



Council Agenda Report

Item 5c

Department Name: Community Development
Cost Center: 4003
For Agenda of: 6/1/2021
Placement: Consent
Estimated Time: N/A

FROM: Michael Codron, Community Development Director

Prepared By: Rachel Cohen, Associate Planner and John Rickenbach, Contract Planner

SUBJECT: SECOND READING OF ORDINANCE NO. 1698 (2021 SERIES), INTRODUCED BY THE CITY COUNCIL ON MAY 18, 2021 TO AMEND THE AIRPORT AREA AND MARGARITA AREA SPECIFIC PLANS TO ALLOW FOR DAY CARE FACILITIES CONSISTENT WITH RESTRICTIONS THAT APPLY CITYWIDE UNDER THE MUNI

RECOMMENDATION

Adopt Ordinance No. 1698 (2021 Series) entitled, "An Uncodified Ordinance of the City Council of the City of San Luis Obispo, California, amending the Airport Area and Margarita Area Specific Plans to allow for Day Care Facilities consistent with restrictions that apply citywide under the Municipal Code (Spec-0209-2021)."

DISCUSSION

On May 18, 2021, the City Council voted 5-0 to introduce Ordinance No. 1698 (2021 Series), which amends the Airport Area and Margarita Area Specific Plans to allow for day care facilities consistent with restrictions that apply citywide under the Municipal Code. The Ordinance reflects the amendments made at the meeting and is now ready for adoption. A summary of the Ordinance was prepared and published in the local newspaper five days prior to the second reading. The amendment will become effective thirty (30) days after final passage of the Ordinance.

Background

In 2018, the City updated its Zoning Regulations to allow day care facilities in all zones. However, this amendment did not apply to the Margarita Area or Airport Area Specific Plans. Currently, there are restrictions in the City's Airport Area Specific Plan (AASP) that limit day care facilities to 14 children of on-site employees, and such facilities are prohibited in the Margarita Area Specific Plan Area (MASP).

On October 20, 2020, the City Council authorized Community Development Department staff to undertake the necessary specific plan amendments to the MASP and AASP to align the zoning in these areas with the rest of the City.

Previous Council or Advisory Body Action

- April 14, 2021, Planning Commission recommendation to the City Council (7-0)
- April 21, 2021, Airport Land Use Commission (7-0)
- May 18, 2021, City Council introduced the ordinance (5-0)

Policy Context

As discussed in the Council Agenda Report dated May 18, 2021, the proposed amendments are consistent with findings from the Child Care Study, the upcoming 2021-2023 Major City Goals, and existing Municipal Code and Specific Plan framework, as well as the Airport Land Use Plan.

Public Engagement

As noted above, the City Council authorized Community Development Department staff to undertake the necessary specific plan amendments. Additionally, public correspondence and testimony provided during the May 18, 2021 City Council Meeting and the April 14, 2021 Planning Commission hearing were taken into consideration when formulating these amendments to the AASP and the MASP.

Next Steps

The amendments to the AASP and the MASP will become effective on July 1, 2021 (30 days after adoption).

CONCURRENCE

No additional feedback was required from other City departments on the proposed amendments.

ENVIRONMENTAL REVIEW

The project is exempt per CEQA Guidelines Section 15061(b)(3), the “general rule” exemption, because the proposed action will have no possibility of a significant effect on the environment and will not cause impacts beyond those identified and evaluated within the EIRs of the AASP or the MASP. In this case, allowing day care facilities in these specific plans is consistent with the General Plan, are subject to restrictions set forth in the Municipal Code to ensure public health, safety and welfare, and project specific environmental review will be required.

FISCAL IMPACT

Budgeted: No
Funding Identified: No

Budget Year: 2019-21

Fiscal Analysis:

Funding Sources	Total Budget Available	Current Funding Request	Remaining Balance	Annual Ongoing Cost
General Fund	N/A	\$	\$	\$
State				
Federal				
Fees				
Other:				
Total	\$	\$	\$	\$

On October 20, 2020, the City Council authorized Community Development Department staff to undertake the necessary specific plan amendments, approving an allocation of \$20,000 from unassigned FY 2018-19 fund balance to fund the necessary work. City Council Resolution No. 11117 (2020 Series) gave the authority to the City Manager to use FY 2018-19 unassigned fund balance above the required reserve levels which has a current balance of \$5.1 million. There will be no other fiscal impact related to approving the specific plan amendments. No further fiscal impacts will occur as a result of this action.

ALTERNATIVES

Modify the Proposed Ordinance. The Council may make minor, non-substantive changes to the proposed Ordinance for staff to incorporate into the final documents. Any material changes to the Final Ordinances would require further review by staff and the Planning Commission followed by re-introduction of the Ordinance by the Council.

ATTACHMENTS

A – Ordinance No. 1698 (2021 Series)