

TO: JAMES L. APP
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: REZONE 04-007 (APPLICANT: NORTH COAST ENGINEERING /
WOODY WOODRUFF)
DATE: JANUARY 18, 2005

Needs: To reconsider adoption of an Ordinance that would rezone property to bring it into conformance with the City's General Plan.

Facts:

1. The 2003 update of the City's General Plan established land use policies that are intended to anticipate the form and composition of the City in the year 2025.
2. Significant points of focus of the 2003 General Plan update include:
 - providing for a range of housing needs
 - emphasizing "infill" development
 - incorporating a policy of "fiscal neutrality"
3. In order to provide more opportunities for affordable housing, the General Plan identifies a number of locations suitable for medium and high-density residential zoning. These locations are either on or close to arterial streets, and are also in proximity to shopping facilities, transit, and other services.
4. The Woodruff property is located at the northwest corner of Creston and Rolling Hills Road. The subject parcels are currently zoned "Office Professional" (OP). The adopted General Plan calls for a change in land use to high density multi-family residential, allowing up to 20 dwelling units per acre. A copy of the General Plan map is attached.
5. The property owner has requested that the City process a re-zone application to bring the property's zoning into conformance with the adopted General Plan.
6. The property owner's request applies to parcels totaling 6.73 acres, as illustrated on the attached exhibit. Adjacent to the Woodruff parcels are three additional parcels, totaling 0.95 acres; these three parcels have the same high-density multi-family development designations.
7. The public notice for the rezone had been expanded to include the three additional parcels so that the Planning Commission and City Council have the ability to consider a rezone for the entire area shown in the General Plan. An illustration of the parcels involved is attached.

8. Attached is a copy of a letter from North Coast Engineering requesting the City Council's reconsideration of the Ordinance that was discussed on November 16, 2004.

Analysis
and

Conclusion:

Consistent with the established General Plan policy, the subject property would seem ideally suited to high-density residential development. It is located on an arterial street that is served by City transit. It is also directly across the street from shopping facilities. Schools and churches are in close walking distance.

The proposed land use would reduce the amount of traffic that would be generated from the subject property. As a class of land use, Office Professional will typically have a greater number of trips generated than an equivalent size residential development. Based on a development pattern with .325 lot coverage, a property of 7.7 acres would generate approximately 1197 average daily trips; a residential development of 20 units per acre on the same size property would generate approximately 1012 trips.

The difference in average daily trips is about 8 percent less trips for the multi-family residential alternative. If the lot coverage is greater for office uses and/or the multi-family residential project is primarily senior citizens, traffic from the multi-family project would be proportionately less.

The requested rezone would bring the designation of the subject property into conformance with the General Plan. It is important to note that prior to any development of the subject property the owner would need to obtain Planning Commission approval of a Development Plan. That plan process would include a noticed hearing and consideration of how the property would be most appropriately developed, particularly in relation to neighboring parcels. The applicant would be required to provide development cross-sections and details with regard to building sizes, locations, and architectural treatments, plus the manner in which buffers would be designed.

The Development Plan process will also include a requirement to closely analyze localized traffic impacts (focused on where the properties should take ingress and egress), and to recommend appropriate mitigation measures.

It should be noted that at the time of development the property owner would be required to improve his street frontages, including the widening of Creston Road in accordance with the City's adopted master plan. In addition, there would be a requirement to pay the current development impact fee (which is subject to being updated to reflect the latest infrastructure costs) which would contribute a proportionate share to infrastructure improvements such as the widening of Creston Road in locations west of the subject property.

Policy

Reference:

General Plan

Fiscal
Impact:

Provisions to insure “fiscal neutrality” are a cornerstone of the December 2003 General Plan update. Based on pending considerations, any new development entitlement (e.g. Development Plan) would have a recommended requirement to pay both current Development Impact Fees and also participate in a Community Facilities District (CFD) to address the fiscal impact of new residential development on the City of Paso Robles. The current provisions for a CFD include an opportunity to assist the Paso Robles School District.

Options:

After consideration of applicable public testimony and the relationship of the proposed rezone to the City’s adopted General Plan:

- a. (1) Conclude that there is no need for any additional environmental analysis in conjunction with the proposed rezone since the rezone was anticipated in the Final EIR that was certified on December 16, 2003 and (2) find that the proposed rezone would be consistent with the City’s General Plan and conclude that the City’s Planned Development process would provide adequate tools through which the City can insure that the proposed use of the property can be accommodated on this site without having an adverse effect on adjacent properties and that the proposed design would insure that the density can be accommodated through sensitive site and building design; and
- (2) Introduce for first reading Ordinance No. XXX N.S. approving the Rezone; and set February 1, 2005, as the date for second reading of said ordinance.
- b. Amend, modify, or reject the foregoing option.

Attachments:

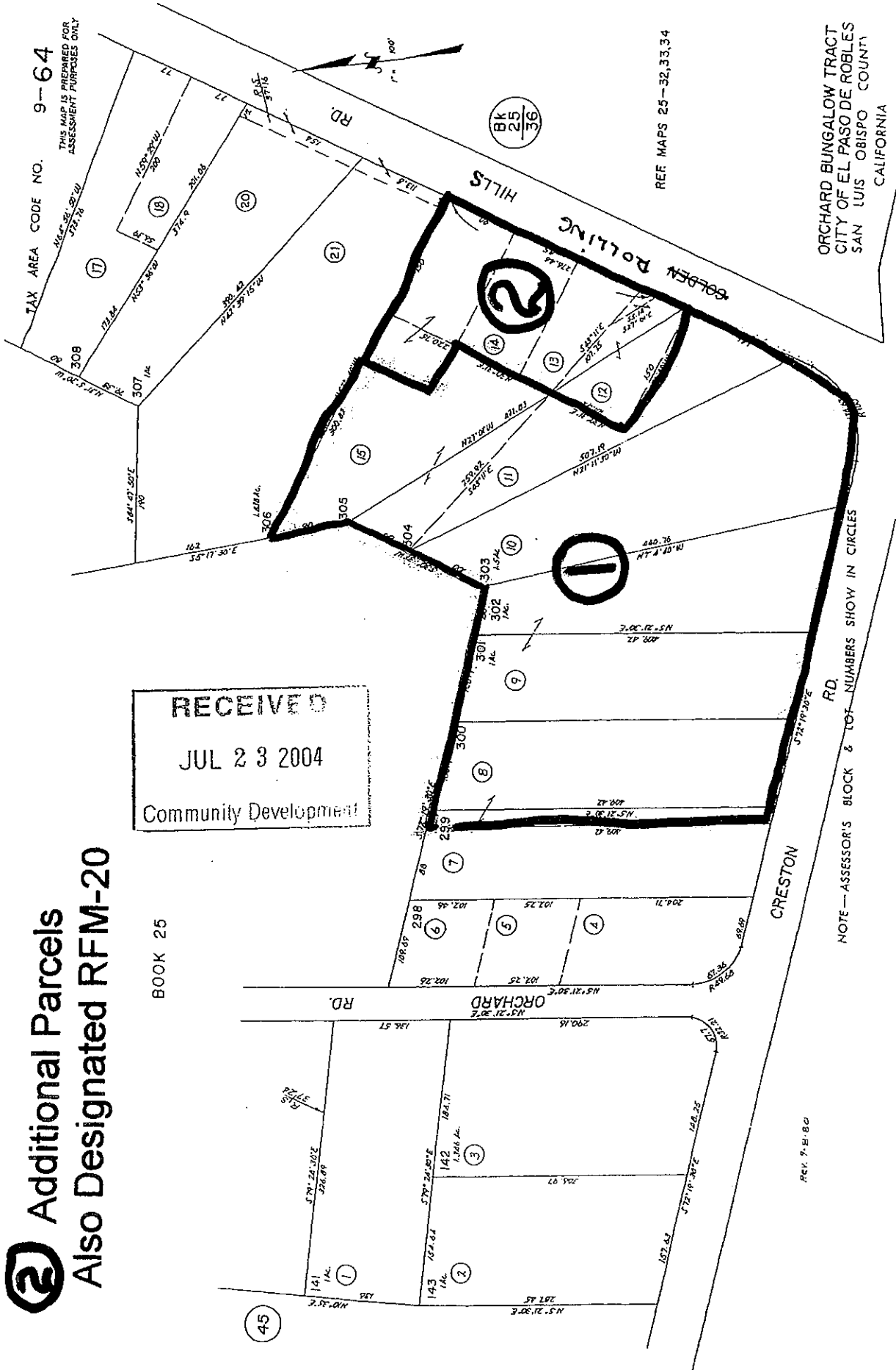
1. Letter from North Coast Engineering, dated December 23, 2004
2. Draft Ordinance
3. Rezone Exhibit A

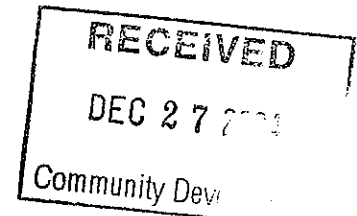
① Woodruff Request

② Additional Parcels Also Designated RFM-20

BOOK 25

RECEIVED
JUL 23 2004
Community Development





December 23, 2004

Honorable Mayor Mecham
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Subject: Rezone of Woodruff Property Located at Creston and South River Roads

Dear Mayor Mecham:

On November 16, 2004, the City Council heard the request from Woody Woodruff to rezone his property from Office Professional to Residential Multi-family-20 to be in conformance with the General Plan Land Use Designation approved in the 2003 update of the City General Plan. The City Council voted 4:1 that the rezone at this time would be premature in the absence of substantiating evidence that the proposed rezone could be accommodated on the site without have an adverse affect on the adjacent properties and that the proposed design would ensure that the density can be accommodated through sensitive site and building design.

Since that decision by the City Council occurred, we have had a meeting with City Manager Jim App and Community Development Director Bob Lata and have consulted our attorneys on this issue. Based on these discussions and our observations, we have come to the following conclusions:

1. The City is legally obligated to amend the zoning ordinance to bring this property in conformance with the General Plan.
2. There is an adequate system through the development plan process for appropriate and thorough review of a project proposed on this site to be able to assure the City and the public that a proposed project could be accommodated on the site without adverse affects.

We have presented numerous arguments in the past as to why this property should be zoned in conformance with the General Plan and are confident that the review, through the normal development plan process, will result in an appropriate project for this site based upon detailed analysis of traffic, architecture, landscape, relationship with neighboring properties and other related development issues.

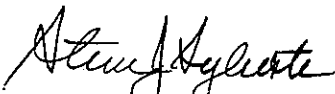
Honorable Mayor Mecham

December 23, 2004

Page 2

We respectfully request that this matter be brought back to the City Council for reconsideration and that the Council seriously consider rezoning the property to be in compliance with the General Plan and to let the normal adequate development plan review process take place when a proposed project is developed on this property. We would appreciate scheduling this item at your earliest convenience.

Respectfully yours,


FOR Larry Werner,
Vice President

cc: Jim App, City Manager
Bob Lata, Community Development Director
Jim Heggarty, Mayor Pro Tem
Gary Nemeth, Councilmember
Duane Picanco, Councilmember
Fred Strong, Councilmember
Diehl & Rodewald, Attorneys at Law

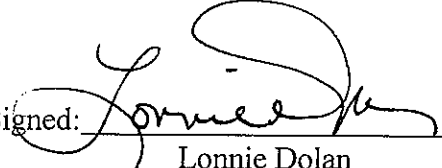
RLW/tas

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 Rezone 04-007 (Woodruff) on this 5th day of January 2005.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: _____

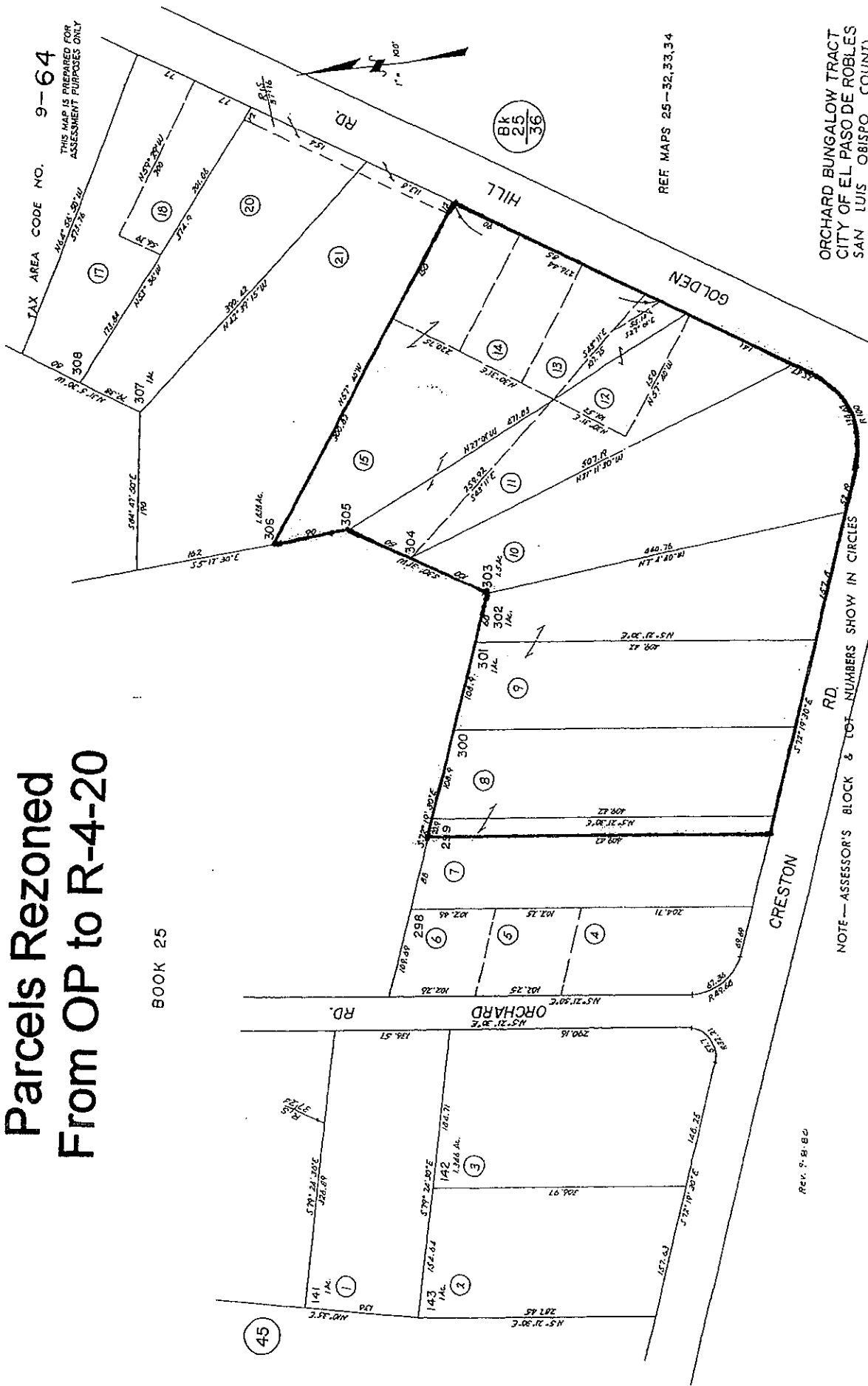

Lonnie Dolan

Parcels Rezoned From OP to R-4-20

BOOK 25

TAX AREA CODE NO. 9-64

THIS MAP IS PREPARED FOR
ASSESSMENT PURPOSES ONLY



REF MAPS 25-32,33,34

ORCHARD BUNGALOW TRACT
CITY OF EL PASO DE ROBLES
SAN LUIS OBISPO COUNTY
CALIFORNIA

NOTE—ASSESSOR'S BLOCK & LOT NUMBERS SHOW IN CIRCLES

Exhibit "A"

REV. 9-8-80

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE CITY'S ZONING MAP REGARDING PROPERTY AT THE
NORTHWEST CORNER OF CRESTON AND ROLLING HILLS ROAD
(ZONE CHANGE 04-007 – NORTH COAST ENGINEERING / WOODY WOODRUFF)

WHEREAS, the City's adopted General Plan of December 16, 2003 reflects a property at the northwest corner of Creston and Rolling Hills Road as "Residential Multi-family, up to 20 units per acre (RMF-20)" (County Assessor Parcel Nos. 009-641-008, 009, 010, 011, 012, 013, 014, and 015); and

WHEREAS, the current Zoning Map has an Office Professional (OP) designation for the subject parcels; and

WHEREAS, the current Zoning is inconsistent with the City's adopted General Plan, which is the land use policy of the City of Paso Robles; and

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

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Recommended that the City Council approve the proposed ordinance; and

WHEREAS, based on consideration of information received at its meetings of November 16, 2004, and January 18, 2005, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted public hearings to obtain public testimony on the proposed ordinance;
- c. Considered the Commission's recommendation from the Planning Commission's October 12, 2004, public meeting;
- e. Introduced said ordinance for first reading; and

WHEREAS, on February 1, 2005, the City Council held second reading of said ordinance.

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This code amendment is consistent with the City's General Plan.
3. The Final Environmental Impact Report that was certified on December 16, 2003, anticipated this proposed rezone and the City Council, by its independent judgment, has determined that there is no need for further environmental review or documentation at this point in time.

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

The City's Zoning Map is hereby amended to replace the current Office Professional (OP) Zoning with Residential Multi-Family, High Density, allowing up to 20 dwelling units per acre (R-4-20) for County Assessor Parcel Nos. 009-641-008, 009, 010, 011, 012, 013, 014, and 015, consistent with the attached Exhibit A.

SECTION 1. 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 2. 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 3. 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 4. 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 January 18, 2005, and passed and adopted by the City Council of the City of El Paso de Robles on the 1st day of February 2005 by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk