approved by the City Engineer. A cul-de-sac shall be constructed at the south end of Cary Street in accordance with City Standard A-18. Sidewalks shall be extended to Niblick Road and to Quarterhorse Lane.

PASSED AND ADOPTED THIS 28th day of November, 2006 by the following Roll Call Vote:

AYES: Commissioners – Menath, Johnson, Holstine, Flynn, Steinbeck, Withers and Chair Hamon

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN JOHN HAMON

ATTEST:

RON WHISENAND, PLANNING COMMISSION SECRETARY

**EXHIBIT A
OF RESOLUTION 06-0096**

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS
FOR SINGLE FAMILY RESIDENTIAL TRACT AND PARCEL MAPS**

PROJECT #: Tentative Tract 2847

APPROVING BODY: Planning Commission

DATE OF APPROVAL: November 28, 2006

APPLICANT: Mortenson

LOCATION: 80 South River Road

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Planning Division, (805) 237-3970, for compliance with the following conditions:

A. GENERAL CONDITIONS

- ☒ 1. This project approval shall expire on November 28, 2008, unless a time extension request is filed with the Community Development Department prior to expiration.
- ☒ 2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process, development shall comply with the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- ☒ 3. Prior to recordation of the map, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.
- ☒ 4. This project is subject to the California Environmental Quality Act (CEQA), which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The fee should be submitted to the Community Development Department within 24 hours of project approval, which is then forwarded to the San Luis Obispo County Clerk. Please note that the project may be subject to court challenge unless the required fee is paid.
- ☒ 5. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this

subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.

- ☐ 6. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.
- ☐ 7. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and subject to approval by the Community Development Department.
- ☒ 8. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- ☐ 9. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.
- ☐ 10. The following areas shall be placed in a Landscape and Lighting District:
NONE
- ☐ 11. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

_____.
- ☐ 12. The applicant shall install durable, decorative fence/wall treatments and landscaping along all arterial streets consisting of brick, tubular steel with pilasters, or other similar materials as determined by the Development Review Committee, but specifically excluding precision block and wood fences. Substantial setbacks with landscaping may be considered as an alternative, subject to approval by the Development Review Committee.
- ☐ 13. The applicant shall provide a one-foot non-access easement along the rear/side of all lots that back up/side against a collector or arterial street.

B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS OR RECORDATION OF THE FINAL MAP, WHICHEVER OCCURS FIRST:

- ☒ 1. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department.
- ☒ 2. Prior to the issuance of building permits, the
 - ☐ Development Review Committee shall approve the following:
 - ☒ Planning Division Staff shall approve the following:
 - ☐ a. A detailed landscape plan including walls/fencing;
 - ☒ b. Other: House Plans, incl. colors/materials & landscaping

- ☐ 3. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.
- ☒ 4. The applicant shall agree, in a manner acceptable to the City Attorney, to pay impact mitigation fees as may be established through a resolution or ordinance adopted by the City Council, in effect at the time building permits are issued.
- N/A 5. ~~In order for this tract/parcel map to be in conformance with the General Plan, the lots/parcels of the tract/parcel map shall be annexed into a Community Facilities District (CFD) that serves to mitigate impacts to public schools. Said CFD shall either be a joint City School District CFD or a CFD created by the School District that the City Council has approved. If at the time that the final map is submitted for approval, proceedings to annex the tract/parcel map into a CFD have not been completed, the applicant shall record on all lots/parcels, a waiver of future protest to the formation of a CFD joint City School District CFD or a CFD created by the School Districts that the City Council has approved. This condition shall not be imposed if the developer executes a development agreement with the District to mitigate school impacts.~~
- ☐ 6. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
- ☐ 7. The developer shall provide constructive notice to all buyers that all homes are required to utilize semi-automated trash containers as provided by the City's franchisee for solid waste collection.
- ☐ 8. The developer shall provide constructive notice to future buyers that all residential units shall be required to be equipped with trash compactors.
- ☐ 9. The applicant shall meet with the City's Crime Prevention Officer prior to the issuance of building permits for recommendations on security measures to be incorporated into the design of the structures to be constructed. The applicant is encouraged to contact the Police Department at (805) 237-6464 prior to plan check submittal.

PUBLIC WORKS DEPARTMENT - The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

APPLICANT: Mortenson
REPRESENTATIVE: Above Grade
PROJECT: Tentative Tract Map 2847

PREPARED BY: John Falkenstien
CHECKED BY:
TO PLANNING:

C. PRIOR TO ANY PLAN CHECK:

- ☒ 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.

D. PRIOR TO RECORDING OF THE FINAL OR PARCEL MAP:

- ☒ 1. The owner shall pay all Final Map fees, and current and outstanding fees for Engineering Plan Check and Construction and Inspection services and any annexation fees due.
- ☒ 2. If, at the time of approval of the final/record parcel map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act, prior to recordation. The owner shall also be required to post securities to guarantee the installation and completion of said improvements as specified in the Subdivision Map Act and submit a Certificate of Insurance as required by the City. The owner shall also be required to post securities for grading in accordance with Section 7008 of the Uniform Building Code, latest edition. This bond shall be of sufficient amount to ensure completion of the grading and drainage facilities. (A finding of "orderly development" has been made for this condition on parcel maps).

Bonds required and the amount shall be as follows:

Performance Bond.....100% of improvement costs.

Labor and Materials Bond.....50% of performance bond.

- ☒ 3. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
- ☒ a. Street lights;
 - ☒ b. Parkway and open space landscaping;
 - ☐ c. Wall maintenance in conjunction with landscaping;
 - ☐ d. Graffiti abatement;
 - ☒ e. Maintenance of open space areas.
- ☒ 4. The owner shall offer to dedicate to the City a 6 foot public utilities and 6 foot tree easement adjacent to all road right-of-ways. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
- ☒ a. Public Utilities Easement;
 - ☒ b. Water Line Easement;
 - ☒ c. Sewer Facilities Easement;
 - ☐ d. Landscape Easement;
 - ☐ e. Storm Drain Easement.

- ☒ 5. The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:
- | | | |
|------------------|---------------|----------------------|
| South River Road | Arterial | A-1 |
| Navajo Avenue | Local | A-5 |
| Cary Street | Local | A-5 |
| Street Name | City Standard | Standard Drawing No. |
- ☒ 6. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require a signature of approval by the Department of Public Works, Street Superintendent and the Community Development Department.
- ☒ 7. All improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to Public Works Department Standards and Specifications.
- ☒ 8. Prior to any site work a Preliminary Soils Report shall be prepared for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.
- ☒ 9. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater and Street Division Managers.
- ☒ 10. A complete grading and drainage plan prepared by a registered civil engineer shall be included with the improvement plans. Drainage calculations shall be submitted, with provisions made for on-site detention/ retention if adequate disposal facilities are not available, as determined by the City Engineer.
- ☐ 11. The owner shall provide an additional map sheet to record concurrently with the final map or parcel map showing the lot configuration, and the area subject to inundation by the 100 year storm with base flood elevations shown in feet, in relation to the National Geodetic Vertical Datum of 1929.
- ☒ 12. The owner shall install all utilities (sewer, water, gas, electricity, cable TV, and telephone) underground to each lot in the subdivision. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground, except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project, unless it is determined that no need for future extension exists. All underground construction shall be completed and approved by the City and the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
- ☒ 13. Any utility trenching in existing streets shall be overlaid to restore a smooth riding surface as required by the City Engineer. Boring and jacking rather than trenching may be required on newly constructed or heavily traveled City Streets.
- ☒ 14. Prior to paving any street, the water and sewer systems shall successfully pass a City pressure test. The sewer system shall also be tested by a means of a mandrel and video inspection with a copy of the video tape provided to the City. No paving shall occur until the City has reviewed and viewed the sewer video tape and has determined that the sewerline is acceptable. Any repair costs to the pipeline including trench paving restoration shall be at the developer's expense.

- ☒ 15. The owner shall install all street name, traffic signs and traffic striping as directed by the City Engineer.
- ☐ 16. The adjoining existing City street is inadequate for the traffic generated by the project, or will be severely damaged by the construction. The applicant shall remove the entire roadway and replace it with a minimum full half-width street plus a 12' wide travel lane and 8' wide base shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- ☐ 17. The development includes a phased street construction along the project boundary for future completion by the adjacent property owner, the applicant shall provide a minimum half-width street plus a 12' travel lane and 4' wide base shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition.)
- ☒ 18. The project fronts on an existing street. The applicant shall pave-out from the proposed gutter to the edge of pavement if the existing pavement section is adequate, and shall feather the new paving out to the centerline for a smooth transition. If the existing pavement, structural sections or geometrics are inadequate per current City Standards, the roadway shall be replaced to centerline and the remaining pavement shall be overlaid. (A finding of "rough proportionality" has been made in the resolution for this condition.)

E. PRIOR TO ANY SITE WORK:

- ☒ 1. The applicant shall obtain a Grading Permit from the City Building Division.
- ☐ 2. Prior to issuance of a Grading Permit the developer shall apply, through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.
- ☒ 3. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.
- ☒ 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- ☒ 5. Any grading anticipated during the rainy season (October 15 to April 15) will require the approval of a construction zone drainage and erosion control plan to prevent damage to adjacent property. Appropriateness of areas shall be subject to City Engineer approval.
- ☐ 6. Any construction within an existing street shall require a traffic control plan. The plan shall include any necessary detours, flagging, signing, or road closures requested. Said plan shall be prepared and signed by a registered civil or traffic engineer.

F. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

(Adopted by Planning Commission Resolution 94-038)

- ☒ 1. A final soils report shall be submitted to the City prior to the final inspection and shall certify that all grading was inspected and approved, and that all work has been done in accordance with the plans, preliminary report, and Chapter 70 of the Uniform Building Code.
- ☒ 2. The applicants civil and soils engineer shall submit a certification that the rough grading work has been completed in substantial conformance to the approved plans and permit.
- ☒ 3. Building permits shall not be issued until the water system has been completed and approved, and a based access road installed sufficient to support the City's fire trucks, in a manner approved by the Fire Chief.
- ☐ 4. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.
- ☐ 5. Prior to issuance of a Building Permit for building within Flood Insurance Rate Map (FIRM) zones A1-A30, AE, AO, AH, A, V1-V30, VE and V, the developer shall provide a Flood Proofing Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor, engineer or architect licensed in the State of California.

G. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

- ☒ 1. All final property corners and street monuments shall be installed before acceptance of the public improvements.
- ☒ 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- ☒ 3. All disturbed areas not slated for development shall be protected against erosion in a manner acceptable to the City Engineer, which may include hydroseeding or landscaping.
- ☒ 4. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection Services and any outstanding annexation fees.
- ☒ 5. All top soil removed shall be stockpiled and evenly distributed over the slopes and lots upon completion of rough grading to support hydroseeding and landscaping. All slope areas shall be protected against erosion by hydroseeding or landscaping.
- ☒ 6. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood, gypsum board, etc.) and removed from the project to a recycling facility in accordance with the City's Source Reduction and Recycling Element.
- ☐ 7. If any of the public improvements or conditions of approval are not completed or met, then the subdivider may, at the discretion of the City Engineer, enter into a Performance Agreement with the City to complete said improvements at a later date and post securities to cover the cost of the improvements. The form of the agreement and amount of the securities are subject to the approval of the City Engineer.
- ☒ 8. A blackline clear Mylar (0.4 MIL) copy and two (2) blue-line prints of as-built improvement plans, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection.

A reduced copy (i.e. 1" = 100') of the composite utility plan shall be provided to update the City's Atlas Map.

- ☒ 9. A benchmark shall be placed for vertical control on the U.S.G.S. Datum as required by the City Engineer.

PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:

H. GENERAL CONDITIONS

- ☒ 1. Fire hydrants shall be installed at intervals as required by the Fire Chief and City Engineer. The maximum spacing for single family residential shall be 500 feet. The maximum spacing for multi-family and commercial/residential shall be 300 feet. On-site hydrants shall be placed as required by the Fire Chief.
- ☒ 2. Building permits shall not be issued until the water system, including hydrants, has been tested and accepted and a based access road installed sufficient to support the City's fire apparatus (HS-20 truck loading). The access road shall be kept clear to a minimum of 24 feet at all times and shall be extended to each lot and shall be maintained to provide all weather driving conditions.
- ☒ 3. No buildings shall be occupied until all improvements are completed and accepted by the City for maintenance.
- ☐ 4. If the development includes phased street construction, temporary turn-arounds shall be provided for streets that exceed 150 feet in length. The temporary turn around shall meet City requirements as set forth in the Public Works Department Standards and Specifications.
- ☒ 5. All open space areas to be dedicated to the City shall be inspected by the Fire Department prior to acceptance. A report shall be submitted recommending action needed for debris, brush and weed removal and tree trimming. The developer shall clean out all debris, dead limbs and trash from areas to be recorded as open space prior to acceptance into a Benefit Maintenance District.
- ☒ 6. Any open space included in a private development shall be subject to the approval of a vegetation management plan approved by the Fire Chief.
- ☒ 7. Each tract or phase shall provide two sources of water and two points of access unless otherwise determined by the Fire Chief and Public Works Director.
- ☒ 8. Provisions shall be made to update the Fire Department Run Book.