



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, March 21, 2006 7:30 PM

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET**

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK**

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

INVOCATION – Led by Rev. Dan Katches, Golden Hills Community Church

ROLL CALL Councilmembers Jim Heggarty Gary Nemeth, Duane Picanco, Fred Strong, and Frank Mecham

PUBLIC COMMENTS - None

AGENDA ITEMS TO BE DEFERRED

The City Manager advised that Item 10, Development Agreements related to the Chandler Ranch Area Specific Plan would be continued to April 18, 2006.

PRESENTATIONS– None

PUBLIC HEARINGS

1. **General Plan Amendment 2006-001 (3 Parts)**
R. Whisenand, Community Development Director

The General Plan is the City's primary long-range planning tool for land use, infrastructure, and public facilities. The State places a limit of four (4) amendments to any one element of the General Plan in a calendar year. In order to accommodate requests and needed updates, it is common, and permitted under Government Code Section 65358(b), to combine multiple General Plan Amendments into a single General Plan Amendment.

General Plan Amendment 2006-001 is comprised of three separate parts as stated below:

Business Park Expansion (Part A) A General Plan Amendment (Land Use) to consider modifying the General Plan's designation of property currently designated as "Parks and Open

Space” and a portion designated as “Agriculture” to a “Business Park” land use designation. In conjunction with the General Plan Amendment is an application for Rezone 05-005 to consider modifying the Zoning Code designation of the property currently designated as “Parks and Open Space” to a “Planned Industrial” zoning designation. The subject property is located east of Golden Hill Road and north of Highway 46 East and would form an eastward extension to the Golden Hills Business Park. All traffic would be channeled through the existing business park and the existing signalized intersection of Golden Hill Road and Highway 46 East. The applicant is the property owner, Tom Erskine.

River Oaks Drive & Experimental Station Road (Part B) A General Plan Amendment (Land Use) to consider modifying the General Plan’s designation of a 5-acre site currently designated as Commercial/Light-Industrial (C3) to Multi-family Residential, 12-units per acre, Planned Development Overlay (R-3, PD). Also, to amend Borkey Specific Plan, Amendment 05-003 to reflect the proposed changes in General Plan and Zoning designations. The applicant is the property owner, Dick Willhoit.

Add Office Overlay Zone at 405 and 411 14th Street (Part C) A General Plan Amendment (Land Use) to add an Office Overlay (OP) to property designated RMF-8, to allow establishment of office uses with approval of a Conditional Use Permit; and to add an Office Overlay (OP) to property zoned Duplex Residential (R2). The applicant is the property owner at 405 14th Street, George Duck.

***Note:** Even though the three components are proposed as a single General Plan Amendment, it would be appropriate for each component to be considered as a separate Public Hearing item. The Council is requested to take a “straw vote” on each of the three parts at the conclusion of the respective public hearings. Final action on the General Plan Amendment as a whole should not be taken until the Council completes consideration of the three components.*

1.1 Part A of General Plan Amendment 06-001 and Rezone 05-005 (Erskine)

R. Whisenand, Community Development Director

Consider Part A of a three-part amendment to the City’s General Plan land use element. The amendment would make changes the land use designation of 28 acres from Parks and Open Space (POS) and a portion of Agriculture (AG) to Business Park (BP).

Ron Whisenand advised that the applicant accepted a modification to the Environmental Initial Study, Item VI. Transport/Circulation, Project Mitigation Measures T1. “Upon occupancy, each development within Tract 2778 will provide its share of the cost of future improvements to the intersection of Golden Hill Road and Wisteria Lane.”

Mayor Mecham opened the public hearing. Speaking from the public was John McCarthy, representing the Applicant, Dennis Buckley, and Kathy Barnett. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmembers Nemeth, Picanco, Strong and Mayor Mecham stated that each separately had an *ex parte* meeting with the applicant. Councilmember Strong, seconded by Council member Nemeth, moved to adopt Resolution No. 06-031 approving the modified Negative Declaration status for a component of the General Plan Amendment 2006-001 – Business Park Expansion.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

A straw vote was taken with a 5-0 vote to support approval of General Plan Amendment 2006-001, which includes this component (Part A) of a 3-Part General Plan Amendment.

1.2 Part B of General Plan Amendment 06-001 and Rezone 05-003 (Willhoit)

R. Whisenand, Community Development Director

Consider Part B of a three-part amendment to the City's General Plan land use element. The amendment would make changes to the General Plan's designation of a 5-acre site currently designated as Commercial/Light-Industrial (C3) to Multi-family Residential, 12-units per acre, Planned Development Overlay (R-3, PD), and amend Borkey Specific Plan to reflect the proposed changes in General Plan and Zoning designations.

Mayor Mecham opened the public hearing. Speaking from the public were applicant, Dick Willhoit (Estrella Associates), and Kathy Barnett. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth stated that he had an *ex parte* meeting with the applicant. Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-032 approving a Negative Declaration status for a component of the General Plan Amendment 2006-001 – River Oaks & Experimental Station Road, and Rezone 05-003 and Specific Plan Amendment 05-003 applications.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

A straw vote was taken with a 5-0 vote to support approval of General Plan Amendment 2006-001, which includes this component (Part B) of a 3-Part General Plan Amendment.

1.3 Part C of General Plan Amendment 2006-001 and Rezone 06-001 (Duck)

R. Whisenand, Community Development Director

Consider Part C of a three-part amendment to the City's General Plan land use element to add an Office Overlay (OP) to property designated RMF-8, to allow establishment of office uses with approval of a Conditional Use Permit, and to add an Office Overlay (OP) to property zoned Duplex Residential (R2).

Mayor Mecham opened the public hearing. Speaking from the public was George Duck. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth stated that he had an *ex parte* meeting with the applicant. Council requested that the ultimate design, to be approved by the Planning Commission, specifically address Oak tree preservation near the proposed parking location. Councilmember Heggarty, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-033 approving a Negative Declaration status for a component of the General Plan Amendment 2006-001 – Add Office Overlay Zone at 405 and 411 14th Street.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

A straw vote was taken with a 5-0 vote to support approval of General Plan Amendment 2006-001, which includes this component (Part C) of a 3-Part General Plan Amendment.

Final General Plan Amendment 2006-001 Action: Councilmember Strong, seconded by Councilmember Heggarty, moved to adopt Resolution No. 06-034 approving General Plan Amendment 2006-001, a 3-part General Plan Amendment regarding rezoning of a 28-acre site near Golden Hills Business Park, rezoning of a 5-acre site near River Oaks Drive & Experimental Station Road, and adding office overlay zone at 405 and 411 14th Street.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

Councilmember Strong, seconded by Councilmember Nemeth, moved to introduce for first reading Ordinance No. XXX N.S. approving Rezone 05-005 that would change the zoning designation for the 28-acre site from Parks and Open Space (POS) to Planned Industrial (PM); and set April 4, 2006, as the date for adoption of said Ordinance.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Councilmember Strong, seconded by Councilmember Nemeth, moved to introduce for first reading Ordinance No. XXX N.S. approving Rezone 05-003 that would change the zoning designation for the 5-acre site from Commercial/Light-Industrial (C3) to Multi-Family, 12-units per acre, Planned Development Overlay (R-3, PD); and set April 4, 2006, as the date for adoption of said Ordinance.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Councilmember Strong, seconded by Councilmember Nemeth, moved to introduce for first reading Ordinance No. XXX N.S. approving Rezone 06-001 that would extend the OP Overlay zoning district to 405 and 411 14th Street; and set April 4, 2006, as the date for adoption of said Ordinance.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Councilmember Nemeth, seconded by Councilmember Strong, moved to introduce for first reading Ordinance No. XXX N.S. approving Borkey Specific Plan Amendment 05-003, amending the plan to reflect the land use and zoning designations for the subject site; and set April 4, 2006, as the date for adoption of said Ordinance.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Council adjourned for a 15-minute recess at 9:00 pm and reconvened at 9:15 pm.

2. Zoning Code Amendment 05-007 (Charolais Road and South River Road)- City Initiated

R. Whisenand, Community Development Director

Consider amending the zoning ordinance to add a Planned Development Overlay to an existing R1 zoned 2.47-acre site located at the NE corner of Charolais Road and South River Road, and approving a Negative Declaration for the rezoning. The Overlay would provide for additional right-of-way for future intersection improvements that are still under study, and allow for the potential of 5 lots, with 20,000 square foot minimum lot size. Adding the Overlay meets the right-of-way needs of the City and permits the reduction of lot sizes in the immediate area without increasing density.

Mayor Mecham opened the public hearing. Speaking from the public was Pamela Jardini. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth, seconded by Council member Heggarty, moved to adopt Resolution No. 06-035 approving a Negative Declaration status for the Rezone PD 05-007 application.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

Councilmember Nemeth, seconded by Council member Heggarty, moved to 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.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

CONSENT CALENDAR

Mayor Mecham called for public comments on Consent Calendar items. There were no comments from the public, either written or oral, and the public discussion was closed. Councilmember Heggarty requested staff to provide him with explanation of Item No. 060740.

3. [Approve City Council minutes of March 1 and March 7, 2006](#)
D. Fansler, City Clerk
4. [Approve Warrant Register: Nos. 60713—60880 \(03/03/06\) & 60881—61031 \(03/10/06\)](#)
M. Compton, Administrative Services Director
5. [Receive and file Advisory Body Committee minutes as follows:](#)
Library Board of Trustees meeting of February 9, 2006
Parks and Recreation Advisory Committee meeting of December 13, 2005
Senior Citizens Advisory Committee meeting of February 13, 2006
Youth Commission meeting of February 1, 2006
6. [Adopt Resolution 06-036 authorizing Emergency Services to purchase rescue equipment for \\$20,110 from All Star Fire Equipment.](#) (In the adopted budget, Council allocated funds to purchase heavy breaking/breaching equipment for rescue functions. This represents a portion of that equipment.
K. Johnson, Emergency Services Chief
7. [Adopt Resolution 06-037 certifying and adding Parcel 2 of Parcel Map 05-0118 to Community Facilities District No. 2005-1 \[Public Services\], adopt Resolution 06-038 accepting recordation of Parcel Map 05-0040, and adopt Resolution 06-039 adding Parcel Map PR05-0118 into the Landscape and Lighting Maintenance District.](#) (Applicant: Long. The subdivision is located at 2335 Ashwood Place. All conditions imposed by the Planning Commission have been satisfied. Additionally, annexation to the City's CFD No. 2005-1 is necessary to mitigate projected adverse fiscal impacts of new residential development.) R. Whisenand, Community Development Director
8. [Adopt Resolution 06-040 authorizing the use of septic tank usage at 4305 Secondwind Way.](#) (Applicant: Graves. Consider a request to allow septic tank usage, including leach system, with development of an office building at 4305 Secondwind Way [north of Dry Creek Road]. The nearest available sanitary sewer main is over one mile west of the site. All airport lease sites along Dry Creek Road are currently serviced by septic systems.) R. Whisenand, Community Development Director
9. [Adopt Resolution 06-041 authorizing appropriation of up to \\$1,000 from Senior Endowment Fund to purchase three pamphlet racks for Senior Center Library.](#) (Consider a request to replace a freestanding pamphlet rack with wall-mounted rack in Senior Center Library to allow space for other furnishings.)
A. Robb, Interim Director – Library and Recreation Services

Consent Calendar Items Nos. 3 - 9 were approved on a single motion by Councilmember Nemeth, seconded by Councilmember Strong, with Councilmember Picanco abstaining on Warrant Register Items Nos. 060833, 060836 and 061015 and Mayor Mecham abstaining on Warrant Register Item Nos. 060861 and 061009.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

DISCUSSION

10. Development Agreements Related to the Chandler Ranch Area Specific Plan (CRASP) and Specific Plans in General

B. Lata, Contract Planner

Following extended discussion with property owners and representatives of two Specific Plan areas, the consensus is that further discussion should occur before bringing the policy matter back to the City Council. (CONTINUED FROM FEBRUARY 21, 2006)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Picanco, moved to continue the scheduled discussion of Development Agreement related policies to Tuesday, April 18, 2006.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

11. Olsen Ranch Beechwood Specific Plan (OBSP) – Additional Budget Allocation Request

R. Whisenand, Community Development Director

Consider additional budget allocation to analyze the OBSP site plan to include a grading analysis. The original budget allocation, approved by City Council on May 17, 2005, did not include an engineered grading analysis. The City has received a cost estimate for the analysis from the project consultants, Moule and Polyzoides, of approximately \$40,000.

City Planner, Susan DeCarli presented additional material regarding the proposed grading analysis. Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin, Larry Werner, North Coast Engineering, Tom Erskine, Neil Olsen, and Kathy Barnett. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Heggarty, seconded by Councilmember Strong, moved to adopt Resolution No. 06-042 appropriating an additional \$40,000 to fund the expanded Scope of Work and prepare a grading analysis for the Olsen Ranch Beechwood Specific Plan.

Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong
NOES: Mecham
ABSTAIN:
ABSENT:

12. Templeton Sphere of Influence Study – Response to LAFCO

R. Whisenand, Community Development Director

For the City Council to review the Templeton Community Services District's request of LAFCO to amend their Sphere of Influence (SOI), and consider a response to LAFCO. In Templeton's request, Study Area No. 4 is the only change proposed that potentially affects open space and agricultural areas on parcels that surround the southern tip of the City (generally near Bethel Road to Highway 46 West, and then east to City Limits in Theater Drive area.)

Mayor Mecham opened the public hearing. The Council requested that additional language be added requesting clarification of maps showing an existing mobile home park on Theatre Drive as being outside of Templeton's sphere, and whether this was an island of unincorporated territory. There were no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to authorize the Mayor to sign a letter to LAFCO on behalf of the City of Paso Robles.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

13. Speed Zone Survey Update for Union Road

D. Cassidy, Chief of Police

Consider the recommendations of a recent Speed Zone Survey completed by Omni-Means for the City. The survey was conducted to determine appropriate and safe speed limits along Union Road near Kleck Road. The segment is currently designated as 45 MPH speed limit and the survey results support a recommended speed limit of 35 MPH.

Captain Solomon presented the report from Omni-Means regarding the traffic study. Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Heggarty, seconded by Councilmember Strong, moved to Adopt Resolution No. 06-043 amending the speed limit within the City limits as listed in Exhibit 1 and superseding the speed limits set forth in Chapter 12.54 of the Municipal Code, and all previous resolutions adopting speed limits.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

14. Traffic Controls – All Way Stop at 10th Street & Pine Street

D. Monn, Public Works Director

Consider adding traffic controls at the intersection of 10th Street and Pine Street. Currently the intersection, in the vicinity of the movie theatre, is a two-way stop regulating northbound and

southbound traffic on Pine Street. The Police Department has recommended the all-way stop to provide enhanced public safety for pedestrians and vehicular traffic.

Police Chief Cassidy presented the report. Mayor Mecham opened the public hearing. Speaking from the public was Dale Gustin. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to Adopt Resolution No. 06-044 approving additional traffic controls (all-way stop) at the intersection of 10th Street and Pine Street.

Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Strong, and Mecham
NOES: Picanco
ABSTAIN:
ABSENT:

15. Trial "No Right Turn on Red" - 13th & Riverside Avenue

D. Monn, Public Works Director

Consider establishing a 4-week test period restricting northbound right turns from Riverside Avenue onto eastbound 13th Street between 3:00 p.m. to 5:30 p.m. weekdays to relieve traffic congestion at this intersection. Sufficient funds in the Gas Tax – Traffic Calming Fund are available to fund the \$22,000 cost of signage, policy enforcement, and proposed study. (The City Council asked the Streets and Utilities Committee study the issue, and the test period will occur while a formal traffic study is undertaken to examine the full impact and possible options.)

Police Chief Cassidy presented the report. Mayor Mecham opened the public hearing. Speaking from the public was Dale Gustin. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Heggarty, seconded by Councilmember Strong, moved to Adopt Resolution No. 06-045 approving a 60-day trial period restricting northbound right turns from Riverside Avenue onto eastbound 13th Street between 3:00 p.m. and 5:30 p.m. weekdays

Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong
NOES: Mecham
ABSTAIN:
ABSENT:

16. Limited Time Parking – 1305 Spring Street

D. Monn, Public Works Director

Consider adding limited time parking restrictions (designated loading zone, yellow curb and rules signage) in front of 1305 Spring Street. (The request from the business owner was reviewed by the Streets and Utilities Committee and recommended for presentation to Council.)

Brad Hagemann presented the report. Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to Adopt Resolution No. 06-046 approving 22 feet of yellow curb and loading zone rules signage on the 13th Street side of the Great American Antique Mall.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

17. Trial of Limited Time Parking – 2230 Golden Hill Road

D. Monn, Public Works Director

Consider adding limited time parking restrictions (yellow curb and rules signage) for a six-month trial period, in front of East Paso Mini Storage, at 2230 Golden Hill Road. (The request from the both property owner and business owner was reviewed by the Streets and Utilities Committee and recommended for presentation to Council.)

Brad Hagemann presented the report. Mayor Mecham opened the public hearing. Speaking from the public were Fred Wright and Dale Gustin. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to Adopt Resolution No. 06-047 approving installation of 75 feet of yellow curb and loading zone rules signage in front of the East Paso Mini Storage at 2230 Golden Hill Road for a six-month trial period.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

18. City Attorney Contract Amendment

J. App, City Manager

The City contracts with McDonough, Holland & Allen (MHA) for legal services and has done so since 1994. MHA provides services that include legal review of documents, contracts and agreements, as well as consultation, advice and opinions regarding matters that affect the City. The hourly rate for basic services has been adjusted only once over the last 12 years. This amendment requests an hourly billing rate to \$165 effective April 1, 2006, and to \$180 effective July 1, 2006, or an annualized increase of 3.2% over the term of the contract.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Strong, seconded by Councilmember Heggarty, moved to Adopt Resolution No. 06-048 authorizing amendment of the City Attorney Contract.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

CITY MANAGER - None

CORRESPONDENCE - None

AD HOC COUNCIL BUSINESS

19. Ad Hoc Committee Formation – Short Range Transit & Marketing Plan

M. Compton, Administrative Services Director

Consider appointing an ad hoc committee for purpose of review and finalization of the Short Range Transit Plan and Marketing Plan (“SRTP”), in draft form.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public hearing was closed.

By voice vote, Mayor Mecham and Councilmember Strong were appointed to work with staff to assist with the review and finalization of the SRTP and marketing plan in draft form, and to report back to the full Council by July 5, 2006.

ADVISORY BODY COMMUNICATION -

COUNCIL COMMENTS – None

By unanimous voice vote, Council moved to adjourn from regular session at 10:50 PM.

ADJOURNMENT:

ADJOURNMENT

- To LEAGUE OF CALIFORNIA CITIES PLANNERS INSTITUTE, WEDNESDAY, MARCH 22 TO FRIDAY, MARCH 24, 2006 AT THE MARRIOTT MONTEREY, CA.
- To EMERGENCY OPERATIONS TRAINING, 5:00 P.M., TUESDAY, MARCH 28, 2006, 900 PARK STREET.
- To LEAGUE OF CALIFORNIA CITIES POLICY MEETINGS, WEDNESDAY MARCH 29 TO THURSDAY, MARCH 30, 2006 AT THE EMBASSY SUITES NORTH, LOS ANGELES, CA
- To JOINT CITY COUNCIL/PLANNING COMMISSION MEETING AT 7:00 P.M., MONDAY, APRIL 3, 2006, AT LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- To REGULAR MEETING AT 7:30 P.M., TUESDAY, APRIL 4, 2006, AT LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

Deborah D. Robinson, Interim Deputy City Clerk
Approved:

THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT PART OF THE RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING.

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3111
FAX (805) 549-3329
TDD (805) 549-3259
<http://www.dot.gov/dist05>

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MAR 21 2006



CITY OF PASO ROBLES *Flex your power!
Be energy efficient!*

Item 1.1.

March 21, 2006

Honorable Mayor, Frank Mecham and City Council Members
City of El Paso De Robles
1000 Spring Street
Paso Robles, CA. 93446

Dear Mayor Mecham;

RE: Adoption of the Resolution to adopt the Negative Declaration for the 28-acre, Erskine General Plan Amendment (GPA) 06-001(1) and Rezone 05-005.

General Comments

The California Department of Transportation wishes to convey our concerns over the environmental approval process for the Erskine General Plan Amendment 06-001(1) and Rezone 05-005.

According to Public Resources Code, § 21092.4 (a), "For a project of statewide, regional, or areawide significance, the lead agency shall consult with transportation planning agencies and public agencies that have transportation facilities within their jurisdictions which could be affected by the project. Consultation shall be conducted in the same manner as for responsible agencies pursuant to this division, and shall be for the purpose of the lead agency obtaining information concerning the project's effect on major local arterials, public transit, freeways, highways, and rail transit service within the jurisdiction of a transportation planning agency or a public agency which is consulted by the lead agency. A transportation planning agency or a public agency which provides information to the lead agency shall be notified with copies of, environmental document pertaining to the project."

The Department was not given the opportunity to consult with the city regarding this project's traffic impacts to the State highway system. The traffic study for the proposed project was concluded on January 27, 2006 and never sent to the Department for our review. Similarly, we never received the Negative

03/21/06 10:00 FAX 000 045 0011 CALTRANS, LEAVING 0000

Mr. Mecham
March 21, 2006
Page 2

Declaration (ND) from the City or the State Clearing House (SCH), leaving us with the conclusion that it was never submitted to SCH either. If we had been allowed to review and comment on the traffic study, we would have pointed out among other issues, that the trip generation estimates were low. The Golden Hill Business Park Expansion traffic study states that the proposed project will generate 336 AM peak hour trips and 205 PM peak hour trips. Our methodology for initially estimating trip generation shows that the proposed project would generate 528 AM peak hour trips and 472 PM peak hour trips. However, even given the lower number of trips identified in the traffic study, the proposed project's traffic constitutes a significant impact under CEQA. As such, a full Environmental Impact Report (EIR) would have been the appropriate level environmental analysis. The Department would have conveyed this to the city had we been given the opportunity. An opportunity to propose appropriate mitigation to offset the project's traffic impacts was similarly, not allowed to occur.

Another concern the Department has is the apparent piece-mealing of the environmental approval process for the Erskine General Plan Amendment 06-001(1) and Rezone 05-005.

CEQA Guidelines, Article 20 § 15378 define "project" as, *the whole of an action* which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment. This is reiterated in Article 1 § 15003.h. which states, "The lead agency must consider, *the whole of an action*, not simply its constituent parts when determining whether it will have a significant environmental effect." *The whole of an action*, appropriately considered in this case, are the impacts from the total, 47-acre, proposed development, or, a project of statewide, regional, or areawide significance.

According to the project description included in the Traffic Study for the Golden Hill Business Park Expansion completed on January 27, 2006, the proposed Business Park's total project acreage includes 47 acres, which would, according to Public Resources Code, § 15206(b)(2)(E), make it a project of "Statewide, Regional or Area-wide Significance". The traffic study specifies that the 28-acre Business Park delineated in the above mentioned resolution accounts for 57% of the total 47-acre proposed project's trip generation as "new unapproved trips". The remaining 19 acres of the (to be) re-subdivided, previously approved Business Park would constitute 43% of the total trip generation for the GPA/Rezone proposed project.

03/21/06 10:00 FAX 000 049 0077 CALTRANS, PLANNING 0004
Mr. Mecham
March 21, 2006
Page 3

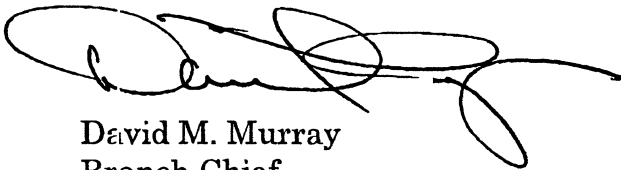
The traffic study goes on to say that, "this further subdividing of the earlier Business Park (19 acres) is part of the definition of the study project and the earlier business park remains vacant as of January 2006, this analysis utilizes trips from both the re-subdivided and the new industrial area, as a worst case."

Summary

It is difficult to ascertain exactly what is being proposed by the city as a project in the ND and being considered for adoption by the city council. The full scope of the project is not readily forthcoming. As a responsible agency under CEQA, we are left to glean the information as best we can without the benefit of having the traffic study or the environmental document sent to us through the appropriate CEQA channels. Instead of having timely input on the traffic study or an opportunity review and comment on the ND, we are left to disclose important traffic impacts created by this General Plan Amendment, here, in the 11th hour.

Approval of this GPA could ultimately lead to building entitlements that would create significant traffic impacts on State Route 46 and U.S 101. The Department has identified those impacts as potentially significant under CEQA, yet the appropriate level of analysis was truncated. We feel that disclosure of the project's traffic impacts under CEQA was insufficient, and appropriate mitigation that could be implemented to offset those impacts, have not been agreed upon by all CEQA stakeholders. We remain available to work with the city to address these issues and work together to maintain the integrity of the State highway system. If you have further questions please contact me, at 549-3168.

Sincerely;



David M. Murray
Branch Chief
Regional Planning & Development Review



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

March 22, 2006

San Luis Obispo LAFCO
Attn: David Church, Senior LAFCO Analyst
1042 Pacific Street-Suite A
San Luis Obispo, CA 93401

SUBJECT: Public Review Draft Sphere of Influence Update and Municipal Service Review for the Templeton Community Services District

Dear Commissioners:

The City of El Paso de Robles would like to thank you for the opportunity to review and comment on the Draft Sphere of Influence Update for the Templeton Community Services District. We are certain that Templeton, San Luis Obispo County, and LAFCO all share our desire that growth is consistent with City and County General Plan policies, well planned, and sensitive to adjacent communities. To that end, we offer you the following comments.

We recognize the right of Templeton CSD to manage and maintain quality service to their community. Of the four Study Areas being considered for expansion of their Sphere of Influence (SOI), three are clearly logical extensions of the District's boundaries and have no impact on Paso Robles. The City therefore does not oppose consideration of Areas 1, 2, and 3 of Templeton CSD's request. Area 4 however, adjoins the City limits of Paso Robles and would cause the southern tip of the City to be surrounded on three sides by the Templeton CSD. Our comments will therefore focus on Study Area 4 and whether expanding the SOI is a wise decision for LAFCO to make.

We feel that the guiding principles that LAFCO should use to evaluate the request and its impacts on adjoining communities are the General Plans for the County of San Luis Obispo and City of Paso Robles. I have attached a detailed summary of the various General Plan policies that we feel should guide your decision. As you can see, there are numerous policies that call for maintaining "open space and agricultural uses" on parcels that surround the City. These policies are central to the City's Purple Belt program which envisions and solicits cooperation from outside agencies to maintain a rural agricultural buffer around the City. LAFCO's own policies also discourage agricultural land from being included in a district's sphere and call for maintaining rural character in areas surrounding municipalities (Policy 3, 7 and 8, page 1-6).

The City's General Plan also identifies Highway 46 West between Highway 101 and Arbor Road as an important visual gateway to the City where inappropriate development

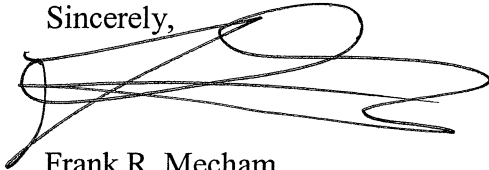
patterns could have a detrimental effect on our community. The level of development of Study Area 4 that could occur with Templeton CSD water could have significant physical and visual impacts that are outside of the City's regulatory control.

When the City of Paso Robles updated its General Plan in 2003, the City made a conscious decision to not propose expansion of our boundaries south of Highway 46 and westward from Theater Drive. The goal was to allow Paso Robles and Templeton to retain a degree of distinct geographic and land use identity. The requested SOI clearly would not respect our right, nor the City's and County's General Plans, to maintain a distinctive urban edge surrounded by agricultural or open space uses.

Based on the above cited policies and concerns, the City strongly opposes any action that would compromise community identity along the Highway 46 corridor. We urge you to deny the Area 4 SOI application.

While not part of Templeton's SOI request, the City Council noted that maps provided to us from LAFCO staff show the existing mobile home park on Theater Drive as being currently outside of Templeton's sphere. We understand LAFCO's sensitivity to creating islands of unincorporated territory that are surrounded by a city or district. We would therefore question whether Study Area 4 should be modified to rectify this island situation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank R. Mecham', written over a horizontal line.

Frank R. Mecham
Mayor

Attachments

Summary of Key General Plan Policies

A. City of El Paso de Robles

1. Land Use Element Policy LU-2B–Visual Identity:

Action Item 2. Adopt design standards to clearly articulate how important public view, gateways and landmarks are to be maintained/enhanced.

2. Land Use Element Policy LU-2E–Purple Belt:

Create a distinct “Purple Belt” surrounding the City by taking actions to retain the rural, open space, and agricultural areas.

Action Item 3. Take steps to ensure that the County retains surrounding lands in very low-density rural residential, open space, and agricultural uses. Oppose the creation of new parcels within the County.

3. Circulation Element Policy C-5A–Visual Gateways and Landmarks

Identify important visual resources: gateways, corridors, major arterials, natural/open space areas, as shown on Table C-1 and Figure C-3. *Table C-1 identifies Highway 46 West between Arbor Road and Highway 101 as both a “Gateway to the City” and a “Visual Corridor*

In Gateway areas, the city shall:

- Limit range of land uses to preclude those commercial and industrial uses with outside processes and storage.
- Development shall be designed to make a positive visual impression (in terms of design/architecture and landscaping) and incorporate/preserve natural features.

In Visual Corridors the City shall:

- Development shall be designed to make a positive visual impression and incorporate/preserve natural features.

4. Open Space Element Policy OS-1A–Purple Belt:

Develop an open space plan/program for establishing an open space/purple belt (agricultural preserve area) surrounding the City.

Action Item 7. Coordinate the City’s Open Space/Purple Belt plan/program with neighboring communities, the County of San Luis Obispo, and non-profit agencies.

Action Item 8. Investigate and implement as appropriate and feasible with San Luis Obispo County, establishment of permanent agricultural and open space areas that buffer communities from continuous urbanization and promote efficient growth patterns.

Action Item 9. Take steps to ensure that the County retains surrounding lands in very low-density rural residential, open space (including natural resource), and agricultural uses. Oppose the creation of new parcels within the County.

B. San Luis Obispo County

Templeton Area Plan Land Use Descriptions

1. **Residential Rural.** Several hundred acres of land in the northwest Templeton urban area are designated for Residential Rural use. This rolling land adjacent to the community provides rural estate home sites close to community services. Adjacent to Highway 101, the area could continue to provide the appearance of a rural separation between Templeton and Paso Robles by clustering or using similar techniques that locate development out of view of the highway. Agricultural uses should also be encouraged to continue within the area to maintain this rural separation.

2. **Residential Suburban.** Suburban areas are characterized by tracts with one-acre lots or by clusters of residences within large open space lots. Clustering of allowed development or other techniques that achieve the same purpose as clustering are encouraged when needed to preserve rural visual character, steep hillsides, oak woodlands and creek riparian habitats within the area.

Distribution of Land Uses

7. Encourage an urban environment that is an orderly arrangement of buildings, structures and open space appropriate to the size and scale of development for each community.

8. Maintain a distinction between urban and rural development by providing for rural uses outside of urban and village areas which are predominately agriculture, low-intensity recreation, residential and open space uses, which will preserve and enhance the pattern of identifiable communities.

9. Identify important agricultural, natural and other rural areas between cities and communities and work with landowners to maintain their rural character.

10. Encourage the protection of agricultural land for the production of food, fiber, and other agricultural commodities.

Phasing of Urban Development

11. Design and maintain a land use pattern and population capacity that is consistent with the capacities of existing public services and facilities, and their programmed expansion where funding has been identified.

12. Encourage the phasing of urban development in a compact manner, first using vacant or underutilized "infill" parcels and lands next to existing development.

Residential Land Uses

13. Locate urban residential densities within urban or village reserve lines near employment areas, while protecting residential areas from incompatible and undesirable uses.

Administration

22. Work closely with cities to provide continuity between city and county land use planning and to achieve common land use goals through reciprocal agreements.