



City of Paso Robles Planning Commission Agenda Report

From: Darren Nash, Associate Planner

Subject: Time Extension PR 07-0301
2550 Dry Creek Road / APN: 025-435-015
Applicant: Twin Cities Surveying on behalf of Paso Robles Holdings, LLC
Request for a one-year time extension for Tentative Parcel Map PR 07-0301, a request to subdivide an existing 7.1-acre lot into two parcels where Lot 1 would be 2.95 acres and Lot 2 would be 4.15 acres.

Date: February 13, 2018

Facts

1. Parcel Map 07-0301 is located on a 7.1-acre site at the west end of Dry Creek Road, west of Airport Road (See Vicinity Map, Attachment 1).
2. Parcel Map 07-0301 was approved by the Planning Commission on October 28, 2008, allowing for the creation of two parcels, where Lot 1 would be 2.95 acres and Lot 2 would be 4.15 acres (See Tentative Parcel Map, Attachment 2).
3. The project was approved with the Planning Commission's adoption of Resolution 08-047 (Attachment 3).
4. The parcel map was originally scheduled to expire on October 28, 2010. Since 2010, the parcel map has been automatically extended by the State as a result of SB 1185, AB 333, AB 208, and AB 116, to October 28, 2017.
6. PR 07-0301 has not been recorded and was scheduled to expire on October 28, 2017. A time extension request was submitted prior to the October 28, 2017 deadline, requesting that the Planning Commission extend the entitlements for one year to October 28, 2018.

Options

1. Approve Draft Resolution A (Attachment 4); approving the request for a one-year time extension for Parcel Map 07-0301 to October 28, 2018;
2. Grant a time extension for a shorter period of time;
3. Amend, modify or reject the above noted options.

Agenda Item 4

Analysis and Conclusions

Project Summary:

Consider the applicant's request to approve a one-year time extension for the Parcel Map (PR 07-0301).

Site Design Issues:

There are no changes to the project being requested as part of the time extension request.

Architecture and Appearance:

There are no changes proposed to the architecture of the project.

Neighborhood Compatibility:

There are no changes to the project description that would affect neighborhood compatibility.

CEQA Issues:

This application was originally determined to be Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA). The categorical exemption would still be in effect as part of the Time Extension request.

General Plan & Zoning Compatibility:

The project as conditioned remains consistent with the BP land use designation and the AP-PD zoning designation.

Fiscal Impact

This Time Extension will not have a fiscal impact to the City.

Recommendation

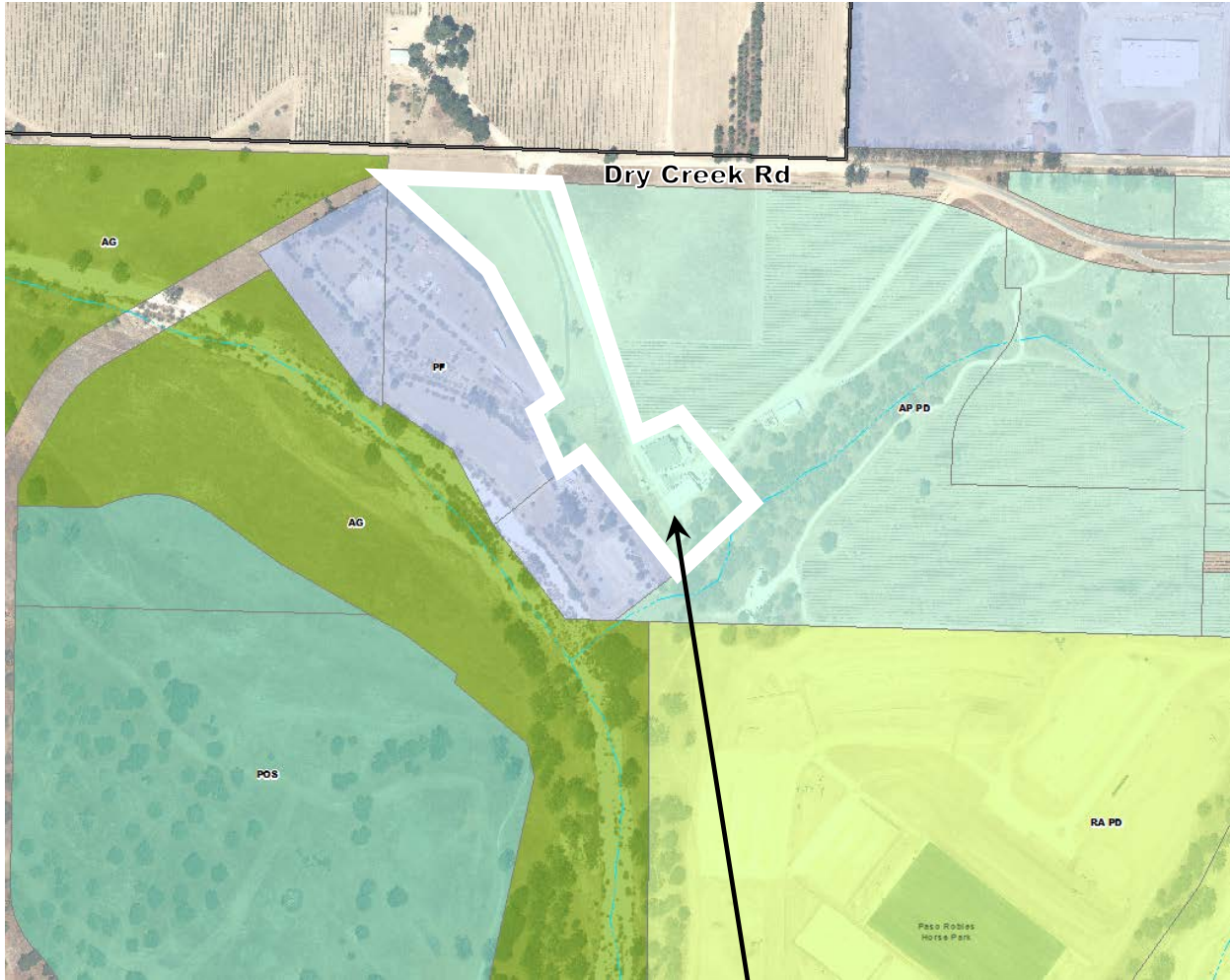
Approve Option 1 allowing for a one-year time extension for Parcel Map 07-0301.

Attachments

1. Vicinity Map
2. Tentative Parcel Map
3. Resolution 08-047
4. Draft Resolution A
5. Mail Affidavit
6. Legal Affidavit

Attachment 1

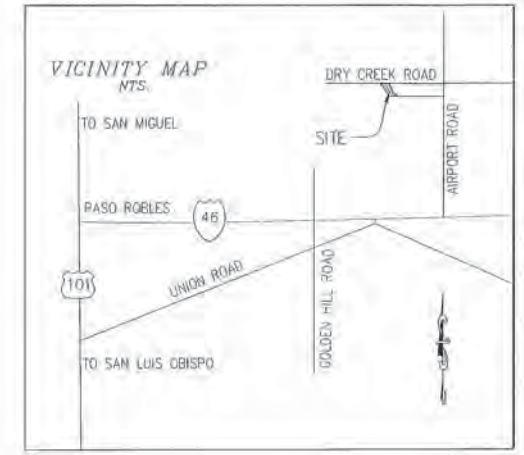
Vicinity Map



Project Site
2550 Dry Creek Road

TENTATIVE PARCEL MAP PR 07-0301

A SUBDIVISION OF PARCEL 1 OF PR 05-0381
IN THE CITY OF EL PASO DE ROBLES



PARCEL MAP PR 07-0301

BEING A SUBDIVISION OF PARCEL 1 OF PR 05-0381
IN THE CITY OF EL PASO DE ROBLES, AS RECORDED
IN BOOK 64, PAGE 97 OF PARCEL MAPS
COUNTY OF SAN LUIS OBISPO,
STATE OF CALIFORNIA.

OWNER'S STATEMENT

I HEREBY REQUEST APPROVAL OF THIS DIVISION OF REAL
PROPERTY SHOWN ON THIS TENTATIVE MAP AND CERTIFY
THAT I AM THE AUTHORIZED REPRESENTATIVE OF THE
OWNERS AND THAT THIS MAP IS TRUE AND CORRECT TO THE
BEST OF MY KNOWLEDGE.

JOHN R. MCCARTHY, RCE 29457 DATE
EXPIRES 03/31/2009
REPRESENTATIVE

GENERAL INFORMATION

PROPERTY OWNERS: PASO ROBLES PARTNER LLC
CHRIS HOSKINS, MANAGING PARTNER
58 CORMORANT CIRCLE, NEWPORT BEACH, CA 92660
SITE ADDRESS: DRY CREEK ROAD WEST OF AIRPORT ROAD
PASO ROBLES, CA 93446

ZONING = AP-PD GENERAL PLAN = BP

APN 025-435-15

REPRESENTATIVE-
MCCARTHY ENGINEERING, INC.
1860 A PINE ST. PASO ROBLES, CA 93446
238-9585

General Notes

PROJECT - TO CREATE A 2
LOT SUBDIVISION.

LOCATION: PARCEL 1 OF
PARCEL MAP PR 05-381

WATER = PUBLIC WATER LINE
TO THE LOT INSTALLED WITH
THE CRUSH FACILITY.

DOMESTIC WASTEWATER= CITY
OF PASO SEWER SYSTEM. CITY
LINE RUNS THROUGH LOT 2.

AIRPORT OVERLAY ZONE 5

GOV'T LOT 2
SEC. 14
APN 026-191-035
JANKRIS VINEYARDS
2310 DRY CREEK ROAD

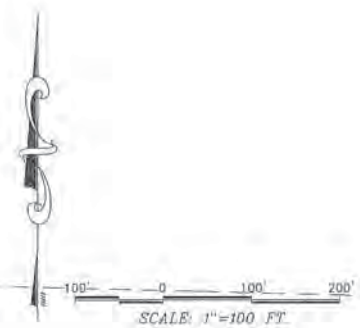
N.E.1/4 S.W.1/4
SEC. 14
APN 026-191-035
JANKRIS VINEYARDS
2310 DRY CREEK ROAD

PARCEL 1
52-PM-78
025-431-037
WOODRUFF CONST.

PARCEL 2
52-PM-78

PARCEL 3
24.82 AC. NET
PER 64 PM 97
EXISTING GRAPE VINES

LOT 2
17.72 AC



RESOLUTION NO. 08-047

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
PARCEL MAP PR 07-0301
(DRY CREEK PARTNERS, LLC)
APN: 025-435-0015

WHEREAS, Parcel Map PR 07-0301, an application filed by John McCarthy, on behalf of Dry Creek Partners, LLC to subdivide a 7.1-acre site into two parcels where Lot 1 would be 2.95 acres and Lot 2 would be 4.15 acres; and

WHEREAS, the site is located at 2550 Dry Creek Road, west end of Dry Creek Road, west of Airport Road; and

WHEREAS, the subject site is located in the Business Park (BP) land use category and the AP-PD zoning district; and

WHEREAS, wine storage buildings are permitted in the AP-PD zoning district and;

WHEREAS, the property is within and surrounded by existing vineyards, the subdivision and the construction of the storage building would be compatible with the existing land use; and

WHEREAS, the proposed parcel map is Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was conducted by the Planning Commission on September 9, 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, the Planning Commission continued the item to allow for additional time for Staff to clarify conditions of approval related to the timing of the installation of public improvements; and

WHEREAS, the City Engineer obtained the necessary information from the Subdivision Map Act relating to public improvements and industrial subdivisions; and

WHEREAS, a public hearing was conducted by the Planning Commission on October 28, 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 clean and attractive businesses and industries in which as activities are conducted indoors;
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 development concept plan provided;
4. The site is physically suitable for the proposed density of development;
5. The design of the land division is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
6. The design of the land division and types of improvements proposed are not likely to cause serious public health problems;
7. The design of the land division and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision;
8. The fulfillment of the requirements listed in the conditions 7-12 below are a necessary prerequisite to the orderly development of the site and surrounding area.
9. The design of the land division and the type of improvements proposed are compatible with the Airport Land Use Plan, the intensity or density or location is not considered to present a significant risk to the safety or persons on the ground or to persons in aircraft overflying the proposed use, nor are the land use ground sensitive to anticipated aircraft noise or frequent aircraft over flights.

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 07-0301 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:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Standard Conditions
B	Tentative Parcel Map

3. PR 07-0301 would allow the subdivision of the existing 7.1-acre site into two lots where Parcel 1 would be 2.95 acres and Parcel 2 would be 4.15 acres.
4. Pursuant to submittal requirements and Standard Condition B-1 of Attachment A, prior to occupancy the applicant shall provide on a 3.5 inch disk or IBM-compatible CD a copy of all signed and stamped approved plans, exhibits, resolutions, and all submittal materials and other documentation pertaining to approval of this application for electronic archiving. The applicant may elect to have the City send out the documents for scanning at the applicant’s expense.
5. Prior to the issuance of a building permit for the wine storage building, the necessary materials shall be submitted for a Site Plan review by the Development Review Committee (DRC).
6. Prior to the issuance of a grading permit, the applicant shall hire a biologist to confirm the disturbed area of the site in relation to the construction of the wine storage building, as well as the required mitigation ratio for kit fox mitigation. Once the disturbed area and ratio have been determined, the following kit fox mitigation measures shall be complied with:

BR-1 Prior to issuance of grading and/or construction permits, the applicant shall submit evidence to the City of Paso Robles (see contact information below) that states that one or a combination of the following four San Joaquin kit fox mitigation measures has been implemented:

- a. Provide for the protection in perpetuity, through acquisition of fee or a conservation easement of acreage (amount of acres as determined by biologist) of suitable habitat in the kit fox corridor area (e.g. within the San Luis Obispo County kit fox habitat area, northwest of Highway 58), either on-site or off-site, and provide for a non-wasting endowment to provide for management and monitoring of the property in

perpetuity. Lands to be conserved shall be subject to the review and approval of the California Department of Fish and Game (Department) and the City.

This mitigation alternative (a.), requires that all aspects of this program must be in place before City permit issuance or initiation of any ground disturbing activities.

- b. Purchase of required credits in a Department-approved conservation bank, which would provide for the protection in perpetuity of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring of the property in perpetuity.

At this time, there is no approved conservation bank that is operational in San Luis Obispo County. A conservation bank is expected to be operational in the near future. Purchase of credits must be completed prior to City permit issuance and initiation of any ground disturbing activities.

- c. The mitigation obligation for impacts to kit fox habitat from Tentative Parcel Map PR 05-0381, can be met by the applicant entering into an Agreement and Irrevocable Offer to Dedicate Conservations Lands with Robert A. Grant, Sr., Successor Trustee of The Grant Family Trust dated October 19, 1993, and Robert Grant, Jr. (the "Grants") and the Department of Fish and Game ("Department"), under which applicant will pay the Grants to commit to protect the required acres of kit fox habitat, on certain real property owned by the Grants in San Luis Obispo County, by obligating credits from the anticipated Palo Prieto Conservation Bank, if such bank is approved by the Department on or before June 30, 2006, or by providing a conservation easement to the Department over such 70 acres of habitat lands, if the Conservation Bank has not been approved by June 30, 2006.
- d. If none of the above measures (a, b, or c) are available, the applicant may enter into a Mitigation Agreement with the Department, including depositing of funds into an escrow account (or other means of securing funds acceptable to the Department) which would ensure the protection in perpetuity of the required acres of suitable habitat within the kit fox corridor area and provide for a non-wasting endowment for management and monitoring in perpetuity. The Department can provide a draft agreement to review; a signed Mitigation Agreement shall be submitted to the City prior to City permit issuance and initiation of any ground disturbing activities.

BR-2 Prior to issuance of grading and/or construction permits, the applicant shall provide evidence that they have retained a qualified biologist acceptable to the City Planning Division. The retained biologist shall perform the following monitoring activities:

- a. **Prior to issuance of grading and/or construction permits and within 30 days prior to initiation of site disturbance and/or construction**, the biologist shall conduct a pre-activity (i.e. pre-construction) survey for known or potential kit fox

- dens and submit a letter to the City reporting the date the survey was conducted, the survey protocol, survey results, and what measures were necessary (and completed), as applicable, to address any kit fox activity within the project limits.
- b. The qualified biologist shall conduct weekly site visits during site-disturbance activities (i.e. grading, disking, excavation, stock piling of dirt or gravel, etc.) that proceed longer than 14 days, for the purpose of monitoring compliance with required Mitigation Measures BR-3 through BR11. Site- disturbance activities lasting up to 14 days do not require weekly monitoring by the biologist unless observations of kit fox or their dens are made on-site or the qualified biologist recommends monitoring for some other reason (see BR-2-c3). When weekly monitoring is required, the biologist shall submit weekly monitoring reports to the City.
 - c. **Prior to or during project activities**, if any observations are made of San Joaquin Kit fox, or any known or potential San Joaquin kit fox dens are discovered within the project limits, the qualified biologist shall re-assess the probability of incidental take (e.g. harm or death) to kit fox. At the time a den is discovered, the qualified biologist shall contact the U.S. Fish and Wildlife Service and the Department for guidance on possible additional kit fox protection measures to implement and whether or not a Federal and/or State incidental take permit is needed. If a potential den is encountered during construction, work shall stop until such time the U.S. Fish and Wildlife Service/Department determine it is appropriate to resume work.

If incidental take of kit fox during project activities is possible, **before project activities commence**, the applicant must consult with the U.S. Fish and Wildlife Service and the Department (see contact information below). The results of this consultation may require the applicant to obtain a Federal and/or State permit for incidental take during project activities. The applicant should be aware that the presence of kit foxes or known or potential kit fox dens at the project site could result in further delays of project activities.

In addition, the qualified biologist shall implement the following measures:

1. **Within 30 days prior to initiation of site disturbance and/or construction**, fenced exclusion zones shall be established around all known and potential kit fox dens. Exclusion zone fencing shall consist of either large flagged stakes connected by rope or cord, or survey laths or wooden stakes prominently flagged with survey ribbon. Each exclusion zone shall be roughly circular in configuration with a radius of the following distance measured outward from the den or burrow entrances:

- a) Potential kit fox den: 50 feet
- b) Known or active kit fox den: 100 feet
- c) Kit fox pupping den: 150 feet

2. All foot and vehicle traffic, as well as all construction activities, including storage of supplies and equipment, shall remain outside of exclusion zones. Exclusion zones shall be maintained until all project-related disturbances have been terminated, and then shall be removed.
3. If kit foxes or known or potential kit fox dens are found on site, daily monitoring during ground disturbing activities shall be required by a qualified biologist.

BR-3 Prior to issuance of grading and/or construction permits, the applicant shall clearly delineate as a note on the project plans, that: *“Speed signs of 25 mph (or lower) shall be posted for all construction traffic to minimize the probability of road mortality of the San Joaquin kit fox”*. Speed limit signs shall be installed on the project site **within 30 days prior to initiation of site disturbance and/or construction**,

In addition, **prior to permit issuance and initiation of any ground disturbing activities**, conditions BR-3 through BR-11 of the Developer's Statement/Conditions of Approval shall be clearly delineated on project plans.

BR-4 During the site disturbance and/or construction phase, grading and construction activities after dusk shall be prohibited unless coordinated through the City, during which additional kit fox mitigation measures may be required.

BR-5 Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program, conducted by a qualified biologist, to avoid or reduce impacts on sensitive biological resources (i.e. San Joaquin kit fox). At a minimum, as the program relates to the kit fox, the training shall include the kit fox's life history, all mitigation measures specified by the City, as well as any related biological report(s) prepared for the project. The applicant shall notify the City shortly prior to this meeting. A kit fox fact sheet shall also be developed prior to the training program, and distributed at the training program to all contractors, employers and other personnel involved with the construction of the project.

BR-6 During the site-disturbance and/or construction phase, to prevent entrapment of the San Joaquin kit fox, all excavation, steep-walled holes or trenches in excess of two feet in depth shall be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Trenches shall also be inspected for entrapped kit fox each morning prior to onset of field activities and immediately prior to covering with plywood at the end of each working day. Before such holes or trenches are filled, they shall be thoroughly inspected for entrapped kit fox. Any kit fox so discovered shall be allowed to escape before field activities resume, or removed from the trench or hole by a qualified biologist and allowed to escape unimpeded.

BR-7 During the site-disturbance and/or construction phase, any pipes, culverts, or similar structures with a diameter of four inches or greater, stored overnight at the project site shall be thoroughly inspected for trapped San Joaquin kit foxes before the subject pipe is subsequently buried, capped, or otherwise used or moved in any way. If during the construction phase a kit fox is discovered inside a pipe, that section of pipe will not be moved, or if necessary, be moved only once to remove it from the path of activity, until the kit fox has escaped.

BR-8 During the site-disturbance and/or construction phase, all food-related trash items such as wrappers, cans, bottles, and food scraps generated shall be disposed of in closed containers only and regularly removed from the site. Food items may attract San Joaquin kit foxes onto the project site, consequently exposing such animals to increased risk of injury or mortality. No deliberate feeding of wildlife shall be allowed.

BR-9 Prior to, during and after the site-disturbance and/or construction phase, use of pesticides or herbicides shall be in compliance with all local, state and federal regulations. This is necessary to minimize the probability of primary or secondary poisoning of endangered species utilizing adjacent habitats, and the depletion of prey upon which San Joaquin kit foxes depend.

BR-10 During the site-disturbance and/or construction phase, any contractor or employee that inadvertently kills or injures a San Joaquin kit fox or who finds any such animal either dead, injured, or entrapped shall be required to report the incident immediately to the applicant and City. In the event that any observations are made of injured or dead kit fox, the applicant shall immediately notify the U.S. Fish and Wildlife Service and the Department by telephone (see contact information below). In addition, formal notification shall be provided in writing within three working days of the finding of any such animal(s). Notification shall include the date, time, location and circumstances of the incident. Any threatened or endangered species found dead or injured shall be turned over immediately to the Department for care, analysis, or disposition.

BR-11 Prior to final inspection, or occupancy, whichever comes first, should any long internal or perimeter fencing be proposed or installed, the applicant shall do the following to provide for kit fox passage:

- a. If a wire strand/pole design is used, the lowest strand shall be no closer to the ground than 12".
- b. If a more solid wire mesh fence is used, 8" x 12" openings near the ground shall be provided every 100 yards.

Upon fence installation, the applicant shall notify the City to verify proper installation. Any fencing constructed after issuance of a final permit shall follow the above guidelines.

- 7. Prior to recordation of the final map, a conceptual plan for the extension of Dry Creek Road to Golden Hill Road shall be provided to the satisfaction of the City Engineer.
- 8. Prior to recordation of the final map, a constructive notice shall be recorded advising all successors in interest that development of either parcel shall conform to the conceptual plan for the extension of Dry Creek Road.
- 9. Prior to occupancy of any building permit, Dry Creek Road shall be paved 24 feet wide from the west boundary of Tract 2772 to the driveway to Parcel 1 or, as is practical, in accordance with plans approved by the City Engineer. The paved width of Dry Creek Road will be consistent with the paving transition recently constructed at the west boundary of Tract 2772.
- 10. An easement must be provided across Parcel 2 for the benefit of Parcel 1 to accommodate sewer, water and other utility lines.
- 11. Low impact development best management practices shall be incorporated into the development of both parcels.

PASSED AND ADOPTED THIS 28th day of October, 2008 by the following Roll Call Vote:

AYES: Johnson, Treach, Hodgkin, Flynn, Holstine, Peterson, Steinbeck

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN, ED STEINBECK

ATTEST:

RON WHISENAND, SECRETARY OF THE PLANNING COMMISSION

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EXHIBIT A OF RESOLUTION 08-047

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

PROJECT #: Tentative Parcel Map PR 07-0301

APPROVING BODY: Planning Commission

DATE OF APPROVAL: October 28, 2008

APPLICANT: Dry Creek Partners, LLC

LOCATION: Dry Creek 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 October 28, 2011 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.

(Adopted by Planning Commission Resolution 94-038)

- 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:
- 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: Architectural Site Plans and Elevations

(Adopted by Planning Commission Resolution 94-038)

- 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:	Mondo	PREPARED BY:	John Falkenstien
REPRESENTATIVE:	McCarthy	CHECKED BY:	
PROJECT:	Tentative Parcel Map 07-0301	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.

(Adopted by Planning Commission Resolution 94-038)

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

Street Name	City Standard	Standard Drawing No.
Dry Creek Road	See Site Specific Conditions Res. 08-	

- 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.

(Adopted by Planning Commission Resolution 94-038)

- 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.

(Adopted by Planning Commission Resolution 94-038)

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.

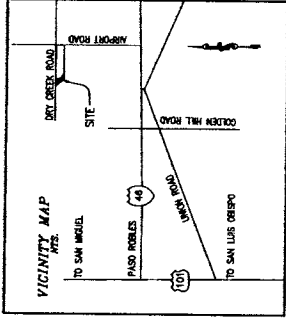
PASO ROBLES FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973, for compliance with the following conditions:

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.

(Adopted by Planning Commission Resolution 94-038)

TENTATIVE PARCEL MAP PR 07-0301
 A SUBDIVISION OF PARCEL 1 OF PR 05-0381
 IN THE CITY OF EL PASO DE ROBLES



General Notes

PROJECT - TO CREATE A 2 LOT SUBDIVISION.

LOCATION: PARCEL 1 OF PARCEL MAP PR 05-381

WATER - PUBLIC WATER LINE TO THE LOT INSTALLED WITH THE CRUSH FACILITY.

DOMESTIC WASTEWATER- CITY OF PASO ROBLES SYSTEM. CITY LINE RUNS THROUGH LOT 2.

AIRPORT OVERLAY ZONE 5

No.	Revisions/Amend.	Date

Mc
 MCGUIRE ENGINEERS, INC.
 1000 S. PINE ST., PASO ROBLES, CA 93246
 (559) 255-1800

PASO ROBLES PARTNERS, LLC.

MAP WITH TOPOGRAPHIC INFO

2 OF 2

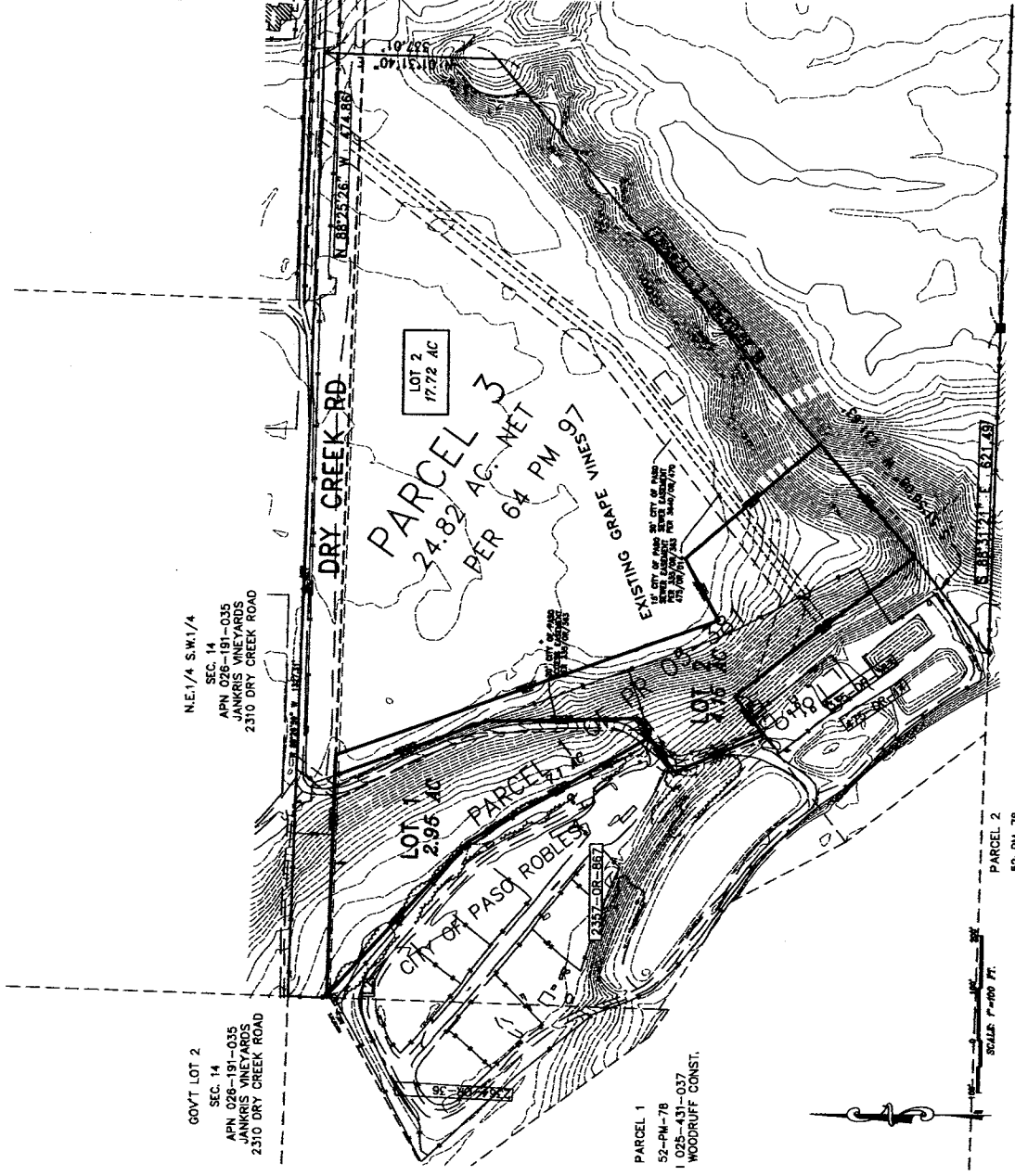
1-15-07

1" = 100'

PARCEL MAP PR 07-0301
 BEING A SUBDIVISION OF PARCEL 1 OF PR 05-0381 IN THE CITY OF EL PASO DE ROBLES AS SHOWN IN BOOK 61, PAGE 97 OF PARCEL MAPS COURTESY OF LUIS OBISPO, STATE OF CALIFORNIA.

OWNER'S STATEMENT
 I, JERRY A. MCGUIRE, AS OWNER OF THE ABOVE PROPERTY HEREBY CERTIFY THAT I AM THE OWNER OF ALL THE INTERESTS IN THE PROPERTY AND THAT I AM THE OWNER OF THE ENTIRE INTEREST IN THE PROPERTY AND THAT I AM THE OWNER OF THE ENTIRE INTEREST IN THE PROPERTY.

GENERAL INFORMATION
 PROPERTY OWNERS: PASO ROBLES PARTNERS, LLC
 1000 S. PINE ST., PASO ROBLES, CA 93246
 (559) 255-1800
 SITE ADDRESS: DRY CREEK ROAD WEST OF AIRPORT ROAD
 PASO ROBLES, CA 93246
 COUNTY: SAN LUIS OBISPO
 GENERAL PLAN: SP
 APN: 028-191-035
 MAPPING ENGINEER: JERRY A. MCGUIRE, INC.
 1000 S. PINE ST., PASO ROBLES, CA 93246
 (559) 255-1800



GOVT LOT 2
 SEC. 14
 APN 028-191-035
 JANKRIS VINEYARDS
 2310 DRY CREEK ROAD

NE 1/4 S.W. 1/4
 SEC. 14
 APN 028-191-035
 JANKRIS VINEYARDS
 2310 DRY CREEK ROAD

PARCEL 1
 52-PM-78
 I 025-431-037
 WOODRUFF CONST.

Exhibit B
 Tentative Parcel Map
 PR 07-0301
 (Dry Creek Partners, LLC)

Attachment 4

Draft Resolution A

RESOLUTION NO. PC 18-XXX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT A ONE-YEAR TIME EXTENSION
FOR TENTATIVE PARCEL MAP 07-0301
(2250 Dry Creek Road – Paso Robles Holdings LLC)
APN: 025-435-015

WHEREAS, a time extension request for PR 07-0301, has been filed by Paso Robles Holdings, LLC (Chris Hoskins), property owner; and

WHEREAS, PR 07-0301 is located on a 7.1-acre site at the west end of Dry Creek Road, west of Airport Road; and

WHEREAS, PR 07-0301 allows for the subdivision of the 7.1-acre site into two parcels where Lot 1 would be 2.95 acres and Lot 2 would be 4.15 acres; and

WHEREAS, the parcel map was originally scheduled to expire on October 28, 2010. Since 2010, the parcel map has been automatically extended by the State as a result of SB 1185, AB 333, AB 208, and AB 116, to October 28, 2017; and

WHEREAS, a time extension request was submitted prior to the October 28, 2017 deadline, requesting that the Planning Commission extend the entitlements for one year to October 28, 2018; and

WHEREAS, the Planning Commission is empowered through the Zoning Code to approve parcel maps and their related Time Extension requests; and

WHEREAS, a public hearing was conducted by the Planning Commission on February 13, 2018 to consider facts as presented in the staff report prepared for this time extension request, and to accept public testimony regarding the extension; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby grant a one-year time extension (as measured from the most current expiration date of October 28, 2017) to Tentative Parcel Map 07-0301, subject to the following conditions:

1. All conditions adopted within resolutions 08-047 shall remain in full force and effect (on file in the Community Development Department).
2. Tentative Parcel Map 07-0301 shall expire on October 28, 2018, unless a time extension request is filed prior to that date.

Agenda Item 4

PASSED AND ADOPTED THIS 13th day of February 2018 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JOHN DONALDSON, CHAIRMAN

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY



CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Monica Hollenbeck, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Time Extension for Tentative Tract Map PR 07-0301, on this 30th day of January, 2018.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: Monica C Hollenbeck
Monica Hollenbeck

THE Newspaper of the Central Coast TRIBUNE

RECEIVED FEB 05 2018 City of Paso Robles Community Development Dept

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California In and for the County of San Luis Obispo

AD #3504520 CITY OF PASO ROBLES

STATE OF CALIFORNIA

ss.

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit;; FEBRUARY 2, 2018 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

[Handwritten signature: James E. Durand]

(Signature of Principal Clerk) DATE: FEBRUARY 2, 2018 AD COST: \$217.80

NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that the Planning Commission will hold a Public Hearing to consider the following project: APPLICATION: Request for a one-year time extension for Tentative Parcel Map PR 07-0301, a request to subdivide an existing 11.25-acre lot into two parcels. APPLICANT: Twin Cities Surveying on behalf of Paso Robles Holdings, LLC LOCATION: West end of Dry Creek Road, West of Airport Road / APN: 025-435-015 ENVIRONMENTAL DETERMINATION: This application was originally determined to be Categorically Exempt from environmental review per Section 15315 of the State's Guidelines to Implement the California Environmental Quality Act (CEQA). HEARING: The Planning Commission will hold a Public Hearing on Tuesday, February 13, 2018, at 6:30 p.m. at the Library Conference Center, 1000 Spring Street, Paso Robles, California. Questions about this application may be directed to the Community Development Department at (805) 237-3970 or via email at planning@prcity.com. If you challenge the application in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice... Copies of the staff report pertaining to this project will be available for review at the Community Development Department on the Thursday preceding each hearing... Darren Nash Associate Planner February 2, 2018 3504520