



MEMORANDUM

TO: CITY COUNCIL

FROM: TERESA McCLISH, COMMUNITY DEVELOPMENT DIRECTOR

BY: KELLY HEFFERNON, ASSOCIATE PLANNER

SUBJECT: CONSIDERATION OF ADOPTION OF ORDINANCE - DEVELOPMENT CODE AMENDMENT 17-001 AMENDING ORDINANCE NO. 355 C.S. "ROYAL OAKS ESTATES" TO INCREASE THE MAXIMUM ALLOWED DENSITY WITHIN PLANNED DEVELOPMENT 1.3

DATE: MAY 23, 2017

RECOMMENDATION:

It is recommended the City Council adopt an Ordinance amending Ordinance No. 355 C.S. "Royal Oaks Estates" to increase the maximum allowed density within Planned Development 1.3; Development Code Amendment 17-001; Location - Rodeo Drive and Grace Lane; Applicant - Kirby Gordon; Representative – Jeffrey Emrick.

IMPACT TO FINANCIAL AND PERSONNEL RESOURCES:

There is no identified direct impact to financial and personnel resources. This item is not identified in the City's Critical Needs Action Plan.

BACKGROUND:

On May 9, 2017, the City Council introduced an Ordinance, without modification, amending Section 2.3 of Ordinance No. 355 C.S. "Royal Oaks Estates" to increase the maximum allowed density within Planned Development 1.3 as follows:

Approved Residential Density

Land Use	Lot	Dwelling Units
Estate Homes	184	7

The Ordinance is now ready for adoption. The Ordinance will become effective thirty (30) days after final passage of the Ordinance.

ALTERNATIVES:

The following alternatives are provided for Council's consideration:

1. Adopt the attached Ordinance amending Section 2.3 of Ordinance No. 355 C.S. to increase the maximum allowed density within Planned Development 1.3;

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2. Modify and reintroduce the attached Ordinance amending Section 2.3 of Ordinance No. 355 C.S. to increase the maximum allowed density within Planned Development 1.3; or
3. Do not adopt the attached Ordinance and provide direction to staff.

ENVIRONMENTAL REVIEW:

In compliance with the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration was prepared for this project and was approved by the City Council on May 9, 2017.

PUBLIC NOTIFICATION:

A summary of the Ordinance was published in The Tribune on Tuesday, May 16, 2017 pursuant to State law. The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2. At the time of report publication, no public comments have been received.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING ORDINANCE NO. 355 C.S. "ROYAL OAKS ESTATES" TO INCREASE THE MAXIMUM ALLOWED DENSITY WITHIN PLANNED DEVELOPMENT 1.3; DEVELOPMENT CODE AMENDMENT 17-001; LOCATION-RODEO DRIVE AND GRACE LANE; APPLICANT- KIRBY GORDON; REPRESENTATIVE – JEFFREY EMRICK

WHEREAS, the City of Arroyo Grande Zoning Map indicates that the subject 7.52-acre property is located within the Royal Oaks Planned Development (PD 1.3) and designated as "Estate Homes" in Ordinance No. 355 C.S., an Appendix to the Development Code; and

WHEREAS, the applicant, Kirby Gordon, has filed an application for Development Code Amendment 17-001 to amend Ordinance No. 355 C.S., changing the zoning designation for the subject property to Residential Rural with a Planned Development overlay (RR-PD) allowing one dwelling unit per acre; and

WHEREAS, adoption of the proposed zoning designation would establish land use, development and design standards for the subject property; and

WHEREAS, the Planning Commission of the City of Arroyo Grande has reviewed Development Code Amendment 17-001 at a duly noticed public hearing on March 21, 2017, in accordance with the Development Code of the City of Arroyo Grande at which time all interested persons were given the opportunity to be heard; and

WHEREAS, the City Council of the City of Arroyo Grande has considered Development Code Amendment 17-001 at a duly noticed public hearing on May 9, 2017 in accordance with the Development Code of the City of Arroyo Grande at which time all interested persons were given the opportunity to be heard; and

WHEREAS, the City Council has reviewed and considered the information and public testimony presented at the public hearings, staff reports, and all other information and documents that are part of the public record; and

WHEREAS, the City Council finds, after due study, deliberation and public hearing, the following circumstances exist:

- A. Based on the information contained in the staff report and accompanying materials, the proposed Development Code Amendment is consistent with the goals, objectives, policies, and programs of the General Plan and is necessary and desirable to implement the provisions of the General Plan.
- B. The proposed Development Code Amendment will not adversely affect the public health, safety, and welfare or result in an illogical land use pattern. The proposed Low Density development is consistent with the surrounding development within the

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Royal Oaks and Rancho Grande Planned Developments and will not impact public services beyond what the General Plan anticipates for this area.

C. The proposed Development Code Amendment is consistent with the purpose and intent of the Development Code. Low density residential development within the project area would be required to meet development and design standards under the PD 1.3 zoning designation and project Design Guidelines that insures orderly development.

D. The potential environmental impacts of the proposed Development Code Amendment were examined during development of the Mitigated Negative Declaration for the project, and it was determined that the proposed project will not have any significant adverse impacts on the environment.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Arroyo Grande, California hereby adopts Development Code Amendment 17-001 amending Section 2.3 of Ordinance No. 355 C.S. as follows:

Approved Residential Density

Land Use	Lot	Dwelling Units
Estate Homes	184	7

SECTION 1: The above recitals and findings are true and correct.

SECTION 2: Royal Oaks Planned Development (PD 1.3) is hereby amended to increase the maximum allowed density within the PD by allowing development at a maximum of one dwelling unit per acre on Lot 184.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, or clause of this Ordinance or any part thereof is for any reason held to be unlawful, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, or clause thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, or clause be declared unconstitutional.

SECTION 4: Upon adoption of this Ordinance, the City Clerk shall file a Notice of Determination.

SECTION 5: A summary of this Ordinance shall be published in a newspaper published and circulated in the City of Arroyo Grande at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the Director of Administrative Services/Deputy City Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those City Council Members voting for and against the Ordinance shall be published again, and the Director of Administrative

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Services/Deputy City Clerk shall post a certified copy of the full text of such adopted Ordinance.

SECTION 6: This Ordinance shall take effect thirty (30) days after its adoption.

On motion by Council Member _____, seconded by Council Member _____, and by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

the foregoing Ordinance was adopted this 23rd day of May, 2017.

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JIM HILL, MAYOR

ATTEST:

KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

JAMES A. BERGMAN, CITY MANAGER

APPROVED AS TO FORM:

HEATHER WHITHAM, CITY ATTORNEY