

TO: James App, City Manager

FROM: Robert A. Lata, Community Development Director *RAL*

SUBJECT: Rezone 99003 (Richard Woodland)

DATE: July 6, 1999

Needs: To consider a proposal by Richard Woodland to rezone a 1.37 acre property from Industrial (PM) to Commercial (C-1,PD) consistent with the property's existing general plan land use designation.

- Facts:
1. The parcel is located between South River Road and Old South River Road, north of Niblick Road and directly adjacent to the PG&E Sub Station.
 2. The existing General Plan Land Use Category (designation) for the parcel is Community Commercial (CC). The existing zoning is Planned Industrial (PM). The proposed zoning designation of C-1PD would bring the site into conformance with the General Plan.
 3. The existing Woodland Plaza I Shopping Center, located across South River Road to the west, has the same General Plan designation as this parcel. The range of uses permitted in the CC and C-1 zoning category are mainly general retail and service in character. A similar pattern of future commercial development as the Woodland Plaza center, with similar uses, could potentially be proposed on this site in the future.
 4. No plans for development of the property have been indicated at this time. Any future development of the site would be subject to separate and independent site development review, including a determination on level of potential environmental impacts.
 5. The proposed Rezone 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.
 6. At its meeting of June 8, 1999, the Planning Commission conducted a public hearing on the rezone application. At that hearing two persons spoke, including the applicant's representative. A suggestion was made by a member of the public to establish a PD overlay designation for the C-1 designation, consistent with the adjoining Woodland Plaza I site. The applicant's representative indicated they had no concern with amending their application to include the PD overlay. The Planning Commission concluded that although there would not likely be a measurable degree of difference on future development of the parcel if a PD overlay was established or not, they recommended that overlay be established for consistency.

7. Following the public hearing, the Planning Commission voted unanimously to recommend that the City Council approve the application and its associated environmental determination. Their motion included the recommendation to add the PD overlay to the C-1 zoning.
8. A revised public notice was published in the newspaper and mailed to surrounding property owners of the addition of the PD overlay.

Analysis and
Conclusion:

The City's 1990 General Plan Land Use Element update, redesignated this triangular piece from an Industrial designation to a Community Commercial designation. The less intensive range of potential land uses permitted within the Community Commercial category were seen as a more appropriate transition to the adjacent single family designated land to the east, than industrial land uses.

This proposal to rezone the land will bring the site into conformance with the General Plan's long range vision for the site. The establishment of the PD overlay with the C-1 designation will be consistent with the adjoining parcels to the west (Woodland Plaza I Center), and will require that future development of the site file for a Planned Development application to be considered by the Planning Commission.

Policy

Reference: General Plan Land Use Element; Zoning Code and California Environmental Quality Act (CEQA).

Fiscal

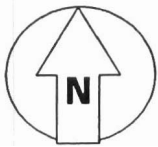
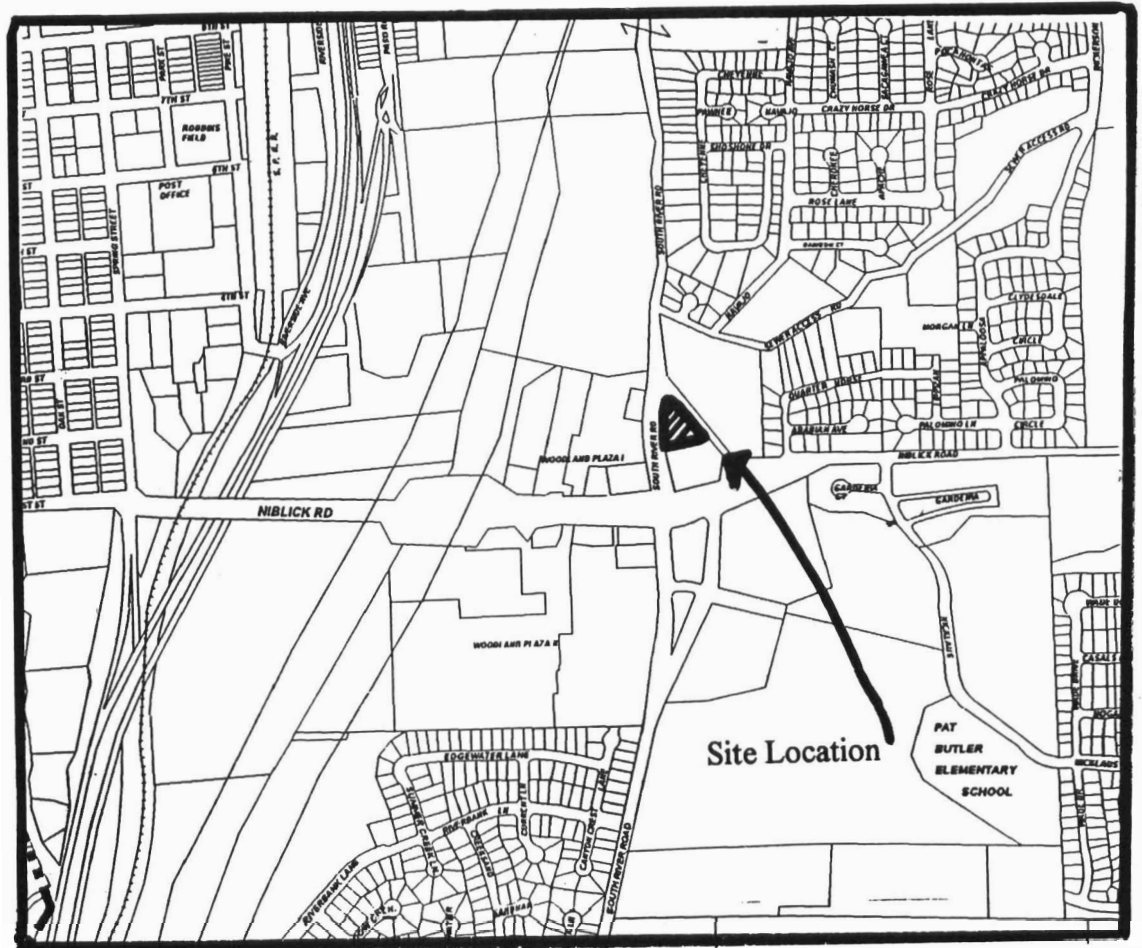
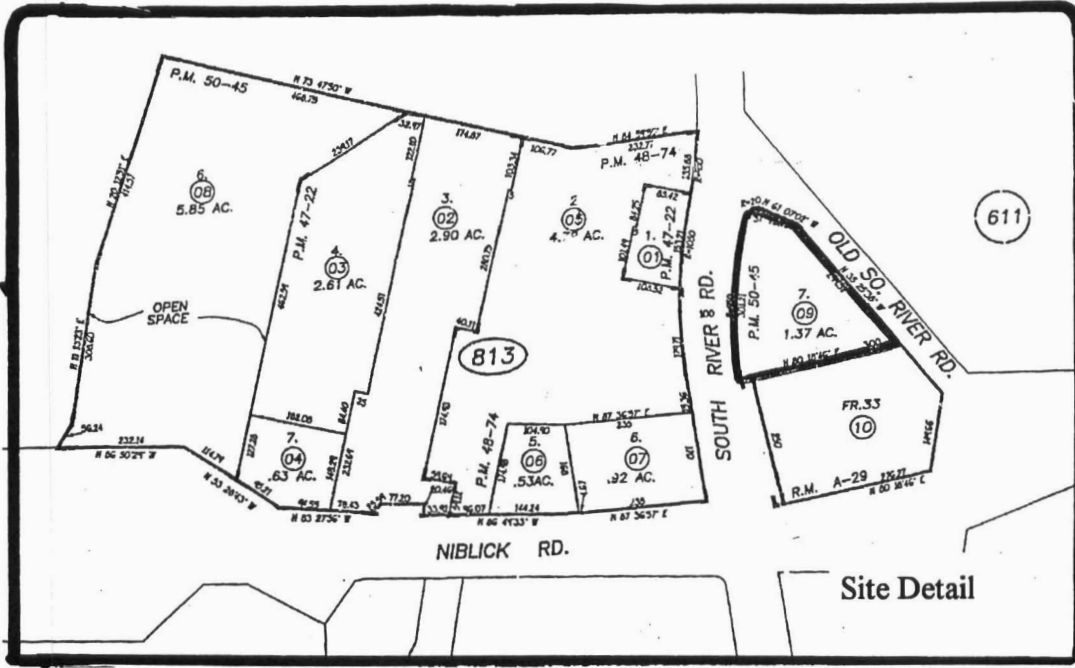
Impact: No fiscal impacts are anticipated in conjunction with this rezone application.

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

- a. (1) Adopt a Negative Declaration for Rezone 99003;
(2) Introduce the attached ordinance amending Section 21.21.020 of the Zoning Code (Title 21), and set July 20, 1999 for adoption ;
- b. Amend, modify or reject the foregoing option.

Attachments:

1. Location Map
2. Existing General Plan map exhibit
3. General Plan - purpose and generally permitted uses for Community Commercial
4. Resolution approving a Negative Declaration for Rezone 99003
5. Ordinance approving Rezone 99003
6. Newspaper and Mail Notice Affidavits



REZONE 99003
(WOODLAND)

LOCATION MAP

TABLE LU-14: COMMUNITY COMMERCIAL (CC) LAND USE CATEGORY

Purpose: To provide a land use category for Commercial centers that serve the City as a whole, such as the historic downtown and

the Williams Bros and Woodland Plaza Centers on the east side of the City.

Generally-Permitted Land Uses: Neighborhood Commercial uses, department stores, drug stores, variety stores, banks, offices, clinics, personal services establishments, and similar uses. Limited numbers of dwelling units may be permitted to enhance security and to reduce vehicle miles traveled.

Population Density: It is expected that the amount of residential uses will not be significant in terms of generating a population density figure.

Building Intensity: One to two story buildings that cover an average of 25 percent of the site, except in the historic downtown where buildings may be three stories and cover up to 100 percent of the site if adequate parking facilities are provided.

TABLE LU-14 FROM CITY'S GENERAL PLAN
(General Purpose and Permitted Land Uses for Community Commercial)

RESOLUTION NO: _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING A NEGATIVE DECLARATION FOR
REZONE 99003 (WOODLAND)

WHEREAS, Richard J. Woodland has filed Rezone 99003 which proposes to change the zoning designation of an approximate 1.37 acre parcel from PM (Planned Industrial) to C-1 (General Retail); and

WHEREAS, the property is located between South River Road and Old South River Road, north of Niblick Road and adjacent to the north of the PG&E Sub Station; and

WHEREAS, the existing General Plan land use category for the site is Community Commercial (CC); and

WHEREAS, this rezone request to C-1 would bring the zoning into conformance with the General Plan; and

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 their being no anticipated intensification of land use for the site; 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 June 8, 1999, and by the City Council on July 6, 1999 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination for the proposed zoning modification; and

WHEREAS, at their meeting of June 8, 1999 the Planning Commission recommended that a Planned Development (PD) overlay be added to the C-1 zoning designation, and

WHEREAS, revised public notice was published in the newspaper and mailed to surrounding property owners of the modified rezone designation for the parcel, and

WHEREAS, the establishment of a PD overlay to the C-1 zoning does not alter the analysis or conclusion of the Initial Study and/or Negative Declaration document prepared and circulated for this project, and

WHEREAS, based on the information contained in the Initial Study prepared for this zoning modification 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 Rezone 99003 in accordance with the California Environmental Quality Act .

PASSED AND ADOPTED THIS 6th day of July, 1999 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DUANE J. PICANCO, MAYOR

ATTEST:

CINDY PILG, DEPUTY CITY CLERK

ORDINANCE NO. ____ N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE ZONING MAP ESTABLISHED BY REFERENCE IN
SECTION 21.12.020 OF THE ZONING CODE (TITLE 21)
(REZONE 99003 - RICHARD J. WOODLAND)

WHEREAS, Richard Woodland has filed an application for Rezone 99003 to rezone an approximate 1.37 acre site from PM (Planned Industrial) to C-1 (General Retail), and

WHEREAS, the property is located between South River Road and Old South River Road, north of Niblick Road and adjacent to the north of the PG&E Sub Station, and

WHEREAS, the existing General Plan land use category for the site is Community Commercial (CC) and

WHEREAS, this rezone request to C-1 will bring the zoning into conformance with the General Plan, and

WHEREAS, at its meeting of June 8, 1999, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed project;
- c. Based on the information contained in the Initial Study prepared for this project, found that there was no substantial evidence that this project would have significant adverse effects on the environment and recommended that the City Council approve a Negative Declaration;
- d. Recommended that the City Council approve the proposed rezone with the addition of a PD (Planned Development) overlay designation; and

WHEREAS, in follow up to the Planning Commission's recommendation to add a Planned Development (PD) overlay designation to the applicant-proposed C-1 zoning, a revised newspaper notice was published and revised mail notice was sent to the required surrounding property owners notifying of this amended rezone designation, and

WHEREAS, at its meeting of July 6, 1999, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendation of the Planning Commission;
- c. Conducted a public hearing to obtain public testimony on the proposed project;

- d. Based on the information contained in the Initial Study prepared for this project, found that there was no substantial evidence that this project would have significant adverse effects on the environment and approved a Negative Declaration.

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This rezone is consistent with the City's General Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit A.

SECTION 2. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 4. Inconsistency. To the extent that the terms of provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on July 6, 1999, and passed and adopted by the City Council of the City of El Paso de Robles on the 20th day of July, 1999 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

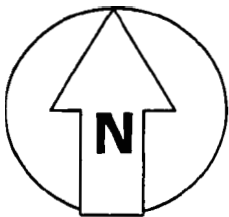
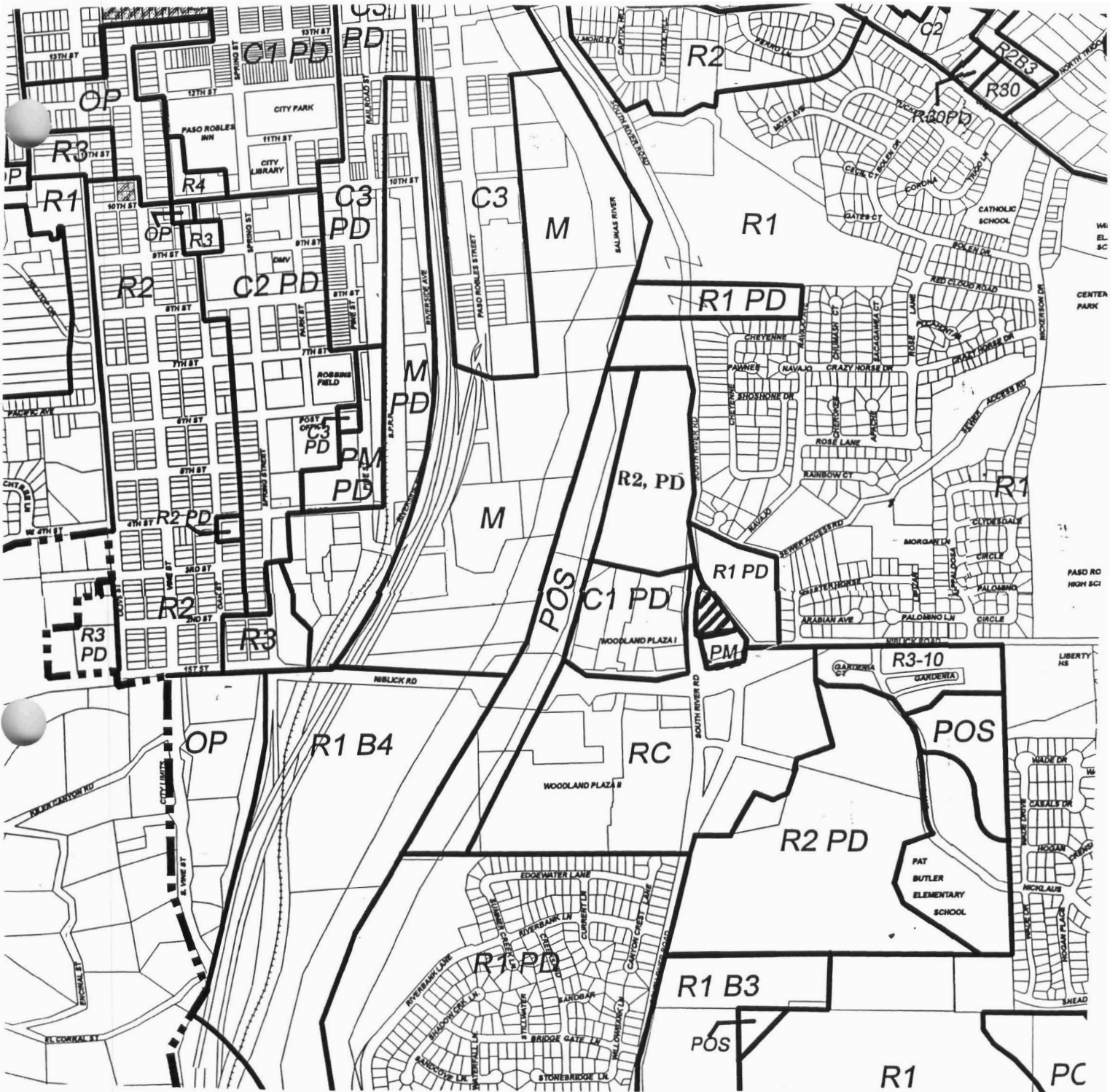
ABSTAINING:

Duane J. Picanco, Mayor

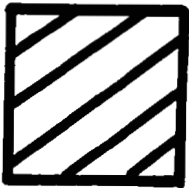
ATTEST:

Cindy Pilg, Deputy City Clerk

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**REZONE 99003
(Woodland)**



REZONE FROM P-M TO C-1,PD

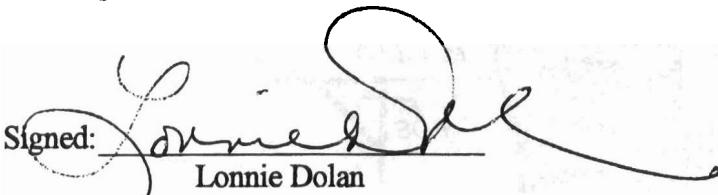
**AFFIDAVIT
OF MAIL NOTICES**

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 Rezone 99003 Amended Notice (Woodland) for the meeting on July 6, 1999 (City Council)

Mailed on this 22nd day of June 1999


City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

PROOF OF PUBLICATION
LEGAL NEWSPAPER NOTICES
PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: TELEGRAM-TRIBUNE
Date of Publication: June 16, 1999
Meeting Date: July 6, 1999
(City Council)
Project: Rezone 99003 (Woodland)

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

forms/newsaffi.691

AMENDED OF
PUBLIC HEARING
OF
TO ADOPT NEGATIVE
DECLARATION

NOTICE IS HEREBY
GIVEN that the City
Council of the City of El
Paso de Robles will hold
a Public Hearing to con-
sider adoption of Neg-
ative Declaration and
approval of Rezone
99003, filed by Richard
Woodland. A previous
legal notice for this
project had been posted
on May 19, 1999.

The original application
proposed to change the
zoning of a 1.37 acre
parcel from PM (Planned
Industrial) to C1 (General
Commercial) to be con-
sistent with the present
General Plan land use
designation for the prop-
erty which is Community
Commercial. The prop-
erty is located on the
east side of South River
Road, adjacent to Old
South River Road, north
of the PG and E Substa-
tion and north of Niblick
Road.

The Planning Commis-
sion held a public hear-
ing on this request at
their meeting of June 8,
1999 and made recom-
mendations to the City
Council that a Planned
Development (PD) Over-
lay be added to the
requested C1 zoning.
This public notice is not-
fication of the recom-
mended amended appli-
cation that is schedu-
ed to be heard by the City
Council.

The City Council hearing
will take place in the
Conference Room of the
Library / City Hall at 1000
Spring Street, Paso Rob-
les, California, at the
hour of 7:30 PM on
Tuesday, July 6, 1999, at
which time all interested
parties may appear and
be heard.

As previous public notifi-
cation had stated, the
City Council will consider
adoption of a Negative
Declaration of Environ-
mental Impact (statement
that there will be no sig-
nificant environmental
effects) in accordance
with the provisions of the
California Environmental
Quality Act (CEQA). The
proposed Negative Decla-
ration is available for
public review through
Tuesday, July 6, 1999.

Copies of the staff report
and draft Negative Decla-
ration will be available
for the cost of reproduc-
tion at the Community
Development Depart-
ment, City Hall, 1000
Spring Street, Paso Rob-
les, CA 93446. Please
write to this address or
call the Planning Division
at (805) 237-3970 should
you have questions or
comments regarding this
notice or related matters.

If you challenge the

resolution or ordinance
in court, you may be lim-
ited to raising only those
issues you or someone
else raised at the public
hearing described in this
notice, or in written cor-
respondence delivered
to the City Council at, or
prior to, the noted public
hearing.

Meg Williamson, Princi-
pal Planner
June 16, 1999 5161461