

AGENDA

PLANNING COMMISSION

May 28, 2002

7:30 P.M.

MEETING LOCATION: PASO ROBLES CITY HALL/LIBRARY
CONFERENCE CENTER

1000 SPRING STREET, PASO ROBLES, CALIFORNIA 93446

PLANNING COMMISSION

ED STEINBECK
CHAIRMAN

MIKE CALLOWAY
FERRAVANTI
COMMISSIONER
COMMISSIONER

NICK

RON JOHNSON
KEMPER
COMMISSIONER
COMMISSIONER

MARTI MUNIS

RALPH MC CARTHY
WARNKE
CHAIRMAN
COMMISSIONER

VALERIE

PRO

TEM

CITY STAFF

ROBERT A. LATA, AICP
COMMUNITY DEVELOPMENT DIRECTOR

ED GALLAGHER
NASH
HOUSING PROGRAMS MANAGER
PLANNER

DARREN

ASSOCIATE

CINDY CHAMBERS
ASSOCIATE PLANNER
PLANNER

KERRY MARGASON
ASSOCIATE

SIERRA RUSSELL
CHOUINARD
PLANNING INTERN
ENGINEER

JOE

ACTING CITY

JOSEPH M. DEAKIN
ESPERANZA

DITAS

PUBLIC WORKS DIRECTOR
ENGINEER

CAPITAL PROJECTS

LEGAL COUNSEL

IRIS YANG
CITY ATTORNEY
ATTORNEY

JON SEITZ
DEPUTY CITY

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS REGARDING MATTERS NOT ON THE AGENDA

STAFF BRIEFING

AGENDA ITEMS PROPOSED TO BE TABLED OR RE-SCHEDULED: None

PRESENTATIONS: None Scheduled.

Planning Commission approval of a development project is one step in the process of meeting applicable legal requirements. In addition to receiving Planning Commission approvals, all development plans must comply with applicable Zoning and Building Codes. Applicants are encouraged to consult with a design professional to confirm what provisions of the Uniform Building Codes and, in particular, requirements for handicapped access will apply to your project and the design and/or financial implications of meeting these legal requirements.

All items on the Planning Commission Agenda are scheduled for action unless explicitly otherwise stated. Planning Commission Action on General Plan Amendments, Rezones, Street and Public Easement Abandonments, Street Name Changes, Code Amendments and any legislative related action is a recommendation to the City Council; the Council will hold a separate public hearing prior to taking final action. All Other Planning Commission action is final unless an appeal application, including the required fee, is filed with the Community Development Department within 15 calendar days of the date of the action. Any member of the public or the City Council may file an appeal. Please see last page of agenda for how to file an appeal.

PUBLIC HEARINGS

1. FILE #: **CONDITIONAL USE PERMIT 02-010**

APPLICATION: A request to establish a pub serving beer and wine and future food sales in an existing building. The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application.

APPLICANT: George Usher

LOCATION: 622 – 12th Street

2. FILE #: **GENERAL PLAN AMENDMENT 1-02
A FOUR-PART AMENDMENT TO THE
LAND USE ELEMENT OF THE GENERAL
PLAN; ZONE CHANGES 01-006, 02-002, 02-
003, 02-006 AND BORKEY AREA SPECIFIC
PLAN AMENDMENT 02-001**

To consider making recommendations regarding adoption of Negative Declarations and approval of a four (4) part General Plan Amendment (Land Use Element). The four component parts, some of which are also subjects of Zone Change / Zoning Code Amendment / Specific Plan Amendment requests, are described as follows:

APPLICATION: 1.) The following amendments are being requested within the Borkey Specific Plan Area:

a.) Request to amend the General Plan land use designation from Agriculture to Public Facilities and rezone of the 23 acres from Agriculture to Public Facilities for use by Cuesta College. (APN: 025-390-001 and 004)
Rezone 01-006

b.) Amend the General Plan designation to include the 117 acres into the Borkey Area Specific Plan. (APN: 025-391-005)

c.) Amend the Specific Plan to conform with the General Plan Land and Zoning Designations.

APPLICANT: Kiessig
LOCATION: Northwesterly portion of the Borkey Area Specific Plan.

APPLICATION: 2.) A proposed change from Neighborhood Commercial (NC) to Community Commercial (CC) for nine (9) acres. The General Plan Amendment application is accompanied by a Zone Change request No. 02-002; the requested change is from

CP-PD (Neighborhood Commercial - Planned Development) to C2-PD (Highway Commercial - Planned Development).

APPLICANT: Food 4 Less

LOCATION: On the northeast corner of Creston Road and Sherwood Road.

APPLICATION: 3.) A request to change the land use designation of 2.2 acres, from Residential Multi Family Low Density (8 units per acre) (RMFL) to Residential Multi-Family High Density (16 units per acre) (RMF-H). The application includes Zone Change 02-003, a proposal to change the zoning designation of the same 2.2 acres from R2-PD (Low Density Multi Family Residential, Planned Development) to R4-PD (High Density Multi Family Residential, Planned Development).

APPLICANT: Pete Cagliero

LOCATION: Along the east side of South River Road, South of Serenade Drive, just east of the Woodland Plaza II (Wal Mart) shopping center.

APPLICATION: 4.) Request to amend the General Plan land use designation of Oak Creek Park Assessor's Parcel numbers 009-756-005 and 007 from Residential Single-Family (RSF) to Parks and Open Space (POS). The application includes the request to modify the zoning designation for Assessors Parcel Numbers 009-756-003, 004, 005, 006, 007, 008, and 009-753-080 from Residential Single-Family, Planned Development overlay (R1 PD) to Parks and Open Space (POS).

APPLICANT: City Initiated

LOCATION: Oak Creek Park is located between Scott Street and Cedarwood Drive, east of Creston Road.

The Planning Commission will also be considering the content and potential application of any conditions of approval that relate to the subject application(s).

OTHER SCHEDULED MATTERS -- None

WRITTEN CORRESPONDENCE -- None

COMMITTEE REPORTS

3. Development Review Committee Minutes (for approval):
 - a. May 6, 2002
 - b. May 13, 2002

4. Other Committee Reports:
 - a. Parks & Recreation Advisory Committee:
 - b. PAC (Project Area Committee):
 - c. Main Street Program:

CDBG/REDEVELOPMENT AGENCY HOUSING PROGRAM STATUS REPORT

PLANNING COMMISSION MINUTES FOR APPROVAL

5. May 14, 2002

REVIEW OF CITY COUNCIL MEETING

PLANNING COMMISSIONERS' COMMENTS

STAFF COMMENTS

ADJOURNMENT to the Downtown Parking Analysis and Action Plan Public Workshop of Thursday, May 30, 2002, at 7:00 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, June 3, 2002 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Development Review Committee Meeting of Monday, June 10, 2002 at 3:30 pm at Paso Robles City Hall, 1000 Spring Street, Paso Robles, CA 93446;

subsequent adjournment to the Planning Commission Meeting of Tuesday, June 11, 2002 at 7:30 pm at the City Hall/Library Conference Center, 1000 Spring Street, Paso Robles, CA 93446.

THE PASO ROBLES PLANNING ACRONYM GLOSSARY

ADT:	Average daily trips made by vehicles or persons in a 24-hour period
ALUC:	Airport Land Use Commission (a County-level review body)
APCD:	Air Pollution Control District
CC&Rs:	Covenants, Conditions, and Restrictions
CDBG:	Community Development Block Grant (Federal Program)
CEQA:	California Environmental Quality Act
CFD:	Community Facilities District (example: A Mello-Roos CFD)
CHFA:	California Housing Finance Agency
CIP:	Capital Improvements Program
CMP:	Congestion Management Plan
COG:	Council of Governments
CRA / RDA:	Community Redevelopment Agency / Redevelopment Agency
CUP:	Conditional Use Permit
dB:	Decibel (method of noise measurement)
DRC:	Development Review Committee
EIR / EIS:	Environmental Impact Report (State) / E. I. Statement (Federal)
ESG:	Emergency Shelter Grant (Federal Program)
FEMA:	Federal Emergency Management Agency
FHWA:	Federal Highway Administration
FIRM:	Flood Insurance Rate Map
FmHA:	Farmers Home Administration
HOME:	Home Investment Partnership Act (Federal Program for Housing)
HCP:	Habitat Conservation Plan
HCD:	Housing & Community Development, State of California
HUD:	U.S. Dept. of Housing and Urban Development
JPA:	Joint Powers Authority
LAFCo:	Local Agency Formation Commission
LOS:	Level of Service (a measurement of traffic efficiency)
MOU:	Memorandum of Understanding
NEG DEC:	Negative Declaration
NEPA:	National Environmental Policy Act
OPA:	Owner Participation Agreement
OPR:	Office of Planning and Research, State of California
PD / PUD:	Planned Development / Planned Unit Development
PSR:	Project Study Report
SOI:	Sphere of Influence
SRO:	Single Room Occupancy
TCSD:	Templeton Community Services District
TDM:	Transportation Demand Management
TDC/TDR:	Transfer of Development Credits / Transfer of Development Rights
TOT:	Transient Occupancy Tax
TSM:	Transportation Systems Management

- UBC:** Uniform Building Code (UFC, UPC, UMC: Uniform Fire, Plumbing, Mechanical Codes)
- VMT:** Vehicle Miles Traveled

Planning Related Appeal Process

Decisions or determinations by the City's staff, Development Review Committee (DRC) or Planning Commission can be appealed by any interested person (applicant, neighbor, public official, or other interested party). The appeal process is described by Chapter 21.23.A of the City's Municipal Code, and is summarized as follows:

- a. An appeal of a staff determination or interpretation will be heard by the Planning Commission. There is no charge to the appealing party.
- b. The DRC is a subcommittee of the Planning Commission. Their role is to review design details as outlined in Chapter 21.23 B of the Municipal Code. Any decision, determination or recommendation of the DRC may be appealed to the full Planning Commission. There is no charge to the appealing party.
- c. In the absence of an appeal to the City Council, the Planning Commission is the final authority on Lot Line Adjustments, Parcel and Subdivision Maps, Conditional Use Permits, Planned Developments, design details and Zoning Code interpretations. Decisions and determinations by the Planning Commission are appealable to the City Council. Appeals to the City Council require a \$100. deposit toward covering the City's processing costs, including required a public notice(s).

When must an appeal be filed?

An appeal must be filed within fifteen (15) calendar days of the decision. Upon receipt of an appeal, the matter will be scheduled for consideration before the appeal body as soon as feasible. Appeal applications can be obtained from anyone in the Community Development Department or by calling (805) 237-3970.

What is the effect of filing an appeal?

If an appeal is filed, the body considering the appeal will consider the request as if it were a new application. Opportunities will be provided for all interested parties to speak and/or provide evidence to support approval or denial of the appeal.

There is no penalty for filing an appeal. The City cannot and will not penalize anyone for filing an appeal. Each application for a land use or other entitlement is handled on a "first-come-first- served" basis. (The City keeps a "log" of applications filed, and any of the public is welcome to confirm the order of processing for each application.)

How Can I Get More Information on Appeals?

Please call the Community Development Department at (805) 237-3970, or stop by City Hall at 1000 Spring Street, Paso Robles, CA 93446.