

PLANNING COMMISSION MINUTES
December 10, 2013

PLANNING COMMISSIONERS PRESENT: Barth, Garcia, Gregory, Holstine, Nash, Rollins and Vanderlip

ABSENT: None

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA: None

STAFF BRIEFING: None

AGENDA ITEMS PROPOSED TO BE TABLED OR RE-SCHEDULED: None

PRESENTATIONS: None

PUBLIC HEARINGS

1. Continuance Request for Prezone 13-004 – Robert Hall and Collins Vineyard

For the Planning Commission to continue consideration of proposed application for a Prezone 13-004 to a date uncertain.

Open Public Hearing.

Speakers: Jamie Kirk, Kathy Barnett

Closed Public Hearing.

Action:

A motion was made by Commissioner Gregory, seconded by Commissioner Garcia, and passed 7-0-0 to recommend that the City Council continue consideration of this item to a date uncertain.

2. Time Extension for Planned Development 01-025 & Conditional Use Permit 01-017 – Black Ranch

For the Planning Commission to consider an application submitted by Ken Hunter on behalf of Entrada de Paso Robles, LLC, requesting a one-year time extension of PD 01-025 and CUP 01-017.

Open Public Hearing.

Speakers: None

Closed Public Hearing.

Action:

A motion was made by Commissioner Holstine, seconded by Commissioner Garcia, and passed 7-0-0 to recommend that the City Council adopt a resolution granting a one-year time extension for PD 01-025, CUP 01-017, extending the entitlements to December 31, 2014.

Commissioner Vanderlip recused himself and left the room. Commissioner Gregory assumed the duties of the Chair.

3. Amendment to Planned Development 05-012 – Twin Oaks Legacy-Gomer

For the Planning Commission to consider an application filed by Dale Gomer on behalf of Twin Oaks Legacy, to amend Planned Development 05-012 to allow for the expansion of the existing Paso Robles Waste Disposal yard on to Lots 15, 16 & 17 of Tract 2594. (APNs: 025-437-015, 016, & 017).

This project is categorically exempt from environmental review per Section 15303/15332 (new construction, infill) of the State's Guidelines to Implement the California Environmental Quality Act.

Open Public Hearing.

Speakers: Ian Hoover

Closed Public Hearing.

Action:

- a. A motion was made by Commissioner Barth, seconded by Commissioner Garcia, and passed 6-0-1 (Commissioner Vanderlip absent) to recommend that the City Council adopt the attached resolution approving the amendment to PD 05-012, as an expansion of (accessory to) an existing adjacent business, allowing for the outdoor storage yard on lots 15, 16 and 17 of Tract 2594, and allowing for a reduced setback of 6-feet, since the equipment being stored in the yard area will not be taller than the screen fencing, subject to standard and site specific conditions of approval.

4 Planning Commission Interpretation - Applicant: 3G-CNG

Request an interpretation by the Planning Commission whether an un-manned fuel sales facility would be subject to the standards provided for in Section 21.21.070 of the Zoning Code for Gasoline Service Stations.

Open Public Hearing.

Speakers: Terry Schubert, Ian Hoover, Dale Gomer, Kathy Barnett

Closed Public Hearing.

Action:

A motion was made by Commissioner Rollins, seconded by Commissioner Holstine, and passed 6-0-1 (Commissioner Vanderlip absent) to interpret section 21.21.070 of the zoning code to provide that unmanned compressed natural gas dispensing facilities are sufficiently dissimilar from gasoline service stations to warrant provision of a single uni-sex public restroom instead of two restrooms.

OTHER SCHEDULED MATTERS - NONE

Commissioners Vanderlip reentered the room and resumed his seat.

WRITTEN CORRESPONDENCE – NONE

COMMITTEE REPORTS

- 5. Development Review Committee Minutes (for approval)
 - a. November 18, 2013
 - b. November 25, 2013
 - c. December 2, 2013

Action:

A motion was made by Commissioner Garcia, seconded by Commissioner Gregory, and passed 7-0-0 to approve the DRC minutes as presented.

- 6. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee: No report.
 - b. Main Street Program: Commissioner Holstine
 - c. Airport Advisory Committee: No report.
 - d. Measure T Bond Oversight Committee: No report.

PLANNING COMMISSION MINUTES FOR APPROVAL

November 12, 2013

Action:

A motion was made by Commissioner Rollins, seconded by Commissioner Holstine and passed 7-0-0 to approve the Planning Commission minutes as presented.

REVIEW OF CITY COUNCIL MEETINGS

- a. November 19, 2013 – Commissioner Vanderlip
- b. December 3, 2013 – Commissioner Barth

PLANNING COMMISSIONERS' COMMENTS - NONE

STAFF COMMENTS - NONE

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the Planning Commission after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the Community Development Department, 1000 Spring Street, Paso Robles, CA, during normal business hours, and may be posted on the City's web site at <http://www.prcity.com/government/planning-commission/agendas.asp>.

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.

ADJOURNMENT to the Development Review Committee Meeting of Monday, December 16, 2013 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

subsequent adjournment to the City Council Meeting of Tuesday, December 17, 2013 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

subsequent adjournment to the Joint Planning Commission/City Council Breakfast of Friday, December 20, 2013 at 7:00 am at Touch of Paso;

subsequent adjournment to the Development Review Committee Meeting of Monday, December 23, 2013 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

subsequent adjournment to the Development Review Committee Meeting of Monday, December 30, 2013 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

subsequent adjournment to the Development Review Committee Meeting of Monday, January 6, 2014 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

subsequent adjournment to the City Council Meeting of Tuesday, January 7, 2014 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

subsequent adjournment to the Development Review Committee Meeting of Monday, January 13, 2014 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles;

subsequent adjournment to the Planning Commission Meeting, January 14, 2014 at 7:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles.

Planning Related Appeal Process

Decisions or determinations by the City's staff, Development Review Committee (DRC) or Planning Commission can be appealed by any interested person (applicant, neighbor, public official, or other interested party). The appeal process is described by Chapter 21.23.A of the City's Municipal Code, and is summarized as follows:

- a. An appeal of a staff determination or interpretation will be heard by the Planning Commission. There is no charge to the appealing party.
- b. The DRC is a subcommittee of the Planning Commission. Their role is to review design details as outlined in Chapter 21.23 B of the Municipal Code. Any decision, determination or recommendation of the DRC may be appealed to the full Planning Commission. There is no charge to the appealing party. In the absence of an appeal to the City Council, the Planning Commission is the final authority on Lot Line Adjustments, Parcel and Subdivision Maps, Conditional Use Permits, Planned Developments, design details and Zoning Code interpretations. Decisions and determinations by the Planning Commission are appeal able to the City Council. Appeals to the City Council require a \$200 fee deposit to be applied toward actual City costs to prepare the appeal (staff time to prepare a report that adequately responds to the appeal, report printing, and required public notices), as adopted by City Council Resolution No. 06-128. Appellants are hereby notified that the actual cost of an appeal may exceed the \$200 deposit and that they will be billed for any additional amounts necessary to cover actual City costs.

When must an appeal be filed?

An appeal must be filed within fifteen (15) calendar days of the decision. Upon receipt of an appeal, the matter will be scheduled for consideration before the appeal body as soon as feasible. Appeal applications can be obtained from the City's website at www.prcity.com, anyone in the Community Development Department or by calling (805) 237-3970.

What is the effect of filing an appeal?

If an appeal is filed, the body considering the appeal will consider the request as if it were a new application. Opportunities will be provided for all interested parties to speak and/or provide evidence to support approval or denial of the appeal.

There is no penalty for filing an appeal. The City cannot and will not penalize anyone for filing an appeal. Each application for a land use or other entitlement is handled on a "first-come-first-served" basis. (The City keeps a "log" of applications filed, and any of the public is welcome to confirm the order of processing for each application.)

How Can I Get More Information on Appeals?

Please check the City's website at www.prcity.com, call the Community Development Department at (805) 237-3970, or stop by City Hall at 1000 Spring Street, Paso Robles, CA 93446.

THE PASO ROBLES PLANNING ACRONYM GLOSSARY

ADT:	Average daily trips made by vehicles or persons in a 24-hour period
ALUP:	Airport Land Use Plan
APCD:	Air Pollution Control District
BMP:	Best Management Practice, Bike Master Plan
CAP:	Climate Action Plan
CC&Rs:	Covenants, Conditions, and Restrictions (private agreements among property owners; the City has no authority to enforce these)
CDBG:	Community Development Block Grant (a federal grant program designed to benefit low and moderate income persons)
CEQA:	California Environmental Quality Act
CFD:	Community Facilities District
SLOCOG:	San Luis Obispo Council of Governments
CUP:	Conditional Use Permit
DRC:	Development Review Committee (a subcommittee of the Planning Commission)
EIR:	Environmental Impact Report
Ex Parte:	Communication between Planning Commissioners and applicants outside of a public meeting
FEMA:	Federal Emergency Management Agency
GHG:	Greenhouse gas
Greenfield:	A large area, usually at the edge of the City, in which properties are either mostly vacant or in agricultural use, but is planned for urban or suburban development
HOME:	Home Investment Partnership Act (a federal program to assist housing for low and moderate income households)
HCP:	Habitat Conservation Plan
HCD:	State Department of Housing & Community Development
HUD:	U.S. Department of Housing and Urban Development
LAFCO:	Local Agency Formation Commission
LID:	Low Impact Development (measures to reduce rainwater runoff impacts)
LLA:	Landscaping and Lighting District
LOS:	Level of Service (a measurement of traffic efficiency used by CalTrans)
MOU:	Memorandum of Understanding
MND:	Mitigated Negative Declaration
NEG DEC:	Negative Declaration (a CEQA statement that a project will not have a significant effect on the environment)
NEPA:	National Environmental Policy Act
PD:	Planned Development/development plan
PUD:	Planned Unit Development (a type of condominium development in which the land beneath a residential unit is owned in fee, as opposed to air space ownership)
SOI:	Sphere of Influence
TOT:	Transient Occupancy Tax
Variance:	A form of relief from zoning development regulations based on physical constraints of a property that prevents development of the same type of buildings allowed on other properties within the same zone and in the same neighborhood
VMT:	Vehicle Miles Traveled