

TO: James L. App  
FROM: Ron Whisenand, Community Development Director  
SUBJECT: Uptown/Town Centre Specific Plan, General Plan Amendment 2011-001, and Code Amendment 11-001  
DATE: March 1, 2011

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Needs: For the City Council to consider approval of the Uptown/Town Centre Specific Plan, General Plan Amendment 2011-001, Code Amendment 11-001, and certification of the Final Environmental Impact Report (EIR) for these actions.

Facts:

1. At its meeting of January 25, 2011, the Planning Commission unanimously recommended that the City Council approve the Draft Uptown/Town Centre Specific Plan, with changes to be documented in an updated Addendum to the plan (dated January 25, 2011). This recommendation included approval of General Plan Amendment 2011-001, Code Amendment 11-001, and certification of the Final Environmental Impact Report (EIR) for these actions.
2. Attached is a copy of the staff report to the Planning Commission for their meeting of January 11, 2011 (Attachment 7). The facts and analysis sections of the staff report explain the policy basis for undertaking this specific plan, the process of obtaining recommendations from the public, responses to recent public comments, summary of environmental issues, and other issues.
3. The City has conducted extensive public outreach in the preparation and review of the plan. Several public workshops and a 5 day charrette were conducted; meetings were held with stakeholders; several public workshops were conducted after the draft plan was circulated. Attached is a one-page chronology of this input (Attachment 2).
4. The documents and testimony to be included as part of consideration of the specific plan and its attendant general plan and zoning code amendments are:
  - a. Public Draft Specific Plan, dated 2 July 2009 (not attached to this report);
  - b. Addendum, dated January 25, 2011 (not attached to this report);
  - c. Final EIR for the project (not attached to this report);
  - e. This staff report;
  - f. Oral public testimony to be made at the public hearing.

Copies of the Public Draft Specific Plan, Addendum, and Final EIR are available for review on the City's Website: [www.prcity.com](http://www.prcity.com), in the City Library, and at the Community Development Department in City Hall.

5. The contract with Moule and Polyzoides calls for the preparation of a Final Plan, which shall make all of the changes to the Public Draft that will be directed by the City Council. The Resolution Adopting the Specific Plan (Attachment 5) calls for all of the changes to be documented in a "Final Addendum".
6. Following the Planning Commission meeting and preparation of the revised Addendum, a three-page section of items that the Planning Commission directed be added to the Addendum was inadvertently omitted and three other "corrections" to Table 5.3-1, the list of permitted and conditional uses for the

various zones, were identified by staff. These will be discussed in the Analysis section of this report.

7. One of the councilmembers has suggested that the plan provide that Railroad Street be considered as a one-way street. This, too, will be discussed in the Analysis section of this report.
8. Several letters commenting on the draft plan were submitted prior to the Planning Commission meetings. Copies of those letters were also provided to the City Council. The January 25, 2011 Addendum reflects the Planning Commission's responses to those letters. Consequently, copies of those letters are not attached to this report.
9. A letter from Linda Murray raising questions on the Specific Plan, General Plan Amendment, and Zoning Code Amendment was submitted on February 18, 2011. A copy of this letter is attached. (Attachment 9)
9. Councilmembers Gilman and Hamon own real property within the Specific Plan Area. To avoid conflicts of interest and allow those councilmembers to participate in the discussion and voting on the Specific Plan and the General Plan and Zoning Code Amendments, a process for Council discussion and voting will be explained in the Analysis section of this report.
10. Notice of this public hearing was published in the Tribune (1/4 page ad); a copy of this notice is attached (Attachment 10). Letters were mailed to all owners of property within the planning area and within 300 feet of the planning area, as well as to stakeholders. A mail notice affidavit is attached (Attachment 11).
11. A copy of the Changes to the Regulating Plan (Zoning Map), as it appears in the Addendum dated January 25, 2011 is attached (Attachment 13) for the convenience of the Council and the Public.

Analysis and  
Conclusion:

Policy Basis and Public Input

As noted in the attached staff report for the January 11 Planning Commission (Attachment 7), the General Plan and Economic Strategy contain several policies and actions calling for a specific plan and form-based zoning code. Additionally, as noted in Fact #3, above, the City has conducted extensive public outreach in the preparation and review of the plan. The consultants assembled a draft plan that strove to implement the policies and actions and incorporate the comments made by the public at the workshops, meetings, and hearings listed in the attached Chronology (Attachment 2).

The Specific Plan is complex, and it is not perfect. It is anticipated that it will need to be amended from time to time to adjust it to local realities and new information that the City will receive in the future. It is suggested that the Council direct staff to schedule semi-annual reviews (every 6 months) of the Plan at which the plan, including Chapter 5, the Form-Based Zoning Code, can be amended if it is deemed necessary. After a period of time, e.g. five years, the frequency of reviews could be lengthened.

If the Council agrees with this suggestion, it is recommended that it take a minute action (voice vote) directing staff to schedule semi-annual reviews, which shall

include public hearings before both the Planning Commission and City Council so that the Specific Plan might be amended if necessary. A suggested schedule would have the Council hearings occur on the first meetings of March and September. Such reviews would continue on a semi-annual basis until the Council directs that the frequency of reviews be reduced.

#### Avoidance of Conflicts of Interest

State law provides that councilmembers (and planning commissioners) cannot participate in the discussions or vote on plans or codes that affect land use where proposed facilities or land uses are located within 500 feet of real property that they own. The City Attorney has advised that, in the case of land use plans and codes, the area of conflict cannot be limited to that radius, but must include a neighborhood.

As was done for the Planning Commission hearing, a map dividing the Specific Plan Area into subsections was prepared (Attachment 8). The attached map shows three subsections. Councilmembers Hamon and Gilman will each need to refrain from discussion and voting on those program and project priorities in Chapter 2 and the Regulating Plan (Zoning Map) in Chapter 5 that pertain to subareas B and C, respectively. Additionally, Councilmember Gilman will need to refrain from discussion and voting on development standards for the TC-1 Zone (if there are any such discussions on that topic), as that zone is confined to Subarea C.

During Council discussions on Chapters 2 and 5, straw votes can be taken for each subarea. After the straw votes, all councilmembers may vote on the Specific Plan, the General Plan Amendment, and the Zoning Code Amendment as a whole.

#### Railroad Street

It has been suggested that the Specific Plan designate Railroad Street as a one-way street. The original suggestion included placement of angled parking in Railroad Street as a means of increasing the number of on-street parking spaces in the Downtown.

The paved width of Railroad Street is 36 feet, which would allow placement of angled parking on one side of the street, but not on both sides. Presently, there are parallel parking spaces on both sides of the street. If angled parking were introduced, the parallel spaces on the other side would have to be removed. The net effect is that, under this arrangement, more on-street parking spaces would be lost than gained. Therefore, the existing parking arrangement provides the greater number of on-street parking spaces.

Railroad Street could still be made into a one-way street with parallel parking on both sides. If this was to be done, the direction of travel that would create the least amount of congestion would be north-bound. If it were south-bound, cars would queue up on westbound 13<sup>th</sup> at the Railroad tracks to turn left onto Railroad, causing considerable congestion to the intersection of Riverside Avenue and 13<sup>th</sup> Street.

#### Addendum: Corrections

The Addendum dated January 25 was supposed to include all of the recommendations of the Planning Commission. However, via a typographical error, three pages that appeared in an attachment to the Planning Commission Report were inadvertently omitted. These pages recommend that the Addendum also include:

- Changes to the introductory paragraphs for Architectural Styles in Section 5.5.3 on Page 5:49 of the Public Draft Specific Plan. The intent of these changes was to clarify the application of the architectural styles as guidelines.
- Revisions to the Parking Standards in Section 5.7.2 on Page 5:109 regarding tandem parking (to allow it to be used for offices, as well as for restaurants) and shared parking (when residential and commercial uses share the same property);
- Addition of a Section 5.7.7 on Page 5:110 to encourage the use of solar panels to generate power and heat water.

These three pages are attached to the Resolution Adopting the Specific Plan (Attachment 5) as "Exhibit B".

Additionally, staff noted two "corrections" that need to be made to Table 5.3-1, which is the list (matrix) of permitted and conditional land uses for all of the zones:

- Add "winetasting rooms" as permitted uses in the TC-1, TC-2, and RC zones. Otherwise they may be considered to be similar to bars, which are conditional uses. The existing zoning code considers "winetasting rooms" to be an agricultural use, but provides that they are permitted uses in the C-1, C-2, and C-3 zones, which correspond to the TC-1, TC-2, and RC zones.
- Delete "vacation rentals" as a use. The existing zoning code does not list them, and they are considered to be permitted as a residential use.

These two items are listed in the Resolution Adopting the Specific Plan to be added to the Final Addendum. An amended copy of Table 5.3-1 is attached. (Attachment 12)

#### Architectural Styles Appendix

The Form-Based Code will include architectural style guidelines in Section 5.5.3, and the City Council has previously directed that these guidelines are not to be mandatory. These guidelines will be graphic (i.e. include photos and drawings of acceptable architectural features), which should help developers and designers more-easily understand the types of design features that the City is seeking, thereby streamlining the permit process.

The architectural style guidelines in Section 5.5.3 show nine specific styles for residential and commercial development. Examples include Victorian, Craftsman, Spanish Revival, Main Street Commercial, and Warehouse Industrial. In the planning area are numerous examples of other styles of both residential and commercial that have been accepted, but which are not specifically described in the Draft Specific Plan. The corrections to the addendum described above (to be "Exhibit B" of the Resolution Adopting the Specific Plan (Attachment 5) include suggest alternative language that clarifies the intent that the section on architectural styles is to be "guidelines". It also suggests that the City prepare an appendix to the specific plan that shows photographs, and possibly drawings and explanatory text, of other architectural styles for existing buildings in the City that would be complementary with the nine styles described in Section 5.5.3.

Letter from Linda Murray

This letter (Attachment 9) is not clear in its question. It appears to be concerned with changes in General Plan Land Use Categories and Zoning in the area between 1<sup>st</sup> and 15<sup>th</sup> Street. Staff will attempt to contact Ms. Murray prior to the March 1 meeting and attempt to answer her questions.

General Plan and Zoning Code Amendments

State Planning Law requires that Specific Plans and the Zoning Code be consistent with the General Plan. State Law also provides that the General Plan may be amended up to four times a year. The General Plan and Zoning Code Amendments accompanying the Specific Plan serve to make adjustments so that all three documents, General Plan, Specific Plan, and Zoning Code, are consistent with each other.

Reference: General Plan; 2006 Economic Strategy; State laws governing Specific Plans and Zoning Consistency with the General Plan

Fiscal

Impact: The primary purpose of the Uptown/Town Centre Specific Plan is to establish a vision, policies, and standards for development and redevelopment of the historic West Side so that the City might continue to attract investment in high quality development, which will, in the long term, reap increased property tax, sales tax, and transient oriented tax revenues to the City. To pursue this end, the City has invested a little more than \$1.5 million in Redevelopment Funds (regular and housing) for consultant services and a considerable amount of City Council, Planning Commission, and staff time.

The plan recommends a palette of improvements to public facilities and infrastructure to help catalyze the vision. The expectation of the plan is that it will be implemented over 25 to 50 or more years, and that investment in public facilities and infrastructure will occur incrementally as funds are or become available. Some improvements may be accomplished with AB 1600 fees, but many may be accomplished with grants that would be facilitated via the adoption of a specific plan that documents the need and benefits of improvements.

The EIR identifies only two mitigation measures that are public facilities: a new traffic signal at Riverside and 10<sup>th</sup> Streets and some signal modifications to the existing light at Riverside and 13<sup>th</sup> Street. The latter improvements will be installed as part of the Highway 101/46 Dual Left-Turn Project to commence construction in 2011. The former will be programmed to occur as the need for the signal becomes warranted. (Additional development in the Downtown envisioned by the specific plan would create increased traffic that would indicate such a warrant.)

Options: That the City Council approve one of the following sets of options:

- a. (1) Adopt the attached Resolution Certifying the Environmental Impact Report and Adopting a Statement of Overriding Considerations;
- (2) Adopt the attached Resolution Adopting General Plan Amendment 2011-001;
- (3) Adopt the attached Resolution Adopting the Uptown/Town Centre Specific Plan, which shall incorporate changes specified by the City Council in said resolution, which shall be documented in a "Final Addendum";

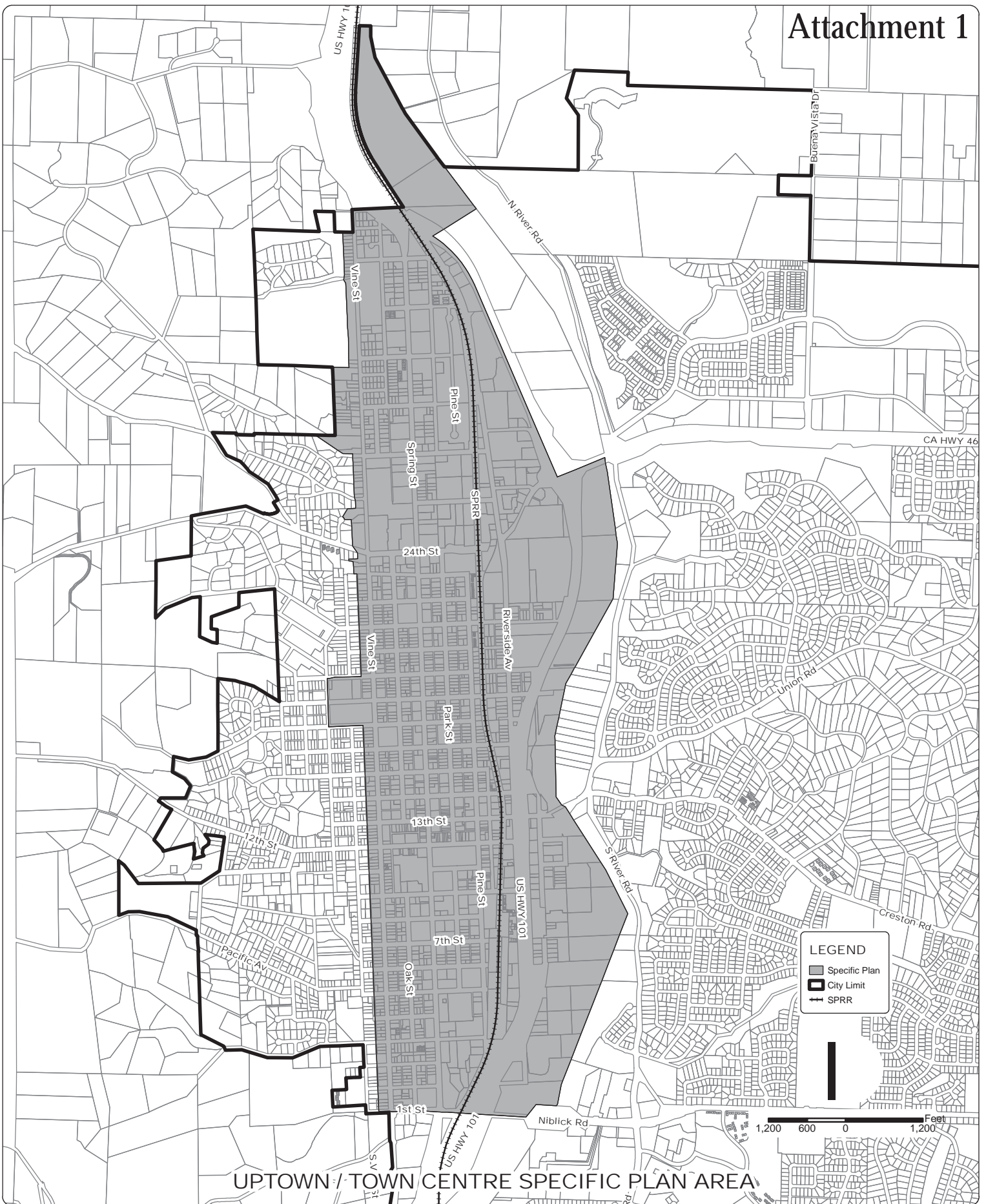
- (4) Adopt the attached Ordinance Approving Code Amendment 11-001;
  - (5) By minute action, direct staff to schedule the Form-Based Code for semi-annual review at public hearings before the Planning Commission and City Council at which amendments to the Specific Plan could be considered; it is suggested that the schedule provide for hearings before the City Council on the first meetings of March and September;
  - (6) By minute action, direct staff to initiate the preparation of an appendix to the Specific Plan to describe architectural styles that are complementary to the nine styles listed in Section 5.5.3.
- b. Amend, modify, or reject the above options.

Prepared by: Ed Gallagher, City Planner

ATTACHMENTS:

1. Map of the Uptown/Town Centre Specific Plan Area
2. Chronology of Public Input
3. Resolution Certifying the EIR and Adopting a Statement of Overriding Considerations
4. Resolution Adopting General Plan Amendment 2011-001
5. Resolution Adopting the Uptown/Town Centre Specific Plan
6. Ordinance Approving Code Amendment 11-001
7. Staff Report for the Planning Commission Meeting of January 11, 2011
8. Conflict of Interest Map
9. Letter from Linda Murray submitted February 18, 2011
10. Newspaper Affidavit
11. Mail Affidavit
12. Table 5.3-1 (Revised)
13. Changes to the Regulating Plan Recommended by the Planning Commission

Copies of the Public Draft Specific Plan, Addendum, and Final EIR are available for review on the City's Website: [www.prcity.com](http://www.prcity.com), in the City Library, and at the Community Development Department in City Hall.



## Uptown/Town Centre Specific Plan: Chronology of Public Input

February 13 - 14, 2008	Consultant Team Tour and stakeholder meetings
February 19, 2008	Dan Burden Workshop
March 19 - 20, 2008	Stakeholder meetings
April 10, 2008	Uptown Workshop, stakeholder meetings
April 11, 2008	Downtown Workshop (at Paso Robles Inn)
April 17, 2008	Combined Workshop (at Paso Robles Event Center), Stakeholder meetings
April 21-22, 2008	Stakeholder meetings
May 9, 2008	Stakeholder meetings
May 12-16, 2008	Charrette with several stakeholder meetings and an Oak Park Meeting
May 27, 2008	PC/CC Workshop to discuss Charrette recommendations
February 5, 2009	Property Owner briefing on traffic
July 6, 2009	Public Draft Specific Plan published
August 11-12, 2009	Stakeholder meetings
September 3, 2009	PC/CC Workshop on Draft Plan and EIR Scoping, Meeting with Paso Robles Housing Authority?
September 22, 2009	Stakeholder meeting with Housing Authority re Oak Park Redevelopment
Sept – Dec. 2009	Ad Hoc Committee meetings
September 16, 2009	Stakeholder meeting (PREC)
May 26, 2010	PC/CC Workshop: Addendum contents determined
September 9, 2010	PC/CC Workshop: Form-Based Code Training
October 26, 2010	PC/CC Workshop: Salinas River
December 8, 2010	Form-Based Code Workshop for Development Community
January 11 & 25, 2011	Planning Commission public hearing on the Draft Specific Plan

Stakeholders included: Parks & Rec Advisory Commission, REC Foundation, Oak Park Concept Group, County Office of Education, Tourism & Promotions Committee, Hoteliers, Wine Country Alliance, Jeanesville Pump/Ole Viborg, Pioneer Day Committee, Paul Viborg, Chamber of Commerce, Main Street, Community Historians, Pioneer Museum, Historical Society, School District, Housing Authority, Paso Robles Nonprofit Housing Corp. Historical Society, PREC/Fair Board, Library Board and Foundation)



**RESOLUTION NO. 11-XXX**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES**  
**MAKING FINDINGS, ADOPTING STATEMENT OF OVERRIDING CONSIDERATIONS, AND**  
**CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT**  
**FOR THE ADOPTION OF THE UPTOWN/TOWN CENTRE SPECIFIC PLAN, GENERAL PLAN**  
**AMENDMENT 2011-001, AND CODE AMENDMENT 11-001**

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WHEREAS, an Environmental Impact Report (EIR) was prepared for the preparation of the Uptown/Town Centre Specific Plan to establish a vision and development regulations for the continued development and redevelopment of an 1,100 acre area generally bounded by 1<sup>st</sup> Street on the South, 38<sup>th</sup> Street and the Paso Robles Hot Springs property on the North, the Salinas River on the east, and those properties fronting the west side of Vine Street on the West; and

WHEREAS, the EIR also addressed the potential environmental impacts associated with General Plan Amendment 2011-001 and Zoning Code Amendment 11-001, which were necessary actions to support the Uptown/Town Centre Specific Plan, which collectively comprise “the Project”; and

WHEREAS, a Draft EIR was circulated for public review beginning July 2, 2010 and ending on August 16, 2010, and a public meeting at which interested persons could make oral comments on the Draft EIR was conducted on August 10, 2010 during a regular meeting of the Planning Commission; and

WHEREAS, a Final EIR was prepared to respond to comments made on the Draft EIR during the public review period; and

WHEREAS, the Final EIR was considered by the Planning Commission at a public hearing on the Project, as part of its recommendation to the City Council on these activities; and

WHEREAS, the EIR was considered by the City Council after extensive review by City staff and other agencies on February 15, 2011, and with the comments of the Planning Commission and concerned public; and

WHEREAS, the potential environmental impacts of the project have been evaluated in accordance with the California Environmental Quality Act (CEQA) and the City’s Rules and Procedures for Implementation of CEQA; and

WHEREAS, the City Council has duly considered all evidence, including the testimony of interested parties and the recommendations made by the Planning Commission;

BE IT RESOLVED by the City Council as follows:

SECTION 1. Environmental Determination. The City Council hereby certifies that the Final EIR adequately identifies the Project’s potentially significant impacts, alternatives to the proposed Project, and recommended mitigation measures.

SECTION 2. Final EIR Findings and Statement of Overriding Considerations. Based upon all the evidence, the City Council makes the following findings and statement of overriding considerations in certifying the Final EIR:

SECTION 2. Final EIR Findings and Statement of Overriding Considerations. Based upon all the evidence, the City Council makes the following findings and statement of overriding considerations in certifying the Final EIR:

1. The Final EIR has been completed in compliance with CEQA and was considered by the City prior to any approvals of the Project.
2. The Final EIR reflects the independent judgment of the City
3. For each significant effect identified in the Final EIR under the categories of Air Quality (with respect to exposure of sensitive receptors to pollutants and conflicts with agency plans, policies, and regulations), Biological Resources, Cultural Resources, Noise, and Transportation and Traffic, the approved mitigation measures contained in the Final EIR will avoid or substantially lessen the identified adverse environmental impacts of the Project to a level where they are not significant and have been incorporated into the Project.
4. The significant effects identified in the Air Quality section of the EIR related to an increase in population that exceeds the population forecast in the San Luis Obispo Council of Governments (SLOCOG) 2005 Regional Transportation Plan (RTP) will not be fully mitigated to a degree where they are not significant with the incorporation of all of the identified mitigation measures contained in the Final EIR. However, the City Council finds that the adverse environmental effects are acceptable and makes a statement of overriding considerations for those significant and unavoidable environmental impacts because:
  - SLOCOG is preparing the 2010 RTP, which recognizes the need to make available an adequate housing supply, including new residential opportunities. The 2010 RTP will also account for the updated population projections in the City's 2003 General Plan. Therefore, the population forecast for the City in 2025 could be higher in the 2010 RTP than what was projected in the 2005 RTP. In addition, the San Luis Obispo County Air Pollution Control District (SLOCAPCD) is developing the 2011 Clean Air Plan, which would take into account the population projection contained in the City's 2003 General Plan and the 2010 RTP (to the extent that SLOCOG's data is made available to the SLOCAPCD). Therefore, the Uptown/Town Centre Specific Plan would likely be consistent with the forthcoming 2011 Clean Air Plan.
5. The City Council has identified the following overriding economic, social, and other public benefits of the project, which are additional reasons that the significant and unavoidable impacts identified in the Final EIR can be found acceptable, and hereby adopts them as a statement of overriding considerations:
  - a. The EIR identifies beneficial impacts of the Project from restoration of habitat in the Salinas River (Biological Resources), improvements to stormwater drainage and water

quality violations (Hydrology and Water Quality, Utilities – Wastewater)), and implementing alternative transportation plans (Traffic and Transportation).

- b. The Project implements goals set forth in the General Plan for the project area. The development standards included in the Specific Plan will ensure that future growth under the General Plan will be developed sustainably.
  - c. Under the specific plan, the Uptown and Town Centre areas will be developed as pedestrian-friendly, mixed-use neighborhoods, districts, and corridors.
  - d. New development will be accommodated while preserving significant historical resources, enhancing open space, and enhancing livability and quality of life.
  - e. The Project includes improvements to the roadway system in the western portion of the City needed to accommodate expected future increases in traffic.
  - f. The Project includes improvements to transportation facilities in the project area that will likely increase the use of nonvehicular modes of travel, including public transit, bicycles, and walking.
  - g. The Project provides for infill development, which reduces the need for extension of infrastructure into currently undeveloped and unserved areas.
  - h. The Project would result in economic benefit to the City by increasing commercial development, and locating such development near existing and future housing.
6. The Mitigation Monitoring Program, attached as Exhibit A to this resolution, has been reviewed by the City Council in conjunction with its review of the final EIR, and shall be carried out by the responsible parties by the identified deadlines.

**PASSED AND ADOPTED** by the City Council of the City of Paso Robles this 15<sup>th</sup> day of February, 2011 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

ATTEST:

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Duane Picanco, Mayor

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Caryn Jackson, Deputy City Clerk

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

The following environmental mitigation measures were either incorporated into the approved plans or were incorporated into the conditions of approval. Each and every mitigation measure listed below has been found by the approving body indicated above to lessen the level of environmental impact of the project to a level of non-significance. A completed and signed checklist for each mitigation measure indicates that it has been completed.

Explanation of Headings:

Type: ..... Project, ongoing, cumulative  
 Monitoring Department or Agency: ..... Department or Agency responsible for monitoring a particular mitigation measure  
 Shown on Plans: ..... When a mitigation measure is shown on the plans, this column will be initialed and dated.  
 Verified Implementation: ..... When a mitigation measure has been implemented, this column will be initialed and dated.  
 Remarks: ..... Area for describing status of ongoing mitigation measure, or for other information.

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p><b>6.2-1</b> In accordance with CARB recommendations, development of sensitive land uses within the specific plan area shall be minimized, where possible, within 500 feet of US Highway 101, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day, where feasible. Where this is not possible, development of sensitive land uses shall include project features that minimize the health impacts associated with freeways and heavily traveled roadways, as feasible. These measures include installing passive electrostatic filtering systems, changing the location of building air intakes, ensuring that windows nearest to the freeway or major roadway do not open to reduce particulate matter exposure, and other appropriate measures.</p>	Project	Community Development	N/A		
<p><b>6.3-1</b> Prior to approval of any development entitlements within the Salinas River subarea, surveys shall be conducted to determine the potential for occurrence of any of the species described in Tables 1 and 2 as having potential to occur within the Specific Plan area. If it is determined that special-status species may be present within areas to be disturbed by proposed development activities, a strategy for</p>	Project	Community Development	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p>relocation, avoidance, or restoration of the affected populations or individuals must be developed and followed, as determined to be appropriate by the permitting authority.</p> <p><b>6.3-2</b> Prior to approval of any development entitlements within the Specific Plan area that would allow development within 300 feet of the Salinas River, as measured from the nearest riparian vegetation, surveys shall be conducted to determine the potential for occurrence of nesting birds. Active nests of native bird species are protected by the Migratory Bird Treaty Act (16 U.S.C. 704) and the California Fish and Game Code (Section 3503). If activities associated with construction or grading are planned during the bird nesting/breeding season, generally January through March for early nesting birds (e.g., Coopers hawks or hummingbirds) and from mid-March through September for most bird species, the applicant shall have a qualified biologist conduct surveys for active nests. To determine the presence/absence of active nests, pre-construction nesting bird surveys shall be conducted weekly beginning 30 days prior to initiation of ground-disturbing activities, with the last survey conducted no more than three days prior to the start of clearance/construction work. If ground-disturbing activities are delayed, additional pre-construction surveys shall be conducted so that no more than three days have elapsed between the survey and ground-disturbing activities.</p> <p>Surveys shall include an examination of trees, shrubs, and the ground for nesting birds. Protected bird nests that are found within or adjacent to the construction zone shall be protected by a buffer deemed suitable by a qualified biologist, and verified by the California Department of Fish and Game. Typically, a 300-foot buffer is required for most species and a 500-foot buffer for raptor species. Buffer areas shall be delineated with orange construction</p>	Project	Community Development	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p>fencing or other exclusionary material that would inhibit access within the buffer zone. Installation of the exclusionary material delineating the buffer zone shall be verified by a qualified biologist prior to initiation of construction activities. The buffer zone shall remain intact and maintained while the nest is active (i.e., occupied or being constructed by the adults bird(s)) and until young birds have fledged and no continued use of the nest is observed, as determined by a qualified biologist.</p>					
<p><b>6.3-3</b> Access to the Salinas River subarea for hiking and biking shall be limited to the trail system, exclusively.</p> <ul style="list-style-type: none"> <li>• The River trail system shall be designed to avoid impacts to existing native riparian habitat, especially habitat areas known to support sensitive species.</li> <li>• Signs shall be installed indicating that no pets of any kind will be allowed within the Salinas River subarea, with the exception that horses and leashed dogs are permitted on established trails, shall be posted along the trail system.</li> <li>• No hunting, fishing, or off-trail bike riding shall be permitted.</li> <li>• The trail system shall be designed and constructed to minimize impacts on native habitats.</li> <li>• Roads and bridges that cross the Salinas River subarea shall have adequate barriers at their perimeters to discourage access to the River adjacent to the structures.</li> </ul>	Ongoing	Community Development	N/A		
<p><b>6.3-4</b> Turbidity in stormwater runoff will be controlled through implementation of a Construction Stormwater Pollution Prevention Plan (SWPPP).</p>	Project	Community Development	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p><b>6.4-1</b> In the event that previously unknown paleontological resources are encountered during excavation and/or construction activities, the City of El Paso de Robles shall be notified immediately and work within 100 feet of the find shall stop to allow a certified paleontologist to evaluate and appropriately remove the find for preservation, identification, analysis and the eventual storage of paleontological resources found during excavation and/or construction activities.</p>	Project	Community Development	N/A		
<p><b>6.4-2</b> Archaeological resources shall be avoided, or unavoidable disturbance shall be mitigated through data recovery, documentation, analysis, and curation. Archaeological treatment plans shall be developed and implemented, as applicable. All materials and records resulting from implementation of the archaeological treatment plans shall be curated in accordance with 36 Code of Federal Regulations, Part 79 (Curation of Federally Owned and Administered Archaeological Collections).</p>	Project	Community Development	N/A		
<p><b>6.4-3</b> If archaeological resources are uncovered on the project site during excavation, the developer must notify the City of Paso Robles immediately and work must stop within a 100-foot radius until a qualified archeologist (one who meets the Secretary of the Interior's guidelines and is listed in the Register of Professional Archaeologists) has evaluated the find. Construction activity may continue unimpeded on other portions of the project site. If the find is determined by the qualified archeologist to be a unique archeological resource, as defined by Section 2103.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of Section 21083.2 of the Public Resources Code. If the find is determined not to be a unique archeological resource, no further action is necessary and construction may continue.</p>	Project	Community Development	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p><b>6.4-4</b> If potential human remains are encountered during ground-disturbing activities, all work shall halt, and the San Luis Obispo County Coroner's Office shall be notified, as prescribed in Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the Coroner determines that the remains are of Native American origin, the Coroner shall proceed as directed in Section 15064.5(e) of the State CEQA Guidelines. City of El Paso de Robles shall follow all guidelines outlined in Public Resources Code Section 5097.98 and Section 5097.94(k).</p>	Project	Community Development	N/A		
<p><b>6.4-5</b> If a cultural resource is to be demolished, it shall be photographed according to Historic American Building Survey (HABS) Level 1 standards for photography prior to demolition. Views shall include all exterior elevations for each building, important interior features, key spatial relationships among buildings, and exterior hardscape features. The negatives and archival quality prints of this documentation shall be donated to an appropriate repository, such as the Paso Robles Historical Society or the Paso Robles Public Library.</p>	Project	Community Development	N/A		
<p><b>6.4-6</b> Any individual project with the potential to impact a cultural resource shall follow the Secretary of the Interior's Standards and have specifications for the treatment of character-defining features. The specifications should include (but are not limited to) sections for treatment of historic fabric; quality control; substitution procedures; demolition; selective removal and storage of historic materials; protection, patching, and cleaning; determination of repair options and potential replacement of severely deteriorated features. Materials conservation plans should be incorporated into the plans and specifications as necessary.</p>	Project	Community Development	N/A		



**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p><b>6.4-7</b> Original character-defining features of a cultural resource shall be retained and rehabilitated according to the Secretary of the Interior's Standards in order to ensure that all remaining historic fabric is appropriately treated and returned to its original appearance wherever possible. Regarding proposed activities at City Park, the Paso Robles Event Center and the Pioneer Museum, the individual components of each site shall be studied and character-defining features of each site shall be identified.</p>	Project	Community Development	N/A		
<p><b>6.4-8</b> Any individual project with the potential to impact a cultural resource shall conform to applicable local design guidelines for historical structures. Existing local design guidelines shall be reviewed to incorporate concepts, definitions, and guidelines outlined in the Secretary of Interior's Standards for the Treatment of Historic Properties. All guidelines shall serve to protect historic resources, while also allowing for compatible new construction that is distinguishable from the existing fabric.</p>	Project	Community Development	N/A		
<p><b>6.4-9</b> Any rehabilitation of a cultural resource shall utilize the State Historical Building Code as appropriate.</p>	Project	Community Development	N/A		
<p><b>6.4-10</b> When necessary, a structural engineer with qualifications in historic preservation shall be consulted and provide written review and monitoring for engineering, construction of shoring, and building protection to assure the retention of the historic integrity of a cultural resource during construction adjacent to it.</p>	Project	Public Works: Building Division	N/A		
<p><b>6.4-11</b> When determined to be necessary by the Community Development Director, the project team shall include a historic preservation professional to be responsible for construction monitoring. This professional shall meet the Secretary of the Interior's professional qualifications standards for a historic architect.</p>	Project	Community Development	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p><b>6.4-12</b> The feasibility of relocating a cultural resource shall be considered in lieu of demolition. The Paso Robles Municipal Code allows for the relocation of buildings. Circumstances in which relocation of a cultural resource is appropriate shall be explored, and criteria and incentives for this type of redevelopment shall be developed. Attention shall be paid to the preservation of streetscapes and existing groupings. In particular, residential buildings along Spring Street, and South of 10th Street east of Spring, should be considered for relocation into adjacent residential neighborhoods.</p>	Project	Community Development	N/A		
<p><b>6.4-13</b> Properties not previously evaluated shall be assessed using the registration requirements outlined in the citywide historic context statement.</p>	Project	Community Development	N/A		
<p><b>6.10-1</b> New development shall reduce indoor and outdoor noise levels resulting from the railroad line by including noise mitigation techniques in design and during construction of neighborhood layout. Noise levels for outdoor use areas shall be reduced to 65 dB or less and indoor noise levels to 45 dB in the Specific Plan land use along the railroad tracks. Measures that may be employed include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Providing a buffer, of approximately 140 feet wide between the centerline of the tracks and the boundary of the new introduced Specific Plan land use. This buffer may be part of the linear park/floodable terrace for stormwater detention. The buffer will reduce sound levels to approximately 65 dB for outdoor areas under future railroad conditions.</li> <li>• Where the buffer is not adequate, a combination of low berm and sound wall may be constructed between the railroad line and introduced land use. Sound walls must be high enough to interrupt the line of sight to noise-sensitive uses.</li> </ul>	Project	Public Works: Building Division	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<ul style="list-style-type: none"> <li>• Building materials and architectural design features, such as installation of noise-insulating windows, the provision of mechanical ventilation or air conditioning to allow for windows to remain closed, may be used to reduce interior noise levels.</li> <li>• Land uses near the railroad tracks should be oriented away from the railroad. As much as if feasible, windows should also face away from the railroad tracks. Balconies, if included, should also face away from the railroad tracks. Useable backyards should have fencing or orientation such that the line-of-sight to the railroad tracks is blocked.</li> <li>• In developments with parking lots, the parking lots should be placed between the land use and the railroad tracks to provide additional buffer.</li> </ul>					
<p><b>6.10-2</b> Where determined to be necessary by the Community Development Department, parking lots constructed as part of individual projects developed within the Specific Plan shall be designed to use buildings or sound walls to break the line of sight between residential or other sensitive land uses and parking areas. Acoustical analysis shall be performed to demonstrate that the parking lots do not result in noise levels that exceed City standards at nearby residential or other sensitive land uses property lines. These components shall be incorporated into the plans to be submitted by the individual project applicants to the City of Paso Robles for review and approval prior to the issuance of building permits</p>	Project	Community Development	N/A		
<p><b>6.10-3</b> Where determined to be necessary by the Community Development Department, loading docks constructed as part of individual project developed within the Specific Plan shall be designed to have either a depressed (i.e., below grade) loading dock area; an internal bay; or wall to break the line of sight between residential or other sensitive</p>	Project	Community Development	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p>land uses sand loading operations. Acoustical analysis shall be performed to demonstrate that the loading docks do not result in noise levels that exceed City standards at nearby residential or other sensitive land uses property lines. These components shall be incorporated into the plans to be submitted by the individual project applicants to the City of Paso Robles for review and approval prior to the issuance of building permits</p>					
<p><b>6.10.-4</b> Individual projects developed as part of the Specific Plan shall minimize noise impacts from electrical and mechanical equipment, such as ventilation and air conditioning units, by locating equipment away from receptor areas, proper selection and sizing of equipment, installation of equipment with proper acoustical shielding and incorporating the use of parapets into building design.</p>	Project	Public Works: Building Division	N/A		
<p><b>6.10.-5</b> Where determined to be necessary by the Community Development Department, individual projects developed as part of the Specific Plan shall use best management practices (BMPs) to reduce vibration due to construction activities by implementing any of the following:</p> <ul style="list-style-type: none"> <li>• Identifying all uses in the vicinity that may be adversely affected by the vibrations, including residences built in earlier phases and non-residential land uses that may contain vibration-sensitive equipment;</li> <li>• Installing seismographs at the aforementioned sensitive locations to ensure that vibration thresholds are not exceeded, and/or that construction activities would not cause structural damage or adversely affect vibration-sensitive equipment;</li> <li>• Adjusting vibration amplitudes of the construction equipment used on site such as limiting the number of pieces operating in one location at the same time in areas where conditions would</li> </ul>	Project	Community Development	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p>effect structures, the sensitivity of vibration sensitive equipment, and/or human tolerance;</p> <ul style="list-style-type: none"> <li>• Utilizing cast-in-drilled-hole (CIDH) piles in lieu of pile driving;</li> <li>• Providing notification to the residential land uses directly adjacent to the project site, at least 10 days in advance, of construction activities that are anticipated to result in vibration levels above the thresholds;</li> <li>• Conducting demolition, earthmoving, and ground-impacting operations sequentially, so as not to have two such operations occurring on the project site at the same time;</li> <li>• Selecting a demolition method to minimize vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers); and/or</li> <li>• Operating earth-moving equipment on the construction site as far away as possible or practical from vibration-sensitive sites; using wheeled or rubber-tracked equipment, and using small pieces of equipment such as smaller bulldozers when possible.</li> </ul>					
<p><b>6.10-6</b> Demolition and construction activity for site preparation and for future development shall be limited to the hours between 7:00 AM and 7:00 PM. Non-noise generating construction activities such as interior painting are not subject to these restrictions.</p>	Project	Community Development	N/A		
<p><b>6.10-7</b> For all demolition and construction activities in the Specific Plan area, additional noise attenuation techniques shall be employed as needed to ensure that noise remains within levels allowed by the City of Paso Robles noise standards. The following measures shall be incorporated into contract specifications to reduce the impact of construction noise:</p>	Project	Community Development	N/A		

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<ul style="list-style-type: none"> <li>• Ensure that construction equipment is properly muffled according to industry standards and in good working condition.</li> <li>• Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.</li> <li>• Schedule high noise-producing activities between the hours of 7:00 AM and 7:00 PM to minimize disruption to sensitive uses.</li> <li>• Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.</li> <li>• Use electric air compressors and similar power tools rather than diesel equipment, where feasible.</li> <li>• Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.</li> <li>• Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by the City prior to issuance of a grading permit.</li> </ul>					

**Exhibit A to Resolution 11-XXX  
Mitigation Monitoring and Reporting Plan  
For Uptown/Town Centre Specific Plan**

Mitigation Measure	Type	Monitoring Department or Agency	Shown on Plans	Verified Implementation	Remarks
<p><b>6.17-1</b> To mitigate LOS impacts at the intersection of Riverside Avenue and 10th Street, a traffic signal shall be installed. Installation of a traffic signal would improve the LOS at Riverside Avenue and 10th Street to B in the AM peak hour and C in the PM peak hour.</p>	Project	Community Development	N/A		
<p><b>6.17-2</b> To mitigate LOS impacts at the intersection of Riverside Avenue and 13th Street, signal timing improvements and/or signal phasing modification shall be implemented as determined by the City Traffic Engineer. Signal timing improvements could include optimizing cycle lengths to accommodate future traffic conditions and signal timing coordination along the corridor to increase traffic volume throughput. Phasing modifications could include improvements such as right turn overlap phasing.</p>	Project	Public Works: Capital Projects Engineering Division	N/A		

# Attachment 4

## RESOLUTION NO. 11-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES APPROVING GENERAL PLAN AMENDMENT 2011-001 AMENDING THE LAND USE ELEMENT TO ESTABLISH THE UPTOWN/TOWN CENTRE SPECIFIC PLAN OVERLAY DISTRICT ON 1,100 ACRES GENERALLY LOCATED NORTH OF 1ST STREET, SOUTH OF 38<sup>TH</sup> STREET AND THE PASO ROBLES HOT SPRINGS PROPERTY, WEST OF THE SALINAS RIVER, AND EAST OF PROPERTIES FRONTING ON THE WEST SIDE OF VINE STREET, TO DELETE THE UPTOWN SPECIFIC PLAN OVERLAY DISTRICT, TO DELETE THOSE PORTIONS OF THE OFFICE PROFESSIONAL (OP) AND MIXED-USE (MU) OVERLAYS LOCATED WEST OF THE SALINAS RIVER, TO DELETE THE SENIOR HOUSING OVERLAY DISTRICT, TO AMEND THE LAND USE MAP, TO ESTABLISH THE MIXED USE, 8 UNITS PER ACRE, THE MIXED USE, 12 UNITS PER ACRE, AND THE DOWNTOWN COMMERCIAL LAND USE CATEGORIES, AND TO AMEND THE PARKS AND RECREATION ELEMENT TO ADD PARKS AND TRAILS FACILITIES (CITY-INITIATED)

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WHEREAS, the Land Use Element of the City's General Plan contains the following policy statements:

- Maintain/enhance the City's image/identity (Goal LU-2);
- Promote architectural and design excellence by imposing stringent design and construction standards (Policy LU-2B);
- Adopt design standards to clearly articulate how important public views, gateways and landmarks are to be maintained/enhanced (Action Item 2 supporting Policy LU-2B);
- Continue to enhance the downtown as a priority (Action Item 4 supporting Policy LU-2B);
- Strive to maintain and create livable, vibrant neighborhoods and districts with:
  - Attractive streetscapes;
  - A pedestrian friendly setting;
  - Coordinated site design, architecture, and amenities;
  - Adequate public and private spaces; and,
  - A recognizable and high quality design aesthetic (Policy LU-2D);
- Continue to revitalize the historic Downtown. Focus efforts on developing Downtown Paso Robles as the specialty retail, government, office, cultural, conference, and entertainment center of the City and North County region. (Policy LU-2H);
- Continue requiring new projects to implement the adopted Downtown Design Guidelines and to adhere to the development standards of the Zoning Ordinance. (Action Item 1 supporting Policy LU-2H);
- Promote a vibrant Downtown using the following methods:
  - Implement the City's Economic Development Strategy.
  - Continue to support Main Street and Chamber of Commerce efforts to use media, publications and technology to encourage retailers and entrepreneurs to locate and build in downtown.
  - Encourage Main Street to recruit specialty stores to the Downtown;
  - Promote special events in the downtown developed by the City, Farmer's Market, Main Street, Chamber of Commerce and other community groups.
  - Accommodate and encourage special festivals and events, and public art in the Downtown area. (Action Item 2 supporting Policy LU-2H); and



WHEREAS, the Economic Strategy adopted by the City Council in 2006 contains the following policy statements:

- Improve quality of place to attract investment and knowledge workers;
- Maintain safe, healthy and attractive physical environment;
- Establish cohesive, compact and livable community for individuals and families;
- Improve overall quality of built form (design/architecture);
- Develop distinctive design standards and invest in design excellence to:
  - Create inspiring and memorable places;
  - Emphasize the appearance and qualities of the public realm;
  - Create streetscapes, pathways, and public spaces of beauty, interest, and functional benefit to pedestrians;
  - Encourage adaptive reuse of historic buildings;
  - Develop and implement form based code and architectural design standards.
- Encourage community development in live/work, mixed use, and compact, pedestrian oriented forms to accommodate all income levels and lifestyles;
- Prepare road, utility, and communications infrastructure to facilitate private investment;
- Increase labor force resident in the City.
- Preserve energy and natural resources.
- Expand and diversify hotel products, including end destination full-service resorts; and

WHEREAS, to implement the policy statements set forth in the Land Use Element and the Economic Strategy, the City has initiated the preparation of the Uptown/Town Centre Specific Plan to establish a vision for the continued development and redevelopment of an 1,100 acre area generally bounded by 1<sup>st</sup> Street on the South, 38<sup>th</sup> Street and the Paso Robles Hot Springs property on the North, the Salinas River on the east, and those properties fronting the west side of Vine Street on the West; and

WHEREAS, the Draft Uptown/Town Centre Specific Plan recommends changes to the base land use categories and overlay districts affecting several properties, thereby necessitating adoption of a General Plan Amendment in conjunction with adoption of the Specific Plan; and

WHEREAS, the horizon for the Draft Uptown/Town Centre Specific Plan is the year 2035, which extends 10 years beyond the current General Plan horizon in the year 2025; and

WHEREAS, Section 4.A of Resolution 03-232, which adopted the General Plan, provides for a maximum City population of 44,000 residents; and

WHEREAS, the number of potential dwelling units that could be built within the Uptown/Town Centre Specific Plan Area in conformance with the current General Plan would be 989 units; and

WHEREAS, the Draft Uptown/Town Centre Specific Plan anticipates that as many as 1,649 dwelling units could be built within the Uptown/Town Centre Specific Plan Area; and

WHEREAS, Chapter 5 of the Draft Uptown/Town Centre Specific Plan includes a provision that calls for the City to annually monitor residential growth within the Uptown/Town Centre Specific Plan Area and to develop and institute growth management measures to ensure that the number of dwelling units developed within the Uptown/Town Centre Specific Plan Area remains within the limits established by the General Plan; and

WHEREAS, Table PR-1 of the Parks and Recreation Element is a list of Parks and Recreation Facility Improvements to be considered for inclusion in a Parks Master Park, Recreational Facility & Trails Plan; and

WHEREAS, the Draft Uptown/Town Centre Specific Plan proposes additional park and trails facilities; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared to describe the effects of the Specific Plan, the attendant General Plan and Zoning Code Amendments, which collectively comprise "the Project"; this EIR was circulated for public review in the manner prescribed by CEQA, and mitigation measures were identified to address any potential impacts associated with the Project; and

WHEREAS, the EIR identifies only one impact that is significant and which cannot be mitigated to a point of non-significance which is that the population projections in the Draft Specific Plan exceed the population projections used in the 2001 Air Quality Plan and those adopted by the San Luis Obispo Council of Governments, which could result in the surpassing of the emission inventories in the Clean Air Plan, potentially affecting the attainment status of the region, and CEQA, therefore, requires preparation of an EIR and adoption of a Statement of Overriding Considerations if the Project is to be approved; and

WHEREAS, a Statement of Overriding Considerations was included within the resolution certifying the EIR; and

WHEREAS, pursuant to SB 18 (Chapter 905, Statutes of 2004), the City took the following actions relative to this general plan amendment and specific plan:

- a. In November 2006 and February 2008, sent letters to those Native American Tribes identified by the Native American Heritage Commission as having an interest in protecting and/or mitigating impacts to cultural places in Paso Robles inviting them to request consultation pursuant to SB 18;
- b. In November 2006 and March 2008, received letters from the Northern Chumash Tribal Council and the Santa Ynez Band of Mission Indians stating that they would like to comment on the project as it progresses;
- c. In March 2008, received a letter from the Native American Heritage Commission stating that a record search failed to indicate the presence of Native American cultural resources in the project area;
- d. In December 2010, sent letters to those Native American Tribes identified by the Native American Heritage Commission as having an interest in protecting and/or mitigating impacts to cultural places in Paso Robles informing them of the public hearings to consider adoption of this general plan amendment and specific plan and inviting them to provide comments on the project; and

WHEREAS, in the process of preparing the Uptown/Town Centre Specific Plan, the City conducted several public workshops, including a five day charrette in May 2008; and

WHEREAS, at its meeting of January 11, 2011, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for the Project;
- b. Conducted a public hearing to obtain public testimony on the parts of the Project;
- c. Considered public testimony from all parties;
- d. Recommended that the City Council certify the EIR and approve the Project; and

WHEREAS, at its meeting of February 15, 2011, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this amendment, including the recommendation of the Planning Commission;
- b. Conducted a public hearing to obtain public testimony on this amendment;
- c. Based on its independent judgment, adopted a Statement of Overriding Considerations and certified an Environmental Impact Report for the Project in accordance with the California Environmental Quality Act;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, California, does hereby amend the Land Use Element of the General Plan as follows:

1. To amend Land Use Element Map LU-3 to add the Uptown/Town Centre Specific Plan Overlay District and to delete the Uptown Specific Plan Overlay District as shown in Exhibit A;
2. To amend Land Use Element Maps LU-4 and LU-4A to delete the Senior Housing Overlay and those portions of the Office Professional and Mixed Use Overlays located within the Uptown Specific Plan Overlay as shown in Exhibit B;
3. To amend Land Use Element Map LU-6 as shown in Exhibit C to:
  - a. Add the Uptown/Town Centre Specific Plan Overlay District;
  - b. Delete the Senior Housing and Oak Park Overlay Districts;
  - c. Reassign land use categories.
4. To amend Policy LU-2G of the Land Use Element Text on Page LU-8, as shown in Exhibit D, to:
  - a. Delete the reference to the Oak Park Specific Plan;
  - b. Add a reference to the Uptown/Town Centre Specific Plan;
  - c. Add a limitation on the Uptown/Town Centre Specific Plan to limit the collective build-out potential to 989 dwelling units to ensure that the overall citywide population does not exceed 44,000 by the year 2025 (per City Council Resolution 03-232).
5. To amend Section 4.0 of the Land Use Element Text on Pages LU-17 through LU-25, as shown in Exhibit E, to:

- a. Add the Downtown Commercial (DC), Mixed Use, 8 Units per Acre (MU-8), and Mixed Use, 12 Units per Acre (MU-12) land use categories.
  - b. Delete the Senior Housing Overlay District;
  - c. Delete a note under the Commercial Service Land Use Category pertaining to mixed use in the area between Highway 101 and the Railroad, and between 18<sup>th</sup> and 24<sup>th</sup> Streets;
  - d. Make other minor typographical changes.
6. To amend Table PR-1, Parks and Recreation Facility Improvements in the Parks and Recreation Element to read as follows:

**Table PR-1. Park & Recreation Facility Improvements**

<b><i>EXISTING IDENTIFIED PARK AND FACILITY NEEDS</i></b>
10-acre park north of 24th Street. This should include ballfields, which may replace that at Pioneer Park, and may be located between Spring Street and the Railroad.
Aquatic center, preferably covered, probably a joint venture between the City, school district, and Cuesta College. Most likely to be located at Cuesta College.
10-acre park near the Borkey area
Chandler Ranch Area Specific Plan: park in conjunction with any new school site
7-10 acre park in Union/46 Specific Plan area
<b><i>OTHER NEEDED IMPROVEMENTS</i></b>
<i>Recreation Facilities</i>
Youth Center
Neighborhood Center (on east side)
Nature Center, with large contiguous open space area
Enhance crossing of Riverside Avenue to allow for connectivity between fairgrounds and parking lot east of Riverside Avenue
Public Equestrian staging area
General Recreation Services
<i>Parks</i>
No Pocket Parks needed, only larger facilities
The redevelopment of Oak Park Public Housing <del>needs rehabilitation, possibly with park or recreational amenities</del> should include provision of a park to serve the recreational needs of the neighborhood
Develop a neighborhood park in conjunction with the First 5 Early School Readiness and Family Center on the northeast corner of Oak and 36 <sup>th</sup> Streets
Redevelop Robbins Field as envisioned in the Uptown/Town Centre Specific Plan, provided that a replacement ballfield of similar size and amenities is first developed in a location that is easily accessible to West Side residents.
Conversion of Marie Bauer Elementary School Site to a public park that provides educational facilities to the community.
<i>Bikeways and Trails</i>
Bikeways as indicated in the City's Bikeway Plan
Trail near railroad within 4th Street Specific Plan
Make trail connections between parks facilities citywide
Pursue De Anza Trail along Salinas River

Table PR-1. Park & Recreation Facility Improvements

<b><i>EXISTING IDENTIFIED PARK AND FACILITY NEEDS</i></b>
Salinas River trail on either side of the river between <u>Robert Rader</u> (13th Street) and Veteran's Memorial ( <u>Niblick Road</u> ) bridges
Chandler Ranch Area Specific Plan trail system
Complete the Class I pathway from Creston Road along South River Road
<i>Plans/Programs</i>
Pursue Public Art in Parks Program (development should fund public art in parks)
Implement Master Plan of Bikeways
Develop Multi-Purpose Trail Plan
Expand Bikeway trails map to include pedestrian trails

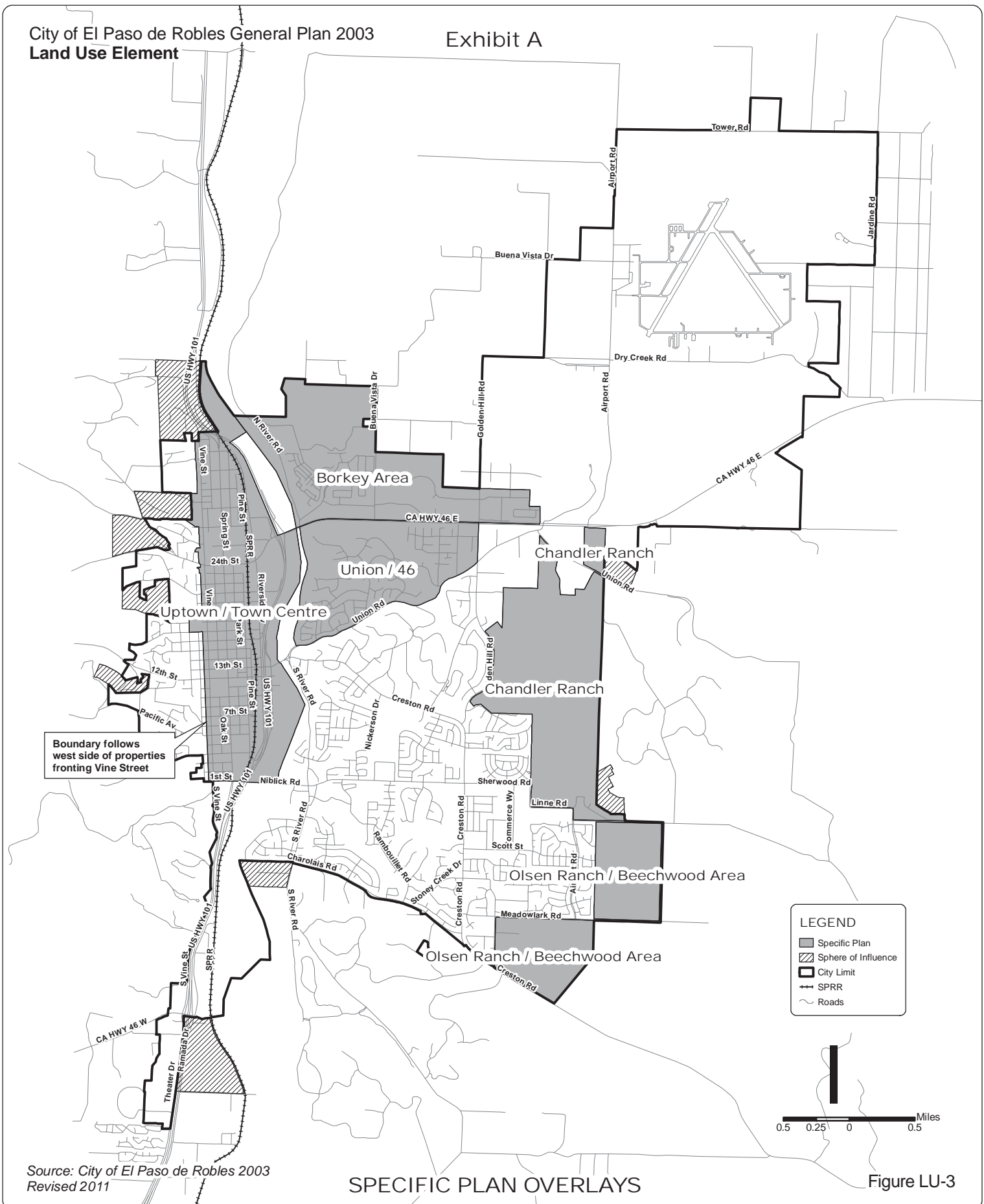
PASSED AND ADOPTED by the City Council of the City of Paso Robles this 15<sup>th</sup> day of February 2011 by the following vote:

AYES:  
 NOES:  
 ABSTAIN:  
 ABSENT:

\_\_\_\_\_  
 Duane Picanco, Mayor

ATTEST:

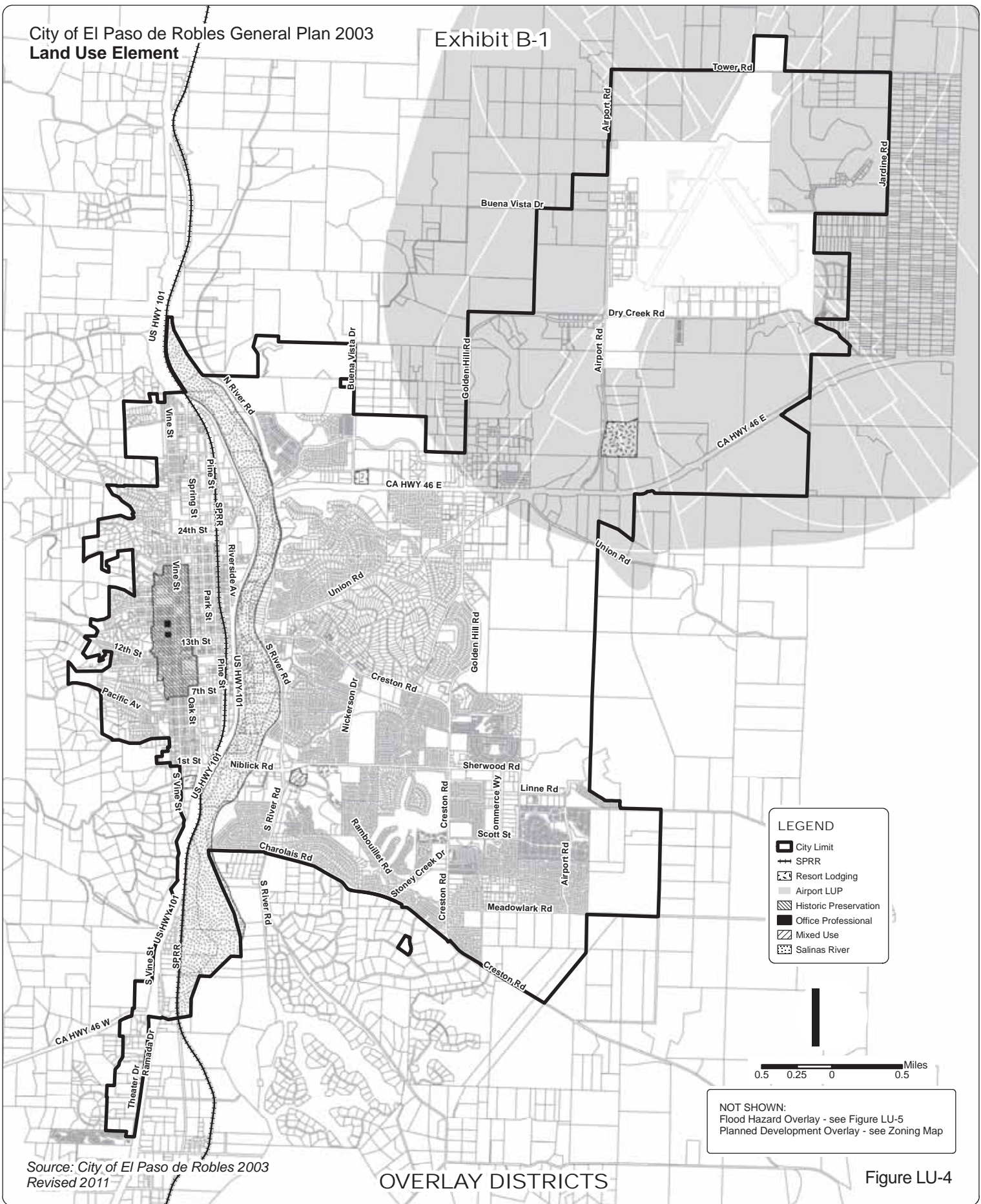
\_\_\_\_\_  
 Caryn Jackson, Deputy City Clerk



Source: City of El Paso de Robles 2003  
 Revised 2011

SPECIFIC PLAN OVERLAYS

Figure LU-3



Source: City of El Paso de Robles 2003  
 Revised 2011

OVERLAY DISTRICTS

Figure LU-4



Source: City of El Paso de Robles 2003  
 Revised 2011

**HISTORIC PRESERVATION &  
 OFFICE PROFESSIONAL OVERLAYS**

**LEGEND**

- City Limit
- SPRR
- Historic Preservation
- Office Professional
- Salinas River

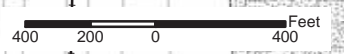


Figure LU-4A



EXHIBIT C of Resolution 11- \_\_\_\_\_  
 General Plan Amendment 2011-001  
 Land Use Designation Changes for the  
 Uptown/Town Centre Specific Plan

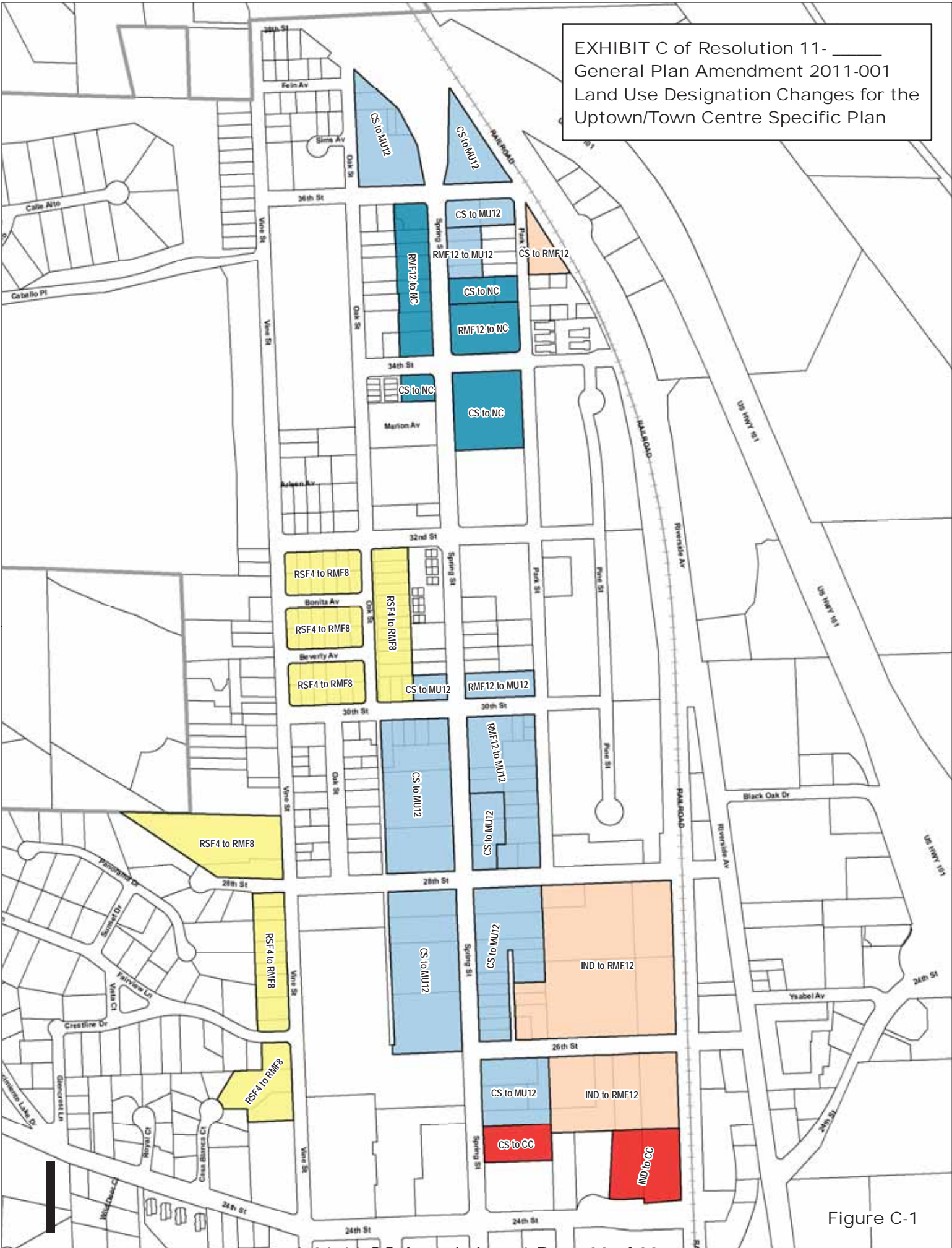


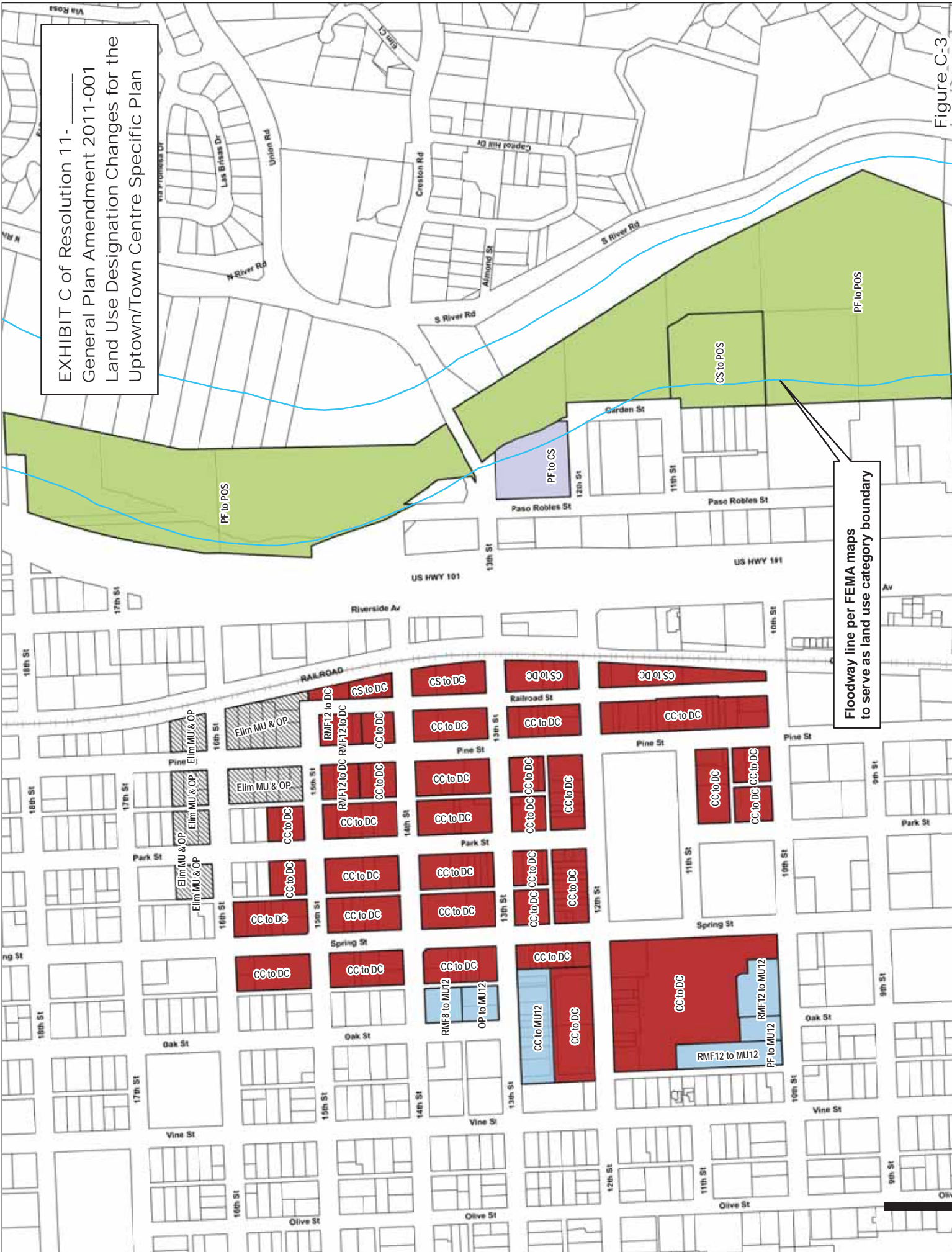
Figure C-1

EXHIBIT C of Resolution 11-\_\_\_\_\_  
 General Plan Amendment 2011-001  
 Land Use Designation Changes for the  
 Uptown/Town Centre Specific Plan

Figure C-2



EXHIBIT C of Resolution 11-  
General Plan Amendment 2011-001  
Land Use Designation Changes for the  
Uptown/Town Centre Specific Plan



Floodway line per FEMA maps  
to serve as land use category boundary

EXHIBIT C of Resolution 11-\_\_\_\_\_  
 General Plan Amendment 2011-001  
 Land Use Designation Changes for the  
 Uptown/Town Centre Specific Plan

Floodway line per FEMA maps  
 to serve as land use category boundary



Figure C-4

**Action Item 2:** Continue to review and comment on planning efforts and development projects being considered by the County within the City’s Planning Impact Area.

**POLICY LU- 2G: Specific Plans.** Require for large, vacant and/or underutilized areas, as well as for areas with special planning needs, as follows (refer to Figure LU-3):

- Areas outside of and southeast of the 2003 City limits, within Subarea “D” (proposed Annexation Areas between Linne Road and Creston Road). Two specific plans, which include:
- Olsen Ranch Specific Plan (Areas S2 and E3)
- Beechwood Area Specific Plan (Areas S1, E1 and E2)
- Chandler Ranch Area Specific Plan (Areas C1 and S3)
- ~~Oak Park Area Specific Plan~~ **Uptown/Town Centre Specific Plan**
- Other areas as established by the City Council

*Limitations on Chandler Ranch Area Specific Plan, Olsen Ranch Specific Plan, ~~and~~ Beechwood Area Specific Plan, **and Uptown/Town Centre Specific Plan.***

1. The following shows the maximum number of dwelling units that can be accommodated within each of the specific plans. These numbers may be reduced, depending on topographic, environmental, or other development constraints:

- *Chandler Ranch Area Specific Plan (Areas C1 and S3): 1,439 dwellings*
- *Olsen Ranch Specific Plan (Areas S2 and E3): 673 dwellings*
- *Beechwood Area Specific Plan (Areas S1, E1 and E2): 674 dwellings*

2. At no time shall the collective buildout potential of the Chandler Ranch Area Specific Plan, Olsen Ranch Specific Plan, and Beechwood Area Specific Plan exceed a total of **2,786** dwelling units (exclusive of second dwellings), to ensure that the overall citywide population does not exceed 44,000 by the year 2025 (per City Council Resolution 03-232).

**3. At no time shall the collective buildout potential of the Uptown/Town Centre Specific Plan exceed a total of 989 dwelling units built after January 1, 2010, to ensure that the overall citywide population does not exceed 44,000 by the year 2025 (per City Council Resolution 03-232).**

Within the scope of a specific plan, the Planning Commission and City Council have the authority to:

- Provide flexibility in terms of:
  - Distribution of densities within the geographic area covered
  - Parcel sizes and location (including clustering to retain unique site features)
  - Development Standards and other Zoning Ordinance requirements
  - Allowable land uses by providing an opportunity for mixed use provisions (e.g. neighborhood serving commercial land uses) within the overall residential densities anticipated in the General Plan. This flexibility includes the ability to provide for multi-family land uses as long as the total dwelling unit count is within the scope of the General Plan designation for the geographic area under consideration.

## 4.0 Land Use Categories

There are ~~23~~ **26** land use categories and ~~40~~ **9** special study overlay categories. The purpose of the Land Use Categories and the Land Use Map are to provide designations to guide the general distribution, location and extent of the various types of land uses in the City.

### Agricultural Land Use ~~Designation~~ **Category**

#### **Agriculture (AG)**

##### Purposes:

- To allow and protect the operation of agricultural uses;
- To provide open space;
- To provide a viable land use in areas impacted by airport operations.

### Residential Land Use ~~Designations~~ **Categories**

There are 13 residential land use categories under the General Plan, which address a range of housing types and allowed densities.

#### **Residential Rural (RR)** **Land Use Category**

##### Purposes:

- To provide a transition/buffer zone between urban and semi-urban land uses and viable agricultural uses;
- To provide an area, at the edge of the City, for relatively large lot residential development, at a maximum of 1 dwelling unit per 5 acres.

#### **Residential Suburban (RS)** **Land Use Category**

Purpose: To provide semi-rural single-family residential neighborhoods, at a maximum of 1 dwelling unit per 2.5 acres.

#### **Residential Single-Family (RSF-1, -2, -3, -4, and -6)** **Land Use Category**

Purpose: To provide urban single-family residential neighborhoods with a range between 1 and 6 dwelling units per gross acre (prior to dedication for streets). In order to attain an orderly land use pattern, some areas will have density caps of 1, 2, 3, 4, or 6 units per gross acre. Such areas are indicated on the General Plan Land Use Map as RSF-1, RSF-2, RSF-3, RSF-4, and RSF-6, respectively.

**Residential Multiple Family, Low Density (RMF-8, RMF-9) Land Use Category**

Purposes:

- To provide multiple family residential neighborhoods at relatively low densities, typically consisting of buildings with 2 to 3 dwelling units, at densities up to 8 or 9 dwelling units per acre;
- To permit clustered and/or attached housing production in environmentally sensitive locations;
- To permit multi-family development without giving the impression of a high density environment;
- To meet the needs of persons seeking rental housing units, at various price levels;
- To provide housing in close proximity to schools, shopping, and other services, including public transit;
- To provide a transition zone between single-family residential neighborhoods and higher-intensity land uses.

Net lot area does not include the following:

- (1) The full right-of-way for interior and adjacent streets;
- (2) Areas with slopes exceeding 35 percent;
- (3) Oak woodlands (e.g., north-facing slopes with dense oak growth);
- (4) Areas within the 100 year flood zone as determined by the City Engineer;
- (5) Areas occupied by significant resources (e.g., archaeological or historical) that may be identified as a result of environmental review.

**Residential Multiple Family, Medium Density (RMF-12) Land Use Category**

Purposes:

- To provide multiple family residential neighborhoods consisting of buildings with four or more dwelling units at densities up to 12 dwelling units per acre.
- To provide multi-family residential neighborhoods consisting of buildings with less than four dwelling units (including single-family detached units) when the following criteria can be met:
  - a. provide an innovative site and building design that promotes architectural and design excellence;
  - b. provide a density as close to 12 dwelling units per acre as possible;
  - c. provide multi-family type design features such as common outdoor areas, courtyards and recreation areas;
- To provide multi-family development on sites that can accommodate increased density;
- To meet the needs of persons seeking rental housing units, at various price levels;
- To provide housing in close proximity to schools, shopping, and other services, including public transit;
- To provide a transition zone between single-family residential neighborhoods and higher-traffic areas.

**Residential Multiple Family, Medium-High Density (RMF-16) Land Use Category**Purposes:

- To provide multiple family residential neighborhoods consisting of buildings with four or more dwelling units on sites that are 2 acres or larger in area, allowing up to 16 dwelling units per acre;
- To meet the needs of persons seeking rental housing units, at various price levels;
- To provide housing in close proximity to schools, shopping, and other services, including public transit.

**Residential Multiple Family, High Density (RMF-20) Land Use Category**Purposes:

- To provide multiple family residential neighborhoods consisting of buildings with four or more dwelling units on sites that are 2 acres or larger in area, allowing up to 20 dwelling units per acre.
- To provide the highest permissible density, located where such density can be accommodated through sensitive site and building design;
- To meet the needs of persons seeking rental housing units, at various price levels;
- To provide housing in close proximity to schools, shopping, and other services, including public transit;
- To provide a transition zone between single-family residential neighborhoods and higher-intensity land uses.

**Mobile Home Park/Subdivision (MH) Land Use Category**

Purpose: To provide areas for the development of mobile home parks and subdivisions, at a maximum intensity of 5 dwelling units per acre.

**Commercial Land Use Designations Categories**

There are ~~five~~ **six** commercial ~~designations~~ **categories**, which typically accommodate commercial development, but can under some circumstances allow residential or industrial uses. Areas along highways, arterials and the downtown core are reserved for a more intensive mixture of uses. Uses that tend to not be aesthetically appealing, such as mini-storages, should be placed away from viewsheds and gateway areas to the City.

**Neighborhood Commercial (NC) Land Use Category**

Purpose: To provide for the convenience shopping needs of the surrounding neighborhood.



**Office Professional (OP) Land Use Category**

Purpose: To provide areas to serve the City's needs for professional office space.

*Note: The OP designated site at the northeast corner of Creston and Rolling Hills Roads shall be developed in such a manner that any drive approach into Creston Road shall permit only right turns into and out of the site.*

**Downtown Commercial (DC) Land Use Category**

Purpose: To provide a land use category for the historic downtown, which is to serve as a center for entertainment, culture, the arts, civic facilities and events, education, community, regional, and visitor-serving retail, and offices. In order to enhance the economic vibrancy of the downtown, priority for ground floor space is to be given to uses that generate a substantial amount of pedestrian traffic, such as retail, restaurants, theatres, wine-tasting, and services such as banks, realty offices, and personal services. Offices that do not generate pedestrian traffic and residential uses may be limited to occupying upper floors.

**Community Commercial (CC) Land Use Category**

Purpose: To provide a land use category for commercial centers that serve the City as a whole, such as the historic downtown and designated shopping centers.

**Regional Commercial (RC) Land Use Category**

Purpose: To provide for the retail shopping needs of the City and region.

**Commercial Service (CS) Land Use Category**

Purpose: To provide areas for highway-related, commercial services, and light industrial uses.

~~*Note: In the CS designated area east of the railroad and west of Highway 101, between 18th and 24th Streets, Residential Single Family and Multi-Family Low Density types and intensities of development may occur as a conditional use.*~~

**Mixed Use Land Use Categories**

Two mixed use land use categories are established to accommodate multi-family residential and light commercial uses both within the same district and on the same property within such districts.

**Mixed Use, 8 Units per Acre (MU8) Land Use Category**

Purpose: Applied within the Uptown/Town Centre Specific Plan Area to allow a mix of multi-family residential at 8 units per acre and limited commercial uses such as offices, personal services, and neighborhood markets.

**Mixed Use, 12 Units per Acre (MU8) Land Use Category**

Purpose: Applied within the Uptown/Town Centre Specific Plan Area to allow a mix of multi-family residential at 12 units per acre and limited commercial uses such as offices, personal services, neighborhood markets, banks, retail shops, and restaurants.

Industrial and Business Park Land Use Designations Categories

The Industrial land use category has been developed to encourage the continued viability of existing industrial development while providing encouragement for new industry to locate in the City. In addition, a Business Park (BP) category is proposed to accommodate campus-like light industrial development.

**Business Park (BP) Land Use Category**

Purpose: To provide areas for clean and attractive businesses and industries in which all activities are conducted indoors (some limited outdoor storage and/or activities may be permitted via approval of a conditional use permit and if completely screened). Where appropriate, compatible convenience and highway commercial land uses may be located in the Business Park category.

The Business Park category is established in the following areas:

- Airport and surrounding areas;
- Commerce Way;
- Ramada Drive, north of Highway 46 West.

*Note:* Within the Business Park category, nonconforming industrial land uses may be permitted to expand with City Council approval via Planned Development or its equivalent and/or Conditional Use Permit.

**Industrial (M) Land Use Category**

Purpose: To provide areas for general industrial uses that involve outdoor activities.

The Industrial category is established for the following areas:

- North River Road;
- 24th – 28th Streets (West of Union Pacific Railroad);
- Ramada Drive, south of Highway 46 West.

Public Facility and Open Space Designations Categories

The Open Space designation is used on land where the conservation of resources is the primary concern. The Public Facility designation is established for public lands, typically where utilities, civic or institutional functions are found.

**Public Facilities (PF) Land Use Category**

Purpose: To provide a land use category for facilities owned and operated by public agencies (City, County, State, and local districts). Public school sites are included within this category.

**Parks and Open Space (POS) Land Use Category**

Purpose: To provide a category for public and private properties that are to be used only for open space and recreation.

Table LU-4 summarizes each basic land use category, uses in the category, allowable land uses in the category, and the associated development density. For mapping purposes, the area within the City Limits and Planning Impact Area are divided into subareas in order to show land use designations in greater detail and fit into the General Plan format. These subarea maps are in Figure LU-6A through LU-6W.

**Table LU-4. General Plan Land Use Category Summary**

Category	Typical Uses and Development Intensity/Density <sup>1</sup>
<i>Land Use Designations Categories</i>	
Agriculture (AG)	Single-family residential and agricultural uses. <b>Two dwelling units per 20 acres (0.1 unit/acre).</b>
Residential Rural (RR)	Single family residential and accessory uses, as well as agricultural uses, churches, and schools. <b>Maximum 1 dwelling unit per 5 acres.</b>
Residential Suburban (RS)	Single family residential and accessory uses, as well as limited agricultural uses (crop production, limited animal raising), churches, and schools. <b>Up to 1 unit/2.5 acres.</b>
Residential Single Family (RSF-1)	Single family residential with accessory uses, as well as churches, schools, and limited commercial recreational uses such as golf courses, tennis clubs, resort hotels, and equestrian facilities. <b>Maximum 1 dwelling unit per acre.</b>
Residential Single Family (RSF-2)	Single family residential with accessory uses, as well as churches, schools, and limited commercial recreational uses such as golf courses, tennis clubs, resort hotels, and equestrian facilities. <b>Maximum 2 dwelling units per acre.</b>
Residential Single Family (RSF-3)	Single family residential with accessory uses, as well as churches, schools, and limited commercial recreational uses such as golf courses, tennis clubs, resort hotels, and equestrian facilities. <b>Maximum 3 dwelling units per acre.</b>
Residential Single Family (RSF-4)	Single family residential with accessory uses, as well as churches, schools, and limited commercial recreational uses such as golf courses, tennis clubs, resort hotels, and equestrian facilities. <b>Maximum 4 dwelling units per acre.</b>
Residential Single Family (RSF-6)	Single family residential with accessory uses, as well as churches, schools, and limited commercial recreational uses such as golf courses, tennis clubs, hotels, and equestrian facilities. <b>Maximum 6 dwelling units per acre.</b>

**EXHIBIT E**

**Table LU-4. General Plan Land Use Category Summary**

Category	Typical Uses and Development Intensity/Density <sup>1</sup>
Residential Multi-Family Low Density (RMF-8)	Single-family or multi-family residential with accessory uses, churches and schools. <b>Up to 8 units/acre allowed.</b>
Residential Multi-Family Low-Medium Density (RMF-9)	Single-family or multi-family residential with accessory uses, churches, and schools. <b>Maximum 9 units/acre allowed.</b>
Residential Multi-Family Medium Density (RMF-12)	Single-family or multi-family residential with accessory uses, churches and schools. <b>Maximum 12 units/acre allowed.</b>
Residential Multi-Family Medium-High Density (RMF-16)	Single-family or multi-family residential with accessory uses, churches, and schools. <b>Maximum 16 units/acre allowed.</b>
Residential Multi-Family High Density (RMF-20)	Single-family or multi-family residential with accessory uses, churches, and schools. <b>Maximum 20 units/acre allowed.</b>
Mobile Home Park/Subdivision (MHP)	Mobile home parks and subdivisions. <b>Maximum 5 units/acre.</b>
Neighborhood Commercial (NC)	Convenience shopping and personal services. (General offices only if located within multi-tenant centers designed for neighborhood retail use, and limited numbers of dwelling units to enhance security and to reduce vehicle miles traveled).
Office Professional (OP)	Professional offices, medical clinics and laboratories, and retail and services that support professional offices, as well as limited numbers of dwelling units to enhance security and to reduce vehicle miles traveled.
<u>Mixed Use, 8 Units per Acre (MU8)</u>	<u>Applied within the Uptown/Town Centre Specific Plan Area to allow a mix of multi-family residential at 8 units per acre and limited commercial uses such as offices, personal services, and neighborhood markets.</u>
<u>Mixed Use, 12 Units per Acre (MU8)</u>	<u>Applied within the Uptown/Town Centre Specific Plan Area to allow a mix of multi-family residential at 12 units per acre and limited commercial uses such as offices, personal services, neighborhood markets, banks, retail shops, and restaurants.</u>
<u>Downtown Commercial (DC)</u>	<u>The historic downtown area, which is to serve as a center for entertainment (restaurants, wine-tasting, theaters, art galleries) and retail, such as department stores and specialty shops, that serves the City-wide, regional, and visitor shopping needs, which are to be given priority for ground floor space. Limited amounts of services such as banks, realty offices, and personal services may occupy ground floor space. In general, offices and residential uses may be limited to occupying upper floors.</u>
Community Commercial (CC)	Commercial centers that serve the City as a whole: <u>such as the historic downtown and designated shopping centers,</u> food markets, department stores, variety stores, drug stores, banks, offices, clinics, specialty retail, personal services establishments, and similar uses. <u>In the Uptown/Town Centre Specific Plan Area, residential uses may occupy upper floors and rear portions of buildings. Elsewhere in the City, as well as</u> limited numbers of dwelling units <u>may be combined with commercial uses on the same lot</u> to enhance security and to reduce vehicle miles traveled.
Regional Commercial (RC)	Retail and service uses that serve the region as a whole, such as general merchandise, department stores, clothing, office supplies and stationary, autos and recreational vehicles, and electronic items, gasoline service stations, as well as limited numbers of dwelling units to enhance security

**EXHIBIT E**

**Table LU-4. General Plan Land Use Category Summary**

Category	Typical Uses and Development Intensity/Density <sup>1</sup>
	and to reduce vehicle miles traveled. Certain land uses such as restaurants, hotels and motels may be considered only if they will not have an adverse impact on downtown revitalization efforts.
Commercial Service (CS)	Areas for highway-related, commercial services, and light industrial uses. Auto sales, rental and repair, restaurants, motels, building and landscaping materials sales, large appliance sales and repair, equipment rental, contracted services, light manufacturing and assembly, as well as limited numbers of dwelling units to enhance security and to reduce vehicle miles traveled.
Business Park (BP)	Areas for clean and attractive businesses and industries in which all activities are conducted indoors (some limited outdoor storage and/or activities may be permitted via approval of a conditional use permit and if completely screened). Manufacturing, fabrication, assembly, research and development, industrial services, warehousing, wholesale distribution, and convenience commercial uses, particularly those that support industrial uses (e.g., copy/blueprint services, coffee shops, convenience markets, gasoline sales).
Industrial (M)	Areas for general industrial uses that involve outdoor activities. Manufacturing and fabrication, industrial services, outside storage, auto repair, warehousing, and wholesale distribution.
Public Facilities (PF)	Facilities owned and operated by public agencies (City, County, State, and local districts). Hospitals, community centers, government offices, schools, cemeteries, public service facilities, and parks.
Parks and Open Space (POS)	Public and private properties that are to be used only for open space and recreation. Parks, City-owned land in the Salinas River and along creeks and steep, wooded hillsides, golf courses, hotels and motels in close proximity to golf courses, and commercial recreation.
<i>Overlay Districts (as shown in Figures LU-3 and LU-4)</i>	
Specific Plan (SP)	<p>Development subject to Specific Plan requirements, to be prepared in accordance with State law. Applied to the following areas shown in Figure LU-3:</p> <ul style="list-style-type: none"> <li>• Borkey Specific Plan area bordering State HWY 46 to the north and the Salinas River;</li> <li>• Union/46 Specific Plan area bounded by Union Road and State HWY 46 between North River Road and Prospect Avenue;</li> <li>• Chandler Ranch Specific Plan area located east of Golden Hill Road, south of Union Road and north of the intersection of Sherwood Road and Fontana Road;</li> <li>• Olsen Ranch Specific Plan, located south of Linne Road, west of Hanson Road, north of Meadowlark Road, and east of the 2003 city limit</li> <li>• Beechwood Area Specific Plan, located north of Creston Road, east of Beechwood Drive, south of Meadowlark Road, and west of the PG and E right of way.</li> <li>• Oak Park Area Specific Plan, located on properties east of Park Street to the Railroad that are north of 28<sup>th</sup> Street north until the CS boundary line north of 34<sup>th</sup> Street.</li> </ul>

**EXHIBIT E**

**Table LU-4. General Plan Land Use Category Summary**

Category	Typical Uses and Development Intensity/Density <sup>1</sup>
Airport (AP)	Development subject to special review based on inclusion within Airport Land Use Plan. Applies to all properties within the adopted Airport Land Use Plan area.
Flood Hazard (FH)	Development subject to special requirements due to flood hazards mapped by FEMA.
Office Professional (OP)	Office professional development allowed pursuant to Commercial Land Use policies.
Resort/Lodging (RL)	Allows resorts, lodging and related ancillary land uses without providing the broader range of land uses associated with a Commercial or Industrial General Plan designation. Can be applied on any property.
Mixed Use (MU)	High Density Multi-Family Residential uses (up to 20 units per acre) allowed pursuant to Multi-Family Residential and Commercial Land Use policies, as applicable. With the General Plan Update, this new overlay category would be established as provided under General Plan Multi-Family Residential Land Use Policies. Under this General Plan Update, this overlay would be applied to <u>the area located on the southeast quadrant of Niblick and South River Roads, which is designated for Regional Commercial (RC) use Community Commercial (CC) or Commercial Service (CS) use in the portion of downtown bounded by 24<sup>th</sup> Street, Vine Street, 1<sup>st</sup> Street, and Riverside Street</u> and other designated locations. With this overlay district, properties could be developed with multi-family residential uses, and multifamily residential units could be established on second stories above existing commercial or office uses.
Salinas River (SR)	Development subject to special review for standards related to conservation, access and recreational opportunities along the Salinas River corridor. Standards would be developed to address conservation, access and recreational opportunities along this corridor.
Historic Preservation (HP)	Development subject to special review for consistency with historic preservation standards. This overlay category is applied to the district bordered by Chestnut Street, Oak Street, 8 <sup>th</sup> Street and 21 <sup>st</sup> Street, inclusive of both sides of these boundary streets. Standards would be developed to address preservation of historic structures within this area.
Planned Development (PD)	To provide for innovation and flexibility in the design of residential, commercial and industrial developments. Approval of a planned development can allow modification of certain development standards if it results in better design or greater public benefit. Would apply to all areas designated for residential, commercial, and industrial land use and does not require a "PD" overlay to be established for each property.
<del>Senior Housing (SH)</del>	<del>To provide for senior housing subject to conformance with specific design and construction standards. To be applied to the area south of Hwy 101, west of the Railroad, north of 24<sup>th</sup> Street, and east of Oak Street.</del>

<sup>1</sup> The City may establish lower maximum densities, on an individual site basis, based on environmental constraints, hillside development ordinance and discretionary review requirements (e.g., subdivision maps and Planned Developments, or their equivalents). The table indicates typical land development that could be accommodated under a particular designation in the absence of an established physical or policy constraint. Specifically allowed uses would be established through the Zoning Ordinance.

## RESOLUTION NO. 11-XXX

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES ADOPTING THE UPTOWN/TOWN CENTRE SPECIFIC PLAN

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WHEREAS, the Land Use Element of the City's General Plan contains the following policy statements:

- Maintain/enhance the City's image/identity (Goal LU-2);
- Promote architectural and design excellence by imposing stringent design and construction standards (Policy LU-2B);
- Adopt design standards to clearly articulate how important public views, gateways and landmarks are to be maintained/enhanced (Action Item 2 supporting Policy LU-2B);
- Continue to enhance the downtown as a priority (Action Item 4 supporting Policy LU-2B);
- Strive to maintain and create livable, vibrant neighborhoods and districts with:
  - Attractive streetscapes;
  - A pedestrian friendly setting;
  - Coordinated site design, architecture, and amenities;
  - Adequate public and private spaces; and,
  - A recognizable and high quality design aesthetic (Policy LU-2D);
- Continue to revitalize the historic Downtown. Focus efforts on developing Downtown Paso Robles as the specialty retail, government, office, cultural, conference, and entertainment center of the City and North County region. (Policy LU-2H);
- Continue requiring new projects to implement the adopted Downtown Design Guidelines and to adhere to the development standards of the Zoning Ordinance. (Action Item 1 supporting Policy LU-2H);
- Promote a vibrant Downtown using the following methods:
  - Implement the City's Economic Development Strategy.
  - Continue to support Main Street and Chamber of Commerce efforts to use media, publications and technology to encourage retailers and entrepreneurs to locate and build in downtown.
  - Encourage Main Street to recruit specialty stores to the Downtown;
  - Promote special events in the downtown developed by the City, Farmer's Market, Main Street, Chamber of Commerce and other community groups.
  - Accommodate and encourage special festivals and events, and public art in the Downtown area. (Action Item 2 supporting Policy LU-2H); and

WHEREAS, the Economic Strategy adopted by the City Council in 2006 contains the following policy statements:

- Improve quality of place to attract investment and knowledge workers;
- Maintain safe, healthy and attractive physical environment;
- Establish cohesive, compact and livable community for individuals and families;
- Improve overall quality of built form (design/architecture);
- Develop distinctive design standards and invest in design excellence to:
  - Create inspiring and memorable places;
  - Emphasize the appearance and qualities of the public realm;
  - Create streetscapes, pathways, and public spaces of beauty, interest, and functional benefit to pedestrians;
  - Encourage adaptive reuse of historic buildings;

- Develop and implement form based code and architectural design standards.
- Encourage community development in live/work, mixed use, and compact, pedestrian oriented forms to accommodate all income levels and lifestyles;
- Prepare road, utility, and communications infrastructure to facilitate private investment;
- Increase labor force resident in the City.
- Preserve energy and natural resources.
- Expand and diversify hotel products, including end destination full-service resorts; and

WHEREAS, to implement the policy statements set forth in the Land Use Element and the Economic Strategy, the City has initiated the preparation of the Uptown/Town Centre Specific Plan to establish a vision for the continued development and redevelopment of an 1,100 acre area generally bounded by 1<sup>st</sup> Street on the South, 38<sup>th</sup> Street and the Paso Robles Hot Springs property on the North, the Salinas River on the east, and those properties fronting the west side of Vine Street on the West as shown in the map attached as Exhibit A of this resolution; and

WHEREAS, the Uptown/Town Centre Specific Plan was prepared to conform to the requirements of Section 65451 of the California Government Code, which specifies that specific plans must contain: text and one or more diagrams that specify the distribution, location, and extent of land uses and infrastructure; standards and criteria by which development will proceed; and a program of implementation measures; and

WHEREAS, Section 65454 of the California Government Code provides that Specific Plans shall be consistent with the General Plan; and

WHEREAS, the Uptown/Town Centre Specific Plan: recommends changes to the base land overlay and use categories affecting several properties; would accommodate the addition of 660 more dwelling units than the population planning threshold in the current General Plan would accommodate; and proposes to add public parks and trails to the list contained in Table PR-1 of the Parks and Recreation Element, thereby necessitating adoption of a General Plan Amendment in conjunction with adoption of the Specific Plan; and

WHEREAS, Chapter 5 of the Uptown/Town Centre Specific Plan includes a provision that calls for the City to annually monitor residential growth within the Uptown/Town Centre Specific Plan Area and to develop and institute growth management measures to ensure that the number of dwelling units developed within the Uptown/Town Centre Specific Plan Area remains within the limits established by the General Plan; and

WHEREAS, General Plan Amendment 2011-001 was prepared to address the changes in base and overlay land use categories, include a statement that development in the Uptown/Town Centre Specific Plan Area shall not allow construction of dwelling units that would cause the population planning threshold established by Resolution 03-232, which adopted the General Plan, to be exceeded, and to revise Table PR-1 to add the proposed parks and trail facilities; and

WHEREAS, Chapter 5 of the Uptown/Town Centre Specific Plan proposes a form-based zoning code that will supplement and supersede many zoning regulations within the Uptown/Town Centre Specific Plan Area; and

WHEREAS, Code Amendment 11-001 was prepared to adopt Chapter 5 of the Uptown/Town Centre Specific Plan and to make other necessary changes to Chapters and sections of Title 21, Zoning, of the Municipal Code to eliminate conflicts between the regulations set forth in Chapter 5 and Title 21; and



WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared to describe the effects of the Uptown/Town Centre Specific Plan, General Plan Amendment 2011-001, and Code Amendment 11-001, which collectively comprise "the Project"; this EIR was circulated for public review in the manner prescribed by CEQA, and mitigation measures were identified to address any potential impacts associated with the Project; and

WHEREAS, the EIR identifies only one impact that is significant and which cannot be mitigated to a point of non-significance which is that the population projections in the Draft Specific Plan exceed the population projections used in the 2001 Air Quality Plan and those adopted by the San Luis Obispo Council of Governments, which could result in the surpassing of the emission inventories in the Clean Air Plan, potentially affecting the attainment status of the region, and CEQA, therefore, requires preparation of an EIR and adoption of a Statement of Overriding Considerations if the Project is to be approved; and

WHEREAS, a Statement of Overriding Considerations was included within the resolution certifying the EIR; and

WHEREAS, pursuant to SB 18 (Chapter 905, Statutes of 2004), the City took the following actions relative to the Project:

- a. In November 2006 and February 2008, sent letters to those Native American Tribes identified by the Native American Heritage Commission as having an interest in protecting and/or mitigating impacts to cultural places in Paso Robles inviting them to request consultation pursuant to SB 18;
- b. In November 2006 and March 2008, received letters from the Northern Chumash Tribal Council and the Santa Ynez Band of Mission Indians stating that they would like to comment on the project as it progresses;
- c. In March 2008, received a letter from the Native American Heritage Commission stating that a record search failed to indicate the presence of Native American cultural resources in the project area;
- d. In December 2010, sent letters to those Native American Tribes identified by the Native American Heritage Commission as having an interest in protecting and/or mitigating impacts to cultural places in Paso Robles informing them of the public hearings to consider adoption of this general plan amendment and specific plan and inviting them to provide comments on the project; and

WHEREAS, in the process of preparing the Uptown/Town Centre Specific Plan, the City conducted several public workshops, including a five day charrette in May 2008; and

WHEREAS, at its meeting of January 11, 2011, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for the Project;
- b. Conducted a public hearing to obtain public testimony on the parts of the Project;
- c. Considered public testimony from all parties;

- d. Recommended that the City Council certify the EIR and approve the Project; and

WHEREAS, at its meeting of February 15, 2011, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for the Project;
- b. Conducted a public hearing to obtain public testimony on the Project;
- c. Based on its independent judgment, adopted a Statement of Overriding Considerations and certified an Environmental Impact Report for the Project in accordance with the California Environmental Quality Act;

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

SECTION 1: The Uptown/Town Centre Specific Plan is hereby adopted and shall consist of the Public Draft Uptown/Town Centre Specific Plan dated July 2, 2009, which shall be further revised as set forth in a "Final Addendum", which and shall include the following:

1. Those changes listed in the "Addendum to the Public Draft, With Changes Recommended by the Planning Commission on January 25, 2011";
2. Those changes shown in Exhibit "B" of this resolution summarized as follows:
  - a. Changes to the introductory paragraphs for Architectural Styles in Section 5.5.3 on Page 5:49 of the Public Draft Specific Plan; the intent of these changes was to clarify the application of the architectural styles as guidelines;
  - b. Revisions to the Parking Standards in Section 5.7.2 on Page 5:109 regarding tandem parking (to allow it to be used for offices, as well as for restaurants) and shared parking (when residential and commercial uses share the same property);
  - c. Addition of a Section 5.7.7 on Page 5:110 to encourage the use of solar panels to generate power and heat water;
3. Further Amendments to Table 5.3-1 (beyond those shown in the "Addendum to the Public Draft, With Changes Recommended by the Planning Commission on January 25, 2011") as follows:
  - a. Add "winetasting rooms" (under the category of Commercial: Retail, Service, Office) as permitted uses in the TC-1, TC-2, and RC zones. Otherwise they may be considered to be similar to bars, which are conditional uses. The existing zoning code considers "winetasting rooms" to be an agricultural use, but provides that they are permitted uses in the C-1, C-2, and C-3 zones, which correspond to the TC-1, TC-2, and RC zones.
  - b. Delete "vacation rentals" as a use. The existing zoning code does not list them, and they are considered to be permitted as a residential use.
  - c. Delete "clinics/emergency care centers" as those uses are already mentioned in the category "Offices for physicians, dentists, chiropractors...".

4. Any additional changes that may be directed by the City Council in its motion to adopt this resolution.

SECTION 2: Chapter 5 of the Uptown/Town Centre Specific Plan, which contains zoning regulations that supplement and supersede many zoning regulations contained within Title 21, Zoning, of the El Paso de Robles Municipal Code, shall be adopted and amended by Ordinance.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 1st day of March 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

Duane Picanco, Mayor

ATTEST:

---

Caryn Jackson, Deputy City Clerk

**EXHIBIT A**  
**Resolution 11-XXX**

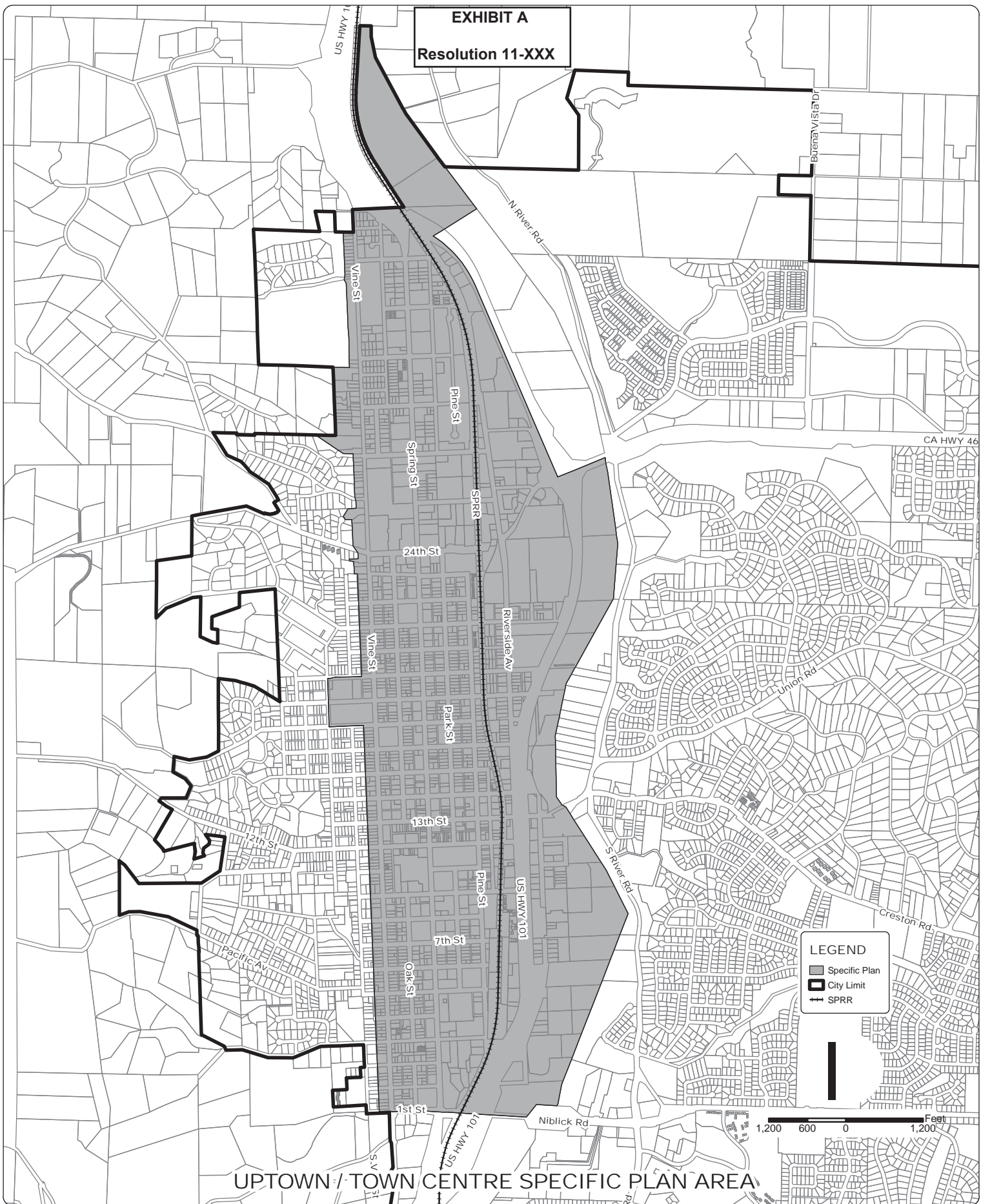


Exhibit B  
Resolution 11-XXX  
Adopting the Uptown/Town Centre Specific Plan  
Items to be Added to the Final Addendum

1. Section 5.5.3 – Architectural Styles: Revise this section to read as follows:

~~A. Purpose. This Section identifies the architectural styles allowed within the Specific Plan area, and for each style, provides a statement and description of the style's origin, and its main characteristics. Because the subject of architectural style is directly connected to the subject of building type and scale, this section corresponds the allowed styles per the allowed building types.~~

The City's General Plan and Economic Strategy contain policy statements that call for the City to take the following actions relative to architectural quality:

- Maintain/enhance the City's image/identity;
- Promote architectural and design excellence by imposing stringent design and construction standards;
- Strive to maintain and create livable, vibrant neighborhoods and districts with:...
  - Coordinated site design, architecture, and amenities; ...
  - A recognizable and high quality design aesthetic;
- Improve quality of place to attract investment and knowledge workers;
- Improve overall quality of built form (design/architecture);
- Develop distinctive design standards and invest in design excellence to:
  - Create inspiring and memorable places;
  - Emphasize the appearance and qualities of the public realm;
  - Develop and implement form based code and architectural design standards.

To implement the above policies, this section provides design guidelines for the building types that are specified for each zone in the Specific Plan Area.

The Architecture Style Guidelines define and express the architectural objectives within the Specific Plan area, and establish a clear set of guidelines that provide the City of Paso Robles and future applicants with a basis for proposing and reviewing development proposals. The Guidelines serve the two primary purposes identified below:

1. To achieve high quality of design, and
2. To facilitate the design review and planning approval process of projects in terms of architectural styles which are clearly understood and appropriate to particular building types in their surrounding context.

~~The Guidelines are most effective as a proactive guide for architects, developers, and organizations that are considering a project in the plan area. The Guidelines are not intended as a literal style manual. Instead, they serve as a framework that represents the salient characteristics of traditional and contemporary styles for use in design and development. The City shall apply them as part of the Community Development Director's process of reviewing applications, potentially assisted by an architect qualified in these matters.~~

**B. Applicability.** ~~Each building shall be designed in compliance with the standards of this Section for the applicable building type, with the exception of civic and institutional buildings. Because of their unique disposition and application, civic and institutional buildings are not required to comply with these guidelines, but are rather subject to a separate design review process as described in Section 5.1.B.4. Incorporation of each and every architectural detail depicted in the photos, drawings and text contained in this section will not be mandatory. However, in its review of applications for development within the Specific Plan Area, the Planning Commission and Development Review Committee may require plans to conform with the general design concepts~~

**Exhibit B**  
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and general architectural features shown in this section and in an appendix with descriptions of complementary architectural styles.

~~□. All architectural building types. Each of the allowed building types is identified with the allowed architectural styles to achieve the objectives for the Specific Plan Area. Each proposed building/modification shall be designed per one of the architectural styles, as identified in Table 5.5.3. Based on extensive documentation of local precedents in and around the Paseo Robles area, including a survey of historic buildings, seven architectural styles have been identified as relevant to the Specific Plan area's history and future development and as being deserving of continued application and interpretation. This section proposes nine architectural styles, listed below, that have been identified as relevant to the Specific Plan area's history and future development and as being deserving of continued application and interpretation and which will serve as benchmarks to help define the character of development that will best accomplish the objectives of General Plan and Economic Strategy policies. In addition to the nine architectural styles, there are other architectural styles, such as "bungalow", "prairie", "colonial", "farmhouse", which the City finds to be compatible with, and complementary to, the nine benchmark styles. The City may prepare an appendix to this Specific Plan to be composed of photographs, drawings, and text to catalog and explain the complementary architectural styles.~~

Table 5.5.3 shows which of the nine benchmark architectural styles are appropriate for the building types specified for each zone. If an appendix with complementary architectural styles is adopted, it will include recommendations for appropriate building types for each complementary style. The nine benchmark styles are:

1. Victorian (Residential Character)
2. Victorian (Commercial Character)
3. Craftsman
4. Spanish Revival (Residential Character)
5. Spanish Revival (Commercial Character)
6. Main Street Commercial
7. Warehouse Industrial
8. Art Deco
9. English Arts and Crafts

2. Section 5.7.2 – Parking Standards:

- a. Revise Subsection C.3.b to allow tandem parking for offices (in addition to restaurants).
- b. Add subsection G to provide for "shared" parking (allowing commercial and residential uses in mixed use buildings to share parking spaces).  
"G. Shared Use of Parking Spaces. In mixed use developments with both commercial and residential uses on the same property, sixty-six percent (66%) of the parking spaces required for commercial use may be used to meet the requirement for parking for residential use."
- c. Add subsection H to provide the following regulations for parking in the Downtown as follows:  
"H. Within the Parking Management Plan Area, as shown on the "In Lieu Fee Map" on Page 4:16, which may be expanded as discussed in Subsection B of Section 4.3.4, the following parking regulations shall apply:
  1. 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. When alley access is not available,

**Exhibit B**  
**Resolution 11-XXX**  
**Adopting the Uptown/Town Centre Specific Plan**  
**Items to be Added to the Final Addendum**

parking should be accessed from a local street if available and from the arterial street if no other access is available. In any case, parking shall be completely screened from the primary street through the use of sufficient landscaping, screen walls or a combination of landscaping or screen walls. This requirement does not apply to municipal parking facilities provided for general downtown use.

2. 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.
3. 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:
  - a. 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;
  - b. 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;
  - c. Payment of Fee. Payment of in-lieu parking fees shall be made to the city in one lump sum calculated and paid at the time of building permit issuance or if a building permit is not required, within forty-five days of request by city for payment. The in-lieu parking fee shall be a one-time-only, nonrefundable 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.
  - d. 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."
3. Section 5.7.7 – Solar Energy: Add Section 5.7.7 to read:  
The use of solar panels for generation of electricity and water heating is encouraged, provided that the location and design of panels is consistent with the architectural standards set forth in this Chapter.

# Attachment 6

## ORDINANCE NO. XXX N.S.

**AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
AMENDING TITLE 21 (ZONING) OF THE MUNICIPAL CODE TO ESTABLISH  
CHAPTER 21.XX – SPECIFIC PLANS, ADOPTING THE FORM-BASED ZONING CODE  
INCLUDING THE ZONING MAP (REGULATING PLAN) CONTAINED WITHIN CHAPTER  
FIVE OF THE UPTOWN/TOWN CENTRE SPECIFIC PLAN, AND MAKING OTHER CHANGES  
TO TITLE 21 (ZONING) RELATED TO THE ADOPTION OF SAID SPECIFIC PLAN  
(CODE AMENDMENT 11-001)**

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WHEREAS, On February 15, 2011, pursuant to policy statements contained within the Land Use Element of the General Plan and the Economic Strategy, the City Council of the City of El Paso de Robles (City) adopted Resolution 11-XXX to amend the General Plan and Resolution 11-XXX to adopt the Uptown/Town Centre Specific Plan; and

WHEREAS, Chapter Five of the Uptown/Town Centre Specific Plan is a Form-Based Zoning Code that will both supplement and supersede several chapters and sections within Title 21 for land located within the Specific Plan Area, which is generally bounded by 1<sup>st</sup> Street on the South, 38<sup>th</sup> Street and the Paso Robles Hot Springs property on the North, the Salinas River on the east, and those properties fronting the west side of Vine Street on the West; and

WHEREAS, Section 65860 of the California Government Code requires that zoning codes be consistent with the General Plan; and

WHEREAS, Section 65451 of the California Government Code provides that Specific Plans shall include a text and diagram or diagrams, which specify the following and would have the effect of zoning regulations:

- a. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan; and
- b. Standards and criteria by which development will proceed; and

WHEREAS, Section 65454 of the California Government Code provides that Specific Plans shall be consistent with the General Plan.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared to describe the effects of the Specific Plan, the attendant General Plan and Zoning Code Amendments, which collectively comprise “the Project”; this EIR was circulated for public review in the manner prescribed by CEQA, and mitigation measures were identified to address any potential impacts associated with the Project; and



WHEREAS, the EIR identifies only one impact that is significant and which cannot be mitigated to a point of non-significance which is that the population projections in the Draft Specific Plan exceed the population projections used in the 2001 Air Quality Plan and those adopted by the San Luis Obispo Council of Governments, which could result in the surpassing of the emission inventories in the Clean Air Plan, potentially affecting the attainment status of the region, and CEQA, therefore, requires preparation of an EIR and adoption of a Statement of Overriding Considerations if the Project is to be approved; and

WHEREAS, a Statement of Overriding Considerations was included within the resolution certifying the EIR; and

WHEREAS, at its meeting of January 11, 2011, the Planning Commission took the following actions regarding this ordinance:

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

WHEREAS, at its meeting of February 15, 2011, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for the Project;
- b. Considered the recommendation of the Planning Commission regarding the Project;
- c. Conducted a public hearing to obtain public testimony on the Project;
- d. Recommended that the City Council certify the EIR and approve the Project; and

WHEREAS, at its meeting of February 15, 2011, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for the Project, including the recommendation of the Planning Commission;
- b. Conducted a public hearing to obtain public testimony on this ordinance;
- c. Based on its independent judgment, adopted a Statement of Overriding Considerations and certified an Environmental Impact Report for the Project in accordance with the California Environmental Quality Act;

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, hereby finds as follows:

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

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

SECTION 1: Chapter Five of the Uptown/Town Centre Specific Plan is hereby adopted as the primary zoning code for the area addressed by this specific plan. A copy of this Specific Plan shall be kept on file in the Community Development Department.

SECTION 2: Section 21.12.010 of the El Paso de Robles Municipal Code is hereby amended to read as follows:

**21.12.010 Districts established.**

The several districts established are as follows:

- Residential agriculture district or R-A district
- Single-family residential district or R-1 district
- Duplex/triplex district or R-2 district
- Multifamily residential district or R-3 district
- Multifamily/office district or R-3-O district
- Multifamily/mobilehome district or R-4 district
- Multifamily residential district or R-5 district
- Neighborhood commercial district or CP district
- Office professional district or OP district
- Office professional overlay district or OP overlay district
- General retail commercial district or C-1 district
- Highway commercial district or C-2 district
- Commercial/light industry district or C-3 district
- Regional commercial district or RC district
- Industrial district or M district
- Planned industrial district or PM district
- Airport planned development district or AP, PD district
- Parks and open space district or POS district
- Combining building size district or B district
- Planned development overlay district or PD district
- Hillside development overlay district or H district
- Historical and architectural overlay district or HP district
- ~~Primary floodplain overlay district or PF district~~
- ~~Secondary floodplain overlay district or SF district~~

~~Senior housing overlay district or SH district~~  
~~Redevelopment overlay district or RD district~~  
Specific plan overlay district or SP district  
Agricultural district or AG district.

SECTION 3: The Zoning Map referenced in Section 21.12.020 of the El Paso de Robles Municipal Code is hereby amended to add the Specific Plan (SP) Overlay District and to delete all existing underlying base and overlay districts within the Uptown/Town Centre Specific Plan as shown in Exhibit A.

SECTION 4: Section 21.13.020, Applicability, is hereby amended to read as follows:

**21.13.020 SP Applicability.**

The provisions of this chapter shall apply to all uses in the primary zone and shall be in addition to the regulations for the primary zone. Whenever conflicts exist between this chapter and other sections of the zoning ordinance the most restrictive shall apply.

Overlay districts include:

- A. Chapter 21.14, flood damage prevention regulations;
- B. Chapter 21.14A, hillside development;
- C. Chapter 21.15, historical and architectural preservation;
- D. Chapter 21.15A, mobile homes on private lots;
- E. Chapter 21.16A, planned developments;
- F. Chapter 21.16B, ~~redevelopment~~ specific plans;
- G. Chapter 21.16C, rural development;
- H. Chapter 21.17, surface mining and reclamation;
- I. Chapter 21.18A, office professional (OP) overlay;
- J. Special conditions attached to certain properties as enumerated in Section 21.13.030.
- K. 21.18B, resort/lodging (R/L) overlay.

SECTION 5: Section 21.13.030, Special Conditions Attached to Certain Properties, is hereby amended to delete subsection "H" (Drive-through restrictions along Spring Street) and Figure 21.13-6. Subsections I and J shall be renumbered to subsections H and I, accordingly.

SECTION 6: Section 21.16.190, SP Overlay District is hereby established to read as follows:

**21.16.190 SP Overlay District.** The land uses and regulations set out in Chapter 21.16B shall apply in the SP Overlay District.

SECTION 7: Chapter 21.16B, Redevelopment District, is hereby deleted.

SECTION 8: New Chapter 21.16B, Specific Plans, is hereby established as shown in Exhibit B.

SECTION 9: Table 21.16.210 (Development Standards for C-1, C-2, C-3, M, and PM Districts) is hereby amended to delete Note #2a (which requires a 15 foot setback along Spring Street).

SECTION 10: Section 21.161.060 (Multi-Family Residential Density) is hereby amended to read as follows:

**21.161.060 Density of Residential Development.**

A. There are three distinct areas of the City, each area with its own pattern of land subdivision, street layouts, lot sizes, and lot dimensions, which affects multiple family residential densities differently.

1. West Side (of the Salinas River), in Blocks No. 1 Through 196 of the Original City Subdivision. Lots within Blocks 1 through 196 of the original subdivision of the City of El Paso de Robles that have been categorized by the Land Use Element of the General Plan for multiple family residential use, as shown in Figure 21.161.060, were originally designed to measure 50 feet wide by 140 feet deep and have an area of 7,000 square feet. Such lots fronted onto a grid pattern of streets with right-of-way widths of 80 feet, and backed up to alleys with right-of-way widths of 20 feet. Consistent with the intent of this subdivision, on lots with said dimensions, a maximum of two dwelling units may be established on an R-2 zoned lot and a maximum of three dwelling units may be established on an R-3 zoned lot. Note: Properties within the Uptown/Town Centre Specific Plan are not subject to this Chapter.

On lots that have been reconfigured to have depths more or less than 140 feet and/or widths more or less than 50 feet, densities shall be calculated as two units per 7,000 square feet (or one unit per 3,500 square feet) in the R-2 zone and three units per 7,000 square feet (or one unit per 2,333 square feet) in the R-3 zone. The provisions of Section 21.16L.050 (Fractions) shall not be used to create new lot configurations that would result in densities that exceed these ratios.

The ability to develop a lot located within blocks 1 through 196 of the original subdivision of the City of El Paso de Robles to its maximum density is subject to demonstrating that development will conform with general plan policies, city ordinances and standards regarding preservation of oak trees, hillside protection, providing proper storm drainage, and providing safe vehicular access.

- ~~2. West Side (of the Salinas River), Outside of Blocks No. 1 Through 196 of the Original City Subdivision. In this area, lot sizes vary, and are generally larger than 7,000 square feet. Streets are designed in a grid pattern. Spring Street has a right of way width of 80 feet, but the right of way width of most streets is 60 feet. Many blocks in this area do not have alleys.~~

~~The number of dwelling units that may be established shall be calculated based on the "average slope" of the "developable area" of a lot. Methods for determining average slope and developable area are defined below.~~

~~a. Developable Area. The "developable area" of a lot is defined as net area remaining after deducting the following excluded areas:~~

~~(1) Any area of the lot with natural slopes of thirty five percent or greater;~~

~~(2) Any area of the lot within the critical root zones of a compact grouping of ten or more mature oak trees ("mature" as defined in Chapter 10.01 of this code), where critical root zones between trees in the grouping are separated by ten feet or less. Exception: On those lots created prior to the effective date of Ordinance 835 N.S. on September 20, 2002, "driplines" may be used instead of "critical root zones". The "dripline" is that area directly beneath the outer edges of the canopy of an oak tree.~~

~~b. Average Slope: The average slope of the developable area shall be calculated using the following formula:~~

$$\text{Average slope (\%)} = \frac{I \times L \times 100}{SF}$$

~~Where:~~

~~I — Contour interval in feet. Contour intervals shall not exceed five feet.~~

~~L — Combined length of contour lines measured within the developable area.~~

~~SF — Square feet of developable area.~~

~~c. Maximum Density Determination:~~

~~(1) Policy C 5B of the 2003 Conservation Element of the General Plan provides that densities shall decrease as the underlying natural slope increases. The maximum density of a lot shall be determined by dividing the lot's developable area by the minimum site area per unit listed in Table 21.161.060.A.2 for the average slope of the developable area.~~

**Table 21.161.060.A.2**

<b>Average Slope of Developable Area (%)</b>	<b>Maximum density (units/square foot)</b>		
	<del>R-2 Zone</del>	<del>R-3 Zone*</del>	<del>R-4 Zone*</del>
<del>0-4</del>	4,000	2,667	2,000
<del>5-9</del>	5,000	3,333	2,500
<del>10-14</del>	6,250	4,167	3,125

<del>15-24</del>	<del>7,500</del>	<del>5,000</del>	<del>3,750</del>
<del>25-34</del>	<del>10,000</del>	<del>6,667</del>	<del>5,000</del>

~~\* See exceptions below.~~

~~(2) Exceptions to Table 21.161.060.A.2 are as follows:~~

~~(a) For those R-3 zoned lots located west of Vine Street, between 32<sup>nd</sup> and 36<sup>th</sup> Street, which were re-categorized by the 1991 and 2003 General Plan as RMF-8, the densities for the R-2 Zone shall apply.~~

~~(b) For those R-4 zoned lots located north of 24<sup>th</sup> Street, east and west of Spring Street, which were re-categorized by the 1991 and 2003 General Plan as RMF-12, the densities for the R-3 Zone shall apply.~~

3. East Side (of the Salinas River). On the East Side of the City, lot sizes of multiple family zoned lots tend to be larger than those on the West Side. Streets are laid out to follow topography. Most local streets have rights-of-way widths of 60 feet.

General Plan policy provides that densities decrease as the underlying natural slope increases. The maximum density of a lot shall be determined by multiplying the acreage of a lot's developable area by the density factors listed in Table 21.161.060.A. ~~23~~ for the average slope of the developable area. The method of determining the "average slope" of the "developable area" of a lot shall be ~~the same as that set forth in subdivision A.2 of this section~~ is described in subsections "a" and "b", below. Additionally, the area within any dedication for public streets within or adjacent to a lot proposed for development shall be included within the developable area for purposes of calculating allowable density.

a. Developable Area. The "developable area" of a lot is defined as net area remaining after deducting the following excluded areas:

(1) Any area of the lot with natural slopes of thirty-five percent or greater;

(2) Any area of the lot within the critical root zones of a compact grouping of ten or more mature oak trees ("mature" as defined in Chapter 10.01 of this code), where critical root zones between trees in the grouping are separated by ten feet or less. Exception: On those lots created prior to the effective date of Ordinance 835 N.S. on September 20, 2002, "driplines" may be used instead of "critical root zones". The "dripline" is that area directly beneath the outer edges of the canopy of an oak tree.

b. Average Slope: The average slope of the developable area shall be calculated using the following formula:

$$\text{Average slope (\%)} = \frac{I \times L \times 100}{\text{SF}}$$

Where:

I = Contour interval in feet. Contour intervals shall not exceed five feet.

L = Combined length of contour lines measured within the developable area.

SF = Square feet of developable area.

**Table 21.16I.060.A.23**

Average Slope of Developable Area (%)	Maximum density (units/acre)			
	R-2 Zone *	R-3 Zone *	R-4 Zone	R-5 Zone
0 – 4	8.0	12.0	16.0	20.0
5 – 9	6.5	9.5	13.0	16.0
10 – 14	5.0	7.5	10.0	13.0
15 – 24	4.0	6.5	8.5	10.5
25 – 34	3.0	5.0	6.5	8.0

Exceptions to Table 21.16I.060.A.3 are as follows:

- (a) Those R-2,B-3-zoned lots located in the Orchard Bungalow subdivision, north of Creston Road, between Walnut Drive and Orchard Drive may have a maximum of three units for every twenty thousand square feet of lot area, regardless of the underlying average slope category.
- (b) For those R-3 zoned lots located west of Creston Road at Cedarwood Drive, which were re-categorized by the 1991 and 2003 General Plan as RMF-8, the densities for the R-2 Zone shall apply.

B. Densities for Convalescent Homes and Residential Care Facilities for the Elderly. Regardless of where a multiple family zoned property is located in the City, density limits for dwelling units shall not apply to the allowable intensity of land use for such facilities as convalescent homes, skilled nursing facilities, residential care facilities for the elderly, and similar facilities as defined by state law. The number of rooms and/or occupants for such a facility shall be determined on a case-by-case basis in conjunction with an application for a conditional use permit.

SECTION 11: Section 21.16L.040 (Density Bonuses for New Housing) is hereby amended to read as follows:

**21.16L.040 Density bonuses - new housing**

A. Except as provided for properties located within the Uptown/Town Centre Specific Plan in the manner set forth in Subsection E, below, the number of density bonus dwelling units to be granted for a new housing development shall be determined as follows:

1. For those projects described by Subsections A and B of Section 21.16L.030: The minimum density bonus shall be twenty percent (20%) of the maximum number of dwelling units permitted on a property under the Land Use Element of the General Plan. For projects described by Subsections A and B that propose greater percentages of dwelling units for low and very low income households, the density bonuses shall be increased as shown in the table below. Any resulting decimal fraction shall be rounded to the next larger integer.

Percent of units affordable to low income households	Minimum density bonus	Percent of units affordable to very low income households	Minimum density bonus
10%	20.0%	5%	20.0%
11%	21.5%	6%	22.5%
12%	23.0%	7%	25.0%
13%	24.5%	8%	27.5%
14%	26.0%	9%	30.0%
15%	27.5%	10%	32.5%
16%	29.0%	11% and above	35.0%
17%	30.5%		
18%	32.0%		
19%	33.5%		
20% and above	35.0%		

The density bonus shall not be included when determining the number of dwelling units that equal to the percentages of the units in the first and third columns above. For example, if the general plan would permit development of 40 units on a property, and an applicant proposes to provide 10% of the units affordable to low income households, the applicant would be granted a density bonus of 8 units (20% of 40 units allowable under the general plan). The housing project would, therefore, consist of 48 units, of which 4 (10% of 40 units) must be made to be affordable to low income households.

2. For those projects listed in subsection C of Section 21.16L.030: The density bonus for any project that sets aside a minimum number of thirty-five (35) dwelling units for use by qualified senior citizens, as that term is defined in Civil Code section 51.3(b)(1) shall be entitled to a twenty percent (20%) density bonus unless a lesser percentage is elected by the applicant/developer.



3. For those projects listed in subsection D of Section 21.16L.030: The minimum density bonus shall be calculated as follows:

Percentage Low-Income Units	Percentage Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35

Any resulting decimal fraction shall be rounded to the next larger integer.

The density bonus shall not be included when determining the number of dwelling units that equal to the percentages of the units affordable to moderate income households between ten and thirty-five percent.

- B. An applicant may, in writing, elect to accept a density increase less than the percentages specified in Subsections A.1, A.2, and A.3 of this Section. In such a case, the City may grant such a lesser density bonus provided that the same proportion of target dwelling units is maintained. For example, if the general plan would permit development of 40 units on a property, and an applicant proposes to provide 10% of the units affordable to low income households, should the applicant request only a 10% density bonus (instead of the 20% allowed), the City could approve a 44 unit project (instead of 48 units) with 2 target dwelling units (instead of 4 target dwelling units).
  
- C. If an applicant requests a density bonus of more than the percentages specified in Subsections A.1 through A.3 of this Section, the requested density increase shall be considered an additional density bonus. The City Council may, at its discretion, grant an additional density bonus if a written finding is made by the City Council that the additional density bonus is required in order for allowable housing expenses for the proposed housing development to be set as affordable. In granting an additional density bonus, the City may require some portion of the additional density bonus to be designated as target dwelling units.
  
- D. A density bonus housing agreement shall be a condition of discretionary permits (i.e., tentative maps, parcel maps, and development plans) for all applicants who request a density bonus and incentives or concessions. The relevant terms and conditions of the density bonus housing agreement shall be filed and recorded as a deed restriction on those individual lots or units of a housing development which are designated for the location of target dwelling units. The density bonus housing agreement shall be consistent with Section 21.16L.130.
  
- E. In the Uptown/Town Centre Specific Plan Area, densities are not established as a function of the number of dwelling units per acre, but rather by meeting development standards for building placement (setbacks), off-street parking, and open space. In this specific plan area, higher densities may generally be achieved by building dwelling that are relatively smaller in floor area and with fewer bedrooms. Developers of target dwelling units for lower income residents may apply for incentives, which may act to increase densities.

SECTION 12: Chapter 21.16M, Senior Housing (SH) Overlay District, is hereby deleted.

SECTION 13: Section 21.18C.020 (Mixed Use Overlay District Applicability) is hereby amended to read as follows:

**21.18C.020. Applicability**

Mixed-use development regulations apply to mixed-use development projects that include residential and commercial land uses on the same project site in locations designated on the zoning map as a mixed-use overlay zoning district.

There are general development standards and guidelines that apply to all mixed-use development projects, ~~and there are three mixed-use overlay sub-areas that have specific site development criteria and design guidelines that apply to land within those sub-areas only. The three subareas are: (1) Downtown Core, (2) Outer Core, and (3) the Eastside.~~

Property designated with a mixed-use overlay may also be developed with only the uses permitted or conditionally permitted in the underlying zoning district.

**SECTION 14:** Section 21.18C.060 (Mixed Use Overlay District – Subarea Site Development Criteria and Design Guidelines) is hereby amended to read as follows:

**21.18C.060. Subarea Site Development Criteria and Design Standards**

- ~~A. Downtown Core. The Downtown Core of Paso de Robles is envisioned to continue the historical character of development. The design of development in this area is generally implemented through the Downtown Design Guidelines. Existing oak trees shall be preserved, consistent with the City's oak tree preservation ordinance.~~
  
- ~~B. Outer Core. The Outer Core generally supports continued residential uses with office uses mixed in. The overall scale and design of uses in the Outer Core areas should be consistent with the underlying zoning district. For instance, mixed uses in the multi-family zoned areas should be designed to fit within the residential context of the neighborhood with residentially-oriented building details and scale.~~
  
- ~~C. Eastside Area. Mixed-use development in the Eastside Area shall be designed to retain oak trees and protect water course drainages, and be designed to reduce cut and fill slopes by use of multi-level foundation systems, post and beam construction, etc.~~

**SECTION 15:** Section 21.20.010 (General Regulations and Exceptions - Generally) is hereby amended to read as follows:

**21.20.010. Generally**

The regulations specified for this title shall be subject to the general provisions and exceptions set forth in this chapter. Exception: Only those sections of this chapter that are specifically referenced in Chapter Five of the Uptown/Town Centre Specific Plan shall apply within the Uptown/Town Centre Specific Plan Area.

**SECTION 16:** Section 21.20.215 (Residential uses in commercial zones) is hereby deleted.

~~In the commercial service area bounded by 18th Street, 24th Street, the railroad tracks and Highway 101, residential single family (R-1) and multiple family low (R-2) uses may occur subject to approval of a conditional use permit. The development of residential~~

~~single family (R-1) shall use the development standards as specified in Chapter 21.16E (R-1 District Regulations). The development of multiple family low residential (R-2) shall use the development standards as specified in Chapter 21.16I (Multiple Family Residential Districts).~~

SECTION 17: Section 21.20.260 (Fire Control) is hereby deleted.

~~See fire control regulations in the Uniform Building Code.~~

SECTION 18: Section 21.22.030 (Definitions for Off-Street Parking) is hereby amended to read as follows:

**21.22.030. Definitions**

~~"Downtown parking assessment district" means the boundaries of the district in effect on July 1, 1987.~~

~~"Downtown area" means the geographical area generally bounded by 7th Street on the south, 17th Street on the north, Oak and Vine Streets on the west, and State Highway 101 on the east; the more precise boundaries are illustrated in Figure 21.22-4.~~

"Fixed seats" means two lineal feet of pews, benches or other stationary seating.

"Freestanding" means one land use or combination of land uses, subject to a single business license, on one parcel of land. Except as specifically noted, all off-street parking standards apply to freestanding land uses.

"Multitenant" means multiple land uses (subject to multiple business licenses) on one parcel of land.

"Spaces" means off-street parking spaces, open or enclosed, developed in accordance with the provisions of this chapter.

SECTION 19: Section 21.22.035 (Downtown Area Parking Space Requirements) is hereby deleted.

*Note: An amended version of this section is proposed to be inserted in Section 5.7.2 of the Uptown/Town Centre Specific Plan.*

SECTION 20: 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 21. 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 22. Inconsistency. To the extent that the terms of 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 23. 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 February 15, 2011, and passed and adopted by the City Council of the City of El Paso de Robles on the 1<sup>st</sup> day of March 2011 by the following roll call vote, to wit:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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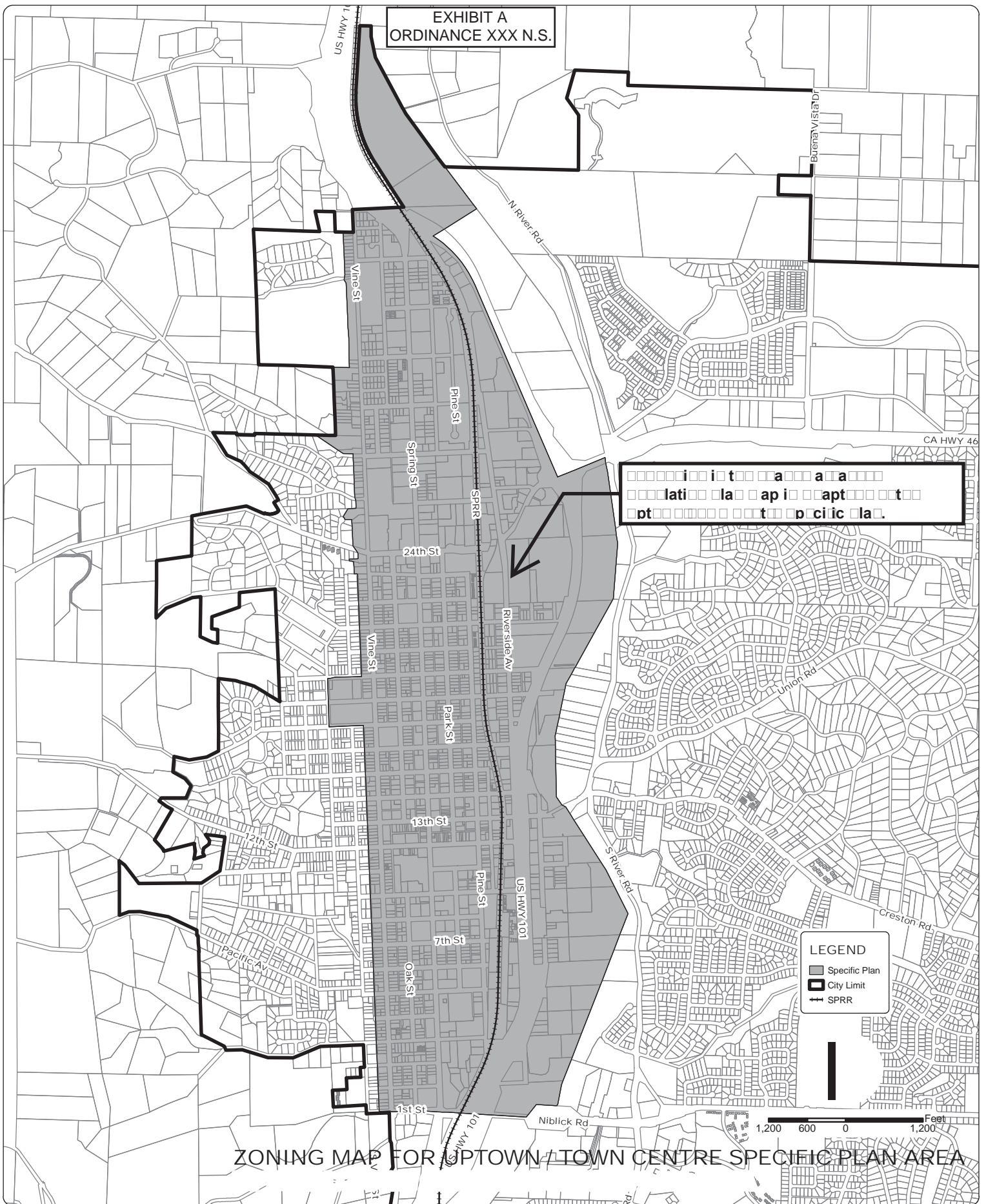
Duane Picanco, Mayor

ATTEST:

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Caryn Jackson, Deputy City Clerk

EXHIBIT A  
ORDINANCE XXX N.S.



ZONING MAP FOR UPTOWN/TOWN CENTRE SPECIFIC PLAN AREA

## Exhibit B

### Chapter 21.16B

#### SPECIFIC PLAN (SP) OVERLAY ZONE

##### Sections:

21. 16B.010	Purpose
21. 16B.020	Applicability
21. 16B.030	Contents of Specific Plans
21. 16B.040	Adoption and Amendment of Specific Plans
21. 16B.050	Fees
21. 16B.060	Development Regulations Contained Within Specific Plans
21. 16B.070	Approval Procedure for Projects After Adoption of Specific Plan
21. 16B.080	Effect of Plan

##### 21. 16B.010 Purpose.

- A. The Land Use Element of the General Plan provides for the adoption of Specific Plans, as defined by Government Code Sections 65450 et seq., where it would be appropriate to:
1. Retain unique site features;
  2. Insure a cohesive development pattern for the area; (A Specific Plan could establish site planning, design and architectural parameters that could integrate the uses of the different parcels in the area).
  3. Lend themselves to long-term development and infrastructure phasing; and
  4. Allow for flexibility in site planning in order to encourage creative and higher quality design and to ensure compatibility with surrounding land uses.
- B. The Land Use Element of the General Plan establishes the authority to use specific plans to provide flexibility in terms of the following:
1. Distribution of densities within the geographic area covered;
  2. Parcel sizes and location (including clustering to retain unique site features);
  3. Development Standards and other Zoning Ordinance requirements;
  4. Allowable land uses by providing an opportunity for mixed use provisions (e.g. neighborhood serving commercial land uses) within the overall residential densities anticipated in the General Plan. This flexibility includes the ability to provide for multi-

family land uses as long as the total dwelling unit count is within the scope of the General Plan designation for the geographic area under consideration.

- C. To implement these Land Use Element Policies, the Specific Plan (SP) Overlay Zoning District is established. The purpose of this Chapter is to explain:
1. The contents of specific plans;
  2. The process for adopting and amending specific plans;
  3. Fees that the City may charge to recover the costs of preparing, amending, and administering specific plans;
  4. The effect that development regulations adopted as part of specific plans have on regulations contained within this Chapter.

#### **21. 16B.020 Applicability**

The Specific Plan (SP) Overlay Zone is applied to those properties designated by the Land Use Element of the General Plan for being subject to the preparation of a specific plan.

#### **21. 16B.030 Contents of Specific Plans**

- A. As specified in Government Code Section 65451, Specific plans shall include the following components:
1. A text and a diagram or diagrams which specify all of the following in detail:
    - (a) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
    - (b) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
    - (c) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
    - (d) A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).
  2. The specific plan shall include a statement of the relationship of the specific plan to the general plan.



- B. As specified in Government Code Section 65452, Specific Plans may address any other subjects which in the judgment of the City are necessary or desirable for implementation of the General Plan.

**21.16B.040 Adoption and Amendment of Specific Plans**

- A. Specific Plans shall be adopted by both resolution and ordinance.
- B. Resolutions shall govern those components of specific plans that are:
  - 1. Policy statements describing the vision for development;
  - 2. Descriptions of the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities; and
  - 3. Programs of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out items (1) and (2).
- C. Ordinances shall govern those components of specific plans that act as zoning regulations for the areas covered by specific plans:
  - 1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan; this would include "regulating plans", land use/zoning maps; and
  - 2. The regulations for development of said lands.
- D. Adoption and amendment of specific plans shall be accomplished in the manner set forth in Chapter 21.23A.
- E. Prior to adopting or amending a specific plan, the City Council shall make the following findings:
  - 1. That the specific plan or amendment thereto is consistent with the goals, objectives, and policies of the General Plan;
  - 2. That the specific plan or amendment thereto would not be detrimental to the public health, safety, or welfare of the community;
  - 3. That the specific plan or amendment thereto includes provisions which ensure that adequate public facilities will be available to serve the range of development described in the plan.

#### 21.16B.050 Fees

- A. As provided in Government Code Section 65456, the City may establish a fee to recover the estimated cost of preparing, amending, and administering individual specific plans. Said fee shall be adopted by resolution and may be amended from time to time by resolution to account for adjustments for inflation. For those specific plans for which fees are established, said fees shall be made a condition of issuance of building permits for new dwelling units and for new commercial floor area, but collectible at the time of issuance of certificates of occupancy.
- B. Fees will be established for specific plan areas in which land that had been used for agricultural or very-low intensity rural use will be re-designated to be developed with substantially higher intensity urban and/or suburban uses. In such areas, the expected number and frequency of building permits for new development would make cost recovery feasible.
- C. Fees may not be established for specific plan areas that are already largely developed with urban uses where the purpose of the specific plan is to guide infill development and redevelopment. In such areas, the expected number and frequency of building permits for new development would not be sufficient to make cost recovery feasible.

#### 21. 16B.060 Development Regulations Contained Within Specific Plans

- A. As provided by Government Code Section 65451, specific plans shall address the distribution, location, and extent of the uses of land within the area covered by the plan and standards and criteria by which development will proceed. Such components shall have the effect of zoning regulations that may supplement and/or supersede development regulations set forth in this Title.
- B. This section will establish the understanding of the relationships of development regulations, including zoning districts, adopted by individual specific plans.
- C. Union/46 Specific Plan: The Union/46 Specific Plan was adopted in 1988. Chapter 3 of this specific plan establishes maximum densities (number of dwelling units) that may be developed within subareas and various development regulations such as: minimum lot sizes, maximum developable slopes, setbacks, and grading limitations that supplement and supersede certain development regulations for underlying zoning districts shown on the Zoning Map adopted pursuant to Section 21.12.020.
- D. Borkey Area Specific Plan: The Borkey Area Specific Plan was adopted in 1990. Chapter 3 of this specific plan establishes maximum densities (number of dwelling units) that may be developed within subareas and various development regulations such as: minimum lot sizes, agricultural buffers, setbacks, and other standards that supplement and supersede certain development regulations for underlying zoning districts shown on the Zoning Map adopted pursuant to Section 21.12.020.

- E. Uptown/Town Centre Specific Plan: The Uptown/Town Centre Specific Plan was adopted in 2011. Chapter 5 of this specific plan is a form-based zoning code that includes a regulating plan and detailed regulations for development of properties within the area covered by this specific plan. This regulating plan map supersedes the Zoning Map adopted pursuant to Section 21.12.020, which was amended to delete all zoning districts, base and overlay, that predated adoption of this specific plan. The regulations in Chapter 5 do refer to certain chapters and sections in this Title as having effect within the area covered by this specific plan.
- F. Chandler Ranch Area Specific Plan (Reserved)
- G. Olsen Ranch/Beechwood Area Specific Plan (Reserved)

**21. 16B.070 Approval Procedure for Projects After Adoption of Specific Plan**

- A. No zoning code amendment, tentative tract map, tentative parcel map, lot line adjustment, development plan, site plan, plot plan, conditional use permit, variance, waiver, or street abandonment may be approved unless it is consistent with the applicable specific plan.
- B. Development within the specific plan areas is subject to the review process set forth in Chapter 21.23A unless the text of the applicable specific plan provides otherwise.

**21. 16B.080 Effect of Plan**

- A. Within an area designated by the Land Use Element of the General Plan for adoption of a specific plan, no discretionary land use approval (tentative tract map, tentative parcel map, development plan, conditional use permit, variance, waiver, or street abandonment) may be approved until a specific plan is adopted.
- B. On a case-by case basis, the City Council may grant relief from the restriction described in subsection "A" and provide exceptions for the following:
  - 1. Conditional use permits for occupancy of existing buildings.
  - 2. Development that is consistent with the General Plan and with the planned use of the property and which is adequately served with existing public improvements such as transportation, water, sewer, storm drain, parks and open space facilities.

# Attachment 7

TO: Planning Commission

FROM: Ron Whisenand, Community Development Director

SUBJECT: Uptown/Town Centre Specific Plan, General Plan Amendment 2011-001, and Code Amendment 11-001

DATE: January 11, 2011

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**Needs:** For the Planning Commission to make a recommendation to the City Council regarding the Uptown/Town Centre Specific Plan, General Plan Amendment 2011-001, Code Amendment 11-001, and certification of an Environmental Impact Report (EIR) for these actions.

**Facts:**

1. The Uptown/Town Centre Specific Plan proposes to define a vision and adopt policies, programs, a palette of public facilities and infrastructure improvements, and land use regulations for the development and redevelopment of the historic West Side of the City, generally between 1<sup>st</sup> Street on the south, 38<sup>th</sup> Street and the Hot Springs Property on the North, the Salinas River on the East, and those properties fronting on the west side of Vine Street on the west. A map of the Planning Area is attached.
2. The General Plan and Economic Strategy contain several policies and action statements that call for a specific plan and a form-based code for this area. A listing of these policies appears in the recitals ("Whereas" statements) in the attached resolutions to approve the Specific Plan and the General Plan Amendment.
3. A Specific Plan is a type of land use plan that is defined and regulated by Sections 65450 et seq. of the California Government Code. By law, such plans must contain: text and one or more diagrams that specify the distribution, location, and extent of land uses and infrastructure; standards and criteria by which development will proceed; and a program of implementation measures.
4. A general plan amendment is a necessary adjunct to this specific plan for the following reasons:
  - a. To amend Land Use Element maps to
    - (1) Add the Uptown/Town Centre Specific Plan Overlay District
    - (2) Delete the Uptown Specific Plan Overlay District;
    - (3) Delete the Senior Housing Overlay District;
    - (4) Delete those portions of the Office Professional and Mixed Use Overlays located within the Uptown Specific Plan Overlay
    - (5) Reassign land use categories for some properties;
  - b. To amend Land Use Element text to:
    - (1) Delete the reference to the Oak Park Specific Plan;
    - (2) Add a reference to the Uptown/Town Centre Specific Plan;
    - (3) Add a limitation on the Uptown/Town Centre Specific Plan to limit the collective build-out potential to 989 dwelling units to ensure that the overall citywide population does not exceed 44,000 by the year 2025 (per City Council Resolution 03-232);
    - (4) Add descriptions of the Downtown Commercial (DC), Mixed Use, 8 Units per Acre (MU-8), and Mixed Use, 12 Units per Acre (MU-12) land use categories;
    - (5) Delete the description of the Senior Housing Overlay District;
    - (6) Delete a note under the Commercial Service Land Use Category pertaining to mixed use in the area between Highway 101 and the Railroad, and between 18<sup>th</sup> and 24<sup>th</sup> Streets;

- (7) Make other minor typographical changes;
  - c. To amend Table PR-1, Parks and Recreation Facility Improvements in the Parks and Recreation Element to add parks and trails facilities recommended by the specific plan.
5. A Zoning Code amendment is a necessary adjunct to this specific plan for the following reasons:
    - a. To adopt Chapter 5 of the specific plan as the zoning code for the planning area;
    - b. To establish a chapter of the Zoning Code that sets forth the relationships between zoning regulations in specific plans and those in the Zoning Code, explaining the circumstances under which land use (zoning) regulations in specific plans supplement and/or supersede those in the Zoning Code;
    - c. To delete several chapters and sections that contain regulations that had applied in the specific plan area, but which will no longer apply;
    - d. To amend the Zoning Map to delete base and overlay districts that had applied in the specific plan area, but which no longer apply with the adoption of the specific plan.
  6. The documents and testimony to be included as part of consideration of the specific plan and its attendant general plan and zoning code amendments are:
    - a. Public Draft Specific Plan, dated 2 July 2009 (not attached to this report);
    - b. Addendum, dated October 5, 2010 (not attached to this report);
    - c. Possible Changes to Chapters 2 and 5 (attached to this report);
    - d. Final Environmental Impact Report for the project (not attached to this report);
    - e. Letters from the public (attached to this report);
    - f. Oral public testimony to be made at the public hearings.
  7. The Addendum is a list of revisions to the Public Draft that the City Council, following the public workshop on May 26, 2010, directed staff to prepare for consideration at the public hearings.
  8. The "Possible Changes to Chapters 2 and 5" are a further list of possible revisions to the Public Draft that were suggested by the City Council and Planning Commission following the public workshops on the Form-Based Code and Salinas River and items suggested by City staff to reduce the amount of change between current zoning code standards and those suggested in the Form-Based Code (Chapter 5 of the Specific Plan.)
  9. A brief chronology for this specific plan:
    - 2007: General Plan Amendment to establish Uptown Specific Plan Area;
    - 2008: Consultant was selected, workshops and charrette conducted, first administrative draft plan submitted;
    - 2009: Public review draft plan was circulated; three ad hoc committees review this draft;
    - 2010: Public workshops to consider ad hoc committee recommendations and determine the contents of the Addendum, the land use and development standards along the Paso Robles Street section of the riverfront, and the form-based code; the Draft EIR was circulated for comment.
  10. The City has conducted extensive public outreach in the preparation and review of the plan. Several public workshops and a 5 day charrette were conducted; meetings were held with stakeholders; several public workshops were conducted after the draft plan was circulated.
  11. Notice of this public hearing was published in the Tribune (1/4 page ad); a copy of this notice is attached. Letters were mailed to all owners of property within the planning area and within 300 feet of the planning area, as well as to stakeholders. A mail notice affidavit is attached.

12. Pursuant to the California Environmental Quality Act (CEQA), a Draft Environmental Impact Report (DEIR) was prepared and circulated. This type of EIR is a "Program EIR", like that prepared for the General Plan Update, which addresses the general types of impacts that development under the specific plan may cause. Specific development projects that may occur within the planning area after adoption of the plan may have to conduct additional environmental studies to focus in on the detailed impacts they may potentially create.
13. The Draft EIR identifies only one impact that is significant and which cannot be mitigated to a point of non-significance: Air Quality. The essence of the impact is that the population projections in the Draft Specific Plan exceed the population projections used in the 2001 Air Quality Plan and those adopted by the San Luis Obispo Council of Governments, which could result in the surpassing of the emission inventories in the Clean Air Plan, potentially affecting the attainment status of the region. CEQA, therefore, requires preparation of an EIR and adoption of a Statement of Overriding Considerations if the project is to be approved. A Statement of Overriding Considerations is included within the attached resolution to certify the EIR.
14. The Draft EIR notes that there are five impacts that are potentially significant, but can be reduced to a point of non-significance if the mitigation measures listed in the Mitigation Monitoring and Reporting Plan attached to the resolution certifying the EIR are implemented. The potential impacts caused by development that occurs as a result of the specific plan are summarized below. The responsibility for implementing mitigation measures would largely be on developers. Most mitigation measures are standard conditions of approval already used by the City.
  - a. Air Quality: Expose sensitive receptors to pollutants; conflict with agency (e.g. APCD) adopted plans, policies, and regulations.
  - b. Biological resources: Create adverse effects on species or plans; interfere with native or migratory species (for properties adjacent to the Salinas River).
  - c. Cultural/paleontological resources: Potential for discovery of archaeological and paleontological resources and human remains; adverse change to historical resources.
  - d. Noise: Excessive noise and vibration levels; permanent and temporary noise increase.
  - e. Transportation and Traffic: Increase in traffic. The EIR identifies two mitigation measures that would be the responsibility of the City to implement:
    - (1) Install a new traffic signal at Riverside and 10<sup>th</sup> Streets;
    - (2) Make some signal modifications to the existing light at Riverside and 13<sup>th</sup> Street.

The latter improvements will be installed as part of the Highway 101/46 Dual Left-Turn Project to commence construction in 2011. The former will be programmed to occur as the need for the signal becomes warranted. (Additional development in the Downtown envisioned by the specific plan would drive increased traffic that would indicate such a warrant.)
15. Pursuant to SB 18 (2004), the City corresponded with Native American Tribes identified by the Native American Heritage Commission as having an interest in protecting and/or mitigating impacts to cultural places in Paso Robles. The City notified these tribes of the availability of the draft specific plan and provided them with public notice of EIR and the public hearings on the plan.

16. Following adoption of the plan, the Consultant will prepare a final plan that incorporates all changes.

#### Analysis and

#### Conclusion: **Specific Plan**

**Mandate.** As noted in Fact #2, above, the General Plan and Economic Strategy contain several policies and action statements that call for a specific plan and a form-based code for this area. A listing of these policies appears in the recitals in the attached resolutions to approve the Specific Plan.

**Horizon.** The Specific Plan nominally has a 25 year horizon (to 2035). However, because of the cost of constructing public facilities and improvements, many of the proposals may take longer to be realized; some proposals may never prove to be financially feasible.

**Priorities.** The projects (public facilities and improvements), programs, and policies recommended in Chapter 2 of the specific plan need to be prioritized. The Addendum proposes a prioritization schedule with three levels: "short-term", "mid-term", and "long-term". A summary table, with all of the projects, programs, and policies, plus the two traffic mitigation measures identified by the EIR, their proposed priority and possible sources of funding is attached to this staff report. That table includes a column for AB 1600 fee funding, but no projects or programs are indicated in the table as being suggested for such funding at this time. Identification of those projects and programs to be accomplished with AB 1600 funds will be the purview of the City Council. It is suggested that the Planning Commission confirm or suggest amendments to the proposed prioritization.

**Adoption Procedure.** Adoption of the Specific Plan will entail adoptions of both a resolution and an ordinance. The resolution will address the vision, infrastructure standards, and implementation components of the plan as presented in Chapters 2, 3, and 4. The Form-Based Code presented in Chapter 5 is a zoning code and must be adopted by ordinance.

**Riverfront Uses and Development Standards.** At a public workshop held on October 26, 2010, the Planning Commission and City Council discussed options for the Salinas River frontage along properties on Paso Robles Street. The attached "Possible Changes to Chapters 2 and 5" suggests that the vision for the River, as stated in Chapter 2, be revised to:

1. Explain that the statement "new development should front the river" means that buildings should incorporate four-sided architecture and use landscaping along the river frontage, rather than requiring that front doors face the river or the Paseo.
2. State that the City will need to develop a Salinas River Master Plan in the future to plan and design future river improvements (trails and destinations) contained in this specific plan and in the "Follow the River, Follow the Dream" design workshops. The Salinas River Master Plan can also be used to prioritize future funding opportunities for public improvement.
3. Propose an option, to be discussed at the public hearings, that the Paseo that would run along the west side of the river be reduced from a vehicular street to a pedestrian/bike path. The palette of ancillary improvements (e.g. benches, lights, amphitheatre) would be the subject of the Salinas River Master Plan.

#### **General Plan Amendment**

**Mandate.** Fact #4, above, lists the reasons and components to the general plan amendment. State law requires that specific plans be consistent with the General Plan. The proposed changes will ensure General Plan policies are aligned with the Specific Plan vision.

New Land Use Categories. It is proposed that 3 new land use categories be created as follows:

1. Mixed Use, 8 Units per Acre (MU8): This would allow a mix of multi-family residential at 8 units per acre and offices and limited commercial such as offices, personal services, and neighborhood markets. It is generally equivalent to RMF8 with an OP or MU Overlay.
2. Mixed Use, 12 Units per Acre (MU12): This would allow a mix of multi-family residential at 12 units per acre and offices and limited commercial such as offices, personal services, neighborhood markets, banks, retail shops, and restaurants. It is generally equivalent to RMF12 with an OP or MU Overlay.
3. Downtown Commercial (DC): This would provide a land use category for the historic downtown, which is to serve as a center for entertainment, culture, the arts, civic facilities and events, education, community, regional, and visitor-serving retail, and offices. In order to enhance the economic vibrancy of the downtown, priority for ground floor space is to be given to uses that generate a substantial amount of pedestrian traffic, such as retail, restaurants, theatres, wine-tasting, and services such as banks, realty offices, and personal services. Offices that do not generate pedestrian traffic and residential uses may be limited to occupying upper floors.

Residential Densities. The form-based code will allow development of multi-family housing at higher net densities than the existing Zoning Code would. The higher densities could be achieved by a combination of building smaller units and one-bedroom units and relaxed standards for off-street parking (no visitor spaces would be required and narrower driveways could be provided). However, on a gross acreage basis (which includes the rights-of-way of adjacent streets), the expected densities would be within the 8 and 12 units per acre specified by the General Plan.

Changes in Zoning. The Specific Plan proposes new names for the various zoning districts. In many cases, the new zones are essentially a name change (e.g. R-2 becomes T-3N, R-3 becomes T-4N, C-2 becomes TC-2, and C-3 becomes RC). For such zones, the underlying general plan land use category is unchanged. In other cases, the Specific Plan proposes to change the basic zoning and range or intensity of land use (e.g., some C-3 zoned parcels will become TC-1 or TC-2 instead of RC, some R-3 zoned parcels will become T-4F, which allows mixed use). For these cases, the underlying land use category will need to change. In some cases, properties will have more options for development than they did before; in other cases, the range of allowable uses may be more limited. An example of the latter is TC-1 Zoning, which would limit uses in the downtown basically to retail and hotels, with offices and residential on the second floor. Auto-related uses (repair, gasoline stations) and some services (e.g. appliance repair) would no longer be permitted. However, the long range economic return on investment is anticipated to be improved.

Population Planning Threshold. The General Plan provides that properties within the specific plan area could accommodate a maximum of 989 additional dwelling units (constructed after January 1, 2010) as being consistent with the 44,000 population planning threshold established by Resolution 03-232, which adopted the 2003 General Plan. The Specific Plan could accommodate up to an additional 1,649 dwelling units. In order to ensure that the Specific Plan is consistent with the General Plan, it is recommended that Chapter 5 include a policy to initiate a growth management program once the number of units added since January 1, 2010 reaches 600. It is also recommended that the text of the Land Use Element include a statement that "At no time shall the collective buildout potential of the Uptown/Town Centre Specific Plan exceed a total of 989 dwelling units constructed after January 1, 2010, to ensure that the overall citywide population does not exceed 44,000 by the year 2025 (per City Council Resolution 03-232)."



### Deletion of Senior Housing, Mixed-Use and Office Professional Overlays.

- a. The Senior Housing Overlay was established with the 2003 General Plan as a means to meet the City's obligation to provide opportunities for affordable housing as a part of its share of the Regional Housing Needs Allocation. Since creation of that overlay, the City has learned that the California Civil Code provides that the City cannot restrict occupancy of any residential complex to seniors unless the complex qualifies as a "Senior Citizen Housing Development" with a minimum of 35 dwelling units. Section 21.21.150 of the Zoning Code provides that such housing developments may be developed in any residential zone throughout the City.
- b. The Mixed Use Overlay was established with the 2003 General Plan and primarily for the same purpose as the Senior Housing Overlay: to provide additional opportunities to develop residential uses at 20 units per acre in conjunction with commercial uses. The Specific Plan provides for both mixed use in all commercial zones and a considerable amount of T-3F and T-4F zoning, which allows mixed residential and commercial use.
- c. The Office Professional (OP) Overlay was established with the 2003 General Plan to allow development of offices in residential neighborhoods occupying the equivalent of 10 blocks surrounding the Downtown. The Draft Specific Plan, Addendum, and Possible Changes to Chapters 2 and 5 collectively propose that flex zoning (T-3F and T-4F), which is the equivalent of having OP overlay, remain on 3 of these 10 blocks. The purpose underlying this change is to concentrate offices in a closer ring around the Downtown so that the Downtown has a better chance of thriving economically.

### Zoning Code Amendment and Form-Based Code

Mandate. Facts #2 and 5, above, list the reasons and components to the Zoning Code Amendment. The intention of the Form-Based Code (Chapter 5 of the Specific Plan) is to replace the day-to-day zoning regulations in the existing Zoning Code. However, there are some regulations that apply city wide and some that are not used on a daily basis that the Form-Based Code will reference. Examples include sign regulations (Chapter 21.19), Floodplain Management regulations (Chapter 21.14), and development permit application processing (Chapter 21.23A). Section 5.3.E of the Form-Based Code (on Page 5:9) contain a list of those chapters and sections of the Zoning Code that will still apply within the specific plan area.

Updating the Form-Based Code. It is anticipated that the Form-Based Code will not be perfect and that adjustments/revisions will need to be made periodically. It is suggested that the City Council direct that the Form-Based Code be scheduled for periodic (e.g. semi-annual) evaluations and amendments for the first 5 years.

Item #3 in Chapter 5 of the Addendum includes direction that the Form-Based Code include a provision to authorize the Planning Commission to approve "modifications" of development regulations on a case-by case basis, in the event that compliance with the provisions of the Form-Based Code can be demonstrated to be physically infeasible for any reasonable type of development. Such modifications would require a development plan (aka "PD") application, which would require a public hearing and the making of findings. This same provision already exists in the current multi-family zoning regulations in Chapter 21.161.

General Plan Consistency – Growth Management. As discussed in the previous section on the General Plan Amendment, it is proposed that the Form-Based Code include a provision to annually monitor growth within the planning area and initiate the formulation of a growth management program when the number of residential units completed since January 1, 2010 meets or exceeds 600 units. The program would not be executed until the total number of

units added meets or exceeds 750 units. If the General Plan and its population planning threshold, which is currently set at 44,000 population, is amended to raise the threshold, the growth management provision may no longer be necessary, and the Specific Plan could be amended to remove it. Between January 1, 1991 and December 31, 2009, a total of 182 dwelling units were built in the planning area. This is an average rate of less than 10 units per year over 19 years. It is expected that the General Plan will be updated long before the 600 additional units mark is achieved.

Mandates vs Guidelines. Section 21.16I.210 (General Architectural Requirements for Multi-Family Zones), states "The City may adopt design guidelines for multiple-family development and, as a condition of approval of a site plan or development plan, require that new construction adhere to such guidelines." Sections 21.23B.030 and 21.23B.140 provides that the Planning Commission and Development Review Committee may require projects to be consistent with adopted design guidelines. Design guidelines are not mandatory on their face; as such, the City does have some discretion in their application. On the other hand, even though they are not mandatory, the City has authority to require development to conform to them.

The City has adopted design guidelines for multi-family residential development, industrial development, and commercial development in the Downtown (Main Street Design Guidelines). The multi-family residential development and industrial development guidelines are narrative in form, i.e., they do not include any graphics, which makes them more-difficult to interpret and apply.

The Form-Based Code will include architectural style guidelines in Section 5.5.3, and the City Council has previously directed that these guidelines are not to be mandatory. These guidelines will be graphic (i.e. include photos and drawings of acceptable architectural features), which should help developers and designers more-easily understand the types of design features that the City is seeking, thereby streamlining the permit process.

The architectural style guidelines in Section 5.5.3 show nine specific styles for residential and commercial development. Examples include Victorian, Craftsman, Spanish Revival, Main Street Commercial, and Warehouse Industrial. In the planning area are numerous examples of other styles of both residential and commercial that have been accepted, but which are not specifically described in the Draft Specific Plan. The "Possible Changes to Chapters 2 and 5" suggests that alternative language that clarifies the intent that the section on architectural styles is to be "guidelines". It also suggests that the City prepare an appendix to the specific plan that shows photographs, and possibly drawings and explanatory text, of other architectural styles for existing buildings in the City that would be complementary with the nine styles described in Section 5.5.3.

Regulating Plan (Zoning Map) - Suggested Changes. Item #5 in Chapter 5 of the Addendum proposes 12 changes to the Regulating Plan. These changes are shown in the attached maps entitled "Changes to the Regulating Plan Listed in the Addendum". Beyond these proposed changes, the attached "Possible Changes to Chapters 2 and 5" suggests that one of the 12 map changes be reconsidered (i.e. deleted) and 3 other map changes be considered. These additional items are discussed in the attachment.

Suggested Changes to Development Regulations. Since the May 2010 workshop at which the Addendum items were set, the City Council, Planning Commission, and staff have noted other provisions of the Form-Based Code that need revision. These are listed in the attached "Possible Changes to Chapters 2 and 5. A brief summary of the changes follows.

- Amend Table 5.3-1 to expand the range of permitted and conditional uses in various zones.

- Revise interior side yard setbacks in residential zones to allow 5 feet for 2 story buildings on lots that are 50 feet or less in width. (This is the current zoning standard; the proposed 8 foot setback for 2 stories would be too limiting for 50 foot wide lots.)
- Revise height limits in the T-4N and T-4F Zones to allow 3 story buildings. (The City allowed 3 story buildings at Oak Park, which would be in the T-4N Zone.)
- Add an exception/footnote to provide that the DRC and Planning Commission may allow exemption from the frontage types in the RC Zone for properties located on Paso Robles Street and on Riverside Avenue, north of Black Oak Drive.
- Provide an exception in the TC-2 and RC zones to allow parking to be placed within the 50% of lot depth from the primary street provided that buildings conform to the setback standards. (This would allow parking lots to be placed alongside buildings in these zones.)
- Decrease the street side setback for parking lots from 40 feet to 10 feet.
- Delete the requirement in the architectural standards for stacked dwellings that would limit each dwelling unit to having only one side “exposed to outdoors”.
- Section 5.5.2 – Frontage Types: The City’s Building Official has advised that the California Building Code provides that neither habitable space nor pillars may occupy any portion of the public right-of-way, including sidewalks. Essentially, the entire footprint of buildings with a gallery or arcade frontage must be on private property. Therefore, the drawings for gallery and arcade frontages on Pages 5:44 and 5:58 need to be revised to show the correct position of the right-of-way.
- Enhance the open space requirements for buildings (in Sections 5.5.1.A – 5.5.1.N) with the following:
  - a. Open space may be private (balcony or fenced patio or yard) or shared among residents of all units on a property.
  - b. Open space must be “usable” by all residents for active recreation purposes. Maximum slope for open space: 10 percent. Open space cannot include parking areas.
  - c. On properties proposed for mixed use with second (and/or third floor dwelling units), the minimum amount of open space may be reduced to 80 square feet per unit. If provided in a balcony, the minimum dimensions for a balcony shall be 5 feet by 8 feet;
  - d. Minimum dimensions for private ground floor open space (patio or enclosed yard): 8 ft by 10 ft;
  - e. Minimum dimensions for shared open space: 15 feet by 15 feet.
- Revise Section 5.7.2, Parking Standards, to:
  - a. Allow tandem parking for offices (in addition to restaurants). This would facilitate development of mixed use in the T-3F and T-4F Zones.
  - b. Provide for “shared” parking, allowing commercial and residential uses in mixed use buildings to share parking spaces, in the same ratio provided under the current Zoning Code (66%). This would facilitate development of mixed use.
  - c. Transfer the regulations for parking in the Downtown from Section 21.22.035 to the Specific Plan.

- Add Section 5.7.7 to encourage the use of solar panels for generation of electricity and water heating.

### Written Requests for Changes to the Specific Plan

1. Paul Viborg, letter dated November 11, 2010:
  - a. Requests that the Hayward Lumber property be allowed to be used for building materials sales, manufacturing, assembly, and processing.
  - b. Requests that the plan not provide for parks, walkways, or an amphitheatre along the rear of properties that front on the east side of Paso Robles Street, as this area is an industrial area and any such facilities or site planning/architectural treatments to front these facilities would constitute a "taking".
  - c. Is concerned that architectural and site planning standards for commercial light industrial use would make any redevelopment on three of his properties along Riverside Avenue (Scandia Square, the building immediately north of Scandia Square, and an industrial building on the south side of 18<sup>th</sup> Street adjacent to the railroad) infeasible.

With regard to the above:

- a. The Hayward Lumber site is proposed to be zoned TC-1, a downtown commercial zone that is limited to hotels, retail, and upper floor offices and residences. This was done to facilitate expansion of the Downtown to the south. A less-restrictive zoning district such as TC-2 or RC could allow establishment of a new use that would hinder that objective. The existing building materials sales is a non-conforming use. A building materials sales business could re-occupy the site. Alternatively, the form-based code would include the existing Zoning Code's provision that would allow replacement of a non-conforming use with another non-conforming use of equal or lesser intensity, subject to a conditional use permit.
  - b. As discussed previously in this report, development standards for properties on Paso Robles Street, would still call for four-sided architecture and landscaping for any outdoor storage or parking areas along the river; additionally, buildings would not be required to front the river. It is proposed that the Paseo be reduced to a pedestrian/bicycle path, and that the scope of improvements be addressed at a future time with the preparation of a Salinas River Master Plan.
  - c. There are physical circumstances affecting the three properties, which could make strict adherence to some of the form-based code's development standards impractical. As discussed previously in this report, it is proposed that the form-based code include a provision to allow flexibility in application of standards.
2. Paul Viborg, letter dated December 14, 2010: Requests that all of his properties on Paso Robles Street be zoned RC (Riverside Corridor) rather than split-zoned RC (along Paso Robles Street) and OS (Open Space).

The zoning district boundaries shown on the Regulating Plan follow parcel lines on the alignment of Garden Street, a paper street about 300 feet east of Paso Robles Street. FEMA's Flood Maps show that the floodway boundary generally follows the alignment of Garden Street. Therefore, even if commercial zoning extended to the centerline of the river, the area east of Garden Street is not usable or developable, and might as well be zoned OS.

3. Salmanzadeh/Woodworth, letter dated December 20, 2010: This letter objects to several plan proposals that would affect the Salmanzadeh's properties (2738 Park Street and the Hot Springs property), but offers possible solutions of entering into agreements with the City regarding easements for bike paths, trails, and hot springs interpretive center. That is actually one of the objectives of the specific plan, to propose improvements that will take cooperation between the City and property owners at such time that there might be financing to pursue such amenities.

The letter objects to the proposed Open Space (OS) Zoning, preferring the existing Parks and Open Space (POS) or Riverside Corridor (RC) Zoning. The Proposed Changes to Chapters 2 and 5 suggest amending the zoning matrix to allow hot springs resorts as subject to a conditional use permit in OS Zone (as it presently is allowed in the POS Zone).

The letter also requests that the City take action to "properly terminate" Riverside Avenue (presumably where it ends on the south side of Highway 101) to prevent traffic from driving further north, under Highway 101 to the Hot Springs Property. This request would be an action for the City Council to budget.

### **Order of Business for Discussion and Recommendation**

There are a lot of issues to be discussed in reviewing and making recommendations to the City Council on the specific plan, general plan amendment, and code amendment. It is suggested that the Planning Commission undertake these tasks in the following order:

- A. Specific Plan
  1. Priorities for Projects, Programs, and Policies - Priorities Summary
  2. Riverfront Vision and Standards – Changes to Chapter 2
  3. Other matters from Chapters 1 -4 that Commissioners may wish to discuss
- B. Form-Based Code (Chapter 5)
  1. Changes to Regulating Plan (Zoning Map) – Possible Changes to Chapter 5
  2. Other changes to the map that the Commission may recommend
  3. Changes to Zoning Standards – Possible Changes to Chapter 5
  4. Other matters from Chapter 5 that Commissioners may wish to discuss
- C. General Plan Amendment

Reference: General Plan; 2006 Economic Strategy; State laws governing Specific Plans and Zoning Consistency with the General Plan

Fiscal

Impact: The primary purpose of the Uptown/Town Centre Specific Plan is to establish a vision, policies, and standards for development and redevelopment of the historic West Side so that the City might continue to attract investment in high quality development, which will, in the long term, reap increased property tax, sales tax, and transient oriented tax revenues to the City. To pursue this end, the City has invested a little more than \$1.5 million in Redevelopment Funds (regular and housing) for consultant services and a considerable amount of City Council, Planning Commission, and staff time.

The plan recommends a palette of improvements to public facilities and infrastructure to help catalyze the vision. The expectation of the plan is that it will be implemented over 25 to 50 or more years, and that investment in public facilities and infrastructure will occur incrementally as funds are or become available. Some improvements may be accomplished with AB 1600 fees, but many may be accomplished with grants that would be facilitated via the adoption of a specific plan that documents the need and benefits of improvements.

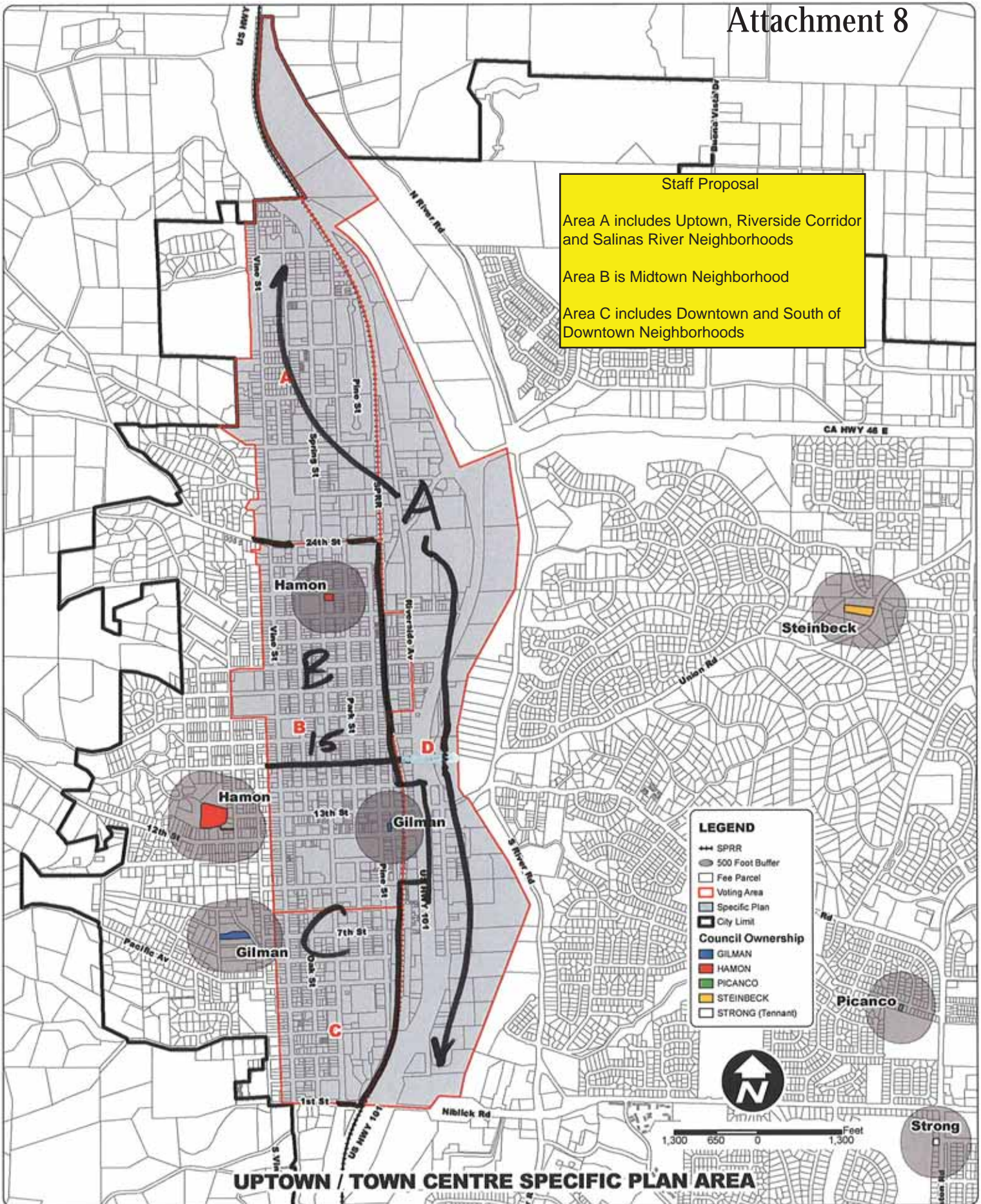
The EIR identifies only two mitigation measures that are public facilities: a new traffic signal at Riverside and 10<sup>th</sup> Streets and some signal modifications to the existing light at Riverside and 13<sup>th</sup> Street. The latter improvements will be installed as part of the Highway 101/46 Dual Left-Turn Project to commence construction in 2011. The former will be programmed to occur as the need for the signal becomes warranted. (Additional development in the Downtown envisioned by the specific plan would create increased traffic that would indicate such a warrant.)

Options: That the Planning Commission recommend that the City Council approve one of the following sets of options:

- a. (1) Adopt the attached Resolution Certifying the Environmental Impact Report and Adopting a Statement of Overriding Considerations;
- (2) Adopt the attached Resolution Adopting General Plan Amendment 2011-001;
- (3) Adopt the attached Resolution Adopting the Uptown/Town Centre Specific Plan, subject to revisions outlined in the attached Addendum and Changes to Chapters 2 and 5;
- (4) Adopt the attached Ordinance Approving Code Amendment 11-001.
- (5) By minute action, direct staff to schedule the Form-Based Code for biannual review (i.e., every 6 months) and amendment, if necessary.
- (6) By minute action, direct staff to initiate the preparation of an appendix to the Specific Plan to describe architectural styles that are complementary to the nine styles listed in Section 5.5.3.
- b. Amend, modify, or reject the above options.

ATTACHMENTS:

1. Map of the Uptown/Town Centre Specific Plan Area
2. Resolution Certifying the EIR and Adopting a Statement of Overriding Considerations
3. Resolution Adopting General Plan Amendment 2011-001
4. Resolution Adopting the Uptown/Town Centre Specific Plan
5. Ordinance Approving Code Amendment 11-001
6. Changes to the Regulating Plan Listed in the Addendum
7. Possible Changes to Chapters 2 and 5
8. Priorities Summary
9. Letters from:
  - a. Paul Viborg, dated November 11, 2010
  - b. Paul Viborg, dated December 14, 2010
  - c. Salmanzadeh/Woodworth, dated December 20, 2010
10. Newspaper and Mail Affidavits



FEB 18 2011

Engineering Division

CITY OF PASO ROBLES, CALIFORNIA PUBLIC HEARING : UPTOWN/TOWN CENTRE SPECIFIC PLAN  
GENERAL PLAN ADMENDMENT 2011 001 ZONING CODE ADMENDMENT

Date March 1, 2011 *hm*

PURPOSE a) : VISION OF CONTINUED DEVELOPMENT AND REDEVELOPMENT OF 1,100 ACRE.  
THE VICINITY OF FIRST STREET SOUTH TO FAR END NORTH OF 38<sup>TH</sup> STREET /PASO  
ROBLES HOT SPRINGS PROPERTY AREA

PURPOSE b) ADOPTION OF THIS PLAN AND ADMENDING GENERAL PLAN AND  
ZONE CODE ADMENDMENTS

A) Vision: Land Use Elements : To add the Uptown/Town Centre Specific Plan

IMPLIMENTATION AS WRITTEN IN LETTER for City Council Meeting March 1, 2011

(1) ADD: Uptown/town Specific Plan Overlay District (1) DELETE : Uptown Specific Plan Overlay District

(3) CREATE: New Land Use Categories =Downtown Commercial (2) Delete: Senior Housing, Office Professional OD

(4) TO CHANGE THE LAND USE CATEGORIES FOR "SEVERAL PROPERTIES" WITHIN THE SPECIFIC  
PLAN AERA

Upon calling the Planning Commissioner I was told that the specific area that is referred to as "Several Properties"  
meant properties that were in the boundaries of north of 1<sup>st</sup> Street down to 15<sup>th</sup> Street .and yet the deletion of  
Office Professional Overlay Districts makes for a clarification!

Specifically classify who's properties are eligible for redevelopment and or development.

Fact is Item ((2) of the above General Plan Amendment set forth the same boundaries, 1<sup>st</sup> Street to 15<sup>th</sup>  
Street of Uptown/Downtown areas for the 1,100 acre development and redevelopment vision plans for  
Paso Robles, Ca. Yet the statement says deleted from consideration is the Office Properties? Is it saying  
the Office Properties outside of the 1<sup>st</sup> Street to 15 Street said boundries in my conversation of February  
17, 2011.

Fact is adopting of (b) Chapter 5 of the Draft Specific Plan as to the Zoning Code Amendment the "all"  
poses a problem! Persons with properties can use land as commercial or non commercial. I lastly asked  
if the Churches and Schools be affected in this

The Paso Robles Planning Committee recommended that the City Council adopt the Uptown/Town Centre  
Specific Plan as well as the General plan and Zoning Code Amendments at the next scheduled meeting of  
3-10-11. Zoning : Downtown Commercial Residential. Downtown Commercial has been explained  
How does outside Residential Property outside of the Uptown/Town fix in the zoning  
boundaries?

Linda Jean Murray



*I would like to speak on March 1, 2011 City Council Meeting*



PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY  
PROJECT NOTICING

Newspaper: Tribune

Date of  
Publication: February 19, 2011

Hearing  
Date: March 1, 2011  
(City Council)

Project: Uptown/Town Centre Specific Plan  
Amendment 2011-001 and  
11-001

I, Theresa Variano, employee of the  
Development Department, Planning Division  
of El Paso de Robles, do hereby certify that  
a true copy of a published legal newspaper  
above named project.

Signed: Theresa Variano  
Theresa Variano

forms/newsaffi.691



**CITY OF PASO ROBLES  
NOTICE OF PUBLIC HEARING  
UPTOWN/TOWN CENTRE SPECIFIC PLAN  
GENERAL PLAN AMENDMENT 2011-001  
ZONING CODE AMENDMENT 11-001**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of El Paso de Robles will hold a Public Hearing on Tuesday, March 1, 2011, to consider approving the Uptown/Town Centre Specific Plan and related General Plan and Zoning Code Amendments listed below, which were initiated by the City of Paso Robles. The public hearing will be held at 7:30 p.m. in the Library Conference Center/ City Council Chambers at Paso de Robles Library/City Hall, 1000 Spring Street, Paso Robles, California.

All interested persons may attend this public hearing and be heard on this matter.

**Uptown/Town Centre Specific Plan:** Adoption of a Specific Plan to establish vision for the continued development and redevelopment of an 1,100 acre "Specific Plan Area", which is generally bounded by 1st Street on the South, 38th Street and the Paso Robles Hot Springs property on the North, the Salinas River on the east, and those properties fronting the west side of Vine Street on the West.

**General Plan Amendment 2011-001:**

- (a) To amend the text and maps in the Land Use Element as follows:
  - (1) To add the Uptown/Town Centre Specific Plan Overlay District and delete the Uptown Specific Plan Overlay District;
  - (2) To delete the Senior Housing and Office Professional Overlay Districts and to delete that portion of the Mixed Use Overlay located west of the Salinas River;
  - (3) To create the following new land use categories: Downtown Commercial (DC); Mixed Use, 8 Units per Acre (MU8); and Mixed Use, 12 Units per Acre (MU12);
  - (4) To change the land use categories for several properties within the Specific Plan Area.
- (b) To amend Table PR-1 of the Parks and Recreation Element to add parks and trail facilities that are proposed by the specific plan;

**Zoning Code Amendment 11-001:** to amend the City's Zoning Code (Title 21 of the Municipal Code) as follows:

- (a) To add Chapter 21.XX to establish regulations governing the relationship of Title 21 with land use regulations adopted by Specific Plans;
- (b) To adopt Chapter 5 of the Draft Specific Plan as the Zoning regulations for all properties located within the Specific Plan Area;
- (c) To delete those chapters and sections of Title 21 that apply only within the Specific Plan Area and which will be superseded by zoning regulations contained in Chapter 5 of the Specific Plan.

A Draft Environmental Impact Report (EIR) was circulated on July 2, 2010 in accordance with the California Environmental Quality Act (CEQA). The public comment period ended on August 16, 2010. The City Council will consider certifying the EIR and adopting a Statement of Overriding Considerations for Air Quality Impacts.

At its meeting of January 25, 2011, the Planning Commission of the City of Paso Robles unanimously recommended that the City Council adopt the Uptown/Town Centre Specific Plan and the related General Plan and Zoning Code Amendments. The recommendation on the Specific Plan was made subject to certain revisions that are catalogued in an Addendum to the Specific Plan.

Copies of the Draft Specific Plan, the Addendum to the Specific Plan, and the Final EIR are available for public review on the City's web site: [www.prcity.com](http://www.prcity.com) and at the Reference Desk in the City Library, 1000 Spring Street, Paso Robles.

Written comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to [ed@prcity.com](mailto:ed@prcity.com), provided that the 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 contact Ed Gallagher, City Planner, at (805) 237-3970 or via email to [ed@prcity.com](mailto:ed@prcity.com).

If you challenge these applications in court, you may be limited to raising only those issues you or someone else raised at the public hearings described in this notice, or if written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Ed Gallagher, City Planner  
February 19, 2011

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Theresa Variano, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Uptown/Town Centre Specific Plan, General Plan Amendment 2011-001 & Code Amendment 11-001 on this 15<sup>th</sup> day of February, 2011 by Accurate Mailing Service.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed:   
Theresa Variano

forms\mailaffi.691

Table 5.3-1 – Allowed Land Uses and Permits Requirements

Planning Commission-recommended changes are in **red text**.

Land Use Type	PERMIT REQUIRED BY ZONE											Specific Use Regulations		
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RC	OS					
<b>COMMERCIAL: RETAIL, SERVICE, OFFICE</b>														
Animal Hospitals, veterinary clinics (includes overnight boarding as an accessory use)	-	-	-	-	-	-	-	-	-	-	-	CUP	-	
Appliance repair	-	-	-	-	-	-	-	-	-	-	P	P	-	
ATM - Outdoor	-	-	-	P	P	P	P	P	P	P	P	P	-	
Auto/vehicle sales (including auto repair as an accessory use): new and 25 percent or less used	-	-	-	-	-	-	-	-	-	-	P	P	-	
Auto/vehicle sales (including auto repair as an accessory use): more than 25 percent used	-	-	-	-	-	-	-	-	-	-	-	CUP	-	
Auto Rental	-	-	-	-	-	-	-	-	-	-	P	P	-	
Auto/vehicle parts sales (indoors, without installation)	-	-	-	-	-	-	-	-	P	P	P	P	-	
Auto/vehicle repair, parts installation, body and paint	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	
Auto Detailing (does not include carwashes)	-	-	-	-	-	-	-	-	-	-	P	P	-	
Banks, savings & loans, credit unions	-	P*	-	P*	P	P	P	P	P	P	P	P	-	* On Spring St Corridor only
Bars, cocktail lounges (with or without a restaurant; may include dancing and live, amplified entertainment)	-	-	-	-	-	-	-	-	CUP	CUP	CUP	CUP	-	
Bowling alleys	-	-	-	-	-	-	-	-	-	-	P	P	-	
Building Materials sales	-	-	-	-	-	-	-	-	P*	P	P	P	-	* Only on southeast corner of Pine & 10 <sup>th</sup> Streets (former Hayward Lumber site)
<b>Business, Trade Schools</b>	-	-	-	-	-	-	-	-	P	P	P	P	-	
Card rooms	-	-	-	-	-	-	-	-	CUP	CUP	CUP	CUP	-	
Carwashes	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	

Table 5.3-1 – Allowed Land Uses and Permits Requirements

Land Use Type	PERMIT REQUIRED BY ZONE											Specific Use Regulations				
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RC	OS							
Drive-through sales/services: Banks, pharmacies, coffee kiosks and other similar uses as determined acceptable by the Development Review Committee. Excludes drive-through restaurants	-	-	-	-	P	P	P	P	P							
Gyms, health/fitness spas, racquetball courts, skating rink, etc.	-	-	-	-	-	CUP	P	P								
<b>Hot Springs Resorts (may include restaurants &amp; lodging)</b>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	<b>CUP</b>
Market – Community	-	-	-	P	P	P	P	P								
Market - Neighborhood	-	-	-	P	P	P	P	P								
Meeting facilities, public or private	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	P	P	P	P	P	P	CUP
Museums, art galleries	-	CUP	-	CUP	CUP	CUP	P	P								
Produce stand, winery, etc.; does not include Certified Farmers Markets)	-	-	-	CUP*	-	-	-	-	-	-	-	-	-	-	-	-
Produce: Certified Farmers Markets	-	-	-	-	-	-	-	-	-	<b>CUP</b>	CUP	CUP	CUP	CUP	CUP	-
Studio – Art, dance, martial arts, music, etc.	-	-	-	P/C*	P	P	P	P	P	P	P	P	P	P	P	-
Retail Sales: clothing; beverage, drug stores; furniture, appliances, home furnishings specialized retail; antiques; artisans (does not include second-hand/ thrift stores)	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	-
Nurseries (garden supplies)	-	<b>P</b>	-	<b>P</b>	-	-	-	-	-	-	-	P	P	P	P	-
Offices: insurance, real estate, administrative, consulting professions such as accountants, architects, attorneys, engineers, etc.	-	P	-	P	P	P*	P	P	P	P	P	P	P	P	P	-
Offices for physicians, dentists, chiropractors, psychiatrists, including emergency/urgent care centers including outpatient services	-	P	-	P	P	P*	P	P	P	P	P	P	P	P	P	-

Table 5.3-1 – Allowed Land Uses and Permits Requirements

Land Use Type	PERMIT REQUIRED BY ZONE											Specific Use Regulations			
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RC	OS						
Outdoor sales: parking lot sales and other promotional events where only on-site business are participating (7 days or less)	-	-	-	-	P	P	P	P	P	-	-	-	-	-	
Outdoor sales: Parking lot sales and other promotional events where only on-site businesses are participating (if longer than 7 days)	-	-	-	-	TUP	TUP	TUP	TUP	TUP	-	-	-	-	-	
Parking facility, public or commercial	-	-	-	-	-	CUP	CUP	CUP	CUP	-	-	-	-	-	
Personal and business support services: barber/beauty shops, nails & tanning salons, massage; laundries and dry cleaning (no on-site plants); laundromats, locksmiths; parcel services; printing, publishing, blueprinting, duplicating; tailor/dressmakers, alterations, shoe repair; etc.	-	-	-	P	P	P	P	P	P	-	-	-	-	-	
Pet stores	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Restaurants: sit-down and walk-up only	-	P	-	P	P	P	P	P	P	-	-	-	-	-	
Restaurants: drive-through	-	-	-	-	-	-	CUP*	CUP	CUP	-	-	-	-	-	* Only between 23 <sup>rd</sup> & 26 <sup>th</sup> Streets
Secondhand merchandise/thrift stores without donation drop-off (does not include antiques, which are general retail)	-	-	-	-	-	P	P	P	P	-	-	-	-	-	
Secondhand merchandise/thrift stores with donation drop-off (does not include antiques, which are general retail)	-	-	-	-	-	-	CUP	CUP	CUP	-	-	-	-	-	
Service Stations (including auto repair as secondary use)	-	-	-	-	-	-	CUP	CUP	CUP	-	-	-	-	-	
Service Stations (including mini-markets, but not including auto repair as secondary use)	-	-	-	-	-	-	P	P	P	-	-	-	-	-	
Theaters (movies, live performances)	-	-	-	-	-	P	-	-	-	-	-	-	-	-	
<b>COMMERCIAL LODGING</b>															
Bed and Breakfast Inns	CUP	CUP	CUP	CUP	CUP	P	P	P	P	-	-	-	-	-	See Section 5.3.E.1
Boardinghouse, roominghouse	CUP	CUP	CUP	CUP	CUP	-	-	-	-	-	-	-	-	-	
Hotels, motels (does not include bed and breakfast inns)	-	-	-	-	-	P	P	P	P	-	-	-	-	-	
Vacation Rentals	CUP*	CUP*	CUP*	CUP*	CUP*	-	-	-	-	-	-	-	-	-	* CUP may be approved by Zoning Administrator

Table 5.3-1 – Allowed Land Uses and Permits Requirements

Land Use Type	PERMIT REQUIRED BY ZONE											Specific Use Regulations		
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RC	OS					
<b>OUTDOOR RECREATION AND OPEN SPACE</b>														
Carnivals, circuses, fairs, festivals, concerts, etc.	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	
Hiking, biking trail	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Nature preserve	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Riding trail (equestrian)	-	-	-	-	-	-	-	-	-	-	-	-	-	P
<b>LIGHT INDUSTRIAL</b>														
Contracted services (plumbing, heating & air conditioning, janitorial, pest exterminating, construction trades)	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Equipment rental (may include outdoor storage of equipment)	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Laundries and dry cleaning plants (does not include laundromats or non-plant laundries, which are personal services)	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Manufacturing, assembly, and processing: apparel; cabinet shops, furniture & fixtures; electrical equipment, electronic & scientific instruments; food & kindred products; glass products; metal fabrication, sheet metal, machine shops, welding; paper products; plastics, fiberglass, and rubber products; stone, cut stone, clay and pottery; testing laboratories (soils & materials testing, research and development)	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Mini-storage facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Recycling collection centers for aluminum glass, paper, plastic, etc. (does not include collection of hazardous/toxic items)	-	-	-	-	-	-	-	-	-	-	-	-	-	CUP
Telecommunications facility	-	CUP	CUP	CUP	-	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-
Transmission & receiving stations	-	-	-	-	-	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Upholstery (includes Auto Upholstery)	-	-	-	-	-	-	-	-	-	-	-	-	-	P
Warehousing, Wholesale	-	-	-	-	-	-	-	-	-	-	-	-	-	P
<b>RESIDENTIAL</b>														
Convalescent care facilities/nursing homes	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-
Domestic violence center	P	P	P	P	P	P	P	P	P	P	P	P	P	-

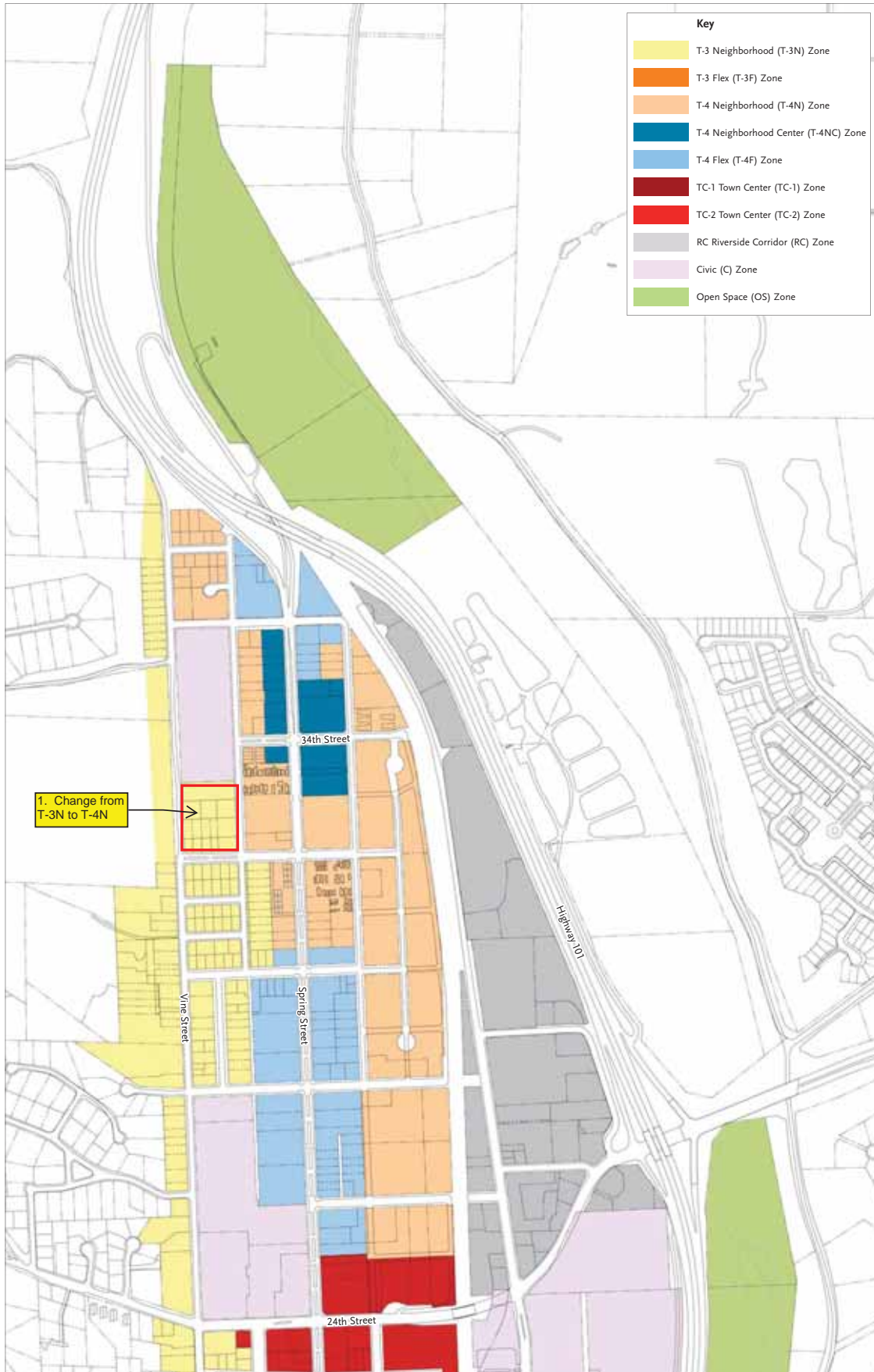
Table 5.3-1 – Allowed Land Uses and Permits Requirements

Land Use Type	PERMIT REQUIRED BY ZONE											Specific Use Regulations	
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RC	OS				
Dwelling units in permitted building types for each zone	P	P	P	P	P	P*	P	P	P	-	-	-	* Use allowed only on an upper floor, or behind a ground floor street-fronting use.
Emergency Shelter	-	-	-	-	-	-	-	-	-	-	-	-	To be addressed via SB 2 Ordinance
Guest House	P	P	P	P	P	P	P	P	P	-	-	-	
Group Care Homes	P	P	P	P	P	P	P	P	P	-	-	-	
Home Occupation	P	P	P	P	P	P	P	P	P	P	P	P	
Living Groups	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	-	
<del>Mobile homes as a permanent dwelling (1 per lot)</del>	P	-	-	-	-	-	-	-	-	-	-	-	
Mobile homes as temporary caretaker units during construction of a permanent building or operation of a Christmas tree lot	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	
Residential care facilities (for elderly, handicapped, etc.) for 6 and fewer residents	P	P	P	P	P	P	P	P	P	-	-	-	
Residential care facilities (for elderly, handicapped, etc.) for more than 6 residents	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Transitional and Supportive Housing	-	-	-	-	-	-	-	-	-	-	-	-	To be addressed via SB 2 Ordinance
<b>OTHER USES</b>													
Christmas tree lots	P	P	P	P	P	P	P	P	P	P	P	P	-
Church	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-
Family day care center for 14 or fewer children	P	P	P	P	P	P	P	P	P	-	-	-	-
Family day care center for more than 14 children or non-family day care center	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	CUP	-
Public Facilities (government offices, community centers, libraries, recreation buildings, equipment yards, etc.	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	-

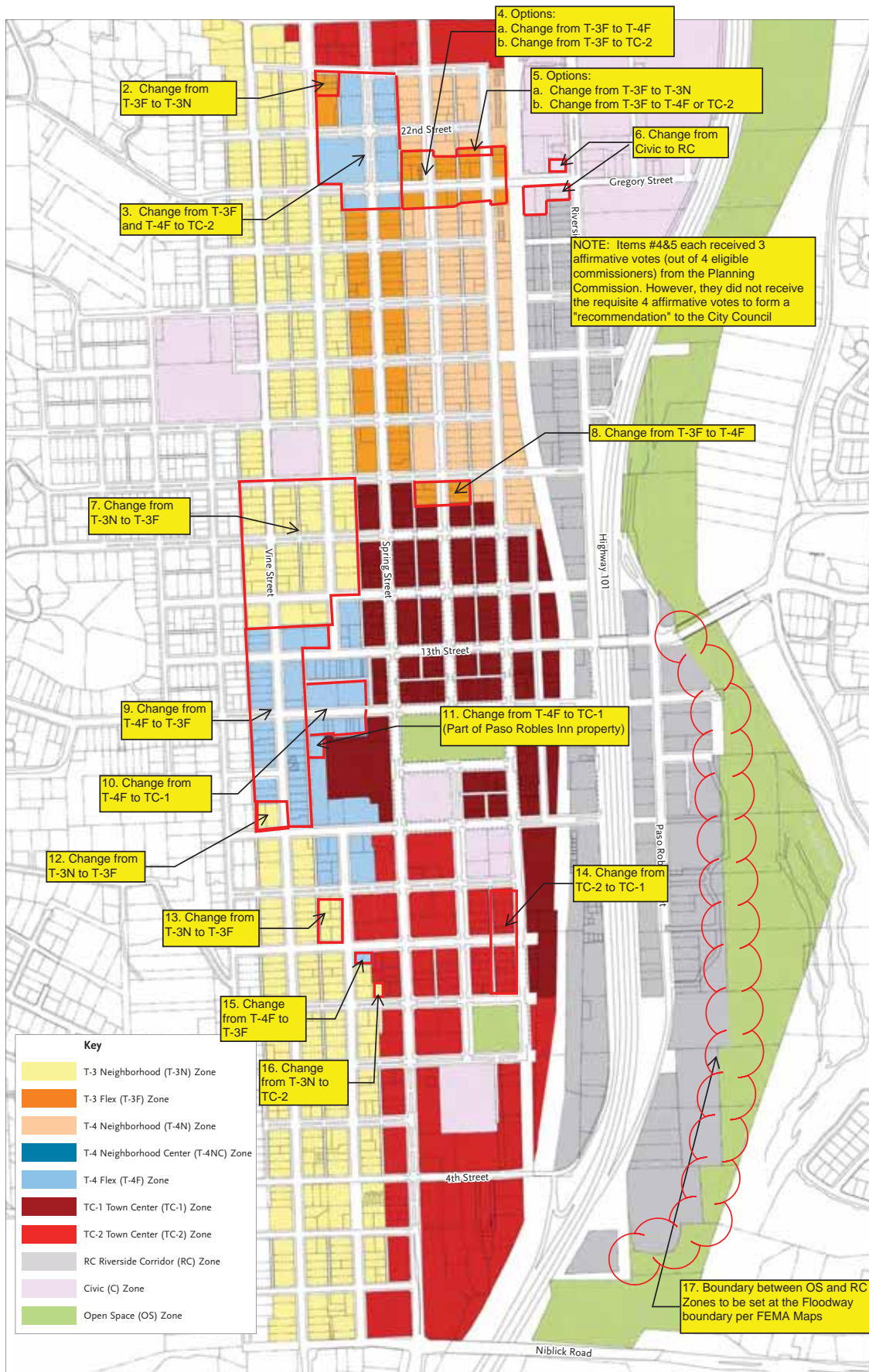
Table 5.3-1 – Allowed Land Uses and Permits Requirements

Land Use Type	PERMIT REQUIRED BY ZONE											Specific Use Regulations	
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RC	OS				
Public parks, playgrounds, ballfields, tennis courts, recreation and community centers	CUP	CUP	CUP	CUP	CUP	P	P	P	P	P	P	P	
Outdoor display of merchandise for sale or rental *	-	-	-	-	P	P	P	P	P	P	P	P	* See Section 5.3.E.8
Outdoor storage of materials and equipment (as an accessory use) if property and adjacent streets are improved and storage is screened *	-	-	-	-	-	-	-	-	-	-	-	-	* See Section 5.3.E.7
Sand & gravel mining	-	-	-	-	-	-	-	-	-	-	-	-	CUP
Schools, public (preschool – high school)	P	P	P	P	P	P	P	P	P	P	P	P	-
Schools, private (preschool – high school)	CUP	CUP	CUP	CUP	CUP	-	-	-	-	-	-	-	-
Temporary food service (e.g. barbecues) when located at the business' permanent location or in conjunction with a non-profit fundraising event (7 days or less)	P	P	P	P	P	P	P	P	P	P	P	P	-
Temporary food service (e.g. barbecues) when located at the business' permanent location or in conjunction with a non-profit fundraising event (greater than 7 days)	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	-
Temporary off-site construction yards in conjunction with a valid building (unless on the immediately adjacent property)	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	-
Trailer/temporary building use for a construction office (within approved development projects)	P	P	P	P	P	P	P	P	P	P	P	P	-
Trailer/temporary building use for a place of business in conjunction with an existing on-site business (two year maximum)	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	-
Trailer/temporary building use in conjunction with the construction of a building and with available paved parking (maximum of one year)	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	-
Utilities facilities: wells, pump stations, switching and relay boxes, cell antennas	-	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP





Uptown Regulating Plan



Downtown Regulating Plan