

TO: James L. App, City Manager
FROM: John Falkenstien, Interim Community Development Director
SUBJECT: County Board of Supervisors Consideration of Appeal by Almond Heights, LLC (Boston Tract)
DATE: February 21, 2006

Needs: That the City Council address the County Board of Supervisors with a letter advising the County of the City's concerns with property developments adjacent to their borders.

- Facts:**
1. Applicant Almond Heights, LLC has appealed a County staff decision to deny a merger of lots within the Boston Tract, an antiquated subdivision recorded in 1896.
 2. Regardless of the Board's decision (which may result in 6 or 13 lots), subsequent discretionary development applications must be filed by Almond Heights if development is to occur.
 3. Should development applications be filed, potential entitlements/discretionary determinations and the resulting development adjacent to the City's boundaries will impact the City. Traffic impacts are considered the most acute.
 4. A draft comment letter stating City concerns regarding such development on its borders is attached for Council consideration.

Analysis &

Conclusion: The Community Development Department carefully tracks notifications from the County of discretionary development activity along the City's borders. A letter regarding the Boston Tract has been drafted to advise the County of Municipal concerns regarding these developments and restates our need to have impacts to the City mitigated.

Policy

Reference: General Plan; California Government Code Section 66462 ("Subdivision Map Act")

Fiscal

Impact: Potential impacts on City infrastructure without mitigation.

Options: That the City Council advise the County Board of Supervisors of their concerns via the attached letter.

Attachment - Draft Letter to County Board of Supervisors

February 10, 2006

Board of Supervisors
San Luis Obispo County
County Government Center
San Luis Obispo, CA 93408

RE: Boston Tract
West of 18th Street, Paso Robles

Honorable Board Members:

Thank you for the opportunity to comment on your public hearing consideration of matters relating to the Boston Tract, located just west of the City's border.

While the City has no comment as to County Council's opinion regarding the legality of lots in the Boston Tract, the City is compelled to express concerns regarding the ultimate development of the lots.

The development of new homes adjacent to the City's border will have impacts upon the City of Paso Robles and the services that the City provides. Those services include streets, storm drains, fire, police, government facilities, parks, recreation and library services.

We understand that our mutual aid agreements are in place to mutually exchange police and fire services on an as-needed basis and we respect and appreciate those agreements. Further, we understand that the County has adopted mitigation fees to finance fire, police, government, park and library facilities needed to accommodate new development.

In order to mitigate traffic impacts we recommend that as a condition of approval of the development of roads to the lots; development impact fees be imposed on future building permits in the amount of the fees in place, in the City for transportation projects, at the time the building permits are issued.

With regard to the future road and driveway construction proposed, please be advised that sites similar to these in the hills west of downtown have been the source of substantial soil erosion resulting in mud and debris deposited onto streets in downtown Paso Robles. The City of Paso Robles has provided substantial clean up effort at considerable cost.

We recommend that as a condition of approval of the development, the site must be monitored closely for erosion control by a qualified professional throughout construction until it is no longer a threat to the City. Contact information for the contractor and qualified monitoring professional should be provided to the City Engineer upon commencement of construction.

Once the application for the development of this project is received, please provide the City with the opportunity to comment and recommend conditions of approval.

Sincerely,