

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
MARCH 1, 1988

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 p.m. on the above date, was called to order by Mayor Nick Russell with the following Councilmembers answering roll call: Ovitt, Dolan, Martin, Cousins and Russell; none being absent.

1. The minutes of the City Council meeting of February 16, 1988 were presented and approved upon motion by Councilmember Cousins, seconded by Councilmember Martin and passed 4-0-1, with Councilmember Ovitt abstaining, with an amendment to the last line of the first and third paragraphs to item 25 to read as a quotation by Councilmember Dolan.
2. Presentation of a Proclamation proclaiming the week of March 13-20 as Camp Fire Birthday Week.
3. The Mayor announced that it was the time and place scheduled for public hearing for Certification of Environmental Impact Report and Specific Plan Adoption - Union/46 Specific Plan (Continued Public Hearing). The Community Development Director presented a staff report explaining that the Final Specific Plan Report reflected changes approved by the Council on January 19, 1988. The changes focused on density, street improvement standards, minimum lot sizes, development fee schedules, open space, equestrian trails, preservation of almond trees and changes to the EIR.

Mayor Russell noted his questions regarding the overall density. The report, under Chapter 1, page 3, refers to a density of 2-3 units per acre. He would like it to read, up to a maximum of 3 units per acre.

Mayor Russell noted that the report, under Chapter 1, page 4, stated that an option of including an equestrian trail is also suggested, and nearly 75 acres are identified to remain as open space through the provision of easements. He questioned staff if it was decided that there will actually be an open space easement for maintenance of the open space acres or if the easement is only going to be for the drainage swales.

The Community Development Director noted that the easements would be limited to city access for preserving the drainage swales and controlling any erosion or damage to oak trees.

Mayor Russell stated that on the map for existing zoning, at the end of paragraph 1, the report shows one section between Riverglen and Sunset Ridge as a R-3 PD-8. It was discussed in the Specific Plan to do this section as 3 units per acre. He stated that during the discussions, it was going to be down-zoned to reflect this 3 units per acre.

The Community Development Director clarified that it is still an R-3 PD-8, but that the Specific Plan would supersede that zoning.

NOES: None
ABSENT: None

8. The Consent Calendar was approved as presented, together with the recommendations set forth therein, with the exception of Item D., upon motion by Councilmember Ovitt and seconded by Councilmember Cousins. Motion passed by the following roll call vote:

AYES: Ovitt, Cousins (abstaining on Item I), Dolan, Martin and Russell
NOES: None
ABSENT: None

Those items on the Consent Calendar are as follows:

A. Minutes of Planning Commission meeting of February 23, 1988

In adopting the Consent Calendar, said minutes are received and filed.

B. Approval of Final Parcel Map PR 87-050/Minnis

In adopting the Consent Calendar, Council approves Final Parcel Map PR 87-050 and authorizes execution and recordation.

C. Acceptance of Subdivision Improvements-Tract 1350/Parsons

In adopting the Consent Calendar, Council accepts public improvements for Tract 1350 and retains 10% guarantee bond for minimum of one year from acceptance.

E. Approval of Progress Payment No. 2 to Spies Construction/Centennial Park; Nickerson Drive

In adopting the Consent Calendar, Council approves Progress Payment No. 2 in the amount of \$9,153.00 to Spies Construction for Centennial Park; Nickerson Drive Project.

F. Minutes of Senior Citizens Advisory Board Meeting of February 8, 1988

In adopting the Consent Calendar, said minutes are received and filed.

G. Approve Purchase Orders Nos. to Knopf Data Systems in the amount of \$10,335.00 and Coastal Computers in the amount of \$6,943.00 for Police package software and hardware.

In adopting the Consent Calendar, Council approves the two purchase orders to the designated vendors in amounts identified.

H. Approving Modification to Development Conditions/Citizen's Bank

In adopting the Consent Calendar, Council concurs with the Planning Commission action to modify the Planned Development condition allowing for phasing of the second fire hydrant installation for Citizen's Bank.

I. Approval of Change of Ownership of Air Capital Corporation.

In adopting the Consent Calendar, Council approves the change in corporate ownership of Air Capital Corporation to 100 percent by Mr. Walt McKinley, approves amending the Air Capital Lease to delete Parcel 14 from that lease, and authorizes staff to draft a new lease with Pacific Management Development for Parcel 14.

Item D., Approval of Progress Payment No. 6 to M.J. Hermreck, DMS Project No. 86-06; Creston Road Reconstruction was presented for discussion.

After discussion, it was moved by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously that Progress Payment No. 6 for the Creston Road project be approved in the amount of \$168,746.83.

9. The Pre-check Register for February 29, 1988 in the amount of \$152,300.74, was approved upon motion by Councilmember Cousins and seconded by Councilmember Ovitt. Motion passed by the following roll call vote:

AYES: Cousins, Ovitt, Dolan, Martin and Russell
NOES: None
ABSENT: None

10. The Director of Administrative Services, Mike Compton, presented an oral status report on the landfill rates and advised that the accountant for the landfill operator was preparing a balance sheet and profit and loss statement. It should be available about March 2, 1988.

11. Motion by Councilmember Cousins and seconded by Councilmember Ovitt to approve the addendum to Farming Lease and award the Farm Bid to Mr. Pete Laharqou as per the staff report.

Councilmember Dolan stated that he could not tell the difference between the two bids.

The Director of Administrative Services, Mike Compton, clarified that Mr. Laharqou's bid was \$500.00 better, plus 10% of their gross crop sales.

...ly,
Development Director presented a letter from Mr. Cousins and seconded by Councilmember Martin
to fire access roads. Mr. Campa is requesting a
waiver of the paving requirement of the 20 foot
requirements along Prospect Road.
Councilmember Cousins and seconded by Councilmember Martin
to fire access roads. Mr. Campa is requesting a
waiver of the paving requirement of the 20 foot
requirements along Prospect Road.
Councilmember Cousins and seconded by Councilmember Martin
to fire access roads. Mr. Campa is requesting a
waiver of the paving requirement of the 20 foot
requirements along Prospect Road.

The motioned passed by the following roll call vote:
AYES: Cousins, Martin, Quitt, Russell
NOES: None
ABSTAIN: Dolan

13. The Community Development Director presented a staff report proposing an ordinance that would require that water lines be stubbed for shell buildings for future installation of fire sprinklers.
Motion by Councilmember Dolan and seconded by Councilmember Martin TO INCLUDE A REQUIREMENT AND TO PROVIDE FOR FUTURE FIRE SUPPRESSION SYSTEMS IN COMMERCIAL AND INDUSTRIAL DEVELOPMENTS, be read by title only, subject to the amendment of leaving off the first sentence of paragraph 5, starting with "all of commercial and industrial buildings of 10,000 square feet or larger in area shall provide water lines of sufficient size and capacity." The motion passed unanimously.
Motion by Councilmember Dolan and seconded by Councilmember Martin that this constitutes the first reading and introduction of said Ordinance.
AYES: Dolan, Martin, Cousins, Quitt
NOES: None
ABSENT: Russell

14. The Community Development Director presented a staff report on proposed Ordinance No. 515 N.S., AN ORDINANCE AMENDING ORDINANCE NO. 515 N.S. TO ESTABLISH DEFINITIONS OF TEMPORARY AND PERMANENT BUILDINGS, TO ESTABLISH DEFINITIONS OF TEMPORARY AND PERMANENT BUILDINGS, stating that this is a follow-up to a recent Council session at which they discussed "temporary" versus "permanent" buildings.
Motion by Councilmember Dolan and seconded by Councilmember Cousins and seconded by Councilmember Martin that the Ordinance be read by title only. The motion passed unanimously.

Motion by Councilmember Martin and seconded by Councilmember Dolan that this constitutes the first reading and introduction of said Ordinance. Motion passed by the following roll call vote:

AYES: Martin, Dolan, Cousins, Ovitt, Russell
NOES: None
ABSENT: None

15. Motion by Councilmember Cousins and seconded by Councilmember Martin that a committee be established to consider this security ordinance in regards to incorporating it into the uniform building code.

The motion passed by the following roll call vote:

AYES: Cousins, Martin, Ovitt, Dolan, Russell
NOES: None
ABSENT: None

Councilmembers Ovitt and Martin were appointed to serve as the Council Committee

16. The City Engineer presented a staff report explaining that the traffic circulation plan adopted in January 1987, relative to Creston Road as an arterial with a right-of-way of 100 feet.

Mayor Russell questioned if the new school at Meadowlark and Rhombic would have enough access for loading and unloading with a 60 foot wide street.

The City Engineer, Mike Grantham said they would have a circular driveway off Rhombic.

Discussion ensued regarding street width, paving, turn lanes and parking on Creston Road.

Motion by Councilmember Martin and seconded by Councilmember Ovitt to direct staff to proceed with the dedicated right-of-way for Creston adjacent to Tract 1457, as shown on the tentative map, which shows a 50 foot dedication of right-of-way and 40 feet of pavement which would provide the City with a 72 foot, curb to curb, measurement in that section of Creston Road.

The motion passed by the following roll call vote:

AYES: Martin, Ovitt, Dolan, Russell
NOES: None
ABSENT: None
ABSTAIN: Cousins

17. Ordinance No. _____, N.S., AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES, CHAPTER 12.04 AND 12.08 REGARDING VEHICLES AND TRAFFIC SAFETY COMMITTEE, was introduced. Motion by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously that said Ordinance be read by title only. The Ordinance was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Ovitt that that this constitutes the first reading and introduction of said ordinance.

The motion passed by the following roll call vote:

AYES: Martin, Ovitt, Cousins, Russell
NOES: None
ABSENT: Dolan

18. The administrative policy relating to travel and per diem was presented for Council's consideration. Motion by Councilmember Cousins and seconded by Councilmember Dolan to adopt Administrative Policy A-2/Travel and Per Diem. The motion passed unanimously.

19. A letter from Gene Bergman, Executive Director of the Housing Authority recommended the reappointment of Mary Herrera and the appointment of Norman Friedrichs to the Housing Authority. Motion by Councilmember Martin and seconded by Councilmember Ovitt to approve the reappointment of Mary Herrera to a four year term expiring on February 1992, and the appointment of Norman Friedrichs to the existing vacancy for the remaining four year term, expiring on February 1992, with the Housing Authority of the City of Paso Robles. The motion passed unanimously.

20. A new Settlement Agreement between the City and the present owner of Quail Run, subsequent to the Agreement approved on September 15, 1987, and an implementing Agreement for electrical connections was presented for Council's consideration. Motion by Councilmember Cousins and seconded by Councilmember Ovitt to approve the Settlement Agreement and Power Connection Agreement and authorize Mayor and City Clerk to execute the Agreements. The motion passed unanimously.

21. A petition of 93 names was submitted, by Norman Bridge, regarding the dirt stock pile on Creston Road at San Carlos Drive was presented. The petitioners are concerned regarding what the dirt is being used for or if it is just a stockpile.

Mayor Russell informed Mr. Bridge that a meeting is going to be scheduled to discuss if the dirt is for landscaping and when the landscaping would be done.

Councilmember Cousins expressed her concern that the dirt pile is an eyesore.

22. Mayor Russell questioned if there would be enough funds available for a signal light at Spring and 6th Street.

The City Engineer stated that it could be a part of the Capital Improvement Program.

23. Mayor Russell questioned if the master plan for the placement of fire hydrants within the city has been worked on by the fire department.

The City Manager stated that the first step would be to bring back to the council, a policy relative to certain distances, which then can be followed up by map implementation reflecting this. This would approximately take a month.

Mayor Russell stated that a council committee could be set up to review fire hydrants placement and power pole placement. This would be basically setting up a utilities committee to set up some policy and direction so it is not being done on an arbitrary basis.

24. It was moved by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously to adjourn to the study session on March 9, 1988 at 7:00 p.m.

THESE MINUTES ARE NOT OFFICIAL NOR A PERMANENT PART OF THE RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT THEIR NEXT REGULAR MEETING.



City of El Paso de Robles

"The Pass of the Oaks"

NOTICE OF ADJOURNMENT

YOU ARE HEREBY NOTIFIED that the meeting of the City Council of the City of El Paso de Robles, California, held on

March 1, 1988 at 7:30 p.m.

in the Council Chambers, City Hall, 1030 Spring Street, Paso Robles, California 93446, has been adjourned to

March 9, 1988 at 7:00 p.m. in the Council Chambers, City Hall, 1030 Spring Street, Paso Robles, California 93446.

DATE: March 3, 1988

CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES

BY:

Dawn Hudson
Deputy CITY CLERK

Mayor Russell stated that on page 2-10, there is discussion in regards to the drainage going across North River Rd, and to the river, that there are no known easements for this drainage at the present time.

He questioned if the city would have to acquire easements or if due to the history of drainage being accepted through an area be a grant of easement.

The Community Development Director indicated that this was his understanding.

Mayor Russell stated that on Page 2-16, under Agricultural Resources, the report discussed that the almond orchards have a historical value and that the preservation would be at the discretion of the property owner. He expressed that the verbiage should be changed to clarify that the property owners should be encouraged to preserve the almond trees but discretion lays with the property owners.

Mayor Russell referred to Page 3-1, under Topography, regarding development of the certain land consistent with the Specific Plan. He questioned if that area is actually proposed as 2.1 units per acre and that the rest of the area is to a maximum of 3 units per acre.

The Community Development Director pointed out that actually, as an overall number, that 2.1 is correct, but this is an average resulting from subdivision design of relatively smaller lots with some larger lots.

Councilmember Dolan expressed that regarding densities, he would prefer the language to read 2-3 units per acre. He stated up to 3 units per acre invites people to want 3 units per acre, whereas if it states 2-3 units per acre people may be inclined to go with 2 units per acre.

Mayor Russell noted that on page 3-13, pedestrian and equestrian systems, item 4, the report reads that walking trails may be provided in natural space areas, at the discretion of the developer and the city, and that the natural features of the specific plan area lend themselves to a series of trails through the oakwoods and steeper area as well as the drainage swales. He expressed that the first statement was fine but that the second one seemed to imply a direction towards the pedestrian and equestrian system.

Mayor Russell noted that on page 3-18, the report reads that in an endeavor to avoid significant environmental impacts and to retain the rural character of the neighborhood canyons, drainage areas, steep slopes and all oak woodlands will remain in open space. He questioned if this is referring to just the 75 acres or would this include the areas that are 30% or greater in slope, that would still be on private lots.

The Community Development Director noted that the entire area would stay in private lots. This would just be an easement for access into the canyon areas.

Mayor Russell questioned that the open space would not be designated on part of those lots.

The Community Development Director clarified that this would be correct. He noted that the concept of the plan is to provide that the canyon areas remain open space in terms of their use, not in terms of any restrictive zone designation. There will be an access easement for the maintenance of the drainage areas. In a broad sense, the areas would be maintained as open space, the oaks would not be removed and the canyons would remain in their present physical form. The City would have access to make sure that the drainage properly flows through the canyons and they do not become blocked, but it would not preclude people from incorporating that area into their own use as private property. The only area that would be different, would be the park area, which would be formally established.

Mayor Russell noted that on page 3-22, the report discusses the possibility of optional equestrian facilities and trails, and that a connection could be provided to go along the Salinas River and that the crossing at North River Road will be clearly marked as an equestrian crossing. He suggested that it should read that any crossings of roadways should be adequately marked for equestrian trails so as to not suggest a certain crossing.

Councilmember Dolan expressed that the verbiage of it being at the discretion of the developer and the City would seem sufficient.

Councilmember Dolan noted that on page 3-33, the report states the drainage culvert going under Union Road and that they are being silted up 3/4 of the way and 90% on others. He questioned if the City had a program in which they will be cleaned out. He was advised that the culverts would need to be replaced.

Councilmember Dolan noted regarding 3 foot wide sidewalks, on 3-15, the cross-sections for rural streets, that perhaps it should specify that the 3 foot sidewalk, on at least one side, be concrete and not asphalt. The curbs could be asphalt but the sidewalks should be concrete.

The Community Development Director noted that staff is suggesting one direction or the other, not to mix them. He noted that where the City is going to require asphalt berms, then asphalt walkways should also be required; if concrete sidewalks are required, then concrete curbs and gutter should likewise be required.

The Mayor opened the public hearing.

John Trowbridge, representing Paso Panorama, expressed his concern regarding the open space. He referred to page 1.4, where it stated that nearly 75 acres are to remain an open space through the provisions of easements. He stated that it was unclear. He expressed that it should say easements for drainage, for utilities and for the city to inspect for erosion. He stated that the density should show 3 units per acre instead of 2-3 units per acre.

John McCarthy, representing Alex Furlotti, addressed the fee issue. He expressed that for the city to request a developer to come up with the amount of money that is asked for, for 90 lots (Sunset Ridge), would be over \$300,000.00. This would be an unrealistic fee to have to pay on a tentative map. He stated that the Council should look at Government Code Section 53077.5. This code states that development fees should be collected at the time of building permit and would not legally permit the City to collect them at the time of the final map.

Richard LeGros expressed strongly his concern regarding the fee structure for existing property owners.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan to close the public hearing. The motion passed unanimously.

Councilmember Cousins questioned regarding the signal requirement in Riverglen.

The Community Development Director noted that the fees to pay for the signalization are spread over the whole specific plan and as people pay the Union Road improvement fees, that will go for paying for the signal at Creston Road and Union Road.

Councilmember Dolan discussed the timing for collection of fees shown on the development fee schedule, stating that the collection of fees needs to be consistent with Government Code Section 53077.5.

Mayor Russell in regard to page 5-12, questioned if the fees were figured for both signals, Golden Hill/ Highway 46 and Creston Road/ Union Road. He also questioned the alignment of Union Road and North River Road, and improvement to a "T" intersection, because of the traffic.

Mike Grantham, the City Engineer, stated that there is a study being done regarding the traffic.

Councilmember Dolan stated, in referring to fees, that on September 9, 1987, in a document that was a part of a joint Planning Commission/City Council study session, page B-2, item No. 7, "fees for existing residential development . . .". Council indicated the desire to address those concerns to eliminate fees for all those lots in place and developed at the time of the plan adoption." He also referenced a document dated September 3, 1987, noting that all new

residential development is required to pay the total prorata costs of extending infrastructure improvements and a share of off-site improvements benefiting the respective project. He noted that with the adoption of language indicating that in the absence of a subdivision plan for a piece of land, prior to its development, that the building permit itself could be the thing that generated the need for payment of the fees associated with the Specific Plan.

Motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously that Resolution No. 88-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES ADOPTING A SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT AND DEVELOPMENT FEE SCHEDULE FOR THE UNION/46 SPECIFIC PLAN, be read by title only.

City Clerk, Jerry Bankston, noted the addition of language to item No. 4, of said Resolution, to read: "That the City Council hereby adopts and approves the Union/46 Specific Plan and the Development Fee Schedule, consistent with Government Code Section 53077.5, for Off-Site Improvements....". Said Resolution was read by title only.

Motion by Councilmember Ovitt and seconded by Councilmember Martin to adopt Resolution No. 88-12 as revised, covering the Environmental Impact Report and Development Fee Schedule and Specific Plan for Union/46. The motion passed by the following roll call vote:

AYES: Ovitt, Martin, Dolan, Cousins and Russell
NOES: None
ABSENT: None

4. The Mayor called a short recess after which the meeting was called to order with all members present.

5. The Mayor announced that it was the time and place scheduled for public hearing of Planned Development 88001 and Tract Map 1463/Furlotti. The Community Development Director presented a staff report, advising that this is the first tract in the Union/46 Specific Plan area. It is a proposed 90 lot single family subdivision, with lots ranging in size from 10,000 - 25,400 square feet. This is an R-1 PD zone. This tract was originally submitted early in the process of the Specific Plan. It was originally laid out in a Hillside Development standard, which showed 15,000 square foot lots and 6,000 square foot lots. The applicant's current proposal is, however, to use the Planned Development process to create a more homogenized lot configuration.

Councilmember Cousins questioned staff if this was consistent with the Union/46 Specific Plan.

The Community Development Director indicated that this was correct.

Development Director stated that it was consistent with the Hillside Ordinance. He noted that through the development process, it is possible to modify the application to create a series of lots that are of the same size or the same size that would be a different approach to same development.

Councilmember Cousins expressed that this application should be sent back to the Planning Commission to get some clarification as to bringing it to conformance with the Hillside Ordinance.

Motion by Councilmember Cousins and seconded by Councilmember Dolan that the Planned Development 89001 and Tentative Tract Map 1463 be sent back to the Planning Commission for a recommendation and recommendation relative to conformance with the City's Hillside Ordinance and recommendation on street widths in regards to the Hillside Ordinance.

The above motion was withdrawn by Councilmember Cousins.

Mayor Russell opened the public hearing.

John McCarthy, North Coast Engineering, representing the applicant, stated that the original application was in strict conformance with the Hillside Ordinance. The application was told that they would have to wait because of the Specific Plan being done.

Motion by Councilmember Martin and seconded by Councilmember Dolan that the public hearing being closed. The motion passed unanimously.

Councilmember Martin expressed his concern that they have been giving false signals to applicants.

Councilmember Dolan stated that two developers were cautioned against concurrent processing because of exactly this problem, because of the concerns that were going to be raised between what once was and what it is now.

Steve Sylvester, North Coast Engineering, stated that the 4,000 square foot lots did conform to the Hillside Ordinance before the Specific Plan. He expressed that the Hillside Ordinance through the Planned Development process had flexibility in regard to the Hillside Ordinance. He also noted that this plan conforms to the Specific Plan.

Councilmember Ovitt expressed that the Council had never eased the Hillside Ordinance. He stated that there should be clarification of the Hillside Ordinance as it applies to this application.

Motion by Councilmember Cousins and seconded by Councilmember Martin that PD 88001 and Tract Map 1463 be sent back to Planning Commission for further review regarding compliance with the Hillside Ordinance for lot size and street standards. The motion passed unanimously.

6. The Mayor announced that it was the time and place scheduled for public hearing of Planned Development 87009 and Conditional Use Permit 87025/Park Street Limited. The Community Development Director presented a staff report, stating that this application is a proposal for a 14,000 square foot convalescent care facility at 3420 Park Street, which would be located in the R-4 PD zone. The project would be for a maximum of 49 beds and proposes a maximum of 7 employees. The majority of the patients would be non-ambulatory and in need of full service nursing care.

Councilmember Cousins questioned if the noise would be a problem.

The Community Development Director noted that the noise was a concern that was raised in the early review and at the Planning Commission level. It would be necessary to meet building codes standards, but the close proximity to the railroad was a concern that was addressed.

Councilmember Martin questioned if there would be a need for special accesses to the building for ambulances.

The Community Development Director stated that this would be subject to review of the state agencies that regulate convalescent care facilities.

Councilmember Martin questioned the procedure that the applicant would have to go through for the licensing.

The Mayor opened the public hearing.

Donald Benson, the applicant, stated that it was his understanding that the zoning of the property, as it stands, would not permit the use of this particular convalescent home, unless they applied for a conditional use permit. He noted that the exact layout for emergency vehicles, would be dictated by state regulations. He has shown the plans to people who are in the business of building this particular kind of building, and they did not see many things that needed to be corrected, although these conditions are changing constantly.

Mayor Russell questioned what was involved in getting a license from the state.

Don Benson stated that first they had to get approval to do what they want to do and then they have to provide them a specific layout plan.

Mayor Russell questioned the applicant if it would be more appropriate to go to the state licensing board first and then come

back to the City for their review based on what information they could input to the city. He expressed that it might be better to use their expertise and their abilities to review a project like this, rather than visa-versa.

The applicant stated that he is looking for approval for the land use for a convalescent care before going to get licensed by the state.

Councilmember Dolan, based on a conversation he had with the State Agency, noted that the state licensing indication was that any kind of facility this close to the railroad tracks would have a very difficult time of making it. They indicated that, in the opinion of the licensing supervisor and the district administrator, it would not be feasible to put a convalescent care facility within 25-30 feet of a railroad track. They also expressed that there should be more than 7 employees. The parking would also be increased because of visitors.

The applicant stated that they used the parking requirements for a hospital.

Motion by Councilmember Cousins and seconded by Councilmember Dolan to close the public hearing. The motion passed unanimously.

Councilmember Martin stated that he had some questions regarding chronology as far as city and state approvals.

Councilmember Dolan expressed that it was appropriate for the city to coordinate with other agencies that are responsible for this kind of development.

Planning Commissioner, Rick Minton, stated that the Planning Commission was told that essentially it was not in their jurisdiction to determine what the state would or would not allow. Mr. Benson advised the Planning Commission that before he could approach the state, he needed approval from the City, on a piece of land where he could place his convalescent care facility. The Planning Commission expressed that it was an appropriate use for the area.

The Community Development Director noted that an alternative approach could be considered, where a Planned Development would be a 2-step approach, where conceptual approval is granted, but reserve a second level of review and approval until detailed plans are presented and subject to conditions of approval.

Motion by Councilmember Dolan and seconded by Councilmember Martin to table all activity on Planned Development 87009 and Conditional Use Permit 87025, until such time as the staff report can be forwarded to the State of California Licensing and Certification in Santa Barbara, for their review and comment.

Motion failed by the following roll call vote:

AYES: Dolan
NOES: Cousins, Martin, Ovitt and Russell
ABSENT: None

Motion by Councilmember Ovitt and seconded by Councilmember Cousins to approve a Negative Declaration for Planned Development 87009 and Conditional Use Permit 87025 and to approve Conditional Use Permit 87025 subject to the conditions as stated in the resolution.

Councilmember Cousins withdrew her second.

Motion by Councilmember Ovitt and seconded by Councilmember Cousins that staff be directed to prepare a new resolution to come back at the next meeting for a Negative Declaration and Conditional Use Permit for Use Permit 87025. The motion passed on a four to one vote with Councilmember Dolan dissenting.

7. The Mayor announced that it was the time and place scheduled for public hearing for proposed ordinance amending the zoning code to revise the requirements for Architectural Review, signs and canopies and awnings which project over the public sidewalk. The Community Development Director presented a staff report, stating that this is an outgrowth of Planning Commission discussions and concerns expressed regarding the cost and process for people to put up awnings, canopies and freestanding signs. The amendment would reduce the cost of, and simplify the process for each of those items. It does require, however, that all signs, canopies and awnings shall be subject to Architectural Review to maintain a level of quality and control over the signs that are being provided.

The Mayor opened the public hearing; there being no comments, either oral or written, the public hearing was closed, upon motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously.

Motion by Councilmember Cousins and seconded by Councilmember Martin that the Ordinance be granted a Negative Declaration. The motion passed unanimously.

Motion by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously that Ordinance No. _____, N.S., AMENDING THE ZONING CODE TO REVISE THE REQUIREMENTS FOR ARCHITECTURAL REVIEW, SIGNS AND CANOPIES AND AWNINGS WHICH PROJECT OVER THE PUBLIC SIDEWALK; be read by title only. Said Ordinance was read by title only.

Motion by Councilmember Ovitt and seconded by Councilmember Dolan that this constitutes the first reading and introduction of said Ordinance. Motion passed by the following roll call vote:

AYES: Ovitt, Dolan, Martin, Cousins and Russell