ORDINANCE NO. 642 N.S.
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTION 11.12.031 OF THE STREETS AND SIDEWALKS CODE
TO PROVIDE REGULATIONS FOR THE INSTALLATION
OF STREET IMPROVEMENTS IN CONJUNCTION WITH
THE DEVELOPMENT OF EXISTING LARGE LOTS
(CODE AMENDMENT 92007)

AAB257

WHEREAS, Section 11.12.031 of the Streets and Sidewalks Code provides that curbs, gutters, sidewalks, and driveway apron improvements shall be installed as prerequisite to the issuance of building permits for the construction, repair, addition or alteration of buildings; and

WHEREAS, Section 11.12.031 of the Streets and Sidewalks Code does not provide for any exceptions to this requirement; and

WHEREAS, the City has adopted Ordinance 628 N.S. to amend Section 10.204 of the Uniform Fire Code to require that a 24 foot wide Fire Apparatus Access Road be provided to all, and has adopted Ordinance 630 N.S. to amend the Zoning Code to require that driveways serving three or more dwelling units be 24 feet wide and paved; and

WHEREAS, within the City there are several existing lots, many of which are vacant, that have all of the following characteristics:

- They are designated by the General Plan for residential land use;
- They are 2.5 acres or larger in area;
- The nearest improved street is several hundred feet away; and

WHEREAS, on such existing lots, the City has received proposals to develop or make additions to a single family dwelling; and

WHEREAS, with respect to the development of or addition to a single family dwelling on existing lots that are designated by the General Plan for residential land use and that are 2.5 acres or larger in area, the City Council finds the following:

1. Such development constitutes a very low intensity / rural type of land use that does not warrant provision of full street improvements;
2. Given the requirement to provide paved fire apparatus access roads / driveways, the additional cost of providing curbs, gutters, sidewalks and driveway aprons as prerequisite to such development is not reasonably proportionate to the cost of constructing or adding to a single family dwelling; and

WHEREAS, public hearings were conducted by the Planning Commission on August 25, 1992 and by the City Council on September 15, 1992, to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment; and

WHEREAS, at its meeting of September 15, 1992, the City Council gave first reading to this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that Title 11 (Streets and Sidewalks) of the Municipal Code be amended as follows;

SECTION I: Section 11.12.031 is amended to add subsection (H) to read as follows:

(H) EXCEPTIONS FOR EXISTING LARGE RESIDENTIAL LOTS. The above requirements to provide curbs, gutters, sidewalks, and driveway apron improvements as prerequisite to the issuance of building permits shall not apply to the construction, repair, addition or alteration of a single family dwelling on an existing lot that is designated by the General Plan for residential land use and that is 2.5 acres or larger in area, provided that the following conditions are met:

1. Fire Apparatus Access Roads shall be provided in conformance with the Uniform Fire Code, as adopted by the City in Title 17 of this code and provided that, prior to occupancy of said dwelling, the full 24 foot width of said fire apparatus access roads shall be paved to the nearest road capable of supporting a fire apparatus vehicle, as determined by the Fire Chief and City Engineer;

2. Prior to occupancy of said dwelling, driveways shall be provided in a manner consistent with the requirements set forth in the Zoning Code (Title 21);

3. Prior to occupancy of said dwelling, the owner of the subject property shall make a continuing offer to dedicate one-half of the planned width of any existing or planned public streets on which the property will have frontage; if a public street is planned to pass through a property, the owner may be required to make a continuing offer to dedicate the full planned width of said street;

4. The single family dwelling and any accessory buildings shall be situated on the subject property in such a manner as to provide the minimum yards (setbacks) required by the Zoning Code (Title 21) adjacent to all planned streets.

ABJ702

PASSED AND ADOPTED THIS 6th day of October, 1992 by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen

NOES: None

ABSENT: None

ABSTAIN: None

MAYOR CHRISTIAN E. IVERSEN

ATTEST:

RICHARD J. RAMIREZ, CITY CLERK

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