

# CITY COUNCIL AGENDA

Tuesday, January 4, 2005 7:30 PM

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

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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 Jim Heggarty, Gary Nemeth, Duane Picanco, Fred Strong, 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 FILL OUT A SPEAKER INFORMATION CARD. 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)**

**PRESENTATIONS - None**

**PUBLIC HEARINGS**

1. [Rezone 04-008 – J.M. Wilson Development](#)

R. Lata, Community Development Director

Consider an application filed by North Coast Engineering on behalf of J.M. Wilson Development to rezone an 11-acre site in conformance with the General Plan Land Use designation. (Property is located at 1650 South River Road. Rezoning the site to R1,PD-4 [dwelling units per acre] on the lower portion of the site and to R1,PD-6 [6 dwelling units per acre] for the upper portion would bring the zoning into conformance with the General Plan. The rezone, in conjunction with Tentative Tract 2611 and PD 04-017, would allow for the development of a 45-lot single family residential subdivision. On a 5-1 vote the Planning Commission recommended that Council approve Rezone 04-008, and on a vote of 4-2 approved Tentative Tract 2611.)

**OPTIONS:**

- a. Introduce Ordinance No. XXX N.S. approving Rezone 04-008, rezoning a 11-acre site to R1,PD-4 and R1,PD-6 to be consistent with the current General Plan designation of RSF-4/RSF-6, in relation to Tract 2611; and set January 18, 2005, as the date for adoption of said Ordinance.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

2. [Appeal of Planning Commission's Decision Not to Approve Planned Development 04-017 – J.M. Wilson Development](#)

R. Lata, Community Development Director

Consider an appeal filed by J.M. Wilson Development of Planning Commission's decision to not approve Planned Development 04-017. (Property is located at 1650 South River Road. PD 04-017, in conjunction with Tentative Tract 2611 and Rezone 04-008, would allow for the development of a 45-lot single family residential subdivision. On December 14, on a vote of 4-2, the Planning Commission approved Tentative Tract 2611 and on a 5-1 vote recommended that Council approve Rezone 04-008. Approval of PD 04-017 failed on a 4-2 vote based on primarily architectural reasons [applicant requested certain deviations from the Zoning Code] related to the development proposed on the upper 7-acres of the site. Applicant is appealing the Commission's decision, stating that it is necessary to allow the deviations in order to provide a neighborhood that would be consistent with housing in the area.)

**OPTIONS:**

- a. Approve Resolution No. 05-xx upholding the Planning Commission's decision to not approve PD 04-017, and deny the applicant's appeal, thereby requiring the applicant to redesign the project and bring it back to the Planning Commission, incorporating wider lots and the use of one-story homes, specifically where lots back up to existing Serenade lots.

- b. Approve Resolution No. 05-xx approving PD 04-017 as requested by the applicant and allow the following deviations from the Zoning Code:
  - 1. Minimum lot sizes of 4,500 square feet
  - 2. 5-foot minimum interior side yard setbacks for two story homes
  - 3. Pad grading without the need for retaining walls and slopes to be set back from property lines
  - 4. Retaining walls on interior side yards to extend up to 5-feet maximum height
  - 5. Use of model homes for the project
- c. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

3. [General Plan Amendment 2004-001 \(2 Parts\)](#)

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 04-01 is comprised of two separate parts as stated below

**Oak Park Specific Plan Area (Part 1)** Consider modifying those properties that are subject to a requirement for a Specific Plan prior to the granting of development entitlements. The proposal is to delete certain privately owned property that was included in an Oak Park Housing Project Specific Plan Area,

**Airport Influence Area (Part 2)** Modify the City's Airport Influence Area / Airport Noise Disclosure Area to reflect new geographic boundaries of the City.

***Note:** Even though the two 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.*

**3.1** [General Plan Amendment 04-01 – Specific Plan Designation – Part 1 of 2 \(City Initiated\)](#)

R. Lata, Community Development Director

Consider the Planning Commission’s recommendation to modify the boundaries of the Oak Park Specific Plan area that was established through the 2003 General Plan update. This is the first part of a 2-part General Plan Amendment. (When the General Plan update was adopted in December 2003, a requirement was established for preparation of a specific plan for the Oak Park area. The overlay designation applies to both the Oak Park Public Housing Project and also some adjacent private property. The proposal under GPA 04-01, Part 1, is to reduce the boundaries of the specific plan requirement to just those publicly owned properties that are within the Oak Park Housing Project, thereby allowing owners of the private properties north of the Oak Park project the option to develop their parcels.)

**OPTIONS:**

- a. (1) Adopt Resolution No. 05-xx approving a Negative Declaration status for a component of General Plan Amendment 2004-01 – Oak Park Specific Plan Area; and

**ROLL CALL VOTE**

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

**STRAW VOTE**

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

**3.2** [General Plan Amendment 04-01 – Airport Influence Area – Part 2 of 2 \(City Initiated\)](#)

R. Lata, Community Development Director

Consider the Planning Commission’s recommendation to amend the General Plan to redefine and modify the boundaries of the Airport Noise Disclosure Area that was established in 2001. This is the second part of a 2-part General Plan Amendment. (Council established the Airport Noise Disclosure Area for the City with GPA 01-01. The purpose and intent was to provide a public notice of the existence of the Paso Robles Municipal Airport [and related noise generation], particularly in relation to real estate transactions. The purposes of GPA 04-01, Part 2, are to re-establish the City’s Airport Noise Disclosure Area, expand its boundaries to include properties that have been recently annexed and are within the City’s Sphere of Influence, and to broaden the definition of the designated area to include not only “Noise Disclosure,” but also “Influence” pursuant to the Business and Professions Code requirements.)

**OPTIONS:**

- a. (1) Adopt Resolution No. 05-xx granting Negative Declaration status for a component of General Plan Amendment 2004-01 – Airport Influence Area; and

**ROLL CALL VOTE**

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

**STRAW VOTE**

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

**Final General Plan Amendment 04-01 Action: Upon completion of the hearings on GPA 04-01, the City Council is requested to take action on approving those parts of the General Plan Amendment that have straw vote support (action is to be in the form of a single City Council Resolution).**

- a. Adopt Resolution No. 05-xx approving General Plan Amendment 2004-001, a 2-part General Plan Amendment regarding boundaries of the Oak Park Specific Plan Area and Airport Influence Area.
- b. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

**ADJOURN TO JOINT MEETING OF PUBLIC FINANCING AUTHORITY,  
REDEVELOPMENT AGENCY & CITY COUNCIL**

**ROLL CALL** Agencymembers Jim Heggarty, Frank Mecham, Duane Picanco, Fred Strong, and Chairman Gary Nemeth

**DISCUSSION**

- 4. [Redevelopment Agency Annual Report](#)  
M. Compton, Administrative Services Director

Consider accepting the Redevelopment Agency Annual Report for fiscal year 2004. (California Redevelopment Law requires that the Agency Board present an annual report to the City Council. The Annual Report was presented to the Agency's Project Area Committee on December 15, 2004, and they recommended acceptance of the report as presented.)

**OPTIONS:**

- a. Adopt Resolution No. RA 05-xx accepting the annual report for the fiscal year ended June 30, 2004.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**ADJOURN TO CITY COUNCIL MEETING**

## 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 5-12 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

5. [Approve City Council minutes of December 21, 2004](#)  
D. Fansler, City Clerk
6. [Approve Warrant Register: Nos. 52194 – 52360 \(12/17/04\) and 52361 – 52450 \(12/23/04\)](#)  
M. Compton, Administrative Services Director
7. Receive and file Advisory Body Committee minutes as follows:  
[Library Board of Trustees meeting of November 18, 2004](#)  
[Senior Citizen Advisory Committee meeting of November 8, 2004](#)  
[Youth Commission meeting of November 3, 2004](#)
8. [Read, by title only, and adopt Ordinance No. XXX N.S. amending Title 21 of the Zoning Code of the Municipal Code to approve Rezone 04-005 to rezone an 8.5-acre site to bring the zoning into conformance with the General Plan.](#) (Property is located along the northern side of Meadowlark Road, between Beechwood Drive and Oriole Way. Rezoning the site to R1,PD-3 would bring the zoning into conformance with the General Plan designation of RSF-3. The rezone, in conjunction with Tentative Tract 2601 and PD 04-023, would allow for the development of a 20-lot single family residential subdivision.) 1ST READING DECEMBER 21, 2004  
R. Lata, Community Development Director
9. [Read, by title only, and adopt Ordinance No. XXX N.S. amending Title 21 of the Zoning Code of the Municipal Code rezoning two property parcels from single family residential to multi-family.](#) (Site is approximately 6.5 acres, located at 80 South River Road. Rezoning the site from R1,PD to R-3 is intended to bring the property zoning into conformity with the Land Use Map. 1ST READING DECEMBER 21, 2004  
R. Lata, Community Development Director
10. [Adopt Resolution No. 05-xx amending the City's adopted Conflict of Interest Code.](#) (The Conflict of Interest Code is amended to add personnel classifications of City Planner, Water Resource Manager, and Airport Services Coordinator and delete the classifications of Principal Planner, Utilities Manager, and Airport Operations Manager.)  
F. Fansler, City Clerk
11. [Approve Mayor's liaison and ad hoc committee assignments.](#)  
F. Mecham, Mayor
12. [Receive and file the Redevelopment Agency Annual Report for fiscal year 2004.](#) (California Redevelopment Law requires that the Agency Board present an annual report to the City Council. The Annual Report was presented to the Agency's Project Area Committee on December 15, 2004, and they recommended acceptance of the report as presented.)  
M. Compton, Administrative Services Director

**DISCUSSION**

**13. [Request to Remove One Oak Tree – Tract 2611 \(J.M. Wilson Development\)](#)**

R. Lata, Community Development Director

Consider a request to remove one 21-inch diameter Blue Oak tree. (Applicant has submitted a Tract Map to subdivide an 11-acre parcel into 45 lots for single family residential development. The oak tree proposed for removal is within the existing right-of-way of South River Road

**OPTIONS:**

- a. Adopt Resolution No. 05-xx approving the request for removal of one 21-inch diameter Blue Oak based on the tree being located within the right-of-way of South River Road and not being in good health; and require a replacement ratio of four (4) 1.5-inch diameter Blue Oak trees (or other combination of larger diameter trees, totaling 5-inches) to be planted in a location that is appropriate for the species of tree as determined by a horticulture professional (e.g., Blue Oaks should be planted in an arid environment).
- b. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

**14. [2005 Community Development Block Grant \(CDBG\) Program](#)**

R. Lata, Community Development Director

Identify which applications for the City’s 2005 Community Development Block Grant funds should be recommended in the Draft Annual Action Plan and set date for conducting a noticed public hearing to determine which activities are to be approved for funding with the City’s 2005 CDBG funds. (Available CDBG funds are estimated to be approximately \$490,700. The City has received 20 applications for funds, totaling over \$725,000. In mid-January 2005, the County will publish a Draft Consolidated Plan, which will list all of the activities that are recommended for consideration by the various city councils and Board of Supervisors at public hearings to be held in February and March 2005.)

**OPTIONS:**

- a. (1) Identify the following applications to be listed in the Draft One Year Action Plan as being recommended for funding:

Therapy Pool Rehab .....		\$161,335
LED Crosswalk #2.....		\$ 27,000
Children’s Museum .....		\$135,875
Women’s Shelter Rehab.....		\$ 6,000
Public Services Activities .....		\$ 68,790
EOC-Senior Health Screening .....	4,850	
EOC-40 Wonderful.....	2,550	
EOC-Teen Academic Parenting .....	3,850	
HHP Motel Voucher .....	20,850	
Literacy Council.....	2,850	
Boys & Girls Club .....	5,890	
Big Brothers/Big Sisters.....	3,850	

Caring Callers .....	3,500
Loaves and Fishes.....	10,000
CASA.....	2,600
ECHO .....	5,000
La Clinica de Tolosa.....	3,000
Administration .....	<u>\$ 91,700</u>
Total.....	\$490,700

(2) Set Thursday, March 3, as the date for a public hearing to determine which activities are to be approved for funding with the City's 2005 CDBG funds.

b. (1) Identify the following applications to be listed in the Draft One Year Action Plan as being recommended for funding:

Therapy Pool Rehab .....	\$303,210
LED Crosswalk #2.....	\$ 27,000
Public Services Activities .....	\$ 68,790
EOC-Senior Health Screening .....	4,850
EOC-40 Wonderful.....	2,550
EOC-Teen Academic Parenting .....	3,850
HHP Motel Voucher .....	20,850
Literacy Council.....	2,850
Boys & Girls Club .....	5,890
Big Brothers/Big Sisters.....	3,850
Caring Callers .....	3,500
Loaves and Fishes.....	10,000
CASA.....	2,600
ECHO .....	5,000
La Clinica de Tolosa.....	3,000
Administration .....	<u>\$ 91,700</u>
Total.....	\$490,700

(2) Set Thursday, March 3, as the date for a public hearing to determine for 2005 CDBG allocations.

c. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

**15. [Water and Wastewater Resource Management](#)**

J. App, City Manager

Consider amending Boyle Engineers' Water and Sewer Master Plan contract to broaden and integrate planning for water and wastewater resources. (Increasing water demands and ever-tightening regulations on both water and wastewater quality necessitates development of integrated water and wastewater management practices and more advanced treatment regimens. Boyle Engineers is currently preparing the City's water and wastewater master plans, as well as a wastewater treatment plant operations audit. Expanding their work to integrate water and wastewater planning would allow the City to amplify and galvanize its efforts.)

**OPTIONS:**

- a. Adopt Resolution No. 05-xx appropriating \$400,000 for Boyle Engineers to prepare an integrated water and wastewater master plan and authorizing the City Manager to amend the current contract to expand the scope of work.
- b. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

**16. [Unmet Transit Needs Hearing](#)**

M. Compton, Administrative Services Director

Consider holding a local unmet transit needs hearing. (State law requires that public agencies received Transportation Development Act (TDA) funding hold an unmet transit needs hearing annually. SLOCOG has been and continues to be responsible for holding the public hearing on behalf of all TDA recipients countrywide.

**OPTIONS:**

- a. Set a date for an unmet transit hearing.
- b. Amend, modify, or reject the above option.

**VOICE VOTE**

**CITY MANAGER**

**17. [Schedule Date for Applicant Interviews/Appointments - Project Area Committee](#)**

J. App, City Manager

Select date for conducting interviews and making appointments for vacancies on the Project Area Committee.

4 vacancies – 5 applicants

Terms: Three 3-year regular terms expiring December 31, 2007

One 1-year regular term expiring December 31, 2005, to fill vacated term of Debra Smith

Applicants

James Cole  
Anthony Horzen (incumbent)  
Pat McMahan  
Charles Tretch  
Christie Withers

**VOICE VOTE**

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** - None

**AD HOC COUNCIL BUSINESS** - None

**COUNCIL COMMENTS**

**ADJOURNMENT:** to US GEOLOGICAL SURVEY PRESENTATION AT 7:00 PM ON WEDNESDAY, JANUARY 5, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; TO A STATUE DEDICATION CEREMONY AT 11:30 AM ON FRIDAY, JANUARY 14, 2005, AT THE PUBLIC SAFETY CENTER, 900 PARK STREET; TO THE MEDIA WORKSHOP AT 10:00 AM ON TUESDAY, JANUARY 18, 2005, AT THE ATASCADERO LAKE PAVILION; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, JANUARY 18, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

All persons desiring to speak on an agenda item are asked to fill out **Speaker Information Cards** and place them at the Staff Table prior to public discussion of that item. Each individual speaker will be limited to a presentation total of three (3) minutes per item.

**AMERICANS WITH DISABILITIES ACT** Any individual, who because of a disability needs special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (805) 237-3960. Whenever possible, requests should be made four (4) working days in advance of the meeting.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT  
REGULAR COUNCIL MEETING IS JANUARY 7, 2005***