



**CITY OF EL PASO DE ROBLES**  
*"The Pass of the Oaks"*

**CITY COUNCIL MINUTES**

Tuesday, March 20, 2007 7:30 PM

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

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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** – Pastor Steve Stump Calvary Church

**ROLL CALL** Councilmembers John R. Hamon, Jr., Gary Nemeth, Duane Picanco,  
Fred Strong, and Mayor Frank Mecham

**PUBLIC COMMENTS**

This is the time the public may address the Council on items other than those scheduled on the agenda. **PLEASE SPEAK DIRECTLY INTO THE MICROPHONE AND BEGIN BY STATING YOUR NAME AND ADDRESS. EACH PERSON AND SUBJECT IS LIMITED TO A 3-MINUTE DISCUSSION.** Any person or subject requiring more than three minutes may be scheduled for a future Council meeting or referred to committee or staff. Those persons wishing to speak on any item scheduled on the agenda will be given an opportunity to do so at the time that item is being considered.

Mayor Mecham opened the public hearing. Speaking from the public was Annie Robb and Yessica Godoy on the Youth Commission, Russell Peterson on handicap parking and accessibility issues and Jonni Biaggini on tourism marketing. There were no further comments from the public, either written or oral, and the public discussion was closed.

**AGENDA ITEMS TO BE DEFERRED** - None

**PRESENTATIONS** - None

**PUBLIC HEARINGS** - None

## **CONSENT CALENDAR**

**ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION.** However, if discussion is wanted or if a member of the public wishes to comment on an item, the item may be removed from the Consent Calendar and considered separately. Councilmembers may ask questions of clarification without removing an item from the Calendar. INDIVIDUAL ITEMS ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

1. Approve City Council minutes of March 6 and 8, 2007  
D. Fansler, City Clerk
2. Approve Warrant Register: Nos. 68502—68602 (03/02/07) and 68603—68758 (03/09/07), and Other Payroll Services  
M. Compton, Administrative Services Director
3. Receive and file Advisory Body Committee minutes as follows:  
Youth Commission meeting of February 7, 2007
4. Proclamation designating March 2007 as *American Red Cross Month*.  
F. Mecham, Mayor
5. Adopt Resolution No. 07-048 certifying and adding Parcel Map PR 06-0002, a two-lot residential subdivision located at the southeast corner of 4<sup>th</sup> and Vine Streets, to CFD No. 2005-1 and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien; and adopt Resolution No. 07-049 accepting the recordation of Parcel Map PR 06-0002. Owners of the parcel, Lyle and Peggy Jenkins, have given consent and approval that property be annexed to CFD No. 2005-1. Parcel Map PR 06-0002 was tentatively approved by the Planning Commission in May 2006. All conditions imposed by the Planning Commission have been satisfied.  
R. Whisenand, Community Development Director
6. Adopt Resolution No. 07-050 accepting the public improvements of Tract 2620 into the City's maintenance system. This subdivision is located along Via Magnolia and Via Lantana, west of Montebello Estates and north of Riverglen. All public improvements have been constructed to the satisfaction of the City Engineer. Once a one-year warranty period has been completed, the City will assume additional street, sewer and drainage maintenance costs. Parkway landscaping and street lighting costs will be financed by the benefiting property owners through the Landscape & Lighting District.  
R. Whisenand, Community Development Director
7. Approve submittal of the 2007 General Plan Annual Report to the Governor's Office of Planning and Research and to the Department of Housing & Community Development. Exhibit A is a table containing of all action items except Housing Elements, and Exhibit B is the Housing Element Report.  
R. Whisenand, Community Development Director

Consent Calendar Items Nos. 1 – 7 were approved on a single motion by Councilmember Nemeth, seconded by Councilmember Hamon, with Councilmember Picanco abstaining on Warrant Register Items Nos. 068544, 068568, 068718, and 068747 and Councilmember Strong abstaining on Warrant Register Item No. 068686.

Motion passed by the following roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

## DISCUSSION

### 8. Council Goals for Fiscal Years 2008-2011

J. App, City Manager

On February 15, and March 6, 2007 City Council considered a list of candidate goals, developed from individual Councilmember suggestions, previously adopted goals, and extensive public input. For the City Council to confirm top goals for fiscal years 2008-2011

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 discussion was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to confirm and adopt goals for fiscal years 2008-2011 (Exhibit C)

Motion passed by the following roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

### 9. Olsen Ranch Beechwood Specific Plan (OBSP) Plan Design Confirmation

R. Whisenand, Director of Community Development

For the City Council to consider the design of the Draft Olsen Ranch Beechwood Specific Plan and reconfirm the Traditional Neighborhood Design approach of the plan before preparing the Environmental Impact Report (EIR).

Mayor Mecham opened the public hearing. Speaking from the public was Amy Gilman, Dale Gustin, Greg W. Thomas, Jeff Wagner, Joseph Kuntz, Steve Sylvester, Steve Devencenzi, Christie Withers, Mike Maazer and Neil Olsen. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Strong, moved to adopt Resolution No. 07-051 reconfirming the traditional neighborhood design of the draft Olsen Ranch Beechwood Specific Plan.

Motion passed by the following roll call vote:

AYES: Hamon, Nemeth, and Strong

NOES: Picanco and Mecham

ABSTAIN:

ABSENT:

**10. Re-striping of Riverside Avenue, 10<sup>th</sup> to 12<sup>th</sup> Streets**

D. Monn, Director of Public

For the City Council to consider re-striping on Riverside Avenue from 10<sup>th</sup> to 12<sup>th</sup> Streets, at the request of businesses in the 1100 Block of Riverside who have expressed concern of limited sight distance to due on-street parking and speeding on Riverside Avenue

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 discussion was closed.

Councilman Nemeth, seconded by Councilmember Hamon to recommend striping of Riverside Avenue to include the placement of a center turn lane from 12<sup>th</sup> Street to 500 feet south of 10<sup>th</sup> Street.

Motion passed by the following roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**11. Amendment to Borkey and Union-46 Area Specific Plan Fees**

R. Whisenand, Community Development Director

For the City Council to consider modifying the Borkey and Union-46 Area Specific Plan fees to address overlap with the City's new AB 1600 fee program.

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 discussion was closed.

Councilmember Hamon, seconded by Councilmember Strong to adopt the attached Resolution No. 07-052 amending Borkey Area Specific Plan Fees and Resolution No. 07-053 amending the Union-46 Area Specific Plan Fees by eliminating fees for improvements to the intersections of Golden Hill Road-Highway 46 and Golden Hill Road-Union Road.

Motion passed by the following roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**12. Executive Search – Director of Administrative Services**

J. App, City Manager

For the City Council to consider authorizing a professional service contract for executive search services to identify a successor Director of Administrative Services.

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

Councilmember Strong, seconded by Councilmember Hamon, to adopt Resolution 07-054 Authorizing the City Manager to Appropriate \$23,000 for, and Execute an Agreement with, William Avery & Associates to Undertake a Search for a Director of Administrative Services.

Motion passed by the following roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**13. Award of Disking & Trimming Maintenance Contracts**

D. Monn, Public Works Director

For the City Council to consider awarding maintenance contracts to Hansen Brothers for the disking and trimming of City owned open spaces.

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

Councilmember Nemeth, seconded by Councilmember Hamon, to adopt Resolution Adopt Resolution No. 07-055 authorizing the award of maintenance contracts to Hansen Brothers for:

- 1) Disking of City owned open spaces for \$126 per hour not to exceed a total cost of \$25,200.
- 2) String Trimming of City owned open space at the rate of \$57 per person, per hour not to exceed a total cost of \$60,000.

Motion passed by the following roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**14. Municipal Code Amendment – Claim Filing Statute of Limitations**

J. App, City Manager

For the City Council to consider amending Municipal Code statute of limitations provisions for filing a claim for refund of taxes, assessments, or fees.

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

Councilmember Strong, seconded by Councilmember Nemeth, to Introduce for first reading (by title only) and set April 3, 2007 for adoption of Ordinance No. XXX N.S. amending Division XXV of Chapter 3.04 of the City Municipal Code regarding claims against the City for refunds of taxes, assessments, or fees.

Motion passed by the following roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**15. Establishment of a Technical Supervisor Classification Within the S.E.I.U. Bargaining Group**

M. Williamson, Assistant City Manager

For the City Council to consider establishing a new employee classification of Technical Supervisor within the S.E.I.U. collective bargaining unit.

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

Councilmember Nemeth, seconded by Councilmember Strong, Adopt Resolution No. 07-056 approving the focused Classification and Compensation Study performed by Avery Associates, thereby establishing a new/modified classification and salary differentiation for Technical Supervisor and Supervisor/Professional/Coordinator.

Motion passed by the following roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** - None

**COUNCIL COMMENTS (Including oral reports on conferences attended)** - Report from Councilmember Strong dated 3/19/2007 on General Plan and Housing.

**ADJOURNMENT:**

- GROUNDBREAKING FOR THE SUPERIOR COURT OF CALIFORNIA SAN LUIS OBISPO COUNTY PASO ROBLES COURTHOUSE, AT 12:30 P.M. FRIDAY, MARCH 23, 2007
- COMMUNITY WALK RIVER PARKWAY TRAIL, 10:00 A.M. SATURDAY, MARCH 24, 2007.
- THE REGULAR SCHEDULED PLANNING COMMISSION MEETING, MARCH 27, 2007 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, APRIL 3, 2007, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

All persons desiring to speak on an agenda item are asked to fill out **Speaker Information Cards** and place them at the Staff Table prior to public discussion of that item. Each individual speaker will be limited to a presentation total of three (3) minutes per item.

**AMERICANS WITH DISABILITIES ACT** Any individual, who because of a disability needs special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (805) 237-3960. Whenever possible, requests should be made four (4) working days in advance of the meeting.

*THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT  
REGULAR COUNCIL MEETING IS APRIL 3, 2007*

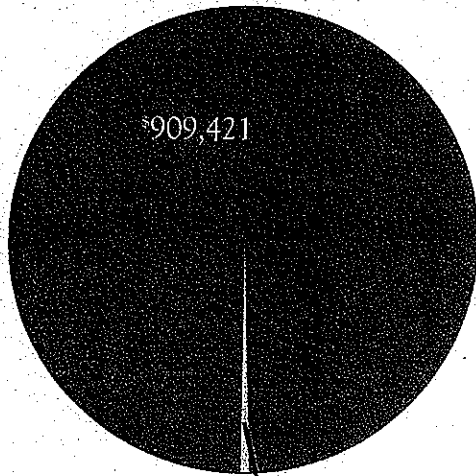
**THESE MINUTES ARE NOT OFFICIAL OR A  
PERMANENT PART OF THE RECORDS UNTIL  
APPROVED BY THE CITY COUNCIL AT A FUTURE  
REGULAR MEETING.**



San Luis Obispo County  
VISITORS & CONFERENCE BUREAU

CO-OPERATIVE MARKETING  
WORKS FOR PASO ROBLES

Fiscal Year 2007  
SLOCVCB Budget



Paso Robles - \$9,071 or 1%

Public Relations

Number of Placements - 75  
Circulation/Impressions - 14,491,735  
PR Value - \$838,539  
Journalist Visits - 51

Significant Placements

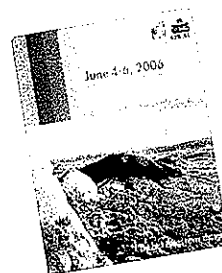
- San Diego Magazine, "A State of Wine"
- LA Times West Magazine, "Paso Robles - Where the Oaks Roam"
- Pacific Coast Sportsfishing, "Opportunities Abound in California's Central Coast"
- Outside Magazine, "Coastal Cloud 9"
- Souhbay Accent Magazine, "Follow Your Heart"
- Physicians Travel & Meeting Guide, "Central Coast Wine Country"
- Smart Meetings, "The Enchanted Coast"
- Wine Country International Magazine, "The Wild West of Wine"
- Fresno Bee, "Best of the Central Coast" - 8-page insert
- Bakersfield Californian, "Spring and Summer Events"
- Contra Costa Times, "Calendar of events listings"
- Huell Howser's California's Gold, "Road Trip"
- winecountry.com, Melodie Hilton(many articles)

Other Outreach

- Group Leads - 166
- Film Commission - 1
- Visitors Guide - 40,000
- Activity Maps - 47,000

Trade Shows

- CalSAE Season Spectacular
- International PowWow
- Sunset Travel Show
- Affordable Meetings
- Sacramento & Fresno (Baseball) Meeting Planner Events
- California Travel Marketplace



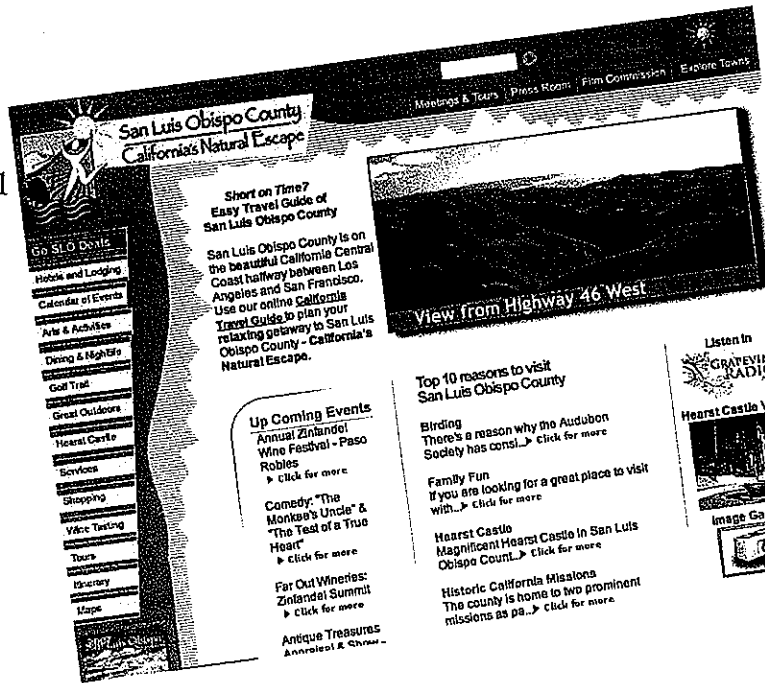
SanLuisObispoCounty.com • 805.541.8000

All Statistics are from 2006



# Website Activity

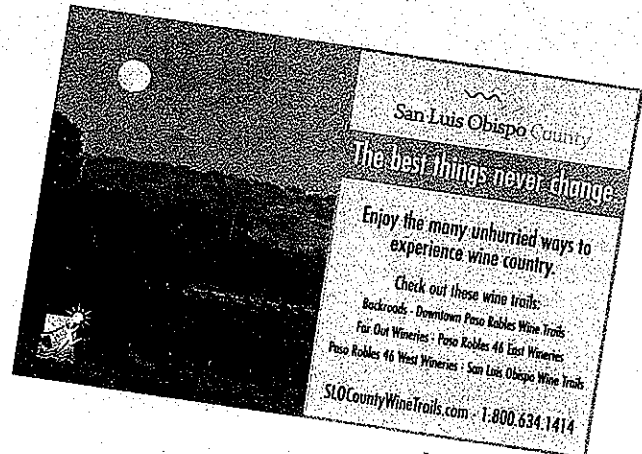
Total Unique Visitors - 1,372,996  
 Click Thrus:  
 Paso Robles (Total) - 67,624  
 Paso Robles Reservations Pages - 5,981  
 Paso Robles Events pages - 22,801



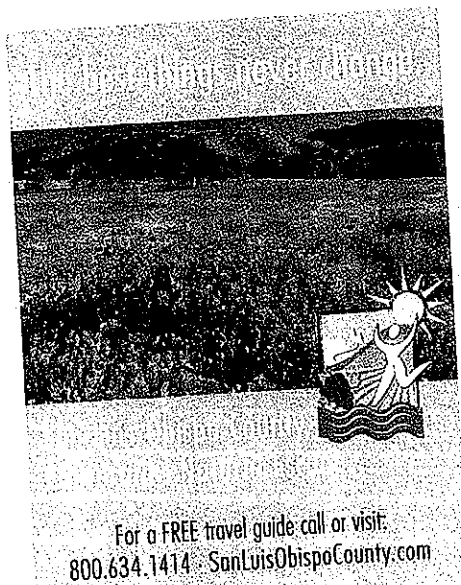
# Advertising

Total Ad Impressions - 11,787,444

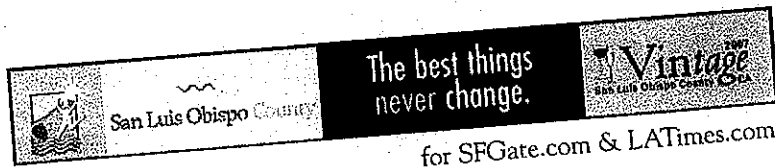
- |                           |                       |
|---------------------------|-----------------------|
| Sunset Magazine           | CA Visitors Guide     |
| Travel & Leisure Magazine | LATimes.com           |
| Audubon Magazine          | SFGate.com            |
| Budget Travel             | AzCentral.com         |
| Ladies' Home Journal      | Winecountry.com       |
| Better Homes & Gardens    | Central Coast Escapes |



Visitors Guide



Better Homes & Gardens and Ladies' Home Journal





# LAND USE PLANNING AND COMMUNITY DESIGN CHECKLIST OF PUBLIC HEALTH PRINCIPLES

## PHYSICAL ACTIVITY PROMOTION & INJURY PREVENTION

### *Pedestrian Access*

- Are sidewalks wide enough for multiple uses (recommended 5ft or more)?
- Is lighting placed among trails and sidewalks to increase the comfort level of those using them?
- Do planter strips exist between the sidewalk and the street? (Recommended minimum 6ft wide)
- Are sidewalks continuous throughout the development?
- Are houses oriented toward the street to provide “eyes on the street” creating a sense of safety for pedestrians?
- For commercial projects are parking facilities located behind the building?

### *Connectivity/Transportation*

- Is the residential development built within 1/3-1/2 mile of food/convenience, retail/services, schools, daycare, recreation centers?
- Is the commercial development built within 1/3-1/2 mile of housing, restaurants and entertainment.
- Does the project provide adequate neighborhood access to public transportation?
- Are bus stops protected from the elements?

### *Bicycle Access*

- Does the project provide Class I, II or III bicycle access?
- Does the project have bicycle access signage?
- For commercial projects are bicycle parking amenities incorporated (bike racks, lockers, etc.)?

### *Traffic Calming Measures/Injury Prevention*

- Does the project contain design elements to calm traffic in both subdivisions and shopping districts? (bulb outs, traffic circles, street humps, raised street crossings, etc.)
- Does the project include pedestrian signals and mid-street island on busy streets?
- Where appropriate, does the project include safe routes to school with a minimum of street crossings and high visibility for children walking to school?
- Does the project include ramps, depressed curbs or periodic breaks in curbs that act as ramps for people with disabilities?
- Does the proposed project include voice/audio or visual clues provided at crosswalks and transit stops?
- Does the project comply with ADA requirements for design of curb ramps, cross slopes and detectible warnings for new construction or retrofit projects?

## ACCESS TO HEALTHY FOODS

- Is the proposed project located in an area that provides easy access to healthy foods (grocery stores, farmers markets, etc)?

## PARKS AND OPEN SPACE

- Does the project include parks, trails and/or open space to provide regular opportunity for physical activities?
- For residential projects is there a park within ½ mile radius to the project?
- If storm water detention and retention basins exist within a proposed project?

March 20, 2007

City Council  
City of Paso Robles  
1000 Spring Street  
Paso Robles, CA 93446

**RE: Olsen Family Comments on the Olsen-Beechwood Specific Plan**

To the City Council:

The Olsen family wholeheartedly supports the planning concepts in the City's draft Specific Plan for the Olsen-Beechwood Planning Area. We support the Traditional Neighborhood Design (TND) principles. We see this as a way to integrate a broad range of housing types and prices into our neighborhoods, which will be a positive addition to the fabric of life in Paso Robles.

We are available to discuss the details of the draft plans at a later time, and we do have some important comments. But for tonight, the draft resolution presented for consideration is a very simple one: Does the Council support the TNC concepts or not? If we can keep the discussion focused on that single question, we believe that Council can take constructive and positive action tonight. We can refine the details as we move through the process.

**Time to Move Forward**

We support the City Council's current policy that one Specific Plan and EIR process describe and evaluate future development on the OBSP properties. We urge the City Council to confirm these policies tonight, so the entitlement process can regain its lost momentum. A failure to confirm the policy tonight burdens all the property owners with continued uncertainty about how, or when, or if any of the landowners can move forward with developing their property.

The Olsen family continues to be optimistic about the future of the Specific Plan and EIR. Our main concerns are EIR analysis and the implementation of the Specific plan policies so that owners can respond to market forces or environmental issues without having to endure a lengthy Specific Plan amendment process.

### **EIR Analysis for More Dwelling Units**

The EIR is required by law to evaluate project alternatives. We ask that Council direct staff to work with the landowners to establish a range of alternatives, including one that will establish an upper limit on the carrying capacity of the properties in the OSBP planning area.

The higher counts are the minimum that will enable landowners to:

- Build at a density more typically associated with TND projects
- Create the efficiency and affordability needed in Paso Robles
- Afford the extensive infrastructure requirements
- Afford the extra benefits the City wants from developers

### **Allow Flexibility for Needed SP Changes**


Builders will need a measure of flexibility to address marketing or environmental realities without triggering City Council review of a Specific Plan Amendment. Plan changes that are consistent with the overall intent of the OSBP planning principles should be approvable at the staff or Planning Commission level. We ask that Council direct staff to work with the landowners to develop clear policy and zoning language that will:

- Provide product flexibility, which is needed because:
  - The new TND product is untested in this area. The marketplace may demand a different mix of product types or density than shown in the final Specific Plan.
  - The different product types may need to relocate onsite for unpredictable market or environmental reasons.
- Provide roadway flexibility, as long as the interconnection aspect of the OSBP is maintained:
  - This will provide flexibility to implement needed product changes.
  - This will allow roads to shift to reduce grading or impacts to environmentally sensitive areas. Moving roads may be critical to meeting the City's grading policies.
  - Conversely, locking in the roadway alignments may force un-approvable grading designs, thereby creating a Catch 22 that could halt the projects.

City Council  
Olsen Comments on TND  
March 20, 2007  
Page 3 of 3

In closing, the Olsen family believes that it is time for the City Council to affirm its policies of the past two years, so the planning and environmental review processes for the OBSP can move forward. It is time to give clear direction to the landowners and residents of Paso Robles, so we can see more clearly what the future holds. Thank you for your consideration.

**eda - design professionals**



Jeffrey P. Wagner, PE  
Vice President

**eda - design professionals**

1998 Santa Barbara Street, San Luis Obispo, CA 93401  
805-549-8658 & Fax 805-549-8704  
[www.edainc.com](http://www.edainc.com)

**Cathy David**

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**From:** Steve Medvigy [gfpd8405@yahoo.com]  
**Sent:** Tuesday, March 20, 2007 2:01 PM  
**To:** Council  
**Subject:** Beechwood/Olsen project

Council Members,

I am writing you to give you some perspective on the Beechwood/Olsen project. I currently work for the Greenfield Fire Protection District in Monterey County. In the last three years we have had four "Traditional Neighborhood Design" projects built. I can tell you from the fire perspective that they are a nightmare. The narrow streets a difficult to traverse in fire engines. Coupled with the narrow streets we have found that several times people parked in no parking zones which decreases our access even further. The developers say it encourages walking. Think about an average family, how many vehicles do they own. Most likely they will not park in the garage. On several occasions we have found the alleys blocked by cars and delivery trucks. I am writing to you because I am a resident of Paso Robles. I do not want to see public safety and the safety of Paso Robles firefighters threatened by projects like these. They sound good on paper, but from firsthand experience they prove to have more negative impacts than positive ones. Thank you for you time in this matter.

Sincerely,

Stephen Medvigy  
1515 Via Rosa  
Paso Robles, CA 93446  
805-226-2881

**Fred Strong**

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**From:** Fred Strong **Sent:** Mon 3/19/2007 5:01 PM  
**To:** ljacobs@hcd.ca.gov  
**Cc:**  
**Subject:** Question from Local Gov't Commission Yosemite conference  
**Attachments:**

First, thank you for giving so much of your time to being with, listening and interacting with those of us attending the conference last week. The question concerning the population figure in our General Plan is very important to me as a "smart growth" question is before our Council tomorrow, Tuesday, night.

Our General Plan calls for a "... modified, maximum residential build-out potential of 45,500 residents by the year 2025, and a proportionate increase in commercial and industrial development."

Our staff has calculated the total number of units it would take, at our current average number of residents per dwelling unit, to reach this "build-out". As a result we have been told, due to the number of units already approved, or in the planning process, we are not allowed to approve any new (in process) Specific Plans which call for more than the number of units calculated.

In a specific case before us which calls for Traditional Neighborhood Design (TND) using "Smart Growth" principles we are told we cannot approve a density greater than three to the acre. Numerous people have also told us that TND and Smart Growth won't work at three to the acre.

Does our general plan statement indicating that number of residents by 2025 preclude us from approving a greater than three to the acre density in this case?


I might add that the residential units being counted are all of those unbuilt lots that still exist since 1889 and that our city has never reached the estimated "build-out" projected in any General Plan in our history.

A quick response would be greatly appreciated.

Thank you again,

Councilman Fred Strong  
City of El Paso de Robles, California



 The sender of this message has requested a read receipt. [Click here to send a receipt.](#)

**Fred Strong**

**From:** Cathy Creswell [CCRESWEL@hcd.ca.gov] **Sent:** Tue 3/20/2007 2:37 PM  
**To:** Fred Strong  
**Cc:**  
**Subject:** question about general plan and housing  
**Attachments:**

Lynn Jacobs asked me to contact you about questions you had regarding densities and your general plan build out. Is there a number I can best reach you or would you like to give me a call at the number below? Cathy

Cathy Creswell

Deputy Director

California Department of Housing and Community Development

(916) 323-3176

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**Fred Strong**

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**From:** Cathy Creswell [CCRESWEL@hcd.ca.gov] **Sent:** Tue 3/20/2007 4:32 PM  
**To:** Fred Strong; fsrong@charter.net  
**Cc:** Lynn L. Jacobs  
**Subject:**  
**Attachments:**

Councilman Strong,

Pursuant to your question about build out projections, residential population build-out potential as set forth in a general plan is just that – “potential” – there is not an absolute basis for regulating, via local government’s police powers, residential population on the basis of planning assumptions about typical occupancy standards. Such potential is based on projections which are in turn based on certain assumptions which may or may not be borne out. One of these, is for example, the assumption that all or some high percentage of all residential entitlements approved will actually be built – often, for a variety of reasons, the proposed development does not actually materialize.

Further, a local government in the development and implementation of its general plan, must inherently balance competing public objectives – a projected population figure would not trump other statutorily-required provisions, including the housing element requirement for development standards which accommodate the development of housing for all income groups, including affordability for lower-income households; or other objectives to promote smart growth in a manner that encourages compact development and higher densities. Precluding planning for such compact development would be detrimental to other City objectives to preserve open space and agricultural lands as well as reduce congestion.

I hope this is helpful. Please feel free to call if we can be of further assistance.

Cathy Creswell  
Deputy Director  
California Department of Housing and Community Development  
(916) 323-3176

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