

RESOLUTION NO.: 03-075

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES,  
APPROVING PLANNED DEVELOPMENT 03-005 AND WAIVER 03-007  
FOR THE SAN LUIS OBISPO COUNTY SUPERIOR COURTHOUSE AT 940 SPRING STREET  
(APPLICANT: COUNTY OF SAN LUIS OBISPO, ASSESSOR PARCEL NO: 009-151-002)

---

WHEREAS, the County of San Luis Obispo has filed a Planned Development and Waiver application on behalf of the California Superior Court of San Luis Obispo County seeking approval of a new Superior Court facility to be constructed and operated on an approximately 1.4-acre site at 940 Spring Street (Assessor Parcel Number 009-151-002);

WHEREAS, City approval is sought for the new facility in accordance with the long-term ground lease by and between the City and the County for the site and its development and use as a Superior Court facility;

WHEREAS, the Project site is bounded encompasses an approximately 1.4-acre site bounded by 9<sup>th</sup> Street on the south, Spring Street on the west, 10<sup>th</sup> Street on the north, and Park Street on the east; and

WHEREAS, the City's Economic Strategy and its General Plan call for retaining and expanding the North County Municipal Courts in the Downtown. Emphasis is placed on continued revitalization of Downtown as a Commercial/Entertainment Center that accommodates a Government Center (Public Safety, Library/City Hall, and County Courts), caters to the tourists and provides professional office space; and

WHEREAS, the new Superior Court facility is designed to be an integral part of the Downtown Civic Campus comprised of the Public Safety Center and the Library/City Hall; and,

WHEREAS, the General Plan designation and zoning of the project site is CC (Community Commercial) and C2 PD (Highway Commercial Planned Development); and

WHEREAS, at its October 14, 2003 meeting, the Planning Commission held a duly noticed public hearing on the new Superior Court facility and the environmental review thereof in order to accept public testimony on the Project, including Planned Development 03-005 and Waiver 03-007; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Rules and Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment along with a proposed Mitigated Negative Declaration, a Mitigation Monitoring/Reporting Program/Plan; and a Public Hearing Notice; and

WHEREAS, based on the information and analysis contained in the Initial Study, the proposed Project qualifies for adoption of a Mitigated Negative Declaration and establishment of a Mitigation Monitoring/Reporting Program/Plan; and

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

1. The new Superior Court facility will not be detrimental to the City's efforts to revitalize Downtown Paso Robles since the facility is an integral part of the City's Economic Strategy and General Plan policies calling for retention and expansion of the North County Municipal Courts in the Downtown.
2. The proposed Planned Development is consistent with the purpose, intent and regulations set forth in Chapter 21.16A (Planned Development Overlay District Regulations) as follows:

- A. The granting of the Planned Development (PD) will not adversely affect the policies, spirit and intent of the General Plan, the Zoning Ordinance, and the policies and plans of the City. Rather, the PD implements the City's goals as expressed in its Economic Strategy and General Plan to continue to revitalize the Downtown.
  - B. The new Superior Court facility uses the same or similar design elements as have been used at the Public Safety Center and Library/City Hall.
  - C. The new Superior Court facility is designed to be sensitive to, and blend in with, the character of the site and surrounding area with particular emphasis placed on the adjacent Public Safety Center and Library/City Hall and use of a complementary architectural style.
  - D. The architectural design, site layout, and public improvements of the new Superior Court facility are compatible with area development and will not be disharmonious or disruptive to the Downtown.
  - E. The new Superior Court facility is consistent with the purpose and intent of the General Plan, the City's Economic Strategy, and the Community Commercial Zoning of the site; and, it is not contrary to the public health, safety and welfare.
  - F. The activities proposed for the new Superior Court facility are appropriate in scale and character for its location.
  - G. The site planning and architectural character of the new Superior Court facility is of an appropriate scale for the Downtown and its location adjacent to the Public Safety Center and the Library/City Hall.
3. The proposed Waiver of the required public sidewalk along a portion of the site's Park Street frontage is appropriate and is in compliance with the City's Oak Tree Preservation Ordinance. The granting of the proposed Waiver will result in preservation of three (3) existing valley oak trees, while still allowing for public use. The plans provide for an on-site public walkway placed at an angle to the corner, thereby connecting to the public sidewalks provided that are being installed along 9<sup>th</sup> Street and along Park Street further to the north.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby:

- ◆ Approve Waiver 03-007, eliminating the required public sidewalk for a portion of the Park Street frontage (approximately 135 lineal feet beginning at the corner of 9<sup>th</sup> and Park Streets and continuing northerly along Park Street) in order to preserve the existing Oak Trees as shown on the Architectural Site Plan; and,
- ◆ Approve Planned Development 03-005 for the new Superior Court Facility, subject to the following Site Specific and Standard conditions:

**SITE SPECIFIC CONDITIONS:**

The following Conditions are site-specific Conditions of Approval for Planned Development #03-005. In the event of conflict or duplication between the Standard and Site-Specific Conditions, the Site-Specific Condition shall supersede the Standard Condition.

1. This PD #03-005 is valid for a period of two-years from the date of approval. This approval is for all aspects of the Project, except it does not include approval of any future building expansions which would be subject to separate City review and approval at the time that detailed plans have been prepared. Unless site work has begun, the approval of PD #03-005 shall expire on October 14, 2005. The Planning Commission may extend this expiration date for an additional three (3) years if a complete time extension application has been filed with the City before the October 14, 2005 expiration.
2. The Project shall be constructed in substantial conformance with the Conditions of Approval established by Resolution of the Planning Commission and it shall be constructed in substantial conformance with the following Exhibits (which are on file in the Community Development Department):

<b>EXHIBIT</b>	<b>DESCRIPTION</b>
A	Standard Conditions of Approval
B	Architectural Site Plan
C	Preliminary Grading and Drainage Plan
D	Planting Plan
E	Irrigation Plan
F	Building Elevations
G	Colors & Materials Board
H	Mitigation Monitoring/Reporting Program/Plan

3. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval via the Emergency Services Department as part of a courtesy review.
4. All improvements, including water, sewer, storm drainage, parking lots, pedestrian paths/walkways, and public streets shall be constructed to City standards or as otherwise specified in these Conditions.
5. Grading activities, facility construction, and site improvements shall be performed in compliance with the requirements of the Air Pollution Control District so as to minimize creation of fugitive dust and other emission resulting from use of construction equipment.
6. Verification of Compliance with the Adopted Mitigation Monitoring Plan/Program shall be provided to the City at the identified monitoring milestones (Refer to Resolution Adopting Mitigated Negative Declaration and Mitigation Monitoring Plan/Program).
7. The applicant shall construct curb, gutter, and sidewalk on Park Street in accordance with the design standards for this block as established with development of the Public Safety/Emergency Services Center (any required repaving of Park Street will be accomplished by the City as part of its Capital Improvement Program). The curb face on the west side of Park Street shall be 24-feet west of the existing curb line established with development of the Public Safety/Emergency Services Center on the east side of Park Street. Parking will not be provided in the critical root zone of the oak trees. Sidewalk will be constructed or waived as part of the Planning Commission's action on the Planned Development application.
8. The applicant shall construct the curb, gutter, and sidewalk on 9<sup>th</sup> Street in accordance with the City West Side Standard A-12 along the frontage of the project site. Angled parking shall be designed and installed along the 9<sup>th</sup> Street frontage of the project site. The angled parking shall be designed so that it does not interfere with the existing 9<sup>th</sup> Street curb alignment. The design of sidewalk shall be at the discretion of the Planning Commission as part of its action on the Planned Development. The existing paving on 9<sup>th</sup> Street shall be overlaid to centerline to restore a smooth riding surface over utility trenching.

9. The applicant shall construct the curb, gutter, and sidewalk on Spring Street in accordance with City Arterial Standard A-2 and the Spring Street Master Plan along the site frontage.
10. The applicant shall construct the curb, gutter, and sidewalk on 10<sup>th</sup> Street in accordance with the design standards established for 10<sup>th</sup> Street with development of the Public Safety/Emergency Services Center. The existing paving on 10<sup>th</sup> Street shall be overlaid to centerline to restore a smooth riding surface over utility trenching.
11. The applicant shall install interlocking, concrete paver crosswalks across Park Street at 9<sup>th</sup> Street and 10<sup>th</sup> Street and across 10<sup>th</sup> Street at Park Street.
12. The existing overhead utility lines adjacent to the site on 9<sup>th</sup> Street shall be relocated underground.
13. Storm water detention shall be provided in accordance with City Standards. Calculations shall be filed with the City at the time that the grading and drainage plan in the construction document package is submitted to the City Engineer for review and approval.
14. Storm water discharging on to Park Street should be collected in a catch basin and storm drain system. The storm drain system will connect to the existing catch basin on the north side of 10<sup>th</sup> Street just north of Park Street. Additional drain inlets shall be installed to eliminate the need for the cross gutter along 10<sup>th</sup> Street across from Park Street. The curb return at the northwest corner of Park Street and 9<sup>th</sup> Street shall be designed to send the 9<sup>th</sup> Street runoff north to the 10<sup>th</sup> Street storm drain. This will eliminate the cross gutter at 9<sup>th</sup> Street.
15. Decorative Street lights shall be placed on 10<sup>th</sup> Street (one light mid-block), Park Street (as determined by the DRC in the context of appropriate lighting levels), and on Spring Street in accordance with the Spring Street Master Plan (two decorative street lights along the project frontage).
16. Benches, security fencing, and trash receptacles matching the theme established with the Emergency Services Center and the Library/City Hall shall be provided.
17. Evidence of property-owner approval of the plans for the new Superior Court Facility and appurtenant buildings/structures, site improvements, architectural design, landscaping, lighting, walls/fencing plans, public plaza, trash enclosures, street trees with decorative tree grates, signage, etc... shall be provided to the Community Development Director or his designee prior commencement of construction for filing as part of the Planned Development Application.
18. Prior to re-instatement of jury trials, the City and the Superior Court shall work collaboratively in establishing an "in-house" informational parking and traffic management plan (Plan). The Plan would provide for effective use of the available public transportation at the Downtown Transit Center (Southwest corner of 8<sup>th</sup> and Pine Streets), available and planned public parking facilities (Both on-street and off-street spaces), and other management measures to the satisfaction of the City Council and the Superior Court of San Luis Obispo County. The purpose and intent of the "in-house" informational Plan would be to ensure, to the extent it is practical to do so, that:
  - A) The Court facilities are accessible to those who use them,
  - B) Measures would be taken to encourage/inform the users of the Court facility to park in certain designated areas and/or use alternative means for getting to the Court facility (so as to not displace others who are working, visiting, shopping, or otherwise availing themselves of the government, office, cultural, conference, dining, entertainment, and specialty retail shops and services located in the Downtown), and

- C) The Court encourages/inform its jurors to use the transportation and parking facilities identified in the adopted Plan.
- 19. Use and operation of the Superior Court Facility and its appurtenant buildings, structures, and site improvements shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance attached hereto and incorporated herein).
- 20. The City and County shall conduct a lighting level review in the field prior to use and occupancy of the Superior Court Facility in order to make any necessary adjustments to ensure that the illumination levels are appropriate, that the light sources are properly shielded and directed downward where appropriate, that all security lighting is fully shielded and directed at the building (rather than directed out from the building), that no blister packs have been installed on the building exterior, and that no direct glare has been created, and that any sky-reflected glare from the building has been controlled by reasonable means as are practical to the end that said sky-reflected glare will not inconvenience or annoy persons or interfere with the use and enjoyment of property in and about the area where it occurs.
- 21. As a professional courtesy, the security plans shall be filed with the Police Department of the City of El Paso de Robles.
- 22. The courthouse project shall obtain an Encroachment Permit from the City of El Paso de Robles for work done within the public right of way. In conjunction with issuance of this permit, the County shall pay appropriate fees as specified in the executed site lease or as may be further determined through on-going agency discussions.

PASSED AND ADOPTED THIS 14<sup>th</sup> day of October 2003 by the following Roll Call Vote:

- AYES: Ferravanti, Flynn, Kemper, Steinbeck, and Johnson
- NOES: None
- ABSENT: Calloway
- ABSTAIN: Warnke

---

CHAIRMAN JOHNSON

ATTEST:

---

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

**EXHIBIT A OF RESOLUTION NO. 03-075**

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS  
FOR  
PLANNED DEVELOPMENT APPLICATIONS**

PROJECT: PD 03-005 and Waiver 03-007 for a New Superior Court Facility

APPROVING BODY: Planning Commission

DATE OF APPROVAL: October 14, 2003

APPLICANT: County of San Luis Obispo, General Services Department  
Attention: Mr. Mark Wilwand, Capital Projects Manager

FOR: Superior Court of California, County of San Luis Obispo

PROPERTY-OWNER: City of El Paso de Robles

LOCATION: Downtown Paso Robles – 940 Spring Street  
(Assessor Parcel Number 009-151-002)

The following Conditions that have been checked are standard Conditions of Approval for Planned Development #03-005 and Waiver 03-007 (New Superior Court Facility, hereinafter “Project”). The checked Conditions shall be complied with in their entirety before the Project can be finalized, unless otherwise stated. Additionally, there are site specific Conditions of Approval that apply to this Project as listed in the Resolution.

\*\*\*\*\*

**COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Department at (805) 237-3970 for sign-off as to compliance with the following Conditions:**

**A. GENERAL CONDITIONS:**

- 1. This project approval shall expire on October 14, 2005 (See Resolution Approving Planned Development Application PD #03-005 and Waiver 03-007) unless a time extension request is filed with the Community Development Department prior to the date of expiration.
- 2. The site shall be developed and maintained in accordance with the approved plans on file in the Community Development Department, unless otherwise specifically modified as part of the Resolution Approving Planned Development Application PD #03-005 and Waiver 03-007. No part of the Approval of PD #03-005 (except for Waiver 03-007) waives compliance with any section of the Municipal Code, including the City’s Zoning Ordinance, applicable Municipal Chapters relating to Health & Sanitation, Public Safety, Vegetation (Oak Tree Preservation), Streets and Highways, Water and Services, Public Utilities, Signs, and Grading, and the Paso Robles Downtown Design Guidelines for Historic District B.
- 3. Prior to occupancy, all conditions of approval shall be completed to the satisfaction of the

City Engineer and Community Developer Director or his designee.

- 4. Any site specific Condition imposed by the Planning Commission in approving this Project may be modified or eliminated, or new Conditions may be added, provided that the Commission shall first conduct a public hearing in the same manner as provided for the initial approval of this Project. No such modification shall be made to the Conditions 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. This project is subject to the California Environmental Quality Act, which requires the applicant submit a \$25.00 filing fee for the Notice of Determination payable to "County of San Luis Obispo". The Fee is to be submitted to the City within 24-hours of Project approval so that it can be forwarded to the San Luis Obispo County Clerk and the State of Planning & Research along with the Notice of Determination. Please note the Project may be subject to court challenge if the Fee is not paid.
- 6. 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.
- 7. 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.
- 8. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.
- 9. All trash enclosures shall be constructed of decorative masonry block compatible with the main buildings. Gates shall be view obscuring and constructed of durable materials, such as painted metal or chain link with plastic slatting.
- 10. 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 Development Review Committee. Details shall be included in the building plans.
- 11. 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 Development Review Committee. Details shall be included in the building plans.
- 12. 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 Development Review Committee.
- 13. All existing and/or new landscaping shall be installed with automatic irrigation systems.

- 14. 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.
- 15. The following areas shall be placed in the Landscape and Lighting District:  


---

The developer shall install all improvements and landscape areas. City acceptance on behalf of the Landscape and Lighting District shall be subject to the approval of the Public Works Street Department.
- 16. All parking lot landscape planters shall have a minimum outside dimension of six feet and shall be separated from parking and driving areas by a six-inch high solid concrete curb.
- 17. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:  


---
- 18. It is the County's responsibility to insure that all aspects of the Facility and Site Improvements constructed by the County on the City's property are completed under the direct supervision of the County and its consultant's in conformance with the approved plans, specifications, and Project Conditions of Approval. It is the County's responsibility to identify the property lines and insure that Facility and Site Improvements are completed on the subject property and not on the property of others.

**B. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

- 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 for Development Review Committee (DRC) review and approval in order to verify compliance with the Mitigation Monitoring Program and Project Conditions of Approval (Both Standard and Site Specific). This DRC verification is occur prior to completion of the final/precise construction drawings and prior to the County of San Luis Obispo authorizing construction activities to commence.
- 2. Prior to the completion of the final/precise construction drawings and prior to the County of San Luis Obispo authorizing construction activities to commence, the
  - Development Review Committee 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 and irrigation plan,

Including street trees and decorative grates;

Including the landscape planting palette and quantities, sizes, and spacing information;

Including the irrigation plan and related information/reports demonstrating compliance with the applicable requirements of the State of California's *Water Conservation in Landscaping Act*, Assembly Bill 325 (Government Code Sections 65591 – 65600 and Division 2, Title 23, California Code of Regulations Chapter 2.7 Sections 490-495);

Including the hardscape and outdoor site amenities (Benches, tables, trash receptacles, path lighting [eg, bollards], decorative lighting to showcase the landscape and public plaza, pavement thickness, color, and texture, trash enclosures, utility screening, etc...);

Including measures to protect the **Oak Trees**, as follows:

- Incorporating the site specific oak tree protection requirements listed in the Tree Protection Report by Carolyn Leach, LLC;
- Incorporating the standards, requirements, protection measures and penalties of the City's Oak Tree Preservation Ordinance;
- Listing how the project manager and construction supervisor will ensure that all workers are informed about the above-referenced standards, requirements, protection measures, and penalties;
- Identifying the on-site construction monitoring program to be implemented by the ISA certified arborist of record; and
- Requiring submittal of the final inspection report to the City.

c. Detailed building elevations, specifying

- The architectural treatments for all four-sides of the new Superior Court Facility and appurtenant buildings/structures;
- The exterior building materials, including building mounted lighting and other fixtures (product name, manufacturer, manufacturer installation specifications, product catalogue cut sheets, etc...); and,
- The exterior colors and finishes.

d. Other: Wall/Fencing Plans, Signage, Flag Pole, and Lighting.

3. 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.

**C. THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO OCCUPANCY:**

- 1. Facility occupancy shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior to occupancy, plans demonstrating compliance are to be submitted to Emergency Services and Building; and final Departmental sign-offs are to be obtained.
- 2. All public or private manufactured slopes located adjacent to public right-of-ways on property in excess of six (6) feet in vertical height and of 2.5:1 or greater slope shall be irrigated and landscaped for erosion control and to soften their appearance as follows: one 15-gallon tree per each 250 square feet of slope area, one 1-gallon or larger size shrub per each 100 square feet of slope area, and appropriate ground cover. Trees and shrubs shall be staggered in clusters to soften and vary the slope plane. Slope planting shall include a permanent irrigation system be installed by the developer prior to occupancy. In lieu of the above planting ratio, the applicant may submit a slope planting plan by a licensed landscape architect or contractor providing adequate landscaping, erosion control and slope retention measures; the slope planting plan is subject to approval by the Development Review Committee. Hydroseeding may be considered on lots of 20,000 square feet or greater.

\*\*\*\*\*  
**PUBLIC WORKS DEPARTMENT - The applicant shall contact City Engineer at (805) 237-3860, for sign-off as to compliance with the following Conditions:**

APPLICANT:	County of San Luis Obispo	PREPARED BY:	John Falkenstien
REPRESENTATIVE:	Mr. Mark Wilwand	CHECKED BY:	_____
PROJECT:	PD 03-005 & Waiver 03-007	TO PLANNING:	05/13/03

All Conditions marked are applicable to the above-referenced Project for the phase indicated.

**D. PRIOR TO ANY PLAN CHECK:**

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

**E. 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. The proposed structures and grading shall not encroach into the 100-year floodway as specified in Municipal Code Chapter 21.14 "Flood Damage Prevention Regulations".

- 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 removal.
- 4. 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.
- 5. A Preliminary Soils and/or Geology Report shall be prepared by a registered engineer for the property to determine the presence of expansive soils or other soils problems and shall make recommendations regarding grading of the proposed site.

**F. PRIOR TO ANY SITE WORK:**

- 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, together with the improvement plans. The composite utility plan shall also be signed by the Water, Fire, Wastewater, and Street Division heads.
- 3. 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.
- 4. 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.
- 5. 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 Public Works, the Street Superintendent, and the Community Development Department.
- 6. The County on behalf of the property-owner shall offer to dedicate and improve the following street(s) to the standard indicated:

Street Name	City Standard	Standard Drawing No.
-------------	---------------	----------------------

Park Street	Local	Per City Design Standards for the block, as established with development of the Emergency Services Center, except for that portion of the public sidewalk that has been waived by separate action of the Planning Commission in order to protect and preserve the existing oak trees
9th Street	Local	A-12
10 <sup>th</sup> Street	Collector	Per City Design Standards for 10 <sup>th</sup> Street, as established with development of the Emergency Services Center
Spring Street	Arterial	A-2 and the Spring Street Master Plan

- 7. 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: Public Utilities Easement; Water Line Easement; Sewer Facilities Easement; Landscape Easement; Storm Drain Easement.

**G. 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.
- 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. When retaining walls are shown on the grading plan, said walls shall be completed before approval of the rough grade, and prior to issuance of any building permits, unless waived by the Building Official and the City Engineer.
- 4. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- 5. 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 per Fire Department recommendation.
- 6. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following: Street lights; Parkway and open space landscaping; Wall maintenance in conjunction with landscaping; Graffiti abatement;

Maintenance of open space areas.

- 7. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map in 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 as completed and signed by a land surveyor, engineer or architect licensed in the State.
- 8. Prior to the issuance of a Building Permit for a building within Flood Insurance Rate Map in 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 Insurance Program. This form must be completed by a land surveyor, engineer or architect licensed in the State.

**H. PRIOR TO OCCUPANCY:**

- 1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services and any outstanding annexation fees.
- 2. No buildings shall be occupied until all public improvements are completed and approved by the City Engineer, and accepted by the City Council.
- 3. All final property corners and street monuments shall be installed before acceptance of the public improvements.
- 4. 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.
- 5. The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.
- 6. If 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 graded shoulder adequate to provide for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
- 7. If 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' wide travel lane and 4' wide graded shoulder adequate for two-way traffic. (A finding of "rough proportionality" has been made in the resolution for this condition).
- 8. When the project fronts on an existing street, the applicant shall pave-out from the proposed curb 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 is inadequate, 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).

- 9. 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.
- 10. The applicant shall install all utilities (sewer, water, gas, electricity, cable TV and telephone) underground (as shown on the composite utility plan). 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. All underground construction shall be completed and approved by the public utility companies, and the subgrade shall be scarified and compacted, before paving the streets.
- 11. Prior to paving any street the water and sewer systems shall successfully pass a 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.
- 12. A blackline clear Mylar (0.4 MIL) copy and a blueline print 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.
- 13. 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.

\*\*\*\*\*

**EMERGENCY SERVICES/FIRE DEPARTMENT - The applicant shall contact the Fire Department, (805) 237-3973 for sign-off as to compliance with the following conditions:**

**I. 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.