

# Exhibit B

**DRAFT**

CITY OF EL PASO DE ROBLES  
STANDARD DEVELOPMENT CONDITIONS

<input checked="" type="checkbox"/> Conditional Use Permit _____	<input checked="" type="checkbox"/> Development Plan Review _____
<input checked="" type="checkbox"/> GPA/Rezone/Borkey SP Amend _____	<input type="checkbox"/> Tentative Tract Map _____
Approval Body: City Council _____	Date of Approval: _____
Applicant: Ayres Paso, Ltd _____	Location: Buena Vista Rd. _____
_____	APN: _____

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 \_\_\_\_\_, 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 development review process shall not waive compliance with any sections of the Zoning Code, all other applicable City Ordinances, and applicable Specific Plans.
- 3. The applicant shall defend, indemnify, and hold harmless the City of El Paso de Robles and its officers, employees, and agents from and against any claim, action, or proceeding against the City of El Paso de Robles, its officers, employees, or agents to attack, set aside, void, or annul any approval or condition of approval of the City of El Paso de Robles concerning this project, including but not limited to any approval or condition of approval of the City Council, Planning Commission, Development Review Committee, Community Development Director, or City Planner. The City shall promptly notify the applicant of any claim, action, or proceeding concerning the project and the City shall cooperate fully in the defense of the matter. The City reserves the right, at its own option, to choose its own attorney to represent the City, its officers, employees, and agents in the defense of the matter. Applicant understands and acknowledges that City is under no

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obligation to defend any legal actions challenging the City's actions with respect to the project.

- 4. Any site-specific condition imposed by the Review Authority in approving this project ( \_\_\_\_\_ ) may be modified or eliminated, or new conditions may be added, provided that the Review Authority 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 Review Authority 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 Paso Robles Municipal Code Chapter 21.52 and shall require a separate application and approval prior to installation of any sign.
- 7. Prior to the issuance of a Building Permit, a landscape and irrigation plan consistent with Paso Robles Municipal Code Chapter 21.45 and Chapter 21.56, 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.
- 8. 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 building occupancy. Said easement and agreement shall apply to all properties, and be referenced in the site Covenants, Conditions and Restrictions (CC&Rs).
- 9. All outdoor storage shall be screened from public view by landscaping and walls or fences consistent with Paso Robles Municipal Code Section 21.69.170.
- 10. For commercial, industrial, office or multi-family projects, all refuse enclosures are required to provide adequate space for garbage, recycling, and green waste bins. The enclosure shall be consistent with Paso Robles Municipal Code 21.51 and shall be architecturally compatible with the primary building. Gates shall be view obscuring and constructed of durable materials. Size and closure details subject to approval of the City Solid Waste Manager.
- 11. 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 consistent with Paso Robles Municipal

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Code Chapter 21.47 and subject to approval by the Community Development Director or their designee. Details shall be included in the building plans.

- 12. All existing and/or new roof-mounted appurtenances such as air-conditioning units, grease hoods, etc. shall be screened from public view consistent with Paso Robles Municipal Code Chapter 21.47. The screening shall be architecturally integrated with the building design and constructed of compatible materials to the satisfaction of the Community Development Director or their designee. Details shall be included in the building plans.
- 13. All new lighting shall be dark-sky compliant consistent with Paso Robles Municipal Code Chapter 21.82. Existing lighting shall be brought into conformance with the standards of Chapter 21.82 as specified in Paso Robles Municipal Code Paragraph 21.82.010.B.2 unless otherwise stated in this resolution. 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 their designee.
- 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. It is the property owner's responsibility to ensure that all construction of private property improvements occur on private property. It is the owner's responsibility to identify the property lines and ensure compliance by the owner's agents.
- 16. Any existing oak trees located on the project site shall be protected and preserved consistent with Paso Robles Municipal Code Chapter 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.
- 17. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
- 18. 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 their designee.
- 19. 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.
- 20. Prior to the issuance of building permits, the
  - Development Review Committee shall approve the following:
  - Planning Division Staff shall approve the following:

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**B. GENERAL CONDITIONS – TRACT/PARCEL MAP:**

- 1. In accordance with Government Code 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) \_\_\_\_\_ 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:

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**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. The requirement may be waived if compliance with the City's Floodplain Ordinance is demonstrated to the City Engineer's satisfaction.

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- 2. Any existing oak trees located on the project site shall be protected and preserved as required in Paso Robles Municipal Code Chapter 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 consistent with the project conditions of approval.
- 4. The project shall conform to the City's Storm Water Discharge Ordinance.
- 5. A Soils and/or Geology Report providing technical specifications for grading of the site shall be prepared by a Geotechnical Engineer.
- 6. 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.
- 7. The applicant shall submit a composite utility plan signed as approved by a representative of each public utility.

## **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 City's Standards and Specifications.
- 2. 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.
- 3. 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**

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**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:

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Street Name	City Standard	Standard Drawing No.
Buena Vista Dr		
Dallons Dr		

- 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.
- 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 \_\_\_\_\_ 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:

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- 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 prior to final occupancy.
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.
15. 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.

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**PASO ROBLES FIRE AND EMERGENCY SERVICES (PRFES) - The applicant shall contact the Department, (805) 227-7560, for compliance with the following conditions:**

**G. GENERAL CONDITIONS (to be completed by Fire Marshall)**

1. **Prior to the start of construction:**
- Plans shall be reviewed, approved, and permit issued by PRFES for Underground Fire Line (underground fire line shown on any civil set is for reference only and shall indicate so on each civil page).
  - Applicant shall provide documentation to PRFES that required fire flows can be

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provided to meet project demands. Refer to California Fire Code (CFC) Appendix B.

- 2. **Prior to delivery of combustible materials:**
  - Fire hydrants shall be installed and operative to current, adopted edition of the CFC. Refer to CFC Appendix C & CC.
  - Fire Department Connections (FDC) shall be located on the addressed side of the building and within 150 feet of a fire hydrant, and must not block collector or arterial roadways. Refer to Paso Robles Municipal Code (PRMC).
  - An all-weather access road sufficient to support fire apparatus weighing up to 75,000 lbs. shall be constructed and maintained for the duration of the construction phase of the project. Refer to CFC Appendix D.
  - Access roads shall be at least 20' in width with at least 13' 6" of vertical clearance. All driveway and access roads shall be 10% or less in slope unless approved by PRFES. Refer to CFC Appendix D.
  - Truck access road shall be minimum 26' in width with at least 13' 6" of vertical clearance. Minimum set-back 15', maximum 30'. Refer to CFC Appendix D.
  - Provide temporary turn-around for phased construction streets that exceed 150' in length. Refer to Paso Robles Standard Details and Specifications.
  - Project shall provide a secondary access fire road approved by PRFES. Refer to CFC Appendix D.
  
- 3. **Provide on address side of building if applicable:**
  - Fire alarm annunciator panel location to be approved by PRFES.
  - Knox Box key entry box or system.
  - FDC location and access path must be approved by PRFES.
  - Minimum 6" high, contrasting background address numbers with location, size, and contrast to be approved by PRFES.
  - For buildings or group of buildings (five units or more) served by an alley or interior driveway, the numbers or alphabetical designation shall be displayed on a directory or annunciator board, approved by the Fire Marshal, at each driveway or alley entrance. Senior housing, retirement villas, hotel and motel annunciator boards shall be of a Graphic type. The property owner, Homeowner's Association or individual in charge of the property shall be responsible for maintaining the directory.

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- 4. Provide a central station monitored fire sprinkler system for all residential, commercial and industrial buildings that require fire sprinklers in the current, adopted edition of the CBC, CFC, and PRMC. Plans shall be reviewed, approved, and permits issued by PRFES for the installation of fire sprinkler and alarm systems.
- 5. Provide class 1 standpipe system(s) with 2 ½" hose connections to supply water for use by fire department personnel at each floor in accordance to NFPA 14 for all residential, commercial and industrial buildings that are or exceed three (3) stories in height or above 30'. Location shall be at the entrance/exit way of the stairway system. Travel distance greater than 200' will compel additional standpipe system(s) in each stairwell.
- 6. Motorized Gates blocking fire access require a separate PRFES permit, must include PRFES Knox Key Switch access (not CALFIRE), and meet CFC requirements. Refer to CFC Appendix D.
- 7. Provide permanent turn-around for driveway/access roads that exceed 150' in length. See Paso Robles Standard Details and Specification Standard.
- 8. Fire extinguisher placement shall be approved by PRFES.
- 9. Landscape plant selections shall be fire resistive within 30' of structures.
- 10. Landscape trees (including potential crown at maturity) must not project into required vertical clearance of the fire access lanes.
- 11. Project shall comply with all requirements in current, adopted edition of CFC and PRMC.
- 12. **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.
  - A site pre-fire plan shall be submitted and approved by the Fire Marshal. Contact the Paso Robles Fire Prevention Office for the exact requirements.
  - A Final Fire Walk-through inspection shall be completed on all buildings.