

RESOLUTION NO.: 07-067  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO GRANT APPROVAL FOR PLANNED DEVELOPMENT 06-017 AND TENTATIVE TRACT 2890  
FOR 58 SENIOR CONDOMINIUMS AND 5,300 SQ FT OF COMMERCIAL SPACE  
(PASO ROBLES SPRING STREET LLC)

WHEREAS, Planned Development (PD) 06-017 and Tentative Tract (TT) 2890 have been filed by the Paso Robles Spring Street LLC (the "Applicant"), and is a proposal to develop a mixed – use project consisting of a "senior citizen housing development" with 58 residential condominium units for occupancy by senior citizens (aged 55 year or older) and 5,300 sq ft of retail/service commercial space on a 2.4 acre site located at 3328 Spring Street; and

WHEREAS, the Applicant has also applied for: (a) a density bonus of 20 percent; (b) and incentive to allow bay windows to project 1.5 feet into the required 15 foot setback from Spring Street; (c) an abandonment of 10 feet of the 80 foot right-of-way width of 34<sup>th</sup> Street (Street Abandonment 07-002); and (d) removal of a 6 inch DBH oak tree (Oak Tree Removal 07-005) in conjunction with PD 06-017 and TT 2890; and

WHEREAS, the site is designated by the General Plan for Commercial Service/Senior Housing Overlay land uses and is zoned C-2/Senior Overlay Zone; and

WHEREAS, the Senior Housing Overlay Zone permits development of senior citizen housing development consisting of 35 or more units on any property, regardless of underlying zoning district, at a density of 20 units per acre; and

WHEREAS, the City's Density Bonus Ordinance provides that senior citizen housing developments are entitled to a 20 percent density bonus; the project density, at 24 units per acre (58 units on 2.4 acres), conforms to these regulations; and

WHEREAS, the City's Density Bonus Ordinance also provides that applications for density bonuses are also eligible for incentives such as modifications of zoning standards; and

WHEREAS, the Applicant has submitted a letter state its agreement to record restrictions against the property limiting occupancy to "qualifying residents" as defined by Municipal Code Section 21.21.150; and

WHEREAS, the Planning Commission held a duly noticed public hearing on July 10, 2007 on this project to accept public testimony on the PD 06-017 and TT 2890; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, based on the information and analysis contained in the Initial Study, a determination has been made that the proposed residential project will not result in significant environmental impacts, the Planning Commission adopted a Mitigated Negative Declaration for this project on July 10, 2007, which was adopted under a separate resolution; 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 design and intensity/density of the proposed Development Plan and Tentative Tract, at 24 units per acre is consistent with General Plan's Senior Housing Overlay District and Senior Housing Overlay Zone, both of which allow up to 20 units per acre, and the City's Density Bonus Ordinance, which allows a density bonus of 20 percent for senior citizen housing developments; the requested incentive of allowing a projection of bay windows 1.5 feet into the 15 foot Spring Street setback is within the scope of incentives specified in the Density Bonus Ordinance; and the excellence in the proposed architectural treatment offsets any aesthetic impacts that could be associated with such an incentive; and
2. The proposed development plan will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City, and will provide an appropriate land use buffer and transition between commercial uses to the west and single family residences to the north and east; and
3. The proposed development plan accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors; and the public right-of-way, since the design of the subdivision layout and homes, reduced will not block views of properties to the east of the site; and
4. The proposed development plan is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts; and
5. The proposed development plan is compatible with existing scenic and environmental resources such as oak trees, since two oak trees are proposed to preserved; and
6. The proposed development plan contributes to the orderly development of the City as a whole; and
7. The project advances the following principles and actions of the 2006 Economic Strategy:
  - Maintain safe, healthy and attractive physical environment.
  - Establish cohesive, compact and livable community for individuals and families.
  - Improve overall quality of built form (design/architecture).
  - Create inspiring and memorable places.
  - Emphasize the appearance and qualities of the public realm.
8. The proposed tentative tract map is consistent with the adopted General Plan for the City of El Paso de Robles; and
9. The design of lots, streets, open space, drainage, sewers, water and other improvements are consistent with the General Plan and Zoning Ordinance; and
10. The site is physically suitable for the type of development proposed; and
11. The site is physically suitable for the proposed density of development; and
12. 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; and

13. The land division proposed is not likely to cause serious public health problems; and
14. The design of the land division will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision; and
15. The fulfillment of the requirements listed in the Conditions below are a necessary prerequisite to the orderly development of the site and surrounding area;
16. The City's standard right-of-way width for a local street is 60 feet and the proposed abandonment of 10 feet of right-of-way for 34<sup>th</sup> Street, from 80 feet to 70 feet, would leave sufficient width for neighborhood traffic; additionally the narrower right-of-way width would decrease storm water runoff, storm water pollution, and local heat gain, which would in turn reduce energy usage;
17. The project cannot be feasibly re-designed to preserve the multi-trunk oak tree on the 34<sup>th</sup> Street frontage, which is shaped more like a shrub whose main limbs are only 4 inches in diameter and is proposed for removal; moreover, replacement of the subject tree with two new single-trunk oaks of the same species, as provided in Municipal Code Section 10.01.050.E, would provide healthier and more-aesthetically-pleasing trees.
18. The conditions set forth below serve to implement policies, principles, and actions set forth in the City's 2006 Economic Strategy, particularly those related to improving quality of place.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of El Paso de Robles to approve Planned Development 06-017 and Tentative Tract 2890, subject to the following conditions set forth below.

**STANDARD CONDITIONS:**

1. The applicant shall comply with all those standard conditions which are indicated on "Exhibit A" to this resolution. NOTE: All checked standard conditions shall apply unless superseded by a site specific condition.

**SITE SPECIFIC CONDITIONS:**

***NOTE: In the event of conflict or duplication between standard and site specific conditions, the site specific condition shall supersede or supplement the standard condition.***

2. This PD 06-017 and TT 2890 authorizes the construction of a mixed – use project consisting of a "senior citizen housing development" with 58 residential condominium units for occupancy by senior citizens (aged 55 year or older) and 5,300 sq ft of retail/service commercial space. This approval includes the granting of a density bonus of 20 percent for a "senior citizen housing development" in accordance with Municipal Code Section 21.16L.030.C and the granting of an incentive, in accordance with Municipal Code Section 21.16L.070, to allow projection of bay windows 1.5 feet into the 15 foot Spring Street Setback.
3. Approval of PD 06-017 and TT 2890 is contingent upon City Council approval of the following applications:
  - a. Street Abandonment 07-002 by which 10 feet of right-of-way width for 34<sup>th</sup> Street is to be abandoned;

- b. Oak Tree Removal Permit 07-005 by which the removal of a 6 inch DBH multi-trunked tree along the 34<sup>th</sup> Street frontage is approved.
4. Approval of this project is valid for a period of two (2) years from date of approval and shall expire on July 10, 2009 unless the following has occurred prior to said date:
- a. For PD 06-017, permits have been issued and site work has begun;
  - b. For TT 2890, the City Council has approved a Final Map.

The Planning Commission may extend this expiration date in increments of 12 months for up to an additional three (3) years, provided that applications for time extensions, including applicable fees, have been filed with the City prior to the dates that the original approval or time extensions expire.

5. The project shall be constructed so as to substantially conform to the following drawings dated Received by the Planning Division on May 15, 2007. (NOTE: Reductions of the drawings listed below [except the Color and Materials Board] are attached to this resolution; full-sized copies are on file in the Community Development Department.)

<u>Drawing</u>	<u>Sheet</u>
Title Sheet and Spring Street Elevation	PD-1
Master Site Plan/First Floor (Garage Level) Plan	PD-2
2 <sup>nd</sup> Floor (Spring Street Level) Plan	PD-3
3 <sup>rd</sup> Floor Plan	PD-4
4 <sup>th</sup> Floor Plan	PD-5
Roof plan	PD-6
Building Elevations	PD 7-9
Site Cross-Sections	PD-10
Floor Plans	PD-11
Preliminary Planting (Landscaping) Plan	L-1
Color and Materials Board	
Tract 1890 Tentative Map	
Preliminary Grading and Drainage Plan	
Tract 2890 Cross-Sections and Details	

6. The project shall be developed in a single phase, including all amenities and improvements reflected on the submitted exhibits. Any proposal to develop the project in multiple phases shall be subject to Planning Commission consideration and approval as part of a subsequent amendment to this Planned Development. Prior to granting approval of any phasing plan, the City may impose additional conditions upon this Planned Development relative to phasing which are necessary to protect the public health, safety and welfare and orderly development of the City.
7. Prior to approval of the Final Map and/or issuance of a Building Permit, the applicant shall submit a conditions, covenants, and restrictions (CC&Rs) to the City for review and approval. Said CC&Rs shall accomplish the following:
- a. Restrict occupancy of units in the manner specified in Subsections 1 and 3 of Municipal Code Section 21.21.150.B, which read as follows:
    - “1. It is the intent of this section that all dwelling units in a senior citizen housing development, except one unit for a live-in manager, be occupied by at least one senior citizen. The person commencing any occupancy of a dwelling unit shall include a senior

citizen who intends to reside in the unit as his or her primary residence on a permanent basis. In conformance with the Federal Fair Housing Act, at least 80 percent of the occupied dwelling units in any senior citizen housing development shall be occupied with at least one senior citizen. All other occupants of a senior citizen housing development shall meet the criteria for qualified permanent residents.

2. Contain provisions for enforcing age limitations, relocation when a household survivor is not a senior citizen or qualified permanent resident, maximum occupancy limitations, long-term project maintenance and repair, and shall make the city a party to such with regard to enforcement, right-of-entry, and enforcement of local traffic/parking regulations; such CC&Rs shall not be amendable without the consent of the city. No such CC&Rs shall be acceptable until approved by the city attorney as to compliance with all code requirements. Such CC&Rs shall be recorded with the county recorder's office, either separately or with a subdivision map, prior to issuance of a building permit.”
- b. Inform all prospective buyers that, as provided for in Municipal Code Sections 9.06.030 and 21.22.160, parking spaces may not be used for storage of trailers, boats, or inoperative vehicles.
8. Prior to issuance of a building permit, the property owner shall record an instrument, to be approved by the City Attorney, naming the City of El Paso de Robles as the sole agent for pumping and delivering the overlyer's groundwater water rights.
9. Prior to issuance of a Certificate of Occupancy, a Bus Shelter, of the dark green metal type installed at various locations in the City, shall be installed in a location on Spring Street, near 34th Street, to be determined by the Directors of Public Works and Administrative Services.
10. Prior to issuance of a Certificate of Occupancy, a detailed landscaping and irrigation plan shall be submitted for review and approval by the Development Review Committee.
11. Prior to issuance of a Certificate of Occupancy, the applicant shall submit, for City staff approval, an exterior lighting plan that fully contains glare on-site (i.e., shields views of bulbs from view from off-site). Said plan will include details of the fixtures and their placement on exterior walls or on posts on-site.
12. Prior to issuance of a building permit, any outstanding City Development Application Fees that may be due for this development plan application shall be deposited with the City.
13. Temporary construction noise levels in excess of 60 decibels shall be restricted to the daylight hours of 7am to 6pm. Noise levels shall be measured or monitored from site boundaries or the nearest adjoining residential use to determine compliance.
14. Use and operation of the project and its appurtenances 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).
15. The following utility appurtenances shall be completely screened from public view through the use of methods indicated below. Detailed drawings for decorative masonry enclosures shall be submitted to City staff for review and either a determination that the enclosure design is compatible with the approved plans or referral to the Development Review Committee for its review and approval.

Appurtenance

Screening method

double detector check valves	underground vaults, decorative masonry enclosures, or completely enclosed within a building.
electrical transformer vaults	decorative masonry enclosure or completely enclosed within a building.
gas valves and electric meters	behind decorative enclosures or decorative screening walls

16. All air-conditioning condensers shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans. They may be roof-mounted only if fully-screened from view from street and ground levels on all four sides of buildings on which they are placed.
17. The applicant shall take the steps necessary to annex to or form a City Community Facilities District (CFD) in order to provide funding for City services for each new parcel or dwelling unit in the proposed development. The agreement to form or annex to a CFD shall be in a manner to be approved by the City Attorney. Participation in a City CFD for services is intended to fully mitigate the incremental impact of new residential development on City services and maintain such services at the standards established in the General Plan.

If for any reason, applicant does not take the necessary steps to have the development included within a CFD, applicant shall, in a manner subject to approval by the City Council and City Attorney, provide for alternative means of fiscal mitigation at a level equal to the special taxes established in the Rate and Method of Apportionment applicable to CFD 2005-1, as they may be adjusted from time to time.

For any project resulting in the development of five (5) or more residential units on separate parcels, applicant shall also prepare and record the necessary documents to form a homeowners association (the "HOA") for such development, which HOA shall become active only if and when the CFD is terminated. The HOA documents shall provide that the HOA shall be required to fund the services provided by the CFD, and at the same level established in the Rate and Method of Apportionment for the CFD.

18. The project shall incorporate the following design criteria for senior citizen housing developments prescribed in Subsections C and D of Municipal Code Section 21.21.150:
  - a. Entryways, walkways, and hallways in the common areas of the development, and doorways and paths of access to and within the housing units, shall be as wide as required by current laws applicable to new multifamily housing construction for provision of access to persons using a standard-width wheelchair.
  - b. Walkways and hallways in the common areas of the development shall be equipped with standard height railings or grab bars to assist persons who have difficulty with walking.
  - c. Walkways and hallways in the common areas shall have lighting conditions which are of sufficient brightness to assist persons who have difficulty seeing.
  - d. Access to all common areas and housing units within the development shall be provided without use of stairs, either by means of an elevator or sloped walking ramps.

- e. The development shall be designed to encourage social contact by providing at least one common room and at least some common open space.
  - f. Refuse collection shall be provided in a manner that requires a minimum of physical exertion by residents.
  - g. The development shall comply with all other applicable requirements for access and design imposed by law, including, but not limited to, the Fair Housing Act (42 U.S.C. Sec. 3601 et seq.), the Americans with Disabilities Act (42 U.S.C. Sec. 12101 et seq.), and the regulations promulgated at Title 24 of the California Code of Regulations that relate to access for persons with disabilities or handicaps. Nothing in this section shall be construed to limit or reduce any right or obligation applicable under those laws.
  - h. Any building in a senior citizen housing development with an elevator shall have an alternative back-up power source.
  - i. Senior citizen housing developments shall provide an internal and/or external security system to be reviewed and approved by the Chief of Police.
19. The following oak tree mitigation measures shall be completed for the two oaks along the Park Street frontage:
- a. **Fencing:** The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4 foot high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

<p><b>Tree Protection Zone</b>          No personnel, equipment,          materials, and vehicles are          allowed          Do not remove or re-          position this fence without          calling:          A &amp; T Arborists          434-0131</p>
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- b. **Soil Aeration Methods:** Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.
- c. **Chip Mulch:** All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

- d. **Trenching Within Critical Root Zone:** All trenching within the critical root zone of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading contractor(s) must take place prior to work start.
- e. **Grading Within The Critical Root Zone:** Grading should not encroach within the critical root zone unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.
- f. **Exposed Roots:** Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.
- g. **Equipment Operation:** Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.
- h. **Existing Surfaces:** The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.
- i. **Construction Materials and Waste:** No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials either.
- j. **Arborist Monitoring:** An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the **owner(s) or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department.
- pre-construction fence placement inspection
  - all grading and trenching identified on the spreadsheet
  - any other encroachment the arborist feels necessary
- k. **Pre-Construction Meeting:** An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the earth moving team shall be required for this project. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.
- l. **Pruning :** Class 4 pruning includes-Crown reduction pruning shall consist of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for

road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

- m. **Landscape:** All landscape within the critical root zone shall consist of drought tolerant or native varieties. Lawns shall be avoided. All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. It is the owner's responsibility to notify the landscape contractor regarding this mitigation.
  - n. **Utility Placement:** All utilities, sewer and storm drains shall be placed down the roads and driveways and when possible outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over** roots larger than 3 inches in diameter.
  - o. **Fertilization and Cultural Practices:** As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhiza applications that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.
20. Prior to issuance of a Certificate of Occupancy or approval of the Final Map, the applicant shall replace the 6 inch oak to be removed with two (2) 1½ inch caliper oaks of the *quercus agrifolia* species as specified in Municipal Code Section 10.01.050.E. The replacement oaks may either be planted on-site, with locations to be noted on the detailed landscaping and irrigation plan required by Condition #10, or purchased and donated to the City for planting off-site in a location to be determined by the City.
21. The project shall be in compliance the following recommendations of the San Luis Obispo County Air Pollution Control District as noted in **bold, underlined type** below.

#### **CONSTRUCTION PHASE MITIGATION:**

##### Naturally Occurring Asbestos

The project site is located in a candidate area for Naturally Occurring Asbestos (NOA), which has been identified as a toxic air contaminant by the California Air Resources Board (ARB). Under the ARB Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations, **prior to any grading activities at the site, the project Proponent shall ensure that a geologic evaluation is conducted to determine if NOA is present within the area that will be disturbed. If NOA is not present, an exemption request must be filed with the District (see Attachment 11 If NOA is found at the site the applicant must comply with all requirements outlined in the Asbestos ATCM.** This may include development of an Asbestos Dust Mitigation Plan and an Asbestos Health and Safety Program for approval by the APCD. Please refer to the APCD web page at <http://www.slocleanair.org/business/asbestos.asp> for more information or contact Tim Fuhs of our Enforcement Division at 781-5912.

##### Demolition Activities

The project referral indicated that there are existing structures on the proposed site that will be demolished. Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered during demolition or remodeling of existing buildings. Asbestos can also be found in utility pipes/pipelines (transite pipes or insulation on pipes). **If utility pipelines are scheduled for removal or relocation; or building(s) are removed or renovated this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M – asbestos NESHAP).** These requirements include but are not limited to: 1) notification requirements to the District, 2) asbestos survey

conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact Tim Fuhs of the Enforcement Division at 781-5912 for further information.

#### Dust Control Measures

Construction activities can generate fugitive dust, which could be a nuisance to local residents and businesses in close proximity to the proposed construction site. Dust complaints could result in a violation of the APCD's 402 "Nuisance" Rule. Any project with a grading area greater than 4.0 acres exceeds the APCD's PM10 quarterly threshold. **This project exceeds this threshold or is near potentially sensitive receptors and shall be conditioned to comply with all applicable Air Pollution Control District regulations pertaining to the control of fugitive dust (PM10) as contained in section 6.5 of the Air Quality Handbook. All site grading and demolition plans noted shall list the following regulations:**

- a. Reduce the amount of the disturbed area where possible.
- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible,
- c. All dirt stock pile areas should be sprayed daily as needed,
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans should be implemented as soon as possible following completion of any soil disturbing activities,
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading should be sown with a fast germinating native grass seed and watered until vegetation is established,
- f. All disturbed soil areas not subject to revegetation should be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD,
- g. All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used,
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site,
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23 1 14,
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site, and
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.

Water sweepers with reclaimed water should be used where feasible. All PM10 mitigation measures required should be shown on grading and building plans. In addition, the contractor or builder should designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holidays and weekend periods when work may not be in progress. **The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and finished grading of the area.**

#### Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities will require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit. The following list is provided

as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Power screens, conveyors, diesel engines, and/or crushers;
- Portable generators and equipment with engines that are 50 hp or greater; and
- IC engines.

**To minimize potential delays, prior to the start of the project, please contact Gary Willev of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

#### Standard Control Measures for Construction Equipment

This project is located within 1000 feet of two schools: 1) Georgia Brown Elementary School at 525 36<sup>th</sup> Street and 2) Child Development Programs at 3150 Park Street. **To minimize diesel impacts to the sensitive receptors, the developer will implement the following standard construction equipment mitigation measures for reducing emissions:**

- Maintain all construction equipment in proper tune according to manufacturer's specifications. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road).
- Maximize, to the extent feasible, the use of diesel construction equipment meeting ARB's 1996 and newer certification standard for off-road heavy-duty diesel engines.
- Maximize to the extent feasible, the use of on-road heavy-duty equipment and trucks that meet the ARB'S 1998 or newer certification standard for on-road heavy-duty diesel engines.
- All on and off-road diesel equipment shall not be allowed to idle for more than 5 minutes. Signs shall be posted in the designated queuing areas to remind drivers and operators of the 5 minute idling limit.

#### **OPERATIONAL PHASE MITIGATION:**

The APCD staff considered the operational impact of this development by, running the URBEMIS2002 computer model, a tool for estimating vehicle travel, fuel use and the resulting emissions related to this project's land uses. This indicated that operational phase impacts will likely be less than the APCD's CEQA Tier I significance threshold value of 10 lbs of emissions per day. Therefore, with the exception of the requirements below, the APCD is not requiring other operational phase mitigation measures for this project.

### Residential Wood Combustion

Under APCD Rule 504, **only APCD approved wood burning devices can be installed in new dwelling, units.** These devices include:

- All EPA-Certified Phase II wood burning devices;
- Catalytic wood burning devices which emit less than or equal to 4.1 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Non-catalytic wood burning devices which emit less than or equal to 7.5 grams per hour of particulate matter which are not EPA-Certified but have been verified by a nationally-recognized testing lab;
- Pellet-fueled wood heaters; and
- Dedicated gas-fired fireplaces.

If you have any questions about approved wood burning devices, please contact Tim Fuhs of our Enforcement Division at 781-5912.

### Mixed Use Incompatibility

As individual projects move forward it is important to keep in mind that some uses may not be compatible and could result in potential nuisance problems (i.e. odors and/or dust). Therefore, it is essential that individual uses be carefully evaluated prior to issuance of an APCD use permit. The following uses could be problematic if residential quarters are included in the same building.

- Nail Salons
- Dry-cleaners
- Coffee Roasters
- Gasoline Stations
- Furniture refurbishing/refinishing
- Any type of Spray Paint Operation

To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

### Operational Permit Requirements

Based on the information provided, we are unsure of the types of businesses/equipment that will occupy the commercial/retail portion of this project. **State law (AB 3205) requires an applicant for a commercial/industrial development project, building permit or occupancy permit to provide information to the Air Pollution Control District (APCD) indicating whether hazardous materials or certain equipment or processes will be used in or at the facility (Attachment 2: Facility Operations Questionnaire). Such uses may require a permit from the APCD and/or a Hazardous Materials Business Plan. This law prohibits a City or County from issuing a final certificate of occupancy until the applicant or future building occupant has complied with the provisions of the law. The law may also impose certain public noticing requirements for a facility that handles hazardous materials and is located within 1,000 feet of the outer boundary of a school (kindergarten through 12th grade).** As previously identified, this project is located within 1,000 feet of two schools.

The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to page A-5 in the District's CEQA Handbook.

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Food and beverage preparation (primarily coffee roasters);
- Furniture and fixture products;

- Auto and vehicle repair and painting facilities;
- Fuel dealers;
- Dry cleaning;
- Boilers; and
- IC Engines.

**To minimize potential delays, prior to the start of the project, please contact Gary Willey of the District's Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.**

22. The following noise mitigation measures from the Noise Element's Acoustic Design Manual shall be incorporated into the construction plans in order to ensure that noise levels from traffic on Spring Street are reduced to 45 dBA or less in those dwelling units fronting onto Spring Street.
1. Air conditioning or a mechanical ventilation system is installed so that windows and doors may remain closed.
  2. Windows and sliding glass doors are mounted in low air infiltration rate frames (0.5 cfm or less, per ANSI specifications).
  3. Exterior doors are solid core with perimeter weather-stripping and threshold seals.
23. The applicant shall install street improvements (curbs, gutters, sidewalk, street lights, paving, street trees, bus stops in accordance with the most recent standards and/or guidelines adopted at the time of approval of the Final Map, which may include standards and/or guidelines (either final or draft) be adopted for the Uptown Specific Plan. The street improvement plans shall be approved to the satisfaction of the Community Development Director.

### **ENGINEERING CONDITIONS**

24. Prior to final map approval, Spring Street shall be improved consistent with the Spring Street Master Plan and in accordance with plans approved by the City Engineer. Street lights and street trees shall be included in the design. Along the Spring Street frontage, the applicant is encouraged to consider installing the City Standard decorative street lights used in the Downtown at a spacing of 80 feet.
25. Prior to final map approval, all existing overhead utilities on or adjacent to the site shall be relocated underground.
26. Prior to final map approval, 34<sup>th</sup> and Park Streets shall be improved to City Local Street Standard A-5. A parkway shall be installed between the curb and sidewalk on 34<sup>th</sup> Street. Street lights and parkway landscaping shall be included in the design. Plans will also include the extension of the existing storm drain at 34<sup>th</sup> and Park Streets.
27. Prior to final map approval, the sewer line over the southwest corner of the property shall be relocated in accordance with plans approved by the City Engineer.
28. Prior to final map approval and prior to issuance of a building permit, fire hydrants shall be provided in accordance with plans approved by the City Engineer and Fire Marshall.
29. Prior to occupancy, storm water quality control devices shall be included in the development of the site in accordance with plans approved by the City Engineer.

### **EMERGENCY SERVICES CONDITIONS**

30. Provide fire sprinkler systems for all buildings.
31. Prior to the start of construction, documentation shall be submitted to the Emergency Services Department showing that the required fire flows can be provided to meet all project demands.

**POLICE CONDITION**

32. The following security measures shall be provided:
  - a. Security lighting shall be installed in the undersides (soffits) of the lowest level cantilevered decks along Spring Street and shall be programmed to remain illuminated at night..
  - b. A 3 foot high ornamental iron fence shall be installed along the Spring Street frontage, at the top of the slope leading down to the ventilation openings for the subterranean parking garage. Detailed drawings for this fence shall be submitted to City staff for review and either a determination that the enclosure design is compatible with the approved plans or referral to the Development Review Committee for its review and approval.

PASSED AND ADOPTED THIS 10th day of July, 2007 by the following Roll Call Vote:

AYES: Steinbeck, Treatch, Flynn, Johnson, Withers, Holstine  
NOES: None  
ABSENT: Menath  
ABSTAIN: None

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CHAIRMAN MARGARET HOLSTINE

ATTEST:

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RON WHISENAND, PLANNING COMMISSION SECRETARY

ED\PLANNING APPS\PD 06-017 - JEFFREY\PD RESO

**EXHIBIT A OF RESOLUTION 07-067**

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS  
FOR PLANNED DEVELOPMENTS / CONDITIONAL USE PERMITS  
AND  
FOR SINGLE FAMILY RESIDENTIAL TRACT AND PARCEL MAPS**

PROJECT #: Planned Development (PD) 06-017 and Tentative Tract (TT) 2890

APPROVING BODY: Planning Commission

DATE OF APPROVAL: July 10, 2007

APPLICANT: Paso Robles Spring Street LLC

LOCATION: 3328 Spring Street

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

**COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Community Development Department, (805) 237-3970, for compliance with the following conditions:**

**A. GENERAL CONDITIONS:**

- 1. This project approval shall expire on July 10, 2009, 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. 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 Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.
- 5. 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.

- 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 Community Development Director or his designee. 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 Community Development Director or his designee. 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 subject to approval by the Community Development Director or his designee.
- 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: (a) streetlights on Spring, 34<sup>th</sup>, and Park Streets. 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 (237-3864).
- 16. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:
  - a. parkways on 28th and Park Streets.
- 17. 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.
- 18. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
- 19. 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.

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

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

- 1. Occupancy of the facility shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior to occupancy, plans shall be submitted to the Paso Robles Fire Department and the Building Division to show compliance. The building shall be inspected by the appropriate department prior to occupancy.
- 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.

**ENGINEERING DIVISION - The applicant shall contact the Engineering Division, (805) 237-3970, for compliance with the following conditions:**

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

APPLICANT: Jeffrey  
REPRESENTATIVE: North Coast Engineering  
PROJECT: Tentative Tract Map 2890  
PREPARED BY: John Falkenstien  
CHECKED BY:  
TO PLANNING:

**D. PRIOR TO: ANY PLAN CHECK; RECORDING OF THE FINAL OR PARCEL MAP; ISSUANCE OF A GRADING OR BUILDING PERMIT; AND ANY SITE WORK:**

- 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.
- 2. 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.
- 3. 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.
- 4. The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:  

Street Name	City Standard	Standard Drawing No.
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- 5. 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.
- 6. 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.

**E. 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. 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.
- 4. 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.
- 5. 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.
- 6. 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.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. The owner shall install all street name, traffic signs and traffic striping as directed by the City Engineer.
- 11. 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.)
- 12. 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.)

- 13. 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.)

**F. 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. 835, 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.

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

- 1. The applicant shall obtain a Grading Permit from the City Building Division.
- 2. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
- 3. 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.
- 4. 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.
- 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.
- 7. 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.

**H. 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. 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.
- 6. 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.

**I. 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. 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.

- 10. The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.
- 11. 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).
- 12. 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).
- 13. 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).
- 14. 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.
- 15. 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.
- 16. 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.
- 17. 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.

**PASO ROBLES EMERGENCY SERVICES DEPARTMENT - The applicant shall contact the Emergency Services Department, (805) 237-3973, for compliance with the following conditions:**

**J. 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.

**EXHIBIT A OF RESOLUTION 07-067**

**CITY OF EL PASO DE ROBLES STANDARD DEVELOPMENT CONDITIONS  
FOR PLANNED DEVELOPMENTS / CONDITIONAL USE PERMITS  
AND  
FOR SINGLE FAMILY RESIDENTIAL TRACT AND PARCEL MAPS**

PROJECT #: Planned Development (PD) 06-017 and Tentative Tract (TT) 2890  
APPROVING BODY: Planning Commission  
DATE OF APPROVAL: July 10, 2007  
APPLICANT: Paso Robles Spring Street LLC  
LOCATION: 3328 Spring Street

The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

**COMMUNITY DEVELOPMENT DEPARTMENT - The applicant shall contact the Community Development Department, (805) 237-3970, for compliance with the following conditions:**

**A. GENERAL CONDITIONS:**

- 1. This project approval shall expire on July 10, 2009, 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. 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 Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.
- 5. 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.

- 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 Community Development Director or his designee. 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 Community Development Director or his designee. 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 subject to approval by the Community Development Director or his designee.
- 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: (a) streetlights on Spring, 34<sup>th</sup>, and Park Streets. 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 (237-3864).
- 16. The following areas shall be permanently maintained by the property owner, Homeowners' Association, or other means acceptable to the City:
  - a. parkways on 28th and Park Streets.
- 17. 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.
- 18. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.
- 19. 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.

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

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

- 1. Occupancy of the facility shall not commence until such time as all Uniform Building Code and Uniform Fire Code regulations have been complied with. Prior to occupancy, plans shall be submitted to the Paso Robles Fire Department and the Building Division to show compliance. The building shall be inspected by the appropriate department prior to occupancy.
- 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.

**ENGINEERING DIVISION - The applicant shall contact the Engineering Division, (805) 237-3970, for compliance with the following conditions:**

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

APPLICANT: Jeffrey  
REPRESENTATIVE: North Coast Engineering  
PROJECT: Tentative Tract Map 2890  
PREPARED BY: John Falkenstien  
CHECKED BY:  
TO PLANNING:

**D. PRIOR TO: ANY PLAN CHECK; RECORDING OF THE FINAL OR PARCEL MAP; ISSUANCE OF A GRADING OR BUILDING PERMIT; AND ANY SITE WORK:**

- 1. The applicant shall enter into an Engineering Plan Check and Inspection Services Agreement with the City.
- 2. 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.
- 3. 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.
- 4. The subdivider shall offer to dedicate and improve the following street(s) to the standard indicated:  

Street Name	City Standard	Standard Drawing No.
- 5. 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.
- 6. 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.

**E. 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. 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.
- 4. 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.
- 5. 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.
- 6. 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.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. The owner shall install all street name, traffic signs and traffic striping as directed by the City Engineer.
- 11. 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.)
- 12. 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.)

13. 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.)

**F. 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. 835, 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.

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

1. The applicant shall obtain a Grading Permit from the City Building Division.
2. All property corners shall be staked for construction control, and shall be promptly replaced if destroyed.
3. 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.
4. 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.
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.
7. 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.

**H. 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. 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.
- 6. 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.

**I. 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. 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.

- 10. The applicant shall install all street names, traffic signs and traffic striping as directed by the City Engineer.
- 11. 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).
- 12. 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).
- 13. 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).
- 14. 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.
- 15. 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.
- 16. 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.
- 17. 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.

**PASO ROBLES EMERGENCY SERVICES DEPARTMENT - The applicant shall contact the Emergency Services Department, (805) 237-3973, for compliance with the following conditions:**

**J. 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.