

TO: JAMES L. APP, CITY MANAGER  
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: 2004 HOUSING ELEMENT (AMENDMENT TO 2003 HOUSING ELEMENT)  
DATE: OCTOBER 19, 2004

Needs: To consider an amendment to the Housing Element that addresses concerns raised by the State Department of Housing and Community Development (HCD) regarding conformance of the element with State Housing Element Law.

- Facts:
1. On December 16, 2003, the City Council adopted a comprehensive update to the City's General Plan, which included a Housing Element.
  2. Section 65585 of the California Government Code requires that HCD review draft housing elements and make a determination regarding their conformance with State Housing Element Law (Government Code Sections 65580 et seq.)
  3. On December 12, 2003, HCD completed its review of the draft housing element that was a part of the General Plan Update and determined that the draft housing element needed further revision to conform with State Housing Element Law.
  4. Since the Housing Element was a part of a comprehensive update of the General Plan, the City opted to adopt it on December 16, 2003, and address HCD's recommended revisions at a later date via an amendment to the 2003 Housing Element.
  5. In July, the City completed a draft revision of the 2003 Housing Element and submitted it to HCD for review.
  6. On September 9, 2004, HCD sent the City a letter in which they recommended further revisions to the July 2004 Draft Housing Element to bring it into conformance with State Housing Element Law.
  7. In September, City staff and HCD corresponded through a series of emails and phone conversations in an effort to make the necessary revisions to make the draft element conform with State Housing Element Law.
  8. As of the writing of this report, City staff believes it has addressed all of HCD's concerns. On October 4, an HCD manager stated that HCD is still reviewing the element, but added that the City will receive a letter before the Council's meeting of October 19. There remains a possibility that the forthcoming letter may recommend some further changes.
  9. The 2004 Housing Element amends the 2003 Housing Element to add new action items that call for the City to:
    - a. Amend the Zoning Code to: (1) implement the Residential Multi-Family 20 units per acre Land Use Category; (2) implement the Senior Housing Overlay Land Use Category; (3) provide an administrative procedure for modifying

- zoning development standards if necessary to enable dwellings to be accessible to the disabled; and (4) provide appropriate zoning regulations for seasonal farmworkers;
  - b. Provide information to the public about fair housing laws;
  - c. Amend annual targets for affordable housing to match the Quantified Objectives cited in the December 2003 Housing Element; and
  - d. List the tasks the City will perform to facilitate development of affordable housing.
10. The revised Housing Element also includes additional analysis to support the objectives, policies, and action items (both new and previously-adopted).
  11. The Planning Commission is scheduled to review the draft 2004 Housing Element at its meeting of October 12. The recommendation of the Planning Commission will be verbally reported to the Council at its meeting of October 19.
  12. The proposed Housing Element Amendment is subject to the California Environmental Quality Act (CEQA). An Initial Study has been conducted, which concludes that the proposed amendment will not have any significant effect on the environment and that no mitigation measures are necessary. It is proposed, therefore, that the City Council adopt a Negative Declaration for this amendment.

Analysis and  
Conclusion:

The revised Housing Element does not authorize any more development (i.e. numbers of dwelling units) or change of rate of development than that established by the December 2003 Land Use Element of the General Plan.

The policy changes are summarized in Fact 7, above. The Zoning Code amendments to implement the Residential Multi-Family 20 units per acre and Senior Housing Overlay Land Use Categories are not really new policy statements, but rather a statement that the City will implement Land Use Element policies. The Zoning Code amendments to provide an administrative procedure for modifying zoning development standards if necessary to enable dwellings to be accessible to the disabled and to provide appropriate zoning regulations for seasonal farmworkers are necessary to implement changes in State Law made in recent years.

In the October 4 conversation mentioned in Fact #8, the HCD manager indicated that both he and the Deputy Director had yet to review the element. He added that HCD is investigating the City's senior housing overlay land use category for compliance with Government Code Section 65008, which prohibits discrimination in land use planning. City staff has provided HCD with an explanation that the senior overlay does not restrict development (within the overlay) to seniors, but offers a process to encourage senior housing via density bonuses.

Should HCD recommend further revisions, City staff believes that they would be minor enough in nature to incorporate into the final draft to be adopted.

Policy  
Reference:

General Plan: Housing Element; Government Code Sections 65008 and 65580 et seq.

Fiscal

Impact: Housing Element policies and action items do not authorize any more development or change of rate of development than that established by the Land Use Element of the General Plan . Therefore, there will be no fiscal impacts associated with the Housing Element Amendment that were not considered with the 2003 General Plan Update. Most of the Zoning Code Amendments and other housing programs listed in the Housing Element can be accomplished by the Housing Division, using Community Development Block Grant (CDBG) and Redevelopment Low and Moderate Income Housing (LMIH) administrative funds, thereby mitigating fiscal impacts to the General Fund.

Options: After consideration of all public testimony, that the City Council consider the following options:

- a. (1) Adopt Resolution No. 04-xx approving a Negative Declaration for the 2004 Housing Element;
- (2) Adopt Resolution No. 04-xx approving the 2004 Housing Element.
- b. Amend, modify or reject the foregoing options.

Prepared by:

Ed Gallagher  
Housing Programs Manager

Attachments:

1. Resolution Approving a Negative Declaration
2. Resolution Approving the 2004 Housing Element
3. Draft 2004 Housing Element (distributed separately due to its size)
4. Newspaper Notice



RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING A NEGATIVE DECLARATION FOR THE 2004 HOUSING ELEMENT

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WHEREAS, on December 16, 2003, the City Council adopted a comprehensive update to the City's General Plan, which included a Housing Element; and

WHEREAS, pursuant to Section 65585 of the California Government Code, the State Department of Housing and Community Development (HCD) reviewed the December 2003 Housing Element and made a determination that it needed further revisions in order to conform with State Housing Element Law (Government Code Sections 65580 et seq.); and

WHEREAS, in order to ensure that the Housing Element conforms with State Housing Element Law, the City has initiated an amendment of the Housing Element known as the 2004 Housing Element;

WHEREAS, an Initial Study was prepared for this project (attached to this resolution), which proposed that a Negative Declaration be approved; and

WHEREAS, Public Notice of the proposed Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, public hearings were conducted by the Planning Commission on October 12, 2004 and by the City Council on October 19, 2004 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination for the proposed code amendment; and

WHEREAS, based on the information contained in the Initial Study prepared for the 2004 Housing Element and testimony received as a result of the public notice, the City Council finds no substantial evidence that there would be a significant impact on the environment if the 2004 Housing Element was approved.

NOW, THEREFORE, BE IT RESOLVED, that based on the City's independent judgment, the City Council of the City of El Paso de Robles does hereby approve a Negative Declaration for the 2004 Housing Element in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19<sup>th</sup> day of October 2004 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk

**ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM  
CITY OF PASO ROBLES  
PLANNING DIVISION**

- 1. PROJECT TITLE:** **Housing Element Amendment 2004**
- Concurrent Entitlements:** **None**
- 2. LEAD AGENCY:** City of Paso Robles  
1000 Spring Street  
Paso Robles, CA 93446
- Contact:** Ed Gallagher, Housing Programs Manager  
**Phone:** (805) 237-3970
- 3. PROJECT LOCATION:** **City-wide**
- 4. PROJECT PROPONENT:** **City of Paso Robles**
- Contact Person:** Ed Gallagher, Housing Programs Manager  
**Phone:** (805) 237-3970
- 5. GENERAL PLAN DESIGNATION:** **Affects all residential and most non-residential land use categories**
- 6. ZONING:** **Not Applicable**
- 7. PROJECT DESCRIPTION:**
- The City of Paso Robles has prepared a draft Housing Element that revises the version adopted on December 16, 2003 in order to respond to recommendations made by the State Department of Housing and Community Development (HCD) in letters dated December 12, 2003 and September 9, 2004. HCD's recommendations are intended to bring the Housing Element into compliance with State Housing Element Law (Government Code Sections 65580 et seq).

For the most part, revisions to the Housing Element consist of expanded analyses to support the Policies and Action Items set forth in Chapter 2.0. However, as a result of HCD’s recommendations and the expanded analyses, the following amendments were made to the Action Items:

| Policy  | Action Item   | Change  |
|---|---|---|
| All policies  | All Action items  | Responsibility, target dates, and funding were identified for each action item. The Dec 2003 element did this in Table H-1, which was not very readable.  |
| H-1A: Provide adequate/ sufficient sites to meet the City’s housing needs | #1: Set aside sufficient sites to meet 2009 Regional Housing Need targets shown in two tables | <p>a. The referenced tables were updated, reformatted, and relocated to Chapter 5.0.</p> <p>b. The following actions were added to explain how the City would implement this policy:</p> <p>(1) <i>Evaluate all proposed amendments to the Land Use Map for their affect on the City’s capacity for meeting its Regional Housing Needs Allocation (RHNA) and deny any proposals that would cause the City to fail to meet its required share of the RHNA for any income category;</i></p> <p>(2) <i>Amend the Zoning Code to adopt regulations to implement the RMF-20 Land Use Category;</i></p> <p>(3) <i>Amend the Zoning Code to adopt regulations to implement the Senior Housing Overlay Land Use Category.</i></p>   |
| H-1A: Provide adequate/ sufficient sites to meet the City’s housing needs | #4: Encourage provision of affordable housing in the vicinity of Cuesta College.              | <p>The previous version cited “high density” housing (i.e. 20 units/acre) as the appropriate land use near Cuesta College. High density was considered with the General Plan update, but not adopted. The new text drops the reference to “high density” and adds the following tasks to implement this policy:</p> <p><i>The City’s efforts will include: communicating the City’s objectives to develop rental housing (and not for-sale housing) on properties designated RMF-12; assigning development applications for assisted housing (including density bonuses) to the Housing Programs Manager as a priority for staff review (thereby avoiding bottlenecks the occasionally occur in the Planning Division due to waves of new development applications); and assisting housing developers with completing required tasks for government financing and incentives such as density bonuses.</i></p> |
| H-1B: Promote and   | #1: Create a certain  | a. The prior target was 219 low and very low  |

| Policy   | Action Item                               | Change  |
|--|---|---|
| Expand housing opportunities for all segments of the community                   | inventory of new dwelling units per year. | <p>income units /year (or a total of 1,205 units over 5.5 years), which equaled the RHNA for those income groups divided by 5 years; the new target (485 units for low and very low income households over 5.5 years) equals the Quantified Objectives listed in the December 2003 Housing Element for those income groups.</p> <p>b. The new text adds the following tasks to implement this policy:</p> <p><i>The City's efforts will include: assigning development applications to the Housing Programs Manager as a priority for staff review; actively facilitating meetings between nonprofit housing developers and owners of vacant property; and assisting nonprofit housing developers with completing required tasks for government financing and incentives such as density bonuses.</i></p> |
| H-1B: Promote and Expand housing opportunities for all segments of the community | #8: New Action Item                       | In order to implement SB 520 (2001), the new action calls for the City to amend the Zoning Code to allow for modifications of development standards by the DRC or by staff where necessary to make a dwelling unit accessible to the disabled.  |
| H-1B: Promote and Expand housing opportunities for all segments of the community | #9: New Action Item                       | In order to implement recent changes to State Housing Element Law addressing farmworker housing,, the new action calls for the City to amend the Zoning Code to provide that housing designed to meet the needs of seasonal farmworkers is permitted in the R-4 and R-5 Zones (RMF-16 and RMF-20 Land Use Categories).  |
| H-3B: Adopt regulatory incentives  | #1: Design and construction standards     | The prior action called for the City to adopt multi-family standards; that was done in 1995 and in 2000. The new action calls for the City to review the standards and amend them as necessary to remove constraints to affordable housing.   |
| H-4: Equal access to Housing   | #2: Provide information to the public     | The new action calls for the City to disseminate equal opportunity information to the public on various state and federal housing programs and fair housing law by maintaining referral information on the City's web site; and posting notices in public buildings (City Hall/Library, Senior Center, Veteran's Building, Housing Authority Office).   |

8. **ENVIRONMENTAL SETTING:** See the Environmental Impact Report for the 2003 Update of the City's General Plan

9. **OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):** none

10. **PERSONS PARTICIPATING IN THE PREPARATION OF THE INITIAL STUDY:**

Ed Gallagher, Housing Programs Manager

11. **RELATED ENVIRONMENTAL DOCUMENTATION:** none

12. **CONTEXT OF ENVIRONMENTAL ANALYSIS FOR PROJECT:**

The proposed amendments to the Housing Element do not call for any development that would exceed the amounts and rates set forth in the December 2003 General Plan, for which a full Environmental Impact Report was prepared and certified by the City Council on December 16, 2003. The nature of the changes to the Housing Element is summarized below:

- Expand the analyses of housing situations to support the policy statements (goals, policies and action items) that were adopted in December 2003;
- Reorganize/reformat the element to make it read more clearly;
- Expand existing (December 2003) action items to explain the tasks the City would undertake to implement the goals and policies;
- Add new action items that call for the City to:
  - Disseminate fair housing information;
  - Amend the Zoning Code to provide means to modify development standards (e.g., setbacks) if necessary to make dwelling units accessible to the disabled;
  - Amend the Zoning Code to provide housing opportunities for seasonal farmworkers.

### **ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Land Use & Planning  | <input type="checkbox"/> Transportation/Circulation         | <input type="checkbox"/> Public Services             |
| <input checked="" type="checkbox"/> Population & Housing | <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Geological Problems             | <input type="checkbox"/> Energy & Mineral Resources         | <input type="checkbox"/> Aesthetics                  |
| <input type="checkbox"/> Water                           | <input type="checkbox"/> Hazards                            | <input type="checkbox"/> Cultural Resources          |
| <input type="checkbox"/> Air Quality                     | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Recreation                  |
|  | <input type="checkbox"/> Mandatory Findings of Significance |  |

# **DETERMINATION**

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.” An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect(s) that remain to be addressed.

I find that although the proposed project could have a significant effect(s) on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. (See item #11 above, for a specific reference to that EIR.)

\_\_\_\_\_  
Signature

Ed Gallagher  
\_\_\_\_\_  
Printed Name

9/29/04  
\_\_\_\_\_  
Date

Housing Programs Manager  
\_\_\_\_\_  
Title



| ISSUES (and Supporting Information Sources): | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

**I. LAND USE AND PLANNING.** Would the Proposal:

- a) Conflict with general plan designation or zoning? (Source: Paso Robles Zoning Code.)

Discussion: The purpose of the project is to bring the Housing Element into conformance with State Housing Element Law. As noted in the Project Description, the proposed amendments to the Housing Element do not call for any development that would exceed the amounts (i.e. numbers of dwelling units) and rates (number of acres or dwelling units developed per year) set forth in the December 2003 General Plan.

- b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?

Discussion:

- c) Be incompatible with existing land use in the vicinity?

Discussion: See response to Item #1a.

- d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)?

Discussion: See response to Item #1a.

- e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?

Discussion:

**II. POPULATION AND HOUSING.** Would the proposal:

- a) Cumulatively exceed official regional or local population projections?

Discussion: As noted in the Project Description, the proposed amendments to the Housing Element do not call for any development that would exceed the amounts (i.e. numbers of dwelling units) and rates (number of acres or dwelling units developed per year) set forth in the December 2003 General Plan.

- b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?

Discussion:

- c) Displace existing housing, especially affordable housing?

Discussion: The purpose of the Housing Element is to facilitate the development of affordable housing.

| ISSUES (and Supporting Information Sources): | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|-----------|
|--|--------------------------------------|--|------------------------------------|-----------|

**III. GEOLOGIC PROBLEMS.** Would the proposal result in or expose people to potential impacts involving:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fault rupture?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |
| b) Seismic ground shaking?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |
| c) Seismic ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |
| d) Seiche, tsunami, or volcanic hazard?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |
| e) Landslides or Mud flows?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |
| f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |
| g) Subsidence of the land?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |
| h) Expansive soils?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |
| i) Unique geologic or physical features?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |

**IV. WATER.** Would the proposal result in:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Source: 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Discussion:  |                          |                          |                          |                                     |

| ISSUES (and Supporting Information Sources):  | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| b) Exposure of people or property to water related hazards such as flooding? (Source: 9)<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen, turbidity)?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Changes in the amount of surface water in any water body?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Changes in currents, or the course or direction of water movement?<br><br>Discussion:  | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (Source: 9)<br><br>Discussion: | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Altered direction or rate of flow of groundwater?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| h) Impacts to groundwater quality?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**V. AIR QUALITY.** Would the proposal:

|  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Source: 10)<br><br>Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Expose sensitive receptors to pollutants? (Source: 10)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| ISSUES (and Supporting Information Sources): | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Alter air movement, moisture, or temperature? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create objectionable odors? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

**VI. TRANSPORTATION/CIRCULATION.** Would the proposal result in:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increased vehicle trips or traffic congestion? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Inadequate emergency access or inadequate access to nearby uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Insufficient parking capacity on-site or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Hazards or barriers for pedestrians or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Rail, waterborne or air traffic impacts? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

**VII. BIOLOGICAL RESOURCES.** Would the proposal result in impacts to:

| ISSUES (and Supporting Information Sources):  | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)?<br><br>Discussion: | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Locally designated species (e.g., heritage trees)?<br><br>Discussion:  | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Wetland habitat (e.g., marsh, riparian and vernal pool)?<br><br>Discussion:  | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Wildlife dispersal or migration corridors?<br><br>Discussion:  | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**VIII. ENERGY AND MINERAL RESOURCES.** Would the proposal:

|  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with adopted energy conservation plans? (Source: 1)<br><br>Discussion:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Use non-renewable resource in a wasteful and inefficient manner? (Source: 1)<br><br>Discussion:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Source: 1)<br><br>Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**IX. HAZARDS.** Would the proposal involve:

| ISSUES (and Supporting Information Sources):  | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?<br><br>Discussion: | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Possible interference with an emergency response plan or emergency evacuation plan?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) The creation of any health hazard or potential hazards?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Increased fire hazard in areas with flammable brush, grass, or trees?<br><br>Discussion:   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**X. NOISE.** Would the proposal result in:

|  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increases in existing noise levels?<br><br>Discussion:        | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of people to severe noise levels?<br><br>Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**XI. PUBLIC SERVICES.** Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

|  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fire protection? (Source: 1,9)<br><br>Discussion:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police Protection? (Source: 1,9)<br><br>Discussion: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools?<br><br>Discussion:                         | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Maintenance of public facilities, including roads?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| ISSUES (and Supporting Information Sources):  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact                           |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| Discussion:                                   |                                      |  |                                    |                                     |
| e) Other governmental services? (Source: 1,9) | <input type="checkbox"/>             | <input type="checkbox"/>   | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion:

**XII. UTILITIES AND SERVICE SYSTEMS.** Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- |                          |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |                           |                          |                          |                          |                                     |
|---------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Communication systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Local or regional water treatment or distribution facilities?<br>(Source: 1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Sewer or septic tanks? (Source: 1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Storm water drainage? (Source: 1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Solid waste disposal? (Source: 1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Local or regional water supplies? (Source: 1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

**XIII. AESTHETICS.** Would the proposal:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Affect a scenic vista or scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a demonstrable negative aesthetic effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

| ISSUES (and Supporting Information Sources): | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
|--|--------------------------------|--|------------------------------|-----------|

Discussion:

- c) Create light or glare? (Source: 1, 2, 9)

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

**XIV.CULTURAL RESOURCES.** Would the proposal:

- a) Disturb paleontological resources?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- b) Disturb archaeological resources?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- c) Affect historical resources?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- d) Have the potential to cause a physical change which would affect unique ethnic cultural values?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- e) Restrict existing religious or sacred uses within the potential impact area?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

**XV.RECREATION.** Would the proposal:

- a) Increase the demand for neighborhood or regional parks or other recreational facilities?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- b) Affect existing recreational opportunities?

|                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

**XVI.MANDATORY FINDINGS OF SIGNIFICANCE.**

| ISSUES (and Supporting Information Sources):   | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Discussion:  |                                |  |                              |                                     |
| b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?  | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Discussion:  |                                |  |                              |                                     |
| c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)   | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Discussion:  |                                |  |                              |                                     |
| d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/>       | <input type="checkbox"/>                               | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Discussion:  |                                |  |                              |                                     |

## EARLIER ANALYSIS AND BACKGROUND MATERIALS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

### Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

| <u>Reference #</u> | <u>Document Title</u>   | <u>Available for Review at:</u>   |
|--------------------|---|---|
| 1                  | City of Paso Robles General Plan  | City of Paso Robles Community Development Department<br>1000 Spring Street<br>Paso Robles, CA 93446       |
| 2                  | City of Paso Robles Zoning Code   | Same as above   |
| 3                  | City of Paso Robles Environmental Impact Report for General Plan Update                         | Same as above   |
| 4                  | 1977 Airport Land Use Plan  | Same as above   |
| 5                  | City of Paso Robles Municipal Code  | Same as above   |
| 6                  | City of Paso Robles Water Master Plan   | Same as above   |
| 7                  | City of Paso Robles Sewer Master Plan   | Same as above   |
| 8                  | City of Paso Robles Housing Element   | Same as above   |
| 9                  | City of Paso Robles Standard Conditions of Approval for New Development                         | Same as above   |
| 10                 | San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds          | APCD<br>3433 Roberto Court<br>San Luis Obispo, CA 93401   |
| 11                 | San Luis Obispo County – Land Use Element   | San Luis Obispo County<br>Department of Planning<br>County Government Center<br>San Luis Obispo, CA 93408 |
| 12                 | USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983 | Soil Conservation Offices<br>Paso Robles, Ca 93446  |

RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING THE 2004 HOUSING ELEMENT

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WHEREAS, on December 16, 2003, the City Council adopted a comprehensive update to the City's General Plan, which included a Housing Element; and

WHEREAS, pursuant to Section 65585 of the California Government Code, the State Department of Housing and Community Development (HCD) reviewed the December 2003 Housing Element and made a determination that it needed further revisions in order to conform with State Housing Element Law (Government Code Sections 65580 et seq.); and

WHEREAS, in order to ensure that the Housing Element conforms with State Housing Element Law, the City has initiated an amendment of the Housing Element known as the 2004 Housing Element;

WHEREAS, the 2004 Housing Element does not authorize any more development (i.e. numbers of dwelling units) or change of rate of development than that established by the December 2003 Land Use Element of the General Plan; and

WHEREAS, the policy changes between the 2003 and 2004 Housing Elements are summarized as follows:

- Actions calling for Zoning Code amendments to implement the Residential Multi-Family 20 units per acre and Senior Housing Overlay Land Use Categories, which are not new policy statements, but rather a statement that the City will implement Land Use Element policies;
- Actions calling for Zoning Code amendments to provide an administrative procedure for modifying zoning development standards if necessary to enable dwellings to be accessible to the disabled and to provide appropriate zoning regulations for seasonal farmworkers are necessary to implement changes in State Law made in recent years; and

WHEREAS, in accordance with State Government Code Section 65585(b), a copy of the Draft 2004 Housing Element was submitted to the State Department of Housing and Community Development (HCD) for their comments; and

WHEREAS, on September 9, 2004, HCD provided a letter to the City commenting on the Draft 2004 Housing Element and indicating that revisions were necessary to bring the draft into compliance with State Housing Element Law; and

WHEREAS, the City prepared a revised Draft 2004 Housing Element that incorporated the changes recommended by HCD in their letter of September 9, 2004 and distributed it to the City Council and Planning Commission and made it available to the public; and

WHEREAS, at its meeting of October 12, 2004, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the Draft 2004 Housing Element and the staff report;

b. Conducted public hearings to obtain public testimony on the proposed Draft 2004 Housing Element;

c. Based on the information contained in the initial study prepared for the Draft 2004 Housing Element, found that there was no substantial evidence that the 2004 Housing Element would have significant adverse effects on the environment and recommended that the City Council approve a Negative Declaration;

d. Recommended that the City Council adopt the Draft 2004 Housing Element Draft 2004; and

WHEREAS, at its meeting of October 19, 2004, the City Council took the following actions:

a. Considered the facts and analysis, as presented in the Draft 2004 Housing Element and the staff report;

b. Considered the recommendations of the Planning Commission;

c. Considered public testimony on the Draft 2004 Housing Element;

d. Found that there was no substantial evidence that the Draft 2004 Housing Element would have significant adverse effects on the environment and approved a Negative Declaration in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19<sup>th</sup> day of October 2004 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk