

# CITY COUNCIL AGENDA

Tuesday, October 19, 2004 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**

**ROLL CALL** Councilmembers George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco 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 FILL OUT A SPEAKER INFORMATION CARD. 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.

## AGENDA ITEMS TO BE DEFERRED (IF ANY)

### PUBLIC HEARINGS

1. [Appeal of Notice and Order for 1234 Pine Street by the Property Owner](#)

R. Lata, Community Development Director

Consider continuing the open public hearing regarding an appeal of a Notice and Order issued for a leaning building at 1234 Pine Street. (Property is a 120-year old wood, framed building. The City's recent assessment showed that the building is leaning and rotating four inches, exceeding limits set by code for this type of building.) CONTINUED FROM OCTOBER 5, 2004

**OPTIONS:**

- a. Continue the open noticed hearing regarding appeal of Notice and Order for 1234 Pine Street to November 16, 2004.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

2. [Code Amendment 02-007 \(Signs\)](#)

R. Lata, Community Development Director

Consider continuing the open public hearing regarding an update of the City's sign ordinance. (In light of legal issues and complexity, additional time is needed to refine the text of the proposed ordinance.) CONTINUED FROM AUGUST 3, 2004

**OPTIONS:**

- a. Continue the open public hearing to update the City's sign ordinance to the Council's regular meeting of November 16, 2004.
- b. Amend, modify, or reject any of the above option.

**ROLL CALL VOTE**

3. [2004 Housing Element \(Amendment to 2003 Housing Element\)](#)

R. Lata, Community Development Director

Consider amending the Housing Element to address concerns raised by the State Department of Housing and Community Development (HCD). (As the Housing Element was part of a comprehensive update of the General Plan, Council determined to adopt the update in December 2003 and address HCD's recommended revisions at a later date. The Planning Commission is scheduled to review the draft at its October 12<sup>th</sup> meeting.)

**OPTIONS:**

- a. (1) Approve Resolution No. 04-xx adopting a Negative Declaration for the 2004 Housing Element.
- (2) Adopt Resolution No. 04-xx approving the 2004 Housing Element.
- b. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

4. [Code Amendment 04-006 – Amend Regulations on Veterinary Clinics for Small Animals](#)

R. Lata, Community Development Director

Consider amending the Zoning Ordinance to allow veterinary clinics for small animals in the Office Professional (OP) district at the Gateway Center and along the Creston Road corridor in the General Commercial (C-1) and Neighborhood Commercial (CP) zoning districts, subject to approval of a Conditional Use Permit.

**OPTIONS:**

- a. (1) Adopt Resolution No. 04-xx adopting the Negative Declaration relating to Zoning Code Amendment No. 04-006; and
- (2) Introduce for first reading Ordinance No. XXX N.S. amending Title 21 (Zoning) of the Municipal Code, approving a zoning map change, and zoning text amendment; and set November 2, 2004, as the date for second reading of said ordinance.
- b. Amend, modify, or reject any of the above option.

**ROLL CALL VOTE**

**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 5-12 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

5. [Approve City Council minutes of October 5, 2004](#)

D. Fansler, City Clerk

6. [Approve Warrant Register: Nos. 50567 – 50710 \(10/1/04\) and 50711 – 50873 \(10/8/04\)](#)

M. Compton, Administrative Services Director

7. Receive and file Advisory Body Committee minutes as follows:

[Housing Authority Board meeting of September 14, 2004](#)  
[Youth Commission meeting of June 2, 2004](#)

8. [Proclamation for Red Ribbon Week, October 23 – 31, 2004](#)
9. [Read, by title only, and adopt Ordinance No. XXX N.S. amending the Municipal Code to establish a mixed-use overlay zoning district and development regulations \(Code Amendment No. 04-003\)](#). (This code amendment will ensure consistency between the General Plan and Zoning Ordinance.) 1ST READING OCTOBER 5, 2004  
R. Lata, Community Development Director
10. [Read, by title only, and adopt Ordinance No. XXX N.S. amending the City's Zoning Map regarding three City-owned parcels \(Zone Change 04-009 City-initiated\)](#). (Parcels are located at the westerly terminus of Dry Creek Road, formerly the site of a wastewater treatment facility. Current zoning is Residential-Agriculture, Planned Development [R-A-PD]; proposed zoning is Public Facilities [PF]. There are no projects or change of use under consideration.) 1ST READING OCTOBER 5, 2004  
R. Lata, Community Development Director
11. [Read, by title only, and adopt Ordinance No. XXX N.S. amending 12.00 et seq. and related provisions of the Municipal Code \(Code Amendment 2001-004 regulating commercial vehicle parking\)](#) 1ST READING OCTOBER 5, 2004  
R. Lata, Community Development Director
12. [Adopt Resolution No. 04-xx correcting Exhibit "A" to Resolution No. 04-163 approving updated sewer connection and water connection fees, adopted by Council on August 3, 2004](#). (This resolution would correct a misprint in Resolution No. 04-163.)  
M. Compton, Administrative Services Director

## DISCUSSION

13. [Mastagni Buildings Walkway Encroachment Permit](#)  
R. Lata, Community Development Director

Consider options regarding an approved encroachment permit issued to Portney Construction for covered walkways for the Mastagni buildings on the corner of 12<sup>th</sup> and Park Streets. (An encroachment permit to establish a pedestrian walkway in the public right-of-way along the property frontages was approved by Council in April 2004 to allow applicant room to excavate, stage equipment, and reconstruct the buildings following the December 2003 earthquake.)

### OPTIONS:

- a. Uphold the valid encroachment permit, which is in compliance with City codes and regulations, and continue to permit the pedestrian walkways to remain in their present locations until the permit expires or sooner if the applicant removes them before December 31, 2005.
- b. Amend, modify, or reject the foregoing option.

### ROLL CALL VOTE

14. [Request for Fee Waiver – Non-Profit Housing Corporation](#)

R. Lata, Community Development Director

Consider waiving water and sewer connection and development impact fee increases for a low income senior housing project that is sponsored by a non-profit corporation and receiving governmental financial assistance. (The Oak Park Senior Housing project is located at 801 28<sup>th</sup> Street. The Paso Robles Non-Profit Housing Corporation requested a waiver of fee increases. As structured, the fee waiver would apply to fee increases that have been established since adoption of the General Plan in December 2003, but does not waive the basic connection or development impact fees in place at the time of adoption.)

**OPTIONS:**

- a. Consistent with General Plan Goal H-3, that the City Council approve the Resolution No. 04-xx, which would waive increases in water and sewer connection and development impact fees applicable to the Paso Robles Nonprofit Housing Corporation project providing housing to “low” and “very low” income senior citizens. The fee waivers would apply to building permits issued after the General Plan adoption date of December 16, 2003, for this specific project that is sponsored by a non-profit housing corporation that has been approved for Federal, State, and local funding assistance.
- b. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

15. [Public Finance Goals and Policies](#)

R. Lata, Community Development Director

Consider the Draft Goals and Policies for implementing General Plan provisions regarding “fiscal neutrality.” (The intent of the Draft Goals and Policies is to provide tools to off-set adverse financial impacts on the residents of Paso Robles from new residential development—cost of infrastructure or services and/or reduced levels of existing services resulting from the new development. The proposed goals and policies are in accord with the General Plan. In order to assure “fiscal neutrality” and anticipate the fiscal impacts of the proposed Chandler Ranch Area Specific Plan, pending annexations, and other new residential entitlements, it would be appropriate to establish the parameters necessary for forming a Community Facilities District [CFD] as soon as feasible. Adoption of the Goals and Policies will create a policy framework for forming a CFD.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx approving the Draft Goals and Policies, and direct staff to take the steps necessary to form a Community Facilities District as soon as feasible.
- b. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

**16.** [Update of Needs List for AB-1600 Development Impact Fees](#)

R. Lata, Community Development Director

Consider approving a list of projects that will be utilized to update the City's Development Impact Fees (tentatively set for November 16, 2004). (Development Impact Fees are updated periodically to anticipate facilities that will be needed to accommodate future growth and development.)

**OPTIONS:**

- a. For the City Council to provide input as to the infrastructure project needs list, and to adopt Resolution No. 04-xx approving the needs list as a basis for preparing an update of the City's AB-1600 Development Impact Fees. Based on the needs list, staff will meet with the Council's ad hoc Committee (Mayor Mecham and Councilman Nemeth) and prepare for presentation of an updated Development Impact Fees.
- b. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** - None

**AD HOC COUNCIL BUSINESS**

**17.** [California Proposition 68 – Gambling Revenue Act of 2004](#)

J. App, City Manager

Consider opposing California Proposition 68. (Proposition 68 would authorize existing California horse racetracks and card club owners to operate up to 30,000 slot machines.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx declaring opposition to California Proposition 68.
- b. Amend, modify, or reject any of the above option.

**VOICE VOTE**

**COUNCIL COMMENTS**

**ADJOURNMENT:** to THE GOLDEN HILL WATER TANK TOUR AT 10:00 AM ON FRIDAY, OCTOBER 22, 2004; TO THE SUNRISE ROTARY CANDIDATES FORUM AT 7:00 AM ON WEDNESDAY, OCTOBER 27, 2004, AT THE PASO ROBLES INN, 1103 SPRING STREET; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, NOVEMBER 2, 2004, 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 OCTOBER 22, 2004***