

TO: James L. App, City Manager

FROM: Robert A. Lata, Community Development Director *(initials) for RAL*

SUBJECT: General Plan Amendment 4-99 - Part 1 of 2, and Rezone 99009 (Smith and Smith)

DATE: November 16, 1999

Needs: To consider a proposal, filed by the Paul and Ernest Smith Trusts (Smith and Smith), to change the General Plan Land Use Category and Zoning Designation for an approximate 4-acre portion of a larger 34-acre site.

- Facts:
1. The site is located at the northeastern corner of Highway 46 East and Old Paso Robles Boulevard, west of Airport Road and the Huerhuero Creek.
  2. The existing General Plan land use designation is AG (Agriculture). The existing zoning is R-A, PD (Residential Agriculture with a planned development overlay). The applicant proposes to change these Agricultural designations to Commercial Service (CS) with a correlating zoning of C-2,PD.
  3. The modification would result in the single 34-acre parcel being under one common general plan and zoning designation. No development is proposed at this time.
  4. The General Plan Amendment portion of this request is part of the fourth cycle of the 1999 amendments to the City's Land Use Element. This is part one of that two-part general plan amendment.
  5. The Planning Commission at their meeting of October 26, 1999, recommended that the City Council approve this general plan and rezone request, along with an associated negative declaration environmental determination. The Commission's recommendation action passed on a unanimous 6-0 vote (Commissioner Finigan absent). The applicant's representative, Ed King, was the only public comment received.
  6. Attached for the Council's information is the staff report and materials prepared for and considered by the Planning Commission at their October 26, 1999 meeting.

Analysis and

Conclusion:

There are several reasons why the proposed land use and zoning modification would appear to have merit:

- The modification would establish consistent zoning across the entire 34-acre parcel;
- As an isolated 4-acre agricultural parcel, the parcel has minimal practical value for agricultural operations;
- A commercial designation would increase the likelihood of uniform frontage and intersection improvements at this location.

The Planning Commission's unanimous recommendation to the City Council to approve the applicant's modification request was based on these noted factors.

Policy

Reference: California Environmental Quality Act (CEQA); General Plan Land Use Element; Zoning Code and Borkey Area Specific Plan and its EIR/SEIR.

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 and Rezone applications;
  - (2) Adopt the attached resolution granting approval to General Plan Amendment 4-99 which includes this component as part 1 of a 2 part general plan amendment;
  - (3) That the City Council introduce the attached Ordinance Amending Section 21.21.020 of the Zoning Code (Title 21) to establish C2,PD zoning for the site, and set December 7, 1999 for adoption;
- b. Amend, modify or reject the foregoing option.

Attachments:

1. Location Map
2. Resolution approving a Negative Declaration for General Plan Amendment 4-99 (Part 1 of 2), and Rezone 99009
3. Resolution approving the General Plan Amendment 4-99 (Part 1 of 2) to CS
4. Ordinance modifying the Zoning to a C2,PD designation
5. Staff Report prepared for October 26, 1999 Planning Commission meeting
6. Newspaper and Mail Notice Affidavits

h:\meg\1999\gpa and rz\cycle 4-99\smith\cc report

RESOLUTION NO. 99-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING A NEGATIVE DECLARATION FOR  
GENERAL PLAN AMENDMENT 4-99 (PART 1) AND REZONE 99009  
(SMITH AND SMITH)

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WHEREAS, Paul Smith and Ernest Smith Trusts have filed the following applications:

- General Plan Amendment 4-99, Part 1 of 2, to change the land use category on an approximate 4 acre portion of a 34 acre parcel from AG (Agriculture) to CS (Commercial Service);
- Rezone 99009 to rezone an approximate 4 acre portion of a 34 acre parcel from RA, PD (Residential Agricultural, Planned Development Overlay) to C2,PD (Highway Commercial, Planned Development Overlay); 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 related to the scale of the request and its relation to the larger 34 acre piece to which this portion is a part; 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 October 26, 1999, and by the City Council on November 16, 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 rezone; and

WHEREAS, based on the information contained in the Initial Study prepared for this land use and rezone, 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 4-99 (part 1 of a 2 part general plan amendment) and Rezone 99009, in accordance with the California Environmental Quality Act .

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 16th day of November, 1999, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Duane Picanco, Mayor

ATTEST:

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Sharilyn Ryan, Deputy City Clerk

RESOLUTION NO. 99-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES  
APPROVING GENERAL PLAN AMENDMENT 4-99

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WHEREAS, the following applications to amend the Land Use and Circulation Elements were filed as parts of General Plan Amendment 4-99:

1. **Smith and Smith - HWY 46 East and Old Paso Robles Boulevard:** An application filed by the Paul Smith and Ernest Smith Trusts to change the General Plan Land Use Category for a portion of an approximate 34 acre site located on the northeast corner of Highway 46 East and Old Paso Robles Boulevard, west of Airport Road. The existing General Plan Land Use Category for the site is Agriculture (AG). This part of the General Plan Amendment proposal is to amend the AG (Agriculture) land use designation to CS (Commercial Service) consistent with the remaining portion of the 34 acre site that is under the same ownership.
2. **Jerry Handley - 3505 Spring Street:** An application filed by Jerry Handley to change the General Plan Land Use Category for an approximate 34,000 square foot parcel located at 3505 Spring Street. The existing General Plan land use category for the eastern portion of the site (approximately 17,000 square feet) is Commercial Service (CS) and is proposed to be changed to Residential Multiple Family - Medium Density (RMF-M). The General Plan Amendment request includes proposed Land Use Element text revisions that would establish policy in support of creating residential densities consistent with an existing neighborhood pattern when converting commercial uses and when findings can be made that the project would result in greater community benefit.

WHEREAS, at its meeting of October 26, 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 public hearings 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;

WHEREAS, at its meeting of November 16, 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), and "B" (Part 2).

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of El Paso de Robles, California, to amend the Land Use Element's Table LU-9 (Residential Multiple Family, Medium Density) Land Use Category Text as shown in Exhibit "C," to permit minor changes in permitted residential density when converting commercial uses and when findings can be made that such minor increases in density would result in a greater community benefit.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 16th day of November, 1999, by the following vote:

AYES:

NOES:

ABSTAIN:

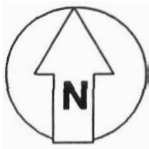
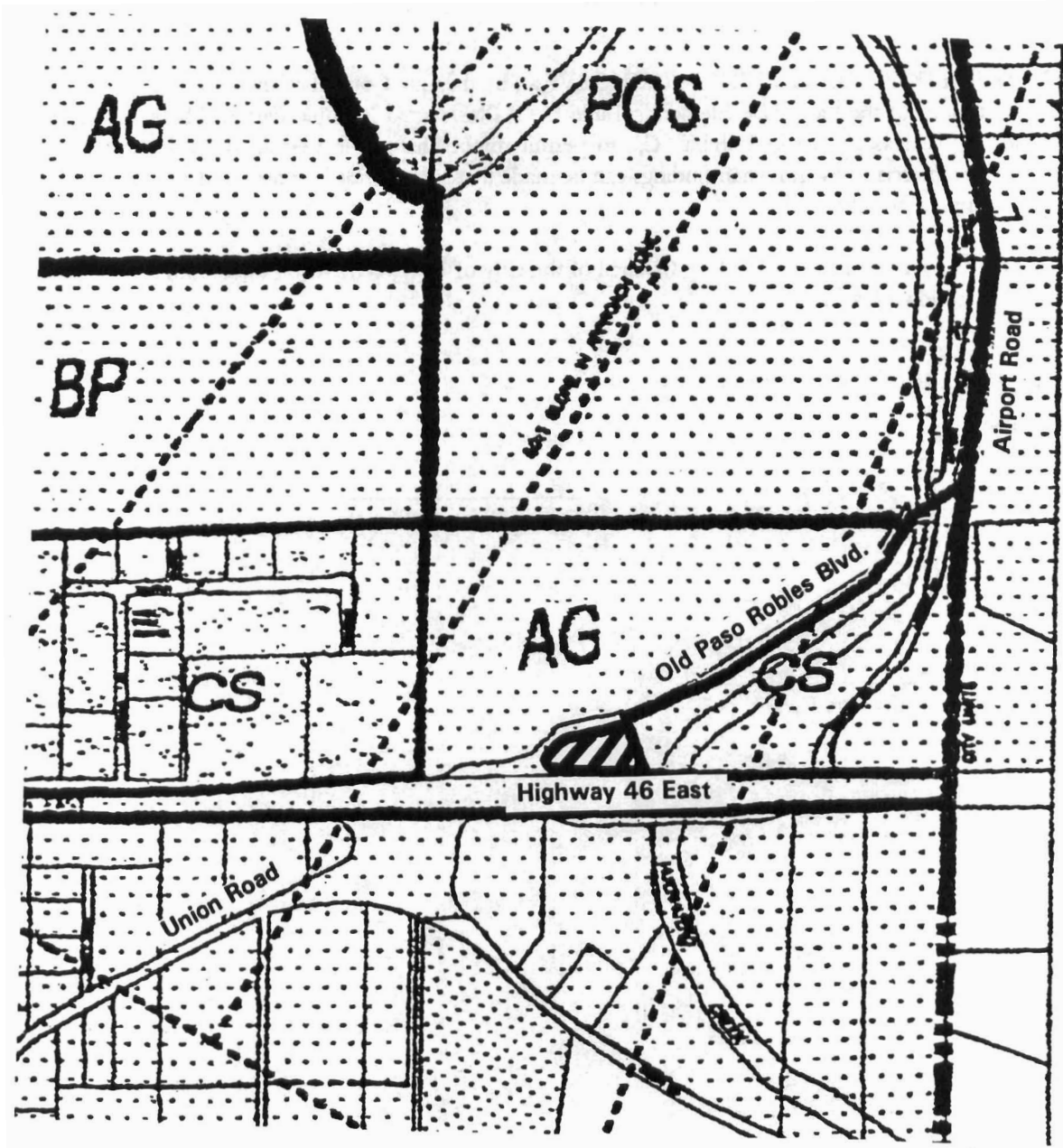
ABSENT:

\_\_\_\_\_  
Duane Picanco, Mayor

ATTEST:

\_\_\_\_\_  
Sharilyn Ryan, Deputy City Clerk

EXHIBIT A



Change the Land Use Designation of a portion of a 34 acre parcel from AG (Agriculture) to CS (Commercial Service)

EXHIBIT B



Change the Land Use Designation of the eastern 17,000 square feet of 3505 Spring Street from CS (Commercial Service) to RMF-M (Residential Multiple Family – Medium Density)

**EXHIBIT C  
GPA 4-99 (Part 2)**

Page LU-26 of the Land Use Element of the City of El Paso de Robles' General Plan shall be amended as follows with amended Text shown in Bold and Italicized font.

**TABLE LU-9: RESIDENTIAL MULTIPLE FAMILY, MEDIUM DENSITY (RMF-M) LAND USE CATEGORY**

Purposes:

- o To provide multiple family residential neighborhoods consisting of buildings with four or more dwelling units at densities up to 12 dwelling units per acre.
- o To provide multi-family development on sites that can accommodate increased density.
- o To meet the needs of persons seeking rental housing units, at various price levels;
- o To provide housing in close proximity to schools, shopping, and other services, including public transit;
- o To provide a transition zone between single family residential neighborhoods and higher traffic areas.

Generally-Permitted Land Uses: Single family residential housing, multiple family housing, churches, schools and radio broadcasting studios.

Population Density Anticipated:

- a. Minimum Lot Size: Minimum lot size will be the same as those prescribed for the Residential Multiple Family-Low (RMF-L) land use category.
- b. Maximum Dwelling Unit Density: The maximum permissible density is one and a half (1½) dwelling units (du) for every 4,000 square feet of net lot area, with a density cap of 12 du/acre. The City may establish lower maximum densities, on an individual site basis, based on hillside development ordinance and discretionary review requirements (e.g. subdivision maps and Planned Developments or their equivalents). The same restrictions on net lot area for the RMF-L category apply to the RMF-M category. *The City may also permit minor changes in permitted residential density above the stated 12 du/acre when converting commercial uses and when findings can be made that such minor increases in density would result in a greater community benefit (e.g. less intensive use of a site, improved residential neighborhood compatibility, and elimination of blight).*

Within the 20 year planning period, on the west side of the City, where the vast majority of the land in the RMF-M category is already subdivided into 7,000 square foot lots, it is expected that 50% of the land will be developed to its maximum capacity (i.e., that many lots will remain developed with only 1 or 2 du's) and that the expected dwelling unit density yield would be 6 du/acre (12 du/acre x 0.5).

Within the 20 year planning period, on the east side of the City, where there are several large vacant lots in the RMF-M category, it is expected that 75% of the land will be developed to its maximum capacity (i.e., that hillsides, oak woodlands and flood zones will reduce density) and that the expected dwelling unit density yield would be 9 du/acre (12 du/acre x 0.75).



c. Expected Population Density:

(1) West Side: 15.4 persons/acre (2.57 persons/du x 6);

(2) East Side: 23.1 persons/acre (2.57 persons/du x 9).

Building Intensity Anticipated: It is expected that dwellings will consist of attached and detached dwellings that are one to two stories in height and generally range between 600 and 1,500 square feet in area (excluding any garages or carports) and that the lot coverage will range between 25 and 40 percent.

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 99009 – SMITH AND SMITH)

WHEREAS, in conjunction with General Plan Amendment 4-99 (Part 1 of a 2 part General Plan Amendment), Paul Smith and Ernest Smith Trusts (Smith and Smith) have filed an application for Rezone 99009 to rezone an approximate 4 acre site (which is a portion of a larger approximate 34 acre parcel) from R-A, PD to C-2, PD; and

WHEREAS, the subject parcel being requested for rezone is located at the northeast corner of Highway 46 East and Old Paso Robles Boulevard, west of Airport Road; and

WHEREAS, at its meeting of October 26, 1999, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project (general plan amendment and rezone);
- b. Conducted a public hearing to obtain public testimony on the proposed project;
- c. Recommended that the City Council approve the proposed rezone; and

WHEREAS, at its meeting of November 16, 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 recommended that the City Council approve a Negative Declaration;
- e. Adopted a resolution to approve General Plan Amendment 4-99, of which this application is the Part 1 component, which enables Rezone 99009 to be in conformance with the General Plan;

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearings, 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 November 16, 1999, and passed and adopted by the City Council of the City of El Paso de Robles on the 7th day of December, 1999 by the following roll call vote, to wit:

AYES:

NOES:

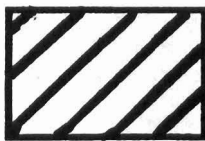
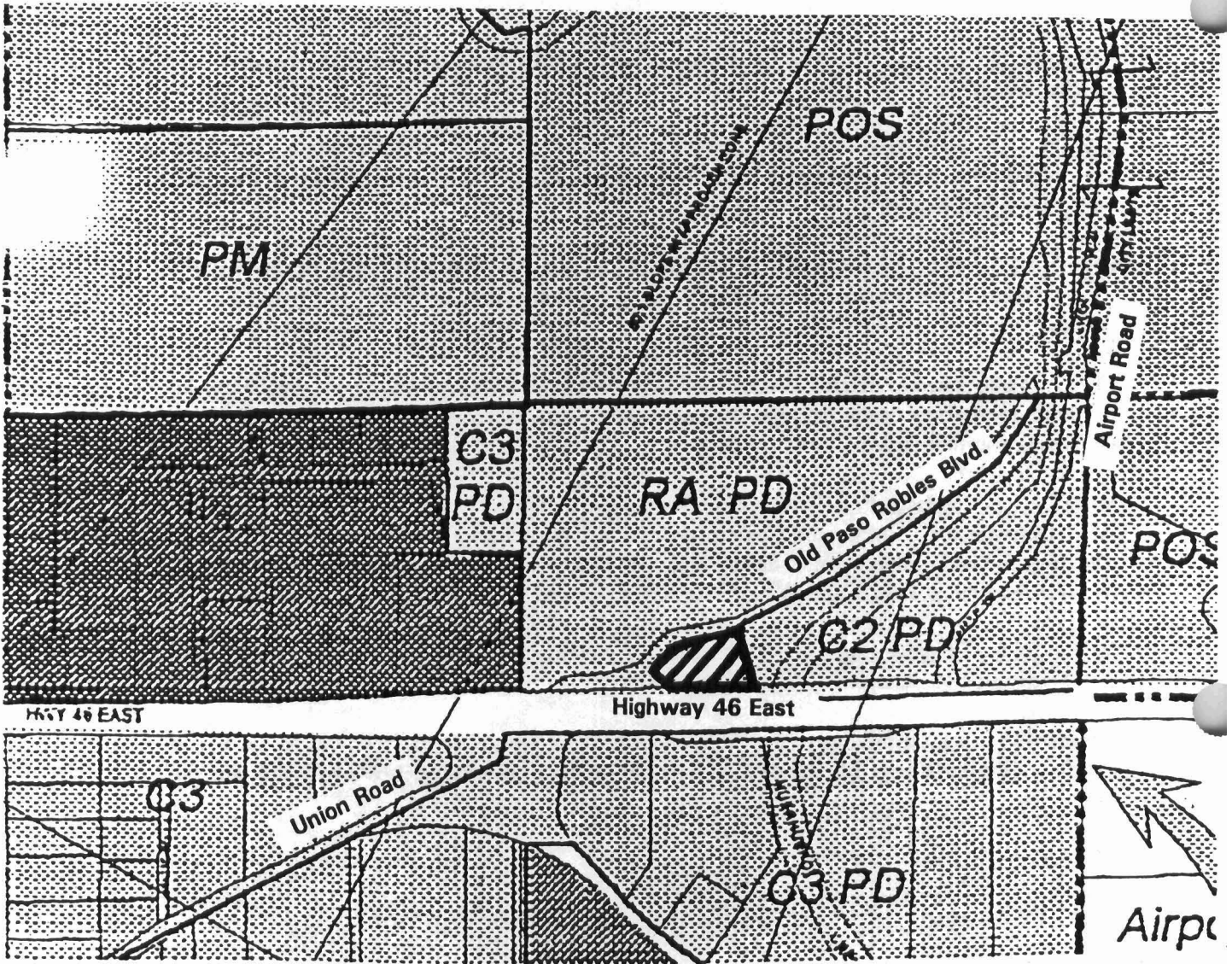
ABSTAIN:

ABSENT:

\_\_\_\_\_  
Duane Picanco, Mayor

ATTEST:

\_\_\_\_\_  
Sharilyn Ryan, Deputy City Clerk



Modifying the Zoning of a portion of a 34 acre parcel from R-A,PD (Residential Agriculture, Planned Development Overlay) to C-2,PD (Highway Commercial, Planned Development Overlay)

DATE: 10/26/99 AGENDA ITEM # \_\_\_\_\_  
( ) APPROVED ( ) DENIED  
( ) CONTINUED TO \_\_\_\_\_

TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

*by (mm)*

SUBJECT: GENERAL PLAN AMENDMENT (GPA 4-99 - PART 1 OF 2) AND REZONE 99009  
(SMITH AND SMITH)

DATE: OCTOBER 26, 1999

Needs: To consider and make recommendations to the City Council regarding a proposal, filed by the Paul Smith and Ernest Smith Trusts, to change the General Plan Land Use Category and Zoning Designation for an approximate 4 acre portion of a larger 34 acre site.

- Facts:
1. The subject site is located on the northeast corner of Highway 46 East and Old Paso Robles Boulevard, west of Airport Road. The 4-acre site proposed for modification is located at the western tip of the larger 34-acre parcel. The 34-acre parcel crosses over both the Huerhuero Creek and Airport Road.
  2. The existing General Plan land use designation for the approximate 4-acre site is AG (Agriculture). The existing zoning is R-A, PD (Residential Agriculture with a planned development overlay). The 4-acre site is a part of a larger, single 34-acre parcel of which approximately 30 acres is designated for Commercial development (CS/C2, PD).
  3. The applicant proposes to modify the General Plan land use designation to Commercial Service (CS), with correlating zoning proposed as C2, PD (Highway Commercial). This modification to the 4-acre piece would result in the single 34-acre parcel being under common general plan and zoning designations.
  4. No development is proposed at this time. Any future proposal to develop and/or establish a use for this site would be subject to independent review and analysis in accordance with applicable codes.
  5. The attached letter, dated August 10, 1999 from the applicant's representative indicates that when the Smiths' had rezoned this property to commercial under the County's jurisdiction in 1987, that the intent was to rezone the entire 34.4-acre site. It appears the County's action was to establish a commercial designation for the entire 34-acre piece. However, the County's record maps conflicted with that action and showed this approximate 4-acre site remaining in Agriculture.
  6. When this property was annexed to the City as part of Annexation #69 in 1990, the County's zoning designations (as shown on their record maps) remained intact.

7. Consultation with the City Attorney over the status of a mapping error concluded that the only means accessible to the applicant to "correct" the 1987 County's action was to process a General Plan Amendment and Rezone.
8. The proposed General Plan Amendment and Rezoning applications are 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 applications.
9. The western portion of this site proposed for commercial designation has frontage on Old Paso Robles Boulevard and takes access from Highway 46 East. Future development and use of this parcel will involve careful analysis of the adequacy in design of that intersection to handle a future commercial user. The design needs of the intersection could vary depending on whether the proposed use is a low or high traffic generator (e.g. mini storage versus fast food). The nature of a future user will determine what, if any, changes to the intersection will occur.

Analysis and  
Conclusion:

The applicant's proposal to modify this portion of the 34-acre parcel to commercial will not in and of itself have associated impacts at this time. There are several reasons that the applicant's request would seem appropriate:

- The approximate 34-acre site is under a single ownership. The majority of the project site is currently zoned for commercial use. This modification would establish consistent zoning across the entire parcel.
- The approximate 4-acre portion being requested for change from Agriculture to Commercial is presently isolated from surrounding agriculturally zoned parcels. It is separated by Old Paso Robles Boulevard from agriculture to the northwest, and separated by the Huerhuero Creek and Airport Road from agriculturally zoned parcels on the east side of Airport Road. As such, this relatively small parcel has minimal practical value for agricultural operations.
- The project site has frontage on Highway 46 East, and takes access from an existing intersecting road at Highway 46 (Old Paso Robles Boulevard). This available highway frontage, combined with the parcel's proximity (and direct connection) to property already zoned for commercial use, makes a commercial designation logical. A commercial designation would increase the likelihood of uniform frontage and intersection improvements at this location.

All adjacent land area on the south side of Old Paso Robles Boulevard has a commercial land use and zoning designation. This modification would make the zoning consistent for this geographic area and for this single parcel.

Policy

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

Fiscal

Impact: No fiscal impacts are anticipated in conjunction with the scale of this land use and zoning modification based on the continued requirement for new development to off set associated impacts through the payment of impact fees.

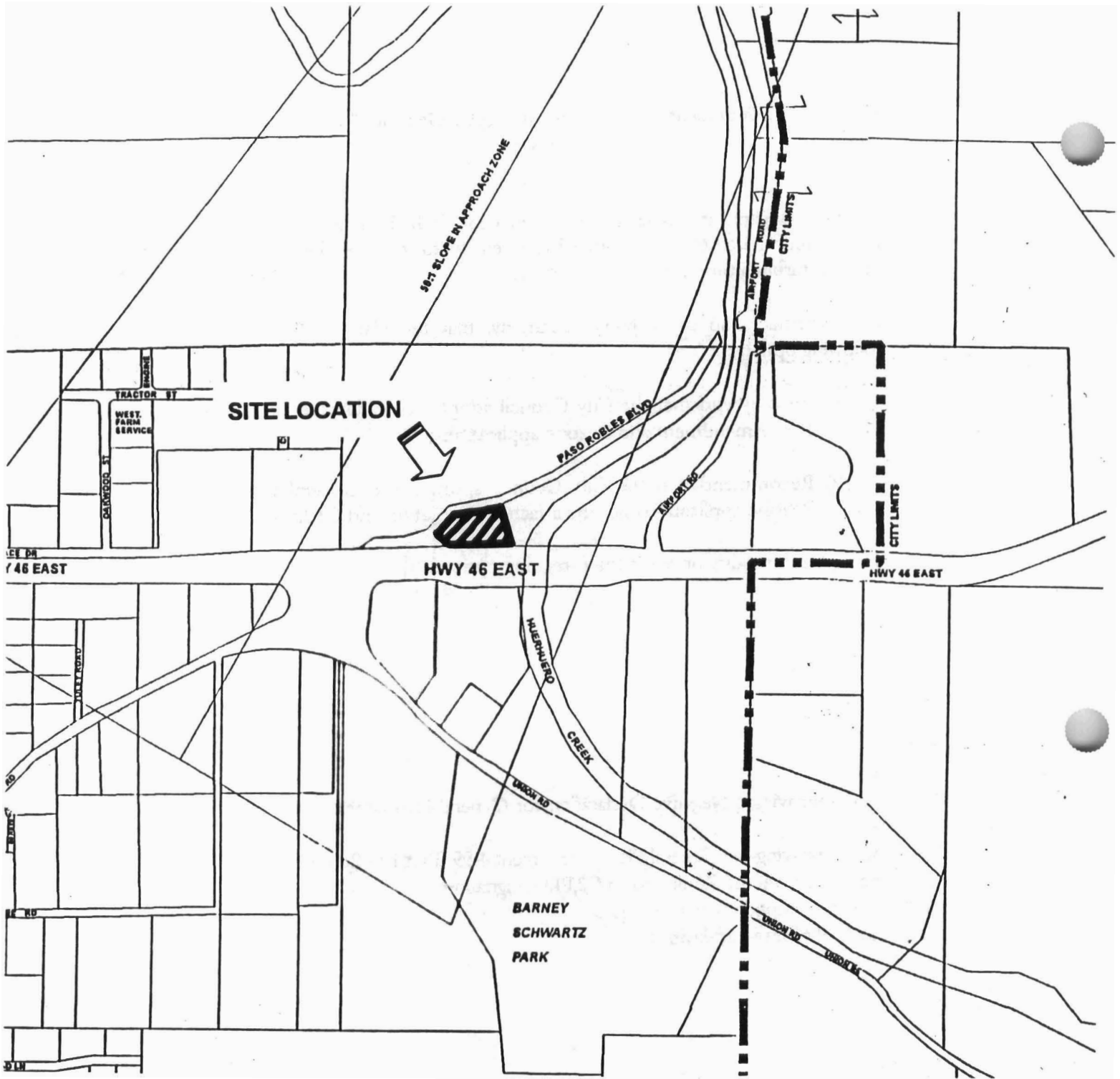
Options: After consideration of all public testimony, that the Planning Commission consider the following options:

- a. (1) Recommend that the City Council adopt a Negative Declaration for the General Plan Amendment and Rezone applications;
- (2) Recommend that the City Council approve the General Plan Amendment and Rezone applications per the attached Resolution and Ordinance;
- b. Amend, modify or reject the foregoing option.

Attachments:

1. Location Map
2. Parcel Exhibit
3. Draft Resolution approving a Negative Declaration for General Plan Amendment 4-99 (Part 1 of 2) and Rezone 99009
4. Draft Resolution approving the General Plan Amendment 4-99 (Part 1 of 2) to CS
5. Draft Ordinance modifying the Zoning to an C2,PD designation
6. Applicant's project description/letter of request
7. Newspaper and Mail Notice Affidavits

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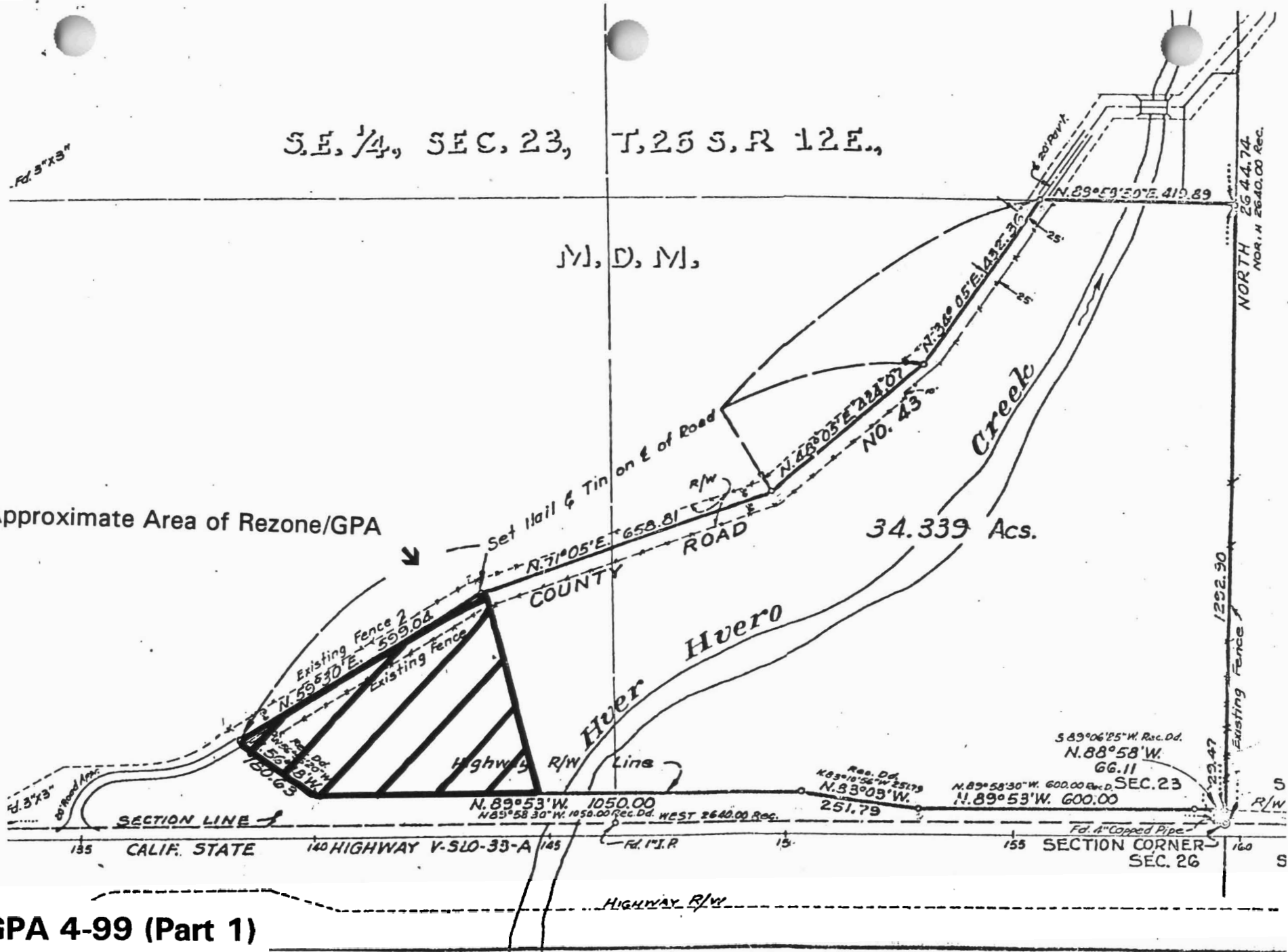


Fd. 3"x3"

S.E. 1/4, SEC. 23, T.25 S. R. 12 E.,

M. D. M.

Approximate Area of Rezone/GPA



34.339 Acs.

**GPA 4-99 (Part 1)**  
**REZONE 99009**  
**SMITH AND SMITH**

2-1-

RECEIVED

AUG 11 1999

**EMK&Associates, Inc.**

Engineers • Surveyors • Planners

99-503  
August 10, 1999

City of Paso Robles Planning Dept.  
Attn: Ms. Meg Williamson  
1000 Spring St.  
Paso Robles, CA 93446

Re: Smith and Smith Zone map change APN 025-431-023 ptn.

Dear Meg:

Enclosed you will find an application from Ernie and Paul Smith to correct the zoning designation on their property at the intersection of Airport Road and Highway 46 East. I have also enclosed a copy of the staff report and resolution when the County originally changed the zoning designation in 1987. The intent at that time was to rezone the entire parcel to Commercial Retail. The Staff report lists the site area as 34.4 acres; however, the Exhibit shows the most Westerly tip of the parcel separated from the remainder. The enclosed copy of 6 RS 105 shows the acreage of the parcel as 34.4 acres. There was no reason for this. There was no discussion regarding having a split zoning on this parcel.

It is our understanding that when the City annexed all this area, the Countys designations were to remain intact. It appears that this is just a mapping error that occurred when the County originally changed the zoning. This application is to correct this mistake and get the zoning on the entire parcel designated C2PD.

Enclosed are the following:

1. Application form
2. Check # 2376 by EMK \$800.00 application fee
3. APN map
4. 6 RS 105
5. Copies of County rezone information 1987

Please let me know if you need any additional information.

Sincerely,



Tobey T. Osgood  
Cc: E Smith

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper: THE TRIBUNE

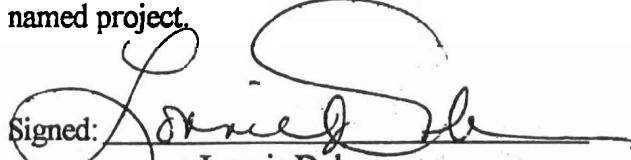
Date of Publication: October 6, 1999

Meeting Date: October 26, 1999  
(Planning Commission)

Project: General Plan Amendment 4-99: a Two-Part Amendment to the Land Use Element of the City of Paso Robles General Plan; Zone Changes 99009 (Smith and Smith) and 99010 (Handley); Planned Development 99026 and Parcel Map PR 99-068 (Handley)

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

dance with the provisions of the California Environmental Quality Act (CEQA). The proposed Negative Declarations will be available for public review from Wednesday, October 6, 1999. Copies of the staff report and draft Negative Declarations will be available for the cost of reproduction at the Community Development Department, City Hall, 1000 Spring Street, Paso Robles, 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 resolutions or ordinances 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  
Oct. 6, 1999

5186383

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

General Plan Amendment 4-99  
A Two-Part Amendment to the Land Use Element  
of the City of Paso Robles General Plan;  
Zone Changes 99009 (Smith and Smith) and  
99010 (Handley);  
Planned Development 99026 and Parcel Map  
PR 99-068 (Handley)

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider making recommendations regarding adoption of Negative Declarations and approval of a two (2) part General Plan Amendment (Land Use Element). The two component parts, both of which are also subjects of Zone Change requests, and one of which is also the subject of a Planned Development and Parcel Map request, are described as follows:

1. Smith and Smith - HWY 46 East and Old Paso Robles Boulevard: A proposal to change the General Plan Land Use Category for a portion of an approximate 34 acre site located on the northeast corner of Highway 46 East and Old Paso Robles Boulevard, west of Airport Road. The existing General Plan Land Use Category for the site is Agriculture (AG); the existing zoning is R-A,PD (Residential Agriculture, Planned Development Overlay). This General Plan Amendment proposal is to amend the AG (Agriculture) land use designation to CS (Commercial Service) consistent with the remaining portion of the 34 acre site that is under the same ownership. The accompanying application Rezone 99009 is a proposal to change the RA,PD zoning to C-2,PD (Highway Commercial, Planned Development Overlay) consistent with the General Plan Amendment request.

2. Jerry Handley - 3505 Spring Street: A proposal to change the General Plan Land Use Category for an approximate 34,000 square foot parcel located at 3505 Spring Street. The existing General Plan land use category for the eastern portion of the site (approximately 17,000 square feet) is Commercial Service (CS) and is proposed to be changed to Residential Multiple Family - Medium Density (RMF-M). The existing zoning for that same eastern portion of the site is C2 (Highway commercial), and Rezone 99010 proposes to modify the zoning to R-4,PD (Residential Multiple Family, Planned Development Overlay) consistent with the remainder of the parcel to the west and the surrounding neighborhood block.

An accompanying Planned Development request (PD 99026) and Parcel Map PR 99-068 propose to divide the parcel equally and to construct five (5) new multiple family units on the western parcel, and to remodel the existing commercial use on the eastern parcel to include a total of eight (8) units (six of the units are existing and two units are proposed to be created through remodel of the commercial portion of an existing building). The General Plan Amendment request includes proposed Land Use Element text revisions that would establish policy in support of creating residential densities consistent with an existing neighborhood pattern when converting commercial uses and when findings can be made that the project would result in greater community benefit.

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, October 26, 1999, at which time all interested parties may appear and be heard. The Planning Commission's action will be final in the absence of an appeal with regards to the Planned Development and Parcel Map applications. All other actions will be recommendations to the City Council.

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 two General Plan Amendment components and referenced Zone Change 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, November 16, 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 Declarations of Environmental Impact (statements that there will be no significant environmental effects) in accordance with the provisions of the California Environmental Quality Act (CEQA).

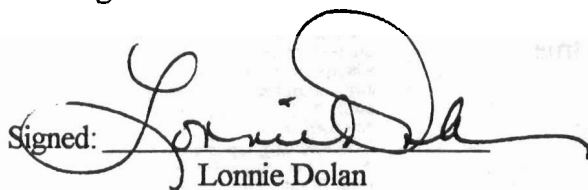
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**AFFIDAVIT  
OF MAIL NOTICES**

**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 General Plan Amendment 4-99 (Part 1) - and- Rezone 99009 (Smith & Smith). Mailed on this 13th day of October 1999

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Lonnie Dolan

forms\mailaffi.691