

TO: James L. App, City Manager
FROM: Ronald Whisenand, Community Development Director
SUBJECT: Downtown Parking and Parking In Lieu Fee Program
DATE: October 17, 2006

Needs: That the City Council consider revising parking standards for the Downtown Area and set a parking in lieu fee.

Facts:

1. In 2002, the City Council adopted a Downtown Parking Action Plan that included Short, Mid, and Long-Term programs to improve access to available parking in the downtown.
2. The Action Plan directed the City to explore the financing of additional parking facilities, and included consideration of a parking in lieu fee program for the downtown.
3. In December of 2005, the Council extended the City's current parking code which provides incentives for investment in Downtown Paso Robles (see map of downtown area, Attachment 1). The parking code included for the first time a Parking In Lieu Fee Program where property owners would have the option of paying a per space fee "in lieu" of providing the parking on-site. The actual per space fee was deferred until the completion of the EPS parking financing study.
4. The City has received several applications for downtown redevelopment projects that would like to take advantage of the newly established Parking In Lieu Fee Program. However, without knowing the actual fee, many property owners are hesitant to proceed with their developments.
5. To avoid delay of important downtown redevelopment projects, the City chose to separate the in lieu fee program from the remainder of the parking financing study.
6. For the in lieu fee program to be applied properly, amendments to the existing downtown parking regulations are necessary. Clean up amendments to simplify the regulations are also proposed including changes to parking ratios and elimination of the biennial extension clause.
7. EPS has developed an interim study (see Attachment 2) dated August 4, 2006 which outlines options for consideration of downtown parking adjustments as well as setting an in lieu fee amount.

8. The Planning Commission will consider the parking in lieu fee program and associated ordinance amendments at their meeting of October 10, 2006. A verbal report of the Commission's recommendation will be made as part of staff's Council presentation.
9. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, the proposed text amendment is a "project" requiring environmental analysis. An Initial Study was prepared and circulated for public review and comment (see Attachment 3). Based on the information and analysis contained in the Initial Study, a determination has been made that the Project qualifies for issuance of a Negative Declaration.

Analysis &
Conclusion:

The proposed parking program contains two components. The first is to set the actual per space fee amount and the second, to establish parking standards that accurately reflect downtown development patterns and parking habits. Each process has its own set of issues that need City Council consideration and action as discussed below.

In Lieu Fee Program

As pointed out above, the City Council adopted a Parking In-Lieu Fee Program in December of last year. An in lieu parking fee program allows a developer or business to fulfill his or her on-site parking requirement by paying a fee for each stall which he or she does not physically provide on the site of the development. The fees go into an account which will subsequently be used to construct public parking facilities in and around the downtown. The only remaining task to complete our program is to establish the proper fee.

Setting the fee is less an exact science than finding the proper balance between encouraging redevelopment of the downtown and establishing sufficient funds to expand downtown parking in the future.

EPS is recommending that the in-lieu fee amount be set at \$15,000 per space. However, it is recommended that the fee could be initially set lower and increased annually in order to phase it in over time. EPS is recommending the initial fee at \$2,000 per space and phase in the full fee in six years (\$3,000 in Year 2 and increasing by \$3,000 per space annually in Years 3 through 6). Another alternative would be to start at \$3,000 per space and increase the fee by \$1,000 annually (adjusted with the Consumer Price Index or CPI) until we reach \$15,000.

Downtown Parking Ratios

Downtowns by their very nature possess certain parking advantages over other commercial areas of town. Those advantages include compactness, mixed-use, and walk ability. As an added bonus, the character of downtown improves where the use of municipal parking lots and angled on-street parking allows buildings and pedestrian activity, not parking, to dominate the streetscape.

Paso Robles' present regulations follow these downtown parking principles and require fewer spaces than other commercial centers of town. However, there are several problems that staff has identified with these current regulations.

- They are confusing and difficult to apply;
- The parking requirement for ground floor uses is too lenient, while parking for upper floor uses, too restrictive. This creates a regulatory disincentive for developers to construct multi-story downtown buildings as called for in our General Plan and Economic Strategy;
- The parking regulations are tied to parcel size and do not relate to the size of the building itself or the uses contained within it;
- They are considered "interim" with a sunset clause that must be extended every two years; and
- The exemption for restaurant and entertainment uses may be inadvertently discouraging mixed use and specialty retail needs of the community.

Clean up of current downtown parking regulations would include:

- Continue the parking incentives that have fostered a healthy redevelopment of our downtown;
- Tie parking requirements to the size of the building and the uses contained within it;
- Use more generic land use categories and parking ratios that will allow tenants to change without the need to readdress parking each time; and
- Eliminate the two year sunset clause.

Based on experience and research, a standard of one space per 400 square feet of commercial floor area would be appropriate. Given a conventional downtown lot and a multi-story building model, the new regulations would result in a slightly higher parking ratio (to within 5% of current standards).

Policy

Reference: The City Council established a Downtown Parking In Lieu Fee Program on December 20, 2005. General Plan policy basis for maintaining a pedestrian oriented downtown exists with Policy LU-2H. In addition, the City's Economic Strategy contains several policies on compact development, livable communities, center focus, expanded downtown, and pedestrian oriented development

Fiscal

Impact: The collection of fees will be one tool the City can use to finance parking. Additional sources of revenues will be needed to purchase and construct those parking facilities. The fiscal impacts will be more addressed when the Parking Financing Plan is completed in 2007.

Options: After consideration of all public testimony, that the City Council take the following actions:

a. On separate motions:

1. Adopt Resolution No. 06-xx approving a Negative Declaration for Code Amendment 06-001;
2. Introduce for first reading Ordinance No. XXX N.S. amending the Zoning Code's regulations for downtown parking, and set November 7, 2006 as the date for adoption of said Ordinance; and
3. Adopt Resolution No. 06-xx establishing an initial In Lieu Parking Fee of \$3,000 per space with a minimal annual adjustment of \$1,000 plus CPI

b. Amend, modify or reject the foregoing option.

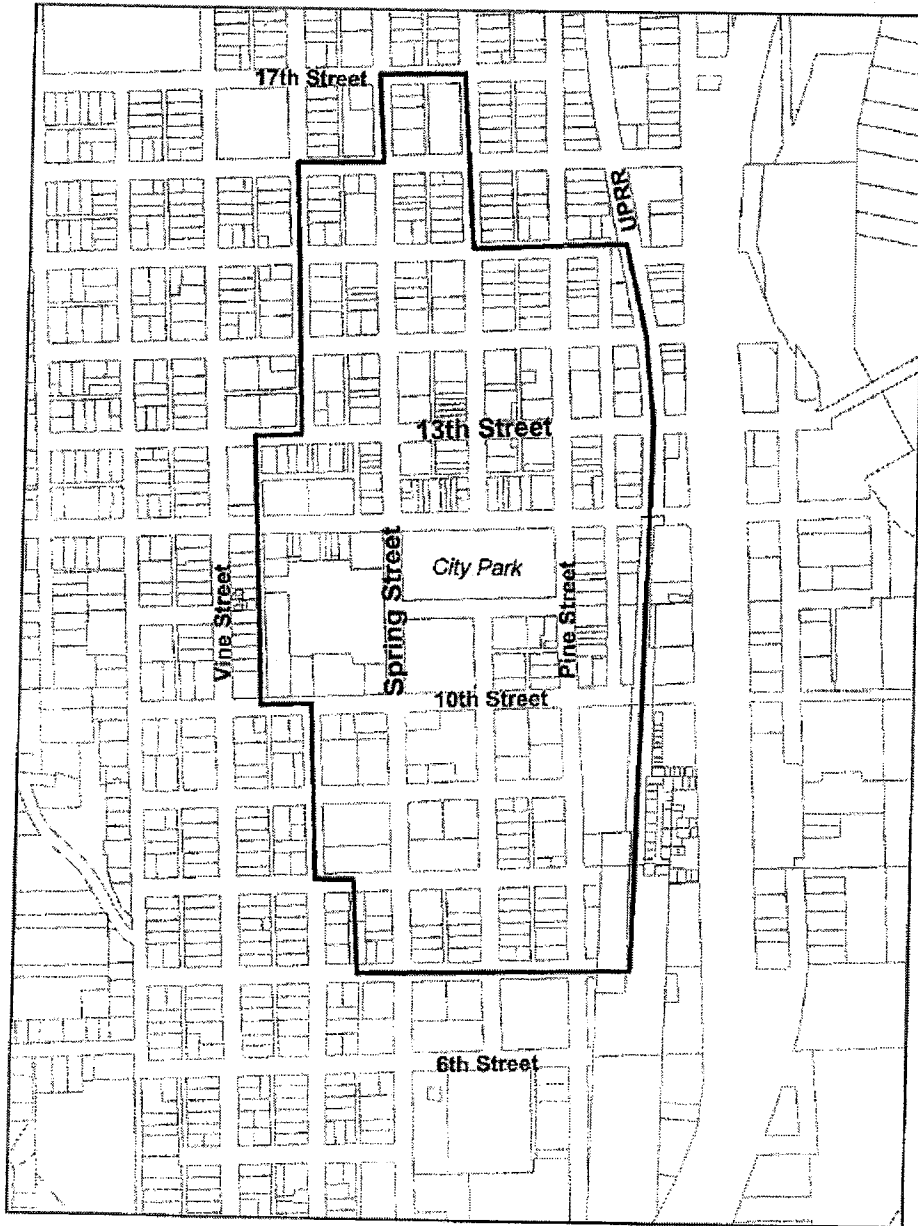
Attachments:

1. Downtown Parking Boundaries
2. EPS Study dated August 4, 2006
3. Initial Study of Environmental Impact
4. Downtown Parking Ordinance Fact Sheet and FAQ
5. Paso Robles Chamber of Commerce Recommendations
6. Legislative Draft of Ordinance Revisions
7. Resolution – Adopting a Negative Declaration
8. Ordinance Amending the City's Downtown Parking Regulations and In Lieu Fee Program
9. Resolution – Setting In Lieu Fee Amount

Attachment 1 Downtown Parking Area

Exhibit "A"
Figure 21.22-4

GEOGRAPHIC BOUNDARIES OF THE DOWNTOWN AREA



Attachment 2 Parking Study



Economic &
Planning Systems

Real Estate Economics
Regional Economics
Public Finance
Land Use Policy

MEMORANDUM

To: Ron Whisenand
From: Jason Moody and Rebecca Freeland
Subject: Paso Robles Downtown Parking In-Lieu Fee Program; EPS #15045
Date: August 4, 2006

Economic & Planning Systems (EPS) has been retained by the City of Paso Robles to analyze Downtown Parking financing options. This memorandum is designed to provide a technical basis for charging a one-time parking in-lieu fee on new development within the Downtown Parking Study Area to cover the costs associated with parking facilities in Downtown Paso Robles. Because the in-lieu fee program will be directly linked to the City's parking requirements, this memorandum also presents alternative approaches to regulating parking in an active downtown setting.

Unlike previous memoranda prepared in the course of EPS's financing analysis, this memorandum focuses specifically on the in-lieu fee funding component of Downtown parking financing. The City wishes to implement its in-lieu fee ordinance, adopted in December 2005, by setting a per-space fee. It is anticipated that the in-lieu fee approved by the City will be lower than the actual cost of constructing new parking. Additional sources to fill a potential funding gap (e.g., special assessments, impact fees, tax increases, etc.) will be further analyzed at a later stage.

The amount a developer is charged for in-lieu fees in Downtown Paso Robles will depend on three factors: (1) the parking standards applied to Downtown development, (2) the cost of providing structured or other parking, and (3) policy considerations regarding fee level and implementation. Each of these issues is discussed in greater detail below.

BACKGROUND AND CONTEXT

During the 1990s, the City of Paso Robles began waiving off-street parking requirements for new downtown development in order to encourage redevelopment of the area. This effort appears to have contributed to the revitalization of the Downtown. However, its success has resulted in both real and perceived parking problems. In 2001, the City

BERKELEY
2501 Ninth St., Suite 200
Berkeley, CA 94710-2515
www.epsys.com

Phone: 510-841-9190
Fax: 510-841-9208



SACRAMENTO
Phone: 916-649-8010
Fax: 916-649-2070

DENVER
Phone: 303-623-3557
Fax: 303-623-9049

retained Kimley-Horn and Associates to prepare a Downtown Parking and Circulation Analysis and Action Plan, intended to provide Paso Robles and its downtown business community with a better understanding of parking demand and the options for addressing current and projected parking needs. The primary parking-related objectives of the study were as follows:

- Quantify the existing and future demand for spaces in public lots and on City streets
- Validate what the City believed were the most important issues for business owners
- Develop a plan for increasing the current and future parking supply
- Develop solutions that are not out-of-character with the downtown

The Kimley-Horn study concluded that the City had sufficient parking to meet employee and customer demand; however, demand exceeded the available on- and off-street supply during certain times of day and days of the week, with peak demand occurring on weekday afternoons. Based on a conservative walking distance of one block, the analysis projected that Paso Robles would need 100 additional spaces in its downtown core by 2002 and 350 additional spaces by 2007 and found that increased public parking supply in lots and/or structures may be needed in the long term.

At the same time, the study also discussed a number of possible short-term solutions that could delay the need for a parking structure and provide alternatives to constructing additional parking. Solutions considered in the study included:

- **Self-enforced time-restricted parking.** This strategy would rely on business owners' requiring employees to park outside of the downtown core. This type of self-enforced parking management has not been consistently applied in the past and has generally not proven effective. The Kimley-Horn study described potential additional incentives to encourage employee participation, including reserved spaces in public lots or construction of shade structures over public lots spaces.
- **Formally enforced time-restricted parking.** Parking meters or signed time restrictions could help increase parking turnover and control employee parking, producing the same effect as increasing the number of downtown parking spaces. While this strategy would require that the City allocate funds for staff to enforce and write tickets, the use of meters could be a potential revenue generator. However, the level of support for parking meters by downtown businesses and other stakeholders will need to be further assessed.
- **Shared parking agreements.** Shared parking, i.e., parking that serves multiple land uses at different times of day or days of the week, can decrease the cumulative amount of parking required by individual uses. Shared parking arrangements are generally defined through agreements among property owners and the City. The potential benefits of shared parking and its implications for the City's parking standards are further discussed below.

- **Extended expected walking distance.** Perceived parking shortages are in part a function of the distance customers and residents are prepared to walk to reach their destination. An increase in the distance that is considered reasonable will expand the amount of parking available to serve downtown customers. Future redevelopment outside the downtown core could contribute to this process, as customers seek out retail destinations in an expanded area of downtown.
- **Improved signage.** Improved signage could point visitors to public off-street parking spaces, reducing the visitor demand for limited on-street parking.

CITY ACTIONS

The City Council approved specific components of the Action Plan in October 2002, and later appointed a two-member ad hoc committee to review long-term options for further increasing the Downtown parking supply and guide implementation of the Parking and Circulation Action Plan. Since 2002, the City has re-striped some on-street parallel parking spaces to angled spaces and has added striped spaces between 6th and 7th Streets and between Park and Pine Streets. Seventy-one spaces have also been added at Robbins Field. This has resulted in 169 net new spaces, partially filling the demand projected by the 2002 study. The City also budgeted for and installed parking lot and directional signs in FY 03-04, allowed loading zones to be established by the Streets & Utilities Committee, and extended the favorable Downtown parking ratio beyond its original December 2003 expiration date. In addition, the City has initiated a study of parking financing options.

The City of Paso Robles' Downtown area parking space requirements (Section 21.22.035 of the zoning code) were amended in December 2005 to include a Subsection C, "Conditions on the applicability of the downtown area parking space requirements." This section states that any incremental increase in usable building area as a result of new construction shall be subject to payment of an in-lieu parking fee for any required parking spaces not constructed on site, with the fee amount to be established by the City Council. As noted, one of the goals of this memorandum is to help the City Council establish that fee amount.

DOWNTOWN PARKING STANDARDS

As noted above, the in-lieu fee amount will be directly linked to parking standards applied in the downtown. Parking standards, in turn, will depend on the estimated number of spaces demanded by various land use types and the potential for shared parking, as further described below.

SHARED PARKING

There is a growing consensus among parking experts that parking requirements for downtown do not need to be, and should not be, as high as those in other locations. Unlike more suburban areas, traditional downtowns are mixed use, higher-density, and pedestrian-friendly and provide a cluster of amenities. The compact layout, safe sidewalks, logical pedestrian routes, and pleasant, lively surroundings found in many downtown areas make walking an attractive alternative to driving between destinations. Downtowns also offer a wide range of uses in close proximity. This variety allows visitors to park once and take care of multiple shopping, dining, and service needs on a single trip. This is especially applicable to Paso Robles, where walking from shop to shop is important and could/ should be accomplished easily given the compact nature of the downtown.

In addition, the City of Paso Robles has numerous policies that support and encourage downtown residential and other uses in a mixed-use setting. These mixed uses may require parking at different times; for example, most offices or retail stores are open for business during a typical 9-to-5 day, whereas theaters, restaurants, hotels, and residential uses generally get busier in the evening (see **Table 1**). With a healthy mix of uses, parking can thus be shared among different uses depending on the time of day.

Table 1
Typical Peak Parking Periods for Various Land Uses
Paso Robles Downtown Parking Study, EPS #15045

Weekday	Evening	Weekend
Banks and public services	Auditoriums	Religious institutions
Offices and employment centers	Bars and dance halls	Parks
Park & Ride facilities	Meeting halls	Shops and malls
Schools, daycares, and colleges	Restaurants	Residential
Factories and distribution centers	Theaters	Special Events
Medical clinics	Hotels	
Professional services	Residential	

Source: Todd Litman, "Parking Management: Strategies, Evolution, and Planning," Victoria Transport Policy Institute, 25 April 2006; Economic & Planning Systems.

Together, these factors reduce the parking demand generated by individual businesses. As a result, parking needs in downtowns are significantly less than those in other settings.

The economic advantages of lower downtown parking standards have also been documented by parking and economic development experts. (A detailed bibliography on downtown parking studies is provided at the end of this report.) A detailed technical

report prepared by Redwood City staff summarized the current literature on downtown parking as follows:

...Downtown parking requirements should aim to provide *just enough* parking. [This] acknowledges our urban character and our location within the metropolitan region. In outlying suburban and exurban areas, the guiding principle is usually 'there's no such thing as too much parking.'...The cost of new parking stalls and the impediment to development that excessive minimum requirements create make the suburban approach unsustainable here.¹

Because downtown land costs are typically higher than in other areas, high parking ratios can negatively impact the feasibility of downtown development. To quote parking expert Donald Shoup, "A parking requirement applied uniformly across a city implicitly discriminates against development in the [Central Business District], because the burden of complying with the requirement is greater in the CBD than almost anywhere else."²

Using large amounts of land for parking can also detract from the atmosphere and economic vitality of a downtown. Shoup writes,

It's not hard to see how a conventional parking lot can undermine a CBD's success; a downtown surface lot often has a very high and very visible opportunity cost. Instead of a building teeming with activity there is an expanse of asphalt with one employee manning a booth; where there could be something there is instead not much.³

PASO ROBLES DOWNTOWN PARKING RATIOS

In order to assess appropriate parking ratios (i.e., the number of spaces required to accommodate the demand of different land uses) for downtown Paso Robles, EPS gathered information on the policies of comparable or nearby California communities. As summarized in **Table 2**, some cities (e.g., Pasadena and Pismo Beach) provide for a percentage reduction in required parking in designated downtown areas. Others, such as Arroyo Grande, Santa Cruz, and San Luis Obispo, apply a lower parking ratio to downtown development. For example, Santa Cruz requires one space per 400 square feet of commercial space within its Downtown Parking District, compared to one space per 300 square feet elsewhere in the City. Similarly, San Luis Obispo requires one space per 500 square feet of commercial space in its downtown. Redwood City's downtown parking policy incorporates a shared parking incentive, whereby development that offers public parking during certain times of day is eligible for a reduced parking ratio.

¹ Dan Zack, "Striking the Right Balance: Downtown Redwood City's Parking Requirement Update, Technical Report," 27 February 2006, 18.

² Michael Manville and Donald Shoup, "People, Parking, and Cities," *Access*, No. 25, Fall 2004, 4.

³ Manville and Shoup, 4.

**Table 2
Downtown Parking Ratios and Policies
Paso Robles Downtown Parking Study, EPS #15045**

City	Downtown Parking Policy	Citywide Requirement
Arroyo Grande	1 space/ 300 SqFt gross floor area of general commercial/ office space within "Village Commercial" Downtown zone	Citywide requirement of 1 space/ 250 SqFt gross floor area of general commercial/ office space
Monterey	Case-by-case parking exceptions/ shared parking approval (e.g., increase in intensity of use not required to increase number of space is sufficient parking nearby); requires Planning Commission approval	2 - 3 spaces/ condominium unit and 1.2 - 2.5 spaces/ multifamily rental unit. 1 space/ 400 SqFt general retail (1 space/ 500 SqFt above 1,000 SqFt). Some shared parking provisions for mixed-use projects.
Pasadena	25% parking requirement reduction for non-residential portion of mixed-use projects in CD-1 Old Pasadena Historic Core Precinct	2 spaces/ multifamily unit of 650+ SqFt, 1 space/ unit of less than 650 SqFt. 3 spaces/ 1,000 SqFt of general retail. Citywide provision for shared parking in cases where hours of operation allow shared parking to occur without conflict.
Santa Cruz	Within Downtown Parking District, 1 space/ residential BR, no guest parking requirement. 1 space/ 400 SqFt gross floor area of office/ retail/ restaurant/ entertainment uses and 1 space/ 1,000 SqFt gross floor area of storage/ furnishing retail.	1 space/ 300 SqFt business and professional offices, 1 space/ 120 SqFt restaurant.
Pismo Beach	In Downtown CD zoning district, number of required spaces may be reduced by 25 - 60% for multiple non-residential uses sharing a single parking facility. Up to 70% of spaces for a daytime use may be provided by parking facilities of a nighttime use.	1 - 2 spaces/ multifamily unit, plus 1 guest space/ 2 -4 units. 1 space/ 300 SqFt general retail.
Redwood City	Within Downtown Precise Plan area, 0.75 - 3 spaces/ residential unit depending on size. 3 spaces/ 1,000 SqFt commercial (shared parking), 6 spaces/ 1,000 SqFt commercial (closed to public).	2 spaces/ multifamily unit plus 1 guest space/ 4 units. 1 space/ 200 SqFt general retail.
San Luis Obispo	Food service, entertainment, and residential units: half the requirement elsewhere in City. All other uses: 1 space/ 500 SqFt gross floor area.	1 - 1.4 spaces/ multifamily unit (+ 1 guest space/ 5 units) and 1 space/ 300 SqFt general retail. Citywide provision for shared parking where appropriate.
Atascadero	Uniform citywide parking standards	1.5 spaces/ 1 BR multifamily unit (+ 1 guest space/ 5 units) and 1 space/ 300 SqFt general retail
Morro Bay	Uniform citywide parking standards	1 - 2 spaces/ multifamily unit (+ 1 guest space/ 5 units) and 1 space/ 300 SqFt general retail
Grover Beach	Uniform citywide parking standards	2 spaces/ multifamily unit and 1/ 250 SqFt general retail (allowed offsite with approval)

Sources: Individual cities, Economic & Planning Systems.

As is suggested by the literature on downtown parking, Downtown Paso Robles' parking standards should seek to reflect the area's unique character, in terms of both its parking assets and its cost constraints. Currently, Paso Robles' downtown parking space requirements mandate one space per 1,750 square feet of land area for commercial, service, and office uses. Second-story floor area is subject to citywide parking requirements. There are no off-street parking requirements for land uses typically in operation after 5 p.m, such as theaters and restaurants, a policy consistent with the notion that people visiting these types of establishments can park in spaces that are intended for other uses during the day but remain empty in the evening.

The City's parking ratios recognize many of the shared parking principals described above. However, the City's current downtown parking regulations are temporary and need to be re-approved every two years. In conjunction with the establishment of an in-lieu fee and related parking management projects, this may be an appropriate time for the City to consider establishing a more permanent Downtown parking formula. In addition, it may be advisable to end the exemption for restaurant and entertainment uses. It appears that this policy has already accomplished its goal of attracting a large number of restaurants to Downtown. Moreover, this type of regulation can be difficult to administer as tenants change. A single parking standard applied across uses will simplify parking requirements and allow for greater tenant flexibility.

PARKING COSTS

There is no such thing as "free parking." Even if parking is provided free of charge to users, someone pays for the land, construction, and maintenance of parking facilities and spaces. As noted above, the cost of providing parking facilities will be another key determinant in the in-lieu fee amount.

The estimated cost per space to provide public parking in downtown Paso Robles, either in a garage or a surface lot, is outlined in **Table 3**. Total costs include construction, land, and a 5 to 10 percent construction contingency. As shown, surface parking costs are estimated to be approximately \$30,000 per space, while structured parking is estimated to cost approximately \$48,100 per space. Although construction costs for structured parking are estimated to be up to ten times the cost for surface parking, the smaller amount of land per space required for structured parking reduces the difference in total costs between the two categories. Actual cost per space will of course vary based on a range of factors, including the cost of property, location, design, architectural amenities, and number of spaces in a given facility.

FEE AMOUNT AND POLICY CONSIDERATIONS

Based on the costs estimated in **Table 3**, full cost recovery would require an in-lieu fee of between \$30,000 and \$50,000 per space. This fee level could be prohibitively expensive and might discourage the type of high-density development the City wishes to promote

**Table 3
Projected Parking Costs
Paso Robles Downtown Parking Study, EPS #15045**

Item	Surface	Assumption	Structure
Construction Costs	\$3,500 per space (1)		\$35,000 per space (1)
Construction Contingency	5%		10%
Land Cost	\$75 per Sq. Ft.		\$75 per Sq. Ft.
Total Costs	\$29,925 per space (2)		\$48,125 per space (3)

- (1) Actual construction costs will depend on a number of factors, including specific number of spaces, number of entrances, architectural features, and format of construction area.
- (2) Assumes 350 square feet required per surface parking space.
- (3) Assumes 3-story structured garage in which each space requires one-third of square footage required for surface parking, with 10 percent additional land for building areas.

Sources: City of Paso Robles, Kimley-Horn, Economic & Planning Systems.

in downtown. In addition, it is expected that a range of parking funding and management mechanisms will be utilized to provide adequate parking in the downtown.

In order to determine the appropriate in-lieu fee for downtown Paso Robles, EPS gathered information on similar policies in comparable and nearby California cities. As summarized in **Table 4**, fee levels vary widely by city, ranging from \$1,500 to \$50,000 per space depending on specific local conditions and what portion of the actual cost per space each city charges. Many cities charge a fee that is somewhat lower than the full cost of each space. Locally, Arroyo Grande currently charges \$4,000 per space but is currently considering an increase to \$24,000 per space. San Luis Obispo charges \$13,000 per space, Morro Bay charges \$15,000, and Pismo Beach charges \$37,000. However, it is worth noting that several nearby cities have reported low participation in their in-lieu fee programs, with developers choosing to build on-site parking rather than pay the fee.

Based on the above, it is recommended that Paso Robles charge an in-lieu fee in the range of \$15,000 which would be indexed to inflation and phased in over time. This fee level is in line with those charged by other cities in the region. In order to encourage developer participation, the City may wish to implement the fee gradually over time. For example, a fee could be phased in over six years, starting at \$2,000 per space in Year 1 and \$3,000 per space in Year 2, and increasing by \$3,000 per space annually in Years 3 through 6. This approach has the potential to stimulate downtown development in the short-term as developers expedite their projects to avoid the full fee amount. As downtown development progresses and land values continue to increase developers will have further incentive to pay the fee rather than waste valuable land on surface parking.

As noted, the recommended in-lieu fee amount is not expected to cover the full per-space cost of providing additional parking. Consequently, other revenue sources will be needed to fill the funding gap. For example, the City's proposed AB 1600 Impact Fee Schedule includes a fee category for Government Facilities that encompasses \$78.7 million in projects, including a City Hall, a public use facility, a performing arts center, a city yard, and a 300-space parking garage. The total project cost for the parking garage is \$11 million. These fees would be charged to new residential and commercial development citywide.

It is important to note that the purpose and rationale behind the proposed Impact Fees is different than the in-lieu fee. Specifically, it is assumed that the entire community, including commercial properties in downtown and elsewhere in the city, benefit from a healthy and active downtown and should therefore be asked to contribute to downtown facilities. In addition, new residents will create additional demand for downtown parking whether they live there or not. Even with the inclusion of the impact fee, the combined amount paid by a given development to cover parking needs is expected to be significantly lower than the actual cost of providing required parking under the City's standards.

**Table 4
In-Lieu Fee Programs
Paso Robles Parking Study, EPS #15045**

Jurisdiction	In-lieu Parking Fee (\$/space)	Land Use/Applicability	Notes
Regional Examples			
Carmel-by-the-Sea	\$50,000	When parking adjustments have been authorized by the Planning Commission in conformance with City Municipal Code 17.34.030, required parking may be satisfied by payment of the City in-lieu fee in commercial zones.	The amount charged for an in-lieu parking space is determined by using current construction costs of public garages, a regional price adjustment for the San Francisco area, and a factor representing land costs.
San Luis Obispo	\$13,000	Any construction or redevelopment that increases parking demand.	Required number of spaces is based on square footage, with different spaces per square foot depending on land use/ business type.
Arroyo Grande	\$4,000	Applies to Downtown Village District	A recommendation has been made but not yet approved to raise fee to \$24,000/ space.
Morro Bay	\$15,000	Allowed in cases where it can be demonstrated that the practical development of commercially zoned properties precludes the provision of required off-street parking on the property, for properties within or adjacent to Parking Management Area.	
Pismo Beach	\$37,000	Allowed for commercial uses in Central District (CD) zoning area only.	
Other Examples			
Concord	\$1,572	Retail, restaurants, and cocktail lounges in Downtown Business District.	The in-lieu fee represents the current reasonable cost of acquiring and constructing a parking space. The cost is periodically reviewed by City staff.
Davis	\$8,000	All uses in Downtown District. Also allowed in some subdivisions where on-site parking is not permitted at grade level, or where in-lieu-of payments are a permitted alternative to on-site parking at grade level.	The in-lieu fee is equal to the value of the required parking on a per parking space basis. The City Council periodically establishes the value of off-street parking facilities on a per parking place basis.
Mill Valley	\$6,500	All uses in areas zoned CG, CN, and PA	The maximum in-lieu fee amount required per parking space is fixed periodically by resolution by the City Council
Mountain View	\$26,000	All uses in Parking District	The in-lieu parking fee is set by resolution of City Council
Palo Alto	\$30,250	All commercial uses in University Avenue parking assessment district.	The initial in-lieu fee equals the sum of the construction, land acquisition (if any), and administrative costs attributable to the provision of one new parking space.

Table 4
In-Lieu Fee Programs
Paso Robles Parking Study, EPS #15045

Jurisdiction	In-lieu Parking Fee (\$/space)	Land Use/Applicability	Notes
Walnut Creek	Cost of a parking space calculated by dividing cost of public parking garage in which stall is located, adjusted for inflation, by the number of stalls provided within that garage. Average cost for new garages is \$22,000/stall.	Pedestrian Retail Zoning District.	The in-lieu fee per parking space is calculated by dividing the cost of the public garage in which the stall is located, adjusted for inflation, by the number of stalls provided within that garage.
Napa	\$7,500	All non residential development in Parking Exempt Overlay District	The in-lieu fee per parking space is calculated pursuant to the parking standards set forth in the Napa Municipal Code. On June 1st of each year the City Manager will increase or decrease the fee based on the percentage change reported in Engineer News Record Construction Cost Index for San Francisco. In August of each year the City Manager will report to the City Council his/her recommendations for the adjustment of the parking impact fee.
Redwood City	\$10,000	Applies within boundaries of Downtown Precise Plan area.	Half of actual cost per space (estimated at \$20,000/ space)

Source: City of Carmel-by-the-Sea; City of Concord; City of Davis; City of Mill Valley; City of Mountain View; City of Palo Alto; City of Walnut Creek.; City of Napa; City of Arroyo Grande; City of Morro Bay; City of Pismo Beach; Economic & Planning Systems.

USE OF FEES AND NEXT STEPS

The funding generated through the City's in-lieu fee would be used to provide additional parking in downtown Paso Robles. It is important to note that in-lieu fees alone will not fully fund public parking or resolve all of downtown Paso Robles' parking issues. Several other measures, such as metered or time-restricted parking as proposed in the Kimley-Horn study, may also be needed. These additional measures will increase parking turnover and ensure that customer parking remains available downtown.

In the long run, it is anticipated that new surface lots and/or some form of parking structure will be needed. City staff have identified a number of City-owned sites as potential parking structure locations. Alternatively, parcels owned by the City could be sold to generate revenues for the purchase of land elsewhere in the Downtown area, as well as for parking structure construction and operations.

EPS's Downtown Parking Study will be completed following the in-lieu fee program analysis. The final Study will address a range of potential parking solutions, such as increases to parking turnover or expected walking distance, added surface parking, and parking structure construction. It will also incorporate the in-lieu fee discussed here and will update demand projections and funding scenarios in light of the recommended fee level, revised parking ratios, and other ongoing policy decisions.

**ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
PLANNING DIVISION**

- 1. PROJECT TITLE:** Code Amendment 06-001
- Concurrent Entitlements:** None
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Ronald Whisenand, Community Development Director
Phone: (805) 237-3970
- 3. PROJECT LOCATION:** Downtown
- 4. PROJECT PROPONENT:** City of Paso Robles
- Contact Person:** Ronald Whisenand, Community Development Director
Phone: (805) 237-3970
- 5. GENERAL PLAN DESIGNATION:** Various Land Use Categories
- 6. ZONING:** Various Zoning Districts
- 7. PROJECT DESCRIPTION:** A proposal to amend the City's downtown parking regulations contained in Section 21.22.035 of Zoning Code to simplify and standardize the method for calculating parking spaces for downtown properties as well as establish a fee in lieu of providing on-site parking.
- Attached to this Initial Study is the draft ordinance.
- 8. ENVIRONMENTAL SETTING:** See the Environmental Impact Report for the 2003 Update of the City's General Plan
- 9. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):** none

10. PERSONS PARTICIPATING IN THE PREPARATION OF THE INITIAL STUDY:

Ronald Whisenand, Community Development Director

11. RELATED ENVIRONMENTAL DOCUMENTATION: none

12. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR PROJECT: The proposed amendment by itself will cause no impacts. Parking is currently required for all new or expanding downtown development. In addition, the City already has a downtown parking in lieu fee program. The proposed amendment will simply clarify existing parking requirements and establish an actual per space fee. As required by the California Environmental Quality Act, each future development project designed in accordance with the proposed code amendment will be the subject to preparation of its own environmental document.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” as indicated by the checklist on the following pages.

- Land Use & Planning
- Transportation/Circulation
- Public Services
- Population & Housing
- Biological Resources
- Utilities & Service Systems
- Geological Problems
- Energy & Mineral Resources
- Aesthetics
- Water
- Hazards
- Cultural Resources
- Air Quality
- Noise
- Recreation
- Mandatory Findings of Significance

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.” An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect(s) that remain to be addressed.

I find that although the proposed project could have a significant effect(s) on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. (See item #11 above, for a specific reference to that EIR.)

Signature

Ronald Whisenand

Printed Name

6/02/06

Date

Community Development Director

Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.

All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

“Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.

Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.

References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided at the end of the checklist. Other sources used or individuals contacted have been cited in the respective discussions.

The following checklist has been formatted after Appendix I of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the needs and requirements of the City of Paso Robles.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers’ information, a list of applicable standard conditions identified in the discussions has been provided as an attachment to this document.)_

SAMPLE QUESTION:

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p><i>Would the proposal result in or expose people to potential impacts involving:</i></p> <p><i>Landslides or Mud flows? (Sources: 1, 6)</i></p> <p><i>Discussion: The attached source list explains that 1 is the Paso Robles General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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LAND USE AND PLANNING. Would the Proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with general plan designation or zoning? (Source: Paso Robles Zoning Code.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Alternative parking standards as well as a parking in-lieu fee program for the downtown currently exists in the City's Zoning Regulations. In addition, the proposed changes, which will help protect the long term health of the downtown are consistent with numerous policies of the City Economic Strategy and General Plan.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Be incompatible with existing land use in the vicinity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

II. POPULATION AND HOUSING. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cumulatively exceed official regional or local population projections? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace existing housing, especially affordable housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fault rupture? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Seismic ground shaking? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Seismic ground failure, including liquefaction? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Landslides or Mud flows? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Subsidence of the land? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. WATER. Would the proposal result in:

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Source: 9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding? (Source: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Discussion:				
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen, turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
e) Changes in currents, or the course or direction of water movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (Source: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. AIR QUALITY. Would the proposal:

a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
b) Expose sensitive receptors to pollutants? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Alter air movement, moisture, or temperature? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create objectionable odors? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Increased vehicle trips or traffic congestion? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Downtown development generates vehicle trips. While the proposed amendments will not change the density at which downtown could develop, it may result in less on-site parking for individual businesses which could in turn cause people to drive further to find available municipal parking lots or on-street parking. However, due to the compact nature of the downtown and proper signage directing people to available public parking, this impact is considered less than significant.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Inadequate emergency access or inadequate access to nearby uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Insufficient parking capacity on-site or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See response on item a) above. Traditional downtowns by their nature function better with fewer on-site parking spaces and efficient use of available on-street parking or municipal parking lots and or structures. Downtowns experience linked trips where shoppers park and visit several establishments thereby resulting in fewer parking spaces being required. The proposed amendments will recognize this downtown parking trend.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Hazards or barriers for pedestrians or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Rail, waterborne or air traffic impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				

VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
d) Wetland habitat (e.g., marsh, riparian and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

a) Conflict with adopted energy conservation plans? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
b) Use non-renewable resource in a wasteful and inefficient manner? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HAZARDS. Would the proposal involve:

a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?

Discussion:

b) Possible interference with an emergency response plan or emergency evacuation plan?

Discussion:

c) The creation of any health hazard or potential hazards?

Discussion:

d) Increased fire hazard in areas with flammable brush, grass, or trees?

Discussion:

X. NOISE. Would the proposal result in:

a) Increases in existing noise levels?

Discussion:

b) Exposure of people to severe noise levels?

Discussion:

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

a) Fire protection? (Source: 1,9)

Discussion:

b) Police Protection? (Source: 1,9)

Discussion:

c) Schools?

Discussion:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Maintenance of public facilities, including roads? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other governmental services? (Source: 1,9) Discussion: Any fees collected in lieu of providing parking will be spent on providing future parking for the downtown. New facilities will come on-line as the demand increases and sufficient revenues are collected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XII.UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

a) Power or natural gas? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communication systems? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Solid waste disposal? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII.AESTHETICS. Would the proposal:

a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a demonstrable negative aesthetic effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Create light or glare? (Source: 1, 2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

XIV.CULTURAL RESOURCES. Would the proposal:

- | | | | | |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Disturb archaeological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Affect historical resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Have the potential to cause a physical change which would affect unique ethnic cultural values? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

XV.RECREATION. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Affect existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI.MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion:

b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?

Discussion:

c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Discussion:

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion:

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	1977 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Sewer Master Plan	Same as above
8	City of Paso Robles Housing Element	Same as above
9	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
10	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
11	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
12	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446

Downtown Parking Ordinance And In-Lieu Fee Program

In December of 2005, the Council amended the City's downtown parking code to include a Parking In-Lieu Fee Program where property owners would have the option of paying a per space fee "in lieu" of providing the parking on-site. Council deferred setting the actual per space fee until the completion of a downtown parking financing study by Economic & Planning Systems (EPS). The first phase of this study, which explores the downtown parking ordinance and in-lieu fee programs, is complete and ready for City Council action. Key components of these programs are summarized below.

In Lieu Fee Program

- The City currently has a Parking In-Lieu Program. However, there is a need for the Council to set the actual per space fee that property owners can choose to pay in lieu of providing on-site parking for downtown projects. Setting the fee will allow several important downtown redevelopment projects to proceed.
- Fees collected through the program will be used to help fund additional municipal parking facilities in the downtown.
- Setting the fee is less an exact science than finding the proper balance between encouraging redevelopment of the downtown and establishing sufficient funds to expand downtown parking in the future. Setting the fee too high, could cause downtown to develop with an abundance of on-site parking that detracts from its pedestrian character or could discourage property owners from upgrading their properties altogether. Setting the fee too low will place more of the financial burden for future downtown parking on the general population.
- EPS is recommending that the in-lieu fee amount be set at \$15,000 per space. However, it is recommended that the fee could be initially set lower and increased annually in order to phase it in over a reasonable period of time.

Downtown Parking Ratios

- The City's downtown parking standards differ from other commercial areas of the City in recognition of how businesses in a downtown setting "share" common on-street parking in and around the downtown.
- The current regulations are confusing and base parking on the size of the parcel rather than the size of the building or the use.
- Parking requirements for upper floors of commercial buildings are too restrictive in relation to ground floor space which creates a disincentive for building multi-story downtown buildings as called for in our General Plan and Economic Strategy.
- The current parking exemption for restaurant and entertainment uses may be inadvertently discouraging development of other mixed use and specialty retail uses that are also needed in a healthy downtown setting.

Frequently Asked Questions

Q. Why limit the program to the downtown?

A. Because of the historic nature of our downtown, buildings were developed close to the street and side by side with little area devoted to on-site parking as is typical in other commercial areas of the City. Requiring new or expanding businesses in the downtown to provide parking would detract from the pedestrian character of our downtown called for by the City's General Plan and Economic Strategy. Parking lots are far less interesting to the downtown visitor than the latest storefront display. Parking in downtowns such as ours is therefore more appropriately located on the street and in public lots that exist in and around the downtown.

Q. By allowing property owners the ability to pay a fee and not provide parking, is the City not creating a parking problem?

A. Technically yes, but only for a short term. The nature of any successful in lieu fee program is to collect fees that grow as development occurs. Those fees will then in turn be used to finance and improve new parking spaces in the downtown

Q. Will new parking be built near the property that pays the fee?

A. Not necessarily. Downtowns function different than other commercial areas. It is not unusual and often common for a user of the downtown to park and then visit more than one store or destination. For instance on your way to the movies, you may drop off a book at the library, watch a movie, and then grab a bite to eat all in one trip. Parking just needs to be available within a "reasonable" walking distance from your destinations. A single parking space could, therefore, conceivably serve every business in the downtown.

Q. Will there be a new assessment that I, as a downtown business owner, will need to pay for parking?

A. No, this is not a parking assessment program. It only applies to property owners or businesses who want the option to pay a fee "in lieu" of providing parking on their properties.

Q. Will I need to pay a fee if I want to change a use in my existing building?

A. No. The option to pay a fee only applies when you want to construct a new or expanded building. In the case of an expansion (such as by adding a new floor), you are only responsible for providing parking (or paying a fee) for the new area that you are expanding.

Q. What happens if I choose to tear my existing building down and start "from scratch"?

A. When the City calculates your parking requirements, previously existing floor area will be credited. Again, you only need to provide parking (or pay a fee) for increased floor area.

Q. Is the City proposing parking meters or time restricted parking at this time?

A. No, parking meters are not currently being proposed with this program. However, as development in the downtown continues, the City will need to address parking turnover and parking behaviors. Parking meters may, therefore, be discussed as a possible tool to address parking issues in our downtown. These issues are anticipated to be addressed in more detail in 2007.

Ronald Whisenand, Community Development Director
City of El Paso de Robles
1000 Spring Street
237-3970
rwhisenand@prcity.com

The Paso Robles Chamber of Commerce favors the consideration of an in-lieu fee to help fund a solution to current and future parking needs. We would recommend that the City Council consider the following recommendations:

1. The fee should be initially a reasonable amount so as to not discourage development in the downtown area short term.
2. The fee should be gradually increased, but not so high as it completely eliminates development from occurring.
3. The developer should be allowed to pay the fee over time rather than as just one lump fee at the beginning of the project.
4. The fee should apply to all downtown uses. Restaurants and entertainment uses are currently exempted. This exemption should be eliminated.
5. The in-lieu fee should not be the sole source of income to provide parking facilities. The following should also be considered:
 - a. Setting up an assessment district of all benefiting downtown property owners to provide bonding capacity for acquiring property and building parking lots and/or structures.
 - b. The imposition of a fair share to new development outside the downtown area through the AB1600 Development Impact fees.
 - c. The use of parking meters.

Additionally the Chamber supports the reduction of the parking/sf ratio from 250sf per space to 400sf/space.

The Chamber also makes the following recommendations:

1. Increase signage and information on the location of parking lots in and around the downtown.
2. Encourage ride share parking to be located away from the downtown
3. Continue to improve parking areas by efficient stripping.
4. Focus on multiple solutions to creating new parking, utilizing perimeter surface parking as well as a parking structure.

21.22.035 Downtown area parking space requirements.

A. **Retail** Commercial, service and office **Service Commercial, and Commercial Recreation** land uses located within the downtown area shall be required to provide off-street parking spaces at the ratio of one (1) space per one thousand seven hundred fifty square feet of land area, in order to encourage economic investment and a pedestrian-oriented development pattern **400 square feet of gross floor area.**

B. Exceptions to the downtown area parking space requirements:

1. Within the downtown area, buildings existing as of November 1, 1992, shall have no requirement to provide off-street parking spaces for commercial, service and office land uses.
2. There are no off-street parking requirements for the class and nature of land uses that includes movie theaters, theatrical productions, restaurants and other assembly type land uses that typically, but not exclusively, are in operation after usual business hours (i.e., after five p.m.); the applicability of this standard shall be determined by the planning commission.
3. The planning commission shall have the authority to waive the one space per one thousand seven hundred fifty square foot off-street parking requirement in the downtown area when such waiver would support the city's economic development strategy, dated May 18, 1993, and no health or safety concerns would be adversely impacted by such waiver.

C. Conditions on the applicability of the downtown area parking space requirements: Any incremental increase in usable building area as a result of new construction (e.g., a new building or adding additional floors to an existing building) shall be subject to payment of an "in-lieu" parking fee of an amount to be established by resolution of the city council and shall be based on the difference between the number of new off-street parking spaces that are provided on-site and the city-wide off-street parking requirements of Section 21.22.040 of this chapter or any other parking code requirement subsequently adopted for the downtown area. In addition, as a condition of the granting of any entitlement for an increase in building area, the property owner shall enter into an agreement in a form to be approved by the city attorney, committing the property owner and his or her tenants to participating in a proportionate share in the financing of off-street parking facilities in the downtown area in a form and amount specified by city council resolution. Exception: Replacement for demolished structures (e.g., as a result of the 2003 earthquake or property owner decision to replace a structure) shall receive credit for pre-existing square footage.

B. Residential Uses

1. Dwellings containing two (2) bedrooms or more shall be required to provide off-street parking spaces at the ratio of one and a half (1.5) parking spaces per dwelling unit.
2. Dwellings containing one (1) bedroom shall be required to provide off-street parking spaces at the ratio of one parking space per dwelling unit.
3. Studio dwellings shall be required to provide off-street parking spaces at the ratio of three quarters (.75) of a parking space per dwelling unit.

D. Effective Dates. The off-street parking requirements and exemptions from such requirements that are provided for in this section shall apply from the effective date of the ordinance codified in this chapter through December 31, 2007. Prior to December 31, 2007, the city council may, by ordinance, determine to extend the effective period of the requirements and/or exemptions. In the absence of an affirmative action by the city council to extend the requirements and/or exemption provided for in this chapter, on January 1, 2008, off-street parking requirements for new constructions within the downtown area, as defined in Section 21.22.030 et seq., of this chapter shall revert to the off-street parking requirements contained in Section 21.22.040 of this chapter. Even if the city council does not extend the off-street parking requirements and/or exemptions provided for by this chapter, any buildings and structures, existing as of January 1, 2008, shall continue to be exempt from off-street parking requirements. Payment of in-lieu fees and participation in

~~financing public parking shall apply to any projects approved by the planning commission or development review committee projects after January 1, 2006, with the above noted exception. (Ord. 910 N.S., 2006; Ord. 868 N.S., 2003; Ord. 756 N.S., 1999; Ord. 669 N.S. 3, 1994)~~

C. All parking provided for any downtown building or use shall be located within an enclosed structure or behind the building and accessed off an alley. This requirement does not apply to municipal parking facilities provided for general downtown use.

D. Downtown buildings not meeting current parking requirements that are replaced or reconstructed, shall not be required to provide more on-site parking than existed at the time of demolition or remodel. Expanded floor area beyond what previously existed shall be subject to downtown parking requirements.

E. The Downtown Area parking requirements contained in this section may be satisfied partially or in full through the payment of an In-Lieu Parking Fee. The In-Lieu Parking Fee program shall be administered as follows:

1. **Establishment of Amount of Fee:** The amount of the In-Lieu Parking Fee shall be set by separate resolution of the City Council. The City Council may adjust the fee at their discretion as frequently as is deemed necessary based on factors including, but not limited to, inflation, the cost of providing new parking spaces, and the market value of parking spaces.

2. **Applicable Geographic Area:** Properties eligible to apply to participate in the In-Lieu Parking Fee program shall be those parcels located within the Geographic Boundaries of the Downtown Area as shown on Exhibit "A", Figure 21.22-4 of the City's Zoning Regulations

3. **Payment of Fee:** Payment of In-Lieu Parking Fees shall be made to the City in one lump sum prior to the issuance of a building permit or if a building permit is not required, within fourth-five (45) days of request by City for payment. The In-Lieu Parking Fee shall be a one-time-only, non-refundable payment and shall be considered full satisfaction of the off-street parking requirement for the number of parking spaces for which the fee was paid.

5. **Effect of Payment:** In-Lieu Parking Fees shall be used exclusively to make available additional parking spaces for public use within the Downtown Area and does not guarantee the construction of spaces in any particular area of the Downtown Parking Area or within any particular period of time. In-Lieu Parking fees are solely an alternative means of satisfying the applicant's obligations to provide off-street parking as required by this Chapter and payment of the In-Lieu Fee does not carry any other guarantees, rights, or privileges to the applicant. The location, type, and configuration of parking spaces funded by In-Lieu Parking Fees are at the City's sole discretion.

RESOLUTION NO. 06-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING A NEGATIVE DECLARATION FOR CODE AMENDMENT 06-001
AMENDING THE ZONING CODE WITH REGARD TO DOWNTOWN PARKING FACILITIES
AND SETTING AN IN LIEU PARKING FEE PURSUANT TO SECTION 21.22.035 OF THE
PASO ROBLES MUNICIPAL CODE

WHEREAS, in 1994 the City Council of the City of El Paso de Robles adopted an Amendment to the City's Municipal Code to provide a special set of off-street parking standards for the Downtown Area as defined by Figure 21.22-4 of the Zoning Code; and

WHEREAS, in 1998, 2003, and 2005 the City Council approved extensions of time under which the special parking code provisions would apply; and

WHEREAS, Municipal Code Amendment 2006-001 proposes to modifications to the Downtown Parking Provisions, in conjunction with establishment of a Parking Financing Program; 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 October 10, 2006 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 and adoption of a parking in lieu fee 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 17th day of October 2006, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk

ORDINANCE NO. XXX N.S.
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTION 21.22 et seq. AND RELATED PROVISIONS OF THE
MUNICIPAL CODE (MUNICIPAL CODE AMENDMENT 2006-001 – DOWNTOWN PARKING)

WHEREAS, in 1994 the City Council of the City of El Paso de Robles adopted an Amendment to the City's Municipal Code to provide a special set of off-street parking standards for the Downtown Area as defined by Figure 21.22-4 of the Zoning Code; and

WHEREAS, in 1998, 2003, and 2005 the City Council approved extensions of time under which the special parking code provisions would apply; and

WHEREAS, Municipal Code Amendment 2006-001 proposes to modifications to the Downtown Parking Provisions, in conjunction with establishment of a Parking Financing Program which is the subject of a separate City Council consideration; and

WHEREAS, at its meeting of October 10, 2006, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Recommended that the City Council approve the proposed ordinance; and

WHEREAS, based on consideration of information received at its meetings of October 17, 2006, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Commission's recommendation from the Planning Commission's October 10, 2006, public meeting;
- e. Introduced said ordinance for first reading; and

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This code amendment is consistent with the City's General Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

Section 21.22 et seq. is hereby amended to replace the current text with the text of the code amendment attached and labeled Exhibit "A" (Downtown Area Parking Space Requirements).

SECTION 1. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 2. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 3. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on October 17, 2006, and passed and adopted by the City Council of the City of El Paso de Robles on the 7th of November, 2006 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk

21.22.035 Downtown area parking space requirements.

A. Retail Commercial, Service Commercial, and Commercial Recreation land uses located within the downtown area shall be required to provide off-street parking spaces at the ratio of one (1) space per 400 square feet of gross floor area.

B. Residential Uses

1. Dwellings containing two (2) bedrooms or more shall be required to provide off-street parking spaces at the ratio of one and a half (1.5) parking spaces per dwelling unit.

2. Dwellings containing one (1) bedroom shall be required to provide off-street parking spaces at the ratio of one parking space per dwelling unit.

3. Studio dwellings shall be required to provide off-street parking spaces at the ratio of three quarters (.75) of a parking space per dwelling unit.

C. All parking provided for any downtown building or use shall be located within an enclosed structure or behind the building and accessed off an alley. This requirement does not apply to municipal parking facilities provided for general downtown use.

D. Downtown buildings not meeting current parking requirements that are replaced or reconstructed, shall not be required to provide more on-site parking than existed at the time of demolition or remodel. Expanded floor area beyond what previously existed shall be subject to downtown parking requirements.

E. The Downtown Area parking requirements contained in this section may be satisfied partially or in full through the payment of an In-Lieu Parking Fee. The In-Lieu Parking Fee program shall be administered as follows:

1. **Establishment of Amount of Fee:** The amount of the In-Lieu Parking Fee shall be set by separate resolution of the City Council. The City Council may adjust the fee at their discretion as frequently as is deemed necessary based on factors including, but not limited to, inflation, the cost of providing new parking spaces, and the market value of parking spaces.

2. **Applicable Geographic Area:** Properties eligible to apply to participate in the In-Lieu Parking Fee program shall be those parcels located within the Geographic Boundaries of the Downtown Area as shown on Exhibit "A", Figure 21.22-4 of the City's Zoning Regulations

3. **Payment of Fee:** Payment of In-Lieu Parking Fees shall be made to the City in one lump sum prior to the issuance of a building permit or if a building permit is not required, within fourth-five (45) days of request by City for payment. The In-Lieu Parking Fee shall be a one-time-only, non-refundable payment and shall be considered full satisfaction of the off-street parking requirement for the number of parking spaces for which the fee was paid.

5. **Effect of Payment:** In-Lieu Parking Fees shall be used exclusively to make available additional parking spaces for public use within the Downtown Area and does not guarantee the construction of spaces in any particular area of the Downtown Parking Area or within any particular period of time. In-Lieu Parking fees are solely an alternative means of satisfying the applicant's obligations to provide off-street parking as required by this Chapter and payment of the In-Lieu Fee does not carry any other guarantees, rights, or privileges to the applicant. The location, type, and configuration of parking spaces funded by In-Lieu Parking Fees are at the City's sole discretion.

RESOLUTION NO. 06-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING PARKING IN LIEU FEES FOR DOWNTOWN PROPERTIES
PURSUANT TO SECTION 21.22.035 OF THE PASO ROBLES MUNICIPAL CODE

WHEREAS, Section 21.22.035 of the Paso Robles Municipal Code allows developers of downtown properties to pay a fee in lieu of providing required on-site parking; and

WHEREAS, the City contracted with Economic & Planning Systems, Inc to provide a comprehensive evaluation of the City's downtown parking fee program; and

WHEREAS, the City has received Paso Robles Downtown Parking In-Lieu Fee Program prepared by Economic & Planning Systems dated August 4, 2006 where costs of providing parking are evaluated and recommendations on setting in fees at an appropriate level are made; and

WHEREAS, Economic & Planning Systems, Inc. in their *Study* recommends setting an in lieu fee at \$15,000 per space which is less than the cost of providing downtown parking for which the fee is to off-set; and

WHEREAS, Economic & Planning Systems, Inc. in their *Study* recommends setting the fee lower initially and working up to the full amount over time; and

WHEREAS, the *Study* has been available for public review and comment; and

WHEREAS, the City Council held a noticed public hearing on the proposed parking in lieu fees on October 17, 2006, to solicit public input on the proposed fee;

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Findings.

The City Council finds and determines that the Paso Robles Downtown Parking In-Lieu Fee Program Study prepared by Economic & Planning Systems, Inc. and dated August 4, 2006, establishes the basis for the imposition of fees in lieu of providing parking in the downtown. This finding is based on the facts that the *Study*:

- (a) Identifies the purpose of the fee;
- (b) Identifies the use to which the fee will be put;
- (c) Demonstrates a reasonable relationship between the amount of the fee and the cost of providing parking in and around the downtown.

SECTION 2. Fees for Uses Consistent with the *Study*.

The City Council hereby determines that the fees collected pursuant to this resolution shall be used to finance public parking improvements in and around the downtown as may from time to time be approved by the City Council.

SECTION 3. Amount of Fee.

The City Council hereby approves and adopts a per space parking in lieu fee of \$3,000 to be adjusted annually by increasing the fee amount by \$1,000 plus any inflationary adjustments pursuant to the Consumer Price Index.

SECTION 4. Effective Date.

Consistent with California Government Code section 66017(a), the fees as identified in attached Exhibit "A" adopted by this resolution shall take effect sixty (60) days following the adoption of this resolution by the City Council.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of October, 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

Attachment:

A: Paso Robles Downtown Parking In-Lieu Fee Program Study, August 4, 2006

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

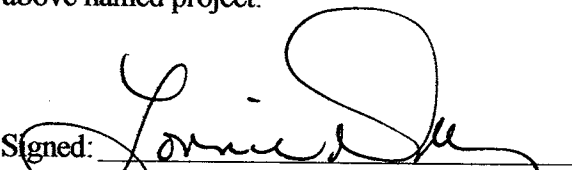
Newspaper: Tribune

Date of Publication: September 28, 2006

Meeting Date: October 10, 2006
(Planning Commission)
October 17, 2006
(City Council)

Project: Code Amendment 06-001
(City initiated - downtown
parking and in-lieu fees)

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Lonnie Dolan

forms/newsaffi.691

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider making recommendations regarding adoption of a Negative Declaration and approval of a Code Amendment relating to the Zoning Code.

Code Amendment 06-001 is a proposal to amend Section 21.22.035 of the City's Zoning Regulations regarding downtown parking standards. The amendment proposes to simplify and standardize the calculation method for on-site parking standards for downtown properties including the ability to pay fees in lieu of providing off-street parking. The action, which will be in the form of a recommendation to the City Council, will include establishing an in lieu parking fee.

The Planning Commission's hearing will be held on Tuesday, October 10, 2006.

NOTICE IS ALSO HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider the same Code Amendment as described above. The City Council's meeting will take place at their meeting on October 17, 2006.

Both the Planning Commission and the City Council hearings will begin at the hour of 7:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at these hearings.

As part of the noticed public hearing, the City Council will consider adoption of a Negative Declaration of Environmental Impact (statement that there will be no significant environmental effects) in accordance with the provisions of the California Environmental Quality Act (CEQA). The proposed Negative Declaration will be available for public review from September 28, 2006 through October 17, 2006. Copies of the staff report and draft Negative Declaration will be available for the cost of reproduction at the Community Development Department, City Hall, 1000 Spring Street, Paso Robles, CA 93446. Please write to this address or call the Planning Division at (805) 237-3970 should you have questions or comments regarding this notice or related matters.

Written comments on the proposed Code Amendment may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Ronald Whisenand at (805) 237-3970.

If you challenge the Code Amendment in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council at, or prior to, their respective public hearings.

Ronald Whisenand, Community Development
Director
September 28, 2006 6461076