

TO: James L. App, City Manager  
FROM: Ron Whisenand, Community Development Director  
SUBJECT: Code Amendment 09-002: Employee Housing  
DATE: May 19, 2009

Needs: To consider a City-initiated amendment to the Zoning Code to establish regulations pertaining to employee housing as a means of addressing the city need for housing for seasonal farmworkers, as identified in the Housing Element.

Facts:

1. A public hearing on the referenced code amendment has been noticed for the City Council's meeting of May 19, 2009. A copy of that notice is attached.
2. The Planning Commission is scheduled to conduct a public hearing on this code amendment on May 12, 2009.
3. For many years, the City often scheduled code amendments for "back-to-back" hearings before the Planning Commission and City Council, and in doing so, commonly used a single newspaper advertisement, such as the attached, to give notice for both hearings.
4. The California Appellant Court recently ruled that, for matters such as code amendments, which require that the City Council take action following a recommendation by the Planning Commission, public notice of the City Council meeting may not be published until after the Planning Commission has made its recommendation.
5. To comply with the court decision, the hearing on this code amendment must be re-published.

Analysis and Conclusion: The next available Council meeting date for which proper notice may be given is June 16.

Options: Upon receipt of public comments, take one of the following actions:

- a. Continue the public hearing for the project to June 16, 2009.
- b. Amend, modify, or reject the foregoing option.

Attachment: Newspaper Notice

ED\CODE AMEND\FARMWORKER HOUSING\CONTINUANCE CCR 051909

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

Newspaper: Tribune

Date of Publication: April 28, 2009

Hearing Date: May 12, 2009  
(Planning Commission)  
May 19, 2009  
(City Council)

Project: Zoning Code Amendment 09-002  
(City – Employee Housing Regulations)

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

forms/newsaffi.691

**CITY OF EL PASO DE ROBLES  
NOTICE OF PUBLIC HEARINGS**

Amendment to Zoning Code Establishing  
Regulations for Employee Housing  
Code Amendment 09-002

NOTICE IS HEREBY GIVEN that the Planning Commission and City Council of the City of El Paso de Robles will hold Public Hearings to consider Code Amendment 09-002, initiated by the City of Paso Robles, to amend the Zoning Code (Title 21 of the Municipal Code) to establish regulations for employee housing, particularly for seasonal agricultural workers. This ordinance implement mandates imposed on local governments by State Housing Element Law (Government Code Sections 65580 et seq.) and the State Employee Housing Act (Health and Safety Code Sections 17000 et seq.).

These hearings will take place in the Conference Room at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 pm on the following dates:

Planning Commission: Tuesday, May 12, 2009  
City Council: Tuesday, May 19, 2009

All interested parties may appear and be heard at the above hearings.

At these hearings, the Planning Commission and City Council will consider adopting a Negative Declaration (a statement that there will be no significant environmental effects in connection with adoption of the proposed code amendment) in accordance with the provisions of the California Environmental Quality Act (CEQA).

The proposed Negative Declaration may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California between the date of publication of this notice and the date of the hearings.

Comments on the proposed code amendment and Negative Declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or e-mailed to [CDdirector@prcity.com](mailto:CDdirector@prcity.com) provided that such comments are received prior to the time of the respective hearings.

If you challenge the Code Amendment 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, the public hearing.

Ed Gallagher, City Planner  
April 28, 2009 6814093