

AGENDA

PLANNING COMMISSION

JANUARY 12, 2010

7:30 P.M.

MEETING LOCATION:

PASO ROBLES CITY HALL/LIBRARY CONFERENCE CENTER

1000 SPRING STREET

PASO ROBLES, CALIFORNIA 93446

PLANNING COMMISSION

AL GARCIA
COMMISSIONER

STEVE GREGORY
COMMISSIONER

MARGARET HOLSTINE
COMMISSIONER

GARY NEMETH
COMMISSIONER

JOEL PETERSON
COMMISSIONER

CHARLES E. TREATCH
COMMISSIONER

VINCE VANDERLIP
COMMISSIONER

CITY STAFF

RON WHISENAND
COMMUNITY DEVELOPMENT DIRECTOR

SUSAN DECARLI, AICP
CITY PLANNER

ED GALLAGHER
CITY PLANNER

DARREN NASH
ASSOCIATE PLANNER

JOHN FALKENSTIEN, P.E.
CITY ENGINEER

DOUG MONN
PUBLIC WORKS DIRECTOR

DITAS ESPERANZA, P.E.
CAPITAL PROJECTS ENGINEER

LEGAL COUNSEL

IRIS YANG
CITY ATTORNEY

JON SEITZ
DEPUTY CITY ATTORNEY

CALL TO ORDER

PLEDGE OF ALLEGIANCE

OATHS OF OFFICE AND SEATING OF APPOINTED AND RE-APPOINTED PLANNING COMMISSIONERS

ROLL CALL

STAFF INTRODUCTIONS

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA

STAFF BRIEFING

AGENDA ITEMS PROPOSED TO BE TABLED OR RE-SCHEDULED

PRESENTATIONS

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

- 1. FILE #: **CONDITIONAL USE PERMIT 09-007**
 APPLICATION: To consider a request to establish a motorcycle repair shop with parts sales in an existing 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: Ivan Harkey
LOCATION: 1333 Riverside Avenue.

2. FILE #: **REVOCAION OF CONDITIONAL USE PERMIT 07-009**

APPLICATION: To consider revoking a conditional use permit for operating a Bed and Breakfast business not in compliance with applicable Conditions of Approval, and not in compliance with the Paso Robles Municipal Code, Chapter 5.06, Transient Occupancy Tax. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.

APPLICANT: City initiated
LOCATION: 1521 Vine Street, APN 008-318-012

OTHER SCHEDULED MATTERS -- NONE

WRITTEN CORRESPONDENCE -- NONE

COMMITTEE REPORTS

- 3. Development Review Committee Minutes (for approval):
 - a. December 7, 2009
 - b. December 21, 2009

- 4. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee:
 - b. PAC (Project Area Committee):
 - c. Main Street Program:
 - d. Airport Advisory Committee:
 - e. Measure T Bond Oversight Committee:

CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT

PLANNING COMMISSION MINUTES FOR APPROVAL

5. December 8, 2009

REVIEW OF CITY COUNCIL MEETING

6. January 5, 2010

PLANNING COMMISSIONERS' COMMENTS

STAFF COMMENTS

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 Joint Planning Commission City Council Breakfast meeting of Friday, January 15, 2010 at 7:00 am at Touch of Paso Restaurant;

subsequent adjournment to the Development Review Committee Meeting of Monday, January 25, 2010 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, January 26, 2010 at 7:30 pm at Paso Robles City Hall, 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
ALUC:	Airport Land Use Commission (a County-level review body)
APCD:	Air Pollution Control District
CC&Rs:	Covenants, Conditions, and Restrictions
CDBG:	Community Development Block Grant (Federal Program)
CEQA:	California Environmental Quality Act
CFD:	Community Facilities District (example: A Mello-Roos CFD)
CHFA:	California Housing Finance Agency
CIP:	Capital Improvements Program
CMP:	Congestion Management Plan
COG:	Council of Governments
CRA / RDA:	Community Redevelopment Agency / Redevelopment Agency
CUP:	Conditional Use Permit
dB:	Decibel (method of noise measurement)
DRC:	Development Review Committee
EIR / EIS:	Environmental Impact Report (State) / E. I. Statement (Federal)
ESG:	Emergency Shelter Grant (Federal Program)
FEMA:	Federal Emergency Management Agency
FHWA:	Federal Highway Administration
FIRM:	Flood Insurance Rate Map
FmHA:	Farmers Home Administration
HOME:	Home Investment Partnership Act (Federal Program for Housing)
HCP:	Habitat Conservation Plan
HCD:	Housing & Community Development, State of California
HUD:	U.S. Dept. of Housing and Urban Development
JPA:	Joint Powers Authority
LAFCo:	Local Agency Formation Commission
LOS:	Level of Service (a measurement of traffic efficiency)
MOU:	Memorandum of Understanding
NEG DEC:	Negative Declaration
NEPA:	National Environmental Policy Act
OPA:	Owner Participation Agreement
OPR:	Office of Planning and Research, State of California
PD / PUD:	Planned Development / Planned Unit Development
PSR:	Project Study Report
SOI:	Sphere of Influence
SRO:	Single Room Occupancy
TCSD:	Templeton Community Services District
TDM:	Transportation Demand Management
TDC/TDR:	Transfer of Development Credits / Transfer of Development Rights
TOT:	Transient Occupancy Tax
TSM:	Transportation Systems Management
UBC:	Uniform Building Code (UFC, UPC, UMC: Uniform Fire, Plumbing, Mechanical Codes)
VMT:	Vehicle Miles Traveled

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 as adopted by City Council Resolution No. 03-66 toward covering the City's processing costs, including required public notice(s).

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.