

All persons desiring to speak on agenda items are asked to fill out a *Speaker Information Card* and place it at the Staff Table prior to the start of discussion of the agenda item. Each individual speaker will be limited to a presentation total of three (3) minutes per person, per item.

AMERICANS WITH DISABILITIES ACT Individuals who, because of a disability, need 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 4 working days in advance.

CITY COUNCIL AGENDA

Tuesday, May 6, 2003 7:30 PM

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET**

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK**

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Councilmembers George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham

PUBLIC COMMENTS

This is the time the public may address the Council on items other than those scheduled on the agenda. **PLEASE SPEAK DIRECTLY INTO THE MICROPHONE AND BEGIN BY STATING YOUR NAME AND ADDRESS. EACH PERSON AND SUBJECT IS LIMITED TO A 3-MINUTE DISCUSSION.** Any person or subject requiring more than three minutes may be scheduled for a future Council meeting or referred to committee or staff. Those persons wishing to speak on any item scheduled on the agenda will be given an opportunity to do so at the time that item is being considered.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

If applicable, staff to advise Council of any other item on the agenda that is to be deferred or tabled.

PRESENTATIONS

1. [Bob Alesi Memorial Volunteer of the Year Award – Recipient: Jan Hess](#)
Mayor Frank Mecham

NOTICED HEARINGS

2. [Continue Hearing – Code Amendment 02-007 \(Signs\)](#)
R. Lata, Community Development Director

Consider continuing this item regarding an update of the City's sign ordinance. (In light of legal issues, complexity and other pending projects, additional time is needed to refine the text of the proposed Ordinance.) CONTINUED FROM MARCH 4, 2003

OPTIONS:

- a. Accept public testimony and continue the open public hearing to the Council's regular meeting on August 20, 2003.
- b. Amend, modify, or reject the above option.

ROLL CALL

3. [Continue Hearing - Code Amendment Regarding Limitation on Vehicle Weights in Residential Zones](#)
R. Lata, Community Development Director

Consider continuing a public hearing to establish vehicle weight limits on residential streets. (During the summer of 2002 Council discussed options to limit the weight of trucks within residential zoned areas. Further action was deferred pending a court decision that could impact the City's ability to enforce vehicle weight restrictions. The City Attorney recently advised that the City could proceed with consideration of an Ordinance.) CONTINUED FROM MARCH 4, 2003.

OPTIONS:

- a. Accept public testimony and continue the open noticed hearing regarding vehicle weight restrictions in residential areas to August 20, 2003.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

4. [Code Amendment 03-005 \(Family Day Care Homes\)](#)

R. Lata, Community Development Director

Consider Code Amendment modifying the City's family day care regulations for conformance with state law. (The City may no longer require a Conditional Use Permit for a Family Day Care Home with less than 14 children. In lieu of a Conditional Use Permit [i.e., discretionary review process], the City may establish other review criteria. The proposed Ordinance incorporates criteria recommended by the Planning Commission.)

OPTIONS:

- a. Introduce for First Reading Ordinance No. XXX N.S. (Code Amendment 03-005) amending the Municipal Code relating to day care businesses and set May 20, 2003, as the date for adoption of said Ordinance.
- b. Request additional information and analysis.
- c. Amend, modify or reject the foregoing options.

ROLL CALL VOTE

5. [Development Application Fee Update](#)

R. Lata, Community Development Director

Consider revising the fee schedule for development applications to account for cost increases since 1996. (The proposed revisions would provide compensation for actual time and materials processing development applications and other miscellaneous matters.)

OPTIONS:

- a. Adopt Resolution No. 03-xx approving the revised Development Application Fee Schedule in order for Planning and Engineering staff to capture time and materials related to development applications and an increase in Landscaping Bonds from \$500 to \$1,500 for a typical residential front yard.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

6. [Specific Plan Amendment 03-001 for Sub-areas B and F of the Borkey Area Specific Plan \(Mr. Dick Willhoit, Estrella Associates\)](#)

R. Lata, Community Development Director

Consider amending the Borkey Area Specific Plan (BASP) to modify development standards for the Salinas River bluff path (Sub-area B) and rear yard setbacks for residential lots abutting River Oaks Drive (Sub-area F). (Sub-areas B and F of the BASP are located north of River Oaks Drive and east of the Salinas River. The General Plan land use designation for this portion of Sub-area B is Residential Single Family and Parks & Open Space for this part of Sub-area F. The amendment is being requested by the applicant to facilitate implementation of the Planned Development 02-006 and Tract 2457, an active adult lifestyle community for adults 55 years or older.)

OPTIONS:

- a. (1) Adopt Resolution No. 03-xx, adopting a Negative Declaration for Specific Plan Amendment 03-001 to the Borkey Area Specific Plan.
 - (2) Introduce for First Reading Ordinance No. XXX N.S. incorporating Specific Plan Amendment 03-001 into the Borkey Area Specific Plan, and set May 20, 2003, as the date for adoption of said Ordinance. Under this option, the applicant's request for rear yard setbacks would be approved but the trail along the bluffs would be eliminated. In lieu, the applicant would be required to submit enhanced landscaping plans designed to provide a buffering of development along the bluff and said plans would be subject to approval of the Development Review Committee.
- b. (1) Adopt Resolution No. 03-xx, adopting a Negative Declaration for Specific Plan Amendment 03-001 to the Borkey Area Specific Plan.
 - (2) Introduce for First Reading Ordinance No. XXX N.S. incorporating Specific Plan Amendment 03-001 into the Borkey Area Specific Plan, and set May 20, 2003, as the date for adoption of said Ordinance. Under this option, the applicant's request for rear yard setbacks would be approved and the trail would be retained, however, there would be an up-graded requirement for installation of a durable surface for the trail, security fencing and lighting, along with an indemnification agreement to hold the City harmless in case of a lawsuit related to safety of the trail and/or challenge to the trail not being handicapped accessible. Under this alternative, it is suggested that final plans, including the foregoing specifications, be subject to review and approval of the DRC.
- c. (1) Adopt Resolution No. 03-xx, adopting a Negative Declaration for Specific Plan Amendment 03-001 to the Borkey Area Specific Plan.
 - (2) Introduce for First Reading Ordinance No. XXX N.S. incorporating Specific Plan Amendment 03-001 into the Borkey Area Specific Plan, and set May 20, 2003, as the date for adoption of said Ordinance. This option would be in the form requested by the applicant.
- d. Amend, modify, or alter the foregoing options.

ROLL CALL VOTE

- 7. [General Plan Amendment 003-001 – Part 1 “Level of Service Designation, Highway 46 West / 101 Interchange Area” \(City-initiated\) and Part 2 “Office Professional Land Use Overlay”; Zone Change 03-001 Office Professional Zoning Overlay \(Initiated by Ryan and Jennifer Langstaff\)](#)

R. Lata, Community Development Director

The General Plan is the City's primary long-range planning tool for land use, infrastructure and public facilities. The State places a limit of four (4) amendments to any one element of the General Plan in a calendar year. In order to accommodate requests and needed updates, it is common, and permitted under Government Code Section 65358(b), to combine multiple General Plan Amendments into a single General Plan Amendment.

General Plan Amendment 003-001 is comprised of two separate components as stated below

(1) **Level of Service Designation, Highway 46 West / 101 Interchange Area** This Amendment to the Land Use and Circulation Elements proposes the City Council consider revising the Level of Service (LOS) standard for vehicular traffic movement through and in the area of the subject interchange. The change in standard from LOS “C” to LOS “D” would apply for an interim period of time until plans and funding are in place to accomplish long-term improvement needs to handle both regional and local traffic demands. In conjunction with the proposed interim change in LOS standard, certain improvements to the interchange and southbound off-ramp from Highway 101 would be constructed.

(2) **Office Professional Overlay Area** A proposal to Amend the Land Use Element of the General plan to establish a Office Professional Overlay for a half-block area along the west side of Oak Street between 8th and 9th Streets, consistent with General Plan policies to encourage these land uses in and around the downtown area. Accompanying the General Plan Amendment is a Zoning Overlay for the same purpose in the same geographic area.

Note: Even though the two land use components are proposed as a single General Plan Amendment, it would be appropriate for each component to be considered as a separate public hearing item. The Council is requested to take a “straw vote” on each of the two parts at the conclusion of the respective public hearings. Final action on the General Plan Amendment as a whole should not be taken until the Council completes consideration of both of the two components.

7.1 [General Plan Amendment 03-001 \(Part A\): “Level of Service Designation, Highway 46 West / 101 Interchange Area” \(City-initiated\)](#)

R. Lata, Community Development Director

Consider Part 1 of a two-part amendment to the City’s General Plan Land Use Element, along with a consistent amendment to the Circulation Element. The amendment proposes the City Council consider revising the Level of Service (LOS) standard for vehicular traffic movement through and in the area of the subject interchange. The change in standard from LOS “C” to LOS “D” would apply for an interim measure until plans and funding are in place to accomplish long-term improvement needs to handle both regional and local traffic demands. In conjunction with the proposed interim change in LOS standard, certain improvements to the interchange and southbound off-ramp from Highway 101 would be constructed.

OPTIONS:

- a. (1) Adopt Resolution No. 03-xx granting Negative Declaration status for General Plan Amendment 003-001 (Part 1).

ROLL CALL VOTE

- (2) Support Part 1 of a two-part General Plan Amendment.

STRAW VOTE

- b. Amend, modify or reject the foregoing option.

7.2 ["Office Professional Land Use Overlay"; Zone Change 03-001 Office Professional Zoning Overlay \(Initiated by Ryan and Jennifer Langstaff\)](#)

R. Lata, Community Development Director

Consider Part 2 of a two-part amendment to the City's General Plan land use element to establish an Office Professional land use designation for a half-block area along the west side of Oak Street between 8th and 9th Streets, consistent with General Plan policies to encourage these land uses in and around the downtown area. Accompanying the General Plan Amendment is a Zoning Overlay for the same purpose in the same geographic area.

OPTIONS:

- a. (1) Adopt Resolution No. 03-xx granting Negative Declaration status for General Plan Amendment 003-001 (Part 2) and Rezone 003-001 (Office Professional Zoning Overlay).

ROLL CALL VOTE

- (2) Support Part 2 of a two-part General Plan Amendment.

STRAW VOTE

- (3) Introduce for first reading Ordinance No. XXX N.S. amending the Zoning Map established by reference in Section 21.12.020 of the Zoning Code (Title 21) – Rezone 003-001 (Office Professional Zoning Overlay); and set May 20, 2003, as the date for adoption of said Ordinance.

ROLL CALL VOTE

- b. Amend, modify or reject the foregoing option.

Final General Plan Amendment 003-001 Action: Upon completion of the hearings on GPA 03-001, the City Council is requested to take action on the Land Use Element amendments that have straw vote support (in the form of a single City Council Resolution).

- a. Adopt Resolution No. 03-xx approving General Plan Amendment 003-001.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

CONSENT CALENDAR

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION. However, if discussion is wanted or if a member of the public wishes to comment on an item, the item may be removed from the Consent Calendar and considered separately. Councilmembers may ask questions of clarification without removing an item from the Calendar. INDIVIDUAL ITEMS 8-17 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

8. [Approve City Council minutes of April 15, 2003](#)
D. Fansler, City Clerk
9. [Approve Warrant Registers: Nos. 39837 - 39946 \(4/11/03\), 39947 – 40115 \(4/18/03, and 40116 – 40220 \(4/25/03\)](#)
M. Compton, Administrative Services Director
10. Receive and file Advisory Body Committee minutes as follows:
[Housing Authority meeting of April 8, 2003](#)
Library Board of Trustees meeting of [April 10, 2003](#) and corrected minutes for [February 13](#) and [March 13, 2003](#)
[Parks & Recreation Advisory Committee meeting of March 11, 2003](#)
[Transit Advisory Committee meeting of March 10, 2003](#)
[Youth Commission meeting of February 5, 2003](#)
11. [Proclamation – Teen Pregnancy Prevention Month – May 2003](#)
F. Mecham, Mayor
12. [Proclamation – National Public Works Week – May 18 - 24, 2003](#)
F. Mecham, Mayor
13. [Proclamation – 2003 International Year of Freshwater and May 2003 as Water Awareness Month](#)
F. Mecham, Mayor
14. [Proclamation – Friends of the Paso Robles Library](#)
F. Mecham, Mayor
15. [Extend the Art in Public Places ad hoc committee's assignment to May 4, 2004, to allow time for the committee members to complete their work.](#)
B. Partridge, Library & Recreation Services Director
16. [Dissolve the ad hoc committee formed in March 2001 to oversee Orchard Bungalow Assessment District projects as the committee's work has been completed.](#)
J. Deakin, Public Works Director
17. [Adopt Resolution No. 03-xx accepting the recordation of Parcel Map PR 01-362, a two-lot residential subdivision located at 513 Vine Street.](#) (Applicant is Kathleen Hoffman. The Planning Commission tentatively approved the Parcel Map in September 2002 and all conditions imposed by the Commission have been satisfied by the Subdivider.)
R. Lata, Community Development Director

ROLL CALL VOTE

PUBLIC DISCUSSION

18. [Acceptance and Execution of Offer of Dedication \(River Parcel, Tract 2457, Oak Knoll Ranch, LLC\) and Accepting and Approving an Agreement to Grant Easements to Oak Knoll, LLC for Well and Water Line](#) Amended Item 18

R. Lata, Community Development Director/ J. Deakin, Public Works Director

Consider authorizing the recordation of an Irrevocable and Perpetual Offer to Dedicate a parcel of land in and adjacent to the Salinas River, and approve an agreement to accept a quitclaim to the City for any interest in said parcel by Oak Knoll Ranch, LLC and grant appurtenant well and water line easements to Oak Knoll Ranch, LLC. (This Offer will correct a "cloud" of title to the property, which was referenced in Resolution No. 98-88 and subsequently recorded with the Offer to Dedicate attached; satisfy Condition No. 31 of the tentative approval of Tract 2457; and will allow Oak Knoll Ranch, LLC the right to use the well and water line located in the area of the Offer to Dedicate.)

OPTIONS:

- a. Adopt Resolution No. 03-xx accepting and authorizing recordation of the Irrevocable and Perpetual Offer to Dedicate provided by Oak Knoll Ranch, LLC and approve the Agreement to accept a quit claim deed relieving Oak Knoll Ranch, LLC of any interest in said Offer and to grant appurtenant well and water line easements for the benefit of Oak Knoll Ranch, LLC.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

19. [Acceptance of Tract 2457 \(Oak Knoll Ranch, LLC\) for recordation, and Annexation into the Landscape and Lighting Maintenance District\)](#)

R. Lata, Community Development Director/ J. Deakin, Public Works Director

Consider taking action towards finalizing development plans for a residential subdivision. (Tract 2457 is a 10-lot subdivision of an 86-acre site, located on Clubhouse Drive, north of River Oaks Drive and west of Buena Vista Drive. Applicants [Oak Knoll Ranch, LLC] have signed a petition and voted in favor of annexation into the Landscape and Lighting District.)

OPTIONS:

- a. Adopt Resolution No. 03-xx accepting the recordation of Tract 2457, a 10-lot subdivision located on Clubhouse Drive, north of River Oaks Drive, and west of Buena Vista Drive; and
- b. Adopt Resolution No. 03-xx annexing Tract 2457-a as part of Sub-area 80 to the Landscape and Lighting District No. 1.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

20. [Authorization to Initiate Annexation Application](#)

R. Lata, Community Development Director

Consider authorizing staff to initiate and process an annexation application for certain property located on the south side of Highway 46 East and east of Mill Road. (Subject property is approximately 202 acres [Hunter Ranch Golf Course] in area, located within the City's Sphere of Influence. No specific development projects are being proposed on the subject property at this time. Annexation to the City would, however, provide the property owner with the option of applying for entitlements for land uses that are provided for within Parks & Open Space General Plan and Zoning designations.)

OPTIONS:

- a. Direct staff to proceed with the steps necessary to file an application with the Local Agency Formation Commission (LAFCO) for the annexation of the subject property, based on the applicant's request, dated 16 April 2003.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

21. [Municipal Pool Rehabilitation](#)

J. Deakin, Public Works Director

Review the Municipal Pool Rehabilitation Master Plan options and choose of a course of action. (Sawyer Architects was authorized by Council to develop a phased Master Plan to rehabilitate the Municipal Pool. Building component replacements were reviewed by staff and representatives from the School District and North County Aquatics Club from projects identified and analyzed in the Master Plan.)

OPTIONS:

- a. Direct staff to proceed with Alternative "A" for Phase I Rehabilitation at the Municipal Pool.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

22. [South River Road Bike Path](#)

J. Deakin, Public Works Director

Review the current analysis and engineering for the South River Road Bike Path Plan and choose a course of action. (The proposed bike path would run from Riverbank Tract, along Woodland Plaza II, under the Veterans Memorial Bridge, and then along Woodland Plaza I.)

OPTIONS:

- a. Direct staff to proceed with the preparation of bid documents to construct a bike path connecting Veterans Memorial Bridge to Rivercrest Estates (Reach C) available grant funds.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER – None

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION – None

AD HOC COUNCIL BUSINESS – None

COUNCIL COMMENTS

PUBLIC COMMENT ON CLOSED SESSION

Public comments limited to Closed Session items only.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

a. Conference with Legal Counsel – Anticipated Litigation

Subdivision (c) of Government Code Section 54956.9

Initiation of Litigation

Number of cases: Two

ADJOURNMENT: to THE SHERWOOD PARK COMMUNITY DESIGN DAY 9:30 AM ON SATURDAY, MAY 10, 2003, AT THE SENIOR CENTER, 270 SCOTT STREET; TO THE BUDGET WORKSHOP AT 7:00 PM ON WEDNESDAY, MAY 14, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, MAY 20, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS MAY 9, 2003***