

RESOLUTION NO. 01-123

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
DENYING A REQUEST TO AMEND THE CITY'S GENERAL PLAN LAND USE AND
CIRCULATION ELEMENTS, AND ZONING, WITH REGARD TO AN APPROXIMATELY 673-ACRE
PROPERTY CONSISTING OF EIGHT (8) PARCELS GENERALLY
REFERRED TO AS THE CHANDLER RANCH (APPLICANT - JACK MUNARI; GENERAL PLAN
AMENDMENT 2-01 AND ZONE CHANGE 99-004)

WHEREAS, the Land Use Element of the City's 1991 General Plan (as amended) establishes land use designations for the subject property, authorizing applicants to apply for development entitlements of up to approximately 250 single family homes; and

WHEREAS, the City's infrastructure and service capacities are based on land use designations in the City's General Plan; and

WHEREAS, pursuant to an application to amend the City's General Plan and Zoning for the subject property, the City has received a request for entitlements of up to 1,226 single and multi-family dwelling units, plus 20 acres of commercial service and 5 acres of industrial development, in addition to designation of the location of two public school sites; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act (CEQA) the City has contracted with Douglas Wood & Associates for the preparation of an Environmental Impact Report (EIR) to evaluate the potential impacts of the applicant's proposed project; and

WHEREAS, the Final EIR prepared by Douglas Wood & Associates concludes that after implementation of the proposed mitigation measures for Alternative 1 (the applicant's request) there would still be significant "residual" environmental impacts that cannot be reduced to less than significant levels (specifically impacts to Land Use and Planning, Population and Housing, Air Quality, Biological Resources, and short-term impacts to Aesthetics); and

WHEREAS, the San Luis Obispo County Airport Land Use Commission considered the proposed General Plan and Re-Zone application and in their letter of October 19, 2000 concludes:

- "...in the considered judgment of the Commission, this General Plan Amendment and the specific development plan for this site would be highly incompatible with present and future operations at the Paso Robles Municipal Airport."
- "The site will be subject to noise impacts, particularly high-intensity single event impacts..."
- "In addition, the placement of relatively dense housing below and in close proximity to the centerline of Runway 19 presents an unacceptable safety hazard to potential residents; and

WHEREAS, in addition to significant environmental impacts that cannot be mitigated to less than significant levels, the proposed land uses would be incompatible with current and future operations of the Paso Robles Municipal Airport, would constitute development in advance of mitigation measures foreseen in the 1991 EIR for the General Plan, pose questions regarding adequacy and appropriateness of the proposed transition to the County Unincorporated Area to the east, raise hillside grading and oak tree preservation concerns, would create adverse impacts by relocating Airport Road as proposed by the applicant, proposes unacceptable changes to the Circulation Element, and would be premature in relation to the need for traffic to take access to Highway 46 East at the intersection of Airport Road and Highway 46 East; and

WHEREAS, the Planning Commission conducted a noticed public hearing on May 22, 2001, to consider the proposed Final EIR and amendments to the General Plan and the Zoning designations for the project site as requested by the applicant and took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed Final EIR, General Plan Amendment and Zone Change;

- c. In accordance with the California Environmental Quality Act, considered a proposed Final Environmental Impact Report (FEIR), and made a recommendation that the City Council certify the document; and
- d. Recommended that the City Council deny the applicant's request to amend the City's General Plan and Zoning based on the unmitigated significant impacts on the environment and the incompatibility of the proposed residential densities with the Paso Robles Municipal Airport, concerns regarding unmitigated traffic impacts, hillside grading and oak tree preservation issues, inadequate transition to County areas, and the premature nature of the proposed development; and

WHEREAS, at its meeting of June 19, 2001, the City Council held a public hearing and took the following actions regarding the FEIR and the General Plan Amendment and Re-Zone request:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. The Council found that the proposed Final Environmental Impact Report (FEIR) on the applicant's proposal was adequate in terms of its description of the project and project alternatives, anticipated environmental impacts and proposed mitigations necessary and certified the Final EIR as being in accordance with the California Environmental Quality Act; and
- d. Considered the Commission's recommendation from the Planning Commission's May 22, 2001 public meeting.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES RESOLVE AS FOLLOWS:

Based on the attached Findings labeled Exhibit "A", the City Council of the City of Paso Robles hereby denies the applicant's request to amend the General Plan and Zoning to allow an increase in potential development from the existing 250 single family homes to up to 1,226 single and multi-family dwelling units, plus 20 acres of commercial service and 5 acres of industrial development, in addition to designation of the location of two public school sites.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Paso Robles this 19th day of June 2001 by the following vote:

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

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

Chandler Ranch General Plan Amendment and Zone Change Request
Findings for Denial of Applicant's Request

- The proposed land use and density under the applicant's request (1,226 dwelling units, 20 acres of service commercial land uses, and 5 acres of industrial development in Alternative 1) would create numerous significant, unmitigated environmental impacts, as described on page I-3 of the Responses to Comments, that are unacceptable to the City of Paso Robles;
- The applicant's proposed density and land use pattern described as Alternative 1 would be, in the opinion of the County's Airport Land Use Commission, as stated in their October 19, 2000 letter, "...highly incompatible with present and future operations at the Paso Robles Municipal Airport";
- The cumulative impacts of additional vehicular traffic resulting from the impacts created by 1,226 dwelling units, 20 acres of service commercial land uses, and 5 acres of industrial development proposed in Alternative 1, combined with as of yet unmitigated impacts of accommodating the current General Plan projected to total a residential population of 35,000 persons, along with related commercial and industrial development, as addressed in the certified Environmental Impact Report for the 1991 General Plan, would create unacceptable cumulative burdens on the City's streets and roads, and state highways;
- The proposed land use pattern of 1,226 dwelling units, 20 acres of commercial development and 5 acres of industrial uses do not provide a suitable transition to the Agriculture and low-density residential land uses in the adjacent County unincorporated areas east of the City of Paso Robles;
- In light of the size and density of the existing oak forest area of approximately 147 acres, the anticipated loss of the Shining navarretia plant found on the subject property, and the topographic characteristics of the hillside portions of the subject property, the requested land use density cannot be accommodated without unacceptable adverse impacts and conflicts with the City's existing Oak Tree Preservation ordinance and Hillside Grading and Development Standards;
- Realignment of Airport Road to the easterly boundary of the property and the City of Paso Robles, in a location that would cut through existing hills as proposed by the applicant, would not be consistent with preservation of the existing topography and aesthetic qualities of the site or the City's existing Hillside Grading and Development Standards;
- The applicant's request to modify Circulation Element of the City's General Plan would eliminate an east-west alignment collector street that is needed to provide an adequate distribution of vehicular traffic as envisioned in the City's General Plan;
- Neither the City nor the applicant have title to or control over property needed to provide a northward extension of Airport Road, from the subject site to Highway 46 East. Without such right-of-way necessary for the northward extension of Airport Road, implementation of the project would create an unacceptable adverse safety and traffic impact at the intersection of Union Road and Highway 46 East.