

TO: JAMES L. APP, CITY MANAGER
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: PUBLIC HEARING TO CONSIDER PROTESTS AND
TO ORDER CONCLUSION OF ANNEXATION
PROCESS (AIRPORT AREA ANNEXATION – No. 76)
DATE: MARCH 7, 2000



Needs: For the City Council to receive and consider any protests to the conclusion of the Airport Area Annexation (Annexation No. 76 to the City of Paso Robles).

- Facts:
1. On January 20, 2000, the Local Agency Formation Commission (LAFCO) approved the subject annexation.
 2. Based on LAFCO's approval, the City of Paso Robles has been authorized to complete subsequent proceedings for the annexation.
 3. Pursuant to direction from LAFCO, all property owners within the proposed annexation area have been provided with written notice of the City Council meeting of March 7, 2000 as an opportunity to file any protest of the proposed annexation. Public notice of the hearing was also published.
 4. At the public hearing, the City Council is required to hear and receive all oral and written protest. Based on the amount of protest filed and not withdrawn by resident voters or landowners, the Council shall act to either (a) order the boundary change without an election, (b) order the boundary change subject to confirmation by the voters; or (c) deny the boundary change.

Analysis
and
Conclusion:

The scheduled protest hearing is the last step in the annexation process. Unless protests are received from a sufficient number of registered voters or landowners, the City Council shall approve the annexation.

The thresholds for protests are as follows:

- If less than 25 percent of the registered voters or landowners protest, the conducting authority orders the boundary change;
- If between 25 percent and 49 percent of the registered voters or landowners protest, the City Council must approve the boundary changes, but the proposal must also go to an election for voter approval;

- If 50 percent or more of the registered voters or landowners protest, the City Council must terminate the boundary change and the proposal fails.

Based on the petition received in support of the annexation, it is anticipated that any protest would be less than 25 percent.

Policy

Reference: Local Agency Formation Commission polices; California Government Code

Fiscal

Impact: None related to the protest hearing.

Options:

- a. That the City Council hear and receive all oral and written protest, and assuming the number of protests is less than 25 percent of the voters and landowners from the proposed annexation area, that the Council pass the attached Resolution ordering the boundary change without an election
- b. Amend, modify or reject Option "a".

h:\bob\60\lafco\airport area annexation\rpt re protest 7 Feb 00

RESOLUTION NO. 00-

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ORDERING TERRITORY DESIGNATED AS THE
AIRPORT AREA ANNEXATION (NO. 76)
ANNEXED TO THE CITY OF PASO ROBLES

WHEREAS, the Local Agency Formation Commission (LAFCO) of the County of San Luis Obispo adopted its Resolution No. 2000-3 on January 20, 2000, making determination and approving the proposed annexation to the City of Paso Robles regarding the territory described in Exhibit "A", attached hereto and incorporated herein by this reference; and

WHEREAS, the proposed annexation will allow the City to grow in a logical and orderly manner consistent with its General Plan, will generate sufficient revenues to adequately pay for the provision of City services to the area, and will provide the City with significant benefits, including but not limited to land uses that are now and will in the future be consistent with the City's Economic Development Strategy; and

WHEREAS, this City Council certifies that a Negative Declaration of environmental impact has been adopted and approved for the Agriculture (AG) pre-zoning of the subject property and at such time as any alternative land uses are requested that all provisions of the California Environmental Quality Act (CEQA) will be complied with prior to the granting of any additional entitlement; and

WHEREAS, LAFCO has authorized the City of Paso Robles to conduct subsequent proceedings; and

WHEREAS, the City of Paso Robles has provided written notice to all property owners within the territory encompassed by the subject annexation, providing an opportunity to express any protest to the annexation and identifying the City Council meeting of March 7, 2000 as the deadline to file said protest; and

WHEREAS, at the City Council meeting of March 7, 2000 the City Council did not receive a combination of written and verbal protests in sufficient quantity to provide grounds for the Council to take any action other than to order the boundary change without an election.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Paso Robles that the City Council hereby orders the territory described in Exhibit "A" annexed without the need for an election, and directs the Deputy City Clerk to transmit a certified copy of this resolution with any applicable fees required by Section 54902.5 of the Government Code to the Executive Officer of the Local Agency Formation Commission of San Luis Obispo County.

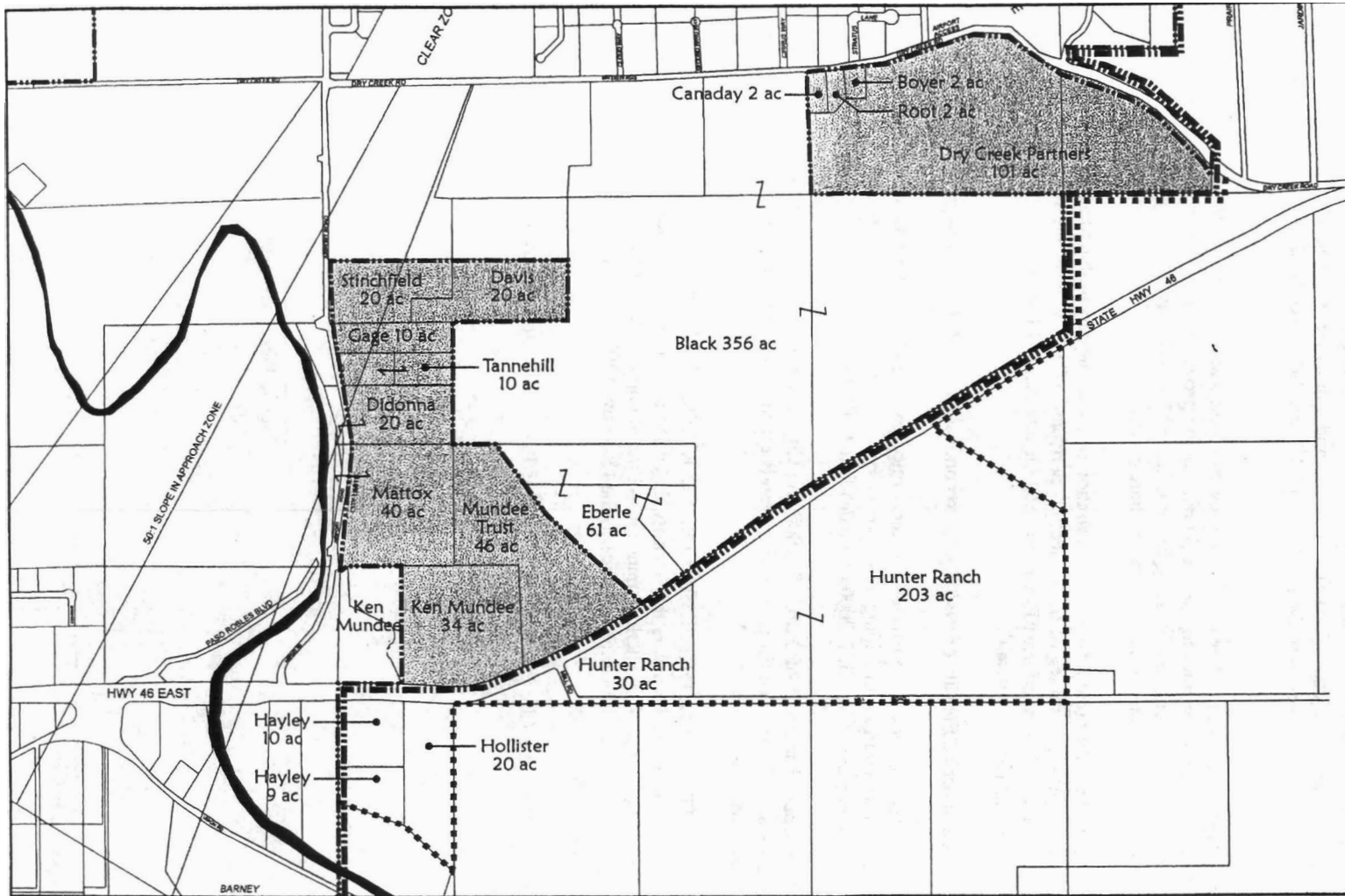
PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7th day of March 2000 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:





Duane Picanco, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk



LEGEND

-  Parcels for Proposed Annexation
-  Existing City Limit
-  Proposed City Limit
-  Existing Sphere of Influence

Airport Area Annexation - Ownerships & New Annexation Boundary



November 12, 1999



K&M DYCK GROUP
Los Angeles • Dallas • San Francisco

EXHIBIT "A"

EXHIBIT _____ / ATTACHMENT TO RES/ORD # _____

PAGE _____ OF _____

**NOTICE OF PUBLIC HEARING
AIRPORT AREA ANNEXATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider all oral and written protests to the Airport Area Annexation. This public hearing is a follow-up to the Local Agency Formation Commission (LAFCO) approval of the Airport Area Annexation (Annexation No. 76 to the City of Paso Robles, Airport Areas A and B); the LAFCO approval occurred on January 20, 2000. This process is pursuant to Government Code Section 57000 et seq.

This hearing will take place in the Community Room of the Paso Robles Library / City Hall, 1000 Spring Street, Paso Robles, California 93446, at the hour of 7:30 PM on Tuesday, March 7, 2000, at which time all interested parties may appear and be heard.

Please contact Bob Lata or Meg Williamson at (805) 237-3970 should you have any questions regarding this notice or the related annexation process.

If you challenge the 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 City Council at, or prior to, the public hearing.

Bob Lata, Community Development Director

PLEASE PUBLISH 1 TIME ON WEDNESDAY, FEBRUARY 2, 2000

h:\lafco\airport area annex\ccphnot 31 Jan 00



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

To: PROPERTY OWNERS, AIRPORT AREA ANNEXATION

Subject: NOTICE OF PUBLIC HEARING, AIRPORT AREA ANNEXATION

Date: JANUARY 31, 2000

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider all oral and written protests to the Airport Area Annexation. This public hearing is a follow-up to the Local Agency Formation Commission (LAFCO) approval of the Airport Area Annexation (Annexation No. 76 to the City of Paso Robles, Airport Areas A and B); the LAFCO approval occurred on January 20, 2000. This process is pursuant to Government Code Section 57000 et seq.

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Bob Lata, Community Development Director

h:\lafco\airport area annex\cc notice to property owners 31 Jan 00

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

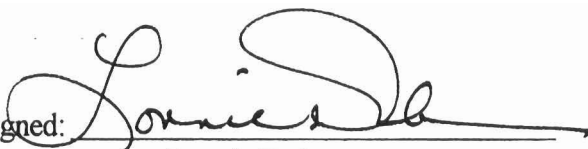
Newspaper: THE TRIBUNE

Date of Publication: February 9, 2000

Meeting Date: March 7, 2000
(City Council)

Project: To consider all oral and written
Protests to the Airport Area
Annexation (No. 76)

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

NOTICE OF
PUBLIC HEARING
AIRPORT AREA
ANNEXATION
PRIVATE
NOTICE IS HEREBY
GIVEN that the City
Council of the City of El
Paso de Robles will hold
a Public Hearing to con-
sider all oral and written
protests to the Airport
Area Annexation. This
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follow-up to the Local
Agency Formation Com-
mission (LAFCO) ap-
proval of the Airport
Area Annexation (An-
nexation No. 76 to the
City of Paso Robles, Air-
port Areas A and B); the
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occurred on January 20,
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Please contact Bob Lata
or Meg Williamson at
(805) 237-3970 should
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process.
If you challenge the
ordinance in court, you
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only those issues you or
someone else raised at
the public hearing
described in this notice,
or in written correspon-
dence delivered to the
City Council at, or prior
to, the public hearing.
Bob Lata, Community
Development Director
Feb. 9, 2000 5247296

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 Airport Area Annexation (No. 76) Airport Areas A & B Mailed on this 1st day of February, 2000, to each property owner in Areas A & B.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan

forms\mailaffi.691