

TO: JAMES L. APP, CITY MANAGER

FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN AMENDMENT 003-001, LEVEL OF SERVICE (LOS)
DESIGNATION, HIGHWAY 46 WEST / 101 INTERCHANGE
(COMPONENT 1 OF 2)

DATE: MAY 6, 2003

Needs: For the City Council to consider the Planning Commission's recommendation to Amend the General Plan Amendment to modify the Level of Service (LOS) standard for the Highway 101/46 West Interchange area until the interchange can be reconstructed. This is the first component of a two-part General Plan Amendment.

Facts:

1. Long-term improvements to the Highway 46 West / 101 interchange are being addressed through preparation of a Project Study Report (PSR). The goal is to have a finalized PSR by the end of calendar year 2003.
2. The PSR is anticipated to propose that long-term improvements be installed in three phases (west side, east side, and the bridge in the center), based on relative need and to spread the costs over time. Unless City-wide General Plan standards change, the longer-term goal is to return to LOS "C".
3. It is anticipated to be at least 5 to 10 years before even the first phase of the long-term improvements to the interchange (the west side) can be completed. In the meantime there is a need to address both traffic congestion and traffic safety through interim improvements.
4. Interim improvements would consist of measures to improve traffic flow through the interchange, and also extending the length of the southbound off-ramp of Highway 101.
5. As proposed, pending new developments within the City's jurisdiction would be responsible for funding both interim improvements estimated at \$585,000 and also participating in the cost of long-term improvements being planned through the PSR.
6. At their meeting of February 18, 2003, the City Council unanimously supported a motion to direct staff to initiate a General Plan Amendment to address the LOS standard for the subject interchange.
7. The General Plan Amendment proposal is to modify the General Plan LOS standard "C" to "D" for a limited geographic area and for an interim period of time. This change in LOS standard would allow pending developments to proceed in conjunction with them funding the interim improvements to the interchange and off-ramp.

8. Attached is a map that illustrates the geographic area and the limited number of properties within the City that could accommodate new development proposals.
9. At the Planning Commission meeting of April 22, 2003, the Commission unanimously recommended approval of this proposed General Plan Amendment. Commitments from participating property owners to proceed with interim improvements are pending Council action on the General Plan Amendment.

**Analysis and
Conclusion:**

The PSR is designed to address “long-term” improvement needs at the Highway 46 West / 101 Interchange. The process is underway to address the long-term needs, but there are shorter-term congestion and safety concerns that can be addressed by interim improvements projected to cost about \$585,000:

- The interchange is currently operating at Level of Service (LOS) “D” during peak hour traffic conditions. There are traffic control and design modifications that can improve the efficiency of the interchange; and
- The southbound off-ramp is not long enough. There are repeated reports of a line of vehicles queuing onto Highway 101, creating safety concerns.

There are now eight (8) pending developments within City boundaries that cannot proceed without either a change to the General Plan LOS or an EIR with Statements of Overriding Circumstances. Allowing these and other pending developments within the City to proceed has a two-fold advantage:

1. The property owners are obligating themselves to participate in the funding of the long-term improvements; and
2. The property owners would also provide funding estimated at \$585,000 for the interim improvements. The developers of these projects have been advised that the City would not grant certificates of occupancy unless the interim improvements are in place.

What are the related factors?

- The interchange is currently at LOS “D”;
- Denying new development projects on the limited number of vacant parcels in the City will not improve the LOS or address the off-ramp safety concerns;
- Without interim improvements to the interchange and off-ramp, congestion through the interchange and the ramp safety concerns will continue to get worse because of development activity in the County unincorporated area and regional traffic growth;
- LOS “D” is both the Caltrans standard and also the basis for the 1997 Cooperative Agreement with the County and SLOCOG;

- The proposed change to LOS “D” would only be for this interchange area and would only be for the interim period until the longer-term improvements to the interchange can be addressed;
- The interim period before the long-term improvements could be funded and constructed is anticipated to be at least 5 to 10 years, not unlike the expectation the City had for the Niblick Bridge widening project;
- The number of properties that could potentially develop within the City are relatively limited. There is considerably more long-term potential growth in traffic from County and regional sources;
- LOS “D” will only occur at peak hour times.

In summary, approving an interim designation of LOS “D” for the subject interchange would allow developments to proceed. These developments would be obligated to pay for both interim improvements to address congestion and safety, and also participate in the funding of longer-term improvements that would be spelled out in the PSR.

To not permit pending developments in the City to proceed would encourage further development projects in the County and not address either the interim or long-term improvement needs of the interchange.

Policy

Reference: General Plan; Cooperative Agreement with Council of Governments

Fiscal

Impact: None; mitigation measures would be funded by benefiting property owners.

Options:

Subject to consideration of public testimony, that the City Council consider the following options:

- a. Approving the General Plan Amendment as recommended by the Planning Commission by taking the following two steps:
 - (1) Approve Resolution No. 03-xx adopting a Negative Declaration for component No. 1 of General Plan Amendment 2003-001 and;
 - (2) Approve Resolution No. 03-xx that would include component No. 1 as a part of General Plan Amendment 2003-001; this component would modify the City’s LOS standard for an interim period and only for the Highway 46 West / 101 interchange area. The change in

standard would be from “C” to “D” and the interim period would be until a Project Study Report is adopted and implemented in a manner designed to address traffic needs for the subject interchange. Project specific considerations would be deferred to the Planning Commission and staff would seek participation agreements that would insure that the set of feasible short-term mitigation measures, including extension of the southbound Highway 101 off-ramp, would be implemented.

- b.** Amend, modify or reject the foregoing options.

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RESOLUTION NO. 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING GENERAL PLAN AMENDMENT 003-001, A TWO-PART GENERAL PLAN
AMENDMENT REGARDING TRAFFIC LEVEL OF SERVICE FOR HIGHWAY 46 WEST/
101 AND OFFICE PROFESSIONAL LAND USE DESIGNATION FOR PROPERTY
LOCATED ON OAK STREET BETWEEN 8TH AND 9TH STREETS

WHEREAS, the following applications to amend the Land Use Element were filed as parts of General Plan Amendment 003-001:

1. **Level of Service (LOS) Standard (Component 1):** A City-initiated General Plan Amendment (Land Use and Circulation) to consider modifying the General Plan's Level of Service (LOS) standard for traffic movement, as an interim measure that would apply only to the area in and around the intersection of Highway 46 West and Highway 101. The proposal is to adopt LOS "D" as the interim standard, which would apply until the subject interchange is reconstructed. In the absence of any other policy decisions, the goal would be to return to LOS "C" as the standard for this geographic area.
2. **Office Professional Land Use Designation (Component 2):** A General Plan Amendment (Land Use) application filed by Jennifer Langstaff to provide for an "Office Professional" overlay designation on property located between 8th and 9th Streets, bounded by Oak Street on the east and the alley on the west. Along with the General Plan Amendment is a related Zone Change to provide for an Office Professional Zoning Overlay and a Conditional Use Permit to establish a professional office use at the NW corner of 8th and Oak Streets. The street address of the subject property is 565 8th Street and the Assessor Parcel Number is 009-144-014. If approved, the General Plan Amendment and Zone Change would permit professional offices as a conditionally approvable land use within the designated area. The General Plan Amendment and Zone Change would not impact the current land uses or the ability of a property owner to establish new residential land uses in conjunction with the existing Multi-Family, Low Density land use designation and R-2 Zone.

WHEREAS, at its meeting of April 22, 2003, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this amendment;
- b. Conducted public hearings to obtain public testimony on the parts of this amendment;
- c. Considered public testimony from all parties;
- d. Based on the information contained in the initial study prepared for the Chandler Ranch component, the Planning Commission unanimously found that there was no substantial evidence that approval of this portion of the amendment would have significant adverse effects on the environment and recommended that the City Council approve Negative Declarations for this component;

WHEREAS, at its meeting May 6, 2003, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this amendment, including the recommendations of the Planning Commission;
- b. Conducted a public hearing to obtain public testimony on this amendment;
- c. 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 this General Plan 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 text of the General Plan Land Use and Circulation Elements in the manner shown on the attached Exhibit "A" (Component 1), and amend the Land Use Element Map (page LU-74) to provide an "Office Professional" overlay area as illustrated in Exhibit "B" (Component 2).

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 6th day of May 2003 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

RESOLUTION NO. 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
GRANTING NEGATIVE DECLARATION STATUS FOR COMPONENT 1 OF
GENERAL PLAN AMENDMENT 003-001: HIGHWAY 46 WEST / 101
TRAFFIC LEVEL OF SERVICE (CITY INITIATED)

WHEREAS, the City Council of the City of Paso Robles has an adopted goal of establishing Paso Robles as the North County commercial retail center, including providing adequate sites for regional commercial development; and

WHEREAS, the intersection of Highways 46 West and 101 is an area of the City that is designated for regional commercial development and which is in need of both interim and long-term physical improvements to facilitate both traffic flow and to address traffic safety concerns; and

WHEREAS, in order to permit development that will provide a funding mechanism for the needed interim traffic flow and safety improvements to the interchange of Highways 46 West and 101, the City has initiated a General Plan Amendment (Land Use and Circulation) which proposes to consider a change to the Level of Service (LOS) standard for the subject intersection area; said LOS change would be for an interim period of time until longer term plans can be made and funded for a substantial improvement to the subject interchange; and

WHEREAS, the resulting LOS change would be from "C" to "D", which is an acceptable Level of Service Standard in areas under jurisdiction of the California Department of Transportation and which is further consistent with the acceptable Level of Service standard specified in a cooperative agreement between the City of Paso Robles, San Luis Obispo Council of Governments and County of San Luis Obispo; and

WHEREAS, an Initial Study was prepared for this project, a copy of which is attached; 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 22, 2003 and by the City Council on May 6, 2003 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination; and

WHEREAS, based on the information contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the City Council finds no substantial evidence that there would be a significant impact on the environment if the application were approved.

NOW, THEREFORE, BE IT RESOLVED, that based on the City Council's independent judgment, the City Council of the City of El Paso de Robles does hereby approve a Negative Declaration for this component of General Plan Amendment 2003-001, in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 6th day of May 2003 by the following vote:

AYES:

NOES:

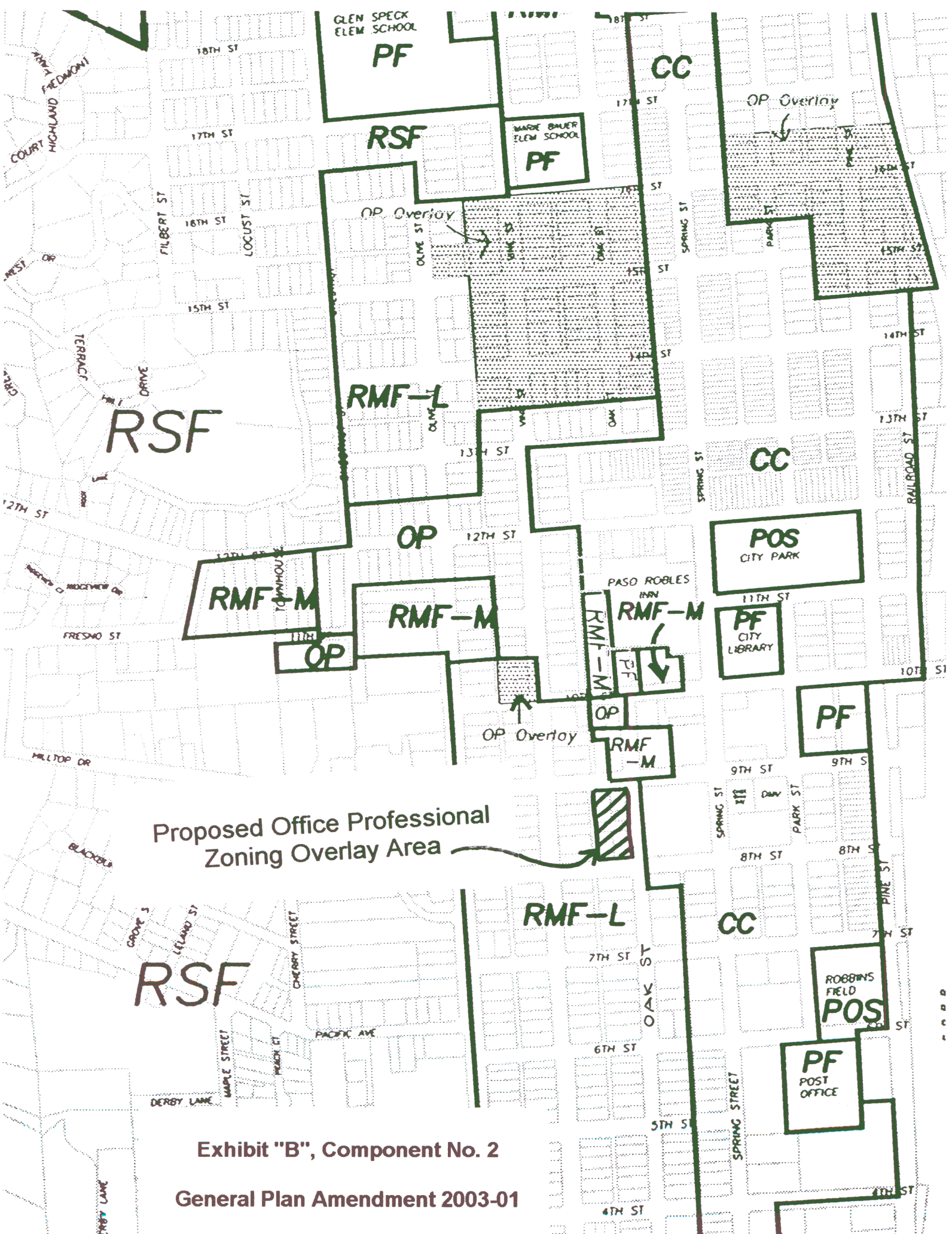
ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk



Proposed Office Professional
Zoning Overlay Area

Exhibit "B", Component No. 2

General Plan Amendment 2003-01

GENERAL PLAN AMENDMENT 2003-01

EXHIBIT FOR COMPONENT NO. 1 (LEVEL OF SERVICE)

Modify Policy ENV-2 of the Land Use Element on page LU-97 to read as follows:

“Program: Improve street and intersection capacities via Circulation Element policies and programs, including traffic flow improvements (i.e., proper signalization, road construction, road widening) for intersections with LOS at D or below, with the following exception: For an interim period (until a longer-term traffic improvement is designed, funded and implemented), and contingent upon implementing all feasible and reasonable interim improvements (e.g. traffic signalization, lengthening of off-ramps, other physical intersection modifications), a LOS standard of “D” shall be acceptable for the intersection of Highways 46 West and 101 and the immediate area.”

Modify Circulation Element text on page 7 of the Circulation Master Plan (CMP) of the Circulation Element to read as follows:

“As shown on Figure CE-3, circulation corridor improvements to both State Route 46 and the City street system will be required to obtain and then maintain Level of Service (LOS) “C” travel conditions within and through the City of Paso Robles, with the following exception: For an interim period (until a longer-term traffic improvement is designed, funded and implemented), and contingent upon implementing all feasible and reasonable interim improvements (e.g. traffic signalization, lengthening of off-ramps, other physical intersection modifications), a LOS standard of “D” shall be acceptable for the intersection of Highways 46 West and 101 and the immediate area. Street corridors requiring circulation improvements between 2000 and 2025 include the following:”

Modify Circulation Element text on page 17 of the Circulation Master Plan (CMP) of the Circulation Element to read as follows:

“The City considers level “C” to be acceptable for average daily traffic including peak hour traffic and levels “D”, “E” and “F” as indicating a need for actions to reduce impacts. Exception: For an interim period (until a longer-term traffic improvement is designed, funded and implemented), and contingent upon implementing all feasible and reasonable interim improvements (e.g. traffic signalization, lengthening of off-ramps, other physical intersection modifications), a LOS standard of “D” shall be acceptable for the intersection of Highways 46 West and 101 and the immediate area.”

Exhibit "A"

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper: Press

Date of Publication: March 26, 2003

Meeting
Date: April 22, 2003
(Planning Commission)
May 6, 2003
(City Council)

Project: General Plan Amendment 03-001, Zone Change 03-001 and Conditional Use Permit 03-003 (Traffic movement in and around the intersection of Hwys 46 west and 101.)

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
Lonnie Dolan

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**NOTICE OF PUBLIC
HEARINGS;
NOTICE OF INTENT TO
ADOPT NEGATIVE DEC-
LARATION**

General Plan Amendment
2003-001
A Two Part Amendment to
the Land Use and
Circulation Elements
of the City of Paso Robles
General Plan
and Zone Change 2003-
001/Conditional Use Permit
2003-003 (Applicant:
Langstaff,)
for a Professional Office at
565 8th Street

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 / Circulation Elements), accompanied by a related Zone Change and Conditional Use Permit. Part 1: A City initiated General Plan Amendment (Land Use and Circulation) to consider modifying the General Plan's Level of Service (LOS) standard for traffic movement, as an interim measure that would apply only to the area in and around the intersection of Highway 46 West and Highway 101. The proposal is to adopt LOS "D" as the interim standard which would apply until the subject interchange is reconstructed. In the absence of any other policy decisions, the goal would be to return to LOS "C" as the standard

for this geographic area. Part 2: A General Plan Amendment (Land Use) application filed by Jennifer Langstaff to provide for an "Office Professional" overlay designation on property located between 8th and 9th Streets, bounded by Oak Street on the east and the alley on the west. Along with the General Plan Amendment is a related Zone Change to provide for an Office Professional Zoning Overlay and a Conditional Use Permit to establish a professional office use at the NW corner of 8th and Oak Streets. The street address of the subject property is 565 8th Street and the Assessor Parcel No. is 009-144-014. If approved, the General Plan Amendment and Zone Change would permit professional offices as a conditionally approvable land use within the designated area. The General Plan Amendment and Zone Change would not impact the current land uses or the ability of a property owner to establish new residential land uses in conjunction with the existing Multi-Family, Low Density land use designation and R-2 Zone.

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 22, 2003 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 two-part General Plan Amendment and referenced Zone Change application. 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 6, 2003 at which time all interested parties may appear and be heard.

As part of the noticed Public Hearing, the City Council will consider adoption of Negative Declaration

of Environmental Impacts (statements that there be no significant environmental effects) in accordance with the provisions of the California Environmental Quality Act (CEQA). The proposed Negative Declaration be available for public review from March 20, 2003 through April 2, 2003. Copies of the report and draft Negative Declaration will be made available for the cost of reproduction at the Community Development Department City Hall, 1000 Spruce Street, Paso Robles, 93446. Please write address or call the Planning Division at 237-3970 should you have questions or comments regarding this notice related matters. If you challenge the findings in court, you are limited to raising or issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or the City Council. At the public hearing, Bob Lata, Community Development Director. Pub: 3/26/2003. Paso Robles Press: Legal #9724.

**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 General Plan Amendment 03-001, Zone Change 03-002, and Conditional Use Permit 03-003 (Langstaff), on this 8th day of April 2003.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____

Lonnie Dolan