RESOLUTION NO. 14-027 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES TO GRANT VESTING TENTATIVE MAP APPROVAL FOR TRACT 3060 (MARK MASI) APN: 025-402-022

WHEREAS, Tentative Tract 3060 (The Elms) has been filed by North Coast Engineering on behalf of Mark Masi to subdivide an approximate 6.39-acre site into 14 single family residential lots; and

WHEREAS, the site is located at 1644 Kleck Road; and

WHEREAS, the project site is located within Sub Area C of the Union/46 Specific Plan area; and

WHEREAS, Section 15182 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA) exempts projects from additional environmental review when it can be determined that the subject project(s) is consistent with the adopted Specific Plan of which it is a part; and

WHEREAS, a public hearing was conducted by the Planning Commission on September 9, 2014, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and associated planned development; and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission makes the following findings as required by Government Code Section 66474:

- 1. As conditioned, the proposed tentative subdivision map is consistent with the adopted General Plan for the City of El Paso de Robles by providing urban single-family residential neighborhoods;
- 2. As conditioned, the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan, Zoning Ordinance and the Union 46 Specific plan;
- 3. The site is physically suitable for the type of development proposed;
- 4. The site is physically suitable for the proposed density of development by meeting the Union-46 Specific Plan requirements of 10,000 square foot minimum lot size with an average of 12,000 square feet lot size;
- 5. The design of the subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
- 6. The design of the subdivision and types of improvements proposed are not likely to cause serious public health problems; and,

7. The design of the subdivision 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.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant tentative map approval to Tract 3060 subject to the following conditions of this resolution:

STANDARD CONDITIONS:

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution. When future applications are submitted to the City for development of the newly created lots, additional site specific conditions will apply. Note: All checked standard conditions shall apply unless superseded by a site specific condition.

COMMUNITY DEVELOPMENT 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 so as to substantially conform with the following listed exhibits and conditions established by this resolution:

EXHIBIT	DESCRIPTION
Α	Standard Conditions
В	Vesting Tentative Tract Map
С	Preliminary Grading and Drainage
D	Preliminary Underground Design
E	Site Cross Sections

- 3. Vesting Tentative Tract Map 3060 and authorizes the subdivision of approximately 6.39-acres into a maximum of 14 single family residential lots ranging from approximately 12,135 square feet to 22,285 square feet in size (maintaining an average of 12,000 square feet).
- 4. The maximum number of residential lots permitted within this subdivision/development plan shall be 14. No lots shall be eligible for further subdivision (with the exception of minor lot line adjustments).
- 5. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map, and preliminary grading plan (Exhibits B & C), reductions attached; full size copies are on file in the Community Development Department) and as amended by site specific and standard conditions contained in this resolution.

- 6. Grading of the tract shall be consistent with Hillside Grading Regulations. It would appear that only Lots 1 and 2 have a natural slope of less than 10 percent and could propose the utilization of pad grading. All other lots would have to utilize custom foundation systems such stem wall or step foundations.
- 7. Prior to the issuance of a grading permit for each lot, grading plans, site plans, architectural elevations, colors/materials, fencing plans and landscaping plans shall be submitted to the Development Review Committee (DRC). At a minimum, all elevations visible from the public street shall have window trim such consistent with that of the front elevation.
- 8. The Union/46 Specific Plan recommends that when possible the more healthy almond trees be retained on subdivided parcels to preserve their aesthetic and historical value.
- 9. For projects with areas of disturbance exceeding 4 acres, the SLOAPCD requires implementation of the following mitigation measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions:
 - 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 (non-potable) 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, non-invasive 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;
 - 1. All of these fugitive dust mitigation measures shall be shown on grading and building plans; and

- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20% opacity, and 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 Compliance Division prior to the start of any grading, earthwork or demolition.
- 10. In the event that buried or otherwise hidden cultural resources are discovered during construction work in the area of the find, work should be temporarily suspended and the City of Paso Robles should be contacted immediately, and appropriate mitigations measures shall be developed by qualified archeologist or historian if necessary, at the developers expense.

ENGINEERING SITE SPECIFIC CONDITIONS

- 11. New street intersections at Montebello Oaks Drive and at Kleck Road shall be improved in accordance with plans approved by the City Engineer.
- 12. The structural design of Theresa Lane shall be based upon a Traffic Index of 6 and a minimum pavement depth of 2.5 inches, consistent with the Pavement Management Program for public streets.
- 13. The applicant shall provide an analysis of the Kleck Road water booster station and its capability of serving Tract 3060. Recommended upgrades from the analysis must be incorporated into the improvement plans for the subdivision. The Applicant shall relocate the water meter for the Simpson property to the new street and reconnect the water service.
- 14. The well for the existing home shall be abandoned and connected to City water with construction of improvements for Phase I.
- 15. The applicant shall relocate the existing overhead utility lines along the southerly boundary of the tract underground with the development of Phase II.
- 16. The public improvements for Tract 3060 shall incorporate stormwater control measures as outlined in the Stormwater Control Plan.
- 17. Prior to the recording of the final map for Phase II, private driveway maintenance agreements shall be recorded between the lots that benefit from the specific driveway.
- 18. The applicant shall conduct a pre-construction biological resource survey to determine if there are any protected species present. If any protected species are found on the site, the project biologist shall identify and implement measures necessary to reduce impacts in accordance with applicable State and/or Federal regulations (e.g. Endangered Species Act).
- 19. Vehicular and service/utility access to existing residences shall be maintained throughout development of the tract.

PASSED AND ADOPTED THIS 9th Day of September, 2014 by the following Roll Call Vote:

AYES:Gregory, Vanderlip, Rollins, Garcia, Donaldson, BarthNOES:NoneABSENT:CooperABSTAIN:None

DOUG BARTH, CHAIRMAN

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY H:darren\Tract 3060 Masi\Tract Reso

EXHIBIT A OF RESOLUTION

CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS

Planned Development	Conditional Use Permit
Tentative Parcel Map	Tentative Tract Map
Approval Body: Planning Commission	Date of Approval: Sept. 9, 2014
Applicant: Mark Masi - NCE	Location: 1644 Kleck Road
APN: 025-402-022	

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 Community Development Department, (805) 237-3970, for compliance with the following conditions:

- A. GENERAL CONDITIONS PD/CUP:
- 1. This project approval shall expire on <u>September 9, 2016</u> unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied 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 shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney's fees, incurred by City or held to be the liability of City in connection with City's defense of its actions in any proceeding brought in any State or Federal court challenging the City's actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City's actions with respect to the project.

- 4. Any site specific condition imposed by the Planning Commission in approving this project (Conditional Use Permit) may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.
- 5. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.
- 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 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.
- 8. Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation. All existing and/or new landscaping shall be installed with automatic irrigation systems.
- 9. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
- 10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
 - 11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.

(Adopted by Planning Commission Resolution _____)

- 12. For commercial, industrial, office or multi-family projects, all existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.
- 13. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.
- 14. 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 shall be subject to approval by the Community Development Director or his designee.
- 15. 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.
- 16. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
- 17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., 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 removal.
- 18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.

- 20. 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 prior to the issuance of building permits.
- 21. 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 site plan indicating the location of all structures, parking layout, outdoor storage areas, walls, fences and trash enclosures;
 - b. A detailed landscape plan;
 - c. Detailed building elevations of all structures indicating materials, colors, and architectural treatments;
 - d. Other:

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

- 1. 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.
- 2. 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.
- 3. The owner shall petition to annex residential Tract (or Parcel Map) 3060 into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.
- 4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.
- 5. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:

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

All conditions marked are applicable to the above referenced project for the phase indicated.

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 ISSUANCE OF A GRADING PERMIT:

- 1. Prior to approval of a grading plan, 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.
- 2. 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.
- 3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City's Storm Water Discharge Ordinance.
- 4. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
- 5. A Storm Water Pollution Prevention Plan per the State General Permit for Strom Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

1. All off-site public 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 the Public Works Department Standards and Specifications.

- 2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.
- 3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.
- 4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.
- F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

The Planning Commission has made a finding that the fulfillment of the construction requirements listed below are a necessary prerequisite to the orderly development of the surrounding area.

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.
- 2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.
- 3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Theresa Lane	Local	A-4
Street Name	City Standard	Standard Drawing No.

4. If, at the time of approval of the final 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.

Bonds required and the amount shall be as follows: Performance Bond......100% of improvement costs. Labor and Materials Bond......50% of performance bond.

5. If the existing City street adjacent to the frontage of the project is inadequate for the traffic generated by the project, or will be severely damaged by the construction, the applicant shall excavate the entire structural section and replace it with a standard half-width street plus a 12' wide travel lane and 8' wide graded shoulder adequate to provide for two-way traffic.

- 6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.
- 7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on along the frontage of the project.
- 8. The applicant shall install all utilities underground. 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.
- 9. 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.
- 10. 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/open space landscaping;
 - c. Wall maintenance in conjunction with landscaping;
 - d. Graffiti abatement;
 - e. Maintenance of open space areas.
- 11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.
- 12. All final property corners shall be installed.
- 13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.
- 14. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood

gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.

15. Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

PASO ROBLES DEPARTMENT OF EMERGENCY SERVICES- The applicant shall contact the Department of Emergency Services, (805) 227-7560, for compliance with the following conditions:

G. GENERAL CONDITIONS

- 1. \square Prior to the start of construction:
 - Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines.
 - Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.
 - Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.
 - A based access road sufficient to support the department's fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project.
 - Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.
- 2. Provide central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
 - Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.
- 3. Provide central station monitored fire alarm system for all residential, commercial and industrial buildings that require fire alarm system in current, adopted edition of the California Building Code, California Fire Code and Paso Robles Municipal Code.
- 4. If required by the Fire Chief, provide on the address side of the building if

applicable:

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Fire alarm annunciator panel in weatherproof case.

Knox box key entry box or system.

Fire department connection to fire sprinkler system.

- 5. Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.
- 6. Project shall comply with all requirements in current, adopted edition of California Fire Code and Paso Robles Municipal Code.
- 7. Prior to the issuance of Certificate of Occupancy:
 - Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
 - Final inspections shall be completed on all buildings.









