

**TO: JAMES L. APP, CITY MANAGER**

**FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: REZONE 04-005 (HARROD BUILDERS)**

**DATE: DECEMBER 21, 2004**

Needs: To consider an application filed by the North Coast Engineering on behalf of Harrod Builders, to rezone an 8.5-acre site to bring the Zoning into conformance with the General Plan Land Use designation.

Facts:

1. The site is located along the northern side of Meadowlark Road, between Beechwood Dr. and Oriole Way. (See attached Vicinity Map.)
2. The existing General Plan Land Use designation is RSF-3 (Residential Single Family, three units per acre). The existing zoning is R1,B3 (Residential Single Family, 20,000 square foot minimum lot size). Rezoning the site to R1,PD-3 would bring the Zoning into conformance with the General Plan designation of RSF-3.
3. The rezone request in conjunction with Tentative Tract 2601 and PD 04-023 would allow for the development of a 20-lot single family residential subdivision. The tract and development plan were approved by the Planning Commission at their meeting on November 23, 2004, contingent on the City Council's approval of Rezone 04-005.
4. This project has been conditioned by the Planning Commission to include each parcel of the subdivision to be within a Community Facilities District (CFD) in order to achieve fiscal neutrality.

Analysis and Conclusion: The General Plan Update, adopted December 2003, changed the General Plan Land Use designation of this property to RSF-3 (Residential Single Family, 3-units per acre). Rezone 04-005 would change the Zoning designation to R1,PD-3, to bring the Zoning into conformance with the General Plan.

Policy Reference: California Environmental Quality Act (CEQA); General Plan Land Use and Circulation Elements; Zoning Ordinance.

Fiscal Impact: Each lot of this subdivision will be incorporated into a Community Facilities District (CFD) with the intent of achieving fiscal neutrality for the new residential entitlements.

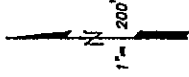
Options:

- a. Introduce Ordinance No. XXX N.S. approving Rezone 04-005, rezoning a 8.5-acre site to R1,PD-3 to be consistent with the current General Plan designation of RSF-3, in relation to Tract 2601; and set January 4, 2005, as the date for adoption of said Ordinance.
- b. Amend, modify, or reject the foregoing option.

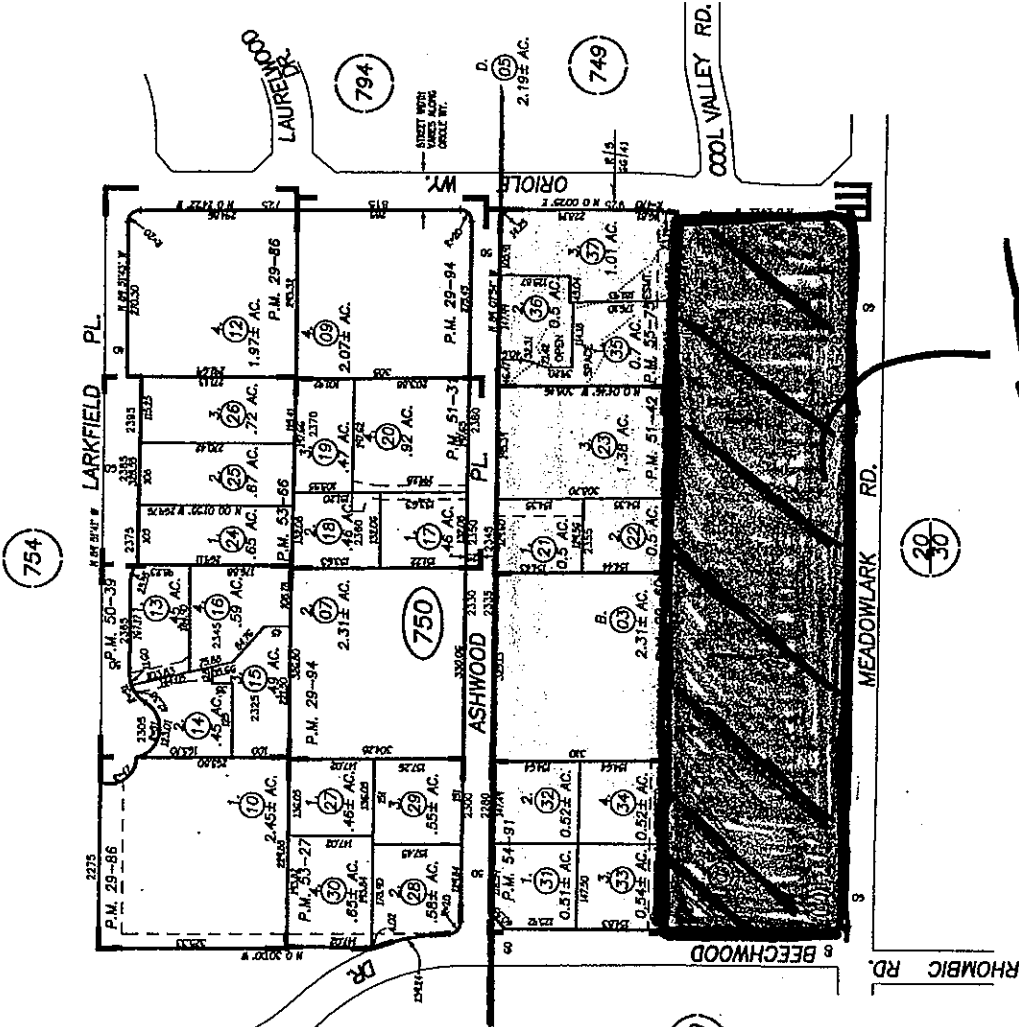
Attachments:

1. Vicinity Map
2. Ordinance approving Rezone 04-005
3. Newspaper and Mail Notice Affidavits

009-750



CITY OF PASO ROBLES  
 ASSESSOR'S MAP COUNTY OF  
 SAN LUIS OBISPO, CA. AUG 31 2001  
 BOOK 009 PAGE 750



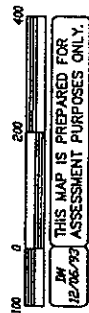
**SITE**

**VICINITY MAP**  
 Tract 2609, PD 04-023, RZ 04-005  
 (Harrod Builders)



009-751

REVISEMENTS	TECH	DATE
	AW	02-15-05
	SAW	03-01-05
	DAV	03-06-05
	CSB	03-17-09
	CSB	03-23-09
	CSB	11-03-00
	CSB	08-15-01



THIS MAP IS PREPARED FOR  
 ASSESSMENT PURPOSES ONLY.

THE Newspaper of the Central Coast  
TRIBUNE

3825 South Higuera • Post Office Box 112 • San Luis Obispo, California 93406-0112 • (805) 781-7800

In The Superior Court of The State of California  
In and for the County of San Luis Obispo  
AFFIDAVIT OF PUBLICATION

AD #6090793  
CITY OF PASO ROBLES  
COMMUNITY DEVELOPMENT

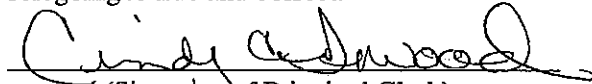
STATE OF CALIFORNIA,

ss.

County of San Luis Obispo

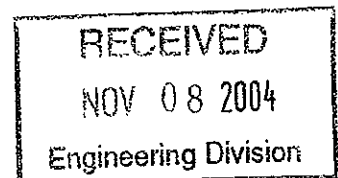
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates, to-wit NOVEMBER 3, 2004 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

  
(Signature of Principal Clerk)

DATED: NOVEMBER 3, 2004  
AD COST: \$103.29

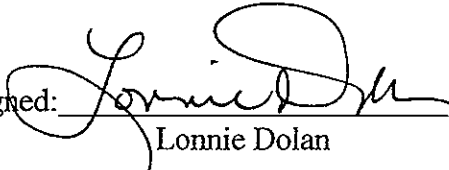
CITY OF EL PASO DE ROBLES  
NOTICE OF PUBLIC HEARINGS  
NOTICE OF INTENT TO ADOPT MITIGATED  
NEGATIVE DECLARATIONS  
NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold Public Hearings to consider adoption of a Mitigated Negative Declaration (Statement that there will be no significant environmental effects because of the required mitigation measures) in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following applications:  
Tentative Tract Map 2609, Planned Development 04-023 and Rezone 04-005, a tentative tract development plan and rezone, filed by North Coast Engineering on behalf of Harrod Builders, for the creation of a 20 lot residential subdivision for the development of 20 single family homes. Also requested is to rezone the property from R1 E3 PD to R1 PD-3, allowing three units per acre to be consistent with the General Plan Land Use designation of RSF-3. The project would be located on the 8.5 acre property on the northeast corner of Beechwood and Meadowlark Road.  
The public review period for the Draft Mitigated Negative Declarations commences on November 3, 2004, and ends at the Public Hearing, which is scheduled for the Planning Commission on Tuesday, November 23, 2004.  
NOTICE IS ALSO HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold Public Hearings to consider Rezone 04-005 at their meeting on December 21, 2004.  
Both the Planning Commission and the City Council meetings will begin at the hour of 7:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.  
The proposed Mitigated Negative Declarations may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.  
Written comments on the proposed tract map, development plan, rezone, and mitigated negative declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Darren Nash at (805) 237-3970.  
If you challenge the tentative tract development plan, rezone, and mitigated negative declaration in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council at or prior to their respective public hearings.  
Darren Nash, Associate Planner  
Nov. 3, 2004 6090793



**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Tentative Tract 2609, Planned Development 04-023 and Rezone 04-005 (Harrod Builders – adjacent to Meadowlark Road, between Beechwood Dr. and Oriole Way on this 8th day of November, 2004.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Lonnie Dolan



ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
AMENDING THE ZONING MAP ESTABLISHED BY REFERENCE IN  
SECTION 21.12.020 OF THE ZONING CODE (TITLE 21) ZONE CHANGE 04-005  
TRACT 2609 – (HARROD BUILDERS.)

WHEREAS, Tract 2609, an application filed by North Coast Engineering on behalf of Harrod Builders to divide a 8.5 acre parcel into twenty (20) single-family residential lots; and

WHEREAS, Tract 2609 is located on the northern side of Meadowlark Road between Beechwood Dr. and Oriole Way; and

WHEREAS, in conjunction with Tract 2609, the applicant submitted an application for Rezone 04-005, to change the Zoning designation from R1,B3-PD to R1,PD-3 establish Planned Development Overlay zoning over the site; and

WHEREAS, PD 04-023 has been filed to establish the home design and the use of model homes for the project; and

WHEREAS, at its November 23, 2004 meeting, the Planning Commission took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Conducted a public hearing to obtain public testimony on the proposed Tract 2609 and the environmental determination therefor.
- C. Based on the information contained in the Initial Study prepared for the Tract, a determination has been made that there is no substantial evidence that the Project would have significant adverse effect on the environment and thus a Negative Declaration can be adopted by the City Council.
- D. Recommended that the City Council approve Rezone 04-005.

WHEREAS, at its December 21, 2004 meeting, the City Council took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Considered the recommendation of the Planning Commission.
- C. Conducted a public hearing to obtain public testimony on the proposed project and environmental determination therefor.
- D. The land use designation for the subject property was established with the 2003 General Plan Update and addressed with the Environmental Impact Report that accompanied the General

Plan Update. Based on the independent review and judgment of the City Council, the City Council determined that there was no substantial evidence that the Project would have a significant adverse effect on the environment beyond those addressed in the General Plan Environmental Impact Report.

NOW, THEREFORE, BE IT KNOWN that the City Council of the City of El Paso de Robles, based upon the substantial evidence presented at the above-referenced public hearing, including oral and written staff reports, does hereby make the following findings that:

1. The above stated facts of this Ordinance are true and correct.
2. The Rezone is consistent with the City's General Plan and Zoning Code.

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

**SECTION 1.** Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit A.

**SECTION 2. Publication.** The City Clerk shall cause this Ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

**SECTION 3. Severability.** If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

**SECTION 4. Inconsistency.** To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

**SECTION 5.** Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on December 21, 2004, and passed and adopted by the City Council of the City of El Paso de Robles on the 4th day of January 2005 by the following roll call vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk