RESOLUTION NO.: <u>08-015</u>

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO GRANT TENTATIVE MAP APPROVAL FOR PARCEL MAP PR 05-0282 (STEIN)

APN: 025-142-011

WHEREAS, Parcel Map PR 05-0282, an application filed by Dan Stewart & Associates on behalf of Brian Stein to subdivide a 2-acre parcel into two 1-acre parcels; and

WHEREAS, the existing 2-acre lot is located at 706 Pino Way, the Parcel extends from the top of Pino Way down to the corner of Union Road and Jackson Drive; and

WHEREAS, the subject site is located in the Residential Single-Family, one unit per acre (RSF-1) land use category and the R1-B4 zoning district; and

WHEREAS, as a result of the parcel map, the existing house would be located on Parcel A, which would be approximately 45,000 square feet, a new house would be located on Parcel B, which would be 44,000 square feet; and

WHEREAS, in conjunction with the parcel map is a request to abandon a portion of the Jackson Drive right of way since it is left over from the recent Union Road improvements and not necessary for public use; and

WHEREAS, the proposed parcel map is Categorically Exempt from environmental review per Section 15332 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 March 11, 2008, 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 in that it provides for infill development within close proximity to schools, shopping and other services;

- 2. As conditioned 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 as demonstrated with the proposed site plans;
- 4. 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;
- 5. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
- 6. 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;
- 7. The fulfillment of the construction requirement noted in condition 6-9 below are 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 05-0282 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 constructed so as to substantially conform with the following listed exhibit and conditions established by this resolution:

EXHIBIT	DESCRIPTION
A	Standard Conditions
В	Tentative Parcel Map
C	Conceptual foot print for Single Family House
D	Typical section of house foundation

- 3. PR 05-0282 would allow the subdivision of the existing 2-acre lot into two lots where as a result of the parcel map, the existing house would be located on Parcel A, which would be approximately 45,000 square feet, and a new house would be built on Parcel B which would be approximately 44,000 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 recordation of the final parcel map, Exhibits C & D shall be recorded against newly created Parcel B, along with a constructive notice indicating to future property owners that the site and house design for Parcel B shall take extraordinary measures to be designed in a manner that minimizes grading by using stepped foundation systems that work with the existing topography. Additionally, the design of the house will need to be multiple levels with a stepped foundation that works with the hillside so that the heights of walls are minimized. The building foundation along with any site grading shall be desgined so that there is no disturbance within the Critical Root Zone of the existing oak trees.
- 6. 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.

TPM PR 05-0282 Reso/Stein

- 7. Prior to occupancy of any building permit on Parcel B, Jackson Drive shall be improved in accordance with the City's Standard for Orchard Bungalow streets across the frontage of the property.
- 8. Easements must be shown on the final map to provide access to sewer and other utilities for both parcels. The sewer lateral serving the existing residence on Parcel 1 may have to be relocated, depending upon its current location, prior to recordation of the final map.
- 9. The City must retain a drainage easement over the abandoned portion of Jackson Drive.

PASSED AN	D ADOPTED THIS 11^{m} day of March, 2008 by the following Roll Call Vote:	
AYES:	Holstine, Flynn, Johnson, Peterson, Hodgkin, Steinbeck	
NOES:	None	
ABSENT:	Treatch	
ABSTAIN:	None	
	CHAIRMAN, ED STEINBECK	
ATTEST:		
RON WHISENAND. SECRETARY OF THE PLANNING COMMISSION		

TPM PR 05-0282 Reso/Stein

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EXHIBIT A OF RESOLUTION 08-015

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

PROJE	ECT #:_		Tentative Parcel Map PR 05-0282	
APPROVING BODY:		BODY:	Planning Commission	
DATE	OF AP	PROVAL:	March 11, 2008	
APPLI	ICANT <u>:</u>		Stein	
LOCA	TION:_		706 Pino Way	
The che specific resolution	ecked cor ally indic on.	nditions shall be cated. In addition,	been checked are standard conditions of approval for the above referenced project complied with in their entirety before the project can be finalized, unless otherwise there may be site specific conditions of approval that apply to this project in the T DEPARTMENT - The applicant shall contact the Planning Division, (80)	se ne
			following conditions:	,
A.	GENERA	L CONDITIONS		
	1.	1 0 11	roval shall expire on March 11, 2010 unless a time extension request is filed with Development Department prior to expiration.	th
\boxtimes	2.	specifically prov	e developed and maintained in accordance with the approved plans and unleided for through the Planned Development process, development shall compared, all other applicable City Ordinances, and applicable Specific Plans.	
	3.		on of the map, all conditions of approval shall be completed to the satisfaction of and Community Developer Director or his designee.	эf
	4.	applicant submit Obispo". The fee of project approv	ubject to the California Environmental Quality Act (CEQA), which requires the a \$25.00 filing fee for the Notice of Determination payable to "County of San Lue should be submitted to the Community Development Department within 24 hoursal, which is then forwarded to the San Luis Obispo County Clerk. Please note the subject to court challenge unless the required fee is paid.	is rs
	5.	harmless the Cit brought within to City, or its agents subdivision. The	th Government Section 66474.9, the subdivider shall defend, indemnify and hory, or its agent, officers and employees, from any claim, action or proceeding the time period provided for in Government Code section 66499.37, against the section, or employees, to attack, set aside, void, annul the City's approval of the City will promptly notify subdivider of any such claim or action and with the defense thereof.	ng ne is

	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.
\boxtimes	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.
\boxtimes	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:
	11.	The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:
		<u> </u>
	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.
В.		FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF DING PERMITS OR RECORDATION OF THE FINAL MAP, WHICHEVER OCCURS:
\boxtimes	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: Architectural Site Plans and Elevations, See P-map conditions

	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 of 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: REPRESENTATIVE: PROJECT:		IVE:	Stein Stewart PR 05-0282	CI	REPARED BY: JF HECKED BY: O PLANNING:	
С.	PRIOR	TO AN	PLAN CHECK:			
	1.	The app	licant shall enter into an Engineerin	g Plan Check and Ins	spection Services Agreement with	:h
D.	PRIOR	TO REC	CORDING OF THE FINAL OR P	ARCEL MAP:		
	1.		ner shall pay all Final Map fees, and Construction and Inspection serv			ın
	2.	not been Agreem owner s improve required with Sec amount develop	e time of approval of the final/record completed and accepted by the City ent with the City in accordance with all also be required to post security ments as specified in the Subdivision by the City. The owner shall also extion 7008 of the Uniform Building to ensure completion of the graduent" has been made for this conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and the approved shall be as for the conditional and th	y the owner shall be re- th the Subdivision Ma- ies to guarantee the in- ion Map Act and sub- be required to post set g Code, latest edition. ling and drainage fa- ion on parcel maps).	equired to enter into a Subdivision ap Act, prior to recordation. The installation and completion of same prior a Certificate of Insurance accurities for grading in accordance. This bond shall be of sufficient	on ne id as ce nt
		Perform	equired and the amount shall be as for ance Bond100% of improved and Materials Bond50% of performance.	rement costs.		
	3.		reloper shall annex to the City's and maintenance costs of the follo Street lights; Parkway and open space landscapin Wall maintenance in conjunction w Graffiti abatement; Maintenance of open space areas.	wing:	ting District for payment of the	ıe
	4.	adjacent easemen	ner shall offer to dedicate to the C to all road right-of-ways. The over t(s). The location and alignment ton of the City Engineer: Public Utilities Easement; Water Line Easement; Sewer Facilities Easement; Landscape Easement; Storm Drain Easement.	wner shall offer to de		ıg

5.	The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:
	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:
\boxtimes	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:

	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.
\boxtimes	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) blueline 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 1	ROBLES	**************************************
H. GE	NERAL 1.	CONDITIONS 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 multifamily 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.
\boxtimes	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.
\boxtimes	8.	Provisions shall be made to update the Fire Department Run Book.





