

TO: JAMES L. APP, CITY MANAGER
FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: REZONE 05-007 (CITY INITIATED)
DATE: MARCH 21, 2006

Needs: To consider a City initiated application to add Planned Development Overlay Zoning (PD) to the existing R1 zoned property located at the northeast corner of Charolais Road and South River Road, to allow reduced lot sizes which would provide for additional right of way for future improvements at the Charolais Road and South River Road intersection.

Facts:

1. The existing General Plan Land Use designation of the 2.47-acre site is RSF-2 (Residential Single Family, two units per acre). The existing zoning is R1, B3 (Residential Single Family, 20,000 square foot minimum lot size). It would appear that the 2.5-acre site could be subdivided into 5 half-acre lots.
2. The City has the need to make modifications to the Charolais and South River Road intersection that may involve dedication of additional right of way from this 2.47-acre site.
3. By providing PD Overlay zoning, the Planning Commission will have the flexibility to allow lot sizes less than 20,000 square feet, which would provide additional property for the future intersection improvement, while still providing the potential for 5 lots.
4. Although PD Overlay would allow reduced lot sizes, it would not result in an increase of density where the developer could request additional lots.
5. The Planning Commission at their hearing on February 28, 2006, on a 6-0 vote (Commissioner Mattke was absent) recommended that the City Council approve the Rezone request. (Draft Planning Commission Minutes Attached)
6. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study, a determination has been made that the Project qualifies for issuance of a Negative Declaration.

Analysis and Conclusion: Improvements to the Charolais Road and River Road intersection have been determined to be necessary. At this time a plan-line for future intersection improvements have not been adopted. A round-about is being looked at as the preferred solution. The round-about however will require dedication for future intersection designs especially to design around existing oak trees.

Tentative Tract 2796 has been submitted by Gene Barre to subdivide the 2.47-acre site into 5 lots ranging in size from 20,000 square feet to 25,000 square feet. Prior to scheduling the subdivision map for Planning Commission review, City Staff initiated Rezone 05-007 in order to establish PD Overlay over the site. By adding the Overlay, it would allow the ability for reduced lot sizes to be established while also meeting the right of way needs of the City.

Policy

Reference: California Environmental Quality Act (CEQA); General Plan Land Use and Circulation Elements; Zoning Ordinance.

Fiscal

Impact: By allowing reduced lot sizes the City can request additional dedication with a subdivision of the property at no additional cost to the City.

Options: After considering the information and analysis presented and the public testimony received, the City Council will be asked to select one of the following options:

- a. (1) Adopt Resolution No. 06-xx adopting a Negative Declaration for the Rezone 05-007 application;
- (2) Introduce for first reading Ordinance XXX N.S. approving Rezone 05-007 that would add Planned Development Overlay Zoning over an existing 2.47 acre R1-B3 zoned site; and set April 4, 2006, as the date for adoption of said Ordinance.
- b. Amend, modify, or reject the foregoing options.

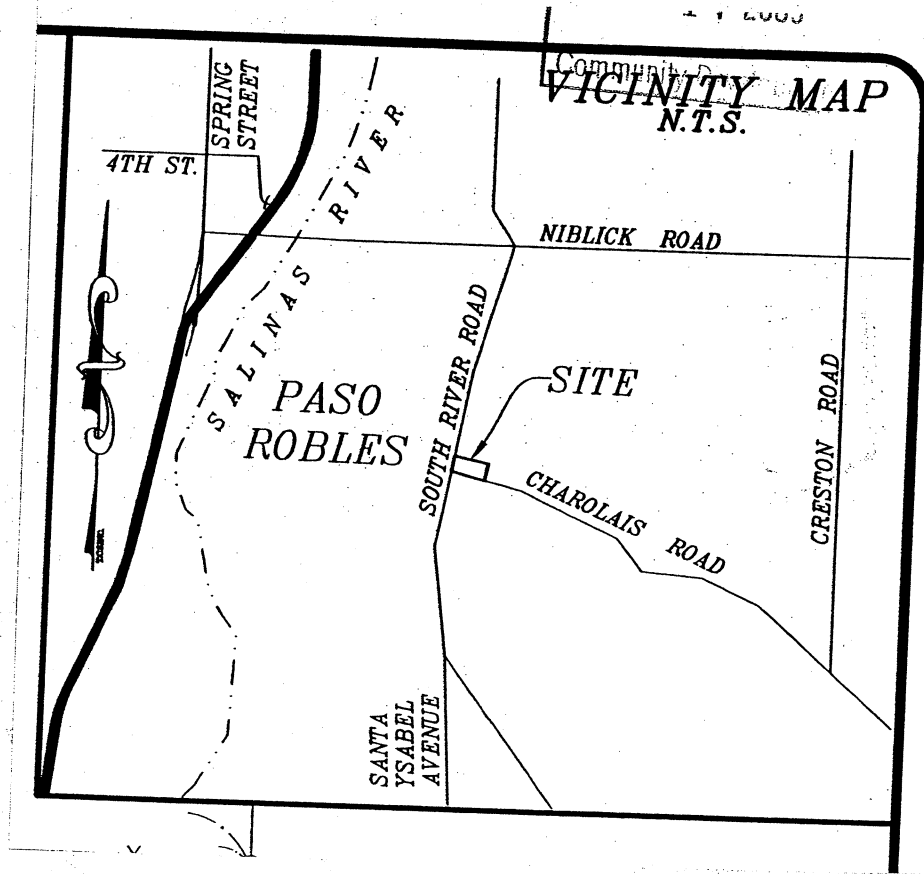
Prepared by:

Darren Nash, Associate Planner

Attachments:

1. Vicinity Map
2. Planning Commission Minutes of February 28, 2006
3. Resolution approving a Negative Declaration
4. Ordinance to the City Council for Rezone 05-007
5. Newspaper and Mail Notice Affidavits

H:\darren\ZC\Rezone05-007\CC Report



Vicinity Map
Rezone 05-007
(City Initiated)

2.3

- 7. FILE #: **REZONE 05-007**
- APPLICATION: To consider recommending to City Council, a request to add Planned Development Overlay over an existing 2.47 acre R1-B3 site in order to allow the ability to cluster lots to reduce impacts to oak trees, grading and to allow additional area for future intersection design. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
- APPLICANT: City initiated
- LOCATION: Charolais and South River Roads

Opened Public Hearing.

Public Testimony: No public testimony given either in favor or opposed but Kathy Barnett asked questions.

Closed Public Hearing.

Action: A motion was made by Commissioner Holstine, seconded by Commissioner Menath, and passed 6-0-1 (Commissioner Mattke absent), to recommend the City Council approve a Negative Declaration for Rezone 05-007 as presented.

Action: A motion was made by Commissioner Holstine, seconded by Commissioner Withers, and passed 6-0-1 (Commissioner Mattke absent), to recommend the City Council approve Rezone 05-007 as presented.

**ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
PLANNING DIVISION**

- 1. PROJECT TITLE:** Rezone 05-007
- Concurrent Entitlements:** As described above
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Darren R. Nash, Associate Planner
Phone: (805) 237-3970
- 3. PROJECT LOCATION:** Northeast corner of Charolais Road and South River Road,
Paso Robles, California
- 4. PROJECT PROPONENT:** **City Initiated**
- Contact Person:** **Darren Nash**
- Phone:** 237-3970
- 5. GENERAL PLAN DESIGNATION:** Residential Single Family, 2 units per acre (RSF-2)
- 6. ZONING:** R-1,B3 (Residential Single Family, 20,000 sf lot sizes)
- 7. PROJECT DESCRIPTION:** To consider a City initiated application to add Planned Development Overlay Zoning (PD) to the existing R1 zoned property located at the northeast corner of Charolais Road and South River Road, to allow reduced lot sizes which would provide for additional right of way for future improvements at the Charolais Road and South River Road intersection.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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8. ENVIRONMENTAL SETTING:

The 2.5 acre site is currently vacant. There are 5 large oak trees either on the site or within the existing right of way. The site is relatively flat until it gets to the eastern third of the site, where it begins to slope rapidly up to the eastern property line.

Neighboring Properties:

North: R2-B3 zoned existing residential, **South:** Residence in the County **West:** Existing residential neighborhood (Riverbank Community), large lot residential in the County **East :** Existing single family residential (Deer Park).

9. RELATED ENVIRONMENTAL DOCUMENTATION:

None.

10. PERSONS PARTICIPATING IN THE PREPARATION OF THE INITIAL STUDY:

Darren Nash: Associate Planner
John Falkenstien, City Engineer

11. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR PROJECT:

This environmental initial study analyzes the potential impacts associated with the applying PD overlay zoning to the existing R1-B3/RSF-2 designated property.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy & Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| | <input type="checkbox"/> Mandatory Findings of Significance | |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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ISSUES (and Supporting Information Sources):

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.” An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect(s) that remain to be addressed.

Signature

Date

Darren R. Nash

Associate Planner

Printed Name

Title

	Potentially Significant	Potentially Significant	Potentially Significant	Potentially Significant
ISSUES (and Supporting Information Sources):	Unless Mitigation Incorporated	Less Than Significant Impact		No Impact

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.
4. Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XVII. Other sources used or individuals contacted have been cited in the respective discussions.
7. The following checklist has been formatted after Appendix I of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the needs and requirements of the City of Paso Robles.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers’ information, a list of applicable standard conditions identified in the discussions has been provided as an attachment to this document.)

SAMPLE QUESTION:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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ISSUES (and Supporting Information Sources):	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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Would the proposal result in or expose people to potential impacts involving:

Landslides or Mud flows? (Sources: 1, 6)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The attached source list explains that 1 is the Paso Robles General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).

I. LAND USE AND PLANNING. Would the Proposal:

a) Conflict with general plan designation or zoning? (Source: 1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: Adding PD overlay will not change the existing RSF-2/R1-B3 designations. The intent is to allow for reduced lot sizes to provide additional right of way area for future intersection alternatives. Adding the overlay will not allow any additional lots that the current designations would allow.

b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: There are no other environmental plans currently in place for the property by other agencies.

c) Be incompatible with existing land use in the vicinity? (Source: 1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: This change of the designations would be compatible with surrounding properties.

d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The site is currently covered with native grasses. There would not appear to be a conflict with agricultural resources.

e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The property is surrounded by property designated with different zoning and general plan designations. There is not an established community in this area of the City.

II. POPULATION AND HOUSING. Would the proposal:

a) Cumulatively exceed official regional or local population projections? (Source: Paso Robles General Plan.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: There is no residential development proposed with this General Plan Amendment and Rezone, therefore

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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this project will not exceed population projections. PD overlay zoning would not increase the residential density above what the existing land use designations would allow.

b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?

Discussion: N/A

c) Displace existing housing, especially affordable housing?

Discussion: N/A

III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

a) Fault rupture?

Discussion: This portion of San Luis Obispo County (generally the Paso Robles area) is located at the far southerly end of the Salinas Valley which also extends up into Monterey County. There are two known fault zones on either side of this valley. The San Marco-Rinconada Fault system runs on the west side of the valley. The San Andreas Fault is on the east side of the valley and runs through the community of Parkfield east of Paso Robles. The City of Paso Robles recognizes these geologic influences in the application of the Uniform Building Code to all new development within the City. Soils reports and structural engineering in accordance with local seismic influences would be applied in conjunction with any new development proposal. Based on standardly applied conditions of approval, the potential for fault rupture and exposure of persons or property to seismic hazards is not considered significant.

b) Seismic ground shaking?

Discussion: See the response to Section III(a). Based on that response, the potential for exposure of persons or property to seismic hazards is not considered significant.

c) Seismic ground failure, including liquefaction?

Discussion: The City's General Plan contains public safety policies that would require special attention to projects with potential for liquefaction. Also, see the response to Section III(a). Based on the above discussion, the potential for exposure of persons or property to seismic hazards, including liquefaction is not considered significant.

d) Seiche, tsunami, or volcanic hazard?

Discussion: The project site is not located in an area identified at risk for seiche, tsunami, or volcanic hazards.

e) Landslides or Mud flows?

Discussion: See discussion for III (f).

f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?

Discussion: N/A

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Subsidence of the land? Discussion: See the discussion in Sections III (a) and (f) above. No significant adverse impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils? Discussion: See the discussion in Sections III (a) and (f) above. No significant adverse impacts are anticipated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. WATER. Would the proposal result in:

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Source: 6,7,9) Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding? Discussion: See comment for IV.a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen, turbidity)? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body? Discussion: See Sec. IV a, discussion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movement? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Altered direction or rate of flow of groundwater? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: N/A

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i) Substantial reduction in the amount of groundwater otherwise available for public water supplies? (source: 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

V. AIR QUALITY. Would the proposal:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Source: 9,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The San Luis Obispo County area is a non-attainment area for the State standards for ozone and suspended particulate matter. The SLO County Air Pollution Control District (APCD) administers a permit system to ensure that stationary sources do not collectively create emissions which would cause local and state standards to be exceeded. To aid in the assessment of project impacts subject to CEQA review, the APCD published the “CEQA Air Quality Handbook” in August, 1995. This handbook establishes screening thresholds for measuring the potential of projects to generate air quality impacts. Generally, any project that generates less than 10lbs./day of emissions would “qualify” for a Negative Declaration determination, and a project that generates between 10 and 24lbs./day of emissions would “qualify” for a Mitigated Negative Declaration.

There is no development associated with this rezone, environmental impacts associated with the physical development of the site would be determined with the development plan process for each specific project.

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| b) Expose sensitive receptors to pollutants? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: There would not be an exposure to sensitive receptors to pollutants with the approval of this project.

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| c) Alter air movement, moisture, or temperature? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create objectionable odors? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: N/A

VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increased vehicle trips or traffic congestion? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: N/A

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The request to apply PD Overlay is to allow the ability to request additional right of way for the future intersection of Charolais Road and South River Road, which will provide more flexibility for various intersection

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
designs.				
c) Inadequate emergency access or inadequate access to nearby uses? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Insufficient parking capacity on-site or off-site? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Hazards or barriers for pedestrians or bicyclists? Discussion: N/A.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? Discussion: N/A.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)? Discussion: N/a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Locally designated species (e.g., heritage trees)? Discussion: PD Overlay would allow reduced lot sizes and the ability to cluster the lots to reduce impacts to the existing oak trees as well as grading on the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Wetland habitat (e.g., marsh, riparian and vernal pool)? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Discussion: N/A				

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with adopted energy conservation plans? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Use non-renewable resource in a wasteful and inefficient manner? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: N/A

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

IX. HAZARDS. Would the proposal involve:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: N/A

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Possible interference with an emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: N/A

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) The creation of any health hazard or potential hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Increased fire hazard in areas with flammable brush, grass, or trees? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: N/A

X. NOISE. Would the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increases in existing noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: N/A.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: N/A

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

- a) Fire protection?

Discussion: Upon the development of the site, standard conditions will be added by the Fire Marshall addressing fire hydrants, sprinklers and access.

- b) Police Protection?

Discussion: During the development plan process in the future, the police department would have the opportunity to review the project and make comments.

- c) Schools?

Discussion: The project is in the vicinity of schools. Both an elementary school and the high school are within a mile away from the site. Upon the review of a development plan, for the site the school district will have the opportunity to comment on the project.

- d) Maintenance of public facilities, including roads?

Discussion: N/A

- e) Other governmental services?

Discussion: N/A

XII.UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- a) Power or natural gas?

Discussion: Southern California Gas Company provides service to the Paso Robles area. The project is not anticipated to interfere with gas services or create an unmet demand.

- b) Communication systems?

Discussion: The Pacific Bell Company provides service to the Paso Robles and County areas. The project is not anticipated to interfere with phone/communication services.

- c) Local or regional water treatment or distribution facilities?

Discussion: N/A

- d) Sewer or septic tanks? (Source: 7)

Discussion: The project will be required to hook up to City sewer and water.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Storm water drainage? (Source: 6) Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Solid waste disposal? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies? (source: 3) Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII.AESTHETICS. Would the proposal:

a) Affect a scenic vista or scenic highway? (Source: 1,9) Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a demonstrable negative aesthetic effect? (Source: 1,9) Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create light or glare? (Source: 1,9) Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV.CULTURAL RESOURCES. Would the proposal:

a) Disturb paleontological resources? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources? Discussion: The Paso Robles area has been classified as territory occupied by the Migueleno Salinan and the Obispeno Chumash Native California populations. Past community populations have been evidenced at several sites within the Paso Robles area and unincorporated portions of the surrounding County.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Affect historical resources? Discussion: See XIV b.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have the potential to cause a physical change which would affect unique ethnic cultural values? Discussion: N/A.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Restrict existing religious or sacred uses within the potential impact area? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV.RECREATION. Would the proposal:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the demand for neighborhood or regional parks or other recreational facilities? Discussion: When a development plan is studied for the site, outdoor open space will need to be provided to the City's Multifamily Code.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Affect existing recreational opportunities? Discussion N/A.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI.MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Discussion: N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	1977 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Sewer Master Plan	Same as above
8	City of Paso Robles Housing Element	Same as above
9	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
10	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
11	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
12	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446

Summary of Mitigation Measures

Description of Impact

Mitigation Measure

Zoning Map for Subarea 7

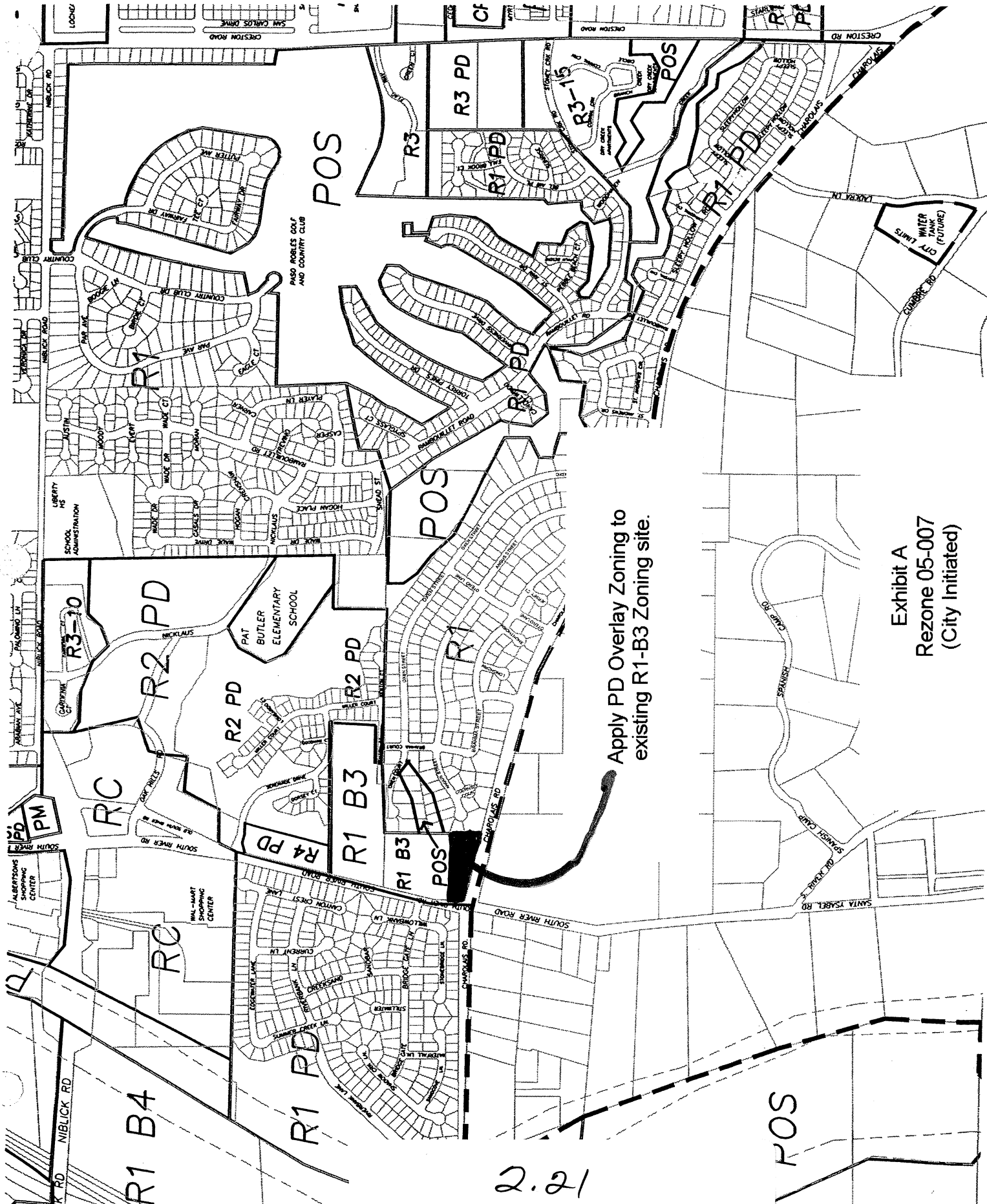


Exhibit A
 Rezone 05-007
 (City Initiated)

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

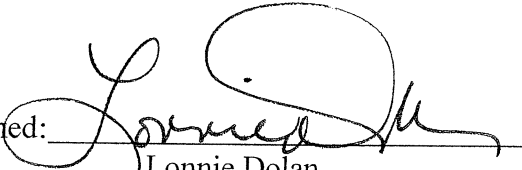
Newspaper: Tribune

Date of Publication: February 8, 2006

Meeting Date: February 28, 2006
(Planning Commission)
March 21, 2006
(City Council)

Project: Rezone 05-007
(City initiated-Charolais & So.
River Rd. future intersection design)

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

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARINGS:
NOTICE OF INTENT
TO ADOPT A NEGATIVE DECLARATION
NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold Public Hearings to consider adoption of a Negative Declaration (statement that there will be no significant environmental effects) in accordance with the provisions of the California Environmental Quality Act (CEQA), for the following project:
Rezone 05-007: A City initiated request to add Planned Development Overlay over the existing 2.47 acre, R1-B3 zoned site in order to allow the ability to cluster the lots to reduce impacts to oak trees, grading and to allow additional area for the future intersection design for Charolais and South River Road. The Planning Commission will be giving a recommendation on this application to the City Council.
The public review period for the Draft Negative Declaration commences on February 8, 2006, and ends at the Public Hearing, which is scheduled for the Planning Commission on Tuesday, February 28, 2006.
NOTICE IS ALSO HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold Public Hearings to consider Rezone 05-007 as described above, at their meeting on March 21, 2006.
Both the Planning Commission and the City Council meetings will begin at the hour of 7:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.
The proposed Negative Declarations may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.
Written comments on the proposed rezone and negative declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.
If you challenge the rezone and negative declaration 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 or City Council at, or prior to, their respective public hearings.
Darren Nash, Associate Planner
Feb. 8, 2006 6322518

2.22

AFFIDAVIT
OF MAIL NOTICES
PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Gevorg Nazaryan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for REZONE 05-007(City Initiated) on this 15th day of February 2006.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____



Gevorg Nazaryan

RESOLUTION NO: 06
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING A NEGATIVE DECLARATION FOR
REZONE 05-007
(CITY INITIATED)

WHEREAS, the City has initiated Rezone 05-007 to add Planned Development Overlay Zoning (PD) to the existing R1-B3 zoned property located at the northeast corner of Charolais Road and South River Road; and

WHEREAS, the rezoning of property is a project pursuant to the California Environmental Quality Act and requiring the preparation of an Initial Study and environmental analysis; and

WHEREAS, an Initial Study was prepared for this project (on file in the Community Development Department), and concludes that the project as proposed will not have significant impacts on the environment, 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 February 28, 2006 and by the City Council on March 21, 2006 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, based on General Plan Land Use Designation, the 2003 General Plan Environmental Impact Report, information contained in the Initial Study prepared for this zoning modification, the staff report 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:

1. That the above Recitals are true and correct and incorporated herein by reference.
2. 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 05-007 in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED THIS 21st day of March, 2006 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

FRANK R. MECHAM, MAYOR

ATTEST:

CATHY M. DAVID, DEPUTY CITY CLERK

ORDINANCE NO. XXX 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) ZONE CHANGE 05-007
(CITY INITIATED)

WHEREAS, the City has initiated Rezone 05-007 to add Planned Development Overlay Zoning (PD) to the existing R1-B3 zoned property located at the northeast corner of Charolais Road and South River Road; and

WHEREAS, by applying PD overlay zoning to the property, subdivision could take advantage of reduced lot sizes, while providing additional right of way for future improvements at the Charolais Road and South River Road intersection; and

WHEREAS, the existing General Plan Land Use designation of the 2.5-acre site is RSF-2 (Residential Single Family, two units per acre), the existing zoning is R1, B3 (Residential Single Family, 20,000 square foot minimum lot size)

WHEREAS, it would appear that the 2.5-acre site could be subdivided into 5 half-acre lots; and

WHEREAS, although PD Overlay would allow reduced lot sizes, it would not allow the developer to request additional lots; and

WHEREAS, at its February 28, 2006 meeting, the Planning Commission took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Conducted a public hearing to obtain public testimony on the proposed Project and the environmental determination therefor.
- C. Based on the information contained in the Initial Study prepared for the Project, a determination has been made that there is no substantial evidence that the Project would have significant adverse effect on the environment and thus a Negative Declaration can be adopted by the Planning Commission.
- D. Recommended that the City Council on a 6-0 vote (Commissioner Mattke was absent) approve Rezone 05-007.

WHEREAS, at its March 21, 2006 meeting, the City Council took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Considered the recommendation of the Planning Commission.
- C. Conducted a public hearing to obtain public testimony on the proposed project and environmental determination therefor.
- D. Based on the information contained in the Initial Study prepared for the Project, a determination was made, based on the independent review and judgment of the City Council, that there was no substantial evidence that the Project would have significant adverse effect on the environment and thus a Negative Declaration was adopted by separate Resolution.

NOW, THEREFORE, BE IT KNOWN that the City Council of the City of El Paso de Robles, based upon the substantial evidence presented at the above-referenced public hearing, including oral and written staff reports, does hereby make the following findings that:

1. The above stated facts of this Ordinance are true and correct.
2. The Rezone is consistent with the City's General Plan which supports residential development with densities that are consistent with the proposed R1-B3, PD Zoning.

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 or 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 March 21, 2006, and passed and adopted by the City Council of the City of El Paso de Robles on the 4th day of April 2006 by the following roll call vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Cathy M. David, Deputy City Clerk