

DATE: 05/18/99 AGENDA ITEM # 4
() APPROVED () DENIED
() CONTINUED TO _____

TO: James App, City Manager
FROM: Robert A. Lata, Community Development Director *RAL*
SUBJECT: General Plan Amendment 2-99 - Part 3 of 3 (City Initiated - Kiessig Property Owners)
DATE: May 18, 1999

Needs: To consider a proposal, initiated by the City of Paso Robles, for property owned by Russell and Carol Kiessig, to change the General Plan Land Use category for two parcels of a combined size of approximately 138 acres, so the land use designation is consistent with the existing Agricultural Zoning designation.

- Facts:
1. The two parcels are located between North River Road and Buena Vista Road, northwest of the Cuesta College Campus site. The properties were annexed to the City in December of 1998.
 2. The existing General Plan Land Use Category (designation) for both parcels is Residential Single Family - two units to the acre (RSF-2). The existing zoning is Agriculture (AG).
 3. The parcels are also located within Sub Area A of the Borkey Specific Plan. No modification to the Specific Plan are proposed at this time. An update of the Specific Plan will be scheduled in the near future.
 4. Prior to the annexation of the property in 1998, the City pre-zoned these parcels with the Agricultural designation to be consistent with the County's existing Agricultural designation. The General Plan designation was not modified at that time.
 5. In order to provide consistency between the Zoning and General Plan, the City has initiated the General Plan Amendment.
 6. Both properties are currently owned by Russell and Carol Kiessig who have been made aware of this general plan amendment process.

RIMC CODE
DATE: May 18, 1999
FILE PLAN/GEN CAT: Current Planning/Rezones 1
SUBJECT: GPA 2-99, (Part 3) - City initiated/Kiessig
LOCATION: Development Services File Room
RETENTION: 3 Years

7. The property owners recently obtained approval from the Planning Commission to construct and operate a 4,600 square foot hot springs spa facility. This general plan amendment would not impact that approved project.
8. The proposed General Plan Amendment application is subject to the California Environmental Quality Act (CEQA). An Initial Study has been conducted (on file in the Community Development Department) that addresses the potential environmental impact of the application.
9. At its meeting of April 27, 1999, the Planning Commission conducted a public hearing on the application. No persons spoke either in favor or against the land use change proposal.
10. Following the public hearing, the Planning Commission voted 4-0 (3 absent) to recommend that the City Council approve the application and its associated environmental determination.

Analysis and
Conclusion:

The City Agriculture zoning designation was established for these parcels in order to maintain consistency with the County's land use designation existing at the time it was annexed. By establishing the same zoning, the same level of expected land use intensity for the property was maintained, thereby avoiding potential environmental and land use impacts that might be associated with a proposal for change/intensification of zoning.

The proposed Agricultural General Plan designation would be considered less intensive than the existing RSF-2 designation, in terms of service and infrastructure needs. Agriculture has been the long standing use and designation for these parcels.

Because the General Plan land use designation sets the long range development expectations for the site, the zoning and land use designations should be consistent. The proposed Agricultural designation would accomplish this.

Policy

Reference:

California Environmental Quality Act (CEQA); General Plan Land Use Element; Zoning Code and Borkey Area Specific Plan.

Fiscal

Impact:

No fiscal impacts are anticipated in conjunction with this land use modification.

Options:

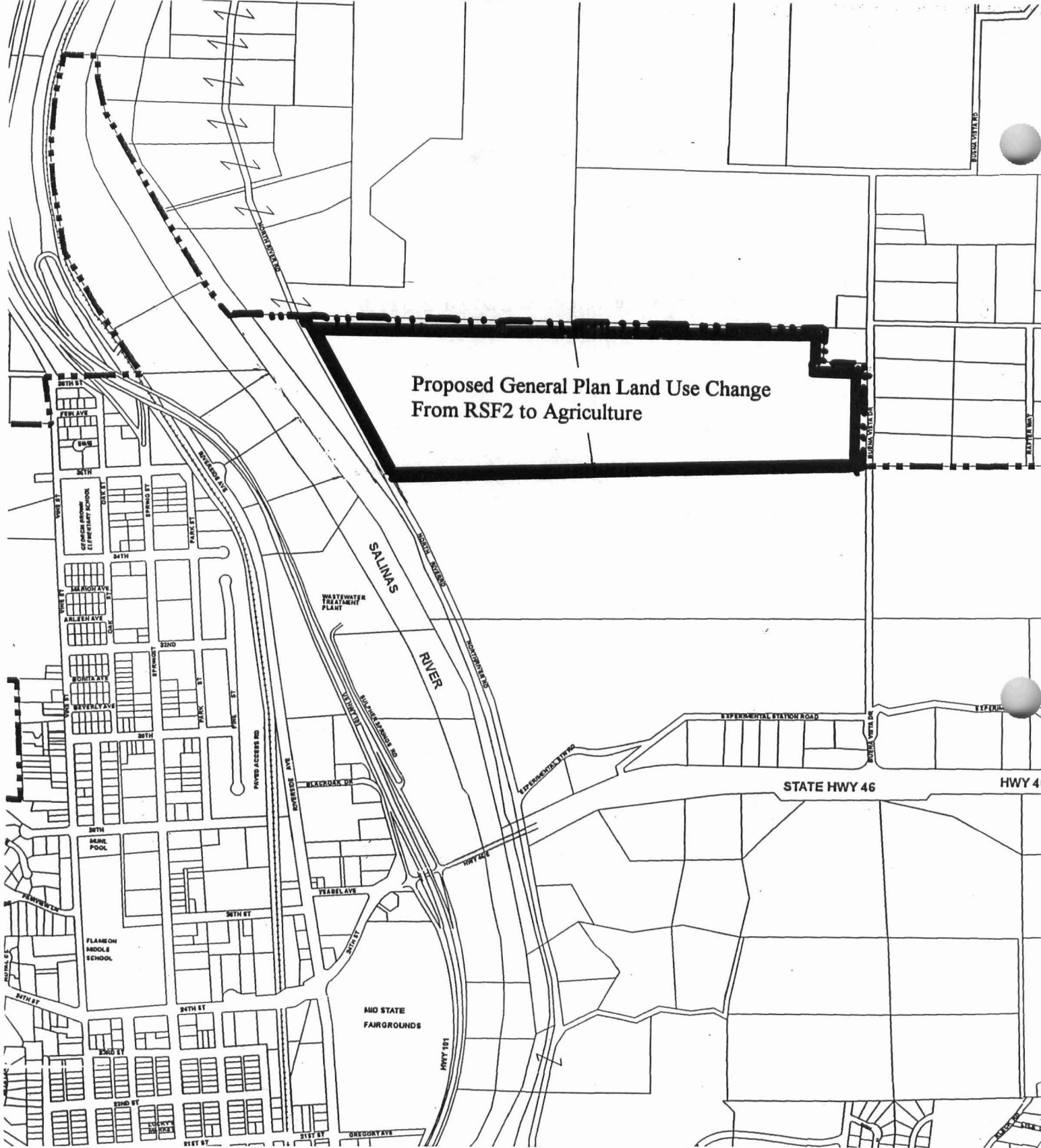
After consideration of all public testimony, that the City Council consider the following options:

- a. (1) Adopt a Negative Declaration for the General Plan Amendment application;
- (2) Approve the General Plan Amendment application.

b. Amend, modify or reject the foregoing option.

Attachments:

1. Location Map
2. Resolution approving a Negative Declaration for General Plan Amendment 2-99(Part 3 of 3)
3. Resolution approving the General Plan Amendment 2-99 (Part 3 of 3)
4. Newspaper and Mail Notice Affidavits



GPA 2-99 - LOCATION MAP
(City Initiated Application / Russell and Carol Kiessig Property Owners)



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING A NEGATIVE DECLARATION FOR
GENERAL PLAN AMENDMENT 2-99 (PART 3)
(CITY INITIATED / KIESSIG PROPERTY OWNERS)

WHEREAS, the City of Paso Robles has initiated the following application:

- General Plan Amendment 2-99 (part 3 component) to change the land use category on two parcels of approximately 178 acres in size located west of Buena Vista Road, east of North River Road and north of Experimental Station Road and in Sub Area A of the Borkey Specific Plan, from Residential Single Family - 2 units to the acre (RSF-2) to Agriculture (AG);

WHEREAS, the existing zoning for the same area is currently Agricultural, as established prior to annexation of this property into the City in December of 1998;

WHEREAS, an Initial Study was prepared for this project (on file in the Community Development Department), which concludes that the project as proposed would not have significant impacts on the environment, for reasons that are mostly based on the historic zoning and use of the site as agricultural; and

WHEREAS, Public Notice of the proposed Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, public hearings were conducted by the Planning Commission on April 27, 1999, and by the City Council on May 18, 1999 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination for the proposed land use amendment; and

WHEREAS, based on the information contained in the Initial Study prepared for this land use amendment and testimony received as a result of the public notice, the City Council finds no substantial evidence that the project would have a significant impact on the environment;

NOW, THEREFORE, BE IT RESOLVED, that based on the City's independent judgment, the City Council of the City of El Paso de Robles does hereby approve a Negative Declaration for General Plan Amendment 2-99 (component 3 of a 3 part general plan amendment) in accordance with the California Environmental Quality Act .

PASSED AND ADOPTED THIS 18th day of May, 1999 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

DUANE J. PICANCO, MAYOR

ATTEST:

MADELYN PAASCH, CITY CLERK

RESOLUTION NO. 99-
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
APPROVING GENERAL PLAN AMENDMENT 2-99

WHEREAS, the following applications to amend the Land Use Element were filed as parts of General Plan Amendment 2-99:

1. An application filed by Cabrillo Economic Development Corp. to change the Land Use Category for the northerly portions of four parcels, an area of approximately 4 acres, located on the northwest corner of Creston and Rolling Hills Roads from Office Professional (OP) to Residential, Multiple Family-High (RMF-H); the applicant intends to develop 61 multiple family units for exclusive residency by senior citizens;
2. An application filed by David Weyrich to change the General Plan Land Use Category for two parcels of a combined size of approximately 2.8 acres, located at the southwest corner of Buena Vista and Experimental Station Roads, within Sub Area D of the Borkey Area Specific Plan, from Residential Single Family - one unit to the acre (RSF-1) to Residential Multiple Family-Medium (RMF-M); the applicant intends to develop up to 12 multiple family residential units;
3. An application initiated by the City of Paso Robles to change the General Plan Land Use Category for two parcels of a combined size of approximately 138 acres located between North River and Buena Vista Roads, north of Cuesta College from Residential, Single Family, 2 units per acre (RSF-2) to Agriculture (AG); and

WHEREAS, at its meeting of April 27, 1999, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this amendment;
- b. Conducted a public hearing to obtain public testimony on the parts of this amendment;
- c. Based on the information contained in the initial studies prepared for each parts, unanimously found that there was no substantial evidence that the parts of this amendment would have significant adverse effects on the environment and recommended that the City Council approve Negative Declarations for these components;
- d. Recommended that the City Council approve this amendment, with the following condition on Part 1, Cabrillo Economic Development Corp.:

Prior to second reading of an ordinance to rezone the site to R-4,PD, a deed restriction limiting use of the site for seniors (in which at least one member of each household is age 62 or older) shall be recorded;

WHEREAS, at its meeting of May 18, 1999, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this amendment;
- b. Considered the recommendations of the Planning Commission;

c. Conducted a public hearing to obtain public testimony on this amendment;

d. Found that there was no substantial evidence that the parts of this amendment would have significant adverse effects on the environment and approved Negative Declarations for the parts of this amendment in accordance with the California Environmental Quality Act;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, California, to amend the Land Use Element's Land Use Map (Figure LU-1) as shown on the attached Exhibits "A" (Part 1), "B" (Part 2), and "C" (Part 3).

BE IT FURTHER RESOLVED, by the City Council of the City of El Paso de Robles, California, to specify that occupancy of the properties described in Exhibit "A" shall be limited to seniors (in which at least one member of each household is 62 years or older) and that prior to second reading of an ordinance to rezone the site to R-4,PD, a deed restriction limiting use of the site for seniors shall be recorded

PASSED AND ADOPTED THIS 18th day of May, 1999 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

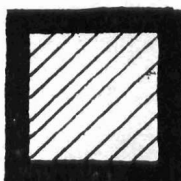
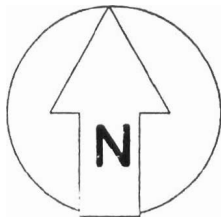
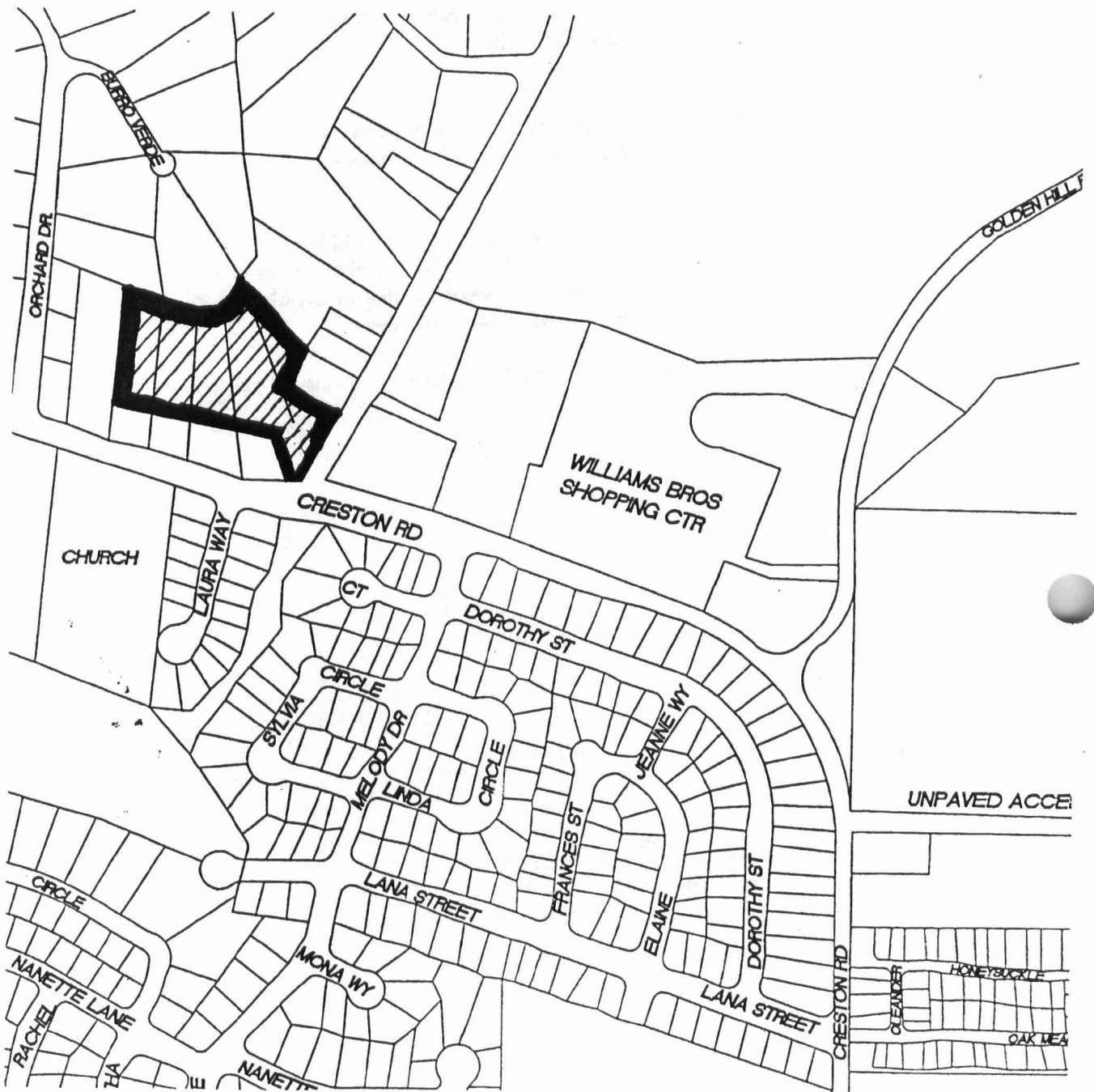
MAYOR DUANE J. PICANCO

ATTEST:

MADELYN PAASCH, CITY CLERK

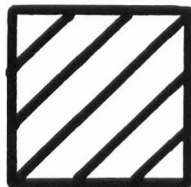
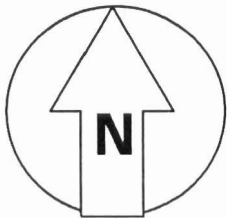
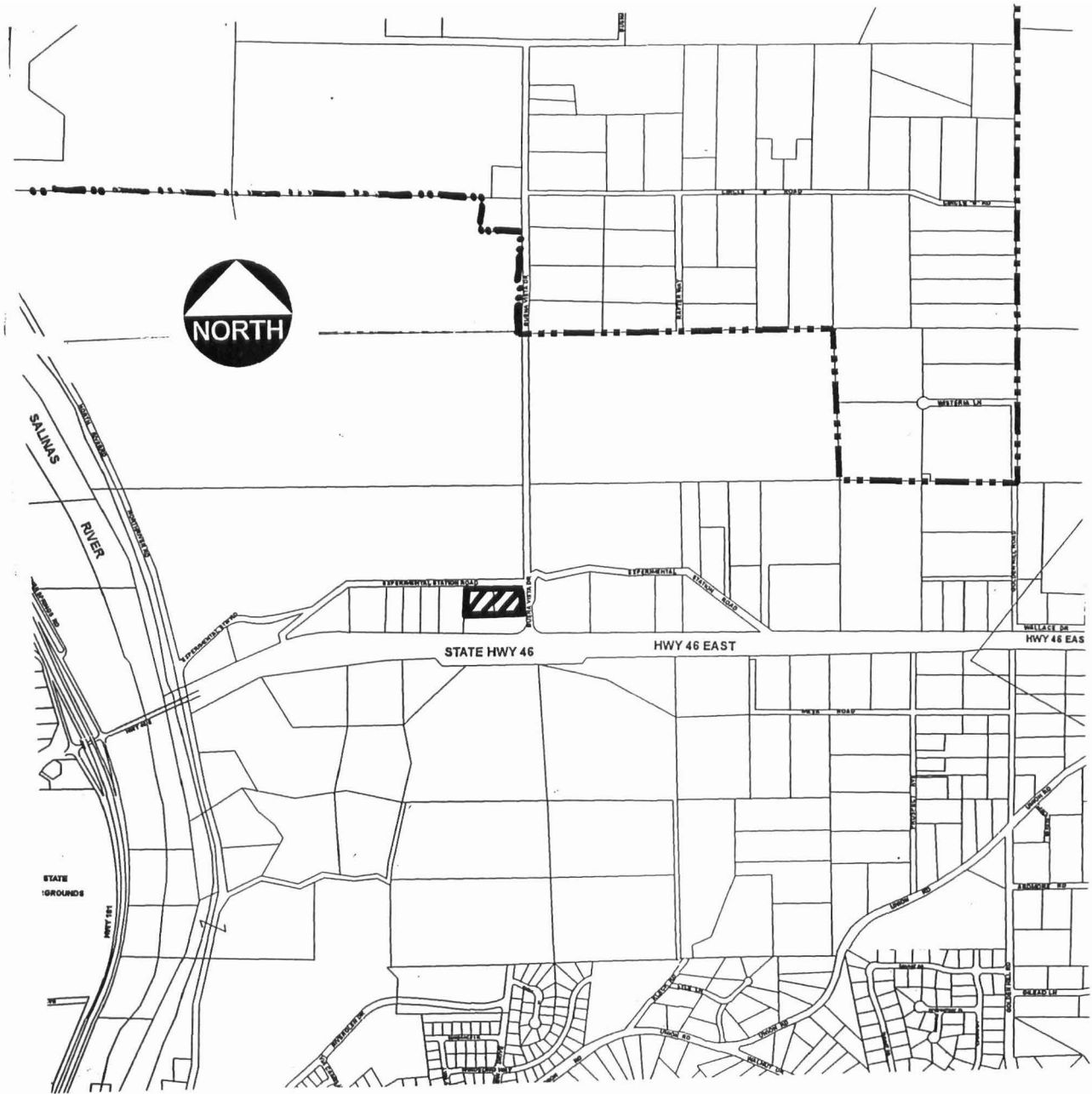
EDIGPA-RZ12-99 GPA RESO

EXHIBIT A



CHANGE LAND USE CATEGORY FROM OFFICE PROFESSIONAL (OP) TO RESIDENTIAL MULTI-FAMILY, HIGH (RMF-H)

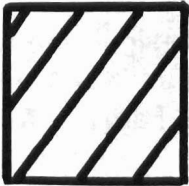
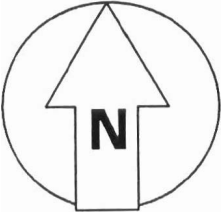
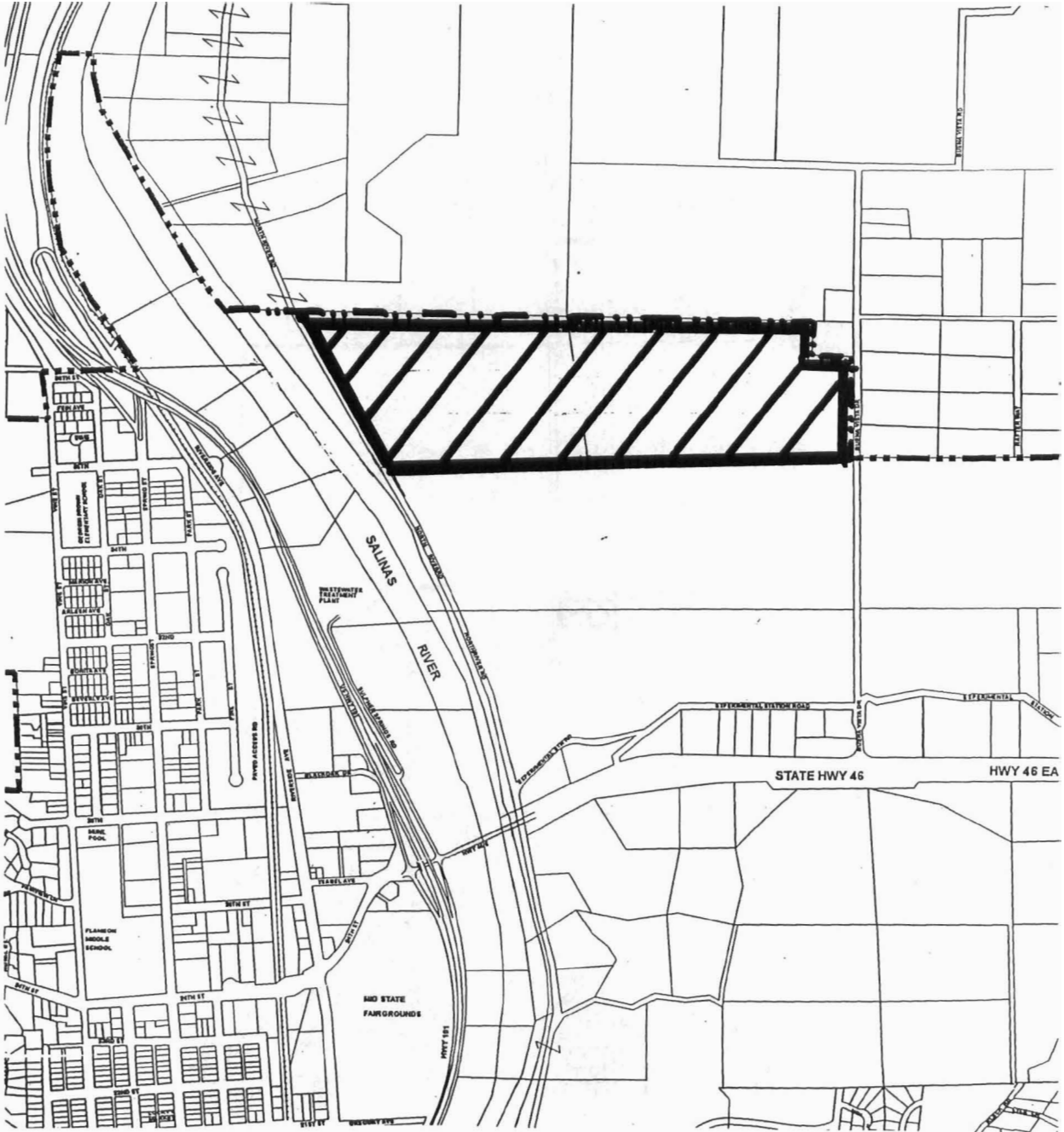
EXHIBIT B



**Change Land Use Designation from RSF-1
(Residential Single Family - 1 unit / acre) to RMF-M
(Residential Multiple Family - Medium Density)**

**GENERAL PLAN AMENDMENT 2-99 - PART 2
(DAVID WEYRICH)**

EXHIBIT C



**Change Land Use Designation from RSF-2
(Residential Single Family - 2 units / acre) to AG
(Agricultural)**

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for project GPA 2-99 - Borkey Specific Plan Amendment -and- Rezone 99002 (Weyrich) for the meeting on April 27, 1999 (Planning Commission) and May 18, 1999 (City Council)

Mailed on this 15th day of April 1999

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

NOTICE OF PUBLIC HEARINGS;
NOTICE OF INTENT TO ADOPT NEGATIVE
DECLARATIONS

General Plan Amendment 2-99
A Three-Part Amendment to the Land Use Element
of the City of Paso Robles General Plan Zone
Changes 99-002 and 98-006

NOTICE IS HEREBY GIVEN that the Planning
Commission of the City of El Paso de Robles will
hold Public Hearings to consider making recommen-
dations regarding adoption of Negative Declarations
and approval of a three (3) part General Plan
Amendment (Land Use Element). The three compo-
nent parts, two of which are also subjects of Zone
Change and Specific Plan Amendment requests, are
described as follows:

1. Cabrillo Economic Development Corp. : A pro-
posal to change the General Plan Land Use Cate-
gory and Zoning for a 5 acre site composed of 4 lots
located on the northwest corner of Creston and Roll-
ing Hills Roads. The existing General Plan Land
Use Category for all 5 acres is Office Professional
(OP); the existing zoning is CP,PD (Neighborhood
Commercial) for the easternmost 4 acres and R-1
(Single Family Residential) for the westernmost
acre.

The applicants are requesting a General Plan Land
Use Category of Residential, Multiple Family, High
(RMF-H, which allows densities up to 16 dwelling
unit per acre) for 4 of the 5 acres; one acre located
at the corner of Creston and Rolling Hills Roads will
remain designated for OP Land Use.

The concurrent application for Zone Change 98-006
requests that R-4(PD) zoning be applied to the 4
acres of RMF-H land and that the one acre of OP-
designated land be rezoned to Office Professional
(OP). The applicants intend to develop 61 apart-
ment units for exclusive residency by senior citizens
on the 4 acres proposed to be zoned R-4,PD; the
applicants have not stated any plans for develop-
ment of the 1 acre proposed to be zoned OP.

2. City Initiated / Kiessig : A proposed General
Plan Amendment from Residential Single Family -
two units to the acre (RSF-2) to Agriculture (AG) for
two (2) parcels of a combined size of approximately
138 acres located on the east side of North River
Road and the west side of Buena Vista Road, north
of Experimental Station Road within Sub Area A of
the Borkey Area Specific Plan. The property was
annexed to the City in December of 1998 and is
currently zoned Agricultural.

3. David Weyrich: A proposed change from Resi-
dential Single Family - one unit to the acre (RSF-1)
to Multi-Family Residential (Medium Density) for 2.8
acres located on the southwest corner of Buena
Vista Road and Experimental Station Road, north
and adjacent to the Martin/Weyrich Winery Tasting
Room. The subject parcel is located in Sub Area D
of the Borkey Area Specific Plan and the General
Plan Amendment application is accompanied by
both a Specific Plan Amendment request and a
Zone Change request No. 99-002; the requested
change is from R-1-B-4 (Single Family Residential 1
acre minimum lot size) to R-3 (Multi-Family, Medium
Density) and modification to Sub Area D of the Spe-
cific Plan to permit up to 12 units to the acre consis-
tent with the requested land use and zoning
designations.

The Planning Commission's hearing will take place
in the Conference Room of the Library / City Hall at
1000 Spring Street, Paso Robles, California, at the
hour of 7:30 PM on Tuesday, April 27, 1999, at
which time all interested parties may appear and be
heard.

NOTICE IS ALSO HEREBY GIVEN that the City
Council of the City of El Paso de Robles will hold a
Public Hearing to consider the same three General
Plan Amendment components and referenced Zone
Change and Specific Plan Amendment applications.

The City Council's hearing will take place in the
Conference Room of the Library / City Hall at 1000
Spring Street, Paso Robles, California, at the hour of
7:30 PM on Tuesday, May 18, 1999 at which time all
interested parties may appear and be heard.

As part of the noticed Public Hearings, the City
Council will consider adoption of Negative Declara-
tions of Environmental Impact (statements that there
will be no significant environmental effects) in accor-
dance with the provisions of the California Environ-
mental Quality Act (CEQA). The proposed Negative
Declarations will be available for public review from
Wednesday, April 14 through Tuesday, May 18,
1999. Copies of the staff report and draft Negative
Declaration will be available for the cost of repro-
duction at the Community Development Department,
City Hall, 1000 Spring Street, Paso Robles, CA
93446. Please write to this address or call the Plan-
ning Division at (805) 237-3970 should you have
questions or comments regarding this notice or
related matters.

If you challenge the resolutions or ordinance in
court you may be limited to raising only those issues
you or someone else raised at the public hearing
described in this notice, or in written correspondence
delivered to the Planning Commission and/or City
Council at, or prior to, the noted public hearings.

Meg Williamson, Principal Planner

4-12

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING


Newspaper: TELEGRAM-TRIBUNE

Date of Publication: April 14, 1999

Meeting Date: April 27, 1999
(Planning Commission)
May 18, 1999
(City Council)

Project: General Plan Amendment 2-99
-and- Rezones 99002 and 98006
(Cabrillo Economic Development;
City/Kiessig; Weyrich)

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City of
El Paso de Robles, do hereby certify that this notice is a true
copy of a published legal newspaper notice for the above
named project.

Signed: 
Lonnie Dolan