

RESOLUTION NO. 16-103

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
TO APPROVE A MITIGATED NEGATIVE DECLARATION FOR
GENERAL PLAN AMENDMENT 14-001, REZONE 14-001,
VESTING TENTATIVE TRACT 3069 & OAK TREE REMOVAL 14-010
APPLICANT – ERSKINE / RANCH AND COAST PROPERTIES, INC.
APN: 025-435-031, 030 and 029

WHEREAS, Kirk Consulting, on behalf of Tom Erskine and Ranch and Coast Properties, Inc., has filed an application requesting consideration of the following land use changes and entitlements in connection with the development of a project known the Erskine-Justin General Plan Amendment (the “Project”):

- General Plan Amendment 14-001: to change the existing land use designations as follows:
 - Lots 9-11 (Tract 2778): Business Park to Commercial Services
 - Lot 1: Ag/Parks and Open Space to Commercial Services
 - Lots 2: Ag/Parks and Open Space to Commercial Services
 - Lot 3: Ag/Parks and Open Space to Business Park
 - Lots 5-12: Parks & Open Space to Business Park
 - Lot 13: Ag/Parks & Open Space to Business Park
 - Remainder Parcel and Lot 4: No changes proposed

- Rezone 14-001: Rezone: to change the existing zoning designations as follows (See Rezone Exhibit, Attachment 4):
 - Lots 9-11 (Tract 2778): PM (Planned Industrial) to C3-PD (Commercial/Light Industrial -Planned Development Overlay)
 - Lots 1-2: RA-PD (Residential Ag, Planned Development) to C3-PD (Commercial/Light Industrial-Planned Development Overlay)
 - Lot 3: RA-PD (Residential Ag, Planned Development) and POS (Parks & Open Space) to C3-PD (Commercial/Light Industrial – Planned Development Overlay)
 - Lots 5-12: POS (Parks & Open Space) to PM-PD (Planned Industrial, Planned Development Overlay)
 - Lot 13: RA-PD (Residential Ag, Planned Development) and POS (Parks & Open Space) to PM-PD (Planned Industrial, Planned Development Overlay);
 - Remainder Parcel and Lot 4: No changes proposed

- Vesting Tentative Tract Map 3069:
 - A request to subdivide three (3) existing parcels, APNs 025-435-029, 030, and 031, totaling 212 acres into 13 lots that would total 77.3 acres and one 134.7 acre remainder lot.
 - The map includes a 2-lane arterial road which will be improved through the project site terminating at a cul-de-sac at the eastern edge of Lot 7 and 8. An offer of dedication is being provided as part of the project extending from the cul-de-sac to the south eastern edge of the property. The offer of dedication is intended to facilitate the future connection to Airport Road consistent with the General Plan Circulation Element. The subdivision recognizes the City’s future plans and has been designed to accommodate the future road.

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), Public Resources Code, Section 21000, et seq., and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Mitigated Negative Declaration ("MND") was prepared and circulated for a 30-day public review period beginning on June 24, 2016 and extended to July 24, 2016. The Draft MND/Initial Study dated June 24, 2016 is on file at the Paso Robles Community Development Department and available on line at <http://www.prcity.com/government/departments/commdev/>; and

WHEREAS, mitigation measures have been incorporated into the MND and will be imposed on the project through the City's adoption of a Mitigation Monitoring and Reporting Program (MMRP) in compliance with CEQA Guideline 15074(d). These mitigation measures are imposed on the project to address potential environmental effects from: air quality; biological resources; cultural resources, hydrology, and transportation. With the implementation of this mitigation, all potential environmental effects will be reduced to a less than significant level; and

WHEREAS, mitigation measures set forth in the MMRP are specific and enforceable. The MMRP adequately describes implementation procedures, monitoring responsibility, reporting actions, compliance schedule, and verification of compliance in order to ensure that the Project complies with the adopted mitigation measures; and

WHEREAS, the mitigation measures contained in the MMRP will also be imposed as enforceable conditions of approval; and

WHEREAS, the applicant has executed a Mitigation Agreement whereby the applicant has agreed to incorporate all of the mitigation measures into the project. A copy of the executed Mitigation Agreement is on file in the Community Development Department; and

WHEREAS, public notice of the proposed Draft MND was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, on June 12, 2016, the Planning Commission recommended that the City Council approve the Negative Declaration, General Plan Amendment, Rezone, Vesting Tentative Tract Map, and OTR 14-010, subject to conditions of approval; and

WHEREAS, public hearings were conducted by the Planning Commission on July 12, 2016, and by the City Council on August 2, 2016, to consider the Initial Study and the draft MND prepared for the proposed Project, and to accept public testimony on the proposed entitlements and environmental determination;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Paso Robles, as follows:

Section 1. All of the recitals above are true and correct and incorporated herein.

Section 2. Based on the information and analysis contained in the Mitigated Negative Declaration prepared for this project, the comments received during the public review period, and testimony received at the public hearing, the City Council finds that there is no substantial evidence supporting a fair argument that there would be a significant impact on the environment with mitigation measures imposed on the Project. These findings are based on an independent review of the Initial Study, the Mitigated Negative Declaration, and all comments received regarding the Mitigated Negative Declaration, and based on the whole record. The City Council further finds that the Mitigated Negative Declaration was prepared in compliance with CEQA and the CEQA Guidelines, that there is no substantial evidence that the Project will have a significant effect on the environment with the incorporation of mitigation measures provided in the MMRP, and the Mitigated

Negative Declaration reflects the independent judgment and analysis of the City Council.

Section 3. The City Council, based on its independent judgment and analysis, hereby adopts the Mitigated Negative Declaration for the Erskine Industrial Park General Plan Amendment Project, attached hereto as Exhibit A, including the comments received and responses thereto, attached hereto as Exhibit B, and the Mitigation Monitoring and Reporting Program, attached hereto as Exhibit C, and imposes each mitigation measure as a condition of approval of the Project, in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA. Exhibits A, B, and C are hereby incorporated into this resolution.

Approved by the City Council of the City of El Paso de Robles this 2nd day of August 2016 by the following vote:

AYES: Gregory, Strong, Hamon, Reed, Martin
NOES:
ABSENT:
ABSTAIN:



Steven W. Martin, Mayor

ATTEST:


Kristen L. Buxkemper, Deputy City Clerk

Exhibit A – Mitigated Negative Declaration
Exhibit B. – Mitigation Monitoring and Reporting Table