From: Darren Nash, Associate Planner

Subject: To consider Vesting Tentative Parcel Map PR 17-0137, an application to subdivide an existing 1-acre lot into 2 parcels approximately 20,000 square feet in size. (Gentle and Gretchen Winter - APN: 009-441-035)

Date: March 13, 2018

Facts
1. The proposed subdivision is located at 727 North Trigo Lane. See Vicinity Map, Attachment 1.

2. The General Plan land uses designation is Residential Single Family, two units per acre (RSF-2) and the zoning is Residential Single Family, 20,000 square foot lot size (R1-B3).

3. The 1-acre parcel is currently developed with the primary residence oriented to the Street 727 North Trigo Lane), where the Winter’s currently reside. The proposed subdivision would create a new parcel on the rear half of the lot to accommodate a new home. See Preliminary Grading, Drainage, and Utility Plan, Attachment 2.

4. As a result of topographic constraints and minimal side yard distance between the existing house and the side property line, there is not the ability to provide a driveway to access the new proposed parcel on the Winter’s lot. The subdivision is designed to provide the driveway on the adjacent property to the north, owned by Mr. Salam Kassir at 729 Trigo Lane. See Driveway Agreement letter, Attachment 3.

5. This application is Categorically Exempt from environmental review per Section 15303 of the State’s Guidelines to Implement the California Environmental Quality Act (CEQA).

6. The Development Review Committee (DRC) reviewed this project at its meeting of February 12, 2018, and were generally in favor of the tentative parcel map.

Options
1. Adopt Draft Resolution – A (Attachment 4), approving Vesting Tentative Parcel Map PR 17-0137, subject to standard and site specific conditions of approval.

2. Refer the item back to staff for additional analysis

3. Deny PR 17-0137 based on findings to be specified in the Planning Commission motion
Analysis and Conclusions

This subdivision would be a continuation of a residential development pattern that is established for the area and is considered an in-fill project because it is surrounded by residential development on all sides. As recommended to be conditioned, the subdivision is consistent with general plan policies and zoning requirements, and would be an acceptable use for the site.

Fiscal Impact

The subdivision of this property will not have a fiscal impact to the City.

Recommendation

Approve Option 1 allowing the subdivision of the property consistent with the development pattern in neighborhood, and consistent with the RSF-2 land use designation, and the R1, B3-PD zoning designation.

Attachments

1. Vicinity Map
2. Grading & Utility Plan
3. Driveway Agreement
4. Draft Resolution – A
5. Mail Affidavit
6. Legal Affidavit
Agenda Item 1
AGREEMENT FOR EASEMENT FOR ROAD AND LOT-LINE ADJUSTMENT FOR GARAGE

The Winter residence 009-441-034 and the Kassir residence 009-441-035 are on adjoining lots.

ROAD
The Winters will build a road on the Kassir’s property, the road shall be accessible to both the Winters and the Kassirs and may be used for any lawful purpose. The Winter’s shall pay all costs associated with the permitting, grading and construction of the road. The Kassir’s hereby convey to the Winter’s and their heirs and successors an easement to a thirty foot wide portion of land bordered on the east by Trigo Lane, on the south by 009-441-034 (Winter’s Lot) on the West by the westmost portion of 009-441-035 (Kassir’s lot) and on the north by 30 feet north of 009-441-035 (Kassir’s) south lot line. See attached plat map.

GARAGE
The Winters have a garage which currently encroaches on the Kassir’s property 009-441-035. The Kassir’s agree to have the lot line adjusted to allow the 009-441-034 the garage and all roof overhang to be on 009-441-034 property.

ALLOCATION OF COSTS
The Winters will pay for all costs associated with the lot line adjustment, easement and road construction including necessary permits, title searches, surveying and professional fees. Further, the Kassir’s and their heirs and successors and the Winters and their heirs and successors agree to provide and execute such further documentation as may be reasonably required to give full force and effect to this agreement. The parties agree that this document may be recorded.

Gentle E. Winter

Salman M. Kassir 12/2/17

Gretchen E. Winter

Deborah M. Kassir 12/2/17
Attachment 4
Draft Resolution A

RESOLUTION NO. 18-______
A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
TO GRANT TENTATIVE MAP APPROVAL FOR
VESTING TENTATIVE MAP PR 17-0137
(Gretchen and Gentle Winter)
APN: 009-441-034

WHEREAS, Tentative Parcel Map PR 17-0137 has been filed by North Coast Engineering on behalf of Gretchen and Gentle Winter, a proposal to subdivide an approximate 1.0 acre site into two lots at 727 North Trigo Lane; and

WHEREAS, the result of the proposed Parcel Map would be for the existing house to remain on new Parcel 2, and a new Lot 3 would be created to allow for the future construction of a new single family residence; and

WHEREAS, access to new Parcel 2 would be located on the adjacent parcel to the north 729 North Trigo Lane (Parcel 1), owned by Salman and Deborah Kassir (APN: 009-441-034, 729); and

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

WHEREAS, a public hearing was conducted by the Planning Commission on March 13, 2017, to consider facts as presented in the staff report prepared for this project, and to accept public testimony regarding this proposed subdivision and master plan amendment; and

SECTION 1: Findings Map: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the City Council makes the following findings as required by Government Code Sections 66474 and 65457:

a. As conditioned, the proposed tentative subdivision map is consistent with the adopted General Plan for the City of El Paso de Robles, since it would continue the half-acre lot pattern in the neighborhood; and

b. As conditioned, the design of lots, streets, open space, drainage, sewers, water and other improvements is consistent with the General Plan and Zoning Ordinance; and

c. The site is physically suitable for the type of development proposed since it complies with the minimum 20,000 square foot lot size and since the common driveway would be installed to access new Parcel 3; and

d. The site is physically suitable for the proposed density of development; and

e. The design of the subdivision is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat; and

f. The design of the subdivision and types of improvements proposed are not likely to cause serious public health problems; and

g. The design of the subdivision and the type of improvements proposed will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision; and
h. The completion of Standard Conditions F. 1-15 (Exhibit B) prior to recordation of the final map is a necessary prerequisite to the orderly development of the surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles, does hereby approve Vesting Tentative Parcel Map 17-0137, subject to the following:

Exhibit A  Project Conditions
Exhibit B  Standard Conditions of Approval
Exhibit C  Vesting Tentative Tract Map 17-0137
Exhibit D  Preliminary Grading/Drainage/Utility
Exhibit E  Preliminary Grading Cross Sections

PASSED AND ADOPTED THIS 13th Day of March, 2018 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN ________________

ATTEST:

WARREN FRACE, PLANNING COMMISSION SECRETARY
Exhibit A

Project Conditions

(PR 17-0172 – Winter)

727 Trigo Lane

1. The applicant/developer shall comply with those standard conditions which are indicated as applicable in "Exhibit A" to this resolution. Note: All checked standard conditions shall apply unless superseded by a site specific condition.

2. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<table>
<thead>
<tr>
<th>EXHIBIT</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Standard Conditions of Approval</td>
</tr>
<tr>
<td>B</td>
<td>Tentative Tract Map</td>
</tr>
<tr>
<td>C</td>
<td>Grading Plan</td>
</tr>
<tr>
<td>D</td>
<td>Site Cross Sections</td>
</tr>
</tbody>
</table>

3. This Tentative Parcel Map PR 17-0137 authorizes the subdivision of the approximate 1-acre lot into two 20,000 square foot lots for single-family residential development.

4. The Final Subdivision Map shall be in substantial compliance with the tentative subdivision map and preliminary grading plan prepared for the project. (Exhibits B-C reductions attached; full size copies are on file in the Community Development Department).

ENGINEERING SITE SPECIFIC CONDITIONS

5. The VTPM must include “Sewer” as part of the Private Access, PUE, Water 30’ Easement.
The following conditions that have been checked are standard conditions of approval for the above referenced project. The checked conditions shall be complied with in their entirety before the project can be finalized, unless otherwise specifically indicated. In addition, there may be site specific conditions of approval that apply to this project in the resolution.

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

A. GENERAL CONDITIONS – PD/CUP:

1. This project approval shall expire on March 13, 2020 unless a time extension request is filed with the Community Development Department, or a State mandated automatic time extension is applied prior to expiration.

2. The site shall be developed and maintained in accordance with the approved plans and unless specifically provided for through the Planned Development process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.

3. To the extent allowable by law, Owner agrees to hold City harmless from costs and expenses, including attorney’s fees, incurred by City or held to be the liability of City in connection with City’s defense of its actions in any proceeding brought in any State or Federal court challenging the City’s actions with respect to the project. Owner understands and acknowledges that City is under no obligation to defend any legal actions challenging the City’s actions with respect to the project.
4. Any site specific condition imposed by the Planning Commission in approving this project (Tentative Parcel Map) may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the approval of this project. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use for this approval.

5. The site shall be kept in a neat manner at all times and the landscaping shall be continuously maintained in a healthy and thriving condition.

6. All signs shall be subject to review and approval as required by Municipal Code Section 21.19 and shall require a separate application and approval prior to installation of any sign.

7. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.

8. Prior to the issuance of a Building Permit a landscape and irrigation plan consistent with the Landscape and Irrigation Ordinance, shall be submitted for City review and approval. The plan needs to be designed in a manner that utilizes drought tolerant plants, trees and ground covers and minimizes, if not eliminates the use of turf. The irrigation plan shall utilize drip irrigation and limit the use of spray irrigation. All existing and/or new landscaping shall be installed with automatic irrigation systems.

9. A reciprocal parking and access easement and agreement for site access, parking, and maintenance of all project entrances, parking areas, landscaping, hardscape, common open space, areas and site lighting standards and fixtures, shall be recorded prior to or in conjunction with the Final Map. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).

10. All outdoor storage shall be screened from public view by landscaping and walls or fences per Section 21.21.110 of the Municipal Code.

11. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for recycling bins. The enclosure shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Check with Paso Robles Waste Disposal to determine the adequate size of enclosure based on the number and size of containers to be stored in the enclosure.

(Adopted by Planning Commission Resolution ________)

17
12. For commercial, industrial, office or multi-family projects, all existing and/or new ground-mounted appurtenances such as air-conditioning condensers, electrical transformers, backflow devices etc., shall be screened from public view through the use of decorative walls and/or landscaping subject to approval by the Community Development Director or his designee. Details shall be included in the building plans.

13. All existing and/or new roof appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or his designee. Details shall be included in the building plans.

14. All existing and/or new lighting shall be shielded so as to be directed downward in such a manner as to not create off-site glare or adversely impact adjacent properties. The style, location and height of the lighting fixtures shall be submitted with the building plans and shall be subject to approval by the Community Development Director or his designee.

15. All walls/fences and exposed retaining walls shall be constructed of decorative materials which include but are not limited to splitface block, slumpstone, stuccoed block, brick, wood, crib walls or other similar materials as determined by the Development Review Committee, but specifically excluding precision block.

16. It is the property owner's responsibility to insure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and insure compliance by the owner's agents.

17. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No.835 N.S., Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to removal.

18. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.

19. Prior to recordation of the map or prior to occupancy of a project, all conditions of approval shall be completed to the satisfaction of the City Engineer and Community Developer Director or his designee.

20. Two sets of the revised Planning Commission approved plans incorporating all Conditions of Approval, standard and site specific, shall be submitted to the Community Development Department prior to the issuance of building permits.

(Adopted by Planning Commission Resolution _________)
21. Prior to the issuance of building permits, the Development Review Committee shall approve the following:

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

B. GENERAL CONDITIONS – TRACT/PARCEL MAP:

1. In accordance with Government Section 66474.9, the subdivider shall defend, indemnify and hold harmless the City, or its agent, officers and employees, from any claim, action or proceeding brought within the time period provided for in Government Code section 66499.37, against the City, or its agents, officers, or employees, to attack, set aside, void, annul the City's approval of this subdivision. The City will promptly notify subdivider of any such claim or action and will cooperate fully in the defense thereof.

2. The Covenants, Conditions, and Restrictions (CC&Rs) and/or Articles Affecting Real Property Interests are subject to the review and approval of the Community Development Department, the Public Works Department and/or the City Attorney. They shall be recorded concurrently with the Final Map or prior to the issuance of building permits, whichever occurs first. A recorded copy shall be provided to the affected City Departments.

3. The owner shall petition to annex residential Tract (or Parcel Map) PR 17-0137 into the City of Paso Robles Community Facilities District No. 2005-1 for the purposes of mitigation of impacts on the City's Police and Emergency Services Departments.

4. Street names shall be submitted for review and approval by the Planning Commission, prior to approval of the final map.

5. The following areas shall be permanently maintained by the property owner, Homeowners’ Association, or other means acceptable to the City:

******************************************************************************

(Adopted by Planning Commission Resolution _________)
ENGINEERING DIVISION- The applicant shall contact the Engineering Division, (805) 237-3860, for compliance with the following conditions:

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

C. PRIOR TO ANY PLAN CHECK:

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

D. PRIOR TO ISSUANCE OF A GRADING PERMIT:

☐ 1. Prior to approval of a grading plan, the developer shall apply through the City, to FEMA and receive a Letter of Map Amendment (LOMA) issued from FEMA. The developer's engineer shall provide the required supporting data to justify the application.

☐ 2. Any existing Oak trees located on the project site shall be protected and preserved as required in City Ordinance No. 553, Municipal Code No. 10.01 "Oak Tree Preservation", unless specifically approved to be removed. An Oak tree inventory shall be prepared listing the Oak trees, their disposition, and the proposed location of any replacement trees required. In the event an Oak tree is designated for removal, an approved Oak Tree Removal Permit must be obtained from the City, prior to its removal.

☒ 3. A complete grading and drainage plan shall be prepared for the project by a registered civil engineer and subject to approval by the City Engineer. The project shall conform to the City’s Storm Water Discharge Ordinance.

☐ 4. A Preliminary Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.

☐ 5. A Storm Water Pollution Prevention Plan per the State General Permit for Storm Water Discharges Associated with Construction Activity shall be provided for any site that disturbs greater than or equal to one acre, including projects that are less than one acre that are part of a larger plan of development or sale that would disturb more than one acre.

E. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

☐ 1. All off-site public improvement plans shall be prepared by a registered civil engineer and shall be submitted to the City Engineer for review and approval. The improvements shall be designed and placed to the Public Works Department Standards and Specifications.
2. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.

3. Landscape and irrigation plans for the public right-of-way shall be incorporated into the improvement plans and shall require approval by the Streets Division Supervisor and the Community Development Department.

4. In a special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM) the owner shall provide an Elevation Certificate in accordance with the National Flood Insurance program. This form must be completed by a land surveyor or civil engineer licensed in the State of California.

F. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR RECORDATION OF THE FINAL MAP:

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

1. The applicant shall pay any current and outstanding fees for Engineering Plan Checking and Construction Inspection services.

2. All public improvements are completed and approved by the City Engineer, and accepted by the City Council for maintenance.

3. The owner shall offer to dedicate and improve the following street(s) to the standard indicated:

<table>
<thead>
<tr>
<th>Street Name</th>
<th>City Standard</th>
<th>Standard Drawing No.</th>
</tr>
</thead>
</table>

4. If, at the time of approval of the final map, any required public improvements have not been completed and accepted by the City the owner shall be required to enter into a Subdivision Agreement with the City in accordance with the Subdivision Map Act.

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

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

(Adopted by Planning Commission Resolution _________)
6. If the existing pavement and structural section of the City street adjacent to the frontage of the project is adequate, the applicant shall provide a new structural section from the proposed curb to the edge of pavement and shall overlay the existing paving to centerline for a smooth transition.

7. Due to the number of utility trenches required for this project, the City Council adopted Pavement Management Program requires a pavement overlay on Vine Street along the frontage of the project.

8. The applicant shall install all utilities. Street lights shall be installed at locations as required by the City Engineer. All existing overhead utilities adjacent to or within the project shall be relocated underground except for electrical lines 77 kilovolts or greater. All utilities shall be extended to the boundaries of the project.

9. The owner shall offer to dedicate to the City the following easement(s). The location and alignment of the easement(s) shall be to the description and satisfaction of the City Engineer:
   a. Public Utilities Easement;
   b. Water Line Easement;
   c. Sewer Facilities Easement;
   d. Landscape Easement;
   e. Storm Drain Easement.

10. The developer shall annex to the City's Landscape and Lighting District for payment of the operating and maintenance costs of the following:
   a. Street lights;
   b. Parkway/open space landscaping;
   c. Wall maintenance in conjunction with landscaping;
   d. Graffiti abatement;
   e. Maintenance of open space areas.

11. For a building with a Special Flood Hazard Area as indicated on a Flood Insurance Rate Map (FIRM), the developer shall provide an Elevation Certificate in accordance with the National Flood Insurance Program. This form must be completed by a lands surveyor or civil engineer licensed in the State of California.

12. All final property corners shall be installed.

13. All areas of the project shall be protected against erosion by hydro seeding or landscaping.

14. All construction refuse shall be separated (i.e. concrete, asphalt concrete, wood gypsum board, etc.) and removed from the project in accordance with the City's Source Reduction and Recycling Element.
Clear blackline mylars and paper prints of record drawings, signed by the engineer of record, shall be provided to the City Engineer prior to the final inspection. An electronic autocad drawing file registered to the California State Plane – Zone 5 / NAD83 projected coordinate system, units in survey feet, shall be provided.

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

G. GENERAL CONDITIONS

1. ☒ Prior to the start of construction:
   ☒ Plans shall be reviewed, approved and permits issued by Emergency Services for underground fire lines.
   ☒ Applicant shall provide documentation to Emergency Services that required fire flows can be provided to meet project demands.
   ☐ Fire hydrants shall be installed and operative to current, adopted edition of the California Fire Code.
   ☒ A based access road sufficient to support the department’s fire apparatus (HS-20 truck loading) shall be constructed and maintained for the duration of the construction phase of the project.
   ☒ Access road shall be at least twenty (20) feet in width with at least thirteen (13) feet, six (6) inches of vertical clearance.

   ☐ Plans shall be reviewed, approved and permits issued by Emergency Services for the installation of fire sprinkler systems.


4. ☒ If required by the Fire Chief, provide on the address side of the building if applicable:
   ☐ Fire alarm annunciator panel in weatherproof case.
   ☐ Knox box key entry box or system.
   ☒ Fire department connection to fire sprinkler system.
5. ☐ Provide temporary turn-around to current City Engineering Standard for phased construction streets that exceed 150 feet in length.


7. ☒ Prior to the issuance of Certificate of Occupancy:
   - ☒ Final inspections shall be completed on all underground fire lines, fire sprinkler systems, fire alarm systems and chemical hood fire suppression systems.
   - ☐ Final inspections shall be completed on all buildings.

(Adopted by Planning Commission Resolution ________)
PRELIMINARY EARTHWORK VOLUMES UNOCCUPIED:

- CUT = 250 CY
- FILL = 1,870 CY
- NET = 1,620 CY
- MAX CUT = 5
- MAX FILL = 9.2

ADJ = 20,500 BF

GRADING AND DRAINAGE / UTILITY LEGEND

727 N. TRIGO
PRELIMINARY GRADING
DRAINAGE AND UTILITY PLAN

SCALE: 1" = 20'

© 1999 Clearstone, Inc. All rights reserved. Printed in U.S.A. 1999-01-12 by NCE, Inc.
AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, ___Monica Hollenbeck___, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Tentative Parcel Map 17-0132, on this 2nd day of March, 2018.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: /s/Monica Hollenbeck
Monica Hollenbeck
In The Superior Court of The State of California
In and for the County of San Luis Obispo

AD #3547311
CITY OF PASO ROBLES

STATE OF CALIFORNIA

County of San Luis Obispo

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

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

(Signature of Principal Clerk)
DATE: MARCH 2, 2018
AD COST: $210.54