

TO: James L. App, City Manager
FROM: Ed Gallagher, Community Development Director
SUBJECT: Code Amendment 12-002 – Miscellaneous Amendments
DATE: January 15, 2013

Needs: For the City Council to consider several “clean up” amendments to the Zoning Ordinance.

- Facts:**
1. The City Council considered this Zoning Ordinance amendment at the Council meeting on December 18, 2012. The item was continued to allow time to make minor modifications to one of the proposed text amendments, and because the Ordinance exhibit was not included in the prior staff report.
 2. One of the proposed text amendments related to political signs has been eliminated from the amendment package. This is discussed in the Analysis section of this report. Therefore, amendments under consideration are related to the following issues.
 - Dance schools, zone permitted and level of review;
 - Metal roofing for single family homes;
 - Swimming pool setbacks and location;
 - Detached accessory building setbacks;
 - Development Plan expiration date;
 - Multi-family setbacks from “collector” streets;
 - Shopping center wall signs;
 - Downtown sign reference;
 - Multi-family community room size; and
 - Bicycle parking.
 3. In accordance with the California Environmental Quality Act (CEQA), a draft Negative Declaration was prepared for this project and circulated on November 5, 2012. The Negative Declaration concludes that this project will not result in significant environmental impacts. (See Attachment 2, Draft Negative Declaration).

**Analysis and
Conclusions:**

The City Council considered each of the proposed clean up amendments individually at the prior Council meeting. The Council only requested a modification to clarify the text related to bicycle racks for parking reductions. It was requested to add language noted in italics as follows, “For parking lots that require 20 or more parking spaces to allow a 10% reduction in parking spaces in exchange for providing one rack with four spaces, *and for each increment of 20 spaces thereof.*”

It was determined by the Council that the proposed amendment related to political signs is not necessary, that it was appropriate to leave the existing text in its current form in the Zoning Ordinance. The issue is that there is concern regarding the appearance of political roof signs. However, since the City permits roof signs for other uses, it could be considered discriminatory to prohibit them for political signs. If the City would like to ban roof signs for political signs it may need to ban all roof signs or it could be subject to legal challenge. The safest, easiest route would be to keep the existing text “as-is”. There was support from the Council at the last meeting to keep the text as it is presently written.

Reference: Zoning Ordinance, Circulation Element, Bicycle Master Plan, Economic Strategy, and CEQA.

**Fiscal
Impact:** None.

Options: After opening the public hearing and taking public testimony, the City Council is requested to take one of the actions listed below:

- a. (1) Approve the attached Resolution to adopt the Negative Declaration for this project;
and
(2) Introduce for the first reading Ordinance No. XXX, for CA 12-002 amending zoning regulations of miscellaneous amendments, and set February 5, 2013, as the date for adoption of said ordinance.
- b. Amend, modify, or reject the above-listed action.

Attachments:

- 1. City Council Staff Report, December 18, 2012
- 2. Draft Resolution to Adopt a Negative Declaration
- 3. Draft Ordinance

TO: James L. App, City Manager
FROM: Ed Gallagher, Community Development Director
SUBJECT: Code Amendment 12-002 – Miscellaneous Amendments
DATE: December 18, 2012

Needs: For the City Council to consider several “clean up” amendments to the Zoning Ordinance.

- Facts:**
1. The Zoning Ordinance is amended from time to time to clarify interpretations, correct errors, and to respond to changing circumstances. There are several sections in the Zoning Ordinance that could be amended to address these types of issues.
 2. Amendment topics for consideration include:
 - Dance schools, zone permitted and level of review;
 - Metal roofing for single family homes;
 - Swimming pool setbacks and location;
 - Detached accessory building setbacks;
 - Development Plan expiration date;
 - Multi-family setbacks from “collector” streets;
 - Political sign locations;
 - Shopping center wall signs;
 - Downtown sign reference;
 - Multi-family community room size; and
 - Bicycle parking.
 3. The Planning Commission considered the proposed amendments on November 27, 2012 and recommended approval of the proposed amendments to the City Council, with modifications to amendments #7 (Political Signs) and #11 (Bicycle Parking). The Commission’s suggested modifications are noted in the Analysis section below with the associated amendments.
 4. In accordance with the California Environmental Quality Act (CEQA), a draft Negative Declaration was prepared for this project and circulated on November 5, 2012. The Negative Declaration concludes that this project will not result in significant environmental impacts. (See Attachment 2, Draft Negative Declaration).

Analysis and Conclusions:

Each topic is analyzed individually (below) and is provided with a suggested approach on how to address the issue and amend the code.

1. **Dance Studios**

Existing Situation: In Table 21.16.200, Dance Studios are listed in two places:

- a. Under Subsection 9.C of Section C (Institutional, Public, and Quasi-Public) as being conditionally permitted (i.e. requires approval of a CUP) in the AG Zone and as being permitted in the C-1, C-2, C-3, and RC Zones and in all industrial zones.

- b. In Subsection 1.d of Section E (Private Clubs/Commercial Recreation) as being conditionally permitted in the C-1, C-2, C-3, and RC Zones, but not permitted in any industrial zone.

Issue: In the past year, a dance studio wanted to locate in a PM (industrial) zone without a CUP. Subsection 1.e of Section E allows gyms and health spas as permitted uses in all commercial and industrial zones.

Suggestion: Eliminate Dance Schools from Subsection 9.C of Section C and allow as a permitted use in in the C-1, C-2, C-3, and RC Zones and in all industrial zones since the impacts are similar to a gym or health spa with are allowed by right in those zones.

2. Metal roofing for single family homes

Existing Situation: Metal roof materials for single family homes are prohibited. Additionally, detached accessory buildings are required to have architecturally compatible materials as the main building, which then precludes the use of metal roofing on other types of buildings.

Issue: Applicants occasionally propose use of metal roofing materials for homes and other structures. Depending on the architectural theme and/or the type of metal roof, the use of this type of material can be attractive and consistent with the architectural theme and residential character of the home.

Suggestion: Allow use of metal roof materials for single family homes and/or detached accessory structures, as approved by the DRC with specific findings.

3. Swimming pools

Existing Situation: Sections 21.16E.220 and 290 define swimming pools as a “detached accessory buildings” (DAB) in the R-1 Zone. DABs are required to be setback 50 feet from a front property line.

Issue: There are circumstances where either the shape of a lot (e.g. located on a cul-de-sac, irregular shape or shallow lot) or the site topography makes it difficult or impossible to install a swimming pool and comply with the setback standard. In these cases it may work to locate a pool on the side of house, however it would then conflict with the 50 foot setback. Additionally, since pools are either in-ground structures or generally no more than three feet above ground it seems that they should be defined differently than buildings.

Suggestion: Require swimming pools to be setback a minimum of 15 feet from the front property line and not be located closer to the front property line than the front wall of the home. Amendments will need to be made to Sections 21.16E.220 and 290 and to Section 21.21.030 to accommodate these changes.

4. Detached Accessory Buildings (DABs)

Existing Situation: Detached accessory buildings in single family zones are required to be setback a minimum of 50 feet from the front property line.

Issue: While the intent is to maintain attractive, uncluttered neighborhoods, there are circumstances where an existing lot configuration makes it difficult to locate a DAB 50 feet

from the front property line and/or it may be more suitable depending on the intended use of a DAB on a side yard. Additionally, as long as DABs are not located in the front yard area neighborhood aesthetics might not be affected.

Suggestion: Require DABs to be setback a minimum of 15 feet and not located closer to the front property line than the front wall of the home.

5. **Planned Development expiration date**

Existing Situation: Approval of development plans is valid for a period of not more than two years following the date of approval. Time extensions may be granted for one year at a time.

Issue: Given development funding requirements it can be a hardship on developers with the time constraints and more costly to file for additional time extensions.

Suggestion: Modify the regulations to allow development plans approved concurrently with a subdivision map to have the same expiration time period as the subdivision map. Additionally, provide for time extensions to be valid for two years instead of one.

6. **Multi-Family Setbacks - Front Yard and Street Side Yard**

Existing Situation: The Zoning Ordinance specifies setbacks for multi-family buildings from public streets, and stipulates that that all multi-family buildings and structures be set back various distances from "collector" streets.

Issue: The 2011 General Plan Circulation Element update eliminated "collector" streets as a street type (they either became either one of the two types of arterial streets or designated as a local street). Therefore, the setback requirement from collector streets no longer applies.

Suggestion: Amend the multi-family standards to delete setback references to collector streets. The setbacks for local or arterial streets will apply.

7. **Political signs**

Existing Situation:

- a. The existing sign code is written in a manner that suggests all political signs are to be ground-mounted (as if was assumed that all political signs were 4' x 8' plywood signs mounted on stakes). It is not clear that wall-mounted or projecting signs are permitted.
- b. The sign code provisions for political signs are silent on roof-mounted (or signs that project above eaves and parapets).

Issue: The sign code is unclear whether wall, projecting, or roof signs are allowed as political signs. During the recent election season, roof-mounted, wall-mounted, and projecting signs were used. The City received complaints about roof signs. However, roof signs are allowed in commercial zoning districts. The City Attorney has advised that the case law has determined that sign regulations must be "content neutral". Hence, the City cannot prohibit use of roof signs for political signs without concurrently amending the Sign Code to prohibit the use of roof signs for any use. Perhaps the best strategy is to let the Sign Code remain silent on roof signs.

Another strategy is to leave the sign code as presently constructed and remain silent on wall-mounted and projecting signs. The Sign Code requires that election signs be removed within 7 days of an election, and the election season is relative short. Enforcement efforts may not be a worthwhile use of limited staff resources.

Suggestion: The options for this issue are:

- a. Make no changes to the Political Sign regulations as the sign code requires that election signs be removed within 7 days of an election and enforcement would divert staff resources from higher priorities to solve a problem that would likely be resolved in a short time.
- c. Amend the Sign Code (Section 21.19.080.O) to specify that wall and projecting signs are acceptable as political signs provided that the sign area is consistent with the limitations for the zoning districts in which the sign is placed and, for projecting signs, that the clearances set forth in Section 21.19.040.L.3 are maintained.

Planning Commission Recommendation: In residential districts, continue to require that political signs not exceed thirty-two square feet in area, but require that they be ground mounted. Outside setback areas and in non-residential zones, continue to permit them to be six feet in height, but require measurement from the ground to the top of the sign, and continue the maximum sign area of thirty-two square feet.

8. Shopping Center Wall-Mounted Signs

Existing Situation: The sign code allows for commercial wall signs. The sign area permitted is one square foot of sign for every linear foot of building/tenant space with street frontage. The sign area can be applied to any building frontage, as long as it does not exceed the total area allowed.

Issue: When commercial buildings are included in a shopping center, they may have a building side that is oriented toward a street and a business entrance oriented toward an interior of a parking lot. If the sign area permitted is split between the two sides of the building, the signs may appear out of scale and/or be too small and hard to read. Most businesses in this situation are interested in having a sign above or near their entrance and a sign along the street frontage to attract business.

Suggestion: In those shopping centers where buildings face an interior parking lot but back up to a street or highway, permit additional sign area equal to 50 percent of the building/tenant space frontage, provided that all building signs are a part of an overall shopping center sign program to ensure a unified design theme.

9. Downtown Sign Reference

Existing Situation: Subsection 21.19.040.O references regulations related to signs in the downtown. Additionally, the third sentence in Subsection 21.19.040.N (Roof signs) references roof sign restrictions in the downtown.

Issue: Sign regulations applicable to properties in the downtown have been superceded by sign regulations in the Uptown/Town Center Specific Plan.

Suggestion: Delete Subsection 21.19.040.Q and the third sentence in Subsection 21.19.040.N.

10. Multi-Family Community Rooms

Existing Situation: The Uptown/Town Center Specific Plan was recently amended to require that multi-family developments with 32 units or more would be required to provide a community room with no less than 20 sq. ft. per unit or a minimum of 1,200 sq. ft. The Zoning ordinance requires a minimum of 40 sq. ft. per unit for projects that are 32 units or greater for multi-family projects located outside of the Uptown/Town Centre Specific Plan Area.

Issue: There is an inconsistency in regulations between properties in the Uptown/Town Center area and the rest of the City regarding the requirements for multi-family community rooms.

Suggestion: Modify the Zoning Ordinance community room regulations to be consistent with the Uptown/Town Center Specific Plan.

11. Bicycle parking

Existing Situation: The City's Circulation Element, Bicycle Master Plan, Economic Strategy, and Uptown/Town Center Specific Plan policies support alternative transportation, including facilities to encourage bicycle riding for commuting and recreation. A sampling of policies that encourage bicycle riding and thus the need for end-of-trip facilities – bike racks follows:

Bicycle Master Plan

Goal 4 – Develop bicycle facilities that will meet both commuter and recreation needs, including support facilities once they meet their destination.

Policy – The City shall develop a citywide “end-of-trip” bicycle parking strategy to increase the number of secure, convenient, and attractive bicycle parking and storage facilities.

Action – Update the City Zoning Code, Off-Street Parking Ordinance to require bike storage and support facilities including bike racks, bike lockers, rest areas, changing facilities, showers, and drinking fountains, based on the scale and type of new development, as appropriate for commercial, industrial, civic, multi-family residential, schools, employment centers, and large events.

Circulation Element

CE-1A – “Revise/update the City's Circulation Master Plan to address the mobility needs of all users of the streets, roads, and highways including bicyclists, children, persons with disabilities, motorists...”

Economic Strategy

Livable Communities – “To protect the natural environment and increase quality of life, ...promote walking, bicycling, and transit access...”

Uptown/Town Center Specific Plan

“On-street bike lanes and off-street bikeway and multi-use trails are vital components of a transportation network that encourages the use of non-motorized travel modes for daily errands and recreation...”

Issue: Interest in bicycle riding is increasing, however the City's Zoning regulations do not require bicycle parking facilities for new development. Therefore, (outside the downtown area where new bike racks have recently been installed) there are limited locations that have designated, safe bicycle parking facilities.

When safe bicycle parking facilities are provided, it encourages bicyclists to ride bikes to work, for daily needs, recreation, etc. Additionally, given the policy support for bicycle facilities and potential beneficial impacts such as reducing vehicles on the road and parking needs, it may be reasonable to reduce the number of parking spaces required on-site in exchange for providing bicycle parking facilities.

Suggestion: Amend the Zoning Ordinance Off-Street Parking requirements (in Chapter 21.22) to require multi-family development with 10 units or more provide a minimum of 2 bicycle rack spaces and 2 additional bicycle rack spaces for each increased increment of 10 units thereafter on site. In addition, for multi-family projects with 40 or more units provide 2 secured locker bike parking facilities on site.

For non-residential development, require a minimum of 2 bicycle rack spaces for each 20,000 sq. ft. of building footprint on site. For buildings 50,000 sq. ft. or greater, provide 2 secured locker bike parking facilities on site.

For parking lots that require 20 or more parking spaces allow a 10% reduction in parking spaces in exchange for providing 4 bike rack spaces.

Planning Commission Suggestion: The Commission supports the proposed requirements except for requiring secured bike lockers for multi-family developments. They also suggested clarification that secured bike lockers for non-residential buildings with a building footprint of 50,000 square feet or more provide the required bike racks in addition to secured bike lockers for each increment of 50,000 square feet.

Reference: Zoning Ordinance, Circulation Element, Bicycle Master Plan, Economic Strategy, and CEQA.

Fiscal Impact: None.

Options: After opening the public hearing and taking public testimony, the City Council is requested to take one of the actions listed below:

- a. (1) Approve the attached Resolution to adopt the Negative Declaration for this project; and
(2) Introduce for the first reading Ordinance No. XXX, for CA 12-002 amending zoning regulations of miscellaneous amendments, and set January 15, 2013, as the date for adoption of said ordinance.
- b. Amend, modify, or reject the above-listed action.

Attachments:

1. Draft Resolution to Adopt a Negative Declaration
2. Draft Ordinance
3. Public Hearing Notice

RESOLUTION NO:

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
ADOPTING A NEGATIVE DECLARATION FOR
ZONING ORDINANCE AMENDMENTS
CODE AMENDMENT 12-002

WHEREAS, the City Zoning Ordinance is amended from time to time to clarify language, correct errors and respond to changing circumstances; and

WHEREAS, several "clean-up" amendments are proposed to update various sections of the code; and

WHEREAS, the amendments encompass modifications to the following topics: a) dance schools, zone permitted and level of review; b) metal roofing for single family homes; c) swimming pool setbacks and location; d) detached accessory building setbacks; e) development plan expiration date; f) multi-family setbacks from "collector" streets; g) political signs; h) shopping center wall signs; i) downtown sign reference; j) multi-family community room size; and k) bicycle parking; and

WHEREAS, the City has prepared an ordinance to amend the Zoning Code to modify the above regulations noted; and

WHEREAS, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) to evaluate whether these amendments would result in environmental impacts, and the City has determined that the Zoning Code Amendment modifying these provisions will not result in significant environmental impacts, and;

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study and a Draft Negative Declaration was prepared and circulated for public review and comment; and

WHEREAS, no public comments or responses were received in regard to the Draft Negative Declaration and Initial Study prepared for this project; and

WHEREAS, Public Notice of the proposed Draft Negative Declaration was posted as required by Section 21092 of the Public Resources Code; and

WHEREAS, a public hearing was conducted by the Planning Commission on November 27, 2012 to consider the Initial Study and the proposed Negative Declaration prepared for the proposed project, and to accept public testimony on the proposed amendment and environmental determination; and

WHEREAS, based on the information and analysis contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds that there is no substantial evidence that there would be a significant impact on the environment as a result of implementation of the proposed Zoning Ordinance Amendments.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles, based on its independent judgment, that it does adopt a Negative Declaration for Zoning Ordinance Code Amendment 12-002 in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED THIS 18th day of December, 2012, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DUANE PICANCO, MAYOR

ATTEST:

CARYN JACKSON, DEPUTY CITY CLERK

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

1. PROJECT TITLE: **Zoning Code Amendment 12-002**

Concurrent Entitlements: N/A

2. LEAD AGENCY: City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Contact:
Phone: (805) 237-3970
Email: sdecarli@prcity.com

3. PROJECT LOCATION: Citywide

4. PROJECT PROPONENT: City of Paso Robles

Contact Person: Susan DeCarli

Phone: (805) 237-3970
Email: sdecarli@prcity.com

5. GENERAL PLAN DESIGNATION: N/A

6. ZONING: N/A

7. PROJECT DESCRIPTION:

This project consists of amendments to the City of Paso Robles Zoning Ordinance. The amendments are technical clarifications and minor adjustments. The amendments include the following topics:

- Dance schools
- Roof materials for single family homes
- Swimming pool setbacks
- Planned Development approval expiration date
- Multiple-Family development setbacks and community room amenities
- Political sign size and location
- Shopping center sign programs
- Downtown sign clarification
- Bicycle parking regulations

8. **ENVIRONMENTAL SETTING:** Incorporated boundaries of the City of Paso Robles. The Environmental Setting is adequately described in the Environmental Impact Report for the 2003 General Plan Update.

9. **OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):** None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: _____

Date _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. “Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion (a-d) The proposed code amendment will not directly result in physical alterations that would affect changes to scenic vistas, scenic resources or the visual quality of the community. These amendments would affect a range of development standards that would be applied to development on a case-by-case basis where site specific features and development impacts would need to be evaluated to ensure development would not impact aesthetic resources. Therefore, the proposed project would likely result in less than significant impacts to aesthetics.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Result in the loss of forest land or conversion of forest land to non-forest use? There are no forest land resources within the City of Paso Robles, thus this project will have no impact on forest land and/or resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? Discussion a-e: The proposed amendments will not directly or indirectly affect agricultural resources or activities since they will not result in direct physical changes to them.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a-e: The proposed amendments will not directly or indirectly affect air quality or result in air pollution emissions or odors, therefore the project will have no impact to air quality.

IV. BIOLOGICAL RESOURCES: Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-f): The proposed amendments will not directly or indirectly affect biological resources therefore the project will have no impact to air quality.

V. CULTURAL RESOURCES: Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
interred outside of formal cemeteries?				

Discussion (a-d): The proposed amendments would not directly or indirectly impact cultural resources.



VI. GEOLOGY AND SOILS: Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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disposal of waste water?

Discussion a-e: The proposed policy amendments would not directly or indirectly impact geologic and soil resources.

VII. GREENHOUSE GAS EMISSIONS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-b): The proposed amendments will not result in creating new greenhouse gas emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-h): The proposed amendments will not result in direct or indirect impacts to or create hazardous conditions or exposure to hazardous materials.

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
site? (Source: 10)				
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion (a-1): The proposed amendments would not directly or indirectly impact hydrology or water resources.

X. LAND USE AND PLANNING: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed amendments will not physically divide established communities.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed amendments will not conflict with any application plans, policies or other regulations intended to mitigate environmental impacts.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no applicable habitat conservation plans within the City of Paso Robles.

XI. MINERAL RESOURCES: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no known mineral resources within the City of Paso Robles.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: see XI a. above.

XII. NOISE: Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The proposed project is not related to noise and could not result in noise-related impacts.

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b. | Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See XII a. above.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. | A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See XII a. above.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d. | A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See XII a. above.

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
(Sources: 1, 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed amendments are not related to airport issues, and could not result in impacts to the City's airport or airport related functions.

XIII. POPULATION AND HOUSING: Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-c): The proposed amendments are not related to and could not affect housing or population.

XIV. PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The proposed amendments will have no effect on fire protection.				
b. Police protection? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The proposed amendments will have no effect on police protection.				
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The proposed amendments will have no effect on schools.				
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The proposed amendments will have no effect on parks.				
e. Other public facilities? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: N/A				

XV. RECREATION

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The proposed amendments will have no effect on recreational facilities.				
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
environment?				

Discussion: One of the modifications proposed would adjust the size of common community rooms for multi-family projects, however this would not impact outside recreational facilities or environmental impacts.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures or effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(a-f) Discussion: The proposed amendments will have no effect on transportation or traffic circulation, however, the amendments include adding provisions to require bicycle parking with new development which would implement policies in the 2011 Circulation Element and 2009 Bicycle Master Plan.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. | Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. | Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. | Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. | Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. | Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The proposed amendments could not impact utilities or services systems.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Discussion: The proposed code amendment will not directly result in physical alterations that would affect habitat, fish or wildlife species. These amendments would affect a range of development standards that would be applied to development on a case-by-case basis where site specific features and development impacts would need to be evaluated to ensure development would not impact habitat, fish or wildlife species or resources. Therefore, the proposed project would likely result in less than significant impacts to habitat, fish or wildlife species or resources.

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

Discussion: The proposed code amendment will not directly result in physical alterations that would result in individually limited or cumulatively considerable impacts. These amendments would affect a range of development standards that would be applied to development on a case-by-case basis where site specific features and development impacts would need to be evaluated to ensure development would not impact resources. Therefore, the proposed project would likely result in less than significant impacts to the environment.

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

Discussion: The proposed amendments would not result in direct or indirect impacts on the environment that would cause substantial adverse effects on human beings.

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

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

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446 Or online: www.prcity.com
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	2005 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Urban Water Management Plan 2005	Same as above
8	City of Paso Robles Storm Water Management Plan	Same as above
98	City of Paso Robles Sewer Master Plan	Same as above
10	City of Paso Robles Housing Element	Same as above
11	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
12	Uptown/Town Centre Specific Plan	Same as above
13	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
14	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
15	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446

Code Amendment 12-002

Title 21 – Zoning Ordinance

1. **Dance Schools:** Amend Section 21.16.200, District Use Table 21.16.200, Permitted Land Uses for all Zoning Districts as follows:
 - a) Delete “dance schools” from Subsection C. 9. Schools. c. Business, trade, *dance schools*.
 - b) Add “dance schools” as a “permitted” use in Section E. 1.d. in C1, C2, C3, RC, M, PM, and AP zoning districts.

2. **Metal roofing for single family homes:** Amend Section 21.16E.260, General architectural requirements, Subsection A.1 to:
 - a) Delete the text reading: “Roofs shall be constructed with concrete or clay tile, fire-retardant wood shake, asphalt composition, crushed rock or other similar roofing material; reflective, glossy, polycy and/or roll-formed type metal roofing is prohibited.”
 - b) In its place, insert: “Roofs shall be constructed with concrete or clay tile, fire-retardant wood shake, asphalt composition, crushed rock or other similar roofing material. Metal roof materials for single family homes and detached accessory buildings may be allowed subject to approval by the Development Review Committee (DRC), which shall make all of the following specific findings: a) the material and the way that it is proposed to be applied to the structure is compatible with the architectural theme of the home or detached structure; b) the material would not conflict with the residential character of the home and surrounding neighborhood; c) the proposed use of and manner in which it would be applied demonstrates a high quality of craftsmanship; and d) the roof design and materials used for main buildings and detached accessory buildings are compatible.

3. **Swimming pools**
 - A. Amend Section 21.16E.220, Table 21.16E.220, Minimum Setbacks in the R-1 District to delete “swimming pools and spas” in Note #2 as being defined as a type of detached accessory building.
 - B. Amend Section 21.16E.290, Swimming pools and spas, Subsection A to:
 - a) Delete the text reading: “Swimming pools and spas and their filter and heating systems are considered to be accessory buildings and as such must comply with the setbacks shown in Table 21.14E.220.”
 - b) In its place insert: “Swimming pools and spas shall comply with the front yard setback of 15 feet and shall not extend farther into the front yard setback than the front building wall of the main building and may be permitted within side yard areas.

4. Detached Accessory Buildings (DABs)

Amend Section 21.16E.220, Table 21.16E.220, Minimum Setbacks in the R-1 District. Yard, Front (DABs) to change setback of 50 feet to 15 feet, add asterisks (***) and insert a footnote to read: “***DABs shall not be located farther into the front yard setback than the front wall of main building.”

5. Planned Development Expiration Date

Amend Section 21.23B.150 as follows:

- a) Subsection A – Modify to add a new 2nd sentence to read: “Development plans approved concurrently with a subdivision map shall have the same expiration time period as the subdivision map.”
- b) Subsection B – For time extensions, delete reference to “one year”, and insert “two years”.

6. Multi-Family Setbacks – Front Yard and Street Side Yard

Amend Section 21.16I.160 Setbacks for buildings and structures, Table 21.16I.160, Setbacks in Multi-Family Districts as follows:

- a) Yard, Front – Delete row for “collector streets”;
- b) Yard, Street Side – Delete row for “collector streets”.

7. Political signs

Amend Section 21.19.080, Signs exempt from permit, Section O to specify that wall and projecting signs are acceptable as political signs provided that the sign area is consistent with the limitations for the zoning districts in which the sign is placed and, for projecting signs, that the clearances set forth in Section 21.19.040.L.3 are maintained.

8. Shopping Center Wall-Mounted Signs

Amend Section 21.19.040, Signs requiring a permit, Section O to add a 3rd sentence as follows, “For shopping centers with buildings that have entrances oriented toward a parking lot, they shall be allowed an additional 50% more sign area (provided that the additional sign area is not added to the base sign area permitted in one sign), and that a sign program for the whole shopping center is prepared by a design professional that unifies all signs within a cohesive sign program that is architecturally compatible with the architectural theme of the buildings in the shopping center.”

9. Downtown sign reference

Amend Section 21.19.040, Signs exempt from permit as follows:

- a. Revise Subsection 21.19.040.N. to read: “Roof Signs. For any building or tenant space frontage, the total maximum sign area for all building-mounted signs, except for freestanding, window and icon signs, shall not exceed one square foot of sign area for

every linear foot of building with street frontage. The allowable sign area may be applied on any side of a building provided that the total square footage of all signage shall not exceed the sign area limits for the building. ~~Roof signs are also subject to restrictions in the downtown area, as specified in subsection Q of this section.~~ Roof signs shall not project above the highest ridge or parapet.

- b. Delete Subsection 21.19.040.Q. (Downtown signs are now addressed in the Uptown/Town Centre Specific Plan.)

10. Multi-Family Community Rooms

Amend Section 21.16I.180, Open Space and recreational amenities to replace all existing text in Subsection B.4 with the following:

“Multi-family residential developments consisting of thirty-two or more dwelling units shall provide either a community/recreation room or a day care center. The minimum size of such a facility shall be no less than twenty square feet for each dwelling unit in the development and shall be a minimum of 1,200 square feet. If a day care center is provided, it shall be operated in accordance with state law governing day care services.”

11. Bicycle parking

Amend Chapter 21.22, Off-Street Parking and Loading Regulations to add new Section 21.2.042, Bicycle Parking Requirements to read as follows.

21.2.042, Bicycle Parking Requirements.

- A. Multi-family development with 10 or more units shall provide a minimum of two (2) bicycle rack spaces and two (2) bicycle rack spaces for each additional increment of 10 units on site.
- B. Non-residential development shall provide a minimum of two (2) bicycle rack spaces for each 20,000 square feet of building footprint on site. In addition, for sites with 50,000 square feet or more building footprint, two (2) secured locker bike parking facilities shall be provided for each increment of 50,000 square feet of building footprint on site.
- C. For parking lots that require 20 or more parking spaces, a 10 percent reduction in parking spaces shall be allowed in exchange for providing 4 bike rack spaces.

Exhibit A

TABLE 21.16.200
 (As amended through Ordinance 976 N.S.)
 PERMITTED LAND USES FOR ALL ZONING DISTRICTS

EXPLANATION OF CODES USED IN THIS CHART

- P (permitted use) denotes a land use which is permitted.
- C (conditional use) denotes a land use which requires approval of a conditional use permit (CUP).
- N (non-permitted use) denotes a land use which is not permitted.
- T (temporary use permit) denotes a land use which requires approval of a temporary use permit per Chapter 21.23C.

NOTES:

1. All uses are subject to compliance with the general regulations and performance standards contained within Chapters 21.20 and 21.21, and specific limits and/or restrictions contained in chapters for specific zoning districts. Additionally, there may be limits and restrictions within overlay zoning districts and specific plan areas.
2. Any use not specifically listed below is not permitted unless the Planning Commission determines a particular land use to be similar to another permitted, conditional or temporary use within a particular zoning district.

LAND USE	ZONING DISTRICT																			
	AG	RA	R1	R2	R3	R30	R4	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS	
...																				
C. Institutional, Public & Quasi-Public																				
...																				
9. Schools:																				
a. Public, all levels	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
b. Private, all levels	N	N	C	C	C	C	C	C	C	N	C	C	C	C	N	C	C	C	C	N
c. Business, trade, dance-schools	C	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N
...																				
E. Private Club and Commercial Recreation																				
1. Indoor Facilities:																				
a. Amusement arcades (video games, pinball, etc.) 4 or more games constitutes an arcade.	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N	N
b. Bowling alleys	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N	N
c. Card rooms	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N	N
d. Dance halls, dance schools	N	N	N	N	N	N	N	N	N	N	N	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>
e. Gyms, health spas, etc.	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N

Exhibit A

		ZONING DISTRICT																
LAND USE	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
f. Pool/billiard halls	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
g. Racquetball, handball courts	N	N	C	C	C	C	C	C	N	N	P	P	P	P	P	P	P	N
h. Shooting Range	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P	N	P	N
i. Skating Rink (ice, roller)	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
j. Theaters (* Requires a finding that a theater will not be detrimental to the City's efforts to revitalize the downtown.	N	N	N	N	N	N	N	N	N	C*	P	C*	C*	C*	N	N	N	N

Exhibit B

**TABLE 21.16E.220
MINIMUM SETBACKS IN THE R-1 DISTRICT**

Notes:

1. All setbacks are measured from the property line unless otherwise noted.
2. DABs are detached accessory buildings which include, but are not limited to, the following buildings when detached from the main building: garages, carports, sheds, auxiliary buildings, ~~swimming pools and spas~~, tennis courts, antennae.

Yard	R-1 (feet)	R-1, B-1 (feet)	R-1, B-2 (feet)	R-1, B-3 (feet)	R-1, B-4 (feet)	R-1, B-5 (feet)
Front (main bldgs)	15	15	15	20	20	20
Front (garage door)*	20	20	20	20	20	20
Front (DABs)***	<u>15-50</u>	<u>15-50</u>	<u>15-50</u>	<u>15-50</u>	<u>15-50</u>	<u>15-50</u>
Street Side (main bldgs)	10	10	10	15	15	15
Street Side (DABs)	10	10	10	15	15	15
Street Side (garage door)*	20	20	20	20	20	20
Interior Side (main bldgs)	†	10	10	15	15	15
Interior Side (DABs)†	3	3	3	3	3	3
Rear (main bldgs)**	20	20	20	20	20	20
Rear (DABs)‡	3	3	3	3	3	3

* This setback pertains to garage doors with sectional, roll-up doors which open directly toward a street. Garages with single-panel, swing-up doors which open directly toward a street shall be set back twenty-five feet from the front or street side property line.

** On R-1 zoned properties that have rear yards that back-up" to City of El Paso de Robles school district-owned public facilities (explicitly excluding properties with rear yards that abut public streets or alleys, detention basins, bike paths) the city's development review committee (DRC) may consider and approve, conditionally approve, or deny requests for reduced rear yard setbacks to a minimum of ten feet for single-story additions to existing buildings. This reduction in rear yard setbacks may not be approved in conjunction with new home construction. Approval of reduced rear yard setbacks would be subject to development review committee (DRC) consideration of an application accompanied by written evidence of concurrence/support from adjacent and abutting property owners. The DRC's decision to approve, conditionally approve, or deny requests for reduced rear yard setbacks shall consider impacts on the views, privacy, and other concerns of neighboring property owners. With the exception of eaves that may extend a maximum of twenty-four inches into setback areas, additional extensions of the main building, including but not limited to covered patios, may not encroach into the ten foot rear yard.

***** DABs shall not be located closer to the front property line the front wall of the main structure oriented toward the street.**

† In the R-1 district, the minimum interior side yard setbacks shall be five feet on one side and ten feet on the other side for all lots sixty-five feet or wider. Lots less than sixty-five feet wide, which were created prior to the effective date of this ordinance, shall have minimum side yard setbacks of five feet on each side. Additionally, all second stories shall be setback ten feet from the side property line.

‡ Detached accessory buildings shall not be located within five feet of any alley or within ten feet of any dwelling unit, existing or under construction, on the same or adjacent lot.

Exhibit C

TABLE 21.16I.160 Setbacks in Multi-Family Districts

Yard	Setback	Notes/Exceptions
FRONT (all buildings & structures)		Front setbacks from public streets are measured from property lines. Front setbacks from private streets are measured from the edge of pavement.
From arterial streets	25 ft	1. Except 15 feet along Spring Street 2. On lots where the finished grade of multi-family developments with two or more stories will be higher than adjacent arterial streets, the Planning Commission may require increased front yard setbacks where necessary to minimize visual impacts associated with "walling-in" the street with relatively high vertical building planes.
From collector streets	20 ft	If a greater setback predominate existing or planned development on the same block or across the street, the greater setback shall be provided.
From local streets	15 ft	1. If a greater setback predominate existing or planned development on the same block or across the street, the greater setback shall be provided. 2. The Planning Commission can reduce the required 15 foot front yard setback to no less than 5 feet, if all of the following findings can be made: a. The reduction is necessary to preserve oak trees and/or minimize grading; b. The project still maintains 20 foot front setbacks from street-facing garage doors; c. The reduction would not be inconsistent with an established neighborhood pattern.
From private streets	15 ft	
From alleys	5 ft	
GARAGE DOORS		
Public Streets	20 ft	Applies where garage doors open directly toward a street or alley. As measured from property lines.
Private Streets	20 ft	1. As measured from the edge of pavement. 2. As part of a development plan application, the Planning Commission may approve a setback of 5 feet
Alleys	5'/20'	Garage doors are to be set back at least 5 feet or at least 20 feet.
STREET SIDE (all buildings & structures)		
From arterial streets	25 ft	Same notes/exceptions as for front setbacks.
From collector streets	15 ft	Same notes/exceptions as for front setbacks.
From local streets	10 ft	Same notes/exceptions as for front setbacks.
From private streets	10 ft	
INTERIOR SIDE		
		As measured from property lines.
Main Buildings	5/10/15 ft	1. 5 feet for one story; 10 feet for two stories; 15 feet for three stories, except on lots in Blocks 1 through 196 of the original City subdivision that are 50 feet or less in width, on which buildings with two stories may be set back 5 feet. 2. Where the side yard abuts the existing or potential rear yard of single-family zoned property, the side yard setback shall be 20 feet. 3. Where front doors face a side yard, the doorway shall be set back 10 feet. 4. Setbacks from alleys shall be 5 feet, unless a door faces the alley, in which case the doorway shall be set back 10 feet.
Detached Accessory Buildings (DABs): including, but not limited to: garages, carports, sheds auxiliary buildings, swimming pools and spas, tennis courts)	5/10 ft	1. 5 feet for one story; 10 feet for two stories. 2. 5 feet from alleys (regardless of number of stories). 3. Where the side yard abuts existing or potential rear yard of single-family zoned property, the side yard setback shall be 20 feet, except that buildings that house only pool and spa filter and heating systems may be set back 5 feet. 4. Shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the interior side yard and rear yard setbacks subject to (a) approval of a conditional use permit and (b) the conditions in Section 21.20.240.
REAR		
		As measured from property lines.
Main Buildings	10/15 ft	1. 10 feet for one and two stories; 15 feet for three stories. 2. Where the rear yard abuts the existing or potential rear yard of single-family zoned property, the side yard setback shall be 20 feet.
DABs	5/10 ft	Same notes/exceptions as for interior side setbacks.
TOWNHOUSES		
		For townhouse-type condominium units with individual lots for each unit, setbacks from the property lines defining each unit are not required. However, units and accessory buildings shall be set back from the project's exterior property lines as indicated above.
SUBDIVISION OF EXISTING LOTS IN BLOCKS NO. 1 THROUGH 196 OF THE ORIGINAL CITY SUBDIVISION		
		1. In order to increase the numbers of households that own their homes, particularly those in lower income groups, further subdivision of existing residentially-zoned lots within Blocks No. 1 through 196 of the original Subdivision of the City of El Paso de Robles, as shown in Figure 21.16I.050, is encouraged. 2. Because resubdivision of most of the subject lots would create 50 foot deep lots, exceptions to the above setback requirements may be approved via a plot plan application in order to make such resubdivisions feasible. Approval of exceptions to setback requirements shall be contingent upon demonstration that the proposed setbacks are compatible with those for existing development in the neighborhood.

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21 (ZONING) OF THE MUNICIPAL CODE TO
MODIFY CHAPTERS OF THE ZONING ORDINANCE
(CODE AMENDMENT 12-002)

WHEREAS, the City of El Paso de Robles Zoning Ordinance is amended from time to time to clarify language, correct errors and respond to changing circumstances; and

WHEREAS, several “clean-up” amendments are proposed to update various sections of the code; and

WHEREAS, the amendments encompass modifications to the following topics:

- dance schools, zone permitted and level of review;
- metal roofing for single family homes;
- swimming pool setbacks and location;
- detached accessory building setbacks;
- development plan expiration date;
- multi-family setbacks from “collector” streets;
- multi-family community room size;
- political signs;
- shopping center wall signs;
- downtown sign reference; and
- bicycle parking.

WHEREAS, the City has prepared an ordinance to amend the Zoning Code to modify the above regulation topics; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) an Initial Study was prepared, and it was determined that this project could not result in significant environmental impacts. Therefore, a draft Negative Declaration was adopted for this project; and

WHEREAS, at its meeting on November 27, 2012, the Planning Commission conducted a public hearing on the proposed Code Amendment and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this ordinance;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. In accordance with CEQA, recommended the City Council adopt a Negative Declaration for the proposed ordinance;
- d. Recommended that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting of December 18, 2012 and January 15, 2013, the City Council conducted a public hearing on the proposed Code Amendment and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this ordinance;
- b. Considered the recommendation of the Planning Commission regarding this ordinance amendment and concurred with the Planning Commission's recommendation.
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance amendment;
- d. Based on its independent judgment and in accordance with CEQA, the City Council adopted a Negative Declaration for this ordinance.

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 amendment are true and correct.
2. This ordinance amendment 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: Table 21.16.200 of the Zoning Ordinance is hereby amended to incorporate the changes shown in Exhibit A.

SECTION 2. Table 21.16E.220, Minimum Setbacks in the R-1 District is hereby amended to incorporate the changes shown in Exhibit B.

SECTION 3. Section 21.16E.260, General Architectural Requirements is hereby amended to revise Subsection A to read as follows:

- A. All single-family dwellings shall adhere to the following architectural standards:
 1. Roofs shall be constructed with concrete or clay tile, fire-retardant wood shake, asphalt composition, crushed rock or other similar roofing material; ~~reflective, glossy, polished and/or roll-formed type metal roofing is prohibited.~~ Metal roof materials for single family homes and detached accessory buildings may be allowed subject to approval by the Development Review Committee (DRC) and that the DRC make all of the following specific findings: a) the material and the way that it is proposed to be applied to the structure is compatible with the architectural theme of the home or detached structure; b) the material would not conflict with the residential character of the home and surrounding neighborhood; c) the proposed use of and manner in which it would be applied demonstrates a high quality of craftsmanship; and d) the roof design and materials used for main buildings and detached accessory buildings are compatible.
 2. Siding shall consist of stucco, wood, Masonite, brick or other similar; reflective, glossy, polished and/or roll-formed type metal roofing is prohibited.
 3. Every single-family dwelling shall have a width and depth of not less than twenty-four feet.

SECTION 4. Section 21.16E.290, Swimming Pools and Spas, is hereby amended to read as follows:

- A. Swimming pools and spas shall comply with the front yard setback of 15 feet and shall not extend farther into the front yard setback than the front building wall of the main building and may be permitted within side yard areas. ~~Swimming pools and spas and their filter and heating systems are considered to be accessory buildings and as such must comply with the setbacks shown in Table 21.14E.220.~~
- A. Filter and heating systems for pools and spas shall not be located closer than twenty feet to any dwelling other than the property owner's and shall be screened by a solid fence.

SECTION 5. Table 21.16I.160, Setbacks in Multi-Family Districts is hereby amended to read as shown in Exhibit C.

SECTION 6. Section 21.16I.180 Open Space and Recreational Amenities, is hereby amended to revise Subsection B.4 to read as follows:

“Multi-family residential developments consisting of thirty-two or more dwelling units shall provide either a community/recreation room or a day care center. The minimum size of such a facility shall be no less than twenty forty square feet for each dwelling unit in the development and shall be a minimum of 1,200 square feet. If a day care center is provided, it shall be operated in accordance with state law governing day care services.”

SECTION 7. Section 21.19.040, Signs Requiring a Permit, is hereby amended as follows.

- a. Subsection N, Roof Signs, is amended to read as follows: “For any building or tenant space frontage, the total maximum sign area for all building-mounted signs, except for freestanding, window and icon signs, shall exceed one square foot of sign area for every linear foot of building with street frontage. The allowable sign area may be applied on any side of a building provided that the total square footage of all signage shall not exceed the sign area limits for the building. ~~Roof signs are also subject to restrictions in the downtown area, as specified in subsection Q of this section.~~ Roof signs shall not project above the highest ridge or parapet.”
- b. Subsection O, Wall-Mounted Signs, is amended to read as follows: “For any building or tenant space frontage, the total maximum sign area for all building-mounted signs, except for freestanding, window and icon signs, shall not exceed one square foot of sign for every linear foot of building with a street frontage. The allowable sign area may be applied on any side of a building provided that the total square footage of all signage shall not exceed the sign area limits for the building. For shopping centers with buildings that have entrances oriented toward a parking lot, they shall be allowed an additional 50% more sign area (provided that the additional sign area is not added to the base sign area permitted in one sign), and that a sign program for the whole shopping center is prepared by a design professional that unifies all signs within a cohesive sign program that is architecturally compatible with the architectural theme of the buildings in the shopping center. ~~Wall-mounted signs are also subject to restrictions in the downtown area, as specified in subsection Q of this section.~~
- c. Subsection Q, Restrictions in the Downtown Area, is hereby deleted.

SECTION 8. Section 21.22.042, Bicycle Parking Requirements, is hereby established to read as follows:

“Section 21.22.042, Bicycle Parking Requirements.

- A. Multi-family development with 10 or more units shall provide a minimum of two (2) bicycle rack spaces and two (2) bicycle rack spaces for each additional increment of 10 units on site.
- B. Non-residential development shall provide a minimum of two (2) bicycle rack spaces for each 20,000 square feet of building footprint on site. In addition, for sites with 50,000 square feet or more building footprint, two (2) secured locker bike parking facilities shall be provided for each increment of 50,000 square feet of building footprint on site.
- C. For parking lots that require 20 or more parking spaces, a 10 percent reduction in parking spaces shall be allowed in exchange for providing 4 bike rack spaces.”

SECTION 9. Section 21.23B.150, Time Limit on Approval is hereby amended to read as follows:

- A. Approval of development plans, site plans and plot plans shall be valid for a period of not more than two years following the date of approval. Development plans approved concurrently with a tentative tract or parcel map shall have the same expiration time period as the tentative map. If, at the end of a two-year period, one of the situations listed below has occurred, said approval shall become invalid.
 1. A building or grading permit has not been issued; or
 2. A building or grading permit has been issued but construction or grading has not commenced within one hundred eighty days of the issuance; or
 3. A building or grading permit has been issued and construction or grading has commenced but has subsequently lapsed for a period of one hundred eighty days; or
 4. A written request for a time extension request and the applicable fee have ~~has~~ not been received; or
 5. A tentative tract or parcel map associated with the development plan, site plan, or plot plan has expired.
- B. Time extensions, not exceeding ~~one~~ two years per extension, maybe granted by the authority (planning commission, development review committee, or community development director) that originally granted approval if a written request and applicable fee have been submitted to the community development department no later than the date of expiration of approval.

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 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 13. 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 January 15, 2013, and passed and adopted by the City Council of the City of El Paso de Robles on the 15th day of January 2013 by the following roll call vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

Exhibit A

TABLE 21.16.200
(As amended through Ordinance 976 N.S.)
PERMITTED LAND USES FOR ALL ZONING DISTRICTS

EXPLANATION OF CODES USED IN THIS CHART

- P (permitted use) denotes a land use which is permitted.
- C (conditional use) denotes a land use which requires approval of a conditional use permit (CUP).
- N (non-permitted use) denotes a land use which is not permitted.
- T (temporary use permit) denotes a land use which requires approval of a temporary use permit per Chapter 21.23C.

NOTES:

1. All uses are subject to compliance with the general regulations and performance standards contained within Chapters 21.20 and 21.21, and specific limits and/or restrictions contained in chapters for specific zoning districts. Additionally, there may be limits and restrictions within overlay zoning districts and specific plan areas.
2. Any use not specifically listed below is not permitted unless the Planning Commission determines a particular land use to be similar to another permitted, conditional or temporary use within a particular zoning district.

LAND USE	ZONING DISTRICT																			
	AG	RA	R1	R2	R3	R30	R4	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS	
...																				
C. Institutional, Public & Quasi-Public																				
...																				
9. Schools:																				
a. Public, all levels	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
b. Private, all levels	N	N	C	C	C	C	C	C	C	N	C	C	C	C	N	C	C	C	C	N
c. Business, trade, dance-schools	C	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N
...																				
E. Private Club and Commercial Recreation																				
1. Indoor Facilities:																				
a. Amusement arcades (video games, pinball, etc.) 4 or more games constitutes an arcade.	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N	N
b. Bowling alleys	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N	N
c. Card rooms	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N	N
d. Dance halls, dance schools	N	N	N	N	N	N	N	N	N	N	N	C P	C P	C P	C P	C P	C P	C P	C P	C P
e. Gyms, health spas, etc.	N	N	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N

Exhibit A

		ZONING DISTRICT																
LAND USE	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
f. Pool/billiard halls	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
g. Racquetball, handball courts	N	N	C	C	C	C	C	C	N	N	P	P	P	P	P	P	P	N
h. Shooting Range	N	N	N	N	N	N	N	N	N	N	N	N	P	N	P	N	P	N
i. Skating Rink (ice, roller)	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
j. Theaters (* Requires a finding that a theater will not be detrimental to the City's efforts to revitalize the downtown.	N	N	N	N	N	N	N	N	N	C*	P	C*	C*	C*	N	N	N	N

Exhibit B

**TABLE 21.16E.220
MINIMUM SETBACKS IN THE R-1 DISTRICT**

Notes:

1. All setbacks are measured from the property line unless otherwise noted.
2. DABs are detached accessory buildings which include, but are not limited to, the following buildings when detached from the main building: garages, carports, sheds, auxiliary buildings, ~~swimming pools and spas~~, tennis courts, antennae.

Yard	R-1 (feet)	R-1, B-1 (feet)	R-1, B-2 (feet)	R-1, B-3 (feet)	R-1, B-4 (feet)	R-1, B-5 (feet)
Front (main bldgs)	15	15	15	20	20	20
Front (garage door)*	20	20	20	20	20	20
Front (DABs)***	<u>15-50</u>	<u>15-50</u>	<u>15-50</u>	<u>15-50</u>	<u>15-50</u>	<u>15-50</u>
Street Side (main bldgs)	10	10	10	15	15	15
Street Side (DABs)	10	10	10	15	15	15
Street Side (garage door)*	20	20	20	20	20	20
Interior Side (main bldgs)	†	10	10	15	15	15
Interior Side (DABs)†	3	3	3	3	3	3
Rear (main bldgs)**	20	20	20	20	20	20
Rear (DABs)‡	3	3	3	3	3	3

* This setback pertains to garage doors with sectional, roll-up doors which open directly toward a street. Garages with single-panel, swing-up doors which open directly toward a street shall be set back twenty-five feet from the front or street side property line.

** On R-1 zoned properties that have rear yards that back-up" to City of El Paso de Robles school district-owned public facilities (explicitly excluding properties with rear yards that abut public streets or alleys, detention basins, bike paths) the city's development review committee (DRC) may consider and approve, conditionally approve, or deny requests for reduced rear yard setbacks to a minimum of ten feet for single-story additions to existing buildings. This reduction in rear yard setbacks may not be approved in conjunction with new home construction. Approval of reduced rear yard setbacks would be subject to development review committee (DRC) consideration of an application accompanied by written evidence of concurrence/support from adjacent and abutting property owners. The DRC's decision to approve, conditionally approve, or deny requests for reduced rear yard setbacks shall consider impacts on the views, privacy, and other concerns of neighboring property owners. With the exception of eaves that may extend a maximum of twenty-four inches into setback areas, additional extensions of the main building, including but not limited to covered patios, may not encroach into the ten foot rear yard.

***** DABs shall not be located closer to the front property line the front wall of the main structure oriented toward the street.**

† In the R-1 district, the minimum interior side yard setbacks shall be five feet on one side and ten feet on the other side for all lots sixty-five feet or wider. Lots less than sixty-five feet wide, which were created prior to the effective date of this ordinance, shall have minimum side yard setbacks of five feet on each side. Additionally, all second stories shall be setback ten feet from the side property line.

‡ Detached accessory buildings shall not be located within five feet of any alley or within ten feet of any dwelling unit, existing or under construction, on the same or adjacent lot.

Exhibit C

TABLE 21.16I.160 Setbacks in Multi-Family Districts

Yard	Setback	Notes/Exceptions
FRONT (all buildings & structures)		Front setbacks from public streets are measured from property lines. Front setbacks from private streets are measured from the edge of pavement.
From arterial streets	25 ft	1. Except 15 feet along Spring Street 2. On lots where the finished grade of multi-family developments with two or more stories will be higher than adjacent arterial streets, the Planning Commission may require increased front yard setbacks where necessary to minimize visual impacts associated with "walling-in" the street with relatively high vertical building planes.
From collector streets	20 ft	If a greater setback predominate existing or planned development on the same block or across the street, the greater setback shall be provided.
From local streets	15 ft	1. If a greater setback predominate existing or planned development on the same block or across the street, the greater setback shall be provided. 2. The Planning Commission can reduce the required 15 foot front yard setback to no less than 5 feet, if all of the following findings can be made: a. The reduction is necessary to preserve oak trees and/or minimize grading; b. The project still maintains 20 foot front setbacks from street-facing garage doors; c. The reduction would not be inconsistent with an established neighborhood pattern.
From private streets	15 ft	
From alleys	5 ft	
GARAGE DOORS		Applies where garage doors open directly toward a street or alley.
Public Streets	20 ft	As measured from property lines.
Private Streets	20 ft	1. As measured from the edge of pavement. 2. As part of a development plan application, the Planning Commission may approve a setback of 5 feet
Alleys	5/20'	Garage doors are to be set back at least 5 feet or at least 20 feet.
STREET SIDE (all buildings & structures)		Street side setbacks from public streets are measured from property lines. Street side setbacks from private streets are measured from the edge of pavement.
From arterial streets	25 ft	Same notes/exceptions as for front setbacks.
From collector streets	15 ft	Same notes/exceptions as for front setbacks.
From local streets	10 ft	Same notes/exceptions as for front setbacks.
From private streets	10 ft	
INTERIOR SIDE		As measured from property lines.
Main Buildings	5/10/15 ft	1. 5 feet for one story; 10 feet for two stories; 15 feet for three stories, except on lots in Blocks 1 through 196 of the original City subdivision that are 50 feet or less in width, on which buildings with two stories may be set back 5 feet. 2. Where the side yard abuts the existing or potential rear yard of single-family zoned property, the side yard setback shall be 20 feet. 3. Where front doors face a side yard, the doorway shall be set back 10 feet. 4. Setbacks from alleys shall be 5 feet, unless a door faces the alley, in which case the doorway shall be set back 10 feet.
Detached Accessory Buildings (DABs): including, but not limited to: garages, carports, sheds auxiliary buildings, swimming pools and spas, tennis courts)	5/10 ft	1. 5 feet for one story; 10 feet for two stories. 2. 5 feet from alleys (regardless of number of stories). 3. Where the side yard abuts existing or potential rear yard of single-family zoned property, the side yard setback shall be 20 feet, except that buildings that house only pool and spa filter and heating systems may be set back 5 feet. 4. Shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the interior side yard and rear yard setbacks subject to (a) approval of a conditional use permit and (b) the conditions in Section 21.20.240.
REAR		As measured from property lines.
Main Buildings	10/15 ft	1. 10 feet for one and two stories; 15 feet for three stories. 2. Where the rear yard abuts the existing or potential rear yard of single-family zoned property, the side yard setback shall be 20 feet.
DABs	5/10 ft	Same notes/exceptions as for interior side setbacks.
TOWNHOUSES		For townhouse-type condominium units with individual lots for each unit, setbacks from the property lines defining each unit are not required. However, units and accessory buildings shall be set back from the project's exterior property lines as indicated above.
SUBDIVISION OF EXISTING LOTS IN BLOCKS NO. 1 THROUGH 196 OF THE ORIGINAL CITY SUBDIVISION		1. In order to increase the numbers of households that own their homes, particularly those in lower income groups, further subdivision of existing residentially-zoned lots within Blocks No. 1 through 196 of the original Subdivision of the City of El Paso de Robles, as shown in Figure 21.16I.050, is encouraged. 2. Because resubdivision of most of the subject lots would create 50 foot deep lots, exceptions to the above setback requirements may be approved via a plot plan application in order to make such resubdivisions feasible. Approval of exceptions to setback requirements shall be contingent upon demonstration that the proposed setbacks are compatible with those for existing development in the neighborhood.