

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE BORKEY AREA SPECIFIC PLAN AND THE ZONING MAP ESTABLISHED
BY REFERENCE IN SECTION 21.12.020 OF THE ZONING CODE (TITLE 21)
(AYRES PASO ROBLES)

WHEREAS, Doug Ayres on behalf of Ayres Paso Robles, LTD., has submitted Rezone 12-001, a proposal to change the zoning designation of the 20-acre site from Residential Multi-Family, duplex/tri-plex (R2) to Parks and Open Space (POS) with Resort/Lodging Overlay (R/L); and

WHEREAS, the site is located on the north east corner of Buena Vista Drive and Experimental Station Road; and

WHEREAS, the site is located with Sub Area D of the Borkey Area Specific Plan; and

WHEREAS, the Specific Plan amendment is necessary to revise the plan to reflect the change in the General Plan and Zoning designations for the site; and

WHEREAS, Borkey Area Specific Plan Amendment 12-001 has been submitted to change various areas within the plan, such as development standards and maps; and

WHEREAS, at a meeting held on June 26, 2012, the Planning Commission took the following actions regarding this ordinance:

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

WHEREAS, based on information received at its meeting on July 17, 2012 the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Held a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Planning Commission's recommendation from its June 26, 2012 public meeting;
- d. Introduced said ordinance for the first reading; and

WHEREAS, on October 16, 2012 the City Council held a second reading of said ordinance.
NOW, THEREFORE, the City Council of the City of El Paso de Robles does hereby ordain as follows:

The Borkey Area Specific Plan will be amended as described below in Sections 1-7, by a map change as noted, or by text change, where the text to be omitted is shown with a “strike through” and the text to be added sin shown in **bold**:

SECTION 1:

Section II, Page 8 (Proposed City General Plan Designations - Map) would be amended as shown on Exhibit A.

SECTION 2:

Section II, Page 9 (Proposed City Zoning Designations - Map) would be amended as shown on Exhibit B.

SECTION 3:

Section III, Page 6, Table 3-1, (Prescribed Land Uses and Permitted Densities, Parcel Sizes) would be amended as shown on Exhibit C.

SECTION 4:

Amend Section III, Page 10 as follows:

Subarea D

Designation by this plan of Subarea D for rural residential development is intended to protect and continue the existing pattern of rural residences already established in the area.

Extending current development characteristics, this subarea would allow the ultimate development of a maximum of sixty-three rural residential units on one-acre minimum lots and fifteen single family residential units on a minimum of one-half acre lots. Except for the northeasterly portion of this subarea, extensive parcelization and associated rural residential development has already occurred. The existing commercial operation established at the northwest corner of Buena Vista Road and Highway 46 will be allowed to remain in place in this subarea as a legal use, under the conditional use permit currently applicable to the property. ~~The 22 acre Cop parcel has a Resort/Lodging Overlay and is designated for mixed land use, which includes a hotel/spa, restaurant, bakery, employee housing, classrooms, and residential uses varying from ½ acre to 1 acre parcels. Future improvements in Subarea D would be made in conformance with rural standards.~~ **The 20 acre Ayres Resort parcel has a Parks and Open Space Zone, with a Resort/Lodging Overlay, and has an approved project consisting of 225 room Resort Hotel, with a wellness spa, conference room, restaurant, extended-stay units (included with the 225 rooms proposed), wine**

tasting/retail boutique, and ancillary parking, landscaping, gardens, orchards and vineyards.

The primary traffic circulation route serving Subarea D will continue to be Experimental Station Road, which will function solely as a rural local street. Limited additional local street extensions may be required to access future development in this subarea, as well. The planned development for the ~~22-acre Cop~~ **20 acre Ayres** parcel will have a local road servicing the site with one connection point on Buena Vista Road and the other on Experimental Station Road. There will be no access from Dallons Drive.

This plan provides that a minimum separation be maintained between residential improvements and the State highway right-of-way in Subarea D (see discussion of design standards later in this chapter). This setback is intended to protect current and future residents from excessive traffic-generated noise exposure and to preserve the rural, open character of this westbound entrance into the community.

SECTION 5: Section III, Page 11a, Figure D-3, (Sub Area D) would be amended as shown on Exhibit D.

SECTION 6: Amend Section III, Page 20 as follows:

D-6 A Shared Parking Analysis may be used to determine the total number of parking spaces required for the ~~Bastide Village~~ **Ayres Resort Project** rather than relying on the summation of the requirements for each of the individual land uses. The Analysis will provide credit for the mixed use project by acknowledging the overall percentage reduction in required parking that is warranted based on the finding that visitors are likely to use one or more of the available facilities and commercial services. The number of parking spaces for the ~~Bastide Village Project~~ **Ayres Hotel Project** is subject to review and approval of the DRC as part of the Final Development Plan process.

D-7 For the property located at the northeast corner of Highway 46 East and Buena Vista Drive, where the **Parks and Open Space Zone, with Resort/Lodging Overlay** has been applied by Rezone ~~03-007 12-001, Ordinance 871 N.S.~~, all applicable conditions within Subarea E shall apply, since a resort project would be closely related to commercial projects within Subarea E.

SECTION 7: Amend Section III, Page 55 as follows:

~~SD 4 The minimum frontage for residential parcels within the 22-acre Cop parcel shall be one hundred (100) feet, except that a lesser frontage may be approved for lots located at the ends of cul-de-sac streets, through approval of a planned development.~~

~~SD 5—A fencing plan, complete with details (including fence heights) shall be submitted to the Development Review Committee for review and approval prior to issuance of building permits for all lots within the 22 acre Cop parcel. The City shall require that fence style and construction be consistent for all affected lots within the planned development.~~

SECTION 8. Amend Figure 17a (Page III-25a) to replace the street section for Experimental Station Road as shown on Exhibit D.

SECTION 9. Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit E.

SECTION 10. 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 11. 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 12. Inconsistency. To the extent that the terms or provisions of this ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

Introduced at a regular meeting of the City Council held on July 17, 2012, and passed and adopted by the City Council of the City of El Paso de Robles on the 16th day of October, 2012 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

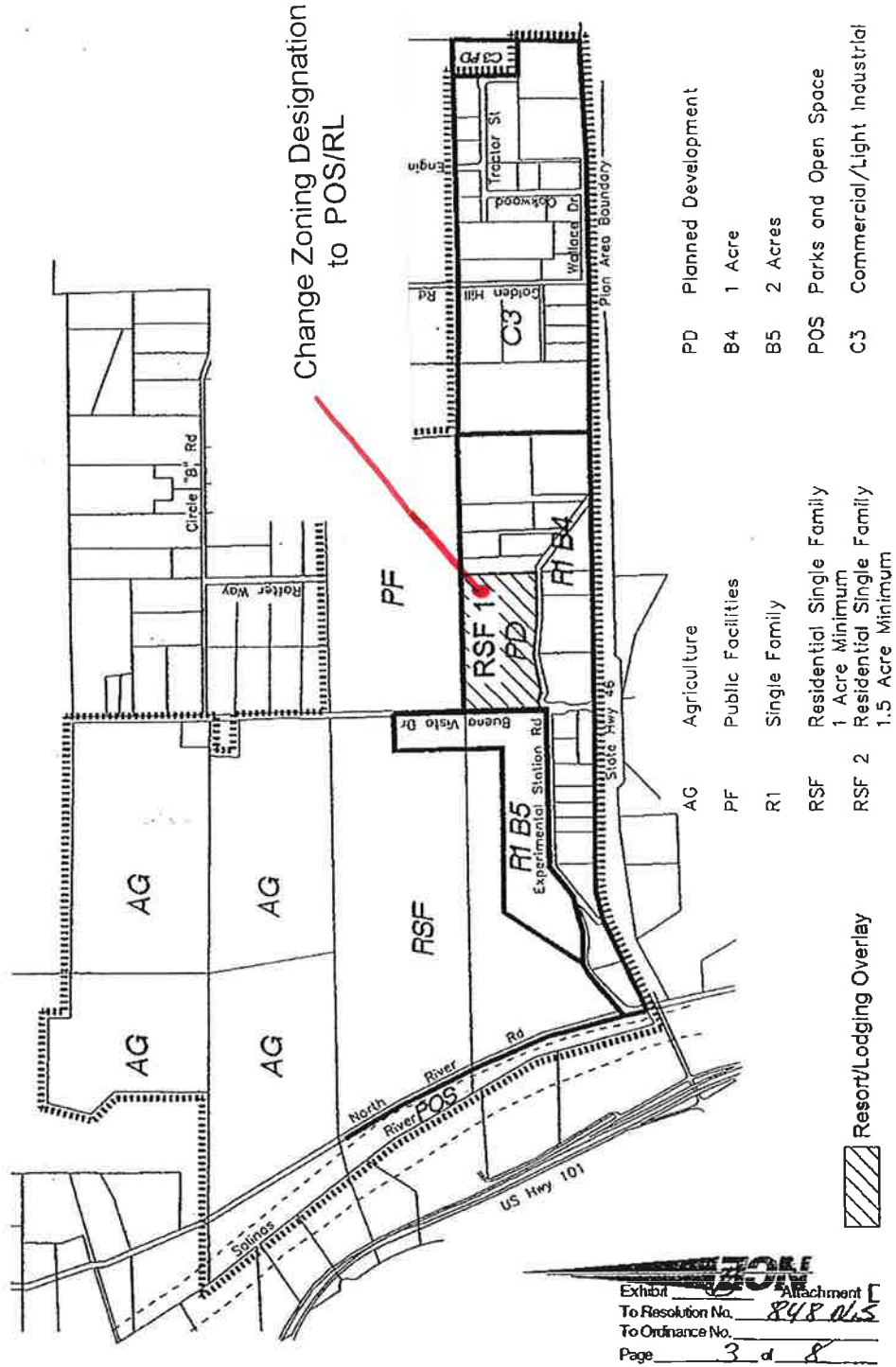


Exhibit Attachment
 To Resolution No. 848 015
 To Ordinance No.
 Page 3 of 8

Exhibit B
 BASP Zoning Use Map
 (Ayres, Ltd.)


Proposed City Zoning Designations

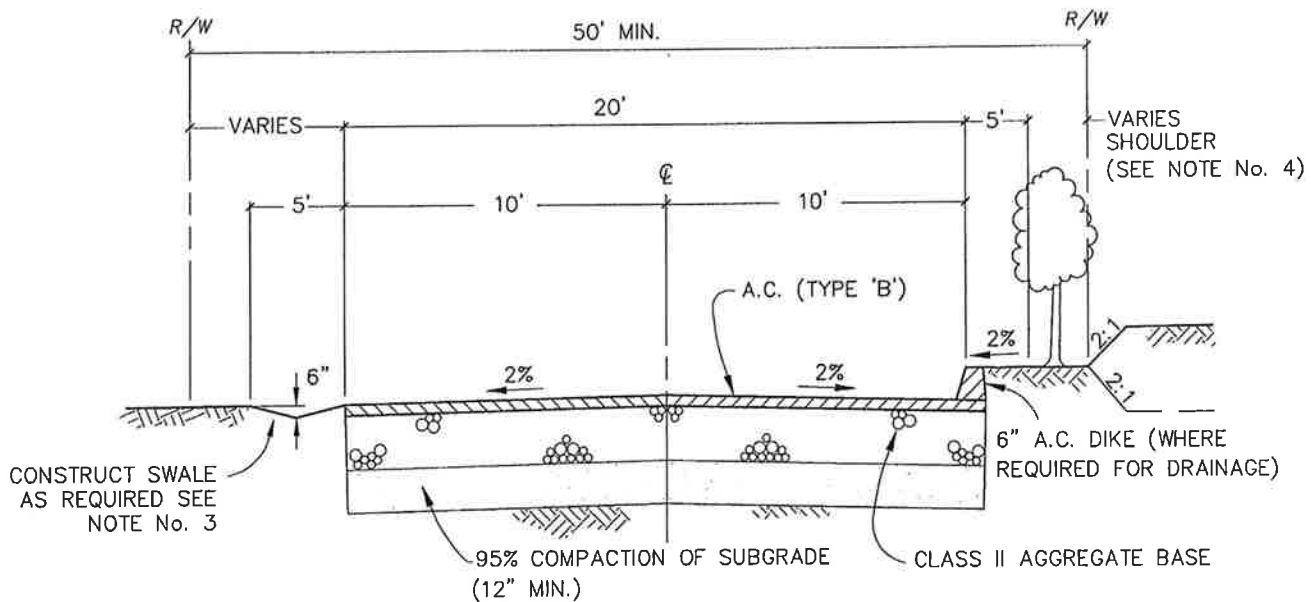
D-2

Revised October, 2002 by North Coast Engineering



**TABLE 3-1
PRESCRIBED LAND USES
AND PERMITTED DENSITIES, PARCEL SIZES
BORKEY AREA SPECIFIC PLAN**

Plan Subarea	Permitted Uses	Maximum Development Intensity	Minimum Lot Size
A	Agricultural and Resort Related	223 hotel rooms, suites or cottages, 20 employee housing units	20 acres
	Recreational:		
	Tennis courts		
	Water gardens		
	Golf greens & tees	10,000 sq ft restaurant(s)	
	Driving range	600 person capacity conference	
	Putting green	and/or banquet rooms	
	Corn maze		
	Equestrian Center:	1200 person capacity amphitheatre	
	Show arena	and/or events assembly areas	
	Training facilities		
	Stables		
	Hot springs and spa		
	Hotel and conference		
B	Single Family Residential	481 units total* *multiple family inclusive in sub area total	5,000- 20,000 s.f.
	Multiple Family	Up to 149 units	14.0 acres (overall)
	Public & Quasi-Public	(N/A)	
	Commercial	CP (Neighborhood Commercial) CS (Commercial Service)	6.0 acres (overall) 4.5 acres (overall)
C	Cuesta College (Public Facility)	(N/A)	(N/A)
	Rural Residential	52 units	1.0 acres
	Single Family Residential	15 units	0.5 acres
	Resort/Lodging Overlay	80 units + amenities	
	POS R/L Overlay	225 units + amenities	20 acres
E	Commercial/Industrial	C-3	(N/A)
F	Public & Quasi-Public	(N/A)	(N/A)



20' LOCAL RURAL STREET

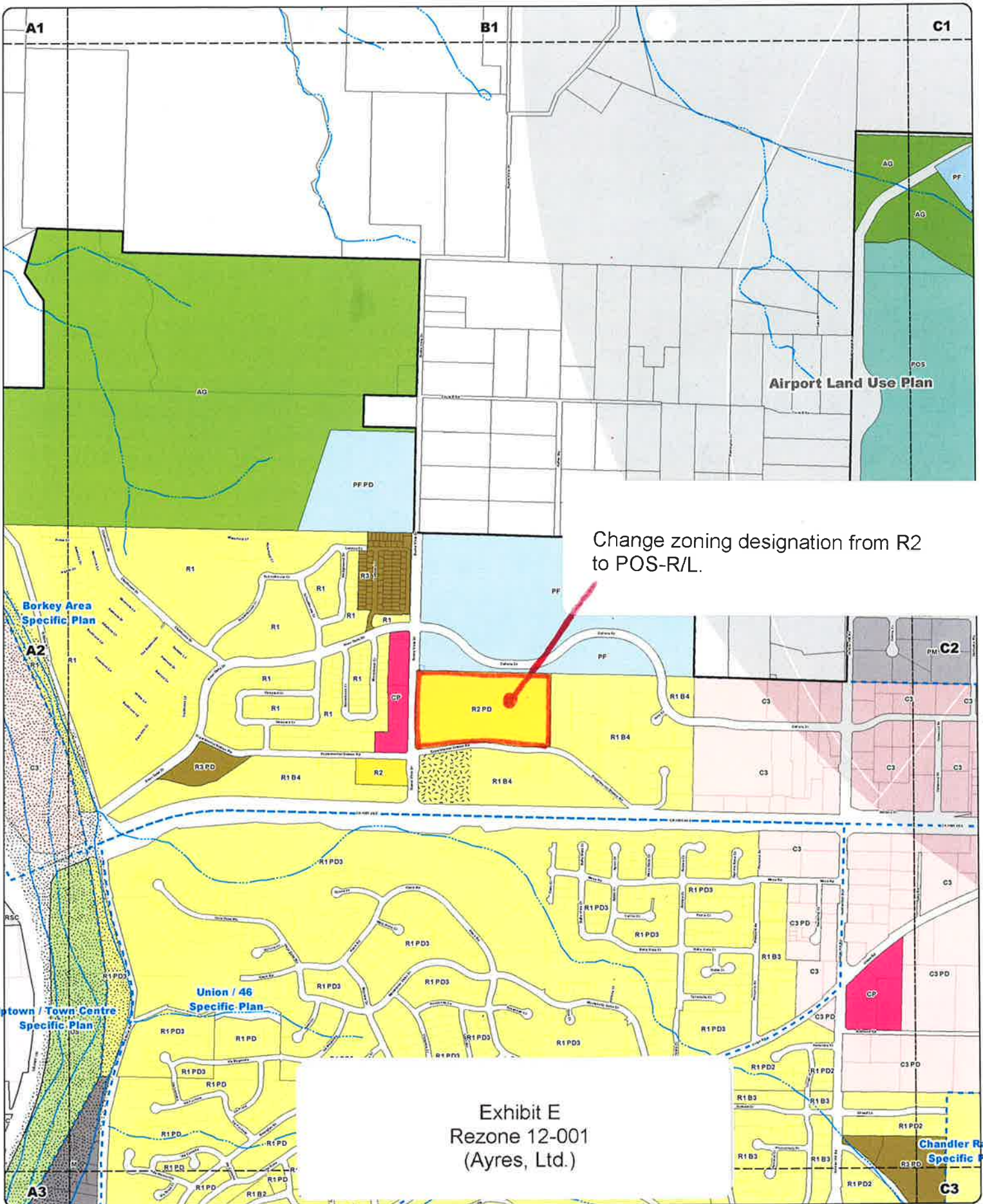
TRAFFIC INDEX: 5.0
DESIGN SPEED: 25.0 MPH

NOTES:

1. COLLECTOR AND ARTERIAL STREETS IN RURAL AREAS SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS OTHER AREAS IN THE CITY.
2. USE OF THIS STANDARD IN RURAL AREAS MUST BE APPROVED BY THE PLANNING COMMISSION, AND/OR THE CITY COUNCIL. TYPICALLY ONLY THOSE AREAS WHICH ARE ZONED R1, B3, B4, POS OR B5 R-A WILL BE ALLOWED TO USE THIS SECTION.
3. A STORM DRAIN SHALL BE CONSTRUCTED WHEN LONGITUDINAL FLOW EXCEEDS CAPACITY OF THE MAXIMUM DITCH WHICH CAN BE CONSTRUCTED ENTIRELY WITHIN THE STREET RIGHT-OF-WAY.
4. 5 FOOT SHOULDER AREA MUST BE AGGREGATE BASE COMPACTED 95%. SHOULDER MAY BE REDUCED WHERE AC DIKE IS REQUIRED OR AS DIRECTED BY CITY ENGINEER DUE TO TOPOGRAPHIC OR OAK TREE CONSTRAINTS.

Exhibit D
Experimental Station Road - Figure 17a
(Ayres, Ltd.)

EXHIBIT A



Change zoning designation from R2 to POS-R/L.

Exhibit E
Rezone 12-001
(Ayres, Ltd.)



LEGEND

- City Limit
- Specific Plan
- Sphere of Influence
- USGS Creek
- FEMA Floodway

- AG, Agriculture
- AP, Airport
- C, Civic
- C1, Commercial-General Retail
- C2, Commercial-Highway
- C3, Commercial-Light Industry
- CP, Commercial-Neighborhood
- M, Industrial
- OP, Office Professional
- OS, Open Space
- PF, Public Facilities
- PM, Planned Industrial
- POS, Parks & Open Space
- R1, Residential Single Family

- R2, Residential Duplex/Triplex
- R3, Residential Multifamily
- R3-10, Residential Multifamily
- R3-15, Residential Multifamily
- R3-O, Residential Multifamily/Office
- R4, Res. Multifamily/Mobilehome
- R4-20, Res. Multifamily/Mobilehome
- R5, Residential Multifamily
- RA, Residential Agriculture
- RC, Regional Commercial
- RMFR, Residential Multifamily
- RS, Residential Suburban
- RSC, Riverside Corridor
- RBF6, Residential Single Family

- T-3F, Flex
- T-3N, Neighborhood
- T-4F, Flex
- T-4N, Neighborhood
- T-4NC, Neighborhood Center
- TC-1, Town Center
- TC-2, Town Center
- Resort Lodging
- Airport LUP
- Historic Preservation
- Office Professional
- Agriculture
- Mixed Use
- Salinas River

