

RESOLUTION NO. 03-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ADOPTING A NEGATIVE DECLARATION FOR THE CODE AMENDMENT 02-013  
REVISING THE PROCESS AND STRENGTHENING THE FINDINGS FOR ALLOWING  
BUILDINGS TO EXCEED HEIGHT RESTRICTIONS WHEN APPROPRIATE

---

WHEREAS, as a result of:

- The Emergency Services Department purchasing new equipment; and
- Changes in the Uniform Building Code and the Uniform Fire Code,

It is no longer necessary to limit allowable building heights due to public health and safety considerations; and

WHEREAS, it is reasonable to provide the City Council with the ability to approve a development project with a building height that is over 3-stories (subject to specific findings) when it is appropriate to do so; and

WHEREAS, reliance on a case-by-case review of the specific characteristics of the project site and the project design is an appropriate way to determine the allowable building height for a specific development project; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, at its November 26, 2002 meeting, the Planning Commission held a duly noticed public hearing on the proposed Code Amendment to accept public testimony on the proposal, including the environmental determination therefor; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission recommended to the City Council that the proposed Code Amendment be approved and that a Negative Declaration be adopted.

WHEREAS, public notice of intent to adopt a Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, based on the information and analysis contained in the Initial Study and the attachments thereto, a determination has been made that the proposed Code Amendment qualifies for adoption of a Negative Declaration.

NOW, THEREFORE, the City Council of the City of El Paso de Robles, using its independent judgment and analysis, does hereby:

1. Find and determine that the proposed Code Amendment will not have a significant impact on the environment.

This finding and determination was made based upon the substantial evidence presented at the public hearing, including the whole record before the City Council (including the Initial Study, the Staff Report, the proposed Code Amendment, and any public comments or testimony received thereon); and,

2. Adopt a Negative Declaration for the proposed Code Amendment.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 21<sup>st</sup> day of January 2003  
by the following vote:

AYES: Finigan, Heggarty, Nemeth and Mecham  
NOES: Picanco  
ABSTAIN: None  
ABSENT: None

---

Frank R. Mecham, Mayor

ATTEST:

---

Sharilyn M. Ryan, Deputy City Clerk