

**PLANNING COMMISSION
MINUTES**

June 12, 2007

PLANNING COMMISSIONERS PRESENT: Flynn, Holstine, Johnson, Menath, Treach, Withers

ABSENT: Steinbeck

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA: None

STAFF BRIEFING: No briefing given.

AGENDA ITEMS PROPOSED TO BE TABLED OR RE-SCHEDULED None

PRESENTATIONS: None

Planning Commission approval of a development project is one step in the process of meeting applicable legal requirements. In addition to receiving Planning Commission approvals, all development plans must comply with applicable Zoning and Building Codes. Applicants are encouraged to consult with a design professional to confirm what provisions of the Uniform Building Codes and, in particular, requirements for handicapped access will apply to your project and the design and/or financial implications of meeting these legal requirements.

All items on the Planning Commission Agenda are scheduled for action unless explicitly otherwise stated. Planning Commission Action on General Plan Amendments, Rezones, Street and Public Easement Abandonments, Street Name Changes, Code Amendments and any legislative related action is a recommendation to the City Council; the Council will hold a separate public hearing prior to taking final action. All Other Planning Commission action is final unless an appeal application, including the required fee, is filed with the Community Development Department within 15 calendar days of the date of the action. Any member of the public or the City Council may file an appeal. Please see last page of agenda for how to file an appeal.

PUBLIC HEARINGS

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| 1. | FILE #:
APPLICATION: | CONDITIONAL USE PERMIT 06-010
To consider a request to construct an automotive repair center. The property is zoned C3 (Commercial/Light |
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Manufacturing). The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
APPLICANT: CMR Properties, LLC
LOCATION: 12th and Paso Robles Streets. (APN 009-051-014)

Opened Public Hearing.

Public Testimony: In favor: Nick Gilman, applicant representative, has concerns with Condition No. 13
Opposed: None

Closed Public Hearing.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Treach, and passed 6-0-1 (Commissioner Steinbeck absent), to table Conditional Use Permit 06-010 to date uncertain to allow staff time to address Condition No. 13.

2. FILE #: **PLANNED DEVELOPMENT 05-008 AND
CONDITIONAL USE PERMIT 06-038**
APPLICATION: To consider a request to construct an approximate 14,500 square foot, two-story office building. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.
APPLICANT: Pults & Associates on behalf of Frank Arciero, Falling Star Homes, Inc.
LOCATION: 1344 Oak Street

Opened Public Hearing.

Public Testimony: In favor: Tim Woodle, Pults & Assoc.; applicant’s architect Dale Gustin
Opposed: Doug Barth
Kate Dubost
Kathy Barnett
Tom Hardwick

Closed Public Hearing.

Action: A motion was made by Commissioner Treach, seconded by Commissioner Flynn, and passed 6-0-1 (Commissioner Steinbeck absent), to approve Planned Development 05-008 as presented.

Action: A motion was made by Commissioner Treach, seconded by Commissioner Flynn, and passed 6-0-1 (Commissioner Steinbeck absent), to approve Conditional Use Permit 06-038 as presented.

The following item is a continued Open Public Hearing from the Planning Commission Meeting of Tuesday, May 22, 2007.

3. **FILE #:** **CODE AMENDMENT 07-002**
 APPLICATION: To recommend that the City Council add the definition of the term Transient Occupancy to the Zoning Ordinance. The definition of Transient Occupancy shall include identifying the time limits for transient occupants as it applies to a range of occupancies including hotels, motels, vacation rentals, timeshares, villas, casitas, cottages, and other types of lodging.
- APPLICANT:** City initiated
 LOCATION: Citywide

Opened Public Hearing.

Public Testimony: In favor: None

 Opposed: Dale Gustin
 Steve Holman
 Doug Barth
 Tom Hardwick
 Kate Dubost
 Kathy Bonelli
 Kathy Barnett

Closed Public Hearing.

A straw vote was taken on whether the City should regulate vacation rentals, with Commissioners Withers, Flynn, Treach and Menath in favor; Commissioners Holstine and Johnson opposed and Commissioner Steinbeck absent.

A second straw vote was taken on whether the City should require a Conditional Use Permit for vacation rentals. Commissioners Flynn, Treach and Menath were in favor;

Commissioner Withers, Johnson, and Holstine were opposed; Commissioner Steinbeck was absent.

Action: A motion was made by Commissioner Johnson, seconded by Commissioner Flynn, and passed 6-0-1 (Commissioner Steinbeck absent), to table the vacation rental regulation portion of the ordinance to date uncertain.

Action: A motion was made by Commissioner Flynn, seconded by Commissioner Flynn, and passed 6-0-1 (Commissioner Steinbeck absent), to recommend that the City Council approve adding definitions for Transient Occupancy as presented.

OTHER SCHEDULED MATTERS

- 4. FILE #: **CAPITAL IMPROVEMENT BUDGET: CONSISTENCY WITH THE GENERAL PLAN**
- APPLICATION: To consider the draft four-year Capital Improvement Projects (CIP) Budget and make a recommendation to the City Council

A presentation was made by Ed Gallagher.

Public comment: Tom Hardwick addressed the need for parking.

Action: A motion was made by Commissioner Flynn, seconded by Commissioner Withers, and passed 6-0-1 (Commissioner Steinbeck absent), to recommend that the City Council find the draft Capital Improvements Program Budget to be consistent with the General Plan, and include a finding to that effect in the resolution adopting the budget.

WRITTEN CORRESPONDENCE -- NONE

COMMITTEE REPORTS

- 5. Development Review Committee Minutes (for approval):
 - a. May 14, 2007
 - b. May 21, 2007

Action: A motion was made by Commissioner Menath, seconded by Commissioner Flynn, and passed 6-0-1 (Commissioner Steinbeck absent) to approve the DRC Minutes listed above as presented.

6. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee: Commissioner Withers provided review of the Parks & Rec budget.
 - b. PAC (Project Area Committee): No meeting
 - c. Main Street Program: Commissioner Holstine provided an update
 - d. Airport Advisory Committee: Commissioners Johnson and Menath suggested abolishing the requirement for a Planning Commission representative on the Airport Advisory Committee. No action was taken on the suggestion.
 - e. Measure T Bond Oversight Committee: No meeting

CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT

Ed Gallagher reported that all programs are progressing on schedule.

PLANNING COMMISSION MINUTES FOR APPROVAL

7. May 22, 2007

Action: A motion was made by Commissioner Treach, seconded by Commissioner Flynn, and passed 6-0-1 (Commissioner Steinbeck absent), to approve the Planning Commission Minutes of May 22, 2007 as presented.

REVIEW OF CITY COUNCIL MEETING

June 5, 2007

A brief review was presented by Ron Whisenand.

PLANNING COMMISSIONERS' COMMENTS

- Commissioner Treach commented that sound coming from Downtown Brew is too loud.
- Commissioner Flynn commented that the City Council needs to revisit the parking in-lieu fees.
- Commissioner Johnson stated that he feels that in-lieu fees should be discretionary.

STAFF COMMENTS

Ron Whisenand advised the Planning Commission of a few of the larger projects that will be coming forward in the future. They include:

- Lowe's project
- Munde RV Park General Plan Amendment and Rezone
- Golden Hill Road General Plan Amendment and Rezone to allow an assisted living facility in an area currently zoned for 1 acre parcels.
- Black Ranch conformity review.

ADJOURNMENT to the Joint Planning Commission/City Council Breakfast Meeting of Friday, June 15, 2007 at 7:00 am at Touch of Paso;

subsequent adjournment to the Development Review Committee Meeting of Monday, June 18, 2007 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, June 25, 2007 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Planning Commission Meeting of Tuesday, June 26, 2007, at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446.

THESE MINUTES ARE NOT OFFICIAL NOR ARE THEY A PERMANENT PART OF THE RECORD UNTIL APPROVED BY THE PLANNING COMMISSION AT THEIR NEXT REGULAR MEETING.