Appendix E: Appendix to Arroyo Grande Development Code Regarding Planned Developments
P-D-1.1
OAK PARK ACRES PLANNED DEVELOPMENT

ORDINANCES:

140 C.S.
150 C.S.
196 C.S.
246 C.S.
259 C.S.
291 C.S.
296 C.S.
316 C.S.
396 C.S.

APPLICABLE ZONING DISTRICT DESCRIPTIONS:

R-A
R-A-B-3
R-G
P-C
C-N
H-S
ORDINANCE NO. 140 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE AMENDING A PORTION OF THE ZONING MAP OF THE CITY OF ARROYO GRANDE REFERRED TO IN SECTION .302 OF TITLE 9, CHAPTER 4, OF THE MUNICIPAL CODE SO AS TO REZONE CERTAIN PROPERTY IN THE CITY OF ARROYO GRANDE AND TO PREZONCE CERTAIN UNIN-CORPORATED TERRITORY ADJOINING THE CITY OF ARROYO GRANDE PURSUANT TO GOVERNMENT CODE SECTION 65859 AND ARROYO GRANDE MUNICIPAL CODE SECTION 9-4-3209.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1. That certain ordinance known as "Zoning Ordinance of the City of Arroyo Grande" is hereby amended as follows:

The "Zoning Map of the City of Arroyo Grande", referred to in Section .302 of Title 9, Chapter 4 of the Municipal Code is amended so that the zones and boundaries of certain Districts shown therein are changed so as to be the zones and boundaries as shown and designated on the map attached hereto, and by this reference incorporated herein, which map is entitled "A Section of the Zoning Map of the City of Arroyo Grande, Amended by Ordinance No. 140 C.S., of the City of Arroyo Grande", and said map, marked Exhibit "A", and all notations and references shown therein shall be as much a part of this ordinance as if the matters shown on said map were fully described herein, and the Districts and zones and boundaries of the property shown therein from and after the effective date of the adoption of this ordinance. The properties intended to be rezoned and the changes in the zoning accomplished hereby are described as follows:

"All that portion of the following described property within the City of Arroyo Grande, County of San Luis Obispo, lying easterly of the centerline of that certain right of way conveyed to the County of San Luis Obispo as Part 1 in deed recorded October 25, 1921 in Book 14 at Page 344 of Deeds.

Parcel 1

Lot 12 of the Subdivisions of a part of the Ranchos El Pismo and San Miguelito, partly in the City of Pismo Beach, partly in the City of Arroyo Grande, and partly in unincorporated territory, all in the County of San Luis Obispo, State of California, according to map recorded April 30, 1896 in Book A, Page 157 of Maps.

EXCEPTING therefrom two certain parts thereof in the Southeast corner conveyed to Francis Bora, Bishop, for a cemetery by deed recorded February 4, 1897 in Book H, Page 43 of Deeds and by deed recorded October 17, 1897 in Book Y, Page 507 of Deeds.

ALSO EXCEPTING therefrom that portion conveyed to the State of California by deed recorded October 15, 1894 in Book 776, Page 48 of Official Records.

ALSO EXCEPTING a portion of Lot 12 of the Subdivision of the Ranchos El Pismo and San Miguelito, made by R. R. Harris, recorded April 20, 1896, in Book A, Page 157 of Maps, in the County of San Luis Obispo, State of California, described as follows:

BEGINNING at a monument shown on a California Division of Highways Right-Of-Way map designated as 05-610-101 Sheet 3 of 32, filed at the California Division of Highways Office for District 5 in San Luis Obispo, said monument being on the Northerly line of Parcel 3, 35.00 feet right of station 40-20.00 as shown on said Right-Of-Way map, thence along said Northerly line South 57° 27' 50" East, 271.33 feet to the TRUE POINT OF BEGINNING, thence North 32° 33' 10" East at right angles 50.00 feet, thence South 57° 27' 50" East at right angles 50.00 feet, thence South 27' 32' 10" West at right angles 50.00 feet to said Northerly line, thence along said Northerly line North 57° 27' 50" West, 50.00 feet to the TRUE POINT OF BEGINNING.

Parcel 2

That portion of former County Road No. 6 (abandoned) lying adjacent to and Southerly of Lot 12 of the Subdivision of a part of the Ranchos El Pismo and San Miguelito, in the City of Arroyo Grande, County of San Luis Obispo, State of California, according to map recorded April 30, 1896 in Book A, Page 157 of Maps described as follows:

COMMENCING at a point on the Southerly line of Lot 12 of the Subdivision of Rancho El Pismo as shown on a map now on file in the County Recorder's Office, San Luis Obispo, California, and entitled, "Map of the Subdivisions of a part of the Ranchos El Pismo and San Miguelito, San Luis Obispo Co., California. Partially surveyed and map drawn by R. R. Harris February and March 1896", which POINT OF BEGINNING is distant South 72° 47' East 63.0 feet from stake P95 set on the Southerly boundary

(9/76)
line of said Lot 12, thence running from said POINT OF BEGINNING North 34° 36' East 30.4 feet to a point on the northerly line of the Villa, Pismo and Arroyo Grande County Road (road No. 6) thence running along the northerly line of said County Road North 05° 14' East 622.0 feet to a point; thence South 04° 16' East 117.6 feet to a point; thence South 69° 57' East 188.5 feet to stake P97; thence South 61° 44' East 509.6 feet to a point; thence South 77° 57' East 270.0 feet to a point; thence leaving the northerly boundary line of said County Road and running South 10° 12' West 49.5 feet to a point on the southerly boundary line of the above mentioned County Road; thence running along the southerly boundary line of the above mentioned County Road; thence running along the southerly boundary line of the above mentioned County Road; thence running along the southerly boundary line of the above mentioned County Road; thence running along the southerly boundary line of the above mentioned County Road; and thence along the northerly boundary line of the California State Highway Right-of-Way North 73° 39' West 27.0 feet to a point; thence North 72° 47' West 54.5 feet to the POINT OF BEGINNING.


Said property is rezoned from "A", Agriculture District, to "P-D", Planned Development District.

SECTION 2. That certain zoning map of the City of Arroyo Grande referred to in Section 302 of Title 9, Chapter 4 of the Municipal Code is amended so that the zones and boundaries of certain districts shown therein and thereon shall be the zones and boundaries as shown and designated on the map attached hereto, marked Exhibit "A", and by this reference incorporated herein, which map is entitled "A Section of the Zoning Map of the City of Arroyo Grande, Amended by Ordinance No. 140 C.S. of the City of Arroyo Grande" and all notations and references shown thereon shall be as much a part of this ordinance as if the matters shown on said map were all fully described herein, and the districts and zones and boundaries of the property shown therein from and after the effective date of the annexation of said property to the City of Arroyo Grande. The properties intended to be rezoned and the zoning accomplished hereby are described as follows:

Parcel 1

"That portion of Lot 12 of the subdivisions of the Ranchos El Pismo and San Miguelito according to the map made by R. R. Harris as filed on April 30, 1886 in Book A Page 157 of Maps in the office of the County Recorder of the County of San Luis Obispo, State of California, described as follows:

Beginning at that certain angle point in the northerly boundary of the Frontage Road on the northerly side of California State Highway, a freeway (V-310-E-2) as described in Ordinance No. 100, the annexation of Oak Park No. 1 to the City of Arroyo Grande as adopted July 23, 1963, said angle point being on the northerly prolongation of the radial line to centerline station 41 + 00 of highway, 135.00 feet from said centerline, to the True Point of Beginning; thence along said northerly prolongation and along the city limits of Arroyo Grande 21° 52' 33" N 800.00 feet; thence continuing along said line in the N.411.53" W 850.00 feet to a point on the easterly line of the annexation to the City of Pismo Beach known as the Oak Park Heights Annexation, said easterly line being a non tangent curve, concave southerly having a radius of 225 feet, the radial line of said curve thru said point bears N 40° 39' 00" W; thence southeasterly 30.00 feet along the arc of said curve thru a central angle of 7° 50' 32" to a point in said northerly boundary of said Frontage Road; thence easterly along said northerly boundary the following courses: S 70° 14' 05" E 66.72 feet; thence S 11° 44' 54" W 183.13 feet; thence S 57° 27' 50" E 338.77 feet; thence S 67° 11' 53" W 151.09 feet; thence S 59° 20' 57" E 268.40 feet to the True Point of Beginning." Containing 4.7 acres.

Parcel 2

"That portion of Lot 12 of the subdivisions of the subdivisions of the Ranchos El Pismo and San Miguelito according to the map made by R. R. Harris as filed on April 30, 1886 in Book A Page 157 of Maps in the office of the County Recorder of the County of San Luis Obispo, State of California, described as follows:

- 2 -
Beginning at the northeast corner of the annexation to the City of Pismo Beach known as Oak Park Heights Annexation as said annexation is described in Volume 1235 Pages 437 thru 443; Official Records of said County, said corner also being on the Westerly line of County Road No. 140 (50 feet wide) as described in said volume, said corner also being a corner in the Westerly City limits of the City of Arroyo Grande as described in Ordinance No. 100, the annexation of "Oak Park No. 1" to the City of Arroyo Grande as adopted July 23, 1963; thence Southerly and Southwesterly along the various courses in said W este rly line of County Road No. 140 and along the common City limits of the Cities of Pismo Beach and Arroyo Grande to the Intersection of said W este rly line with a point on the northerly boundary of the Frontage Road on the northerly side of California State Highway, a freeway (V-850-Z-E) as described in Book 776, Pages 48 and 49, Official Records of said county; thence leaving said common City limits line, N 70° 14' 05" W 11.30 feet, more or less, along said northerly boundary line to the westerly line of that certain Right-of-Way, 50 feet wide, as conveyed to the County of San Luis Obispo in a deed recorded October 25, 1921 in Book 140, Page 344 of Deeds, records of said County; thence N 14° 43' 30" E 1500.05 feet along said westerly line of said certain right-of-way, 50 feet wide; thence continuing along said last mentioned westerly line N 19° 49' 00" W 223.23 feet; thence continuing along said last mentioned westerly line N 23° 03' 00" W 60 feet to the northerly line of said Oak Park Heights Annexation; thence easterly along said northerly line and City of Pismo Beach City limits to the point of beginning. Containing 10.8 acres, more or less.

Said property is pre-zoned "P-D", Planned Development, and is hereby zoned "P-D" to become effective upon annexation of said property to the City of Arroyo Grande, pursuant to Arroyo Grande Municipal Code Section 9-4.3103.

SECTION 3. Purpose.

The purpose of this zoning and approval of the Tentative Subdivision Map is to provide developable parcels of property for sale. Utilities are available to all parcels being created at the time of recordation of said tentative map, but are not necessarily adjacent thereto. A copy of said tentative map is attached hereto, marked Exhibit "A", and incorporated herein by reference. Any reference to parcels referred to in this Section 3 or Section 4 hereof refers to the parcels as designated on said tentative map. Extension of utilities will be required to any parcel prior to development.

No parcel included in Subdivision Map No. 604 (Oak Park Acres) shall be developed in any way, except for one single-family home on residential parcels, until such time as a subdivision map and/or a development plan has been reviewed and approved by the City Planning Commission and City Council.

Any proposal that will change any portion of the land use as indicated on the Subdivision Map No. 604 shall be deemed a change in the zoning. Any proposed change will require reconsideration of the entire project through the full and proper code change procedure with the public retaining all of their rights regarding zone changes.

The following requirements will provide for all off-site improvements required with the development of any one or all parcels of the proposed project and is phased so that there will be no question regarding the responsibility for these improvements.


1. Intersection of the Frontage Road and Oak Park Boulevard.

Redesign and reconstruction of this intersection shall be the responsibility of the property owner and shall be bonded for development with recordation of the map; to be developed prior to any of the parcels being sold or developed. The improvements shall meet all City standards so far as the Frontage Road and intersection with Oak Park Boulevard, which is a collector street.

2. Frontage Road. Frontage Road shall be fully improved to City frontage road standards, with one eight foot (8') parking lane, one twelve foot (12') driving lane, one fourteen foot (14') driving lane, curb, gutter, and ten foot (10') sidewalk.

a. Parcel 1 - The development of Parcel 1 shall require full improvement of the frontage of this parcel, westerly to meet the reconstructed Intersection including the portion of Parcel 14.

b. Parcel 2 - Development of Parcel 2, if it precedes the development of Parcel 1, shall be responsible for full improvements from the easterly line of Parcel 2 to the aforementioned intersection, excepting curb, gutter, and sidewalk on Parcel 1 frontage.
c. Parcel 3 - The same as Parcel 2; curb, gutter, and sidewalk would not be required on Parcels 1 and 2.

3. Oak Park Boulevard. The ultimate development of Oak Park Boulevard will consist of curb, gutter, and sidewalk on that portion of Parcel 14 abutting Oak Park Boulevard; Parcel 4, 5, 7 that portion of Parcel 13 between Parcels 5 and 6; Parcels 6 and 7. Right of way between Parcel 7 and Parcel 12 to be improved with two (2) twelve foot (12') driving lanes and a ten foot (10') parking lane and control of drainage to Parcel 13.

a. Parcel 4 - Will be responsible for the construction of curb, gutter, and sidewalk, and reconstruction of roadway paying from northerly side of James Way to the reconstructed intersection, including that portion of Parcel 14.

b. Parcel 5 - Development of Parcel 5 shall be responsible for the full improvements on Oak Park Boulevard and James Way frontage, including all of Item (a) above, excepting curb, gutter, and sidewalk on Parcel 4.

c. Parcel 6 - The same requirements on the development of Oak Park Boulevard as on Parcels 4 and 5, but to include that small portion of Parcel 13 between 5 and 6. Would not require curb, gutter, and sidewalk on Parcels 4, 5 and 14.

d. Parcel 7 - The development of Parcel 7 will require full Oak Park Boulevard Improvements as set out in (a) above, but would not require curb, gutter, and sidewalk Improvements on Parcels 4, 5, 6, and 14.

e. Parcel 13 - Two (2) driving lanes, twelve feet (12') wide, and one (1) parking strip of ten feet (10') will be required from northerly line from Parcel 7 to northerly line of project on Oak Park Boulevard and Noyes Road frontage. May be constructed with record of Tract Map No. 604 or can be bonded for construction with the development of Parcel 7 and either Parcel 5 or 6.

4. James Way. Collector street on a sixty-four foot (64') right of way with a forty-four foot (44') paved, curb to curb width.

a. A minimum of twenty-eight feet (28') of paving on a sixty-four foot (64') right of way will be developed from Oak Park Boulevard to the easterly corner of Parcel 5 with record of map. Full underground utilities to be placed on James Way as it develops.

b. Parcel 4 - James Way improvement at the same time as Oak Park Boulevard improvements to be placed including curb, gutter, and sidewalk, and completion of paving to new curb.

c. Access to Parcel 4 from James Way limited to one (1) driveway, location subject to approval of the City.

d. Parcel 5 - Same as Parcel 4. Access to Parcel 5 from James Way limited to one (1) driveway, location subject to approval of the City.

e. Parcel 8 - Curb, gutter, sidewalk, and street pavement from the easterly boundary of the parcel to Parcel 4 and to include completion of street paving to new curb.

f. Parcel 9 - Curb, gutter, sidewalk, and street pavement from the easterly boundary of the parcel to Parcel 5 and to include completion of street paving to new curb.

g. Parcel 10 - Extend twenty-eight feet (28') paving of James Way to easterly project property line and install curb, gutter, and sidewalk and complete paving to new curb. Development of Parcel 10 would not require improvements on Parcel 5, 9 or 13.

A. GENERAL CONDITIONS:

The completion of off-site improvements on Parcel 14, easterly of Parcel 8, shall be bonded in the same manner as Parcel 13 (see Item 3-e) and shall be installed by the owner of Parcel 14 in conjunction with construction of off-site improvements on Parcels 8, 9, or 10.

All other interior streets may be developed to rural street sections upon approval of subdivision and/or development plan which must be approved by the Planning Commission. The street section between Parcel 11 and James Way shall be a portion of Parcel 11 and subject to subdivision development. Depending upon development plans, local streets may or may not be developed to rural street standards.

Parcel 12 access to Noyes Road noted in Item 3-e as previously noted.
Sidewalks may be waived across any residential parcel, provided bike and/or bridle trails, pedestrian trails are approved and provided. Bridle path trails may be provided within Parcels 13 and 14 to connect any residential parcel to commercial parcels.

WATER - An adequate water distribution system on Frontage Road, James Way, and Oak Park Boulevard shall be engineered to meet domestic and fire flow requirements provided in conjunction with final map. Water supply of adequate size line and pressure shall be developed and bonded with recordation of the map for construction to the intersection of the Frontage Road and Oak Park Boulevard prior to any lot being developed or sold.

The development of any parcel shall require the development of a water system necessary to service that development and include main sizes and locations as shown on master water plan, referred to in Water, Paragraph 1. Mains shall be carried to the furthest property line and looped where the City deems necessary.

Water supply of adequate sized line and pressure shall be developed and constructed to the intersection of the Frontage Road and Oak Park Boulevard in conjunction with development of the first parcel of this development.

The development of any parcel shall carry the water to the furthest property line of that parcel to the size as shown on the development plan.

Developers are made aware that present pressures will serve to Elevation two hundred feet (200') and that pumping and storage will be required for areas above this elevation.

SIGNS - Developer of each parcel shall be fully responsible for all identification and traffic signs.

GRADING - All grading in the development shall be engineered and approved by the Public Works Department and be in conformance with Chapter 70 of the Uniform Building Code and all cut and fill slopes adequately protected (landscaping, retaining walls, etc.); and adequate dust protection during grading operations. Extensive grading cannot be accomplished during rainy seasons.

UTILITIES - All utilities shall be undergrounded and a six foot (6') Public Utilities Easement provided on both sides of all public and private right of ways in the entire development.

STREET LIGHTS - Ornamental poles to Pacific Gas & Electric Company's standards or higher.

FIRE DEPARTMENT - Fire Department requirements indicate a concern on ultimate "fire flow" and minimum street grades.

Fire hydrant locations will be indicated upon consideration and approval of the primary water distribution system and upon the final development plans and/or subdivisions as they are presented.

SEWERS - The developer of any parcel shall be fully responsible for development of sewers for his and any downstream parcel.

DRAINAGE - Entire parcel to be drained and water to be disposed of to the satisfaction of the City Engineer and submitted to the Department of Transportation for review (retardation or retention may be used or required).

Disposal of water into Meadow Creek will require California Department of Fish and Game permit.

PARCELS 13 AND 14 (OPEN SPACE) - The ultimate use of the open space parcels 13 and 14, and any improvements thereon are to be approved by the Planning Commission of the City of Arroyo Grande, prior to any development. These parcels may be used for grazing, permanent pasture, recreation, or similar uses. They may be used as easements for any public utilities, subject to City approval.

PARK LAND - The open space will not be credited for park land or park fees. Dedication or fees will be considered in connection with each development plan or subdivision.

STREET TREES - Will be required on all streets on a fifty foot (50') interval on public right of way frontage. Fees to be paid to the City, trees to be purchased and maintained by the City.
CENETERY - The small private cemetery located in the southerly corner of the development, although not a part of the subject property, must be protected by an improved buffer around the perimeter and stated buffer to be approved by the Parks Department prior to installation (wall and/or landscaping). To be done in connection with the development of Parcel 3.

ORDINANCE CONTROLS - The development of all parcels shall comply with all ordinances of the City of Arroyo Grande.

The development of each parcel shall be in keeping with the applicable zoning as set out in the Zoning Ordinance of the City of Arroyo Grande.

B. OAK PARK ACRES ENVIRONMENTAL IMPACT REPORT (EIR) MITIGATION MEASURES:

Mitigation measures beginning on Page 48 of the Oak Park Acres EIR have been, or shall be, resolved as follows:

Items a, c, e, f, g, h, k, m, o, and p will be resolved in the approval of subdivision or development plan on each individual parcel.

Item b phasing will be required as follows:

Commercial Parcel 5 and either Parcel 1 or 2 shall be developed in connection with the first two residential parcels. The third commercial property may then be developed with the third residential unit.

Parcel 6, "C-N" zoning, may not be developed until a minimum of forty percent (40%) of potential residential dwelling unit building permits have been issued.

Item d - Sewer connections will be required in connection with the development of Parcels 1-10. See Paragraph 1 under "General Remarks" with reference to Parcels 11 and 12; and it is assumed that the Greenbelt Parcels, Numbers 13 and 14, would not be sewer.

Item o - Will have additional consideration with development plans or subdivisions.

C. DEVELOPMENT PLAN:

The following controls are imposed to establish goals and maximum land use of each individual parcel of Subdivision Tract Map 604, Oak Park Acres.

GOALS

1. Assure retention of its natural beauty.

2. Provide affordable residences for senior citizens in pleasant and quiet surroundings with on-site facilities to meet most of their physical, social, and health needs.

3. Provide rental units for middle-income people, keeping adult and family units in separated areas.

4. Provide single-family residences with larger than average lots with a rural atmosphere oriented to equestrian and ranchette type activities.

5. Provide shopping and service facilities to support the majority of the needs of the community.

6. Control building design, landscaping, and site layout to assure preservation and improvement of the environment of the community.

The particular uses permitted for the various parcels shall be limited and controlled as follows:

Parcel 1 and 2 (Zoned "H-5") - If taken by the County of San Luis Obispo, the design and uses will be under their control.

If not taken by the County, the uses permitted shall be limited to businesses catering to highway traffic, such as motels, service stations, and restaurants, and normal satellite accessory uses.

Parcel 3 (Zoned "P-C") - For commercial-residential uses only such as convalescent hospital, rest home, hospital, private club and similar uses. No density is prescribed, but coverage of the area shall not exceed the amounts authorized by City Zoning Codes.

Parcel 4 (Zoned "H-5") - Same uses as Parcels 1 and 2.
Parcel #5 (Zoned "H-S") - A business and office development permitting professional offices, bank, savings and loan, doctor and dental offices, and stores catering to business and professional people such as a stationary store, drug store, dry cleaning and laundry, etc.

Parcel #6 (Zoned "C-II") - A neighborhood shopping center that could include a food market, drug store, barber and beauty shops, dry cleaning and laundry, landscape nursery, bakery, shoe store, clothing stores, restaurant and/or cafe, soda shop, liquor store, specialty store and the general type stores conducive to providing good neighborhood shopping.

Parcel #7 (18.2 Acres Zoned "R-G") - Uses permitted shall be medium density residences of not more than eighty-five (85) total units (4.7 per acre) by construction of either clusters, townhouses, condominiums, and/or apartments. Subdivision plans must use cluster or grouping suitable for recreational purposes within the parcel.

Parcel #8 (0.6 Acres Zoned "R-G") - Uses permitted shall be multiple unit residences such as apartments, townhouses, condominiums with a total of not more than one hundred ten (110) units (12.8 units per acre). Site planning will be oriented to take advantage of greenbelt abutting the parcel.

Parcel #9 (12.7 Acres Zoned "R-A") - To be developed into single-family residences with a total of not more than thirty (30) units (2.4 units per acre). Site planning may be either cluster type housing or lots with minimum size of 10,000 square feet. If clustering is used, a portion of the parcel must be set aside for greenbelt or common area available to all residents within the parcel. Homes to be developed on these lots must have a minimum square footage of not less than 1500 square feet.

Parcel #10 (16.5 Acres Zoned "R-A") - To be developed into single-family residences with a minimum lots size of not less than 40,000 square feet with dimension requirements as set forth in the City Zoning Code. Total lots to be not more than fifteen (15) units.

Parcel #11 (69.1 Acres Zoned "R-A") - To be developed into single-family residences with a minimum lot size of not less than 40,000 square feet with dimension requirements as set forth in the City Zoning Code. Total lot to be no more than fifty (50) units.

Parcel #12 (21.8 Acres Zones "R-A") - No more than fourteen (14) lots (1.5 to an acre).

Parcel #13 (Greenbelt - Open Space) - To be developed for permanent pasture with only such improvements that are necessary and compatible for that use (fences, corrals, tack barn(s), equestrian trails), and proper stream control to include retarding basin if indicated as required or desirable. Improvements and maintenance of the pasture will adhere to sound management and cultural practices. Ownership will be retained by developer. Use of the area for grazing, riding, etc., will be offered first to owners of lots adjacent to the greenbelt, then to other residents of "Oak Park Acres", and, lastly, to others outside this community.

Parcel #14 (Greenbelt - Open Space) - The development and uses described for Parcel #13 will prevail. In addition, the development of a holding basin (lake) for water will be developed as according to specifications of a qualified engineer. Appropriate landscaping will be placed around the pond (lake) and an effort made to establish a waterfowl habitat. Should the County retain this parcel, it is anticipated they will develop this into a passive type park. Concerted effort will be made to maintain a serene atmosphere around Parcel #8.

D. GENERAL REMARKS

1. Use of septic tanks on Parcels #1 or #12 may or may not be permitted, dependent upon development plan or Tentative Subdivision Map and percolation tests.

   If sewers are required, then density of Parcels #11 and #12 may be increased to the maximum of the "RA = 40,000 sq. ft." control, rather than the density indicated on the development chart attached hereto as Exhibit "C".

2. Portions of Parcels #7, #9, #10, #11, and/or #12 may be used for church site(s) with approval of the City without loss of density providing the lot sizes are at least minimum size specified for the zoning.
3. Portions of Parcel §10, §11, and/or §12 may be used for school site(s) with approval of the City without loss of density providing the lot sizes are at least minimum size specified for the zoning.

4. Covenants, Conditions and Restrictions will require that the precise development plan of each parcel shall be controlled by further approvals of City staff, City Council, and Architectural Control Committee of "Oak Park Acres".

5. All trees will be protected to maximum extent possible consistent with requirements for roads and street development, required grading and proper tree maintenance.

6. Grading of lots of single-family homes will be minimum necessary to prepare site for home and accessory buildings. Gardening plots may be prepared if designed to prevent erosion of soil.

7. The general theme of the development shall be western, ranch, and/or Spanish with emphasis on low roof lines, good overhangs, abundant use of slump stone, heavy wood, stucco and brick. No rock roofs or composition shingles shall be permitted. All plans for grading, walls, fences, landscaping, and building must be approved by the Architectural Control Committee.

8. In the event all or parts of Parcels §17, §8, and/or §9 should be designated as "adult only" type developments, the density of the parts so designated may be increased by a ratio computed as follows:

Multiply the number of permitted units by 2.79 (average size family unit in Arroyo Grande). Divide that figure by 1.7 (average size adult unit in Arroyo Grande). The result is the total number of units permitted for adults only.

SECTION 5. This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in the Five Cities Times-Press-Recorder.

On motion of Councilman Schlegel, seconded by Councilman Sperling and the following call vote, to wit:

AYES: Councilmen Sperling, Gallagher, Schlegel, Hillis and Mayor de Leon
NOES: None
ABSENT: None

the foregoing Ordinance was passed and adopted this 14th day of September, 1976.

[Signature]
MAYOR

ATTEST: [Signature]
CITY CLERK

I, Ines A. del Campo, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 140 C.S. is a true, full and correct copy of said Ordinance passed and adopted by the City Council of the City of Arroyo Grande at a regular meeting of said Council held on the 14th day of September, 1976.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 15th day of September, 1976.

[Signature]
City Clerk of the City of Arroyo Grande

(SEAL)
EXHIBIT "A"

A SECTION OF THE ZONING MAP OF THE CITY OF ARROYO GRANDE, AMENDED BY ORDINANCE NO. 140 C.S. OF THE CITY OF ARROYO GRANDE.
The table below shows the proposed parcel zone, parcel number, area acres, units per parcel, and density per acre for various zones in Oak Park Acres:

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<tr>
<th>Parcel Zone</th>
<th>Parcel Number</th>
<th>Area Acres</th>
<th>Units Per Parcel</th>
<th>Density Per Acre</th>
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<tr>
<td>&quot;C-N&quot;</td>
<td>6</td>
<td>5.7</td>
<td>5.7</td>
<td></td>
</tr>
<tr>
<td>&quot;P-C&quot;</td>
<td>3</td>
<td>12.4</td>
<td>12.4</td>
<td></td>
</tr>
<tr>
<td>&quot;R-Q&quot;</td>
<td>7</td>
<td>10.2</td>
<td>85</td>
<td>4.7</td>
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<td></td>
<td>8</td>
<td>8.4</td>
<td>110</td>
<td>12.8</td>
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<tr>
<td>&quot;R-A&quot; (10,000)</td>
<td>9</td>
<td>12.7</td>
<td>12.7</td>
<td>30</td>
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<tr>
<td></td>
<td>10</td>
<td>14.9</td>
<td>15</td>
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<td></td>
<td>11</td>
<td>40.1</td>
<td>30</td>
<td>0.7</td>
</tr>
<tr>
<td>&quot;R-A&quot; (40,000)</td>
<td>12</td>
<td>21.9</td>
<td>14</td>
<td>0.7</td>
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<tr>
<td>Greenbelt</td>
<td>13</td>
<td>57</td>
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<td></td>
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<tr>
<td></td>
<td>14</td>
<td>34</td>
<td></td>
<td></td>
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<tr>
<td>James Way (Collector)</td>
<td>15</td>
<td>6.4</td>
<td>4.4</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>280.0</td>
<td>304</td>
<td>1.08</td>
</tr>
<tr>
<td>Total (excludes commercial)</td>
<td></td>
<td>254.7</td>
<td>304</td>
<td>1.20</td>
</tr>
</tbody>
</table>

**Total Projected Population Estimated:** 848 Persons

Typical Family = 2.79 persons per dwelling unit (D.U.)
Adult Typical Family = 1.70 persons per dwelling unit (D.U.)

If Parcels #7, #8, and #9 are restricted to adults only, the number of dwelling units may be increased provided total population does not increase.

- Permissible number of dwelling units if adult community for Parcels #7, #8, and #9 would be as follows:
  - Parcel #7: $\frac{2.79}{1.70} \times 65 = 139$ D.U.
  - Parcel #8: $\frac{2.79}{1.70} \times 110 = 180$ D.U.
  - Parcel #9: $\frac{2.79}{1.70} \times 30 = 49$ D.U.

**Exhibit "C"**
ORDINANCE NO. 150 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE AHENDING
A PORTION OF THE DEVELOPMENT REQUIREMENTS FOR OAK
PARK BOULEVARD AS SET FORTH IN SUBSECTION 3d OF
SECTION 4 ENTITLED DEVELOPMENT REQUIREMENTS, OF
ORDINANCE NO. 140 C.S.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1: Subsection d of Subsection 3, Section 4, Ordinance No. 140 C.S. is amended to read as follows:

.d. Parcel 7. The development of Parcel 7 will require full Oak Park Boulevard improvements as set out in 3 above except for improvements along Parcel 13, but would not require curb, gutter and sidewalk improvements on Parcels 4, 5, 6 and 14. Road improvements adjacent to Parcel 13 will be required with the improvement of Parcel 11 or within eighteen months of the adoption of this ordinance, whichever occurs the sooner.

SECTION 2: This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in the Five Cities Times-Press-Recorder.

On motion of Councilman Schlegel, seconded by Councilman Gallagher and on the following roll call vote, to wit:

AYES: Councilmen Spieling, Gallagher, Schlegel, Millis and Mayor de Leon
NOES: None
ABSENT: None

the foregoing Ordinance was passed and adopted this 22nd day of March, 1977.

[Signature]
MAYOR

ATTEST: Ines A. del Campo
CITY CLERK

I, Ines A. del Campo, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 150 C.S. is a true, full and correct copy of said Ordinance passed and adopted by the City Council of the City of Arroyo Grande at a regular meeting of said Council held on the 22nd day of March, 1977.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 23rd day of March, 1977.

[Signature]
City Clerk of the City of Arroyo Grande

(SEAL)
ORDINANCE NO. 196 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE AMENDING
A PORTION OF THE ZONING MAP OF THE CITY OF ARROYO
GRANDE REFERRED TO IN SECTION 302 OF TITLE 9,
CHAPTER 4 OF THE MUNICIPAL CODE SO AS TO REZONE
CERTAIN PROPERTY IN THE CITY OF ARROYO GRANDE.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1: That certain Ordinance known as the "Zoning Ordinance of the City of Arroyo Grande" is herewith amended as follows:

The "Zoning Map of the City of Arroyo Grande", referred to in Section 302 of Title 9, Chapter 4 of the Municipal Code, is amended so that the zones and boundaries of certain districts shown therein and thereon are changed so as to be the zones and boundaries as shown and designated on the map attached hereto, and by this reference incorporated herein, which map is entitled "A SECTION OF THE ZONING MAP OF THE CITY OF ARROYO GRANDE, AMENDED BY ORDINANCE NO. 196 C.S. OF THE CITY OF ARROYO GRANDE", and said map and all notations and references shown thereon shall be as much a part of this Ordinance as if the matters shown on said map were fully described herein, and the districts and boundaries of the property shown therein from and after the effective date of the adoption of this Ordinance. The properties intended to be rezoned and the changes in the zoning accomplished hereby are described as follows:

In the City of Arroyo Grande, County of San Luis Obispo, State of California, Lot 11 of Tract 604, recorded in Book 9, Page 39 of Maps in the Office of the County Recorder of said County. Also identified as Assessor's Parcel No. 07-771-29.

Said property is rezoned per the following stipulations:

1. Zone change from "RA" District to "RA-B3" District with Optional Design Standards would be in keeping with the Land Use Plan.
2. Change would be compatible to and in keeping with the surrounding developments and zoning.
3. The zone change does not affect any other parcel within Oak Park Acres, a planned development.
4. The zone change amends exhibits dealing with Parcel 11 within 140 C.S. and not the master zoning of "P-D" (Planned Development).
5. Tentative Tract Map #824 as approved and conditioned by the Planning Commission shall be considered as an exhibit for the Optional Design Standards.

SECTION 2: This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in the Five Cities Times-Press-Recorder.

On motion of Council Member de Leon, seconded by Council Member Smith and on the following roll call vote, to wit:

AYES: Council Members Pope, Gallagher, de Leon, Smith and Mayor Milli
NOES: None
ABSENT: None

the foregoing Ordinance was passed and adopted this 11th day of September, 197

[signature]
MAYOR

ATTEST: [signature]
CITY CLERK
A SECTION OF THE ZONING MAP OF THE CITY OF ARROYO GRANDE, AMENDED BY ORDINANCE NO. 196 C.S. OF THE CITY OF ARROYO GRANDE.
ORDINANCE NO. 246 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE
AMENDING ORDINANCE NO. 140 C.S. BY AMENDING
SUBSECTION 6 OF SECTION 5C THEREOF RELATING
TO THE PARTICULAR USES PERMITTED IN THE
DEVELOPMENT PLAN FOR PARCELS NO. 1 AND 2,
AND FOR PARCEL NO. 6

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE HEREBY ORDAINS AS
FOLLOWS:

SECTION 1: Subsection 6 of Section 5C of Ordinance No. 140 C.S.
is hereby amended to read as follows:

6. Control building design, landscaping, and site layout to insure
preservation and improvement of the environment of the community. The particular
uses permitted for the various parcels shall be limited and controlled as
follows:

Parcels 1 and 2: Those uses set forth in Exhibit A attached hereto.

Parcel 2 (zoned "R-C"): For commercial-residential uses only such
as convalescent hospital, rest home, hospital, private club and similar uses.
No density is prescribed, but coverage of the area shall not exceed the
amounts authorized by City Zoning Codes.

Parcel 4 (zoned "H-S"): Same uses as Parcels 1 and 2.

Parcel 5 (zoned "H-S"): A business and office development permitting
professional offices, bank, savings and loan, doctor and dental offices,
and stores catering to business and professional people such as a stationary
store, drug store, dry cleaning and laundry, etc.

Parcel 6 (zoned "C-N"): Those uses set forth in Ordinance No. 140 C.S.,
subject to the conditions that such use and/or development plan shall be
approved by the Planning Commission and the City Council.

Parcel 7 (18.2 acres zoned "R-G"): Uses permitted shall be medium
density residences of not more than eighty-five (85) total units (4.7 per acre)
by construction of either cluster housing, townhouses, condominiums, and/or
apartments. Subdivision plans must use cluster or grouping suitable for
recreational purposes within the parcel.

Parcel 8 (816 acres zoned "R-G"): Uses permitted shall be multiple
unit residences such as apartments, townhouses, condominiums with a total
of not more than one hundred ten (110) units (12.8 units per acre). Site
planning will be oriented to take advantage of greenbelt abutting the parcel.

Parcel 9 (12.7 acres zoned "R-A"): To be developed into single family
residences with a total of not more than thirty (30) units (2.4 units per acre).
Site planning may be either cluster type housing or lots with minimum size
of 10,000 square feet. If clustering is used, a portion of the parcel must
be set aside for greenbelt or common area available to all residents within
that parcel. Homes to be developed on these lots must have a minimum square
footage of not less than 1500 square feet.

Parcel 10 (16.5 acres zoned "R-A", 40,000): To be developed into
single family residences with a minimum lot size of not less than 40,000
square feet with dimension requirements as set forth in the City zoning code.
Total lots to be not more than fifteen (15) units.
Parcel 11 (69.1 acres zoned "R-A", 40,000): To be developed into single family residences with a minimum lot size of not less than 40,000 square feet with dimension requirements as set forth in the City Zoning Code. Total lot to be no more than fifty (50) units.

Parcel 12 (21.8 acres zoned "R-A", 40,000): No more than fourteen (14) lots (1.5 to an acre).

Parcel 13 (Greenbelt - Open Space): To be developed for permanent pasture with only such improvements that are necessary and compatible for that use (fences, corrals, tack barn(s), equestrian trails), and proper stream control to include retarding basin if indicated as required or desirable. Improvements and maintenance of the pasture will adhere to sound management and cultural practices. Ownership will be retained by developer. Use of the area for grazing, riding, etc., will be offered first to owners of lots adjacent to the greenbelt, then to other residents of "Oak Park Acres", and, lastly, to others outside this community.

Parcel 14 (Greenbelt - Open Space): The development and uses described for parcel 13 will prevail. In addition, the development of a holding basin (lake) for water will be developed as according to specifications of a qualified engineer. Appropriate landscaping will be placed around the pond (lake) and an effort made to establish a water fowl habitat. Should the County obtain this parcel, it is anticipated they will develop this into a passive type park. Concerted effort will be made to maintain a serene atmosphere around parcel 8.

SECTION 2: This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon in the Five Cities Times-Press-Recorder.

On motion of Council Member Vandecveer, seconded by Council Member Hogan, and on the following roll call vote, to wit:

AYES: Council Members Smith, Hogan, Hillis, Vandecveer, and Mayor Pope
NOES: None
ABSENT: None

the foregoing Ordinance was passed and adopted this 10th day of March, 1981.

ATTEST: Cindy Christi
DEPUTY CITY CLERK

[Signature]
A. MAJOR TENANTS
Supermarket
Drug Store
Junior Department Store
Discount Store
Home Improvement Center
Hardware Store
Theatre

D. SPECIALTY STORES AND SERVICE STORES
Art Gallery
Barber Shop
Books
Cards and Stationary
Children's Wear
Children's Shoes
Cleaners
Coin Laundry
Fabric and Material
Family Shoes
Family Wear
Figure Salon
Floor Covering
Furniture
Gifts
Hobby Store
Jewelry

Leather Store
Liquor and Wine
Luggage
Maternity
Men's Shoes
Men's Wear
Optometrist
Paint and Wallpaper
Pets
Photography
Stereo and TV
Records-Music
Sporting Goods
Toys
Travel Agent
Women's Shoes
Women's Wear

C. RESTAURANT, SPECIALTY FOOD AND CONVENIENCE FOOD
Bakery
Delicatessen
Doughnuts
Fast Food
Gourmet Food

Health Food
Ice Cream
Family Restaurants
Dinner House Restaurants

D. FINANCIAL AND OFFICE
Bank
Savings and Loan
Finance Company
Securities and Commodities

Real Estate
Insurance
Professional Services
ORDINANCE NO. 259 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE AMENDING A
PORTION OF THE ZONING MAP OF THE CITY OF ARROYO GRANDE
REFERRED TO IN SECTION .302 OF TITLE 9, CHAPTER 4, OF
THE MUNICIPAL CODE SO AS TO AMEND ORDINANCE NO. 140 C.S.
IN THE CITY OF ARROYO GRANDE ADOPTED SEPTEMBER 15, 1976

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1: That certain ordinance known as Ordinance No. 140 C.S.
is hereby amended as follows:

A. Under item "C" of said Ordinance No. 140 C.S. captioned
"DEVELOPMENT PLAN" and specifically under particular uses
for "Parcel #13 (Greenbelt-Open Space) the uses are hereby
modified to allow the division of lot 13, as shown in
Exhibit "D" of Ordinance No. 140 C.S., into two parcels
to allow the sale by the developer of that portion lying
northwesterly of Noyes Road centerline as shown on Exhibit "D"
attached hereto and made a part of this amendment. These
uses are hereby modified to read as follows:

Parcel 13 (Greenbelt - Open Space) - To be developed for
permanent pasture with only such Improvements that are
necessary and compatible for that use (fences, corrals,
Tack barn(s), equestrian trail), and proper stream control
to include retarding basin if indicated as required or
desirable. Improvements and maintenance of the pasture
will adhere to sound management and cultural practices.
Ownership will be retained by developer, except for a portion
of Parcel 13 lying northwesterly of the centerline of existing
Noyes Road as shown on said Exhibit "D" which if separated
from Parcel 13 by Parcel Map may be transferred to adjacent
property owner outside development. Use of the area for
grazing, riding, etc., will be offered first to owners of
lots adjacent to the greenbelt, then to other residents of
"Oak Park Acres", and, lastly, to others outside this community.

SECTION 2: This Ordinance shall be in full force and effect
thirty (30) days after its passage, and within fifteen (15) days after its
passage, it shall be published once, together with the names of the Council
Members voting thereon, in the Five Cities Times-Press-Recorder.

On motion of Council Member Vandeveer, seconded by Council Member
Hogan, and on the following roll call vote, to wit:

AYES: Council Members Smith, Hogan, Millis, Vandeveer, Mayor Pope
NOES: None
ABSENT: None

the foregoing Ordinance was passed and adopted this 12th day of January, 1982.

ATTEST: Cindy Greston
DEPUTY CITY CLERK

[Signature]
ORDINANCE NO. 291 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE
AMENDING ORDINANCE NO. 246 C.S. BY AMENDING
SECTION 1 THEREOF TO CHANGE THE PARTICULAR
USES PERMITTED IN THE DEVELOPMENTAL PLAN
FOR PARCEL 2

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1: Subsection 6 of Ordinance No. 246 C.S. is hereby amended to read as follows:

6. Control. Building design, landscaping, and site layout to insure preservation and improvement of the environment of the community. The particular uses for the various parcels shall be limited and controlled as follows:

Parcel 1: Thoses uses set forth in Exhibit B attached hereto.

Parcel 2: (Zoned H-S) being Lot 2 of Arroyo Grande City Tract 604, also known as Parcels A, B, & C of Parcel Map AG 792-260. Uses permitted shall be those allowed in (H-S) highway service districts, limited however, to businesses catering to highway traffic, such as motels, restaurants and normal satellite accessory uses.

Parcel 3: (Zoned P-C): For commercial-residential uses only such as convalescent hospital, rest home, hospital, private club and similar uses. No density is prescribed, but coverage of the area shall not exceed the amounts authorized by City zoning codes.

Parcel 4: (Zoned H-S): Same uses as Parcel 1.

Parcel 5: (Zoned H-S): A business and office development permitting professional offices, bank, savings and loan, doctor and dental offices, stores catering to business and professional people such as a stationery store, drug store, dry cleaning and laundry, etc.

Parcel 6: (Zoned C-N): Those uses set forth in Ordinance No. 140 C.S., subject to the conditions that such use and/or development plan shall be approved by the Planning Commission and City Council.

Parcel 7: (18.2 acres zoned R-C): Uses permitted shall be medium density residences of not more than eighty-five (85) total units (4.7 per acre) by construction of either cluster housing, townhouses, condominiums, and/or apartments. Subdivision plans must use cluster or grouping suitable for recreational purposes within the parcel.

Parcel 8: (816 acres zoned R-G): Uses permitted shall be multiple unit residences such as apartments, townhouses, condominiums with a total of not more than one hundred (110) units (12.8 units per acre). Site planning will be oriented to take advantage of greenbelt abutting the parcel.

Parcel 9: (12.7 acres zoned R-A): To be developed into single family residences with a total of not more than thirty (30) units (2.4 units per acre). Site planning may be either cluster type housing or lots with minimum size of 10,000 square feet. If clustering is used, a portion of the parcel must be set aside for greenbelt or common area available to all residents within that parcel. Homes to be developed on these lots must have a minimum square footage of not less than 1500 square feet.

Parcel 10: (16.5 acres zoned R-A, 40,000): To be developed into single family residences with a minimum lot size of not less than 40,000 square feet with dimension requirements as set forth in the City zoning code. Total lots to be not more than fifteen (15) units.
Parcel 11: (69.1 acres zoned R-A, 40,000): To be developed into single family residences with a minimum lot size of not less than 40,000 square feet with dimension requirements as set forth in the City zoning code. Total lot to be no more than fifty (50) units.

Parcel 12: (21.8 acres zoned R-A, 40,000): No more than fourteen (14) lots (1.5 to an acre).

Parcel 13: (Greenbelt - Open Space): To be developed for permanent pasture with only such improvements that are necessary and compatible for that use (fences, corrals, tack barn(s), equestrian trails), and proper stream control to include retarding basin if indicated as required or desirable. Improvements and maintenance of the pasture will adhere to sound management and cultural practices. Ownership will be retained by developer. Use of the area for grazing, riding, etc., will be offered first to owners of lots adjacent to the greenbelt, then to other residents of "Oak Park Acres", and lastly, to others outside this community.

Parcel 14: (Greenbelt - Open:Space): The development and uses described for parcel 13 will prevail. In addition, the development of a holding basin (lake) for water will be developed as according to specifications of a qualified engineer. Appropriate landscaping will be placed around the pond (lake) and an effort made to establish a waterfowl habitat. Should the County obtain this parcel, it is anticipated they will develop this into a passive type park. Concerted effort will be made to maintain a serene atmosphere around parcel 8.

SECTION 2: This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon in the Five Cities Times-Press-Recorder.

On motion of Council Member Vandeveer, seconded by Council Member Hogan, and on the following roll call vote, the following Ordinance was passed and adopted this 22nd day of March, 1983.
POTENTIAL USES FOR PROPOSED NEIGHBORHOOD SHOPPING CENTER

A. MAJOR TENANTS

- Supermarket
- Drug Store
- Junior Department Store
- Discount Store
- Home Improvement Center
- Hardware Store
- Theatre

B. SPECIALTY STORES AND SERVICE STORES

- Art Gallery
- Barber Shop
- Books
- Cards and Stationary
- Children's Wear
- Children's Shoes
- Cleaners
- Coin Laundry
- Fabric and Material
- Family Shoes
- Family Wear
- Figure Salon
- Floor Covering
- Furniture
- Gifts
- Hobby Store
- Jewelry
- Leather Store
- Liquor and Wine
- Luggage
- Maternity
- Men's Shoes
- Men's Wear
- Optometrist
- Paint and Wallpaper
- Pets
- Photography
- Stereo and TV
- Records-Music
- Sporting Goods
- Toys
- Travel Agent
- Women's Shoes
- Women's Wear

C. RESTAURANT, SPECIALTY FOOD AND CONVENIENCE FOOD

- Bakery
- Delicatessen
- Doughnuts
- Fast Food
- Gourmet Food
- Health Food
- Ice Cream
- Family Restaurants
- Dinner House Restaurants

D. FINANCIAL AND OFFICE

- Bank
- Savings and Loan
- Finance Company
- Securities and Commodities
- Real Estate
- Insurance
- Professional Services
ORDINANCE NO. 296 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE AMENDING THE PORTION OF SUB-SECTION (c) RELATING TO PARCEL #7 IN SECTION 4 OF ZONING ORDINANCE NO. 140 C.S. SO AS TO REZONE CERTAIN PROPERTY IN THE CITY OF ARROYO GRANDE

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1: That portion of subsection (c) in Section 4 of Ordinance No. 140 C.S., relating to Parcel #7 is hereby amended to provide that the particular uses permitted in Parcel #7 shall be limited and controlled as follows:

"Parcel #7 (18.2 Acres Zone "R-G").

Uses permitted shall be either medium density housing or single family detached housing with minimum lot sizes of not less than 6,000 sq. ft. (7,000 sq. ft. for corner lots). Medium density housing shall be either cluster housing, townhouses, condominiums and/or apartments. Density shall not exceed an average of 4.7 units per acre or a total of 85 units."

The notation in Parcel #7 of the map marked "Exhibit B" is amended to change "R-G" to read "R-G or R-1-6,000; 7,000 sq. ft. for corner lots".

Exhibit "C" is amended to change the proposed zone for Parcel #7 from "R-G" to "R-1-6,000; 7,000 sq. ft. for corner lots, single family detached housing".

GENERAL REMARKS, Page 8, Paragraph 8 - Delete "#7" from first sentence of this paragraph.

Under "TOTAL PROJECTED POPULATION ESTIMATED:" - delete all reference and calculations pertaining to Parcel #7.

SECTION 2: This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in the Five Cities Times-Press-Recorder.

On motion of Councilman Mills, seconded by Councilman Gallagher, and on the following roll call vote, to wit:

AYES: Councilmen Gallagher, Mills and Mayor Smith
NOES: None
ABSENT: Councilmen Vandeveer, Hogan

the foregoing Ordinance Amendment was passed and adopted this 23rd day of August 1983.

By Ann Smith
MAYOR

ATTEST: [Signature]
DEPUTY CITY CLERK
ORDINANCE NO. 316 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING ORDINANCE NO. 140 C.S. TO ALLOW USES PERMITTED IN THE PROFESSIONAL COMMERCIAL ("P-C") ZONE ON PARCEL 3, TRACT 604, OAK PARK ACRES.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1: That portion of Subsection (C) in Section 4 of Ordinance No. 140 C.S. relating to Parcel No. 3 is hereby amended to provide that the particular uses in Parcel No. 3 shall be limited and controlled as follows:

Parcel #3 (Zoned P-C)

For medical and dental offices and clinics, professional offices, and hospitals, rest homes and sanitariums, but not including mental institutions. No density is prescribed, but coverage of the area shall not exceed the amounts authorized by the City Zoning Codes.

SECTION 2: This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.

On motion by Council Member Gallagher, seconded by Council Member Vandeveer, and on the following roll call vote, to wit:

AYES: Councilmen Gallagher, Hillis, Vandeveer and Mayor Smith
NOES: None
ABSENT: Councilman Hogan

the foregoing Ordinance was passed and adopted on the 1st day of October 1984.


B. Anne Smith
MAYOR

ATTEST: Virginia Culp
DEPUTY CITY CLERK

I, Virginia L. Culp, Deputy City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 316 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 1st day of October 1984.

WITNESS my hand and the seal of the City of Arroyo Grande affixed this 3rd day of October 1984.

Virginia Culp
DEPUTY CITY CLERK
ORDINANCE NO. 396 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING ADOPTION OF A NEGATIVE DECLARATION AND PD REZONING CASE 88-213, AN AMENDMENT TO ORDINANCE NO. 140 C.S. (OAK PARK ACRES) TO MODIFY EXHIBIT "A" AND EXHIBIT "B".

WHEREAS, the City Council of the City of Arroyo Grande, California has held a public hearing to consider an amendment to Ordinance No. 140 C.S., and

WHEREAS, the City Council did consider said proposed amendment to modify Exhibit "A" and "B", by adjusting the lot line between the Oak Park Acres Planned Development and Parcel 10 of Parcel Map 77-103; and

WHEREAS, the City Council has held the required public hearing on the proposed amendment; and

WHEREAS, the City Council finds no substantive impact to the environment and, therefore, the adoption of a Negative Declaration is appropriate; and

WHEREAS, the proposed amendment was found to be consistent with the General Plan, Zoning, and Goals and Objectives of the City of Arroyo Grande; and

WHEREAS, after due study and deliberation, the City Council finds that the public interest and general welfare does require such an amendment.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does hereby ordain as follows:

SECTION 1: Exhibit "A" and Exhibit "B" of Ordinance No. 140 C.S. (Oak Park Acres) is hereby amended to adjust the lot line between the Oak Park Acres Planned Development and Parcel 10 of Parcel Map 77-103 as shown on the attached exhibits.

SECTION 2: The Ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage it shall be published once, together with the names of Council Members voting thereon, in a newspaper published and circulated in said City.

On motion by Councilmember Smith, seconded by Councilmember Moots, and by the following roll call vote, to wit:

AYES: Councilmembers Smith, Moots, Olsen, Dougall and Mayor Millis

NOES: None

ABSENT: None

the foregoing Ordinance was passed adopted this 27th day of December 1988.

[Signature]
MAYOR

ATTEST: Nancy A. Davis
CITY CLERK

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 396 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 27th day of December, 1988.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 5th day of January, 1989.

[Signature]
CITY CLERK
A SECTION OF THE ZONING MAP OF THE CITY OF ARROYO GRANDE, AMENDED BY ORDINANCE NO. 140 C.S. OF THE CITY OF ARROYO GRANDE.
Agricultural (A) District. Such fences and walls shall not exceed six (6) feet in height when located in any required front yard abutting a street. Such fences shall not restrict the sight distance on any road or driveway entering a public road.

Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.410. Off-street parking required (A).

The provisions of Article 26 of this chapter shall apply in determining the amount of parking space to be provided for each use in the Agricultural (A) District. The parking spaces shall be improved as set forth in Article 26 of this chapter.

Ord. 24 C.S., eff. February 27, 1969)

Article 5. Residential Agricultural District or R-A District

9-4.501. Purpose (R-A).

The Residential Agricultural (R-A) District is intended to permit mixed farm and residential uses; to provide an area for people to have small parcels of land larger than residential lots where livestock, poultry, and small animals may be raised in limited number for home use, or for pleasure; and shall be combined with a -B.1, -B.2, or -B.3 classification. (See Article 19 of this chapter).

Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 76 C.S., eff. January 11, 1973)

Sec. 9-4.502. Uses permitted (R-A).

The following uses shall be permitted in the Residential Agricultural (R-A) District:

(a) Single-family dwellings, one per building site;

(b) Light farming, except commercial dairies. commercial
I  

2.  

rabbit, fox, goat, or hog farms, or commercial chicken or poultry

(c) Livestock limited to two (2) animals only when

combined with a R.3 District. A like number of animals may be

permitted for additional acreage. Pens or fencing used for the

housing of such animals shall be located not less than 150 feet

from the boundary of the Residential Agricultural (R-A) District;

(d) Crop and tree farming; and

(e) One noncommercial guest house.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2,

Ord. 76 C.S., eff. January 11, 1973)

Sec. 9-4.503. Uses permitted subject to obtaining a use per-

mit (R-A).

The following uses shall be permitted in the Residential

Agricultural (R-A) District subject to obtaining a use permit

in each case:

(a) Churches, public and parochial schools, parks,

playgrounds, and public utility buildings and uses, excluding

corporation and service yards and public uses;

(b) The maintenance of over two (2) livestock for pri-

vate use provided that a minimum land area shall be 20,000 square

feet for each two (2) additional animals;

(c) The maintenance of large animal hospitals and

commercial dairies provided that the minimum land area shall be

ten (10) acres; and commercial chicken, rabbit, and similar

small animal raising;

(d) F.F.A., 4-H, or similar organization small animal
 projects (see Article 31 of this chapter); and

(e) Riding academies, public stables, and boarding and reeding kennels.

Ord. 24, C.S., eff. February 27, 1969, as amended by Sec. 2. Ord.
6 C.S., eff. January 11, 1973)

Sec. 9-4.504. Accessory uses permitted (R-A).

Accessory buildings and uses in the Residential Agricultural
(R-A) District shall be permitted only to the extent necessary and
normal to the limited types of uses permitted in the District.

(a) Accessory buildings and structures shall be permitted
in the rear and side yards provided no building or structure is allowed
in the side yard within sixty (60') feet of the front lot line, nor
within five (5') feet of the side property line, nor permitted in any
side yard abutting the street. All accessory buildings which are not
a part of the main building shall be separated from the main building
by at least six (6') feet.

(b) One sign, not over five (5) square feet in area and
unlighted, pertaining only to the sale, lease, or rental of the
property upon which the sign is located, and the sale of agricultural
products grown on the property shall be permitted.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.505. Maximum allowable height (R-A).

The maximum allowable height in the Residential Agricultural
(R-A) District shall be as follows:

(a) Main buildings. Two (2) stories and not to exceed
hirty (30') feet; and
3. 9-4.506. Building site area and lot width required (R-A).

Lots of record on or before February 27, 1969, having an area or dimensions less than those required in the Residential Agricultural (R-A) District, may be occupied by the uses permitted, subject to all the other restrictions and requirements set forth in this chapter.

(a) Lot area. The minimum lot area shall be 10,000 square feet for corner and interior lots.

(b) Lot dimensions. The minimum lot dimensions shall be seventy-five (75') feet for interior and corner lots, and the minimum depth shall be ninety (90') feet.

Ord. 24 C.S., eff. February 27, 1969)

4. 9-4.507. Maximum allowable lot coverage by buildings or structures (R-A).

The maximum allowable lot coverage by all structures permitted in the Residential Agricultural (R-A) District shall not exceed thirty-five (35%) percent of the lot area; provided, however, any roofed patio structure which is used solely for general open space shall not be counted as a structure in ascertaining coverage, or shall swimming pools be counted; and provided, further, roofed patios and swimming pools shall be located five (5') feet from the side or rear property line and fifty (50') feet from the front property line. The coverage of the rear yard by a covered patio or any structure shall not exceed thirty (30%) percent of the required rear yard.

Ord. 24 C.S., eff. February 27, 1969)
Section 9-4.508. Minimum Yards Required ("R-A").

Minimum yards required in "R-A" Districts, unless otherwise required in Article 25 of this Chapter, establishing building lines, or unless Optional Design Standards have been used as set out in Section 9-4.511:

(a) **Front Yard.** Each building site in the "R-A" District shall have a front yard extending across the full width of the subject property of a depth of not less than twenty (20) feet but in no case closer than fifty (50) feet from the center line of a street or road.

Except for access drives and walks, there shall be no structures located in the required front yard, or in a required side yard abutting a street. No boat or trailer shall be kept in said front or side yard nor shall it be permitted to dismantle, repair or keep any disabled vehicles in this front or side yard or driveway; nor shall storage of any material be permitted.

(b) **Side Yard.** There shall be a side yard on each side of the lot extending from the front yard to the rear yard, of not less than five (5) feet on an interior lot line. A corner lot shall have a side yard abutting the street of not less than ten (10) feet.

(c) **Rear Yard.** Each lot shall have a rear yard across the full width of the lot of not less than ten (10) feet, provided that a minimum of fifteen hundred (1500) square feet of open area is maintained to the rear of the walls of the main building or in an ell or "U" design; otherwise twenty-five (25) feet.

(Ord. 24 C.S., eff. Feb. 27, 1969)

Section 9-4.509. Fences and Walls ("R-A").

Fences and walls are permitted but not required in the "R-A" Districts. Such fences and walls shall not exceed six (6) feet in height, and where the same are located in a required front yard or side yard abutting the street, the same shall not exceed three (3) feet in height.

(Ord. 24 C.S., eff. Feb. 27, 1969)
Sec. 9-4.510. Access ("R-A").

Access in the "R-A" Districts shall be as follows:

When a lot abuts upon an alley, entrance to garages or off-street parking space having access from the alley shall be located not less than thirty (30) feet from the opposite side of such abutting alley.

(Ord. 24 C.S., eff. Feb. 27, 1969)

Sec. 9-4.511. Optional Design and Improvement Standards ("R-A").

When development has been approved by the Planning Commission under the Optional Design and Improvement Standards of the Subdivision Provisions, in the "R-A" Districts, then such approved building sites, coverage and yards under the plan, shall be considered as the requirements of this chapter.

(Ord. 24 C.S., eff. Feb. 27, 1969)

Sec. 9-4.512. Off-Street Parking Required ("R-A").

Off-Street parking requirements in the "R-A" Districts shall be as follows:

The provisions of Article 26 shall apply in determining the amount of parking space provided for each use. The parking spaces shall be improved as set forth in said Article.

(Ord. 24 C.S., eff. Feb. 27, 1969)

Article 6. Single Family Residential District or "R-1" District.

Sec. 9-4.601. Purpose ("R-1").

The "R-1" District is intended as an area for single family homes, with approximately four (4) such homes per acre and with not more than one (1) dwelling and customary accessory buildings upon any one (1) building site.

(Ord. 24 C.S., eff. Feb. 27, 1969)

Sec. 9-4.602. Uses Permitted ("R-1").

The following uses shall be permitted in the "R-1" District:

(a) Single family dwellings, one (1) per building site.

(Ord. 24 C.S., eff. Feb. 27, 1969)
(c) -B.3 District: (1) The minimum building site required shall be 40,000 square feet.
    (2) The minimum lot length shall be 200 feet.
    (3) The minimum lot width required at the property line shall be 120 feet.
    (4) The maximum allowable lot coverage by structures shall be subject to all the other requirements of this chapter as specified in the district.
    (5) The minimum side yard required for a corner lot shall be twenty (20') feet.
    (6) The interior lot lines and rear yard setback shall be as specified in the district with which the -B.3 District combined.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 76 C.S., eff. January 11, 1973)

Article 20. Mobile Home and Travel Trailer Park Standards*

Sec. 9-4.2001: Purpose.

The purpose of this article is to provide minimum standards, as applied to land, for the development of mobile home parks or travel trailer-recreation vehicle parks and to establish standards of density, area landscaping, walls and enclosures, signs, access, and vehicular parking in relation to such uses pursuant to the powers granted to the City by the provisions of Section 16010 of the Health and Safety Code of the State.

Sec. 2, Ord. 76 C.S., eff. January 11, 1973)

Sec. 9-4.712. Minimum off-street parking required (R-2).

The provisions of Article 26 of this chapter shall apply in determining the amount of parking space to be provided for each use in the Duplex Residential (R-2) District. The parking spaces shall be improved as set forth in Article 26 of this chapter.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.713. Density per family unit (R-2).

The density per family unit in the Duplex Residential (R-2) District shall be as follows:

(a) There shall be a gross area of 2,500 square feet per family unit provided on each building site.

(Ord. 24 C.S., eff. February 27, 1969)

Article 8. Garden Apartment Residential District or R-G District

Sec. 9-4.801. Purpose (R-G).

The purpose of the Garden Apartment Residential (R-G) District is to stabilize and maintain the residential character of the district and permit small family and individual living with communal and cooperative uses of facilities while providing private outdoor open space for each unit.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.802. Uses permitted (R-G).

The following uses shall be permitted in the Garden Apartment Residential (R-G) District:

(a) Single-family dwellings; and

(b) Duplexes, triplexes, multiple-family uses, and apartments.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 157 C.S., eff. July 14, 1977)
Sec. 9-4.803. Uses permitted subject to obtaining a use permit. The following uses shall be permitted in the Garden Apartment Residential (R-G) District subject to obtaining a use permit in each case:

(a) (Repealed by Sec. 3, Ord. 157 C.S., eff. July 14, 1977);

(b) Churches, schools, parks, playgrounds, and public utility and public buildings and uses, not including service yards, corporation yards, or storage yards;

(c) Condominiums or similar type developments;

(d) Signs over four (4) square feet when attached to the main building and appurtenant to any use allowed;

(e) F.F.A., 4-H, or similar organization small animal or fowl projects (see Article 31 of this chapter); and

(f) Public or private parking lots for automobiles when contiguous to any C, P-C, H-S, or M District and when fenced and landscaped to the approval of the Commission.


Sec. 9-4.804. Accessory buildings and uses permitted (R-G).

Accessory buildings and uses shall be permitted in the Garden Apartment Residential (R-G) District as follows:

(a) Accessory buildings only if constructed simultaneously with, or subsequent to, the main building on the same lot;

(b) Accessory uses normally incidental to uses permitted
in this district. This is not to be construed as permitting any
commercial use; and

(c) One sign, not over four (4) square feet in area,
when attached to the main building and appurtenant to any use
allowed. Such sign may be detached when pertaining to the sale.
lease, or rental of the property upon which the sign is located.
(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.805. Maximum allowable height (R-G).

The maximum allowable height in the Garden Apartment Resi-
dential (R-G) District shall be as follows:

(a) Main buildings. Two (2) stories, not to exceed
thirty (30') feet; and

(b) Accessory buildings. Fourteen (14') feet.
(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.806. Minimum building site and lot width required (R-G).

The minimum building site and lot width required in the Gar-
den Apartment Residential (R-G) District, unless the Optional
Design and Improvement Standards are used as set forth in Section
9-4.811 of this article, shall be as follows:
Sec. 9-4.1025. Subdivision ("P-D").

In the "P-D" District, where from the nature of the size, location, shape or topography of the parcel of land, or where from the nature of the improvements or development shown on the specific plan or any combination of these factors, it appears to the Planning Director that a future division of ownership or subdivision of said parcel would be required for orderly development, the Planning Director may require the filing of a tentative and/or final subdivision map, as provided in the subdivision provisions of the City, and the performing of any other acts required in such regulation. Where any requirement of the subdivision provisions requires any specific act of the landowner or subdivider, the approval of any specific plan shall not become effective until compliance has been made with such subdivision provisions.

(Ord. 24 C.S., eff. Feb. 27, 1969).

Sec. 9-4.1026. Reversionary Clause ("P-D").

Any land classified as "P-D" District shall revert to its former classification in the event that any portion of the development is not commenced within one (1) year from the effective date of the ordinance, classifying said land into a "P-D" District. If rezoning is initiated by the Planning Commission or City Council, such reversion shall not take effect.

(Ord. 24 C.S., eff. Feb. 27, 1969)

Article 11. Professional Commercial District or "P-C" District.

Sec. 9-4.1101. Purpose ("P-C").

The purpose of the "P-C" District is to provide a district for professional and general offices with yard and open space and architectural requirements similar to those in residential districts, in order that such uses can be compatible in close proximity thereto.

(Ord. 24 C.S., eff. Feb. 27, 1969)
Sec. 9-4.1102. Uses permitted (P-C).

The following uses shall be permitted in the Professional Commercial (P-C) District:

(a) Medical and dental offices and clinics;
(b) Professional offices, not including real estate offices; and
(c) Hospitals, rest homes, and sanitariums, but not including mental institutions.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1103. Uses permitted subject to obtaining a use permit (P-C).

The following uses shall be permitted in the Professional Commercial (P-C) District subject to obtaining a use permit in each case:

(a) Medical and dental laboratories, but not including the manufacturing of products for general sale or distribution; ambulance services and sick room supplies, sales, and rentals;
(b) Mortuaries, drugstores, pharmacies, flower, gift, art, and specialty shops, and small animal veterinary hospitals, within a building;
(c) General offices, real estate offices, barber and beauty shops, and restaurants;
(d) Multiple-family dwellings, apartment houses, and combined apartment-retail-commercial office uses enumerated for the Professional Commercial (P-C) District, single structure;
(e) Churches, schools, parks, playgrounds, and public utility and public buildings and uses, not including service yards;
(f) Institutions for the care of mental or alcoholic patients;

(g) Public or private parking lots for automobiles when contiguous to any C, R-S, or M District and when landscaped to the approval of the Commission; and

(h) Any use which the Commission, by resolution, determines to be similar in character to the uses set forth in this section and in Section 9-4.1102 of this article.

In no case shall any of the commercial or service uses set forth in this section be located other than on the first or ground floor, nor exceed fifty (50%) percent of the first or ground floor of any residential structure.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 76 C.S., eff. January 11, 1973)

Sec. 9-4.1104. Accessory buildings and uses permitted (P-C).

Accessory buildings and uses shall be permitted in the Professional Commercial (P-C) District as follows:

(a) Accessory buildings only if constructed simultaneously with, or subsequent to, the main building on the same lot. This is not to be construed as permitting any conversion to or use for any commercial uses permitted in this district;

(b) Accessory uses normally incidental to the uses permitted; and

(c) Signs as follows:

(1) Signs not exceeding six (6) square feet advertising the premises for sale;

(2) For residential and professional buildings
one lighted identification sign not to exceed ten (10) square feet provided such sign is stationary, nonflashing, placed upon the wall of the building, does not extend above or out from the wall, and contains no advertising material other than rental or tenant information;

(3) For commercial buildings and commercial retail uses within a residential building one interior lighted, non-flashing sign eighteen (18") inches in perpendicular height by one foot for each two (2') feet of property frontage, but in no case shall such sign exceed a total of forty (40) lineal feet, provided such sign is placed upon the wall of the building and does not extend above or out from the wall. In the case of a combined residential-commercial building, such sign shall be placed only upon securing a use permit; and

(4) Freestanding signs only in connection with professional or commercial uses after first securing a use permit, and then only within the following limitations:

(i) No freestanding sign shall exceed twenty-five (25') feet in height and shall have a minimum grade clearance of fifteen (15') feet.

(ii) No sign shall project over public property.

(iii) No freestanding sign shall exceed fifty (50) square feet per face or 100 square feet total all faces.

(iv) All lighted signs shall be interior.
lighted, nonrotating, and nonflashing.

Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2,
Ord. 76 C.S., eff. January 11, 1973)

Sec. 9-4.1105. Maximum allowable height (P-C).

The maximum allowable height in the Professional Commercial
(P-C) District shall be as follows:

(a) **Main buildings.** The maximum building or structural
height shall be two (2) stories or thirty (30') feet, whichever
is the lesser; and

(b) **Accessory buildings.** Fourteen (14') feet.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1106. Minimum building site and lot width required (P-C).

The minimum building site and lot width required in the
Professional Commercial (P-C) District, unless the Optional
Design and Improvement Standards are used as set forth in Sec-
tion 9-4.1111 of this article, shall be as follows:

(a) **Minimum building site.** Six thousand (6,000) square
feet for corner or interior lots; and

(b) **Minimum lot width.** Sixty (60') feet for corner
and interior lots.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1107. Maximum building site coverage by buildings or
structures (P-C).

The maximum coverage of a lot by all office and commercial
uses permitted in the Professional Commercial (P-C) District
shall not exceed fifty (50%) percent of the lot area. The
remaining fifty (50%) percent shall be in parking and landscaping
with no less than ten (10%) percent of the area landscaped.
In the case of residential or combined residential-commercial uses, the coverage shall not exceed seventy (70%) percent of the gross area, which shall include main and accessory buildings, parking areas, covered patios, and swimming pools.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1108. Minimum yards required (P-C).

The minimum yards required in the Professional Commercial (P-C) District, unless otherwise required in Article 25 of this chapter, establishing building lines or unless the Optional Design and Improvement Standards have been used as set forth in Section 9-4.1111 of this article, shall be as follows:

(a) Front yard. Each lot shall have a front yard extending, except for access drives and walks, across the full width of the subject property, or a depth of not less than three (3') feet. No boat or trailer shall be kept in the front or side yard, nor shall the dismantling, repairing, or keeping of any disabled vehicle be permitted; nor shall the storage of any material in the front or side yard or driveway be permitted.

(b) Side yards. For residential uses or combined residential-commercial uses, there shall be a side yard on each side of the lot, extending from the front yard to the rear yard, of not less than five (5') feet on an interior lot line. A corner lot shall have a side yard abutting the street of not less than ten (10') feet. No interior side yard shall be required for office or commercial uses.

(c) Rear yard. Each lot shall have a rear yard, extending across the full width of the lot, of not less than ten (10') feet.
feet, unless such lot rears on a C or M District, in which event
no rear yard shall be required except for residential uses; then
ten (10') feet in all cases.
(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2,
Ord. 157 C.S., eff. July 14, 1977)
Sec. 9-4.1109. Fences and walls (P-C).

Building sites developed and used for commercial purposes in
the Professional Commercial (P-C) District, when abutting any R
District or any property used residentially, shall be enclosed by
walls not exceeding six (6') feet in height, and where the fences
and walls are located in the required front or side yard abutting
the street, the fences and walls shall not exceed three (3') feet
in height.
(Ord. 24 C.S., eff. February 27, 1969)
Sec. 9-4.1110. Access (P-C).

Access to any parking required in the Professional Commercial
(P-C) District shall be approved by the Director of Public Works.
(Ord. 24 C.S., eff. February 27, 1969)
Sec. 9-4.1111. Optional Design and Improvement Standards (P-C).

When a development in the Professional Commercial (P-C)
District has been approved by the Commission under the Optional
Design and Improvement Standards of the subdivision provisions, such approved building sites, coverage, and yards under such plan shall be considered as the requirements of this chapter.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1112. Minimum off-street parking required (P-C).

The provisions of Article 26 of this chapter shall apply in determining the amount of parking space to be provided for each use in the Professional Commercial (P-C) District. The parking spaces shall be improved as set forth in Article 26 of this chapter.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1113. Architectural approval (P-C).

Elevations, site plans, and landscaping plans in the Professional Commercial (P-C) District shall be approved by the Architectural Committee.

(Ord. 24 C.S., eff. February 27, 1969)

Article 12. Neighborhood Commercial District or C-N District

Sec. 9-4.1201. Purpose (C-N).

The purpose of the Neighborhood Commercial (C-N) District is to provide centers for convenient shopping in the residential neighborhoods, planned and controlled to the extent that any such center will perform a vital service to the neighborhood in which it is located and become an integral part thereof.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1202. Uses permitted (C-N).

The following retail, service, and office uses, when conducted within a building of not to exceed 5,000 square feet in
uses, shall be permitted in the Neighborhood Commercial (C-N) District:

(a) Food stores, bakery shops, drug, variety, delicatessen, hardware, shoe repair, book, gift, stationery, record, flower; and other specialty shops, beauty shops, barber shops, cleaning and laundry agencies, and restaurants, but not including drive-in or auto-oriented restaurants;

(b) Coin-operated cleaning and laundry shops; and

(c) Business and professional offices, real estate, insurance, and bookkeeping.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 1, Ord. 175 C.S., eff. April 13, 1978)

9-4.1203. Uses permitted subject to obtaining a use permit (C-N).

The following uses shall be permitted in the Neighborhood Commercial (C-N) District subject to obtaining a use permit in each case:

(a) Catering services; shops for the repair of home appliances, radios, and television sets; studios for arts, crafts, photography, music, and dance; off-sale liquor sales; banks; and retail nurseries;

(b) Service stations; public buildings and uses; and public utility buildings and uses, except service yards, corporation yards, or storage yards;

(c) Any building in single use in excess of 5,000 square feet of floor area;

(d) One nonflashing, nonrotating, interior-lighted, freestanding sign per center or complex under single ownership not exceeding 150 square feet per face or 300 square feet total.120
all faces, having a maximum height of thirty (30') feet; and

e) Any use which the Commission, by resolution, determines to be similar in character to the uses set forth in this section and in Section 9-4.1202 of this article.

(Ord. 24 G.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 76 G.S., eff. January 11, 1973)

Sec. 9-4.1204. Accessory buildings and uses permitted (C-N).

Accessory buildings and uses shall be permitted in the Neighborhood Commercial (C-N) District as follows:

(a) Accessory buildings only if constructed simultaneously with, or subsequent to, the main building on the same lot;

(b) Accessory uses normally incidental to the uses permitted; and

(c) Painted or internally illuminated nonflashing signs attached to the main building and appurtenant to any use permitted and not exceeding fifty (50) square feet for each business. No sign shall project into any public right-of-way, nor shall any sign attached to a building extend above the wall of the building.

(Ord. 24 G.S., eff. February 27, 1969)

Sec. 9-4.1205. Maximum allowable height (C-N).

The maximum building or structural height of all buildings in the Neighborhood Commercial (C-N) District shall be as follows:

(a) Main buildings. Thirty (30') feet; and

(b) Accessory buildings. Fourteen (14') feet.

(Ord. 24 G.S., eff. February 27, 1969)
sec. 9-4.1206. Minimum building site and lot width required (C-N).

The minimum building site and lot width required in the Neighborhood Commercial (C-N) District, unless the Optional Design and Improvement Standards are used as set forth in Section 9-4.1211 of this article, shall be as follows:

(a) Minimum building site. Six thousand (6,000) square feet;

(b) Minimum lot width. Fifty (50') feet; and

(c) Minimum lot depth. One hundred (100') feet.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1207. Maximum building site coverage by buildings or structures (C-N).

The maximum building site coverage by buildings or structures in the Neighborhood Commercial (C-N) District shall be 100 percent, less required parking and landscaping.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1208. Minimum yards required (C-N).

The minimum yards required in the Neighborhood Commercial (C-N) District, unless otherwise required in Article 25 of this chapter establishing building lines or unless the Optional Design and Improvement Standards have been used as set forth in Section 9-4.1211 of this article, shall be as follows:

(a) Front yard. Each parcel which abuts a public street shall have a front yard, extending across the full width of such property, a depth of not less than fifteen (15') feet, of which three (3') feet are immediately adjacent to the...
property line along the entire street frontage, exclusive of driveways, and shall be landscaped. The balance of the fifteen (15') feet may be used for landscaping and parking.

(b) Side yards. None required unless bordering on an R District, then ten (10') feet.

(c) Rear yard. None required, unless bordering on an R District, then fifteen (15') feet.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1209. Fences and walls (C-N).

Fences and walls shall be permitted but shall not be required in the Neighborhood Commercial (C-N) District. Such fences and walls shall not exceed six (6') feet in height, and where the fences and walls are located in the required front or side yard abutting the street, the fences and walls shall not exceed three (3') feet in height.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1210. Access (C-N).

Where a commercial building site in the Neighborhood Commercial (C-N) District abuts on an alley, structures having access from such alley shall be located not less than thirty (30') feet from the opposite side of such abutting alley.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1211. Optional Design and Improvement Standards (C-N).

When a development in the Neighborhood Commercial (C-N) District has been approved by the Commission under the Optional Design and Improvement Standards of the subdivision provisions, such approved building sites, coverage, and yards under such
Sec. 9-4.1212. Minimum off-street parking required (C-N).

The provisions of Article 26 of this chapter shall apply in determining the amount of parking space to be provided for each use in the Neighborhood Commercial (C-N) District. The parking spaces and loading areas shall be improved as set forth in Article 26 of this chapter.

Sec. 9-4.1213. Elevations, site plans, and landscaping approval (C-N).

Elevations, site plans, and landscaping plans in the Neighborhood Commercial (C-N) District shall be approved by the Architectural Committee. All business should be conducted within a building except the sale of gasoline and oil in service stations.

Article 13. Central Business District or C-B-D District

Sec. 9-4.1301. Purpose (C-B-D).

The purpose of the Central Business (C-B-D) District is to designate and promote the orderly development of the business district as primarily a retail shopping facility to serve the present and future needs of the residential community, preserving and expanding the unique characteristics of the existing rural village atmosphere.

Sec. 9-4.1302. Uses permitted (C-B-D).

The following uses, wholly within a building, shall be permitted.
Article 14. Highway Service District or H-S District

Sec. 9-4.1401. Purpose (H-S).

The purpose of the Highway Service (H-S) District is to pro-
vide a district for vehicular oriented uses with sufficient
architectural and landscaping controls to protect the amenities
of the area.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1402. Uses permitted (H-S).

(a) The following uses shall be permitted in the High-
way Service (H-S) District:

(1) Gasoline service stations provided all opera-
tions, except the servicing of gasoline, oil, or water, are
carried on within a building and there are no sales of goods
not customarily related to the sale of gasoline.

(b) The following uses shall be permitted if wholly
within a building:

(1) General offices, professional offices, banks,
and savings and loan offices;

(2) Hotels, motels, restaurants, and cocktail
lounges in connection with restaurants;

(3) Refreshment stands and curio and souvenir
shops; and

(4) Food stores, furniture stores, clothing
stores, and shoe stores.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2,
Ord. 76 C.S., eff. January 11, 1973)

Sec. 9-4.1403. Uses permitted subject to obtaining a use permit (H-S).

The following uses shall be permitted in the Highway Service
(h) District subject to obtaining a use permit in each case:
   (a) Clubs, lodges, community centers, churches, and public utility buildings and uses, not including service yards, corporation yards, storage yards, or veterinary clinics;
   (b) Private and public recreation centers and off-sale liquor;
   (c) Motor vehicle, trailer, and farm machinery sales and service, tire recapping, and boat sales and service;
   (d) Travel trailer-recreation vehicle parks;
   (e) Plant nurseries, car washes, and building materials entirely within a building;
   (f) Bulk petroleum distribution plants where all tanks are completely underground;
   (g) Self-service petroleum sales, mortuaries, and ambulance services where all emergency vehicles are stored within a building;
   (h) Drive-in theaters;
   (i) Nonflashing, nonrotating, interior lighted free-standing signs appurtenant to a permitted use not exceeding 150 square feet per face or 300 square feet total all faces, having a maximum height of fifty (50') feet. Only one such sign shall be permitted per center or complex under single ownership; and
   (j) Any use which the Commission, by resolution, determines to be similar in character to the uses set forth in this section and in Section 9-4.1402 of this article.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 76 C.S., eff. January 11, 1973)
Sec. 9-4.1404. Accessory buildings and uses permitted (H-S).

Accessory buildings and uses shall be permitted in the Highway Service (H-S) District as follows:

(a) Accessory buildings having a maximum height of fourteen (14') feet only if constructed simultaneously with, or subsequent to, the main building on the same lot.

(b) Accessory uses normally incidental to the uses permitted; and

(c) Permanent nonflash ing signs appurtenant to a permitted use when attached to the building having a maximum size of 150 square feet each face. No banners, flags, or strips shall be permitted. No projection into any public right-of-way shall be permitted. No such sign shall exceed fifty (50') feet in height.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1405. Maximum allowable height (H-S).

The maximum building or structural height of all buildings in the Highway Service (H-S) District shall be thirty-five (35') feet.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 76 C.S., eff. January 11, 1973)

Sec. 9-4.1406. Minimum building site and lot width required (H-S).

The minimum building site and lot width required in the Highway Service (H-S) District, unless the Optional Design and Improvement Standards are used as set forth in Section 9-4.1411 of this article, shall be as follows:

(a) Minimum building site.
recreation vehicle parks, three (3) acres; and drive-in theaters, ten (10) acres;

(2) Motor vehicles, trailers and farm machinery sales, 20,000 square feet;

(3) Public and private recreation uses, one acre;

(4) Churches, clubs, and lodges, 20,000 square feet;

(5) Hotels, motels, restaurants, and service stations, 20,000 square feet; and

(6) All other uses, 10,000 square feet.

(b) Minimum lot width. (1) One hundred (100') feet.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2,
Ord. 76 C.S., eff. January 11, 1973)

Sec. 9-4.1407. Maximum building site coverage by buildings or structures (H-S).

The maximum coverage of a lot by all structures permitted in the Highway Service (H-S) District shall not exceed fifty (50%) percent of the lot area; provided, however, a minimum of five (5%) percent of the land area shall be landscaped with suitable plants, trees, or shrubs.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1408. Minimum yards required (H-S).

The minimum yards required in the Highway Service (H-S) District, unless otherwise required in Article 25 of this chapter establishing building lines or unless the Optional Design and Improvement Standards have been used as set forth in Section 9-4.1411 of this article, shall be as follows:
Sec. 9-4.1409. Fences and walls (H-S).

Fences and walls shall be permitted but shall not be required in the Highway Service (H-S) District. Such fences and walls shall not exceed six (6') feet in height, and where the fences and walls are located adjacent to any access into a public street, the fences and walls shall not exceed three (3') feet in height.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1410. Access (H-S).

Where a building on a lot in the Highway Service (H-S) District abuts an alley and has access to such alley, such building shall be located not less than thirty (30') feet from the opposite side of such abutting alley.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1411. Optional Design and Improvement Standards (H-S).

When a development in the Highway Service (H-S) District has been approved by the Commission under the Optional Design and Improvement Standards of the subdivision provisions, such approved building sites, coverage, and yards under such plan shall be considered as the requirements of this chapter.

(Ord. 24 C.S., eff. February 27, 1969)
2. 9-4.1412. Minimum off-street parking required (H-S).

The provisions of Article 26 of this chapter shall apply in determining the amount of parking space to be provided for each use in the Highway Service (H-S) District. The parking spaces shall be improved as set forth in Article 26 of this chapter.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.1413. Elevations, site plans, and landscaping approval (H-S).

Elevations, site plans, and landscaping plans in the Highway Service (H-S) District shall be approved by the Architectural Committee prior to the issuance of any building permit.

(Ord. 24 C.S., eff. February 27, 1969)

Article 15. Freeway Service District or F-S District

(Article 15, consisting of Sections 9-4.1501 through 9-4.1513, added by Ordinance No. 24 C.S., effective February 27, 1969, repealed by Section 3, Ordinance No. 76 C.S., effective January 11, 1973)

Article 16. Planned Industrial District or P-M District

Sec. 9-4.1601. Purpose (P-M).

The purpose of the Planned Industrial (P-M) District is to provide a district which will assure an environment conducive to the development and protection of modern industry, research institutions, and administrative facilities, all well designed and properly landscaped, which do not specialize in pedestrian traffic.

(Ord. 24 C.S., eff. February 27, 1969)
P-D-1.2
RANCHO GRANDE PLANNED DEVELOPMENT

ORDINANCES:

186 C.S.
302 C.S.
315 C.S.
343 C.S.
397 C.S.

RESOLUTION:

1728
ORDINANCE NO. 186 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE
APPROVING AN AMENDMENT TO THE MUNICIPAL CODE OF THE CITY OF
ARROYO GRANDE AS PROVIDED BY CHAPTER 4 ZONING, ARTICLE 32 OF
SAID CODE, REZONING APPROXIMATELY 464 ACRES OF LAND LOCATED ON
THE NORTHERLY SIDE OF U.S. HIGHWAY 101, AND LOCATED APPROX-
IMATELY 450 FEET DUE EAST OF OAK PARK BOULEVARD AND INTERSTATE
HIGHWAY 101 FROM "A" AGRICULTURAL DISTRICT TO "P-D" PLANNED DE-
VELOPMENT DISTRICT, AND APPROVING A DEVELOPMENT PLAN FOR APPROX-
IMATELY 35% SINGLE FAMILY DWELLING UNITS, 40 CLUSTERED SINGLE
FAMILY DWELLING UNITS, AND 40 ACRES OF COMMERCIAL AREA, AND
DESIGNATING THE UNPLANNED "P-D" AREA NOT TO EXCEED 133 UNITS AS
PER CONDITIONS OUTLINED IN THIS ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1. Rezone the parcel of land, 464 acres in size, owned by Rancho Grande Properties located north of U.S. Highway 101 approximately, 450 feet due east of the intersection of Oak Park Boulevard and Interstate Highway 101, from the "A" Agricultural District to "P-D" Planned Development, (more particularly described in Zoning Unit Map attached hereto and incorporated herein by reference), and approves a development plan for 35% units and approximately 40 acres of commercial area, and designating the unplanned "P-D" area not to exceed 133 units as per conditions outlined in this Ordinance.

SECTION 2. Development Requirements.

1. That the development be substantially as shown on the Master Conceptual Plan, Exhibit A, and the Preliminary Architectural Elevation Plans, Exhibit B, on file with the Planning Department.

Any proposal that will change any portion of the land use or the conceptual master plan shall be deemed a change in the approval of this Ordinance. Said changes will require reconsideration of the undeveloped portions of the project through the full and proper Zone Change procedures with the public retaining all of their rights regarding said zone changes.

2. That 8 inch high concrete curb be installed between paved and landscaped areas.

3. That all ducts, meters, air conditioning equipment and all other mechanical equipment, whether on the ground or elsewhere, the structure be reasonably screened from public view with materials architecturally compatible with the main structure. (It is especially important that gas and electric meters be completely screened from public view).

4. That street numbers of all buildings be posted so as to be easily read from the street at all times, day and night.

5. That all lighting be constructed in such a manner that glare is directed away from surrounding properties and public rights of way.

6. That all mechanical equipment be constructed in such a manner that noise emanating from it will not be perceptible at or beyond the property plane of the subject property in a normal environment for that zoning district.

7. That if signage is desired for the development, an overall comprehensive signage program be submitted to the City for review under separate applications.

8. That all trees used in private landscape areas shall be a minimum of 15 gallon in size and all shrubs a minimum of 5 gallon in size.

9. That all trash and refuse be contained completely with an enclosed area which is architecturally compatible with the main structure.

10. That silhouette low level lighting be provided adjacent to all commercial, multi-family clustered development.

11. That all parking spaces be striped and provided with wheel stops unless they are fronted by concrete curbs, in which case sufficient areas shall be provided beyond the ends of all parking spaces to accommodate the overhang of automobiles.

13. That the developer shall provide water conservation plumbing fixtures to the extent possible.

14. That the developer submit Improvement plans for all portions of the development which the developer is obligated by ordinance to construct, design by Registered Civil Engineer for review and approval by the Public Works Department.

15. That the developer submit a building permit survey and a site development plan, and that these plans be approved by the Director of Planning prior to issuance of a building permit.

16. That the Site Development Plan include all required information to design and construct site grading, paving and drainage.

17. That the paving sections for parking areas be designed on the basis of an R Value Test, and Traffic Index to carry the anticipated traffic loads. This design shall be subject to the approval of the Public Works Department. The minimum AC pavement slope shall be 12.

18. That all utilities required to service the development be installed underground.

19. That the developer install street frontage improvements per ordinance to the satisfaction of the Department of Public Works. These improvements shall include, but are not limited necessarily to, grading, curb and gutter, sidewalk, paving, storm drain, sanitary sewer, water facilities.

20. That the developer shall obtain Encroachment Permit from the City prior to construction.

21. The developer shall pay $2.50 per street tree per 50 ft. of frontage. Because of the phasing program of this project, staff would further recommend that the cost of trees be periodically reviewed and any additional costs be borne by the developer.

22. That the emergency phone number of the Fire Department be posted near all telephones on the site immediately following the beginning of construction.

23. That the construction site be kept free of fire hazards from the start of construction until final inspection.

24. That the developer shall include in his development plans, the planting of newly created banks or slopes for erosion control or to minimize their visual effect.

25. That Arroyo Grande Municipal Code Section 5-4.1026 shall not apply to the subject property, and that in lieu of the reversionary clause, the phasing of the development shall determine the compliance of the "P-D" Planned Development District.

26. That the Summary of Mitigation as prepared by the Department of Planning shall be part of the findings in development control for the Planned Development District.

27. That the entire open space as proposed on the revised Conceptual Master Plan shall be administered by a Home Owners' Association composed of all of the residents in the project area. Said administration and maintenance program for the open space shall be incorporated on a revised C. C. & R.'s document to be presented to the City for review and approval. Said C. C. & R. document shall be recorded and the City shall be made a third party. Further, should the City be required to administer and maintain the C. C. & R.'s, said cost shall be a direct lien on the properties within the project.

28. In approving any Tentative Parcel Map, a final map for the overall Rancho Arroyo Grande development will be forthcoming and will have to be approved by the City Council for recordation. After recordation, the parcel developments which follow will conform to the conditions and various development plans and phasing which were attached to the original tentative map. Staff further recommends that future Public Improvements Phasing Plan be subject to additional improvement requirements as deemed necessary by the Department of Public Works upon review of future developments.

29. That the development shall be subject to the following surcharges: CITY OF ARROYO GRANDE = $400.00 per single family dwelling unit, to include cluster housing, and 20% per gross square foot of building area for commercial facilities.

30. Final development plans shall be subject to the City's architectural review and approval. Further, that the development plans shall be reviewed by the Planning Commission and the City Council for compliance with the City's applicable ordinances and conditions of approval.

31. City standard local streets shall be a minimum of 60 feet of right-of-way with sidewalks on both sides and two parking lanes.

32. City standard collector streets shall be a minimum of 64 foot right of way with a minimum of two 14 foot travel lanes and sidewalks on both sides.
33. City standard for James Way shall be a minimum of 64 foot right of way with a minimum of two 14 foot travel lanes and sidewalks on both sides.

34. Special frontage road section shall be a minimum of 56 feet of right of way, with bikeway system provided on the southerly side. No sidewalks are recommended for the frontage road.

35. The service road adjoining the commercial and residential area shall be a minimum of 64 foot right of way, with sidewalks on the residential side. Sidewalks on the commercial side to be reviewed at such time as development plans are submitted.

36. The interior private road shall have a minimum of 50 feet of right of way, with sidewalks on both sides. Parking to be determined at such time as development plans are presented.

37. Staff recommends that James Way right of way be shown on the Conceptual Master Plan for its entire length, and dedication of said right of way be provided to the City. Further, that the improvements for James Way shall be reviewed by the City with each phase of development, and shall be completed no later that the development of Phase 3.

38. That the frontage road improvements for Rancho Grande from Brisco Road to the westerly property line of the Catholic Cemetery shall be the responsibility of Rancho Grande with improvements to be phased with each unit approved.

39. Further, if commercial driveways are provided on the westerly side of the commercial area and the frontage road from Oak Park Road is not yet completed, Rancho Grande shall be responsible for a minimum of two lanes to Oak Park Road.

40. In view of the concerns expressed by the Parks and Recreation Commission, it is recommended that as development plans or rezoning applications for the unplanned "P-O" area are submitted, that consideration for public or private recreation facilities be reviewed by the City for the residents of the Rancho Grande project.

41. That the unplanned "P-O" area be designated not to exceed 133 units, and that any modification to the density allocated in the unplanned area be subject to the following:

   a. An Ordinance amendment.

   b. That a plan designating 133 units or any revision thereof shall be shown on a proposed master conceptual plan to be approved at regularly scheduled public hearings by the Planning Commission and City Council, with appropriate resolution and ordinance to accomplish above.

SECTION 3. This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in the FIVE CITIES TIMES PRESS RECORD.

On motion of Council Member Gallagher, seconded by Council Member De Leon, and on the following roll call vote, to wit:

AYES: Council Members Gallagher, De Leon, Smith, Pope, and Mayor Millis.

NOES: None.

ABSENT: None.

the foregoing Ordinance was passed and adopted this 10th day of October, 1978.

ATTEST:

Deputy City Clerk

Mayor

I, Catherine L. Jansen, Deputy City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 186 C.S. is a true, full and correct copy of said Ordinance passed and adopted by the City Council of the City of Arroyo Grande at a regular meeting of said Council held on the 10th day of October, 1978.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 11th day of October, 1978.

(Seal)

Deputy City Clerk of the City of Arroyo Grande
ORDINANCE NO. 302 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY AND OTISE, INC., FOR THAT CERTAIN 464 ACRE DEVELOPMENT KNOWN AS "RANCHO GRANDE"

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

Section 1. That certain "Development Agreement By and Between the City of Arroyo Grande and OTISE, INC., a California Corporation Relative to the Development Known as Rancho Grande", and executed by the parties on November 30, 1983, is hereby approved pursuant to the authority of Government Code Section 65864, et seq. A copy of said Agreement is attached marked Exhibit "W" and incorporated herein, and a copy shall be available for public review in the Planning Department during reasonable business hours.

Section 2. This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in the Five Cities Times-Press-Recorder.

On motion of Council Member Vandeveer, seconded by Council Member Hogan, and on the following roll call vote, to wit:

AYES: Councilmen Vandeveer, Gallagher, Millis, Hogan and Mayor Smith
NOES: None
ABSENT: None

the foregoing Ordinance was passed and adopted on the 22nd day of November 1983.

B, Anne Smith
MAYOR

ATTEST:

VIRGINIA CULP
Deputy City Clerk

I, Virginia L. Culp, Deputy City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 302 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 22nd day of November 1983.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 5th day of December, 1983.

VIRGINIA CULP
Deputy City Clerk
DEVELOPMENT AGREEMENT
BY AND BETWEEN
CITY OF ARROYO GRANDE AND
OTTSE INC., a California Corporation,
RELATIVE TO THE DEVELOPMENT
KNOWN AS RANCHO GRANDE

This Development Agreement is made and entered into this 30th day of November, 1983, by and between the City of Arroyo Grande, a political subdivision of the State of California whose address is 214 E. Branch Street, Arroyo Grande, California 93420 (hereinafter "City") and OTTSE INC., a California corporation whose address is c/o Bourdon & Burkart, P. O. Box 1423, San Luis Obispo, California 93406 (hereinafter "Owner") pursuant to the authority of Section 65864 through 65869.5 of the California Government Code.

RECITALS:

I. To strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risks of development, the legislature of the State of California adopted Section 65864 et seq. of the Government Code which authorizes the City of Arroyo Grande and an applicant for a development project to enter into a development agreement, establishing certain development rights in the property which is the subject of the development project application or applications.

II. Owner owns approximately 464 acres of real property in City described in "Exhibit A" attached hereto and commonly known as "Rancho Grande" and referred to herein as the "subject property". Development of the subject property is controlled by City Ordinance No. 106 C.S. adopted October 10, 1978. On November 30, 1979 Owner caused Parcel Map AG 77-103 to be recorded, therein making the offers of dedication shown thereon.

III. The Planned Development for Rancho Grande set forth in Ordinance No. 106 C.S. will provide for orderly growth and development of the area and is consistent with the City's General Plan and the City's planning goals and objectives.

IV. The parties anticipate the formation of Assessment District 81-1, which will construct large scale improvements upon the subject property and upon adjoining properties. Those improvements will benefit City, Owner and adjoining property owners and will be financed by secured real property assessments against the affected properties in proportion to the benefits conferred by the improvements. Said benefits shall be conferred upon, and
assessed against, all portions of the subject property. Owner will incur substantial engineering, design and other expense prior to the formation of such Assessment District and will be subject to substantial expense to repay the cost of construction of improvements through the Assessment District.

V. In anticipation of the formation of Assessment District 81-1, Owner has filed and City has approved, subject to conditions, Tentative Tract Map 1132 and Tentative Parcel Map A.G. 83-013. The conditions to each of these maps requiring Owner to construct off-site improvements are more extensive and costly than would normally be imposed for such maps under existing City policies and standards. Such improvements are designed to ultimately serve not only the property within Tentative Tract Map 1132 and Tentative Parcel Map 83-013, but also to serve neighboring properties and the remaining portions of the subject property at the densities and intensities of use authorized in Ordinance 186 C.S. It is intended that these conditions will be satisfied by the Assessment District 81-1 construction. Owner and City intend that, from time to time during the term of this Agreement, Owner shall submit applications for development covering the remaining portions of the subject property in accordance with the permitted uses, densities and intensities of uses allowed, heights and sizes of proposed buildings, and provisions for dedication or reservation of land for public purposes, all as authorized pursuant to Ordinance No. 186 C.S.

VI. Except for the assurances granted to Owner by this Agreement that Owner will be able to develop to completion the subject property in accordance with Ordinance No. 186 C.S., Owner could not economically consider participation in Assessment District 81-1 nor could Owner have agreed to the extensive conditions placed upon the tentative maps referred to above.

VII. Ordinance No. 186 C.S., Parcel Map 77-103, Tentative Tract Map 1132 with conditions of approval, Tentative Parcel Map 83-013 with conditions of approval and the present proposal for Assessment District 81-1 are incorporated herein by this reference.

THE PARTIES THEREFORE AGREE AS FOLLOWS:

A. This Agreement shall apply to all portions of the subject property. The parties agree that the Planned Development of the subject property is a private development.

B. The term of this Agreement shall commence upon the effective date of City Ordinance No. 302 C.S., approving this Agreement and shall extend for a period of fifteen (15) years thereafter, unless said term is extended by circumstances described in Section E of this Agreement or by mutual consent of the parties.

C. During the term of this Agreement, and except as modified, amended, revoked or terminated as provided herein, the permitted uses of the subject property, the density and intended use, the maximum height and
size of proposed buildings, provisions for reservation or dedication of land for public purposes and for construction, installation and extension of public improvements, and other terms and conditions of development applicable to the subject property shall be limited to those set forth in, or incorporated in, or determined under the provisions of, Ordinance No. 186 C.S., Parcel Map AG 77-102, Tentative Tract Map 1132, Tentative Parcel Map AG 83-013, and as provided by the applicable ordinances, rules, regulations, general and specific plans, environmental considerations and design criteria and official policies of the City which are in force as of the date of entry of this Agreement.

D. During the term of this Agreement, City may apply only such new or modified rules, regulations, ordinances, laws, general or specific plans, community plans, and official policies which are not in conflict with those in effect on the date of entry of this Agreement. This section, however, shall not preclude the application to the development of the subject property of changes in City laws, regulations, plans or policies, the terms of which are specifically mandated and required by changes in state or federal laws or regulations. In the event that such changes in state or federal laws prevent or preclude compliance with one or more provisions of this Agreement in implementation of the Planned Development, the parties shall take action pursuant to Sections E and H of this Agreement. This Section D shall not be construed to limit the authority or obligation of City to hold necessary public hearings, or to limit discretion of City or any of its officers or officials with regard to rules, regulations, ordinances, laws and entitlements of use which require the exercise of discretion by City or any of its officers or officials, provided that subsequent discretionary actions shall, whenever possible, be exercised in conformance with the official policies of the City which are in effect on the date of entry of this Agreement and shall not frustrate or prevent development of the subject property for the uses and to the density and intensity of development set forth in Ordinance 186 C.S.

E. In the event that state or federal laws or regulations enacted after the effective date of this Agreement, or action of any other governmental jurisdiction, or any lending institution involved in financing the project, prevent or preclude compliance with one or more provisions of this Agreement, or require changes in plans, maps or permits approved by City, the parties agree that the provisions of this Agreement shall be modified, extended or suspended as may be necessary to comply with such state or federal laws or regulations or the regulations of other governmental jurisdictions or lending institutions. Each party agrees to extend to the other its prompt and reasonable cooperation in so modifying this Agreement or approved plans.

F. City application fees, processing fees, inspection fees or other fees that are created or increased during the term of this Agreement shall apply to development of the subject property provided that:
(1) Such fees apply to all private projects or works within City;

(2) Their application to development of the subject property is prospective only; and

(3) Their application to development of the subject property would not conflict with the terms, spirit and intent of this Agreement, nor frustrate implementation or require amendment of Ordinance No. 186 C.S.

G. Other than as reflected in Ordinance No. 186 C.S., Parcel Map 77-103, Tentative Subdivision Map 1132, and Tentative Parcel Map 83-013, and documents incorporated in them, as of the date of entry of this Agreement, the City does not contemplate the necessity for additional reservation or dedication of portions of the subject property for public purposes, except for street, drainage, utilities and open space purposes in the areas which are presently unplanned. Any reservations and dedications for those designated purposes in those areas shall be imposed in accordance with the City ordinances, standards and policies in effect upon the date of entry of this Agreement and may be specified and required as part of future master plan or subdivision map approvals.

H. In the event that the anticipated formation of Assessment District 81-1 does not occur, or in the event that affected properties neighboring the subject property are not included within the assessment district, then the City shall consider:

Pursuant to California Government Code Section 66485 et. seq., reimbursement of Owner from proceeds collected as fees assessed against future or concurrent development of the affected neighboring properties for the portion of the cost of improvements of supplemental size, capacity and number ("oversized improvements") in the amount equal to the difference between the amount it would have cost Owner to install such improvements to serve the subject property only and the actual cost of such improvements.

Said reimbursements shall be paid in conformance with a "Plan for Collection of Fees and Reimbursement", to be prepared by the Owner and submitted for review and approval by the City of Arroyo Grande prior to recordation of the map. Said "Plan for Collection of Fees and Reimbursement" shall include a specific term during which reimbursement shall be paid and a map of properties which are subject to development and benefit from improvements constructed by the owner. Fees proposed shall be based on actual cost of said improvements.

For Tract 1132 and Parcel Map 83-013, said "oversized improvements included, but are not limited to:

(1) Portions of West Branch Street, with utilities

(2) Water reservoir, pump station, transmission lines and sites and easements therefor.

(3) Drainage and sewage facilities as to be determined.

I. The parties agree that Paragraph 1 of Section 2. (or any other provision) of Ordinance No. 186 C.S. shall in no event be interpreted
to allow reduction of Owner's entitlement below a total of 527 dwelling units. Said Paragraph 1 shall also not be interpreted to provide that Ordinance No. 186 C.S. shall lapse, be revoked or otherwise terminate merely by reason of Owner's proposing a change in a portion of the land use or Conceptual Master Plan. Rather, said Paragraph 1 shall be interpreted to mean that City approval of any such change shall be subject to the normal procedures required for zoning and land use changes. Said Paragraph 1 shall not apply to proposed changes in road alignments, location and configurations of lots, or insubstantial changes of lot sizes from those shown on the Conceptual Master Plan, it being recognized that said plan is, in fact, conceptual and not specific.

J. This Agreement may be amended in writing from time to time by mutual consent of the parties hereto and in accordance with the provisions of Government Code Sections 65866, provided that:

(1) Any amendment to this Agreement which does not relate to the term, permitted uses, density or intensity of use, height or size of buildings, provisions for reservation of land, conditions, terms, restrictions and requirements relating to subsequent discretionary actions, or any conditions or covenants relating to the use of the subject property shall not require a public hearing before the parties may execute an amendment hereto unless such a hearing is required under Ordinance No. 186 C.S.; and

(2) Any non-substantial deviations from the approved Planned Development, as determined by the Planning Director and Director of Public Works, with respect to the location of lots, buildings, streets and other physical facilities do not require an amendment to this Agreement; and

(3) Unless specifically stated in said written amendment to the contrary, Owner's entitlement to develop a total of 527 dwelling units on the subject property shall not be deemed reduced.

K. City shall, at least every twelve (12) months during the term of this Agreement, review the extent of good faith substantial compliance by Owner with the terms of this Agreement. Such periodic review shall be limited in scope to compliance with the terms of this Agreement pursuant to California Government Code Section 65865.1. Notice of such annual review shall include the statement that any review may result in amendment or termination of this Agreement. A finding by City of good faith compliance by Owner with the terms of the Agreement, or a lack of finding to the contrary, shall conclusively determine good faith compliance up to and including the date of said review. The City shall deposit in the mail to Owner a copy of all staff reports and, to the extent practical, related exhibits concerning contract performance at least ten (10) calendar days prior to any such periodic review. Owner shall be permitted an opportunity to be heard orally or in writing regarding its performance under this Agreement before the City Council or, if the matter is referred to the City Planning Commission, before said Commission.

L. Formal written notices, demands, correspondence and communications between City and Owner shall be sufficiently given if dispatched by
prepaid first class mail, certified, return receipt requested, to the
addresses provided hereinabove, or to such other persons and addressees as
either party may from time to time designate.

M. Performance by either party hereunder shall not be deemed to
be in default where delays or defaults are due to war, insurrection,
strikes, building moratoriums, walkouts, riots, floods, earthquakes, fires,
casualties, acts of God, government restrictions imposed or mandated by
other governmental entities, demonstrated inability of Owner to obtain
financing, enactment of conflicting state or federal laws or regulations,
ew or supplementary environmental regulation, litigation, or similar bases
for excused performance. An extension of time for such cause shall be
granted in writing for the period of the enforced delay, or longer as may
be mutually agreed upon.

N. Default, Remedies, Termination.
(a) The parties agree that unless this Agreement is ter-
minated pursuant to the provisions of this Agreement and/or Ordinance No.
302 C.S., this Agreement shall be enforceable by any party hereto not-
withstanding any change hereafter in any applicable general plan, specific
plan, master plan, zoning ordinance, subdivision ordinance or building
regulation adopted by City, which change purportedly alters or amends the
rules, regulations and policies applicable to the development of the
subject property at the effective date of this Agreement, as provided by
Government Code Section 65866.

(b) Subject to extensions of time by mutual consent in
writing, and subject the provisions of Sections E and M, failure or delay
by either party to perform any term or provision of this Agreement shall
constitute a default. In the event of alleged default or breach of any
terms or conditions of this Agreement, the party alleging such default or
breach shall give the other party not less than thirty (30) days notice in
writing specifying the nature of the alleged default and the manner in
which said default may be satisfactorily cured. During any such thirty
(30) day period, (or such longer period during which the charged party
diligently attempts to cure the default), the party charged shall not be
considered in default for purposes of termination or institution of legal
proceedings.

(c) After notice and expiration of the thirty (30) day (or
extended) period, either party to this Agreement at its option may in-
stitute legal proceedings pursuant to this Agreement or give notice of
intention to terminate the Agreement pursuant to California Government Code
Section 65868 and regulations of the City implementing said Government Code
Section.

Following notice of intention to terminate, the matter shall be scheduled
for consideration and review in the manner set forth in Government Code
Sections 65865, 65867, and 65868 and City regulations implementing said
Sections by the City Council within thirty (30) calendar days.

Following consideration of the evidence presented in said review
before the City Council, either party alleging the default by the other
party may give written notice of termination of this Agreement to the other party.

Evidence of default may also arise in the course of a regularly scheduled periodic review of this Agreement pursuant to Government Code Section 65065.1. If either party determines that the other party is in default following the completion of the normal scheduled periodic review, said party may give written notice of intent to terminate this Agreement as set forth in this section, specifying in said notice the alleged nature of the default, and potential actions to cure said default where appropriate. If the alleged default is not cured within thirty (30) days or within such longer period either specified in the notice or during which diligent attempts to cure the default are pursued, or the defaulting party waives its right to cure such alleged default, this Agreement may be deemed terminated at the option of the non-defaulting party.

(d) In addition to any other rights or remedies, either party may institute legal action to cure, correct or remedy any default, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation.

(e) The Agreement shall be construed and enforced in accordance with the laws of the State of California.

P. In the event of any legal action instituted by a third party or other governmental entity or official challenging the validity of any provision of this Agreement, the parties hereby agree to cooperate in defending said action.

P. This Agreement shall bind and inure to the benefit of the parties, their successors and assigns. Owner shall specifically have the right to sell, assign, or transfer this Agreement with all its rights, title and interests therein to any person, firm or corporation at any time during the term of this Agreement, provided that the rights contained herein shall pertain only to the subject property. Otherwise, no third party shall have or acquire any right whatsoever under this Agreement.
This Agreement is executed in two duplicated originals, each of which is deemed to be an original. This Agreement constitutes the entire understanding and agreement of the parties.

By: Virginia L. Culp, Deputy City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Development Agreement is a true, full and correct copy of said Agreement passed and adopted at a regular meeting of City Council on the 22nd day of November, 1983.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 5th day of December 1983.

"City"

City of Arroyo Grande

By: B. Ann Smick

"Owner"

OTTSE INC, a California corporation

By: Andre Markus, President

By: Alyce Schilt, Secretary

STATE OF CALIFORNIA

COUNTY OF SAN LUIS OBISPO

On October 13, 1983 before me, the undersigned, a Notary Public in and for said State, personally appeared Andre Markus and Alyce Schilt, known to me or proved to me on the basis of satisfactory evidence to be the President and Secretary of the corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

SIGNATURE: Carie. R. McHugh

Name (Typed or Printed)
EXHIBIT "A" REFERRED TO IN DEVELOPMENT AGREEMENT
By and Between City of Arroyo Grande and OTSE, INC.,
a California Corporation, Relative to the Development
Known as Rancho Grande

The approximate location of said real property is herein described in
the following legal description and map shown below:

In the City of Arroyo Grande, County of San Luis Obispo,
State of California, being a division of Lots 2 and 5
of Parcel Map No. 77-103, recorded in Book 28 of Parcel
Maps, at Page 85, in the San Luis Obispo County Recorder's
Office. Also identified by Assessor's Parcel Nos. 7-781-19,
7-781-22 and 7-781-32.
ORDINANCE NO. 315 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING AN AMENDMENT TO ORDINANCE NO. 186 C.S., RANCHO GRANDE.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

Section 1: The Exhibit "A" Map of Ordinance 186 C.S. is amended by revising Tract Map No. 1132, and by including Lot Line Adjustment, Parcel Map No. AG-AL 83-013 (Lot Split Case No. 84-395).

Section 2: By this Amendment nothing in Sections 1 through 3 shall be modified. All conditions and requirements as previously adopted in Ordinance No. 186 C.S. shall continue to be in full force and effect.

Section 3: This Ordinance Amendment shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon in a newspaper of general circulation within the City.

On motion of Councilman Vandeveer, seconded by Councilman Gallagher, and on the following roll call vote, to wit:

AYES: Councilmen Gallagher, Millis, Vandeveer and Mayor Smith
NOES: None
ABSENT: Councilman Hogan

the foregoing Ordinance Amendment was passed and adopted the 11th day of September 1984.

B. C. SMITH
MAYOR

ATTEST: Virginia L. Culp
DEPUTY CITY CLERK

I, Virginia L. Culp, Deputy City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 315 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 11th day of September 1984.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 12th day of September 1984.

Virginia L. Culp
DEPUTY CITY CLERK
ORDINANCE NO. 343 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING AN AMENDMENT TO ORDINANCE NO. 186 C.S., RANCHO GRANDE, AS PROVIDED BY TITLE 5, CHAPTER 4, ARTICLE 32 OF THE MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Title of Ordinance No. 186 C.S. shall be amended by changing "40 acres of Commercial Area" to read "44 acres of Commercial Area".

Section 2. Section 1 of Ordinance No. 186 C.S. shall be amended by changing "Approximately 40 acres of Commercial Area" to read "Approximately 44 acres of Commercial Area".

Section 3. The Exhibit "A" map of Ordinance No. 186 C.S. is amended by including Lot Line Adjustment, Parcel Map No. AG-AL 83-013, (Lot Split Case No. 85-425) adjusting the location of a street generally known as "Carmen Avenue".

Section 4. This Ordinance Amendment shall be in full force and effect thirty (30) days after its passage and within fifteen (15) days after its passage it shall be published once, together with the names of Council Members voting thereon, in a newspaper published and circulated in said City.

On motion of Council Member Moots, seconded by Council Member Johnson, and on the following roll call vote, to wit:

AYES: Mayor Smith and Council Members Gallagher, Johnson, Moots and Porter

NOES: None

ABSENT: None

the foregoing Ordinance was passed and adopted this 25th day of March, 1986.


B. Ann Smith
MAYOR

ATTEST: Nancy A. Davis
CITY CLERK

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 343 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 25th day of March, 1986.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 26th day of March, 1986.

Nancy A. Davis
CITY CLERK
ORDINANCE NO. 397 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING ADOPTION OF A NEGATIVE DECLARATION AND P.D. REZONING CASE 88-212, AMENDMENT TO ORDINANCE NO. 186 C.S. (RANCHO GRANDE) TO MODIFY EXHIBIT "A".

WHEREAS, the City Council of the City of Arroyo Grande, California has held a public hearing to consider an amendment to Ordinance No. 186 C.S.; and

WHEREAS, the City Council did consider said proposed amendment to modify Exhibit "A", the Conceptual Master Plan, by adjusting the lot line between Parcel 10 of Parcel Map 77-103 and the Oak Park Acres Planned Development; and

WHEREAS, the City Council has held the required public hearing on the proposed amendment; and

WHEREAS, the City Council finds no substantive impact to the environment and, therefore, the adoption of a Negative Declaration is appropriate; and

WHEREAS, the proposed amendment was found to be consistent with the General Plan, Zoning, and Goals and Objectives of the City of Arroyo Grande; and

WHEREAS, after due study and deliberation, the City Council finds that the public interest and general welfare does require such an amendment.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does hereby ordain as follows:

SECTION 1: Exhibit "A" of Ordinance No. 186 C.S., (Rancho Grande) is hereby amended to adjust the lot line between Parcel 10 of Parcel Map 77-103 and the Oak Park Acres Planned Development as shown on the attached exhibit.

SECTION 2: The Ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage it shall be published once, together with the names of Council Members voting thereon, in a newspaper published and circulated in said City.

On motion by Councilmember Smith, seconded by Councilmember Moots, and by the following roll call vote, to wit:

AYES: Councilmembers Smith, Moots, Olsen, Douglas and Mayor Millis

NOES: None

ABSENT: None

the foregoing Ordinance was passed adopted this 27th day of December 1988.

[Signature]
MAYOR

ATTEST: Nancy A. Davis
CITY CLERK

I, Nancy A. Davis, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 397 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 27th day of December, 1988.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 5th day of January, 1989.

[Signature]
CITY CLERK
RESOLUTION NO. 1728

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TENTATIVE SUBDIVISION MAP OF TRACT NO. 1132 FILED BY BOURDON AND BURKART, AGENTS FOR OTTSE, INC., SUBJECT TO CERTAIN CONDITIONS

WHEREAS, the City Council of the City of Arroyo Grande has considered the Tentative Map of Tract No. 1132, filed by Bourdon and Burkart, Agents for OTTSE, INC., in accordance with the City Code; and

WHEREAS, said Tentative Map was referred to various public utility companies, City departments, Staff Advisory Committee and Planning Commission for recommendations; and

WHEREAS, the Tentative Map was found to be consistent with the General Plan, City development policy, and the Goals and Objectives of the City; and

WHEREAS, the proposed subdivision tract is consistent with current zoning; and

WHEREAS, the subdivision tract is consistent with the provisions of the California Environmental Quality Act (CEQA), and that mitigating measures for all environmental impacts have been addressed in Ordinance 186 C.S.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arroyo Grande hereby approves said Tentative Map of Tract No. 1132, subject to the attached conditions.

On motion by Council Member Vandeveer, seconded by Council Member Hillis and by the following roll call vote, to wit:

AYES: Councilmen Vandeveer, Hillis and Mayor Smith
NOES: None
ABSENT: Councilmen Gallagher and Hogan

the foregoing Resolution was adopted this 8th day of November 1983.

B. Andy Smith
MAYOR

ATTEST: Virginia L. Culp
Deputy City Clerk

I, Virginia L. Culp, Deputy City Clerk of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Resolution No. 1728 is a true, full and correct copy of said Resolution passed and adopted by the City Council of the City of Arroyo Grande at a regular meeting of said Council held on the 8th day of November 1983.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 10th day of November 1983.

Virginia L. Culp
Deputy City Clerk
City of Arroyo Grande
The subdivider shall enter into a contract agreement with the City of Arroyo Grande to perform the installation and construction of all improvements as contained in the conditions of approval of the subdivision and those required by the subdivision sections of the Arroyo Grande City Code, and shall post bond, cash deposit, or instrument of credit, guaranteeing the installation and construction of all required improvements within the time period specified herein or approved time extension in accordance with the provisions of the Arroyo Grande City Code.

2. The improvement plans for this subdivision shall be prepared by a California Registered Civil Engineer and shall be approved by the Public Works Director prior to the filing of the final map.

These plans shall be submitted concurrently and shall include, but not be limited to, grading, street, drainage, sewer, water, and appurtenant improvements. In addition, a master utility plan shall be submitted showing the layout and location of all the onsite and offsite utility facility improvements of the subdivision. (See Gas, Electric and Communication Utilities conditions). The plan submittal shall also include construction cost estimates, plan check fees, soils reports, and all pertinent engineering design calculations. The final map may not be filed unless all said improvement plans have been approved by the Public Works Director.

3. No construction shall commence and no grading shall be performed prior to the recording of the final map, unless a separate grading permit is issued.

4. A licensed Engineer in the State of California, who is registered in accordance with the appropriate provisions of the Business and Professions Code, shall be retained by the developer to assure that the construction work conforms to the approved improvement plans and specifications, as well as provides certified as-built plans after project completion. Submittal of the certified as-built plans will be required prior to and as a condition of the final acceptance of the development by the City.

5. All lots within this subdivision shall be of the size required by the Arroyo Grande City Code.

6. Deleted as inappropriate.

7. The subdivider shall post in his tract sales office a map of the existing zoning within the tract and surrounding area, and shall also provide each occupant of the tract with a map showing the zoning in the surrounding area.

Covenants shall provide for perpetual care of any common areas.

If an improvement is required for which the subdivision will receive reimbursement, or toward the cost of which the City will contribute, the subdivider shall obtain at least three competitive bids for installation of the improvement to City standards, including compliance...
with the law for public works improvements. The award of the contract
for the improvement shall be made to the lowest responsible bidder as
approved by the City Manager. The bid proposal shall be submitted for
the City's approval prior to going out for bid.

10. The subdivider shall provide all necessary easements for streets, alleys,
sewers, water facilities, utilities, drainage facilities, and other
facilities as required by the City. In the event such easements cannot
be obtained from the property owner involved by negotiation, the City
may acquire them at the expense of the subdivider by exercise of the
power of eminent domain. The subdivider shall bear all of the costs
of appraisal, acquisition, attorney fees, and court costs.

11. The subdivider shall comply with the Arroyo Grande City Code pertaining
to soils and geologic investigation.

12. The subdivider shall submit the actual costs of each of the sewer and
water improvements within 30 days of the final acceptance of the develop-
ment. The detailed costs breakdown shall be in accordance with the format
approved by the Public Works Director.

13. The conditions of approval of this map shall prevail over all omissions,
conflicting notations, specifications, dimensions, typical sections, and
the like, which may or may not be shown on the map or improvement plans.

14. Cost of all inspections related to onsite and offsite improvements shall
be borne by the subdivider.

5. The subdivider shall be responsible for all actions of his contractors and
subcontractors until such time as the improvements have been accepted by
the City.

6. The subdivider shall designate in writing, before starting work, an
authorized representative who shall have complete authority to represent
and to act for the subdivider. Such written authorization shall be pro-
vided to the City. Said authorized representative shall be present at
the site of the work at all times while work is actually in progress
on the development. During periods when work is suspended, arrangements
acceptable to the City shall be made for any emergency work which may
be required.

Whenever orders are given by the City to the subdivider's representative,
or superintendent, or foreman, to do the work required for the convenience
and safety of the general public because of inclement weather or any
other cause, and said orders are not immediately acted upon by such
person, the City may do or have such work done by others at the Subdivider's
expense.

Deleted with the assumption that the improvement district to be
formed will complete the improvements.

The City of Arroyo Grande reserves the right to upgrade or add to City
Standard Plates and Standard Land Development Specifications. If the
required subdivision improvements are not completed within the period
specified herein, the subdivider shall be responsible for conformance
to any and all upgraded or revised City Standards and Specifications.
All requirements of any other law or agency of the State of California and any other governmental entity, applicable to this development, shall be met.

No request for occupancy shall be approved until all conditions are completed and accepted or approved.

"Standard Specifications for Public Works Construction", latest edition, and any modifications thereto by the City, including City of Arroyo Grande, Standard Land Development Specifications and all applicable City standard plates, shall be the project specifications, except as noted otherwise on the approved improvement plans.

Phasing of development shall conform to the phasing shown in the approved tentative map. The improvement plans shall clearly indicate any interim and/or off-site improvements required by the City.

All corner lots shall have a minimum overall width of 70 feet, with side yards abutting a public street being a minimum of 10 feet in width.

All lots (including cul-de-sac, hammer-head and knuckle lots) shall have a minimum frontage of 40 feet.

GRADING

All grading performed shall conform to the City of Arroyo Grande Ordinance, Chapter 70 of the Uniform Building Code, and/or as recommended by the Soils Report, with prior review and approval by the City.

All abandoned irrigation lines, trees (except trees to be preserved) and obstructions in the project site shall be removed and properly disposed of from the site. Proper backfill and compaction of voids shall be subsequently accomplished to provide protection against settlement.

It is the contractor's responsibility to use watering, dust fences, or other methods as directed by the City, to control dust throughout the construction operation.

All grading construction debris materials shall be removed and disposed into the dump site prior to any excavation or fill operations and/or as directed by the City.

The subdivider or his agents or employees shall be responsible for removal and clean-up of any spill on public streets during his entire grading operations.

Where the difference in average elevations between adjacent lots, lot and property, and between lot or property and adjacent alley is in excess of six inches, slope shall not exceed 2 to 1 or a grade found reasonable in the soils report, or a retaining wall shall be required. Any required wall shall extend at least 4" above the higher finished grade.

A fence and wall plan shall be submitted to the Public Works Director for approval prior to issuance of permits.
31. The builder shall pay the standard sewer connection fee, as required in the Arroyo Grande City Code, prior to obtaining any building permits.

32. The method of sewage and waste disposal shall be by means of a community disposal system. All sewer system improvements shall meet or exceed the City's standards, and the necessary separation between water mains and sanitary sewers shall be maintained as required by the State Department of Health as directed by the Public Works Director.

WATER

33. To insure municipal water service to this development, the water rights shall be dedicated to the City of Arroyo Grande by Title Sheet Dedication at the time of filing the final map.

34. All abandoned wells shall be filled, capped, and abandoned in conformance with the San Luis Obispo County Environmental Health Department's standards.

35. The subdivider shall install onsite and boundary water mains, fire hydrants, and services in conformance with the Water Department Standard Design and Specifications.

36. The subdivider shall provide onsite fire protection as determined necessary by the Fire Chief, and Utilities Superintendent. Adequate fire protection, as determined by the Fire Chief, shall be available prior to framing.

In order to provide for reasonable fire protection during the construction period, the subdivider shall maintain passable vehicular access to all buildings and fire hydrants as required by the Fire Chief and Utilities Superintendent.

The subdivider shall install adequately sized services and meters to each lot as required by the Utilities Superintendent. In cases where one meter serves more than one building, the subdivider shall furnish an accurate "as built" showing buildings or parts of buildings served by that meter. No interconnections between buildings will be allowed.

DRAINAGE

Both onsite and offsite drainage facilities shall be provided and constructed as directed and approved by the Public Works Director.

The subdivider shall install the required drainage facilities concurrently with the rough grading operations or provide an interim drainage and erosion control plan, and construct interim improvements with prior approval from the Public Works Director, for mitigating any potential flooding and erosion adversely affecting adjacent properties and public rights of way.

Lots shall drain into a street, alley, or approved drain in such a manner that there will be no undrained depressions.

The subdivider shall procure easements or consents from all affected landowners for any diversion of historical flows, changes in drainage conditions, or acceptance of any additional water flowing over their property, as determined by the Public Works Director and according to law.
prior to any construction of the facilities, San Luis Obispo County Flood Control District Standards shall be observed for all facilities within their jurisdiction, and the approval of the District shall be obtained on all improvement plans for such facilities. The subdivider shall obtain any necessary flood control encroachment permits.

And drainage gradients shall be not less than one percent nor greater than 1.5 percent.

44. All streets and highway improvements shall be as required in the Arroyo Grande City Code or in any duly adopted precise section of the General Plan, and shall be constructed as directed by the Public Works Director.

45. The subdivider shall dedicate and improve to City standards all streets and alleys. All street names are to be approved by the City.

46. Street and road improvements shall conform to the existing City pavement policy. A copy of said policy is available from the Public Works Director.

47. All streets, alleys, sidewalks, curbs, and gutters adjacent to the sub-division shall be improved as necessary to provide safe vertical and horizontal transitions to connect improvements constructed within this sub-division to existing improvements, as directed by the Public Works Director. Any street, alley, sidewalk, or curb damaged by the subdivider or its agents or employees shall be repaired.

48. Soils reports, "R" value, and compaction tests will be required on all streets. Determination of the actual structural section shall be based on State Highway design procedure.

In addition, at least the top 12-inch portion (more if necessary) of the subgrade material shall be reworked and recompacted to the required densities at optimum moisture content shown in the R-value test.

49. All water, gas, sewer, underground electrical power, CATV or telephone lines, or conduits or underground drain lines shall be installed before any paving is placed. Utility stub connections to property boundaries of each lot may be omitted only with the express and written permission of the Public Works Director.

50. The stub ends of all streets planned for future continuation shall be temporarily protected with warning barricades, redwood headers, and bars, as required by the Public Works Director.

51. The subdivider shall pay for, and the City shall install, street name signs, traffic regulatory and warning signs, and any necessary street striping and markings as required by the Public Works Director. The signs shall conform to City's requirements and shall be purchased by the subdivider. Striping and signing shall be paid for by the developer subject to review and approval of the City, and made a part of the improvement plans.

52. The subdivider shall set all monuments required by the Subdivision Map Act before his bond is released, and said bond shall be security therefore.

53. The subdivider shall design and install all necessary traffic signal modifications subject to the approval of the City.
54. The subdivider shall dedicate the 10.0 acre elementary school site shown on the Tentative Map pursuant to Government Code §66478. If the School District does not enter an acceptance commitment as required, then subdivider shall reserve that site for park and recreational purposes pursuant to Government Code §66479. Unless, prior to time for recording of a final map, an agreement consistent with the Subdivision Map Act is reached between the City of Arroyo Grande and the subdivider obligating the subdivider to dedicate all or a portion of the site for parks and recreation, subdivider shall pay park development fees according to standard City requirements.

55. Street trees and/or streetscaping including medians as designated by the Parks Superintendent shall be accomplished by the subdivider. A streetscaping plan may be required for review and approval by the Parks Superintendent.

56. When onsite landscaping is required, a landscape and irrigation plan will be required for review and approval by the Parks Superintendent.

57. The subdivider shall provide water services and meters for all parkways and planter strips, as determined necessary by the Parks Superintendent.

58. Unless specified in the C.C&R's, the subdivider shall provide landscaping and irrigation systems in all front yards and on all corner lot side yards which face public streets.

GAS, ELECTRIC AND COMMUNICATION UTILITIES

9. All utility facilities shall be placed underground in accordance with the City Ordinance.

0. Deleted as inappropriate.

1. Deleted as inappropriate.

2. A master utility map shall be prepared by the subdivider and made a part of the improvement plans. The map shall indicate the relative location of all the public and private utilities as directed by the Public Works Director. (Gas, electric, telephone and cable television lines may be shown on the plan prior to obtaining the encroachment permits for installation of these utilities).

1. Except as the parties may otherwise agree, the developer shall provide CATV, without charge, the reasonable opportunity to utilize and jointly occupy for the same purpose any trench provided by the developer to a utility for the purpose of connecting the utility to service the development.

Deleted as inappropriate.
SPECIAL CONDITIONS

1. All conditions of Ordinance #186 C.S. shall apply unless modified herein or in subsequent development agreements.
   Streets.

2. Frontage Road shall be developed in accordance with Ordinance 186 C.S. to a minimum of two 14 ft. driving lanes and concrete curb and gutter on the freeway frontage between Brisco Road and the easterly improved right of way adjacent to the cemetery. Reimbursement may be considered.

3. Rancho Parkway to be developed in accordance with the rezoning ordinance, with pedestrian improvements along the tract frontage. The street shall be developed to a minimum of 1/2 street plus a 14 ft. driving lane adjacent to the tract boundaries, with a minimum of two 14 ft. driving lanes between West Branch Street and the tract boundary. Reimbursement may be considered.

4. Street lights shall be required in accordance with P. G. & E. standards on ornamental poles.

5. James Way shall be improved the entire alignment within the tract with a minimum of two 14 ft. driving lanes, except adjacent to the tract boundaries where improvements shall be 1/2 street, plus a 14 ft. driving lane.

6. Internal streets shall conform with City Standards and adopted conceptual master plan.

Water.
At a minimum, developer shall construct a backbone water system from Branch Street to and including the proposed reservoir site as shown on the conceptual master plan. Developer shall also be required to construct appropriate pump station and reservoir facilities. All appropriate rights of way to provide for the backbone water system shall be dedicated, including the pump station site, the reservoir site, and additional required pipe line rights of way. Developer shall dedicate a pipe line right of way between the reservoir site and Lot 11 of Oak Park Acres. All lots shall be served with City water, and water mains shall be looped where appropriate.

Gas Company.

8. Developer to resolve conflict between alignment of high pressure gas line with lot lines as shown on Conceptual Master Plan.

Fire Department Requirements.

9. Fire hydrants as required by the Fire Chief.

Sewer.

10. All lots shall be sewered to publicly maintained mains. Developer shall be responsible to assure City that downstream facilities are appropriately sized to accommodate the subdivision. System reinforcements may be required.

Drainage.

11. A drainage plan for this tract shall be prepared for review and approval by the Public Works Department. Drainage fees may be required in conformance with adopted City drainage plans.

12. Developer shall acquire any appropriate offsite drainage easements which may
13. Parks fees, as well as appropriate street tree fees shall be paid prior to recordation.
ROYAL OAKS PLANNED DEVELOPMENT

ORDINANCES:

355 C.S.
356 C.S.
358 C.S.
384 C.S.
406 C.S.
418 C.S.
430 C.S.
449 C.S.

APPLICABLE ZONING DISTRICT DESCRIPTIONS:

R-1
ORDINANCE NO. 355 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE AMENDING A PORTION OF THE ZONING MAP TO RECLASSIFY CERTAIN PROPERTY IN THE CITY OF ARROYO GRANDE AS P.D., PLANNED DEVELOPMENT, FOR A RESIDENTIAL SUBDIVISION IDENTIFIED AS "ROYAL OAKS ESTATES", AND REPEALING AND SUPERSEADING ORDINANCES 221 C.S. AND 317 C.S.

The City Council of the City of Arroyo Grande does ordain as follows:

Section 1. That certain ordinance known as "ZONING ORDINANCE OF THE CITY OF ARROYO GRANDE", referred to in Section 302 of Title 9, Chapter 4, of the Municipal Code, is amended so that "P.D." District as shown and designated on the map attached thereto and by this reference incorporated herein, which map is entitled "A Section of the Zoning Map of the City of Arroyo Grande, Amended by Ordinance No. 355 C.S. of the City of Arroyo Grande", and said map and all notations and references shown thereon shall be as much a part of this ordinance as if the matters shown on said map were all fully described herein, and the districts and zones and boundaries of the property shown therein from and after the effective date of the adoption of this ordinance. The properties intended to be rezoned are described in Exhibit "A" attached hereto. The referred to property is hereby rezoned from "P.D." Planned Development, as established by Ordinance No. 221 C.S. and as amended by Ordinance No. 317 C.S., to "P.D." Planned Development District as hereinafter provided.

Section 2. DEVELOPMENT PROVISIONS. The following provisions shall apply to the planned development of the property described in Exhibit "A" attached hereto:

1. Planned Development as provided in Ordinances 221 C.S. and 317 C.S. are hereby revoked and superseded deleting reference to Knollwood or Oak Knolls.

2. Planned Development as shown on Exhibit "B" the proposed Tentative Map Tract No. 1390, Royal Oaks Estates, dated May 5, 1987 inclusive of the conditions of approval, Exhibit "C" dated May 5, 1987 shall be attached as the development plan map depicting basic circulation, open space, land use and approximate lot size.

Residential Density and Institutional Uses

<table>
<thead>
<tr>
<th>Approved Residential Density</th>
<th>Lots</th>
<th>Dwelling Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drainage and Park</td>
<td>A</td>
<td>0</td>
</tr>
<tr>
<td>Patio Homes</td>
<td>11-109 &amp; 157</td>
<td>100</td>
</tr>
<tr>
<td>Single Family Homes</td>
<td>1-11, 110-155, 158-181, 183 &amp; 185-233</td>
<td>131</td>
</tr>
<tr>
<td>Estate Homes</td>
<td>B, 182 &amp; 184</td>
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<tr>
<td>Agriculture</td>
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</tr>
<tr>
<td>Total</td>
<td>235</td>
<td>235</td>
</tr>
</tbody>
</table>

The final tract map shall contain the following notations:

...
4. Conditions, covenants and restrictions for the tract shall prohibit resubdivision of any lots.

5. Land use shall be consistent with the approved development plan and the standards of the R-1, single-family residential district for all lots except 11-109, 157, 162 and 184 and Lots A, B and C. Lots 11-109 and 157 shall be allowed site and lot width, coverage and yard variations pursuant to Section 9-4.611 of the R-1 District. Lot A shall be a drainage and park-recreation site. Lots 162 and 184, Lot B and Lot C are intended as individual single family estate lots, each restricted to one single family dwelling unit and residential related, accessory or agricultural uses allowed in the R-A zone. Residential Agricultural (R-A) uses permitted are:

A. Single-family dwellings, one per building site;
B. Light farming, except commercial dairies, commercial rabbit, fox, goat, or hog farms, or commercial chicken or poultry ranches;
C. Livestock limited to two (2) animals only when combined with a B-3 District. A like number of animals may be permitted for additional acreage. Pens or fencing used for the housing of such animals shall be located not less than 150 feet from the boundary of the Residential Agricultural (R-A) District;
D. Crop and tree farming;
E. One noncommercial guest house except where there is an existing second residential dwelling unit;
F. Mobile homes subject to the provisions of Municipal Code Section 9-4.2405.1. A public elementary school on Lot B may be permitted pursuant to rezoning procedures. The YMCA and/or alternative institutional uses on Lots 162, 184 and B may be considered pursuant to PD amendment, zone change procedures, but in no event shall additional residential resubdivision be considered.

6. Architectural Review of all proposed homes on Lots 11-109 and 157 shall be considered after the City Council approves this PD amendment and the tentative map for Royal Oaks. Generally, the preliminary lot plans and elevations involving "Z" and "Y" lots with zero setbacks on side yards for Lots 11-109 and 157 are conceptually acceptable. City Council architectural review on all lots shall include representative renderings and proposed Conditions, Covenants and Restrictions (C.C.A.R.s), which establish a developer-administered subdivision Architectural Control Committee and describes the proposed architectural style (s) or theme for housing to be permitted in the subdivision. Generalized architectural theme review for institutional uses shall be included with the City's architectural review and shall include proposed C.C.A.R.s, but not renderings or drawings. The developer and/or his architectural review committee shall review each individual building plan, and the City will approve the developer's general C.C.A.R. plan only.*

7. The developer shall make available Lot B, a school site of approximately fourteen acres adjoining James Way, to Lucia Unified School District for the District's future construction of an elementary school under terms jointly agreed upon by the developer and District in their contractual agreement, dated March 10, 1987. Any amendment of the March 10, 1987 agreement shall require City Council
concurrency. All grading, development and access plans of the District and/or developer for use of the proposed school site shall be approved by the City Council.

8. The planned development shall be constructed in two phases.

Phase I. The initial and first phase of planned development shall be called Phase I. Phase I development shall permit the concurrent development of all public and private improvements identified on-site and within the area defined as Phase I upon the approved tentative tract map, plus all off-site improvements, excepting "E" Street. Phase I improvements shall include the construction of all patio and other homes contained within the Phase I tentative tract map area, but shall exclude construction of building upon Lots B, C, 182 and 184. Grading, drainage and non-building improvements may take place upon Lots B, C, 182 and 184 according to approved City plans during Phase I. Building construction upon Lots B, C, 182 and 184 shall require Council detailed site plan review and approval prior to commencement.

No building permits shall be issued for Phase I development until after City acceptance of all water system improvements and until the developer provides the City Council with a construction schedule which Council, in its sole judgment, determines shall provide for the total completion and City acceptance of any on- and off-site public improvements prior to, or concurrent with, the completion of all residential housing proposed upon said schedule. In no event shall the City issue occupancy permits for residential buildings prior to City acceptance of all public on- and off-site improvements required in Phase I.

Prior to commencing Phase I development, the developer shall provide the Public Works Director with a five-year construction bond guarantee sufficient to cover off-site "E" Street public improvements to be constructed in Phase II. Developer is permitted to grade in the Phase II area during Phase I according to a grading plan approved by the Public Works Director and only for purposes of transporting excess fill from the Phase II area to the Phase I area.

Phase II. The second and final phase of the planned development shall be completed after Phase I. Phase II development shall permit the concurrent development of all public and private improvements identified on-site and within the area defined as Phase II upon the approved tentative tract map, plus off-site "E" Street. Phase II improvements shall include the construction of all homes contained within the Phase II tentative tract map area.

No building permits shall be issued for Phase II development until the developer provides the City Council with a construction schedule which Council, in its sole judgment, determines shall provide for the total completion and City acceptance of all on- and off-site public improvements prior to, or concurrent with, the completion of any residential housing proposed upon said schedule. In no event shall the City issue occupancy permits for residential buildings prior to City acceptance of all public on- and off-site improvements required in Phase II.

Improvement Plans

A. Standard specifications for Public Works Construction, latest edition, and all applicable City Standard Plans shall be the project specifications except as noted otherwise on the approved improvement plans. The improvement plans for the project shall be prepared by a California Registered Civil Engineer and shall be approved by the Public Works Department prior to recording of the final map.
B. Plans shall include, but not be limited to, grading, drainage, sewer, water and utility improvements. In addition, a master utility plan shall be submitted showing the layout and location of all the on-site and off-site utility facility improvement of the project, including water, sewer, drainage, gas, electric and communication utilities. The master water, sewer and drainage plan shall be submitted and approved prior to presentation of other improvement plans. The plans submitted shall also include construction cost estimates, plan check fees, soils reports and all pertinent engineering design calculations. The final map may not be filed with the City Council unless all said improvement plans have been approved by the Public Works Department. All required rights of way or easements shall be dedicated to the City prior to, or concurrent with, submittals of the final map to the City Council for approval.

10. Water, Sewer, Street Tree and Other Public Utilities

A. All lots shall be provided with service from City water supply. This system shall tie into the backbone system constructed by Rancho Grande and the Royal Oak Estates developers will be required to pay any assessments with the recording of final map(s).

B. The subdivider shall install water mains, fire hydrants and service laterals in conformance with the Water Department Standard Design and Specifications and approved plans. Fire flow as specified by the Fire Chief and approval of the Public Works Department shall be available prior to obtaining any building permits.

C. All lots shall be served with City sewer.

D. In addition to specific easements shown on the tentative map, a six foot easement along and adjoining local streets and a ten foot easement along and adjoining collector streets shall be reserved as a street tree and public utility easement.

Lot 11. Lot Grading

Grading

A. Developer shall provide the final grades and finish of residential lots. C.C.&R.'s shall advise future property owners that no further grading shall be permitted, other than minor detail grading work which requires City permit.

B. Lots 220 through 226 shall be developed in natural terrain.

C. Grading of Lots 227-232 and Lot 183 shall be redesigned to reflect natural terrain and drainage patterns and conform to cross slope design criteria.

D. Slope banks at the rear of Lots 187-191 and the south side of Lot 205 shall be designed with variable slopes of 3 to 1 or greater and landscaped in accordance with approved plans, designed by a landscape architect and installed by the subdivider and maintained as part of the side or rear yards of the involved lots, to buffer residential development from adjoining future development on County property.

E. Lot width to depth ratio exceptions are approved for those portions of Lots 127 through 130, which extend into the tree preservation assessment area. The rear portion of Lots 127 through 130 shall be designated and recorded as a scenic easement.

F. Grading of Lots 127 through 134 shall be modified to pad the front 125 foot
ORDINANCE NO. 356

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING ORDINANCE NO. 355 C.S.,
SECTION 2, SUB-PARAGRAPH 14, RELATING TO DESIGN,
CONSTRUCTION AND USE OF LOT A AND VIA LA BARRANCA
DRAINAGE SYSTEM IN ROYAL OAKS ESTATES RESIDENTIAL
SUBDIVISION

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE HEREBY ORDAINS AS
FOLLOWS:

SECTION 1: Section 2, entitled "Development Provisions", sub-paragraph 14, entitled "Lot
A and Via La Barranca Drainage System" is hereby amended to read as follows:

14. Lot A and Via La Barranca Drainage System

Lot "A" and La Barranca Drainage System

A. The developer has been required to design and shall be required to con-
struct a storm drainage retention facility and other drainage facilities
on Lot "A" and upon the City-owned, adjacent off-site property as required by
the City Council. Contracts must be approved by the Public Works Director
prior to construction or grading for this facility.*

B. The slope bank behind Lots 34-40 shall be part of Lot "A", the proposed
drainage detention basin; the slope bank shall be moved westerly to enable a
drainage swale on site along the east tract boundary into the basin. Slope
bank, swale and basin landscaping shall be designed by a landscape architect
and installed by the subdivider.*

C. Developer’s consultants have submitted specific drainage and landscaping plans
for Lot "A" and the adjoining City-owned Via La Barranca property and
downstream drainage lines and mitigating measures towards off-site drainage
deficiencies, where necessary, to the Public Works Director. The Public
Works Director has reviewed and analyzed such plans to determine the
adequacy of such plans which

1) mitigate and reduce current and projected flooding of the streets and
   areas below the current City drainage facility and works, as a result of this
   project, and;

2) mitigate and prevent any further flooding of the streets and areas below
   the current City drainage facility and works to be caused by the planned
   development, and;

3) provide security and safety measures and durable and substantial
   improvements which can be efficiently and adequately maintained by the
   City. Improvements shall not include an asphalt pathway through Lot "A"
   and the La Barranca site as shown upon developer’s plans. Developer-
   proposed fencing shall be modified as indicated on the City Manager’s copy
   of the plan, in red, Initialed and dated June 24, 1997. The director’s
   department has submitted a written report of its findings and the proposed
   specific plan to the City Council which hereby accepts the plan.
D. The developer and the City have negotiated a fair market value to be paid to the City in lieu of providing improvements and recreational opportunities on the La Barranca site. The negotiated contribution shall be used for the development of Rancho Grande Park and shall be paid to the City prior to final tract map approval. The fair market value is $20,000.

E. The drainage plan approved by the Public Works Director for Lot "A" and the City-owned La Barranca site includes:
1) Security fencing installed by the developer for both lots.
2) A landscaping plan prepared by a landscape architect, which includes drought resistant plants and erosion control measures for both lots. The plan must be successfully implemented and completed by the developer prior to November 1, 1987, and final tract map approval.

*All paragraphs contained within this Ordinance, followed by an asterisk (*), shall be incorporated verbatim as conditions to the tentative tract map for Royal Oaks Estates.

SECTION 2: This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.

On motion of Council Member Millis, seconded by Council Member Johnson, and on the following roll call vote, to wit:

AYES: Council Members Millis, Johnson, Moots and Mayor Kendra
NOES: None
ABSENT: Council Members D. O. Porter

the foregoing Ordinance was passed and adopted this 14th day of July, 1987.

[Signature]
MAYOR

ATTEST: Nancy A. Davis
CITY CLERK

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 356 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 14th day of July, 1987.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 16th day of July, 1987.

[Signature]
CITY CLERK
"EXHIBIT A"

SECTION OF THE ZONING MAP OF THE CITY OF ARIZONA CITY

ARIZONA DEPARTMENT OF REASSESSMENT OF THE CITY OF ARIZON CITY

ROYAL OAKS ESTATES

5 Park

1, 183 and 185-233 zoned PD Single Family Homes
PD Single Family Homes
PD Single Family Estate Homes
-13-90
with the rear slope banks reduced to 3 to 1 or greater.*

G. In development of patio homes, the tentative map layout for retaining walls is conceptual; when final map, and/or architectural review of construction plans for structures are resolved, additional walls may be permitted as required. No wood retaining walls which intersect slopes at property lines shall be permitted.

12. Abandoned Well-Head

Abandoned

Well-Head

A. The developers and the independent soils engineers shall inspect the site, monitor grading and, if an abandoned wellhead is found on-site, shall provide plans and, upon approval by the City, properly seal and cap said well.*

13. General Drainage, Grading and Erosion Control

General

A. Complete grading and drainage plans shall be submitted to and approved by the Public Works Department prior to any final map. Prior to any site grading or construction, an erosion control plan and program shall be submitted to and approved by the Public Works Department, said plan and program to address specific temporary and permanent erosion control measures associated with the project.*

B. The subdivider shall pay for a qualified independent engineering consultant selected by the City to review grading and drainage improvement plans, inspect the site prior to and during all major site preparation grading. The subdivider’s soil engineer shall submit tests and reports to certify all lots as ready for construction prior to issuance of building permits thereon. (Further site or lot grading shall be noted on the final map as prohibited except for building and driveway purposes specifically approved by the City pursuant to subsequent permit applications.)*

C. Detailed site grading, drainage improvement and erosion control plans for the entire subdivision and off-site improvements, including interim grading of any lots, if proposed, shall be submitted to and approved by the City Public Works Director. Qualified independent consultants shall be paid for by the subdivider but selected by the City. Such shall review said plans and inspect the grading. These plans shall be approved prior to any grading permits for any phased development. Site grading shall be restricted to the spring or summer season, April 1st through October 31st, unless otherwise approved by Council and require replanting for erosion control in accordance with plans prepared by a landscape architect, which will be implemented during October-November and maintained during at least one wet season, November through March, following grading to assure minimum siltation.*

14. Lot A and Via La Barranca Drainage System

Lot A

Via La Barranca

Drainage System

A. The developer shall be required to design and construct a storm drainage retention facility and other drainage and park facility on Lot A and upon the City-owned adjacent off-site property as required by the City Council. Improvement plans and contracts must be approved by the Public Works Director prior to construction or grading for these facilities.*

B. The slope bank behind Lots 34-40 shall be part of Lot "A1", the proposed drainage detention basin; the slope bank shall be moved westerly to enable a drainage swale on-site along the east tract boundary into the basin. Slope bank, swale and basin landscaping shall be designed by a landscape architect.
and installed by the subdivider.*

C. The City-owned Via La Barranca drainage property was accepted by the City for both park and drainage purposes. Developer's consultants shall submit specific drainage landscaping plans for Lot A, the adjoining City-owned Via La Barranca property and downstream drainage lines or other mitigating measures towards off-site drainage deficiencies, where necessary, to the Public Works Director and Parks and Recreation Director. The two directors shall review and analyze such plans to determine the adequacy of such plans to:

1) mitigate or reduce current and projected flooding of the streets and areas below the current City drainage facility and works, and;
2) mitigate or prevent any further flooding of the streets and areas below the current City drainage facility and works to be caused by the planned development; and;
3) provide recreational opportunities upon the site to the immediate neighborhood; and;
4) how these proposed recreational opportunities upon the site compare with opportunities to be provided by the currently approved park development plans of the Parks and Recreation Commission, and;
5) provide security and safety measures and durable and substantial improvements which can be efficiently and adequately maintained by the City.

The directors shall submit a written report of their findings and the proposed specific plan to the City Council which shall determine prior to the issuance of any grading permits, the future ownership and responsibilities for Lot A, the use of the City-owned Via La Barranca drainage and specific park and drainage plan.*

15. Lot 182 Drainage System

A. The developer shall be required to design and construct a storm drainage retention facility and other drainage on Lot 182 as required by the City Council. Improvement plans and contracts must be approved by the Public Works Director prior to construction or grading for these facilities.*

B. Developer's consultants shall submit specific drainage and landscape plans for drainage on Lot 182 to the Public Works Director. The director shall review and analyze such plans to determine the adequacy of such plans to:

a) mitigate or reduce current and projected flooding
b) provide security and safety measures and durable and substantive improvements which can be efficiently and adequately maintained.

The director shall submit a written report of his findings and the proposed specific plan to the City Council which shall determine, prior to the issuance of any grading permits, the future ownership and responsibilities for the drainage facilities and the acceptability of the proposed specific drainage plan.*

16. Both Drainage Systems

Both Drainage Systems

Regarding storm drainage retention capacity within Lot "A" and the adjoining City drainage retention basin, and on Lot 182, evidence of off-site easements and design solutions acceptable to the City shall be submitted to and approved prior to grading or concurrent with final road improvements plans.*
The subdivider shall bond for, provide and restore all on-site and off-site drainage detention basins; increase, remove, or limit which occurs and provide general maintenance of all drainage facilities during the three-year period following acceptance of subdivision improvements by the City or following site preparation grading. Thereafter, the City shall assume total maintenance responsibilities for sure without benefit of maintenance assessment district.

No 17. No Parking

Parking

A. "No Parking" signs shall be installed on Haleyon Road in front of Lots 110-113, 123 and 178-181, and, if necessary, a street tree and landscaping control easement shall extend into the 20' front yard of these lots to assure adequate sight distance at the intersection with "M" Way. "No Parking" signs shall be installed on Haleyon Road in front of Lot B.

Park & 18. Park and Signal Fees

Signal Fees

A. The developer shall contribute funds pursuant to the City's park in-lieu fee and the signal fee ordinances to provide for off-site park and recreation and traffic improvements.

Street 19. Street Names

Names

A. Street names acceptable to the Fire, Police, Public Works and Planning Departments shall be submitted prior to or concurrent with final map and improvement plans. (List of possible names available from Planning Department). Haleyon Road shall be renamed also.

Off-Site 20. Off-Site Improvements

Improvements

A. Any right of way or property acquisitions necessary to accomplish off-site improvements required as part of this planned development shall be accomplished by or exclusively at the expense of the developer.

Street 21. Street Trees, Landscaping and Controls

Trees,

A. A detailed on- and off-site landscaping plan, including materials and irrigation plans for street trees and other specific areas of public concern (along segments of James Way and Haleyon Road), shall be submitted to and approved by the Parks and Recreation Director, prior to any final map approval. A master fingerprint plan, including uniform design along public streets, shall be part of the detailed landscaping plan.

B. Developer shall plant all landscaping materials according to the approved landscaping plan, and shall maintain and replace, when necessary, all plantings for two years after City acceptance of phased public improvements.

C. A water conservation program, particularly including drought resistant landscaping, shall be provided by the developer concurrent with other utility plans, such as master water and sewer plans and specific drainage and park and street tree plans.

D. Street trees and/or uniform slope bank planting on, or near, street frontages shall be the maintenance responsibility of the lot owner, unless specifically accepted by the City. In addition to specific easements on-site shown on the tentative map, a six-foot easement, along and adjoining local streets, and a ten-foot easement, along and adjoining collector streets, shall be reserved as a street tree and public utility easement.
22. Standard City Conditions
   "Standard Conditions of Approval" for Tentative Maps in the City of Arroyo Grande
   Conditions are hereby included as if specifically itemized herein.*

23. Surplus Property
   The developer shall note resubdivision of the previously recorded parcel map involving
   the property and note the abandonment of any surplus rights of way or easements which
   are to be eliminated by the final map of Tract No. 1390.*

24. Circulation (Street) System
   The following off-site and on-site street improvements are to be designed to the
   approval of the City and constructed or improved prior to final map approvals and
   occupancy permits for the appropriate phase of this planned development:
   A. West Branch Street
      1) Construct and improve West Branch Street from its terminus at the South
         County Regional Center easterly to a connection through Vernon Way
         intersection adjoining the Community Center to a minimum of two lanes,
         including bike lanes on both sides, with concrete curb and gutter on the
         freeway side and temporary asphalt concrete curb on the opposite side
         (unless permanent concrete curb, gutter and/or sidewalk exist) from the
         South County Regional Center paving end through the Vernon Way Street
         intersection in order to complete a street connection between Oak Park
         Road and Grand Avenue and conform existing street sections with new
         construction. West Branch Street improvements shall include provisions
         for left and/or right turn lanes at approaches and intersections with
         Prisco Road, Halycon Road, "E" Street and Vernon Street. Grading
         shall conform to the ultimate road section adopted in City Standards for
         West Branch Street, 165-Ag.*
      2) The City shall be responsible for relocating all City sanitary sewer lines
         which may be necessary to accommodate new developer construction in
         the West Branch and Vernon intersection. Whenever water line
         problems have to be corrected, between the South County Regional
         Center easterly to a connection through the Vernon Avenue intersection
         adjoining the Community Center on West Branch Street, will be done by
         the City, up to a cost of $25,000. If the costs are more than $25,000, the
         developer will pay the extra costs.*
      3) The developer shall relocate any other utilities, if necessary.
         Developer shall acquire necessary right of way at Vernon and West
         Branch Streets from Cal Trans, prior to construction. The City shall
         provide developer with City-owned right of way at Community Center at
         no cost, prior to construction. Developer shall not be responsible for
         constructing a retaining wall for the Community Center parking lot on
         West Branch Street as a result of street construction, nor replacing lost
         Community Center parking. (Phase 1)*

25. Halycon Road
   1) Construct and improve Halycon road between West Branch Street and
      James' Way, 40 ft. curb to curb in a 52' right of way. Improvements
      include widenings and frontage improvements across portions of County
      property.*
2) Concrete curb and gutter shall be installed on the westerly frontage of Halsey Road between West Branch Street and the southern tract boundary where pavement widening is required. A temporary asphalt concrete curb will be installed on the easterly frontage of Halsey Road between West Branch Street and the southern tract boundary.

3) Access rights to Halsey Road from Lots 94–109 shall be offered to the city to prevent driveways directly onto this residential collector street, and the fencing and/or landscaping of the slope banks abutting Halsey Road shall be designed by a landscape architect, installed by the subdivider concurrent with street frontage and shall be maintained as part of the side or rear yards of involved lots.

4) The right of way for the northern extension of Halsey road, on which Lots 1–10 front, shall extend to the north tract boundary and an access denial strip shall be offered to the City to control said connection until and unless approved by the City Council. Landscaping shall be designed by the subdivider and installed concurrent with construction of Halsey Road improvements after design approved by the Parks and Recreation Director and maintained by the City. (Phase I).

C. James Way

1) James Way shall have an ultimate width of 44 feet of driving surface between concrete curb and gutters (including gutter pans) with six-foot sidewalks (including curb width) on both sides. The improvement shall be centered within a 64 foot wide right of way. Street improvements shall include all necessary utilities, including cable TV, telephone and sewer, in conformance with the approved master utility plan for the subdivision.

2) Improvement requirements between the development east and west property boundaries shall conform to the ultimate improvement section.

3) Improvement requirements westerly of the tract to Rancho Parkway shall be limited to installation of a water main, including trench patching with a one-inch pavement overlay to be applied on the full improved width of the street existing at the time the water main is installed.

4) Improvements required on the length of James Way easterly of the tract shall be limited to conformance to the existing driving lanes and any drainage improvements deemed appropriate to prevent erosion of the appropriate rights of way proposed for use at the time construction commences.

5) Improvements of James Way northerly of the subdivision (fronting on the James parcel which lies outside the corporate limits of the City) have been volunteered by the developer for construction that conforms to the ultimate section of road between the east and west tract boundaries. This improvement is therefore considered a condition to the approval of the rezoning.

6) Access right to James Way from Lot 1 and Lots 6–34 shall be offered to the City to prevent driveways directly onto this collector route. The fencing and landscaping of these sloping lots abutting James Way shall be designed by a landscape architect and installed by the subdivider concurrent with street frontage improvements and shall be maintained as
part of the side or rear yards of involved lots. (Phase 1)*

D. Other Streets

1) Construct and Improve "A", "B", "C", "D", "E", AND "F" Streets and Halcyon Road north of James Way - (40' curb to curb, 6' sidewalks both sides, 52 ft. right of way). Construct and Improve Halcyon Road, A, B, C, and F Streets concurrent with Phase I. Construction and Improvement of "D" and "E" Street may be deferred until Phase II.*

2) Construct "F" Street across the South County Regional Center property southerly to a connection with the proposed West Branch Street connection.*

3) The right of way for the easterly extension of "F" Way, to enable possible future connection with Miller Way, shall extend to the eastern tract boundary and an access denial strip offered to the City to control said connection until and unless approved by the City Council. An emergency access gate shall be designed by a civil engineer and/or landscape architect and installed by the subdivider concurrent with construction of "F" Way street improvements after design approved by the Public Works Director. The gate shall be maintained by the City. (Phase 1)*

25. Sidewalks

A. Six-foot sidewalks shall be required in the proposed development on both sides of James Way, Halcyon road, "A", "B", "C", "D", "E" and "F" Streets, except for the frontages of lot C on Halcyon Road, and lots 220-232, 183 and 156 on "D" Street.*

B. A short segment of sidewalk shall be constructed on the westerly frontage of Halcyon road southerly of the tract boundary to a point where the developer shall coordinate with St. Patrick's School a stairway access between Halcyon Road and the school parking lot.*

26. Tree Preservation

A. A detailed tree preservation plan and program, including an inventory of existing trees and/or groves shall be prepared by a qualified professional, including maps of the species, size and location of all trees, with respect to lot lines and proposed building areas on each lot (exclusive of those located within the tree preservation easement areas), and submitted to the Parks and Recreation Director prior to final map or grading approval. The Parks and Recreation Director shall recommend the designation and preservation of "landmark trees or groves" as provided by Ordinance Number 333 C.S., and such map shall be completed by the developer and considered by the City Council prior to any grading or tree trimming or removal, issuance of grading permits or final map approvals, whichever occurs first.*

1) The City shall designate all oak trees contained within the two tree preservation easements identified upon the tentative map as "Landmark Groves" in accordance with provisions of City Ordinance Number 333 C.S. Furthermore, the Council shall consider all other trees on-site and off-site for "Landmark Tree" designation in accordance with all provisions of Ordinance Number 333 C.S., prior to the issuance of any grading permits or final tract map approvals, whichever comes first.
ORDINANCE NO. 478 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING A PLANNED DEVELOPMENT REZONE, CASE NO. 96-001, TO AMEND PORTIONS OF THE OFFICIAL CITY ZONING MAP FROM GENERAL COMMERCIAL TO PLANNED DEVELOPMENT (PD) AS SHOWN IN EXHIBIT "A".

WHEREAS, the City Council of the City of Arroyo Grande, California has held a public hearing to consider a rezoning of the City Zoning Map; and

WHEREAS, the City Council did consider said proposed rezone of a portion of the official Zoning Map from General Commercial to Planned Development (PD); and

WHEREAS, the City Council of the City of Arroyo Grande has prepared an Environmental Impact Report (EIR) for the Grande Plaza which includes evaluation of the environmental impacts of this planned development rezone; and

WHEREAS, the proposed planned development ordinance rezone from General Commercial to Planned Development (PD) was found to be consistent with the goals, objectives, policies, and programs of the General Plan of the City of Arroyo Grande; and

WHEREAS, after due study and deliberation, the City Council finds that the public interest and general welfare does require such a rezone; and

WHEREAS, after due study and deliberation, the City Council finds that the environmental impact report prepared for the applications proposed for the Grande Plaza which includes an application to rezone a portion of the Official City Zoning Map from General Commercial to Planned Development (PD), evaluated the environmental impacts that would result from this rezone, and found that the environmental impacts are less than significant.

Planned Development Ordinance Findings:

1. The proposed planned development ordinance rezone from General Commercial to Planned Development (PD) is consistent with the goals, objectives, policies, and programs of the General Plan, and is necessary and desirable to implement the provisions of the General Plan.

2. The proposed planned development ordinance rezone will not adversely affect the public health, safety, and welfare or result in an illogical land use pattern.

3. The proposed planned development ordinance rezone is consistent with the purpose and intent of Title 9.
4. The potential environmental impacts of the proposed planned development ordinance rezoning are insignificant, or there are overriding considerations that outweigh the potential impacts.

5. The proposal is a retail center which implements the general plan designating this entire area for commercial uses; the expansion of the PD to encompass the area zoned GC (the existing theater site) is a logical extension of the surrounding PD and affords coordinated planning of this entire area. Analysis of general plan and zoning consistency is included in the EIR and staff reports.

6. The rezoning simply expands the PD designation already adopted by the city to incorporate the theater site. The type and intensity of use is not affected by the change.

7. Staff advisory committee has reviewed the proposal for consistency with Title 9 and recommends that, as conditioned, the project conforms to applicable provisions thereto.

8. Environmental impacts are thoroughly discussed in the EIR; see the EIR and statement of overriding considerations.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does hereby ordain as follows:

SECTION 1: This Ordinance shall rezone a portion of the official City Zoning Map as shown in Exhibit "A" from General Commercial to Planned Development (PD).

SECTION 2: The Ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage it shall be published once, together with the names of Council Members voting thereon, in a newspaper published and circulated in said City.

On motion by Council Member Fuller, seconded by Council Member Brandy, and by the following roll call vote, to wit:

AYES: Council Members Fuller, Brandy, and Mayor Dougall
NOES: Council Member Lady
ABSENT: Mayor Pro Tem Souza

the foregoing Ordinance was passed and adopted this 9th day of July, 1996.

A.K. "PETE" DOUGALL, MAYOR
ORDINANCE NO. 478 C.S.

PAGE THREE

ATTEST:  
Nancy A. Davis  
NANCY A. DAVIS, CITY CLERK

APPROVED AS TO CONTENT:

Robert L. Hunt  
ROBERT L. HUNT, CITY MANAGER

APPROVED AS TO FORM:

Timothy J. Carmel, City Attorney

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 478 C.S., is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 23rd day of July, 1996.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 25th day of July, 1996.

Nancy A. Davis  
NANCY A. DAVIS, CITY CLERK
Proposed Zone Change for "THE GRANDE PLAZA"

Proposed "The Grande Plaza"

Area Subject to Rezone
ORDINANCE NO. 358 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING ORDINANCE NO. 355 C.S., SECTIONS 5, SUB-PARAGRAPH 14B, AMENDING LOT A AND LOTS 34 THROUGH 48 LOT LINES, IN ROYAL OAKS ESTATES RESIDENTIAL SUBDIVISION

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Section 2, entitled "Development Provisions", sub-paragraph 14B, entitled "Lot A and Via La Barranca Drainage System" is hereby amended to read as follows:

14. Lot A and Via La Barranca Drainage System

Lot A and Via La Barranca Drainage System shall be part of Lots 34 through 48, as illustrated upon Attachment A to this ordinance. The balance remaining of Lot A shall be provided to this City for a storm drainage facility and facility access. The slope bank shall be moved westerly to enable a drainage swale on site along the east truen boundary into the basin. Slope bank, swale and banks landscaping shall be designed by a landscape architect and installed by the subdivider. Subdivider shall provide City with an excerpt from the plans Way to the drainage basin, as illustrated in Attachment A, which shall meet the specifications of the Public Works Director.*

*All paragraphs contained within this ordinance, followed by an asterisk (*), shall be incorporated verbatim as conditions to the tentative tract map for Royal Oaks Estates.

SECTION 2: This ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after passage, it shall be published once, together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.

On motion of Council Member Johnson, seconded by Council Member Porter, and on the following roll call vote, to wit:

AYES: Council Members Johnson, Porter, Mills, Moots and Mayor Muskin

NOES: None.

ABSENT: None.

the foregoing Ordinance was passed and adopted on this 28th day of July, 1987.

Mayor

ATTTEST: Nancy A. Davis

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 358 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 28th day of July, 1987.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 30th day of July, 1987.

City Clerk
ORDINANCE NO. 384

AN ORDINANCE OF THE CITY OF ARROYO GRANDE
AMENDING SUBSECTION 25A, SECTION 2, ORDINANCE 355 C.S.
RELATING TO SIDEWALK CONSTRUCTION
IN THE ROYAL OAKS SUBDIVISION

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1: Subsection 25A, Section 2, Ordinance 355 C.S. is
hereby amended to read as follows:

"25. Sidewalks

A. Six-foot sidewalks shall be required in the
proposed development on both sides of James Way,
Streets, except for the frontages of Lot C on
Halcyon Road and "D" Street."

SECTION 2: This ordinance shall be in full force and effect
thirty (30) days after its passage; and within fifteen (15)
days after its passage, it shall be published once, together with the
names of the City Council Members voting thereon, in a newspaper
of general circulation within the City.

On motion of Council Member Porter, seconded by Council Member
Millis, and on the following roll call vote, to wit:

AYES: Council Members Porter, Millis and Johnson
NOES: None
ABSTAIN: Mayor Hanks and Council Member Hoots

the foregoing Ordinance was passed and adopted this 22nd day of

[Signature]
MAYOR

ATTEST: __________________________
Nancy A. Davis
CITY CLERK

1, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County
of San Luis Obispo, State of California, do hereby certify under penalty
of perjury that the foregoing Ordinance No. 384 C.S. is a true, full
and correct copy of said Ordinance passed and adopted at a regular meeting
of said Council on the 22nd day of November, 1988.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed
this 23rd day of November, 1988.

Nancy A. Davis
CITY CLERK
ORDINANCE NO. 406 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE
AMENDING ORDINANCE NO. 355 C.S.
ROYAL OAKS ESTATES TO MODIFY EXHIBIT "A".

WHEREAS, the City Council of the City of Arroyo Grande has held a public hearing to consider an amendment to Ordinance No. 355 C.S.; and

WHEREAS, the City Council did consider said proposed amendment to modify Exhibit "A" by adjusting the lot lines between Lot B and Lot 182 and between Lot 182 and Lot 184; and

WHEREAS, the City Council has held the required public hearing on the proposed amendment; and

WHEREAS, the City Council finds no substantive impact and, therefore, approves a Negative Declaration; and

WHEREAS, the proposed amendment was found to be consistent with the General Plan, Zoning, Goals and Objectives of the City of Arroyo Grande.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does hereby ordain as follows:

Section 1. Ordinance No. 355 C.S. is amended to modify Exhibit "A" by adjusting the lot lines between Lot B and Lot 182 and between Lot 182 and Lot 184.

Section 2. This ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage, it shall be published once, together with the names of the City Council Members voting thereon, in a newspaper of general circulation within the City.

On motion by Council Member Dougall, seconded by Council Member Smith, and by the following roll call vote, to wit:

AYES: Council Members Dougall, Smith, Moores, Olson and Mayor Millis

NOES: None

ABSENT: None

the foregoing Resolution was adopted this 11th day of April, 1989.

MARK H. MILLIS
Mayor

ATTEST:

NANCY A. DAVIS
City Clerk

APPROVED AS TO FORM:

ARThUR J. SHAW
City Attorney

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 406 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 11th day of April, 1989.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 13th day of April, 1989.

NANCY A. DAVIS
City Clerk
ORDINANCE NO. 418 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE
AMENDING ORDINANCE NO. 355 C.S.
ROYAL OAKS ESTATES TO MODIFY EXHIBIT "A".

WHEREAS, the City Council of the City of Arroyo Grande has held a public hearing to consider an amendment to Ordinance No. 355 C.S.; and

WHEREAS, the City Council did consider said proposed amendment to modify Exhibit "A" by adjusting the lot lines between Lots 221, 222, 223 and 224 as shown on the attached, modified Exhibit "A".

WHEREAS, the City Council has held the required public hearing on the proposed amendment; and

WHEREAS, the City Council finds no substantive impact and, therefore, approves a Negative Declaration; and

WHEREAS, the proposed amendment was found to be consistent with the General Plan, Zoning, Goals and Objectives of the City of Arroyo Grande.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does hereby ordain as follows:

Section 1. Ordinance No. 355 C.S. is amended to modify Exhibit "A" by adjusting the lot lines between Lots 221, 222, 223 and 224 as shown on the attached, modified Exhibit "A".

Section 2. This ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage, it shall be published once, together with the names of the City Council Members voting thereon, in a newspaper of general circulation within the City.

On motion by Council Member Smith, seconded by Council Member Dougall, and by the following roll call vote, to wit:

AYES: Mayor Millis and Council Members Smith, Dougall, Olsen and Moots
NOES: None
ABSENT: None

the foregoing Ordinance was adopted this 27th day of February, 1990.

MARK H. MILLIS
Mayor

NANCY A. DAVIS
City Clerk

JUDY SHOlsen
City Attorney

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 418 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 27th day of February, 1990.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 1st day of March, 1990.
ORDINANCE NO. 430 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO
GRANDE AMENDING ORDINANCE NO. 355 C.S. "ROYAL OAKS
ESTATES" BY ALLOWING A CHURCH ON LOT B, AND APPROVING
AND ADOPTING SPECIFIC DEVELOPMENT PLAN NO. 90-03

WHEREAS, the City Council of the City of Arroyo Grande has held a public
hearing to consider an amendment to Ordinance No. 355 C.S. and Specific
Development Plan No. 90-03; and

WHEREAS, the City Council did consider said proposed amendment to Section
2(5) of Ordinance 355 C.S. to allow a church on Lot B, and Specific Development
Plan No. 90-03; and

WHEREAS, the City Council has held the required public hearing on the
proposed amendment and Specific Development Plan; and

WHEREAS, the City Council has certified the EIR as adequate for the Halycon
Hills Subdivision with the previous addenda and the addendum for Grace Bible
Church; and

WHEREAS, the proposed amendment and Specific Development Plan was found to
be consistent with the General Plan and Goals and Objectives of the City of
Arroyo Grande; and

WHEREAS, the City Council finds, after due study, deliberation and public
hearing, the following circumstances exist:

ZONE CHANGE
1. The proposed zone change is consistent with the general plan designation
because the General Plan Designation is P.D. Ordinance 355 C.S. and that
ordinance allows institutional uses on this site.

2. The subject site is adequate in size and shape to accommodate the
reasonable requirements of the proposed zone because the lot is 10.8 acres
in size and the zoning designation requires a minimum lot size of 10,000
square feet. The site is capable of providing adequate setbacks, parking,
lot coverage and all other requirements of the zone.

3. The proposed zone change is reasonable or beneficial at this time to serve
the neighborhood because it allows the Church to more effectively serve
its membership.

4. The proposed zone change could not adversely affect the surrounding
property because mitigation measures have been included in the conditions
of approval for the project which mitigate any potential adverse impacts.

5. The project will not have an environmental impact because mitigation
measures have been included in the conditions of approval for the project
which mitigate any potential adverse impacts on aesthetics, traffic, and
water consumption.

SPECIFIC DEVELOPMENT PLAN
1. The proposed use is consistent with the general plan because the General
Plan Designation is P.D. Ordinance 355 C.S. and that ordinance allows
institutional uses on this site.

2. The site is adequate in size and shape for the proposed use because all
setbacks, lot coverage, parking, and required landscaping can be
incorporated into the project design.

3. The site for the proposed use has adequate access because it fronts on
Rodeo Drive and has proposed a private drive to access the site from that
street. A traffic report was prepared for the project and the traffic
engineer saw no problems with the proposed access.

4. The proposed use will not have an adverse effect on the adjacent property
because mitigation measures and conditions have been included in the
conditions of approval from the project which mitigate any potential
adverse impacts.
ORDINANCE NO. 430 C.S.

5. The design and layout of the proposed use is suitable because all setbacks, lot coverage, parking, and required landscaping can be incorporated into the project design.

6. The project will not have an environmental impact because mitigation measures have been included in the conditions of approval for the project which mitigate any potential adverse impacts on aesthetics, traffic, and water consumption.

7. A traffic study was performed which, on the basis of actual demand, indicated that 240 parking spaces were sufficient for the proposed use.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does ordain as follows:

Section 1. That the above statements constitute the findings of fact of the City Council on this matter.

Section 2. That Section 2(5) of Ordinance 355 C.S. is amended to allow a church on lot B.

Section 3. That Ordinance 355 C.S. and the Zoning Ordinance are amended to establish the development standards for this property as set forth in Section 5, Conditions of Approval, of this Ordinance. In the case of development standards that are not listed in Section 5, those development standards incorporated in Ordinance 355 C.S. shall apply.

Section 4. That Specific Development Plan 90-03 is conditionally approved and adopted subject to the conditions of approval set forth in Section 5 herein below.

Section 5. Conditions of Approval

A. Mitigation Measures

1. The applicant shall reduce the overall height of the proposed structure (cross plus sanctuary) from 81 feet to 69 feet. This will bring the top of the proposed structure below the horizon line at a number of perspectives (Avenida De Diamante, Collado Corte, Spanish Moss Lane) and reduce the visual impact of the structure in all surrounding areas.

Monitoring Department: Building Department
Time Frame: Prior to issuance of building permits.

2. The applicant shall incorporate earth-tone colors into all exterior treatments and use the brown exterior roofing material in accordance with the submitted plans. Also, use nonreflective glass and framing materials for the proposed skylights.

Monitoring Department: Building Department
Time Frame: Prior to issuance of building permits.

3. The applicant shall plant all landscaping in strict accordance with the landscape plan submitted with the project plans (except as modified by these conditions) including the diameter, location, quantity, type and positioning of all trees shown on the plan.

Monitoring Department: Parks and Recreation Department
Time Frame: Prior to issuance of final occupancy.

4. One or more of the following measures shall be incorporated into the sanctuary design to break up the large expanse of roof from overhang to center point:

a. Use a step and vegetation filled trellis at midpoint between overhang and center point.

b. Incorporate well maintained roof gardens into the project design.
ORDINANCE NO. 430 C.S.

c. Use a stepped roof or double roof design and use textured roofing materials.

d. Incorporate dormer or recessed windows into the roof.

e. Reduce roof area through redesign of the sanctuary (reduce square footage).

f. The color of the sanctuary roof and fellowship hall roof shall be identical but different from the color of the flat roof over the Christian education building.

Monitoring Department: Building Department and Planning Department
Time Frame: Prior to issuance of building permits

5. Until Brisco Road/Hwy 101 interchange is reconstructed, the church shall schedule its activities so that no more than 25 vehicles remain in its parking lot at 11:50 A.M., with the exception of Easter and Christmas. This rescheduling will avoid the mid-day peak hour.

Monitoring Department: Public Works Department
Time Frame: Until Brisco Road/Hwy 101 interchange is reconstructed.

6. Until Brisco Road/Hwy 101 interchange is reconstructed, the Tuesday afternoon ANNA youth program shall be combined with the evening program, which takes place between 6:30 and 8:30. This rescheduling will avoid the PM peak hour and place the program at a time when PM traffic is substantially reduced.

Monitoring Department: Public Works Department
Time Frame: Until Brisco Road/Hwy 101 interchange is reconstructed.

7. As an alternative to rescheduling services, the church could pay a traffic mitigation fee of $2656 per peak hour trip on the backbone traffic system. Said fee shall be paid prior to issuance of building permits.

Monitoring Department: Public Works Department
Time Frame: Prior to issuance of building permits or rescheduling of services to impact the peak hour.

8. At such time as the sanctuary is remodeled to seat 799, the church shall provide a total of 462 parking spaces.

Monitoring Department: Building Department
Time Frame: Prior to issuance of final occupancy when the sanctuary is remodeled to seat 799.

9. All construction shall utilize fixtures and designs which minimize water usage. Such fixtures and designs shall include, but are not limited to, low flow shower heads, water saving toilets, instant water heaters or hot water recirculating systems, drip irrigation with drought tolerant landscaping and so forth.

Monitoring Department: Building Department
Time Frame: Prior to final occupancy

10. Prior to final occupancy of any structure, all water conserving designs or fixtures shall be installed.

Monitoring Department: Building Department
Time Frame: Prior to final occupancy
11. All landscaping shall be consistent with water conservation practices including the use of drip irrigation, mulch, gravel, and rock. To the greatest extent possible, lawn areas and areas requiring spray irrigation shall be minimized.

Monitoring Department: Parks and Recreation Department

Time Frame: Prior to issuance of building permits and prior to final occupancy

12. The applicant shall provide for review and approval by the City Council, an individual water program which will propose mitigating measures to neutralize projected water demand for the project. The approved program must be implemented prior to issuance of building permits.

Monitoring Department: Public Works Department

Time Frame: Prior to issuance of building permits

13. Prior to issuance of building permits the applicant shall submit a grading, drainage and erosion control plan, prepared by a registered civil engineer, to the Public Works Director for approval. Said plan shall mitigate any potential impacts caused by wind or water erosion that may be a result of construction.

Monitoring Department: Public Works Department

Time Frame: Prior to issuance of any building permits

B. General Conditions

14. The applicant shall ascertain and comply with all State, County and City requirements as are applicable to this project.

14a. This application shall automatically expire on November 13, 1991 unless a building permit is issued. Sixty (60) days prior to the expiration of the architectural approval, the applicant may apply to the Planning Director for an extension of one (1) year from the original date of expiration. Any further extensions beyond one (1) year shall require Planning Commission approval, after a recommendation by the Architectural Advisory Committee.

14b. Prior to issuance of building permits the applicant shall reimburse the City for costs incurred for preparation of the addendum EIR and costs for the traffic engineer to attend Planning Commission and City Council meetings.

15. Development shall occur in substantial conformance with the plans presented to the City Council at the meeting of November 13, 1990 and marked "Exhibit A".

15a. Use of these facilities shall be limited to those activities outlined in Specific Development Plan 90-03, and other accessory uses which are clearly and customarily incidental to the church. Such accessory uses do not include schools, other than Sunday school classes, or child care, other than child care associated with regularly scheduled church services and activities. Addition of activities which are not accessory uses shall require modification of the Specific Development Plan and additional environmental review.

16. The applicant shall agree to defend at his/her sole expense any action brought against the City, its agents, officers, or employees because of the issuance of said approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations under this condition.
C. Planning Department Conditions

17. Development shall conform with the PD zoning requirements and Ordinance 355 C.S., unless otherwise approved and applicant shall adhere to all applicable conditions identified in Ordinance No. 355 C.S.

17a. Lot coverage for this site shall not exceed thirteen percent (13%) and the locations of buildings shall be limited to the building envelopes shown on Attachment B.

17b. The color scheme of the entire structure shall be approved by the Architectural Advisory Committee prior to issuance of a building permit.

17c. The parking lot shall be modified to provide 240 parking spaces.

18. All roof-mounted equipment shall be painted to match the roof or screened from view of adjacent property in accordance with the City's Architectural Review Guidelines. All roof-mounted equipment which generates noise, solid particles, odors, and so forth, shall cause the objectionable material to be directed away from residential properties. All screen designs shall be compatible with the building and shall be subject to the review and approval of the Planning Department prior to issuance of building permits.

19. All ducts, meters, air conditioning equipment and all other mechanical equipment, whether on the ground, on the structure or elsewhere, shall be screened from public view with materials architecturally compatible with the main structure. It is especially important that electric transformers be completely screened from public view.

20. An exterior lighting plan shall be submitted for approval of the Planning and Police Departments prior to issuance of building permits, and shall include the following standards:

   a. Cut-off luminaries shall be installed which will provide true 90 degree cut-off and prevent projection of light above the horizontal from the lowest point of the lamp or light emitting refractor or device.

   b. All fixtures shall use a flat, clear lens, energy-efficient light source.

   c. All project lighting shall be confined to the project site.

   d. Additional lighting shall be provided for landscaped areas on the North, East and West side of property, prior to issuance of building permits.

21. Signage shall be subject to the requirements of the Zoning Ordinance.

22. Prior to issuance of a building permit, five (5) copies of a landscaping and irrigation plan prepared by a licensed landscape architect shall be submitted for approval by the Planning, Police, Fire, and Parks and Recreation Departments. The landscaping plan shall include the following:

   a. Tree staking, soil preparation (including hydro seed mix) and planting detail;

   b. The required landscaping and improvements. This includes:

      (1) 11 additional trees shall be provided in the parking area (1 tree per 5 parking spaces). If a remodel is approved, an additional 12 trees shall be planted in the parking lot. The parking lot trees shall be a minimum of 15 gallons. Perimeter trees shall be 15 gallon or 5 gallon mix, with banks to blend in (shapes of shrubs and trees) with the surrounding hillside vegetation;
(2) Deep root planters shall be included in areas where trees are within 5' of asphalt or concrete surfaces and curbs;

(3) Water conservation practices including the use of drip irrigation, mulch, gravel, drought tolerant plants and bark shall be incorporated into the landscaping plan;

(4) All slopes 2:1 or greater shall have jute mesh or equivalent material;

c. The use of landscaping to screen ground-mounted utility and mechanical equipment;

d. All walls, including screening on retaining walls. All walls shall be compatible with the approved church architecture. The walls shall be designed and constructed to incorporate design features such as tree planter wells, variable setbacks, split block face, columns and other such features to provide visual and physical relief along the wall face.

e. A vegetation management plan for the undeveloped area.

f. All landscaping and irrigation shown on the approved landscape and irrigation plans and all required walls shall be completed or suitable bonds posted for their completion.

D. Fire Department Conditions

23. All curbs through property shall be painted red except passenger drop-off curb which shall be green – 10 minute parking. Curbs shall be painted prior to final occupancy.

24. Approved fire lane signs in accordance with California Vehicle Code shall be posted at all red curb locations prior to final occupancy.

25. Automatic fire sprinkler systems shall be installed through facility prior to final occupancy.

26. Fire alarm system shall be supervised by a local alarm monitoring company.

27. All fire sprinkler and fire alarm installation plans shall be approved by Fire Department prior to final framing inspection by Building Department.

28. Fire hydrants shall be installed with flows and pressures required by Fire Department prior to delivery of combustibles, except concrete framing materials.

29. All utility rooms shall be clearly identified by signage prior to final occupancy.

30. Emergency lighting and emergency power equipment to be provided prior to final occupancy.

31. The applicant shall provide fire extinguishing system in kitchen plans to be submitted to Fire Department prior to installation.

32. The applicant shall provide information to the Building Official pertaining to capacity of building site in relation to seismic concerns prior to issuance of building permits.

E. Parks and Recreation Department

33. The applicants shall coordinate drainage structure to accept water that may flow off Rancho Grande Park site. Landscape architect to meet with Parks and Recreation Director to review Rancho Grande Park plan.
F. Public Works Department

34. The existing road easement located on site shall be eliminated prior to issuance of a building permit.

35. Rodeo Drive shall be used as the street address for the church and Grace Lane shall be removed as the name of driveway on the map.

36. Street lights shall be provided as required by Public Works Director along Rodeo Drive and James Way in conformance with PG&E standards and city requirements.

37. The applicant shall submit a grading and drainage plan prior to issuance of building permit for approval by the Public Works Director. Appropriate new drainage easement shall be dedicated prior to issuance of building permit. Appropriate drainage structures shall be installed as a condition of the building permit.

G. Police Department

38. While not a condition, the Police Department suggests that a silent alarm system, deadbolt door locks and window security hardware be installed.

Section 6. This ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage, it shall be published once, together with the names of the City Council Members voting thereon, in a newspaper of general circulation within the City.

On motion by Council Member Moots, seconded by Council Member Olson, and by the following roll call vote, to wit:

YES: Council Members Moots, Olson and Smith

NO: None

ABSENT: Mayor Millis and Council Member Dougall

the foregoing Ordinance was adopted this 27th day of November, 1990.

B'Ann Smith
Mayor Pro Temp

ATTEST:

Nancy A. Davis
Nancy A. Davis, City Clerk

APPROVED AS TO FORM:

Judy Shoushni, City Attorney

APPROVED AS TO CONTENT:

Chris Christiansen, City Manager
D. The developer and the City have negotiated a fair market value to be paid to the City in lieu of providing improvements and recreational opportunities on the La Barranca site. The negotiated contribution shall be used for the development of Rancho Grande Park and shall be paid to the City prior to final tract map approval. The fair market value is $20,000.

E. The drainage plan approved by the Public Works Director for Lot "A" and the City-owned La Barranca site includes:
   1) Security fencing installed by the developer for both lots.
   2) A landscaping plan prepared by a landscape architect, which includes drought resistant plants and erosion control measures for both lots. The plan must be successfully implemented and completed by the developer prior to November 1, 1987, and final tract map approval.

*All paragraphs contained within this Ordinance, followed by an asterisk (*), shall be incorporated verbatim as conditions to the tentative tract map for Royal Oaks Estates.

SECTION 2: This Ordinance shall be in full force and effect thirty (30) days after its passage, and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.

On motion of Council Member Millis, seconded by Council Member Johnson, and on the following roll call vote, to wit:

AYES: Council Members Millis, Johnson, Moots and Mayor Manzana

NOES: None

ABSENT: Council Members D. G. Porter

the foregoing Ordinance was passed and adopted this 14th day of July, 1987.

[Signature]
MAYOR

ATTEST: Nancy A. Davis
CITY CLERK

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 356 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 14th day of July, 1987.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 16th day of July, 1987.

[Signature]
CITY CLERK
ORDINANCE NO. 358

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING ORDINANCE NO. 355 C.S.
SECTION 2, SUB-PARAGRAPH 14, RELATING TO DESIGN,
CONSTRUCTION AND USE OF LOT A AND VIA LA BARRANCA
DRAINAGE SYSTEM IN ROYAL OAKS ESTATES RESIDENTIAL
SUBDIVISION

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE HEREBY ORDAINS AS
FOLLOWS:

SECTION 1: Section 2, entitled "Development Provisions", sub-paragraph 14, entitled "Lot A and Via La Barranca Drainage System" is hereby amended to read as follows:

14. Lot A and Via La Barranca Drainage System

Lot "A" and La Barranca
A. The developer has been required to design and shall be required to con-
Drainage System
struct a storm drainage retention facility and other drainage facilities
on Lot "A" and upon the City-owned, adjacent off-site property as required by
the City Council. Contracts must be approved by the Public Works Director
prior to construction or grading for this facility.

B. The slope bank behind Lots 34-40 shall be part of Lot "A", the proposed
drainage detention basin the slope bank shall be moved westerly to enable a
drainage swale on site along the east tract boundary into the basin. Slope
bank, swale and basin landscaping shall be designed by a landscape architect
and installed by the subdivider.

C. Developer's consultants have submitted specific drainage and landscaping plans
for Lot "A" and the adjoining City-owned Via La Barranca property and
downstream drainage lines and mitigating measures towards off-site drainage
deficiencies, where necessary, to the Public Works Director. The Public
Works Director has reviewed and analyzed such plans to determine the
adequacy of such plans which:

1) mitigate and reduce current and projected flooding of the streets and
areas below the current City drainage facility and works, as a result of this
project, and;

2) mitigate and prevent further flooding of the streets and areas below
the current City drainage facility and works to be caused by the planned
development;

3) provide security and access to the City's existing and substantial
improvements which can be efficiently and adequately maintained by the
City. Improvements shall not include an asphalt pathway through Lot "A"
and the La Barranca site as shown upon developer's plans. Developer's
proposed fencing shall be modified as indicated on the City Manager's copy
of the plan, in red, initialed and dated June 24, 1997. The director's
department has submitted a written report of its findings and the proposed
amendments to the City Council which hereby accepts the plan.
RESOLUTION NO. 1728

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TENTATIVE SUBDIVISION MAP OF TRACT NO. 1132 FILED BY BOURDON AND BURKART, AGENTS FOR OTTSE, INC., SUBJECT TO CERTAIN CONDITIONS

WHEREAS, the City Council of the City of Arroyo Grande has considered the Tentative Map of Tract No. 1132, filed by Bourdon and Burkart, Agents for OTTSE, INC., in accordance with the City Code; and

WHEREAS, said Tentative Map was referred to various public utility companies, City departments, Staff Advisory Committee and Planning Commission for recommendations; and

WHEREAS, the Tentative Map was found to be consistent with the General Plan, City development policy, and the Goals and Objectives of the City; and

WHEREAS, the proposed subdivision tract is consistent with current zoning; and

WHEREAS, the subdivision tract is consistent with the provisions of the California Environmental Quality Act (CEQA), and that mitigating measures for all environmental impacts have been addressed in Ordinance 186 C.S.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arroyo Grande hereby approves said Tentative Map of Tract No. 1132, subject to the attached conditions.

On motion by Council Member Vandeveer, seconded by Council Member Hillis and by the following roll call vote, to wit:

AYES: Councilmen Vandeveer, Hillis and Mayor Smith
NOES: None
ABSENT: Councilmen Gallagher and Hogan

the foregoing Resolution was adopted this 8th day of November 1983.

B. Ann Smith
MAYOR

ATTEST: Virginia L. Culp, Deputy City Clerk

I, Virginia L. Culp, Deputy City Clerk of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Resolution No. 1728 is a true, full and correct copy of said Resolution passed and adopted by the City Council of the City of Arroyo Grande at a regular meeting of said Council held on the 8th day of November 1983.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 10th day of November 1983.

Virginia L. Culp, Deputy City Clerk
CITY OF ARROYO GRANDE
ORDINANCE NO. 397 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING ADOPTION OF A NEGATIVE DECLARATION AND PD REZONING CASE 88-212, AMENDMENT TO ORDINANCE NO. 186 C.S. (RANCHO GRANDE) TO MODIFY EXHIBIT "A".

WHEREAS, the City Council of the City of Arroyo Grande, California has held a public hearing to consider an amendment to Ordinance No. 186 C.S.; and

WHEREAS, the City Council did consider said proposed amendment to modify Exhibit "A", the Conceptual Master Plan, by adjusting the lot line between Parcel 10 of Parcel Map 77-103 and the Oak Park Acres Planned Development; and

WHEREAS, the City Council has held the required public hearing on the proposed amendment; and

WHEREAS, the City Council finds no substantive impact to the environment and, therefore, the adoption of a Negative Declaration is appropriate; and

WHEREAS, the proposed amendment was found to be consistent with the General Plan, Zoning, and Goals and Objectives of the City of Arroyo Grande; and

WHEREAS, after due study and deliberation, the City Council finds that the public interest and general welfare does require such an amendment.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does hereby ordain as follows:

SECTION 1: Exhibit "A" of Ordinance No. 186 C.S. (Rancho Grande) is hereby amended to adjust the lot line between Parcel 10 of Parcel Map 77-103 and the Oak Park Acres Planned Development as shown on the attached exhibit.

SECTION 2: The Ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage it shall be published once, together with the names of Council Members voting thereon, in a newspaper published and circulated in said City.

On motion by Councilmember Smith, seconded by Councilmember Moots, and by the following roll call vote, to wit:

AYES: Councilmembers Smith, Moots, Olsen, Dougall and Mayor Mills

NOES: None

ABSENT: None

the foregoing Ordinance was passed adopted this 27th day of December 1988.

[Signature]
MAYOR

ATTEST: Nancy A. Davis
CITY CLERK

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 397 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 27th day of December, 1988.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 5th day of January, 1989.

[Signature]
CITY CLERK
ORDINANCE NO. 343 C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF ARROYO GRANDE APPROVING AN AMENDMENT
TO ORDINANCE NO. 186 C.S., RANCHO GRANDE
AS PROVIDED BY TITLE 9, CHAPTER 4, ARTICLE
25 OF THE MUNICIPAL CODE.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES HEREBY ORDAIN AS
FOLLOWS:

Section 1: The Title of Ordinance No. 186 C.S. shall be amended by
changing "40 acres of Commercial Area" to read "44 acres
of Commercial Area".

Section 2: Section 1 of Ordinance No. 186-C.S. shall be amended by
changing "Approximately 40 acres of Commercial Area" to
read "Approximately 44 acres of Commercial Area".

Section 3: The Exhibit "A" map of Ordinance No. 186 C.S. is amended
by including Lot Line Adjustment Parcel Map No. AD-AL
03-013, (Lot Split Case No. 86-025) adjusting the location
of a street generally known as "Cortina Mercado".

Section 4: This Ordinance Amendment shall be in full force and effect
thirty (30) days after its passage; and within fifteen (15)
days after its passage it shall be published once, together
with the names of Council Members voting thereon, in a
newspaper published and circulated in said City.

On motion of Council Member Moots, seconded by Council Member Johnson, and on the
following roll call vote, to wit:

AYE: Mayor Smith and Council Members Gallagher, Johnson, Moots and
Porter
NO: None
ABSENT: None

the foregoing Ordinance was passed and adopted this 25th day of March, 1986.

[Signature]
MAYOR

ATTEST:

[CITY CLERK]

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County
of San Luis Obispo, State of California, do hereby certify that the
foregoing Ordinance No. 343 C.S. is a true, full and correct copy of
said Ordinance passed and adopted at a regular meeting of said Council
on the 25th day of March, 1986.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed
this 26th day of March, 1986.

[Signature]
CITY CLERK
developer shall comply with all provisions of Ordinance Number 333 C.S., except that developer may replace authorized tree removals in 24" containers rather than 48" containers, which is provided for in Ordinance Number 333 C.S., and replacement trees need not be oak trees if, so determined by the Parks and Recreation Director. The Director may authorize a replacement tree ratio from two-to-one to five-to-one as a variance from Ordinance Number 333 C.S.*

2) Scenic and tree preservation easements for the two oak groves shall be recorded by the developer after approval by the City Attorney and Parks and Recreation Director. Such easements shall comply with State law, include provisions of future tree maintenance and protection as contained in Ordinance Number 333 C.S., and bind the owners, heirs and assigns of all lot owners overlapping the easements to such tree ownership, maintenance and protection forever.*

Similar recordings are required for any other tree determined by Council to be a "Landmark Tree."*

B. The tree preservation easements shown on the proposed tentative tract map shall be offered to the owners, heirs and assigns of all tract owners, and it shall be stipulated by recorded C.C. and R's that tree removal, grading, fencing or building shall be prohibited in these easements unless specifically approved by the City Council. Additional recorded scenic easements with similar restrictions shall be applied to the steep slopes on Lots 127-130.*

C. Developer shall grant to the City a recordable permanent open space easement and tree preservation easement encumbering and restricting the use of the rear portions of Lots 136 through 140, 220 through 228 and 232 and portions of Lot C and Lot 182, all as more specifically depicted on the approved tentative map of Tract No. 1390. The first grant deed to each of said parcels shall specifically refer to both of said easements and their recordation, and shall further note that the easements are enforceable not only by the owners of the affected lot but also by the City and by all other owners of property in Tract No. 1390. No such easement shall be amended, released, abandoned or terminated by the City except by specific amendment of the Royal Oaks' planned development zoning ordinance or successor ordinances thereto.*

27. Resolution Approving Tentative Tract Map

Asterisk

A. All paragraphs contained within this ordinance, followed by an asterisk (*), shall be incorporated verbatim as conditions to be attached to the tentative tract map.

Section 3: This ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage, it shall be published once, together with the names of the Council Members voting thereon, in a newspaper of general circulation within the City.
On motion of Council Member Moots, seconded by Council Member Porter, and on the following roll call vote, to wit:

AYES: Council Members Moots, Porter and Mayor Mankins
NOES: Council Member Hillis
ABSENT: Council Member Johnson

the foregoing Ordinance was passed and adopted on this 19th day of May, 1987.

[Signature]
MAYOR

Attest: Nancy A. Davis
CITY CLERK

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 355 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 19th day of May, 1987.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 20th day of May, 1987.

[Signature]
CITY CLERK
The table of "Approved Residential Density" is amended by changing the lots listed in the Estate Home category from "B, 182 & 184" to "B & 182," by changing the dwelling units from "3" to "2," and by adding a new category "Institutional Use" for Lot 184 with zero dwelling units.

Section 2(5) of Ordinance 355 C.S. is amended by changing "Lot 184 may be used for a public/quasi-public facility" to "Lot 184 shall be used for a public/quasi-public facility."

Section 2(5)(F) of Ordinance 355 C.S. is amended by removing the reference to Lot 184.

Section 3: That Ordinance 355 C.S. and the Zoning Ordinance are amended to establish the development standards for this property as set forth in Attachment A, conditions of approval, and Attachment B, mitigation measures, of this Ordinance. In the case of development standards that are not listed in Attachment A or B, those development standards incorporated in Ordinance 355 C.S. shall apply.

Section 4: That Specific Development Plan 91-05 is conditionally approved and adopted subject to the conditions of approval set forth in Attachment A and the Mitigation Measures set forth in Attachment B.

Section 5: This Ordinance Amendment shall be in full force and effect thirty (30) days after its passage and within fifteen (15) days after its passage it shall be published once, together with the names of Council Members voting thereon, in a newspaper published and circulated in said City.

On motion of Council Member Smith, seconded by Council Member Gallagher and on the following roll call vote, to wit:

AYES: Council Members Smith, Gallagher and Mayor Pro Tem Moots

NOES: None

ABSENT: Council Member Dougall and Mayor Millis

The foregoing Ordinance was adopted the 28th day of July, 1992.

Gene Moots
Gene Moots, Mayor Pro Tem

ATTEST:

Nancy A. Davis
City Clerk

APPROVED AS TO FORM:

Judy Skousen, City Attorney

APPROVED AS TO CONTENT:

Chris Christiansen, City Manager

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 449C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 28th day of July, 1992.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 4th day of August, 1992.

Nancy A. Davis
City Clerk
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO
GRANDE AMENDING ORDINANCE NO. 355 C.S. "ROYAL OAKS ESTATES"
BY ALLOWING A CHURCH ON LOT 184, AND APPROVING AND ADOPTING
SPECIFIC DEVELOPMENT PLAN 91-05.

WHEREAS, the City Council of Arroyo Grande held a public hearing to consider an amendment to
Ordinance No. 355 C.S. and Specific Development Plan No. 91-05; and

WHEREAS, the City Council did consider said proposed amendment to Section 2(5) of Ordinance 355 C.S.
and Specific Development Plan No. 91-05 to allow a church on Lot 184 of Tract 1390; and

WHEREAS, the City Council has considered the EIR for the Halcyon Hills Subdivision with the previous
addenda and the Addendum for the Arroyo Grande Presbyterian Church; and

WHEREAS, based on the staff analysis, oral and written testimony, and the final AEIR, the City Council
finds, after due study, deliberation, and public hearing, the following circumstances exist:

ZONE CHANGE

1. The proposed planned development rezone is consistent with the general plan designation because the
   General Plan Designation is PD Ordinance 355 C.S. and that ordinance allows institutional uses on the site.

2. The subject site is adequate in size and shape to accommodate the reasonable requirements of the proposed
   zone because the lot is 7.1 acres in size and the minimum lot size is 10,000 square feet. The site is capable
   of providing adequate setbacks, parking, lot coverage, and all other requirements of the zone.

3. The proposed zone change is reasonable or beneficial at this time to serve the neighborhood and community
   because it allows the church to more effectively serve its membership.

4. The proposed zone change would not adversely affect the surrounding property because mitigation
   measures have been included in the conditions of approval for the project which mitigate any potential
   adverse impacts.

5. The project will not have an environmental impact because mitigation measures have been included in the
   conditions of approval for the project which mitigate any potential adverse impacts on aesthetics, traffic,
   and water consumption.

SPECIFIC DEVELOPMENT PLAN

1. The proposed use is consistent with the general plan designation because the General Plan Designation is
   PD Ordinance 355 C.S. and that ordinance allows institutional uses on the site.

2. The site is adequate in size and shape for the proposed use because all setbacks, parking, lot coverage, and
   required landscaping can be incorporated into the project design.

3. The site for the proposed use has adequate access because it fronts on Rodeo Drive and has proposed a
   private drive to access the site from that street. A traffic study was prepared for the project and the traffic
   engineer noted sight distance problems from the westerly driveway. The applicant has worked with the Fire
   Department and Public Works Department to maximize sight distances and safety at the west driveway.

4. The proposed use will not have an adverse effect on the adjacent property because mitigation measures
   and conditions have been included in the conditions of approval from the project which mitigate any
   potential adverse impacts.

5. The design and layout of the proposed use is suitable because all setbacks, lot coverage, parking, and
   required landscaping can be incorporated into the project design.

6. The project will not have an environmental impact because mitigation measures have been included in the
   conditions of approval for the project which mitigate any potential adverse impacts on aesthetics, traffic,
   landscaping, and water consumption.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does ordain as follows:

Section 1: The above statements constitute the findings of fact of the City Council on this matter.

Section 2: The Exhibit "A" map of Ordinance 355 C.S. is amended by deleting the reference of Lot 184 from
Note 5 and adding Note 6 which shall read, "Lot 184 zoned for an institutional use."

Section 2(3) of Ordinance 355 C.S. is amended by changing "maximum allowed density of 235
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING ORDINANCE NO. 355 C.S. "ROYAL OAKS ESTATES" BY ALLOWING A CHURCH ON LOT 184, AND APPROVING AND ADOPTING SPECIFIC DEVELOPMENT PLAN 91-05.

WHEREAS, the City Council of Arroyo Grande held a public hearing to consider an amendment to Ordinance No. 355 C.S. and Specific Development Plan No. 91-05; and

WHEREAS, the City Council did consider said proposed amendment to Section 2(5) of Ordinance 355 C.S. and Specific Development Plan No. 91-05 to allow a church on Lot 184 of Tract 1390; and

WHEREAS, the City Council has considered the EIR for the Halycon Hills Subdivision with the previous addenda and the Addendum for the Arroyo Grande Presbyterian Church; and

WHEREAS, based on the staff analysis, oral and written testimony, and the final AEIR, the City Council finds, after due study, deliberation, and public hearing, the following circumstances exist:

ZONE CHANGES

1. The proposed planned development rezone is consistent with the general plan designation because the General Plan Designation is PD Ordinance 355 C.S. and that ordinance allows institutional uses on the site.

2. The subject site is adequate in size and shape to accommodate the reasonable requirements of the proposed zone because the lot is 7.1 acres in size and the minimum lot size is 10,000 square feet. The site is capable of providing adequate setbacks, parking, lot coverage, and all other requirements of the zone.

3. The proposed zone change is reasonable or beneficial at this time to serve the neighborhood and community because it allows the church to more effectively serve its membership.

4. The proposed zone change would not adversely affect the surrounding property because mitigation measures have been included in the conditions of approval for the project which mitigate any potential adverse impacts.

5. The project will not have an environmental impact because mitigation measures have been included in the conditions of approval for the project which mitigate any potential adverse impacts on aesthetics, traffic, and water consumption.

SPECIFIC DEVELOPMENT PLAN

1. The proposed use is consistent with the general plan designation because the General Plan Designation is PD Ordinance 355 C.S. and that ordinance allows institutional uses on the site.

2. The site is adequate in size and shape for the proposed use because all setbacks, parking, lot coverage, and required landscaping can be incorporated into the project design.

3. The site for the proposed use has adequate access because it fronts on Rodeo Drive and has proposed a private drive to access the site from that street. A traffic study was prepared for the project and the traffic engineer noted sight distance problems from the westerly driveway. The applicant has worked with the Fire Department and Public Works Department to maximize sight distances and safety at the west driveway.

4. The proposed use will not have an adverse effect on the adjacent property because mitigation measures and conditions have been included in the conditions of approval from the project which mitigate any potential adverse impacts.

5. The design and layout of the proposed use is suitable because all setbacks, lot coverage, parking, and required landscaping can be incorporated into the project design.

6. The project will not have an environmental impact because mitigation measures have been included in the conditions of approval for the project which mitigate any potential adverse impacts on aesthetics, traffic, landscaping, and water consumption.

NOW, THEREFORE, the City Council of the City of Arroyo Grande does ordain as follows:

Section 1: The above statements constitute the findings of fact of the City Council on this matter.

Section 2: The Exhibit "A" map of Ordinance 355 C.S. is amended by deleting the reference of Lot 184 from Note 5 and adding Note 6 which shall read, "Lot 184 zoned for an institutional use."

Section 2(3) of Ordinance 355 C.S. is amended by changing "maximum allowed density of 235
dwellings units" to read "maximum allowed density of 234 dwelling units."

The table of "Approved Residential Density" is amended by changing the lots listed in the Estate Home category from "B, 182 & 184" to "B & 182." by changing the dwelling units from "3" to "2," and by adding a new category "Institutional Use" for Lot 184 with zero dwelling units.

Section 2(5) of Ordinance 355 C.S. is amended by changing "Lot 184 may be used for a public/quasi-public facility" to "Lot 184 shall be used for a public/quasi-public facility."

Section 2(5)(F) of Ordinance 355 C.S. is amended by removing the reference to Lot 184.

Section 3: That Ordinance 355 C.S. and the Zoning Ordinance are amended to establish the development standards for this property as set forth in Attachment A, conditions of approval, and Attachment B, mitigation measures, of this Ordinance. In the case of development standard that are not listed in Attachment A or B, those development standards incorporated in Ordinance 355 C.S. shall apply.

Section 4: That Specific Development Plan 91-05 is conditionally approved and adopted subject to the conditions of approval set forth in Attachment A and the Mitigation Measures set forth in Attachment B.

Section 5: This Ordinance Amendment shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage it shall be published once, together with the names of Council Members voting thereon, in a newspaper published and circulated in said City.

On motion of Council Member Smith, seconded by Council Member Gallagher, and on the following roll call vote, to wit:

AYES: Council Members Smith, Gallagher and Mayor Pro Tem Moots

NOES: None

ABSENT: Council Member Dougall and Mayor Millis

The foregoing Ordinance was adopted the 28th day of July, 1992.

Gene Moots, Mayor Pro Tem

ATTEST:

Nancy A. Davis
City Clerk

APPROVED AS TO FORM:

Judy Skoien, City Attorney

APPROVED AS TO CONTENT:

Chris Christensen, City Manager

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 490 is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 28th day of July, 1992.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 4th day of August, 1992.

Nancy A. Davis
City Clerk
Attachment A

CONDITIONS OF APPROVAL
PLANNED DEVELOPMENT REZONE and SPECIFIC PLAN
for LOT 184 OF TRACT 1390

General Conditions

1. The applicant shall ascertain and comply with all state, county, and city requirements as are applicable to this project.

2. This approval shall automatically expire on July 28, 1996 unless a building permit for Phase I is issued. Approvals for Phases II and III shall expire on July 28, 1999, and on July 28, 2003, respectively, unless building permits for the respective phases are issued. Thirty (30) days prior to the expiration of the approval for any or all phases, the applicant may apply for an extension of one (1) year from the original date of expiration.

3. The applicant shall agree to defend at his/her sole expense any action brought against the City, its agents, officers or employees because of the issuance of this approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees for any court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of this action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve the applicant of his/her obligations under this condition.

4. Development shall occur in substantial conformance with the plans and exhibits approved by the City Council at its meeting of July 28, 1992, and marked as "Exhibit A".

5. An addendum to the Halcyon Hills Environmental Impact Report has been prepared for this project. All mitigation measures are listed as Attachment B attached hereto and incorporated herein by this reference. Said mitigations shall be implemented as conditions of approval and shall be monitored by appropriate City departments and other responsible agencies as indicated in Attachment B. The applicant shall be responsible for verification in writing by the monitoring department or agency that the mitigation measures have been implemented.

Planning Department Conditions

6. The development of the property shall be in accordance with the applicable requirements of Ordinance 355 C.S. and all other City ordinances and policies.

7. Signage shall be subject to the requirements of Chapter 9-13 of the Development Code.

8. Prior to issuance of building permits, nine (9) sets of the complete and revised construction drawings shall be submitted to be reviewed and approved by the Planning Department, Parks and Recreation Department, Police Department, Public Works Department, Fire and Building Department, and Architectural Advisory Committee as noted. The plans shall be revised to include the following:

a. All ducts, meters, air conditioning equipment and all other mechanical equipment, whether on the ground, on the structure, or elsewhere, shall be screened from public view with materials architecturally compatible with the main structure. It is especially important that gas and electric meters and electric transformers be completely screened from public view. All roof-mounted equipment which generates noise, solid particles, odors, etc. shall be screened such that the objectionable material is directed away from residential properties.

b. The following Air Pollution Control District construction mitigation measures shall be listed on the construction and grading permits:

(1) Water the site and the equipment in the morning and afternoon;
(2) Spread soil binders on the site, unpaved roads and parking areas;
(3) Properly tune and maintain all equipment;
(4) Wash trucks leaving the site;
(5) Use low-sulphur fuel for equipment; and
(6) Configure construction parking to minimize conflicts with street traffic.

c. All walls, including screening and retaining walls, shall be compatible with the approved architecture, subject to the review and approval of the Architectural Advisory Committee.
d. An exterior lighting plan shall include the following and shall be subject to the review and approval of the Planning and Police Departments:

(1) Cut-off luminaires shall be installed which will provide true 90 degree cut-off and prevent projection of light above the horizontal from the lowest point of the lamp or light emitting reflector or device.

(2) All fixtures shall use a flat, clear lens and an energy-efficient light source.

(3) All project lighting shall be confined to the project site.

e. A landscaping and irrigation plan prepared by a licensed landscape architect shall be subject to review and approval by the Planning, Police, Fire, and Parks and Recreation Departments. The plan shall include the following:

(1) Tree staking, soil preparation, and planting detail;

(2) The use of landscaping to screen ground-mounted utility and mechanical equipment;

(3) The required landscaping and improvements. This includes:

   (a) Deep root planters shall be included in areas where trees are within 5 feet of asphalt or concrete surfaces and curbs;

   (b) Water conservation practices including the use of drip irrigation, mulch, gravel, drought tolerant plants and bark shall be incorporated into the landscaping plan;

   (c) All slopes 2:1 or greater shall have jute mesh or equivalent material.

Building Department Conditions

9. Prior to issuance of building permits, the applicant shall obtain necessary permits for work in the public right of way, retaining walls, and grading.

10. All structures as regulated by the currently adopted issues of the Uniform Building Code and related codes, are subject to all seismic conditions as they would apply to earthquake zone 4.

11. All structures as regulated by the currently adopted issues of the Uniform Building Code and related codes, are subject to energy regulations as described in Title 24 of the California Administrative Code for climate zone 5.

Public Works Department Conditions

12. Prior to final occupancy, the applicant shall replace the curb returns at the intersection of the private access road and Rodeo Drive with a driveway approach.

13. All improvement plans shall be prepared by a registered civil engineer, licensed in the State of California, and shall be approved by the Public Works Director prior to issuance of any City Permits. Improvement plans shall include, but are not limited to, grading, drainage, sewer, water, street, and appurtenant improvements. As required, the plan submittal shall include construction cost estimates, plan check fees, soils reports, and all pertinent engineering design calculations.


15. All grading shall conform to the City's Grading Ordinance (303 C.S.) and Chapter 70 of the Uniform Building Code, and/or as recommended by the soils report with prior review and approval of the Director of Public Works.

16. It is the contractor's responsibility to control dust and erosion throughout the construction operation. This includes dust arising from the transport of grading materials to or from the construction site. The developer or the developer's agents or employees shall be responsible for removal and clean-up of any spill on public streets during the construction operation.

17. A registered civil engineer, licensed in the State of California, shall assure that the construction work conforms to the approved improvement plans and specifications, as well as providing certified as-built plans after project completion but prior to final occupancy.

Fire Department Conditions

18. Prior to issuance of building permits, the applicant shall design and install (subject to the review and approval of the Fire Chief and the Director of Public Works), a looped eight (8) inch water line.

19. All curbs throughout the property shall be painted red. Curbs shall be painted prior to final occupancy.
20. Approved fire lane signs in accordance with California Vehicle Code and approved by the Police Department shall be posted at all red curb locations prior to final occupancy.

21. Automatic fire sprinkler and alarm systems shall be installed throughout the facility prior to final occupancy.

22. The fire alarm system shall be supervised by a central station approved by the Fire Department.

23. All sprinkler and fire alarm installation plans shall be approved by the Fire Department prior to final framing inspection by Building Department.

24. Fire hydrants shall be installed at 300 foot intervals along the project frontage with the private access road and along the interior project driveways, with flows and pressures required by Fire Department prior to delivery of combustibles, except concrete framing materials.

25. All utility rooms shall be clearly identified by signage prior to final occupancy.

26. Emergency lighting and emergency power equipment shall be provided prior to final occupancy.

27. The applicant shall provide a fire extinguishing system in kitchen plans to be submitted to Fire Department prior to installation.

28. Ingress and egress shall meet the Fire Department requirements, including turning radii, grades, and angles of departure, and such plans shall be reviewed and approved by the Fire Chief prior to issuance of Building Permits.

Parks and Recreation Department Conditions

29. All landscaping materials shall be planted according to the approved landscaping plan.

30. The applicant shall maintain (and replace when necessary) all approved plantings.

Architectural Advisory Committee

31. The applicant shall submit a final color and materials board to the Architectural Advisory Committee for final approval prior to issuance of Building Permits, with the requirements that the roof shall be red clay tile and the stucco color shall be an off-white with a dashed finish (sprayed on and not knocked down).

32. The landscape plan shall use the same species of trees used for the formal street trees as design elements in the informal oak landscaping to lessen the abrupt change between landscaped areas.
Attachment B

MITIGATION MEASURES
PLANNED DEVELOPMENT REZONE and SPECIFIC PLAN
for LOT 184 OF TRACT 1390

1. Any changes to the hours of operation as noted in the AEIR must first be approved by the Director of Planning. Changes that could result in cumulative traffic impacts when combined with traffic from Grace Bible Church shall be analyzed for their significance as part of this review. If a change in hours of operation shall result in an impact on the City’s backbone transportation system, the applicant shall be required to pay the City’s standard traffic mitigation fees.

Monitoring Department: Planning Department
Time Frame: At time of change in hours of operation.

2. For the westerly drive, left hand turns onto and from the site shall be prohibited with appropriate signage. The design of the driveway shall be modified to be perpendicular to Rodeo Drive. The total width of the driveway shall be 20 feet; eight feet used for emergency access may be constructed of "turf block" or "eco-block" or similar product, provided the material can support the weight of a fire truck. The portion of the driveway intended for emergency vehicle access shall be gated to prevent public use. The final design, location, signage, materials, and gating for this driveway shall be subject to the review and approval of the Public Works Director and the Fire Chief.

One year after church services are held on the site, the City engineer shall study accident reports and complaint files to ascertain compliance with left turn prohibition. If patrons are violating the left turn prohibition and the west driveway poses a safety problem, the driveway should be reconfigured or closed subject to the approval of the Fire Chief and the Director of Public Works.

Monitoring Department: Public Works Department
Time Frame: For revised design prior to issuance of building permits; for complaint monitoring, one year after church services are held on site.

3. The building specifications shall incorporate fixtures and designs which minimize water usage. Such fixtures and designs shall include, but are not limited to, low-flow shower heads, water saving toilets, instant water heaters or hot water recirculating systems, drip irrigation with drought tolerant landscaping, etc. Prior to final occupancy of any structure, all water conserving designs or fixtures shall be installed.

Monitoring Department: Building Department
Time Frame: Building permit plan check for the design and prior to final occupancy for installation.

4. The applicant shall submit a landscape plan, prepared by a licensed landscape architect, to the satisfaction of the Director of Parks and Recreation and Director of Planning. All landscaping shall be consistent with water conservation practices including the use of drip irrigation, mulch, gravel, and bark.

Monitoring Department: Parks and Recreation Department
Time Frame: Building permit plan check.

5. The applicant shall provide for review and approval by the City Council an individual water program which will propose mitigating measures to neutralize projected water demand for the project. The approved program must be implemented prior to issuance of building permits.

Monitoring Department: Public Works Department
Time Frame: Building permit plan check.

6. At plan check, the applicant shall submit a grading, drainage, and erosion control plan, prepared by a qualified person. Said plan shall be subject to the review and approval of the Public Works Director. The plan shall include methods of revegetation of disturbed areas, grading and planting periods, and maintenance provisions.

Monitoring Department: Public Works Department
Time Frame: Building permit plan check.

7. All exposed cuts and fills shall be protected from erosion through appropriate methods, including, but not limited to, hydromulching, straw bales, energy dissipators, siltation ponds, and other appropriate means. Said methods shall be described in the grading, drainage, and erosion control plan.

Monitoring Department: Public Works and Building Departments
Time Frame: During construction.

8. The applicant shall comply with all mitigation measures specified in the grading, drainage, and erosion control report.

Monitoring Department: Public Works and Building Departments
Time Frame: During construction.

9. The applicant shall adhere to the following construction mitigation measures established by the Air Pollution Control District (APCD) and listed on the construction and grading permits (See also Condition
of Approval §[b].

a. Water the site and the equipment in the morning and afternoon;
b. Spread soil binders on the site, unpaved roads and parking areas;
c. Properly tune and maintain all equipment;
d. Wash trucks leaving the site;
e. Use low-sulphur fuel for equipment and
f. Configure construction parking to minimize conflicts with street traffic.

Monitoring Department: Building Department
Time Frame: During construction.

10. Construction activities shall not occur before 7:00 a.m. nor after 6:00 p.m.
Monitoring Department: Building Department
Time Frame: During construction.

11. All project lighting shall be designed such that lighting does not extend beyond the project site.
Monitoring Department: Planning Department
Time Frame: Building permit plan check.

12. Prior to receiving an occupancy permit for Phase III, the applicant shall complete the additional 52 parking spaces necessary to support the Phase III development.
Monitoring Department: Planning and Building Departments
Time Frame: Prior to occupancy of Phase III.
Sec. 9-4.510. Access (R-A).

When a lot in the Residential Agricultural (R-A) District abuts upon an alley, the entrance to the garage or off-street parking space having access from the alley shall be located not less than thirty (30') feet from the opposite side of such abutting alley.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.511. Optional Design and Improvement Standards (R-A).

When a development in the Residential Agricultural (R-A) District has been approved by the Commission under the Optional Design and Improvement Standards of the subdivision provisions, such approved building sites, coverage, and yards under such plan shall be considered as the requirements of this chapter.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.512. Off-street parking required (R-A).

The provisions of Article 26 of this chapter shall apply in determining the amount of parking space to be provided for each use in the Residential Agricultural (R-A) District. The parking spaces shall be improved as set forth in Article 26 of this chapter.

(Ord. 24 C.S., eff. February 27, 1969)

Article 6. Single-Family Residential District or R-1 District

Sec. 9-4.601. Purpose (R-1).

The Single-Family Residential (R-1) District is intended as an area for single-family homes, with approximately four (4) such homes per acre and with not more than one dwelling and customary accessory buildings upon any one building site.

Ord. 24 C.S., eff. February 27, 1969)
Sec. 9-4.602. Uses permitted (R-1).

The following uses shall be permitted in the Single-Family Residential (R-1) District:

(a) Single-family dwellings, one per building site; and

(b) Mobile homes subject to the provisions of Section 9-4.2405.1 of Article 24 of this chapter.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 1, Ord. 248 C.S., eff. August 13, 1981)
Sec. 9-4.601. Uses permitted subject to obtaining a use permit (R-1).

The following uses shall be permitted in the Single-Family Residential (R-1) District subject to obtaining a use permit in each case:

(a) A second single-family dwelling where, prior to January 28, 1969, a single-family dwelling exists on the rear one-half (1/2) of the lot. The minimum distance between the front and rear dwellings shall be twenty (20') feet. If approved, no further land division shall be approved, and the applicant shall record a deed restriction to this effect;

(b) Churches, public and parochial schools, parks, playgrounds, and public utility and public buildings and uses, excluding corporation and service yards;

(c) Condominiums and similar type developments when the requirements of Section 9-4.611 of this Article are met;

(d) Accessory buildings used as guest rooms provided no cooking facility is installed or maintained, and except where there is an existing second residential unit;

(e) Public or private parking lots for automobiles when contiguous to any C, P-C, H-S, or M District and when fenced and landscaped to the approval of the Commission; and

(f) F.F.A., 4-H, or similar organization small animal and fowl projects (see Article 31 of this Chapter).

(g) Second dwelling units as provided in Article 40 of this Chapter.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 76 C.S., eff. January 11, 1973; and Ord. 311 C.S., eff. May 11, 1984)

Sec. 9-4.604. Accessory buildings and uses permitted (R-1).

Accessory buildings and uses shall be permitted in the Single-Family Residential (R-1) District as follows:

(a) Accessory buildings only if constructed simultaneously with, or subsequent to, the main building on the same lot;

(b) Accessory uses normally incidental to single-family residences. This is not to be construed as permitting any commercial use.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 1, Ord. 324 C.S., eff. May 23, 1985)
Sec. 9-4.605. Maximum allowable height (R-1).

The maximum allowable height in the Single-Family Residential (R-1) District shall be as follows:

(a) Main buildings. Two (2) stories, not to exceed thirty feet (30'); and

(b) Accessory buildings. Fourteen feet (14').

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.606. Minimum building site and lot width required (R-1).

The minimum building site and lot width required in the Single-Family Residential (R-1) District, unless the Optional Design and Improvement Standards are used as set forth in Section 9-4.611 of this Article, shall be as follows:

(a) Minimum building site. Six thousand (6,000) square feet of lot area for residential uses and 20,000 square feet for churches and other public uses;

(b) Minimum lot width. Sixty feet (60') for residential...
(c) **Minimum lot depth.** Ninety (90') feet.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.607. **Maximum building site coverage by buildings or structures (R-1).**

The maximum coverage of a lot by all structures permitted in the Single-Family Residential (R-1) District shall not exceed forty (40%) percent of the lot area; provided, however, any covered patio structure which is used solely for general open use shall not be counted as a structure in ascertaining coverage, nor shall swimming pools be counted; and provided, further, patios and swimming pools shall be located a minimum of five (5') feet from the side or rear property line and fifty (50') feet from the front property line unless a use permit is obtained approving a lesser setback. The coverage of the rear yard by a covered patio or any structure shall not exceed thirty (30%) percent of the required rear yard.

(Ord. 24 C.S., eff. February 27, 1969)
Sec. 9-4.608. Minimum Yards Required ("R-1").

Minimum yards required in the "R-1" District, unless otherwise required in Article 25, of this chapter, establishing building lines, or unless Optional Design Standards have been used as set out in Section 9-4.611 shall be as follows:

(a) **Front Yard.** Each lot in the "R-1" District shall have a front yard extending (except for access drives and walks) across the full width of the subject property of a depth of not less than twenty (20') feet; provided, however, that the Planning Director may require staggering of setbacks, with a variation of three (3') feet from setback lines. In no case shall a setback of less than seventeen (17') feet be allowed, except on cul-de-sac, where the Planning Director may approve a setback of fifteen (15') feet as a part of a total development plan.

Except for access driveways and walks, there shall be no structures located in the required front yards, or in the required side yards abutting a street. No boat or trailer shall be kept in said front yard when the property has an adequate side yard providing access to the rear yard, then said boat or trailer may be kept in said side or rear yard; nor shall it be permitted to dismantle, repair or keep any disabled vehicles in this front or side yard or driveway; nor shall storage of any material be permitted.

(b) **Side Yard.** There shall be a side yard on each side of the lot, extending from the front yard to the rear yard, of not less than five (5') feet of an interior lot line. A corner lot shall have a side yard abutting the street of not less than ten (10') feet.

(c) **Rear Yard.** Each lot shall have a rear yard extending across the full width of the lot of not less than ten (10') feet, provided that a minimum of fifteen hundred (1500) square feet of open area is maintained to the side or rear of the main building or in any ell or "U" design; otherwise, twenty (20') feet shall be required. Accessory buildings are permitted in the rear yard. Any rear yard covered by structures shall be replaced elsewhere on the lot, exclusive of required yard areas. No more than one (1) wrecked, dismantled, inoperative or disabled vehicle shall be stored or be under repair in a rear yard. All such vehicles remaining in a rear yard more than ninety (90) days shall automatically constitute a nuisance and may be abated under Section 4-11 of the Municipal Code. All such vehicles creating a nuisance as defined by Section 4-11 and other provisions of the Municipal Code may be abated at any time and prior to the foregoing ninety (90) day provision.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Ord. 327 C.S., eff. May 23, 1983)

(d) **Satellite and Dish Antennas.** The installation of Satellite or other Dish Antennas shall be prohibited in any required front or side yards or on any roof areas. Said Satellite or other Dish Antennas shall be permitted in rear yards only and shall not be greater than twelve (12') feet in total height above the natural grade.

(Ord. 331 C.S., eff. July 11, 1983)
Sec. 9-4.609. Fences and Walls ("R-1").

Fences and walls are permitted but not required in the "R-1" District. Such fences and walls shall not exceed six (6') feet in height, and where same are located in the required front yard or side yard abutting the street, the same shall not exceed three (3') feet in height.
(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.610. Access ("R-1").

Access in the "R-1" District shall be as follows:

When a lot abuts upon an alley, garages having vehicular access from the alley shall be located not less than thirty (30') feet from the opposite side of such abutting alley.
(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.611. Optional Design and Improvement Standards ("R-1").

When a development has been approved by the Planning Commission under the Optional Design and Improvement Standards of the Subdivision Provisions in the "R-1" District, then such approved building sites, coverage and yards under such plan shall be considered as the requirements of this chapter.
(Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.612. Minimum Off-Street Parking Required ("R-1").

Off-street parking requirements in the "R-1" District shall be as follows:

The provisions of Article 26 shall apply in determining the amount of parking space that must be provided for each use.

The parking space shall be improved as set forth in said Article.
(Ord. 24 C.S., eff. February 27, 1969)
P-D-1.4
WILDCOW RANCH PLANNED DEVELOPMENT

ORDINANCES:

214 C.S.
ORDINANCE NO. 214 C.S.

AN ORDINANCE OF THE CITY OF ARROYO GRANDE AMENDING
A PORTION OF THE ZONING MAP OF THE CITY OF ARROYO
GRANDE REFERRED TO IN SECTION .302 OF TITLE 9,
CHAPTER 4, OF THE MUNICIPAL CODE SO AS TO REZONE
CERTAIN PROPERTY IN THE CITY OF ARROYO GRANDE.

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1: That certain ordinance known as "ZONING ORDINANCE OF THE
CITY OF ARROYO GRANDE" is herewith amended as follows:

The "ZONING MAP OF THE CITY OF ARROYO GRANDE", referred to in Section
.302 of Title 9, Chapter 4 of the Municipal Code is amended so the RAB-3 District,
as shown and designated on the map attached hereto, and by this reference
incorporated herein, which map is entitled "A SECTION OF THE ZONING MAP OF THE
CITY OF ARROYO GRANDE, AMENDED BY ORDINANCE NO. 214 C.S. OF THE CITY OF ARROYO
GRANDE", and said map and all notations and references shown thereon shall be
as much a part of this ordinance as if the matters shown on said map were all
fully described herein, and the Districts and zones and boundaries of the property
shown therein from and after the effective date of the adoption of this ordinance.
The properties intended to be rezoned are described in Exhibit "A" attached hereto.

SECTION 2: DEVELOPMENT PROVISIONS

The following recommendations of the Arroyo Grande City Public Works
and Planning Departments are included herein as requirement for development of
said property:

1. That the development be substantially as shown on the Master Concep-
tual Plan and the Preliminary Architectural Elevation Plans on file with the
Planning Department.

2. That concrete curb be installed between paved and landscaped areas
as approved by the Planning Department and Public Works Department.

3. That all ducts, meters, air conditioning equipment and all other
mechanical equipment, whether on the ground or elsewhere, the structure be
reasonably screened from public view with materials architecturally compatible
with the main structure.

4. That street numbers of all buildings be posted so as to be easily
read from the street at all times, day and night.

5. That all lighting be constructed in such a manner that glare is
directed away from surrounding properties and public rights of way.

6. That all mechanical equipment be constructed in such a manner that
noise emanating from it will not be perceptible at or beyond the property plane
of the subject property in a normal environment for that zoning district.

7. That if signing is desired for the development, an overall comprehen-
sive signing program be submitted to the City for review under separate application.

8. That all trees used in private landscape areas shall be a minimum
of 15 gallon in size and all shrubs a minimum of 5 gallon in size.

9. That all trash and refuse be contained completely within an en-
closed area which is architecturally compatible with the main structure.

10. That a lighting plan be presented for staff and Planning Commission
approval.

11. That all parking spaces be striped and provided with bumper stops
unless they are fronted by concrete curbs, in which case sufficient areas shall
be provided beyond the ends of all parking spaces to accommodate the overhang
of automobiles.

12. That all dwelling units in the development be constructed to meet

13. That the developer shall provide water conservation plumbing fixtures
to the extent possible.

14. That the developer submit improvement plans for all portions of the
development which the developer is obligated by ordinance to construct, prepared
by a Registered Civil Engineer for review and approval by the Public Works Dept.
15. That the developer submit a building permit survey and a site development plan, and that these plans be approved by the Director of Planning prior to issuance of a building permit.

16. That the Site Development Plan include all required information to design and construct site grading, paving and drainage.

17. That the paving sections for parking areas be designed on the basis of an R Value Test, and Traffic Index to carry the anticipated traffic loads. This design shall be subject to the approval of the Public Works Department. The minimum AC pavement slope shall be 12.

18. That all utilities required to service the development be installed underground.

19. That the developer install street frontage improvements pursuant to City ordinance to the satisfaction of the Department of Public Works. These improvements shall include, but are not limited necessarily to, grading, curb and gutter, sidewalk, paving, storm drain, sanitary sewer and water facilities.

20. That the developer shall obtain an Encroachment Permit from the City prior to construction.

21. That the emergency phone number of the Fire Department be posted near all telephones on the site immediately following the beginning of construction.

22. That the construction site be kept free of fire hazards from the start of construction until final inspection.

23. That the developer shall include in his development plans, the planting of newly created banks or slopes for erosion control or to minimize their visual effect.

24. That Arroyo Grande Municipal Code Section 9-4.1026 shall not apply to the subject property, and that in lieu of the reversionary clause, the phasing of the development shall determine the compliance of the "P-01" Planned Development District.

25. That the entire open space as proposed on the revised Conceptual Master Plan shall be administered by a Home Owners' Association composed of all of the residents in the project area. Said administration and maintenance program for the open space shall be incorporated in a C.C.R. document to be presented to the City for review and approval. Said C.C.R. document shall be recorded and the City shall be made a third party. Further, should the City be required to administer and maintain the C.C.R.'s, said cost shall be a direct lien on the properties within the project.

26. In approving any Tentative Parcel Map, a final map for the overall Wildwood development will be forthcoming and will have to be approved by the City Council for recordation. After recordation, the parcel developments which follow will conform to the conditions and various development plans and phasing which were attached to the original tentative map. Future Public Improvements Phasing Plan shall be subject to additional improvement requirements as deemed necessary by the Department of Public Works upon review of future developments.

27. That the development shall be subject to the following surcharges:
   CITY OF ARROYO GRANDE-$400.00 per single family dwelling unit, to include cluster housing.

28. Final development plans shall be subject to the City's architectural review and approval. Furthermore, the development plans shall be reviewed by the Planning Commission and the City Council for compliance with the City's applicable ordinances and conditions of approval.

29. Tree removal plan. The Grading Plan shall be signed by Planning Director approving specific tree removal (prior to issuance of Grading Permit).

30. Platino Lane shall have curb and gutter on both sides. Sidewalks shall be installed according to the Approved Conceptual Plan. Platino Lane shall be graded according to an approved grading plan at approximately its present grade; its street width shall be no less than 20' width and drive access to the existing homes on Platino Lane shall be regraded to 20' minimum width with drainage control. New water and sewer hook-ups on Platino Lane for existing homes shall be completed by developer.

31. Development access from Platino Lane shall be designed to create an estate type entrance to discourage through traffic, subject to approval of the Planning Director and Public Works Department.
32. Minor Streets—two 12 ft. driving lanes, curb and gutter. Improved width per approved development plan, and no less than 28 ft. wide from curb to curb.

33. Dedication and Improvements for Corbett Canyon Road may be required by the City to conform with the City's General Plan and Cal Trans Encroachment Permit.

34. Street and directional signs as required by the Public Works Dept.

35. Drainage. Retarding basins shall be required as shown on the Approved Conceptual Plan.

36. All lots shall be served with a water system looped in a manner approved by the City of Arroyo Grande's Public Works Department. The High Pressure System assessment shall be collected by the City prior to recordation of final map.

37. All lots shall be sewered.

38. No recreational vehicle storage area shall be allowed and the C.C.R.'s shall include a provision restricting the parking of recreational vehicles within the proposed residential area.

39. Structural sections for all streets shall be minimum of 2" A.C. over 6' Class 2 aggregate base. This minimum may be increased during the design or construction phase of said development.

40. City shall be granted easements for access to all streets and public utilities, including sewer.

41. That all driveways shall have a minimum length of 24 ft., with the exceptions of Lots 35 and 38.

42. The Developer shall present a comprehensive landscaping plan, noting plants and materials, treatment of graded areas and irrigation system for the Commission's review and approval prior to the issuance of a building permit.

43. That final development plans depicting the final locations of buildings and final architectural exterior considerations be presented to the Planning Commission for review and information prior to the issuance of a building permit.

44. Any proposal that will change any portion of the land use or the conceptual master plan shall be deemed a change in the approval of this Ordinance. Said changes will require reconsideration of the undeveloped portions of the project through the full and proper Zone Change procedure with the public retaining all of their rights regarding said zone changes.

On motion of Council Member Gallagher, seconded by Council Member Smith and on the following roll call vote, to wit:

AYES: Council Members Pope, Gallagher, de Leon, Smith and Mayor Millis
NOES: None
ABSENT: None

the foregoing Ordinance was passed and adopted this 25th day of March, 1980.

[Signature]
MAYOR

ATTEST:
DEPUTY CITY CLERK

1. Terry Carver, Deputy City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify that the foregoing Ordinance No. 214 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council held on the 25th day of March, 1980.

2. I further certify that said Ordinance was duly published in accordance with the law and order of said City Council in the Five Cities Times-Press-Recorder, a newspaper printed and published in said City, in the entire edition of March 25, 1980.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this day of March, 1980.

[Signature]
DEPUTY CITY CLERK OF THE CITY OF ARROYO GRANDE
P-D-1.5
OKUI PLANNED DEVELOPMENT

ORDINANCES:
420 C.S.
ORDINANCE NO. 420  C.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING THE ZONING MAP AND THE ZONING ORDINANCE BY CHANGING THE ZONE DESIGNATION FOR CERTAIN PROPERTY ON FARRAGU AVENUE IN THE CITY OF ARROYO GRANDE FROM PD (PLANNED DEVELOPMENT) TO R-1-PD (SINGLE FAMILY RESIDENTIAL-PLANNED DEVELOPMENT) AND APPROVING AND ADOPTING A DEVELOPMENT PLAN.

WHEREAS, The City Council of the City of Arroyo Grande has held the required public hearing at its regular meetings of November 14, 1989, January 23, 1990, February 13, 1990, February 27, 1990 and March 13, 1990 to consider a proposed ordinance approving PD Rezone Case No. 89-217 and a development plan; and

WHEREAS, The proposed ordinance was reviewed in compliance with the requirements of the California Environmental Quality Act (CEQA), and the City Council finds that the project would result in no significant effect on the environment provided that mitigation measures are implemented, and therefore, the adoption of a Negative Declaration is appropriate; and

WHEREAS, The proposed ordinance was found to be consistent with the General Plan; and

WHEREAS, after due study and deliberation, the City Council finds that the public interest and general welfare does require such an amendment; and

WHEREAS, the City Council finds, after due study, deliberation and public hearing, the following circumstances exist:

1. The proposed zone change and development plan is consistent with the General Plan designation of low density residential (0.2-4.5 dwelling units per acre), as the applicant is proposing a density of 3 dwelling units per acre;

2. The subject site is adequate in size and shape by itself to accommodate the reasonable requirements of residential development;

3. The proposed zone change and development plan is reasonable and beneficial at this time to serve the city because the applicant will build the extension of Oak Park Boulevard, and adequate services are available to serve the project;

4. The proposed zone change and development plan would not adversely affect the surrounding property because it is consistent with the adjacent uses and densities;

5. The project should not have an adverse impact on the environment provided the mitigation measures are adopted and implemented;

6. The adverse impacts on traffic shall be mitigated by the applicant paying to the City a traffic mitigation fee as set forth herein below and by the provision of traffic improvements as set forth herein;

7. Any adverse impacts on air quality are mitigated by the provision of alternate access as set out in paragraph 22 of Section 6, Subsection D herein below and by the landscaping conditions set forth herein;

8. The adverse impacts on water are mitigated by the reduction in domestic water demand for this project as set out in paragraph 9 of Section 6, Subsection A, herein below; and

9. The proposal will produce a desirable and livable community.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

Section 1. That the above statements constitute the findings of the City Council in this matter.
Section 2. That the zoning map of the City of Arroyo Grande be amended, on that property identified as Lot 14 of Pismo Beach Gardens, in the City of Arroyo Grande, County of San Luis Obispo, State of California, also known as APN 77-251-04, as shown on "Attachment A" attached hereto, from PD (Planned Development) to R-1-PD (Single Family Residential-Planned Development).

Section 3. That the zoning ordinance is amended to establish the development standards for this property as follows: development standards, including, but not limited to, setbacks, lot coverage, and building height requirements shall be as set forth in Section 6, Conditions of Approval, of this ordinance. In the case of development standards that are not listed in Section 6, those development standards incorporated in the R-1 zone, Municipal Code Sections 9-4.601 through 9-4.612, attached hereto as "Attachment B" shall apply.

Section 4. That the development plan submitted by the project applicant is conditionally approved and adopted subject to the conditions of approval set forth in Section 6, herein below.

Section 5. A Negative Declaration with mitigation measures is adopted for this ordinance and the City Clerk is instructed to file a Notice of Determination.

Section 6. Conditions of Approval

A. Mitigation Measures

All mitigation measures as outlined in the conditions of approval shall be implemented and monitored by appropriate City departments and other responsible agencies. Verification in writing that the mitigation measures have been implemented shall be provided by the monitoring department.

1. In the event that during grading, construction or development of the project, archaeological resources are uncovered, all work shall immediately be halted until the City has reviewed the resources for their significance. Additional archaeological studies, which will be paid for by the applicant, may be required. Additionally, any construction plans shall be referenced to this condition.

Monitoring Department: Planning Department
Time Frame: Prior to issuance of permits and during construction.

2. Prior to recordation of the final map, the developer shall enter into an agreement with the City, in a form approved by the City Attorney, whereby the developer agrees on behalf of himself and his successors in interest, to pay the City a fee of Two Thousand Six Hundred and Fifty Six dollars ($2,656) per residential unit for traffic mitigation. This fee shall be paid for each residential unit, prior to issuance of each building permit or within five (5) years of recordation of the final map, whichever is sooner. In the event that the City should adopt a method of funding traffic mitigations which shall include assessment of lots in tract 1769, the fees provided for herein shall be credited against the principal amount of the assessment.

Monitoring Department: Planning Department
Time Frame: Prior to recordation of the final map.

3. The developer shall construct a solid fence, six feet (6') high, along the entire eastern boundary of Dixon Street and the eastern property lines of lots 20 and 30, except that portion of lot 30 within the required street setback, wherein the fence shall not exceed three feet (3') in height.

Monitoring Department: Planning Department
Time Frame: Prior to final acceptance of tract improvements.

4. The developer shall notify potential buyers of lots within the development of the consequences of existing and potential agricultural operations on adjacent parcels, including but not limited to dust, noise, odors and agricultural chemicals.

Monitoring Department: Planning Department
Time Frame: Prior to Recodification of the final map the applicant shall submit a draft copy of the White Report showing implementation of this mitigation measure.
5. Farroll Avenue shall be improved to at least 1/2 width section to conform with Farroll Avenue immediately west of Bakeman Lane and east of St. John Circle. Centerline striping shall be provided.

Monitoring Department: Public Works Department
Time Frame: Prior to final acceptance of tract improvements.

6. Farroll Avenue shall be red curbed for 50 feet on either side of its intersection with Oak Park Boulevard.

Monitoring Department: Public Works Department
Time Frame: Prior to final acceptance of tract improvements.

7. Stop signs shall be provided on Dixon Street and Noe Street at their intersection with Oak Park Boulevard. A stop sign shall be provided on Oak Park Boulevard at its intersection with Farroll Avenue.

Monitoring Department: Public Works Department
Time Frame: Prior to final acceptance of tract improvements.

8. A one foot (1') access denial strip shall be required on all lot frontages adjacent to Farroll Avenue and Oak Park Boulevard.

Monitoring Department: Public Works Department
Time Frame: Prior to recording of the final map.

9. The applicant shall formulate a water conservation program to be approved by City Council prior to recording of the tract map. The program shall include provisions, which, when implemented, will reduce domestic water demand by 30% of the estimated water demand for Tract No. 1769. The estimated demand for Tract No. 1769 (for purposes of calculation) shall be .5 acre feet per dwelling unit per year. This consumption is based upon lot size, location and projected land use for this subdivision. The reduction can be gained from conservation programs to be included both on and off-site within the City of Arroyo Grande water service area.

Monitoring Department: Public Works Department
Time Frame: Prior to recording of the final map.

B. General Conditions
10. The applicant shall ascertain and comply with all State, County and City requirements, as are applicable to this project.

11. Development shall occur in substantial conformance with the plans presented to the City Council at the meeting of March 27, 1990 and marked "Exhibit A".

C. Planning Department Conditions
12. Development shall conform with the R-1 zoning requirements, unless otherwise approved.

13. The developer shall construct wood fences with slump stone pillars along Oak Park Boulevard, and Farroll Avenue. Said walls shall be a maximum of six (6) feet high and all block shall be treated to resist graffiti. The fences shall be reduced in height to three feet (3') within twenty feet of the intersection of Oak Park Boulevard and Dixon and Noe Streets.

14. The street section for Oak Park Boulevard shall have a 100 foot wide right-of-way with a twenty foot center median, two 32 foot wide travel lanes and eight foot (8') wide sidewalks with curb and gutter. A six foot (6') wide public utility and street landscape easement shall be provided behind each sidewalk. The applicant shall landscape the median strip and the street landscape easement.

15. A final landscape plan and full coverage automatic irrigation plan shall be provided for review and approval and installed prior to final acceptance of tract improvements, subject to the approval of the Planning Department and the Parks and Recreation Department.
Tree staking, soil preparation and planting detail shall be shown in the final plan. Water conservation design and maintenance and drought tolerant landscape plantings shall be incorporated wherever feasible into the final design of the landscape and irrigation plans for the site. Plans shall be prepared by a licensed landscape architect.

16. Drainage basins, median strip and street landscape easement shall be landscaped by the applicant prior to final acceptance of tract improvements.

17. The applicant shall provide for street lighting on all streets within the tract to the satisfaction of the Public Works Director and the Police Department.

18. All utilities shall be placed underground.

19. The applicant's project engineer, Parks and Recreation Director and Public Works Director shall meet to determine the location, and maintenance of the proposed retaining basins prior to recording of the final map. If the result of the meeting modifies the tentative tract map the applicant shall be responsible for redrafting amended tentative tract map.

20. The CC&R's shall stipulate that the houses constructed on Lots 1 through 9 shall be limited to single story construction, and shall not exceed 15 feet in height above the natural grade of the lot.

21. The minimum rear yard setback for Lots 3 through 9 shall be 15 feet.

D. Public Works Department Conditions

22. The Developer shall design and construct temporary access to Soto Park Complex. The developer shall also design the final access considering median design for traffic on Oak Park Boulevard.

23. Pumps for sewer lift station shall be sized for present flow but wet well and sewer mains shall be sized for future flow. The developer shall extend sewer main to the northerly tract boundary.

24. The lots designated drainage basin for Tract 1769 shall be designed to carry improvement water for the tract.

E. Fire Department Conditions

25. Fire hydrants shall be placed in the locations listed below:
   a. Oak Park Boulevard and Parroll Avenue
   b. Southwest corner of Oak Park Boulevard and Noe Street
   c. Lot 19 on Noe Street
   d. Lot 20 on Dixon Streets
   e. Lot 29 Dixon Street

Fire flows to be 1250 GPM (gallons per minute) at 20 pounds residual pressure.

26. All streets shall be paved and water supply shall be tested and approved prior to delivery of combustibles to the properties (concrete forms exempt).

27. The applicant shall provide a minimum turn around radius of 35 feet at the end of Dixon Street. As an alternative, the applicant may provide a hammer-head turn around to the satisfaction of the Fire Department.

F. Parks and Recreation Department Conditions

28. The developer shall meet all park development requirements fees or land in lieu.

29. The developer shall meet all requirements for city street tree fees or plantings.
30. The developer shall construct a masonry wall on the property line separating the Soto Sports Complex from houses. The wall shall be treated on the City side to resist graffiti.

31. Design of median to be coordinated between City of Arroyo Grande and Grover City by a licensed landscape architect. Automated irrigation system planting plan, curbs stamped concrete similar to Oak Park Boulevard and James Way.

Section 7. This ordinance shall be in full force and effect thirty (30) days after its passage; and within fifteen (15) days after its passage, it shall be published once, together with the names of the City Council Members voting thereon, in a newspaper of general circulation within the City.

On motion by Council Member Dougall, seconded by Council Member Smith, and by the following roll call vote, to wit:

AYES: Council Members Dougall, Smith, Moots, Olsen and Mayor Millis
NOES: None
ABSENT: None

the foregoing ordinance was adopted this 10th day of April 1990.

[Signature]
MARK H. MILLIS, MAYOR

ATTTEST:
NANCY A. DAVIS, CITY CLERK

APPROVED AS TO CONTENT:
CHRIS CHRISTIANSEN, CITY MANAGER

I, NANCY A. DAVIS, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 420 C.S. is a true, full and correct copy of said Ordinance passed and adopted at a regular meeting of said Council on the 10th day of April, 1990.

WITNESS my hand and the Seal of the City of Arroyo Grande affixed this 17th day of April, 1990.

[Signature]
NANCY A. DAVIS
CITY CLERK
Sec. 9-4.510. Access (R-A).

When a lot in the Residential Agricultural (R-A) District abuts upon an alley, the entrance to the garage or off-street parking space having access from the alley shall be located not less than thirty feet (30') from the opposite side of such abutting alley. (Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.511. Optional Design and Improvement Standards (R-A).

When a development in the Residential Agricultural (R-A) District has been approved by the Commission under the Optional Design and Improvement Standards of the subdivision provisions, such approved building sites, coverage, and yards under such plan shall be considered as the requirements of this chapter. (Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.512. Off-street parking required (R-A).

The provisions of Article 25 of this chapter shall apply in determining the amount of parking space to be provided for each use in the Residential Agricultural (R-A) District. The parking spaces shall be improved as set forth in Article 25 of this chapter. (Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.601. Purpose (R-1).

The Single-Family Residential (R-1) District is intended as an area for single-family homes, with approximately four (4) such homes per acre and with not more than one dwelling and customary accessory buildings upon any one building site. (Ord. 24 C.S., eff. February 27, 1969)

Sec. 9-4.602. Uses permitted (R-1).

The following uses shall be permitted in the Single-Family Residential (R-1) District:

(a) Single-family dwellings, one per building site; and

(b) Mobile homes subject to the provisions of Section 9-4.2405.1 of Article 24 of this chapter. (Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 1, Ord. 248 C.S., eff. August 13, 1981)
Sec. 9-4.603. Uses permitted subject to obtaining a use permit (R-1).

The following uses shall be permitted in the Single-Family Residential (R-1) District subject to obtaining a use permit in each case:

(a) A second single-family dwelling where, prior to January 28, 1969, a single-family dwelling exists on the rear one-half (1/2) of the lot. The minimum distance between the front and rear dwellings shall be twenty (20') feet. If approved, no further land division shall be approved, and the applicant shall record a deed restriction to this effect;

(b) Churches, public and parochial schools, parks, playgrounds, and public utility and public buildings and uses, excluding corporation and service yards;

(c) Condominium and similar type developments when the requirements of Section 9-4.611 of this Article are met;

(d) Accessory buildings used as guest rooms provided no cooling facility is installed or maintained, and except where there is an existing second residential unit;

(e) Public or private parking lots for automobiles when contiguous to any C, P-C, H-S, or M District and when fenced and landscaped to the approval of the Commission; and

(f) P.E.A., 4-H, or similar organization small animal and fowl projects (see Article 31 of this chapter).

(g) Second dwelling units as provided in Article 40 of this chapter.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 2, Ord. 76 C.S., eff. January 11, 1973; and Ord. 311 C.S., eff. May 11, 1984)

Sec. 9-4.604. Accessory buildings and uses permitted (R-1).

Accessory buildings and uses shall be permitted in the Single-Family Residential (R-1) District as follows:

(a) Accessory buildings only if constructed simultaneously with, or subsequent to, the main building on the same lot;

(b) Accessory uses normally incidental to single-family residences. This is not to be construed as permitting any commercial use.

(Ord. 24 C.S., eff. February 27, 1969, as amended by Sec. 1, Ord. 324 C.S., eff. May 23, 1985)

Sec. 9-4.605. Maximum allowable height (R-1).

The maximum allowable height in the Single-Family Residential (R-1) District shall be as follows:

(a) Main buildings. Two (2) stories, not to exceed thirty feet (30') and

(b) Accessory buildings. Fourteen feet (14').

(Ord. 24 C.S., eff. February 27, 1969)
Sec. 9-4.006. Minimum building site and lot width required (R-1).

The minimum building site and lot width required in the Single-Family Residential (R-1) District, unless the Optional Design and Improvement Standards are used as set forth in Section 9-4.011 of this article, shall be as follows:

(a) Minimum building site. Six thousand (6,000) square feet of lot area for residential uses and 20,000 square feet for churches and other public uses;

(b) Minimum lot width. Sixty feet (60') for residential.
uses and 100 feet for churches and other public uses; and

(c) Minimum lot depth. Ninety feet (90').

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 2-4.607. Maximum building site coverage by buildings or structures (R-1).

The maximum coverage of a lot by all structures permitted in the Single-Family Residential (R-1) District shall not exceed forty percent (40%) of the lot area; provided, however, any covered patio structure which is used solely for general open use shall not be counted as a structure in ascertaining coverage; nor shall swimming pools be counted; and provided, further, patios and swimming pools shall be located a minimum of five feet (5') from the side or rear property line and fifty feet (50') from the front property line unless a use permit is obtained approving a lesser setback. The coverage of the rear yard by a covered patio or any structure shall not exceed thirty percent (30%) of the required rear yard.

(Ord. 24 C.S., eff. February 27, 1969)
Sec. 9-4.608. Minimum Yards Required ("R-1").

Minimum yards required in the "R-1" District, unless otherwise required in Article 25, of this chapter, establishing building lines, or unless Optional Design Standards have been used as set out in Section 9-4.611 shall be as follows:

(a) Front Yard. Each lot in the "R-1" District shall have a front yard extending (except for access drives and walks) across the full width of the subject property of a depth of not less than twenty feet (20') provided, however, that the Planning Director may require staggering of setbacks, with a variation of three feet (3') from setback lines. In no case shall a setback of less than seventeen feet (17') be allowed, except on cul-de-sac, where the Planning Director may approve a setback of fifteen feet (15') as a part of a total development plan.

Except for access driveways and walks, there shall be no structures located in the required front yards, or in the required side yards abutting a street. No boat or trailer shall be kept in said front yard when the property has an adequate side yard providing access to the rear yard, then said boat or trailer may be kept in said side or rear yard; nor shall it be permitted to dismantle, repair or keep any disabled vehicles in this front or side yard or driveway; nor shall storage of any material be permitted.

(b) Side Yard. There shall be a side yard on each side of the lot, extending from the front yard to the rear yard, of not less than five feet (5') of an interior lot line. A corner lot shall have a side yard abutting the street of not less than ten (10') feet.

(c) Rear Yard. Each lot shall have a rear yard extending across the full width of the lot of not less than ten feet (10'), provided that a minimum of fifteen hundred (1500) square feet of open area is maintained to the side or rear of the main building or in any ell or "U" design; otherwise, twenty feet (20') shall be required. Accessory buildings are permitted in the rear yard. Any rear yard covered by structures shall be replaced elsewhere on the lot, exclusive of required yard areas. No more than one (1) wrecked, dismantled, inoperative or disabled vehicle shall be stored or be under repair in a rear yard. All such vehicles remaining in a rear yard more than ninety (90) days shall automatically constitute a nuisance and may be abated under Section 4-11 of the Municipal Code. All such vehicles creating a nuisance as defined by Section 4-11 and other provisions of the Municipal Code may be abated at any time and prior to the foregoing ninety (90) day provision.

(Ord. 24 C.S., eff. February 27, 1963, as amended by Ord. 327 C.S., eff. May 23, 1985)

(d) Satellite and Dish Antennas. The installation of Satellite or other Dish Antennas shall be prohibited in any required front or side yards or on any roof areas. Said Satellite or
other Dish Antennas shall be permitted in rear yards only and shall not be greater than twelve feet (12') in total height above the natural grade.

(Ord. 331 C.S., eff. July 11, 1965)

Sec. 2-4.603. Fences and Walls ("R-1").

Fences and walls are permitted but not required in the "R-1" District. Such fences and walls shall not exceed six feet (6') in height, and where the same are located in the required front yard or side yard abutting the street, the same shall not exceed three feet (3') in height.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 2-4.610. Access ("R-1").

Access in the "R-1" District shall be as follows:

When a lot abuts upon an alley, garages having vehicular access from the alley shall be located not less than thirty feet (30') from the opposite side of such abutting alley.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 2-4.611. Optional Design and Improvement Standards ("R-1").

When a development has been approved by the Planning Commission under the Optional Design and Improvement Standards of the Subdivision Provisions in the "R-1" District, then such approved building sites, coverage and yards under such plan shall be considered as the requirements of this chapter.

(Ord. 24 C.S., eff. February 27, 1969)

Sec. 2-4.612. Minimum Off-Street Parking Required ("R-1").

Off-street parking requirements in the "R-1" District shall be as follows:

The provisions of Article 26 shall apply in determining the amount of parking space that must be provided for each use.

The parking space shall be improved as set forth in said article.

(Ord. 24 C.S., eff. February 27, 1969)