

TO: James L. App, City Manager
FROM: Ed Gallagher, Community Development Director
SUBJECT: Specific Plan Amendment 13-002: Uptown/Town Centre
DATE: September 17, 2013

Needs: For the City Council to conduct a semi-annual review of the Uptown/Town Centre Specific Plan (UTCSP) and consider amendments to the plan.

- Facts:**
1. When the UTCSP was adopted in May 2011, the City Council adopted a policy to conduct semi-annual reviews of the plan to consider making adjustments to the plan.
 2. The City Council adopted several minor modifications to the UTCSP on January 17, and October 18, 2012, primarily related to certain public improvements and development standards.
 3. The City has initiated Specific Plan Amendment 13-002 to amend the Uptown/Town Centre Specific Plan to make several "clean up" changes to Chapters 1-3 to conform with prior amendments to this specific plan and to make several amendments to the zoning regulations in Chapter 5. The nature of the changes will be discussed in the Analysis and Conclusions Section, below.
 4. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study, a determination has been made that the Project would not result in significant environmental impacts and a Draft Negative Declaration has been prepared.
 5. At its meeting of August 27, 2013, the Planning Commission reviewed the specific plan amendment and, on a 6-0-1 vote, recommended that the City Council approve the amendment as proposed, with the exception that the Commission did not support amending the plan to allow carwashes in the TC-1 Zone.

Analysis and Conclusion:

The proposed amendment includes three basic types of changes: (1) substantial policy matters, (2) minor policy matters, and (3) clean-up matters. Details for all of the amendments proposed for consideration appear in Attachment 1 of the Initial Study and in the draft ordinance.

Substantial Policy Matters include the following issues. Beneath the table (on the following page), each proposed change is discussed in more detail.

Change	Change #s in Attachment 1
<p><u>Carwashes</u>: Should carwashes be a conditionally-permitted use in the TC-1 Zone? Prior to adoption of the specific plan, a conditional use permit was granted to Steve's Gas to include a carwash at the southeast corner of Spring and 15th Streets. That approval expired prior to adoption of the specific plan, which now does not allow carwashes in the TC-1 Zone.</p>	5-2
<p><u>Residential Care Facilities for the Elderly for more than 6 residents</u>: Should these be permitted in the TC-1 Zone, presumably with a CUP as they are in other zones? The City has received a letter requesting this change.</p>	5-4
<p><u>Hotels</u>: The development standards for "Flex Block" and "Flex Shed" building types do not work well for larger hotel buildings like The Oaks or Holiday Inn Express. Consider amending the code to provide exceptions to the height limits, building length limits, upper floor area limits, and the frontage type requirements for hotels.</p>	5-20 and 5-28
<p><u>Open Space Standards for Single Dwellings</u>: Since all residential zoning in the specific plan area is designed for multi-family use, consider reducing the open space standards for single dwellings from no less than 20% of lot area to 300 sq ft. This would facilitate infilling lots with carriage houses, rear yard single dwellings, or rear yard duplexes.</p>	5-21

Car Washes and Residential Care Facilities for the Elderly (RCFE):

Two of the proposed substantive amendments seek changes in land use policy to allow carwashes and RCFEs in the TC-1 Zone. The following sections of the specific plan contain policy statements pertinent to these requests for change:

1. Section 2.1.A, which describes the "Downtown District" as "the historic retail core of the City. As much of the retail life of the City has moved to larger centers, the Downtown is being reinvented as a restaurant, entertainment, cultural, artistic, educational, and civic center for the City and the region. A strong retail component, as well as residential and office uses, are also planned, to create a vibrant, 18-hour mixed-use urban district."
2. Section 2.1.4.B, which includes the following "Short-Term" program for the Downtown neighborhood: "Expand the existing retail district northward to 16th Street and southward along both sides of Pine Street to the train station (7th Street). Retail should be required on the ground floor of all buildings within this district and should be comprised of

specialty stores and restaurants peppered with a few national retail chain tenants.”

3. Section 5.2.6, which reads: “The TC-1 zone applies to the area occupied by Paso Robles’ historic Downtown. In general, buildings are 1-, 2-, and 3-story, zero-setback flex block buildings occupied by commercial and mixed-uses. Many of the buildings within the TC-1 zone are historically significant. The intent of the TC-1 zone is to preserve and augment Downtown’s unique historical value while enhancing its economic vitality.”

Carwashes: Prior to adoption of the specific plan, the Planning Commission approved a carwash on the southwest corner of Spring and 15th Streets (at Steve’s Gas, an existing service station), when the General Plan land use designation for that property had been “Community Commercial” and the Zoning was “C-2”. That approval lapsed while the specific plan was prepared. The property has since been re-designated “Downtown Commercial” and re-zoned to TC-1. Carwashes and service stations are not permitted in the TC-1 Zone. The existing service station is now a non-conforming use.

As noted above, the TC-1 Zone is intended to have a compact development pattern of buildings with retail commercial and entertainment uses on the ground floor and offices or residential uses on the upper floors, and along Spring Street, such a land use pattern would extend to 16th Street. Service stations and carwashes have been considered to be inconsistent with this pattern. As a non-conforming use, the service station may continue to be operated indefinitely. The specific plan’s zoning code provides that non-conforming uses should not be expanded (e.g., by adding more non-conforming uses).

Carwashes could generate a level of noise that may be a nuisance to neighboring residents (if any). The previously-approved conditional use permit (CUP) for the carwash at Steve’s Gas was conditioned upon mitigation measures identified by a noise study that was required for that use. Via a CUP application and/or CEQA review for individual projects, the City may require noise studies for carwashes and implementation of mitigation measures.

The request from Steve’s Gas was to place a carwash in conjunction with an existing service station, which is a non-conforming use. A code amendment to allow freestanding carwashes in the TC-1 Zone, i.e., without a service station on the same site, would introduce a land use in the downtown that would be disruptive to the desired urban form. Therefore, if a carwash was to be allowed in the TC-1 Zone, it would seem to follow that it should only be allowed in conjunction with an existing service station. Presently, there are only three service stations in the TC-1 Zone: Steve’s Gas, the Mobil Station at 14th and Spring, and the Pioneer Station at 12th and Spring. The site for the Mobile Station is too small to accommodate a service station and a carwash. The Pioneer Station could possibly accommodate a carwash if the site was redesigned with new

buildings. The Planning Commission's recommendation on this particular item was 4-2 to deny this particular request. Commissioners Barth and Gregory dissented and believed that it should be approved.

Residential Care Facilities for the Elderly: These uses may potentially be contrary to the objective of creating a vibrant, 18-hour downtown, with a continuous pattern of ground floor retail and entertainment uses (restaurants, winetasting, cocktail lounges, etc.) for the following reasons:

- a. They can introduce an "activity gap" in the land use pattern that dissuades pedestrians from walking across their frontage to see what other retail and entertainment uses lie beyond.
- b. Senior residents may be more sensitive to noise from nighttime entertainment uses and become a source of complaints that puts pressure on the City to limit entertainment operations on other TC-1 zoned property.

RCFEs would not generate noise. However, they may be the source of noise complaints from neighboring entertainment uses. Via a CUP application and/or CEQA review for individual projects, the City could condition approval of RCFEs on the incorporation of noise mitigation measures (construction techniques) that exceed those standard noise mitigation measures required by the Building Code.

Conclusion: The policy statements in the specific plan are not couched as absolutes and arguably leave room for interpretation as to which land uses are appropriate in the TC-1 Zone.

If carwashes were to be allowed in the TC-1 Zone, it appears prudent to limit them to the sites of existing service stations. The City Council could amend the specific plan to provide that carwashes and RCFEs are permitted or conditional uses in the TC-1 Zone. Making such uses "conditional" (i.e., subject to approval of a conditional use permit) offers the City an opportunity to assess whether a proposed development can make the necessary findings that a use will fit in any given location and whether additional conditions are warranted to ensure such a fit.

Hotels:

The development standards for commercial uses, including hotels, were drafted to favor the type of development in the downtown core around City Park. However, the City has received inquiries about developing freestanding hotels outside of the downtown core (e.g., along Riverside Avenue and at 4th and Pine Streets) using buildings that are higher than 4 stories, longer than 100-200 feet (limits for Flex Shed and Flex Block buildings), and have frontage types (e.g., porte cocheres) other than the handful prescribed by the Specific Plan.

The City already has 2 hotel buildings (Marriott and La Bellasera) that have 4 stories and one office building (Granary) that has 5 stories. There is no General Plan policy that limits heights. The City has several hotels that are longer than 100-200 feet and have porte cochere or other types of frontages than those prescribed in the specific plan. Outside of the downtown core, other standards could be considered on a case-by-case basis.

Open Space Standards for Single Dwellings:

The existing standards for single dwellings call for 20 percent of a lot to be used for open space. For a typical 7,000 sq ft West Side lot, this amounts to 1,400 sq ft. The specific plan only provides for multi-family zoning, which would allow lots developed with a single family dwelling to add a carriage house or a duplex or triplex in the rear yard. The existing standard would make such additions infeasible. It is suggested that the open space requirement be reduced to 300 sq ft.

Minor Policy Matters include the following issues:

Change	Change #s in Attachment 1
<p><u>Rear Yard Setbacks for T-3N, T-3F, T-4N, and T-4F Zones:</u> Consider reducing the required rear yard setback from 20 feet to 10 feet to allow the same setback that the R-2 and R-3 Zones allowed prior to adoption of the specific plan. A 20 foot setback conflicts with other regulations that allow for detached units in the rear yard in these zones.</p>	5-9, 5-12, 5-15, and 5-18
<p><u>Triplexes in T-3N and T-3F Zones:</u> Presently the code disallows triplexes in the T-3N Zone on the west side of Vine Street and does not allow them at all in the T-3F Zone (even though they are allowed in the T-3N Zone – east of Vine Street). Consider amending Subsection B for the T-3N and T-3F Regulations to allow triplexes throughout these zones.</p>	5-8 and 5-10
<p><u>Separations between residential buildings on the same lot:</u> The specific plan presently requires a 20 foot separation between two residential buildings on the same lot. For most West Side lots, this would discourage infill with carriage houses, rear yard single dwellings, or rear yard duplexes. Consider reducing the separation to 10 feet, as was previously allowed prior to adoption of the specific plan.</p>	5-22
<p><u>Driveway widths:</u> There is a conflict between the driveway widths prescribed in the Parking Code (Section 5.7.2) and in "Access Standards for Courtyard Housing, Stacked Dwelling, Liner, Flex Block, and Flex Shed Buildings. Consider deleting</p>	5-23 to 5-27

Change	Change #s in Attachment 1
the narrower (10-16 foot width) driveways allowed in the Access Standards.	
<u>Roofing Materials</u> : Consider allowing the DRC to approve the use of metal roofs if it can be demonstrated that the requested materials will complement the architectural treatment of the building and will conform with the fabric of the neighborhood.	5-29
<u>Lot Splits</u> : Consider adding a subsection to require that where an existing lot with alley access is proposed to be split into two or more lots, all new lots shall be configured to have alley access for parking and pedestrian access. Methods to achieve this may include creation of common lots or easements. This has been the City's practice for several years, but it has yet to be codified.	5-30

Clean-Up Matters include the following:

Change	Change #s in Attachment 1
<u>Internal consistency</u> : Several items in the draft plan were changed at the time of adoption of the plan or with the first two amendments, but not all of the original text was revised to be consistent with the adopted plan or its amendments.	1-1, 2-1, 2-2, 2-3, 2-4, 3-1, 5-1
<u>Emergency Shelter Ordinance</u> : Following adoption of the plan, the City adopted Ordinance 976 N.S. to provide regulations for emergency shelters, supportive housing, and transitional housing in accordance with SB 2. Table 5.3-1 is proposed to be revised to be consistent with Ord 976.	5-3 and 5-5
<u>Miscellaneous</u> : <ul style="list-style-type: none"> a. The section on fence material limitations was copied from the Zoning Code and adjustments are needed to make it applicable to the specific plan. b. Section 5.5.1.B referred to the wrong section of the plan and suggested that there was more than one design review process. c. Revise the building heights in the T-4N and T-4F Zones to allow 3 story buildings to be 36 feet high, not 26. (This is a typographical error.) d. Amend Subsection B for the T-3N, T-3F, T-4N, and T-4F Zone regulations to add Rear Yard Dwellings and Rear 	5-6 5-19 5-14 and 5-17 5-7, 5-11, 5-13, and 5-16

Yard Duplexes building types in the same category as "Carriage Houses". (This was an oversight.)	
<u>Definitions:</u> a. The definition of "context" needs minor adjustments to clarify its intent; b. The definition of "Driveway" is unnecessary and should be deleted. It suggests that commercial driveways could be used for parking, and it limits driveway widths to 18 feet. c. The definition of "Light Court" (as a subset of "Frontage Type") is not used elsewhere in the specific plan and should be removed.	5-31, 5-32, and 5-33
<u>Format:</u> Reformat the plan from 11" x 17" to 8½" x 11". Benefits include: a. Enabling amendments to be easily incorporated into the text, rather than maintaining a printed log of updates (like an errata sheet). b. 8½" x 11" format is easier to store (in a binder).	

The attached ordinance includes sections that would implement all of the changes discussed above. Should the City Council decide not to make some of the changes, applicable sections could be removed from the ordinance.

Reference: Uptown/Town Center Specific Plan, 2003 General Plan, 2006 Economic Strategy

Fiscal Impact: There are no fiscal impacts associated with the proposed amendments.

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

- a. (1) Adopt the attached Resolution Approving a Negative Declaration.
- (2) Adopt the attached Ordinance Adopting Specific Plan Amendment 13-002.
- b. Amend, modify, or reject the above options.

Attachments:

1. Resolution Approving a Negative Declaration
2. Ordinance Amending the Uptown/Town Centre Specific Plan
3. Newspaper Notice Affidavit

RESOLUTION NO. 13-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING A NEGATIVE DECLARATION FOR
SPECIFIC PLAN AMENDMENT 13-002
(UPTOWN/TOWN CENTRE SPECIFIC PLAN)

WHEREAS, the City has initiated Specific Plan Amendment 13-002 to amend the Uptown/Town Centre Specific Plan to make several "clean up" changes to Chapters 1-3 to conform with prior amendments to this specific plan and to make several amendments to the zoning regulations in Chapter 5; and

WHEREAS, an Initial Study was prepared for this project (attached to this resolution), which proposed that a Negative Declaration be approved; and

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

WHEREAS, public hearings were conducted by the Planning Commission on August 27, 2013 and by the City Council on September 17, 2013 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination for the proposed general plan amendment; and

WHEREAS, based on the information contained in the Initial Study prepared for this general plan amendment and testimony received as a result of the public notice, the City Council finds no substantial evidence that there would be a significant impact on the environment if the specific plan amendment was approved.

NOW, THEREFORE, BE IT RESOLVED, that based on the City's independent judgment, the City Council of the City of El Paso de Robles does hereby approve a Negative Declaration for Specific Plan Amendment 13-002 in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 1st day of October, 2013 by the following 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:** **Uptown/Town Centre Specific Plan - Amendment (SPA 13-002)**
- Concurrent Entitlements:** None
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Ed Gallagher, Community Development Director
Phone: (805) 237-3970
Email: ed@prcity.com
- 3. PROJECT LOCATION:** UTCSP Area (between the Salinas River and Vine Street, and between 1st and 38th Streets, Paso Robles, CA)
- 4. PROJECT PROPONENT:** **City of Paso Robles**
- Contact Person:** **Ed Gallagher**
- Phone:** **(805) 237-3970**
Email: ed@prcity.com
- 5. GENERAL PLAN DESIGNATION:** **Several land use designations**
- 6. ZONING:** **Several zones**
- 7. PROJECT DESCRIPTION:** The City of Paso Robles proposes to amend the Uptown Town Centre Specific Plan to:

The proposed amendment includes three basic types of changes: (1) substantial policy matters, (2) minor policy matters, and (3) clean-up matters. Details for all of the amendments proposed for consideration appear in an attachment to this Initial Study.

Substantial Policy Matters include the following issues:

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8. ENVIRONMENTAL SETTING:

The proposed Specific Plan amendments would affect properties within the urbanized portion of the Uptown/Town Center Specific Plan (UTCSP) area within the City of Paso Robles, which lies between 1st and 38th Streets and between Paso Robles Street and Highway 101.

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 checked="" 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
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I. AESTHETICS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-d) The only aspect of the proposed specific plan amendment related to aesthetics is the increase in building height proposed for hotel buildings. The City already has 2 hotel buildings (Marriott and La Bellasera) that have 4 stories and one office building (Granary) that has 5 stories. There is no General Plan policy that limits heights.

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"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | <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 | <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
nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				

Discussion a-e: This specific plan amendment does not propose any substantive change in land use and development policy that will affect agricultural resources.

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: This specific plan amendment does not propose any substantive change in land use and development policy that will affect 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 | <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
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?				
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): This specific plan amendment does not propose any substantive change in land use and development policy that will affect biological resources.

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 interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-d): This specific plan amendment does not propose any substantive change in land use and development policy that will affect cultural resources.

VI. GEOLOGY AND SOILS: Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a-e: This specific plan amendment does not propose any substantive change in land use and development policy that will affect geological or soils 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"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion (a-b): This specific plan amendment does not propose any substantive change in land use and development policy that will affect 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 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion (a-h): This specific plan amendment does not propose any substantive change in land use and development policy that will increase 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-site? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 | <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
structures which would impede or redirect flood flows?				
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"/>

Discussion (a-l): This specific plan amendment does not propose any substantive change in land use and development policy that will affect hydrology and water quality.

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 specific plan amendment 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: Two of the proposed substantive amendments seek changes in land use policy to allow car-washes and Residential Care Facilities for the Elderly (RCFE) in the TC-1 Zone.

The following sections of the specific plan contain policy statements pertinent to these requests for change:

- Section 2.1.A, which describes the "Downtown District" as "the historic retail core of the City. As much of the retail life of the City has moved to larger centers, the Downtown is being reinvented as a restaurant, entertainment, cultural, artistic, educational, and civic center for the City and the region. A strong retail component, as well as residential and office uses, are also planned, to create a vibrant, 18-hour mixed-use urban district."
- Section 2.1.4.B, which includes the following "Short-Term" program for the Downtown neighborhood: "Expand the existing retail district northward to 16th Street and southward along both sides of Pine Street to the train station (7th Street). Retail should be required on the ground floor of all buildings within this district and should be comprised of specialty stores and restaurants peppered with a few national retail chain tenants."
- Section 5.2.6, which reads: "The TC-1 zone applies to the area occupied by Paso Robles' historic

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Downtown. In general, buildings are 1-, 2-, and 3-story, zero-setback flex block buildings occupied by commercial and mixed-uses. Many of the buildings within the TC-1 zone are historically significant. The intent of the TC-1 zone is to preserve and augment Downtown's unique historical value while enhancing its economic vitality.”

Carwashes: Prior to adoption of the specific plan, the Planning Commission approved a carwash on the southwest corner of Spring and 15th Streets (at Steve’s Gas, an existing service station), when the General Plan land use designation for that property was “Community Commercial” and the Zoning was “C-2”. The approval lapsed while the specific plan was prepared. The property has since been re-designated “Downtown Commercial” and re-zoned to TC-1. Carwashes and service stations are not permitted in the TC-1 Zone. The existing service station is now a non-conforming use.

As noted above, the TC-1 Zone is intended to have a compact development pattern of buildings with retail commercial and entertainment uses on the ground floor and offices or residential uses on the upper floors, and along Spring Street, such a land use pattern would extend to 16th Street. Service stations and carwashes have been considered to be inconsistent with this pattern. As a non-conforming use, the service station may continue to be operated indefinitely. The specific plan’s zoning code provides that non-conforming uses should not be expanded (e.g., by adding more non-conforming uses).

Residential Care Facilities for the Elderly: These uses may potentially be contrary to the objective of creating a vibrant, 18-hour downtown, with a continuous pattern of ground floor retail and entertainment uses (restaurants, winetasting, cocktail lounges, etc.) for the following reasons:

- a. They can introduce a “gap” in the land use pattern that dissuades pedestrians from walking across their frontage to see what other retail and entertainment uses lie beyond.
- b. Senior residents may be more sensitive to noise from nighttime entertainment uses and become a source of complaints that puts pressure on the City to limit entertainment operations.

Degree of Impact: The policy statements in the specific plan are not couched as absolutes and arguably leave room for interpretation as to which land uses are appropriate in the TC-1 Zone. Consequently, whether or not the proposed changes would be considered to be “environmentally significant” is largely a matter of “opinion”; no other environmental issues are involved with such a change.

The City Council could amend the specific plan to provide that car washes and RCFEs are permitted or conditional uses in the TC-1 Zone. Making such uses “conditional” (i.e., subject to approval of a conditional use permit) offers the City an opportunity to assess whether a proposed development can make the necessary findings that a use will fit in any given location and whether additional conditions are warranted to ensure such a fit. This proposed Negative Declaration suggests that the proposed changes would not be considered to be “environmentally significant”.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion: There are no habitat conservation plans or natural community conservation plans established in this area of the City. Therefore there could not be impacts related to conservation plans.

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)

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

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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"/>
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"/>
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: Carwashes could generate a level of noise that may be a nuisance to neighboring residents (if any). The previously-approved conditional use permit (CUP) for the carwash at Steve's Gas was conditioned upon mitigation measures identified by a noise study that was required for that use. Via a CUP application and/or CEQA review for individual projects, the City may require noise studies for carwashes and implementation of mitigation measures.

RCFEs would not generate noise. However, they may be the source of noise complaints from neighboring entertainment uses. Via a CUP application and/or CEQA review for individual projects, the City could condition approval of RCFEs on the incorporation of noise mitigation measures (construction techniques) that mitigate noise from external sources.

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	<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
roads or other infrastructure)? (Source: 1)				
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"/>
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 specific plan amendment will not create or induce population growth or displace housing or people.

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"/>
b. Police protection? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-e): This specific plan amendment does not propose any substantive change in land use and development policy that will affect public services.

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"/>
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 environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-b): See XIV above, the project will not impact recreational facilities.

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures or	<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
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?				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-f): This specific plan amendment does not propose any land uses that would generate significant impacts to transportation or traffic.

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	<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
effects?				
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 (a-g): This specific plan amendment does not propose any substantive change in land use and development policy that will affect utilities, water or wastewater treatment or delivery services.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-c): This specific plan amendment does not propose any substantive change in land use and

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

development policy that will affect any of the issues in this section.

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

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

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

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

**Attachment to the Initial Study
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Overall

Change format from 11” x 17” to 8 ½” x 11”.

Chapter 1

Change #	Old Page #	New Page #	Change
1-1	1:1	1-2	<p><u>Section 1.1.1:</u> 1st Paragraph on right side (old page) needs to be revised as shown below because Specific Plan Amendment (SPA) 12-002 eliminated growth management. The revised text would read:</p> <p style="padding-left: 40px;">This Specific Plan provides a road map for growth and change for the plan area for at least the next 25 years – until the year 2035 and beyond. The provisions of this Specific Plan are in conformance with the 2003 General Plan, although it is important to note that the 2003 General Plan applies only until the year 2025. Until this date, growth cannot occur beyond the thresholds set by the General Plan until either 1) the 2003 General Plan is amended, or 2) a new General Plan is drafted that permits growth beyond the limits of the 2003 General Plan. Please see Sections 1.5.A (Relationship to General Plan) and 5.3.D (Residential Growth Monitoring) for more information.</p>

Chapter 2

Change #	Old Page #	New Page #	Change
2-1	2:1	2-1	<p><u>Section 2.1:</u> Delete the footnote 1 on old page 2:1 as it is no longer necessary since SPA 12-002 eliminated growth management.</p> <p style="padding-left: 40px;">1—The development capacity for the Uptown and Town Centre Specific Plan was based upon the Illustrative Plan generated at the May 2008 Charrette. The Illustrative Plan—which indicates a snapshot of what the plan area could look like in 25 years—was informed by and reflective of the development potential described in the Market Overview Report prepared by Strategic Economics.</p>
2-2	2:13	2-	<p><u>Section 2.1.6.B:</u> SPA 12-002 eliminated the 12th Street pedestrian bridge. Therefore, the 3rd bullet under “Long Term” Projects should be revised. Revise to read:</p> <p style="padding-left: 40px;">Introduce a natural history museum/interpretive center <u>along the west side of at the Salinas River, between 12th and 13th Streets, end of the 12th Street extension, connected to the Downtown via the proposed 12th Street pedestrian bridge.</u></p>
2-3	2:14	2-24	<p><u>Section 2.1.6, Illustrative Plan:</u> SPA 12-002 eliminated the 12th Street pedestrian bridge. Therefore, the “E” should be deleted from the map.</p>
2-4	2:18	2-31	<p><u>Section 2.1.9.A:</u> SPA 12-002 eliminated the equestrian underpass and equestrian park. Therefore item “b” in 4th bullet under Long Term Projects should be deleted.</p>

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Uptown/Town Centre Specific Plan – Changes to be Considered for 3rd Semi-Annual Review**

Chapter 3

Change #	Old Page #	New Page #	Change
3-1	3:10	3-19	<p><u>Section 3.2, 4th paragraph</u>: The adopted plan did not classify certain projects as being “Catalytic”. Therefore the paragraph should be revised to read:</p> <p>Streetscape improvements for many of the streets not included in Catalytic Projects (see Section 4.2, Catalytic Projects by Plan Area) are expected to be constructed in conjunction with private development projects at the expense of those projects. The City or the CDC may also elect to undertake such improvements as a public initiative, as dictated by unfolding priorities and the availability of funding.</p>

Chapter 5

Change #	Old Page #	New Page #	Change
5-1	5:4	5-6	<p><u>Section 5.2.B.2, description of the T-3F Zone</u>: The draft specific plan proposed T-3F zoning along 21st Street, but T-4F zoning was adopted. Additionally, the draft plan proposed T-4 F and T-3N zoning along Vine Street and portions of Oak Street, but T-3F zoning was adopted. Therefore this subsection should be revised to read:</p> <p>2. T3 Flex Zone (T-3F). The T-3F zone is applied to areas primarily along Spring Street between 16th and 21st Streets and on Vine and Oak Streets 21st Street between Spring Street and the railroad that are mainly occupied by 1- and 2-story, single family dwellings with large, landscaped front yard setbacks along tree-lined streets. Many of the buildings within the T-3F zone are historically significant. The intent of the T-3F zone is to preserve the existing character, while allowing for higher residential densities and a more diverse use mix than the T-3N zone.</p>
5-2	5:7	5-9	<p><u>Table 5.3-1</u>: The City has received a request from the owner of Steve’s Gas on the southwest corner of Spring and 15th Streets to allow development of a carwash in the TC-1 Zone. A carwash was approved for this location prior to adoption of the Specific Plan, which proposed that the downtown be expanded northwards to 16th Street. If this request was to be approved, Table 5.3-1 would need to be amended to show carwashes as either permitted or subject to approval of a conditional use permit (CUP) in the TC-1 Zone. Additionally, it is suggested that carwashes only be allowed on the same property as an existing service station.</p>
5-3	5:9	5-13	<p><u>Table 5.3-1</u>: Since adoption of the specific plan, the City has adopted an ordinance that allows “Emergency Shelters” as permitted uses in the RC Zone. Therefore, Table 5.3-1 needs to be amended to show this use as being permitted in RC Zone and place a note in the right hand column to read: “See Section 21.21.160 of the Zoning Code.”</p>

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Uptown/Town Centre Specific Plan – Changes to be Considered for 3rd Semi-Annual Review**

Change #	Old Page #	New Page #	Change
5-4	5:9	5-14	<u>Table 5.3-1</u> : The City has received a request from Gary and Kathy Tucker to establish a Residential Care Facility for the Elderly for more than 6 residents on the west side of Pine Street, between 7 th and 8 th Streets, in TC-1 Zone. If this request was to be approved, Table 5.3-1 would need to be amended to show this use as subject to approval of a CUP - as it is in other zones. Additionally, in order to minimize complaints from senior residents about noise from downtown commercial businesses, the Code could provide that such uses be required to provide noise mitigation measures beyond the levels required by the Building Code.
5-5	5:9	5-14	<u>Table 5.3-1</u> : The ordinance that addressed emergency shelters also provided that “Transitional and Supportive Housing” would be permitted in the T-3 and T-4 Zones. Therefore, Table 5.3-1 needs to be amended to show this and place a note in the right hand column to read: “See Sections 21.08.426 and 21.08.446 of the Zoning Code.”
5-6	5:11	5-19	<u>Subsection 5.3.E.3.d Fence Material Limitations</u> : The original text was borrowed from the Zoning Code and is not apropos for the specific plan. Consider rewording this section to read as follows: <p align="center">Fence Material Limitations. In residential districts, Barbed wire, razor wire, and electric fences may only be used on properties zoned TC-2 or RC and subject to approval by the Development Review Committee (DRC). The DRC may require that such materials be used only in areas that are not generally in public view from streets and other public vantage points.” for single-family use (i.e., R-1 or R-A) that are at least one half acre in area or larger. In residential districts, razor wire may not be used for fencing.</p>
5-7	5:15	5-25	<u>Section 5.4.1.B, Allowed Building Types in the T-3N Zone</u> : When the plan was adopted, “Rear Yard Dwellings and Rear Yard Duplexes” were added to the “Carriage House” Category. This subsection should be revised to add “Rear Yard Dwellings and Rear Yard Duplexes” in the same row as “carriage houses”.
5-8	5:15	5-25	<u>Section 5.4.1.B, Allowed Building Types in the T-3N Zone</u> : The plan allows triplexes throughout the T-3N Zone, except west of Vine Street. There does not appear to be a compelling reason for this. If the City wishes to allow triplexes west of Vine Street, Footnote #4 needs to be deleted.
5-9	5:15	5-25	<u>Section 5.4.1.C, Building Placement in the T-3N Zone</u> : The plan increased rear yard setbacks from 10 feet (under the former R-2 Zone) to 20 feet. The T-3N Zone is a multi-family zone and rear-yard units (carriage houses, duplexes, triplexes) are permitted. A 20 foot rear yard setback could make such units infeasible. It is suggested that the rear yard setback be reset to 10 feet.
5-10	5:16	5-27	<u>Section 5.4.2.B, Allowed Building Types in the T-3F Zone</u> : The plan does not allow triplexes in the T-3F Zone, but does in the T-3N Zone. This appears to have been an oversight. It is suggested that this section be amended to allow triplexes in the T-3F Zone.

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Change #	Old Page #	New Page #	Change
5-11	5:16	5-27	<u>Section 5.4.2.B, Allowed Building Types in the T-3F Zone:</u> When the plan was adopted, “Rear Yard Dwellings and Rear Yard Duplexes” were added to the “Carriage House” Category. This subsection should be revised to add “Rear Yard Dwellings and Rear Yard Duplexes” in the same row as “carriage houses”.
5-12	5:15	5-27	<u>Section 5.4.2.C, Building Placement in the T-3F Zone:</u> The plan increased rear yard setbacks from 10 feet (under the former R-2 Zone) to 20 feet. The T-3F Zone is a multi-family zone and rear-yard units (carriage houses, duplexes, triplexes) are permitted. A 20 foot rear yard setback could make such units infeasible. It is suggested that the rear yard setback be reset to 10 feet. <u>T-3F Zone:</u> Reduce rear yard setbacks from 20 feet to match rear setbacks for the previously-applied R2 Zone (i.e., 10 feet).
5-13	5:17	5-29	<u>Section 5.4.3.B, Allowed Building Types in the T-4N Zone:</u> When the plan was adopted, “Rear Yard Dwellings and Rear Yard Duplexes” were added to the “Carriage House” Category. This subsection should be revised to add “Rear Yard Dwellings and Rear Yard Duplexes” in the same row as “carriage houses”.
5-14	5:17	5-29	<u>Section 5.4.3.B, Allowed Building Heights in the T-4N Zone:</u> The table of building heights includes typographical errors. Revise building heights so that 3 story buildings may be 36 feet.
5-15	5:17	5-29	<u>Section 5.4.3.C, Building Placement in the T-4N Zone:</u> The plan increased rear yard setbacks from 10 feet (under the former R-3 Zone) to 15 feet. The T-4N Zone is a multi-family zone and rear-yard units (carriage houses, duplexes, triplexes) are permitted. A 20 foot rear yard setback could make such units infeasible. It is suggested that the rear yard setback be reset to 10 feet. <u>T-4N Zone:</u> Reduce rear yard setbacks from 20 feet to match rear setbacks for the previously-applied R3 Zone (i.e., 10 feet).
5-16	5:18	5-31	<u>Section 5.4.4.B, Allowed Building Types in the T-4F Zone:</u> When the plan was adopted, “Rear Yard Dwellings and Rear Yard Duplexes” were added to the “Carriage House” Category. This subsection should be revised to add “Rear Yard Dwellings and Rear Yard Duplexes” in the same row as “carriage houses”.
5-17	5:18	5-31	<u>Section 5.4.4.B, Allowed Building Heights in the T-4F Zone:</u> The table of building heights includes typographical errors. Revise building heights so that 3 story buildings may be 36 feet.
5-18	5:18	5-31	<u>Section 5.4.4.C, Building Placement in the T-4F Zone:</u> The plan increased rear yard setbacks from 10 feet (under the former R-3 Zone) to 15 feet. The T-4F Zone is a multi-family zone and rear-yard units (carriage houses, duplexes, triplexes) are permitted. A 20 foot rear yard setback could make such units infeasible. It is suggested that the rear yard setback be reset to 10 feet. <u>T-4F Zone:</u> Reduce rear yard setbacks from 20 feet to match rear setbacks for the previously-applied R3 Zone (i.e., 10 feet).

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Change #	Old Page #	New Page #	Change
5-19	5:23	5-41	<p><u>Section 5.5.1.B:</u> The adopted plan suggests that there are two design review processes, which is not the case. This section should be revised to read:</p> <p>B. Applicability. Each building shall be designed in compliance with the standards of this Section for the applicable building type, with the exception of civic and institutional buildings. Because of their unique disposition and application, civic and institutional buildings are not required to comply with building type requirements, but are instead subject to a separate design review process as described in Section 5.3.D 1.4.c.</p>
5-20	5:25	5-42	<p><u>Section 5.5.1.F, Requirements for Individual Building Types:</u> Since adoption of the plan, the City has received several inquiries about development of hotels in the planning area. Hotels generally fit within two major commercial building types: “Flex Block” and “Flex Shed”. However, neither of these building type’s development standards work well for larger hotel buildings like The Oaks or Holiday Inn Express. These inquiries propose free-standing hotels that have 5 stories and are more than 200 feet long. Assuming that the City wants to accommodate the larger hotels, this section could be amended to provide for exceptions to the height limits (not only total height, but requirements that upper floors occupy a smaller footprint than lower floors) and length limits by amending this section as follows:</p> <p>F. Requirements for Individual Building Types. The following requirements are applicable to all Building Types in the Specific Plan area. Standards listed under each building type supplement those listed in E. General Requirements for Building types. <u>Exceptions from the height, building length, and upper floor area requirements for Flex Block and Flex Shed buildings as stated in Subsections F.13.b and F.14.b may be made on a case-by-case basis for hotel buildings. In the TC-2 Zone, south of 4th Street, the City may grant exceptions from the height, building length, and upper floor area, and frontage type requirements for Flex Block and Flex Shed buildings as stated in Subsections F.13.b and F.14.b, for hotel buildings, provided that an architectural quality of similar or better than that specified in the Architectural Design Guidelines in Section 5.5.3 is provided.</u></p>
5-21	5:26	5-46	<p><u>Section 5.5.1.F.1.e, open space standards for single dwellings:</u> The existing standards are confusing and appear to be unnecessarily excessive, considering that most lots are designed for multi-family use (i.e., rear yard units could be added behind single dwellings). Consider reducing them so that this subsection reads as follows:</p> <p>e. Open Space Standards</p> <ol style="list-style-type: none"> i. Front yards are defined by the setback and frontage type requirements of the applicable zone. ii. For each lots with one Single Dwelling, rear yards shall a minimum of 300 square feet of open space shall be provided in the rear yard, be no less than 20% of the area of each lot and This open space shall be of a regular (e.g., rectangular) geometry <u>and have a minimum</u>

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Change #	Old Page #	New Page #	Change
			<p style="text-align: center;">dimension of 10 feet. Rear yard area calculation may include setbacks.</p> <p>iii. For lots with two Single Dwellings (one principal building and one Rear Yard Single Dwelling), rear yards shall be no less than 20% (combined for all units) of the total lot area and of a regular (e.g., rectangular) geometry. Rear yard area calculation may include rear and interior side yard setbacks.</p>
5-22	5:27	5-48	<p><u>Section 5.5.1.F.2.b, Building Size and Massing Standards for Carriage Houses, etc.:</u> This subsection is intended to specify separations between two buildings on site (not setbacks as is written), and a 20 foot building separation on a standard West Side lot would be excessive. It is suggested that this subsection be revised to read:</p> <p>vii. When not attached to the principal building, Carriage Houses, Rear Yard Single Dwellings, or Rear Yard Duplexes must be <u>separated from the primary building set-back a minimum of 10 feet. min. if 1 story and 20 feet min. if 2 story.</u></p>
5-23	5:35	5-64	<p><u>Section 5.5.1.F.10.c, Access Standards for Courtyard Housing:</u> Subsections “iv” and “v” call for maximum driveway widths of 10 and 16 feet to serve many dwelling units where alley access is not available. Standard driveway (aisle) widths set forth in Section 5.7.2.C would appear to be more appropriate for the City. If so, those subsections calling for diminished driveway widths would be deleted. As follows:</p> <p>iv. Where an alley is not present, parking and services shall be accessed from the street by a 10 foot wide, maximum, driveway flanked by grass lawn and/or minimum 2 foot wide planters on each side of the driveway.</p> <p>v. On a corner lot without access to an alley, parking and services shall be accessed from the side street by a driveway that is 10 feet wide maximum for one way traffic and 16 feet maximum for two way traffic. Grass lawn and/or minimum 2 foot wide planters shall be provided on each side of the driveway. Services shall be located in the side and/or rear yards.</p>
5-24	5:37	5-68	<p><u>Section 5.5.1.F.10.c, Access Standards for Stacked Dwellings:</u> Same issue as discussed immediately above. Suggest deletion of subsections “iv” and “v”.</p>
5-25	5:38	5-70	<p><u>Section 5.5.1.F.10.c, Access Standards for Liners:</u> Same issue as discussed immediately above. Suggest deletion of subsections “iv” and “v”.</p>
5-26	5:39	5-72	<p><u>Section 5.5.1.F.10.c, Access Standards for Flex Block:</u> Same issue as discussed immediately above. Suggest deletion of subsections “iv” and “v”.</p>

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Change #	Old Page #	New Page #	Change
5-27	5:40	5-74	<u>Section 5.5.1.F.10.c. Access Standards for Flex Shed:</u> Same issue as discussed immediately above. Suggest deletion of subsections “iv” and “v”.
5-28	5:41	5-75	<u>Section 5.5.2.E. Requirements for Individual Frontage Types:</u> The plan presently limits the types of frontage types for Flex Block and Flex Shed buildings that are not commonly used by freestanding hotels. To provide flexibility it is recommended that this section be revised to read: The following standards in Tables 5.5.3 and 5.5.4 apply to all proposed building/modifications in the plan area. <u>Exceptions from the frontage requirements for Flex Block and Flex Shed buildings may be made on a case-by-case basis for hotel buildings.</u>
5-29	5:47	5-84	<u>Section 5.5.3 Architectural Style Guidelines:</u> Since adoption of the plan, the City has received proposals to use metal roofing materials, which are not clearly permitted. If the City wants to consider allowing metal roofs, then Subsection D, Roof Materials, should be added to read as follows: <u>D. Roof Materials.</u> The Development Review Committee may approve a variety of roof materials, including metal roofs, if it can be demonstrated that the requested materials will complement the architectural treatment of the building and will conform with the fabric of the neighborhood.
5-30	5:112	5-111	<u>Section 5.8.2 Subdivision of Sits Less Than 2 Acres:</u> One of the major design objectives of the specific plan is to preserve and require alley access. Section 5.5.1.E.3 reads: “a. Where an alley is present, parking shall be accessed through the alley.” It is suggested that Subsection B be added to Section 5.8.2 to read as follows: <u>B. Where an existing lot with alley access is proposed to be split into two or more lots, all new lots shall be configured to have alley access for parking and pedestrian access. Methods to achieve this may include creation of common lots or easements.</u>
5-31	5:114	5-115	<u>Section 5.9. Definitions:</u> The RN-C Zone cited does not exist in this specific plan. Revise this definition to read: Context: the particular combination of elements that creates a specific environment. <u>The transect-styles zones used in Chapter 5 are A neighborhood zone (e.g. RN-C Zone) is administratively similar to the land-use zones in conventional zoning ordinances, except that in addition to specifying the building use, density, height and setback, all the relevant elements and characteristics of the intended environment are integrated. The integration includes the characteristics of the private lot and building as well as those of the enfronting public streetscape. This approach is applied accordingly to the other components of this plan: open space types, streetscapes and public realm; thoroughfare types and the street network; building types and block types.</u>

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Uptown/Town Centre Specific Plan – Changes to be Considered for 3rd Semi-Annual Review

Change #	Old Page #	New Page #	Change
5-32	5:114	5-116	<p><u>Section 5.9, Definitions:</u> The definition of “Driveway” is unnecessary, it suggests that commercial driveways could be used for parking, and it limits driveway widths to 18 feet. It is suggested that this definition be deleted.</p> <p>Driveway: a vehicular lane within a lot, usually leading to a garage. A Driveway may be used for parking, providing that it is no more than 18 feet wide.</p>
5-33	5:114	5-117	<p><u>Section 5.9, Definitions:</u> The definition of “Light Court” (as a subset of “Frontage Type”) is not used elsewhere in the specific plan and should be removed.</p> <p>Light Court: a sunken space parallel to the sidewalk that provides direct access to levels below grade.</p>

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
 AMENDING THE UPTOWN/TOWN CENTER SPECIFIC PLAN
 (SPECIFIC PLAN AMENDMENT 13-002 - CITY INITIATED)

WHEREAS, the Uptown/Town Centre Specific Plan (UTCSP) was adopted by the City Council on May 3, 2011; and

WHEREAS, with the adoption of the UTCSP the City Council adopted a policy to conduct semi-annual reviews of the Plan to consider making adjustments to the plan; and

WHEREAS, several development standards contained in Chapter 5, the Development Code, have been determined to be too restrictive and counter to the City's efforts to facilitate business and affordable housing; and

WHEREAS, at a meeting held on August 27, 2013, the Planning Commission took the following actions regarding this ordinance:

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

WHEREAS, based on information received at its meeting on September 17, 2013 the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Held a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Planning Commission's recommendation from its August 27, 2013 public meeting;
- d. Based on its independent judgment, approved a Negative Declaration for the Project in accordance with the California Environmental Quality Act;
- e. Introduced said ordinance for the first reading; and

WHEREAS, on October 1, 2013 the City Council held a second reading of said ordinance,

NOW, THEREFORE, the City Council of the City of El Paso de Robles does hereby ordain as follows:

SECTION 1: Format for the Specific Plan Document. The format for the Uptown/Town Centre Specific Plan is hereby changed from 11" x 17" (referred to below as "old page") to 8 ½" x 11" (referred to below as "new page").

SECTION 2: Section 1.1 is amended to change the third paragraph (following the list of four primary purposes of the specific plan) to read as shown below, because Specific Plan Amendment (SPA) 12-002 eliminated growth management:

Old Page #	New Page #	Change
1:1	1-2	This Specific Plan provides a road map for growth and change for the plan area for at least the next 25 years – until the year 2035 and beyond. The provisions of this Specific Plan are in conformance with the 2003 General Plan, although it is important to note that the 2003 General Plan applies only until the year 2025. Until this date, growth cannot occur beyond the thresholds set by the General Plan until either 1) the 2003 General Plan is amended, or 2) a new

		General Plan is drafted that permits growth beyond the limits of the 2003 General Plan. Please see Sections 1.5.A (Relationship to General Plan) and 5.3.D (Residential Growth Monitoring) for more information.
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SECTION 3: Section 2.1 is amended to delete Footnote 1 as shown below, because Specific Plan Amendment (SPA) 12-002 eliminated growth management:

Old Page #	New Page #	Change
2:1	2-1	1—The development capacity for the Uptown and Town-Centre Specific Plan was based upon the Illustrative Plan generated at the May 2008 Charrette. The Illustrative Plan—which indicates a snapshot of what the plan area could look like in 25 years—was informed by and reflective of the development potential described in the Market Overview Report prepared by Strategic Economics.

SECTION 4: Section 2.1.6.B, the 3rd bullet under “Long Term” Projects is revised as shown below, because Specific Plan Amendment (SPA) 12-002 eliminated the 12th Street pedestrian bridge.

Old Page #	New Page #	Change
2:13	2-22	“Introduce a natural history museum/interpretive center <u>along the west side of at the Salinas River, between 12th and 13th Streets, end of the 12th Street extension, connected to the Downtown via the proposed 12th Street pedestrian bridge.</u> ”

SECTION 5: The Illustrative Plan Map in Section 2.1.6 is revised as shown below, because Specific Plan Amendment (SPA) 12-002 eliminated the 12th Street pedestrian bridge.

Old Page #	New Page #	Change
2:14	2-24	Delete “E” from map.

SECTION 6: Section 2.1.9.A is amended is revised as shown below, because Specific Plan Amendment (SPA) 12-002 eliminated the equestrian underpass and equestrian park.

Old Page #	New Page #	Change
2:18	2-31	Delete item “b” in 4 th bullet under Long Term Projects.

SECTION 7: Section 3.2, 4th paragraph, is amended to read as shown below because the adopted plan did not classify certain projects as being “Catalytic”.

Old Page #	New Page #	Change
3:10	3-19	Streetscape improvements for many of the streets not included in Catalytic Projects (see Section 4.2, Catalytic Projects by Plan Area) are expected to be constructed in conjunction with private development projects at the expense of those projects. The City or the CDC may also elect to undertake such improvements as a public initiative, as dictated by unfolding priorities and the availability of funding.

SECTION 8: Section 5.2.B.2, description of the T-3F Zone, is amended as shown below. The draft specific plan proposed T-3F zoning along 21st Street, but T-4F zoning was adopted. Additionally, the draft plan proposed T-4 F and T-3N zoning along Vine Street and portions of Oak Street, but T-3F zoning was adopted

Old Page #	New Page #	Change
5:4	5-6	2. T3 Flex Zone (T-3F). The T-3F zone is applied to areas primarily along Spring Street between 16 th and 21 st Streets and on <u>Vine and Oak Streets</u> 21st Street between Spring Street and the railroad that are mainly occupied by 1- and 2-story, single family dwellings with large, landscaped front yard setbacks along tree-lined streets. Many of the buildings within the T-3F zone are historically significant. The intent of the T-3F zone is to preserve the existing character, while allowing for higher residential densities and a more diverse use mix than the T-3N zone.

SECTION 9: Table 5.3-1 is amended as follows:

Old Page #	New Page #	Change
5:7	5-9	Show carwashes as being allowed in the TC-1 Zone, on the same property as an existing service station and subject to approval of a CUP.

SECTION 10: Table 5.3-1 is amended as follows:

Old Page #	New Page #	Change
5:9	5-13	Show emergency shelters as being permitted in the RC Zone and insert a note in the right hand column: "See Section 21.21.160 of the Zoning Code."

SECTION 11: Table 5.3-1 is amended as follows:

Old Page #	New Page #	Change
5:9	5-14	Show residential care facilities for the elderly for more than 6 residents as being allowed in the TC-1 Zone subject to approval of a CUP and insert a note in the right hand column: "The City may require noise mitigation measures beyond those required by the Building Code."

SECTION 12: Table 5.3-1 is amended as follows:

Old Page #	New Page #	Change
5:9	5-14	Show transitional and supportive housing as being permitted in the T-3 and T-4 Zones and insert a note in the right hand column: "See Sections 21.08.426 and 21.08.446 of the Zoning Code."

SECTION 13: Section 5.3.E.3.d, Fence Material Limitations, is amended to read as follows:

Change #	Old Page #	New Page #	Change
5-6	5:11	5-19	"Fence Material Limitations. In residential districts, Barbed wire,

Change #	Old Page #	New Page #	Change
			razor wire, and electric fences may only be used on properties zoned TC-2 or RC and subject to approval by the Development Review Committee (DRC). The DRC may require that such materials be used only in areas that are not generally in public view from streets and other public vantage points." for single family use (i.e., R-1 or R-A) that are at least one half acre in area or larger. In residential districts, razor wire may not be used for fencing.

SECTION 14: Section 5.4.1.B, Allowed Building Types in the T-3N Zone, is amended as follows:

Old Page #	New Page #	Change
5:15	5-25	Add Rear Yard Dwellings and Rear Yard Duplexes to the list (in the same category as "Carriage Houses").

SECTION 15: Section 5.4.1.B, Allowed Building Types in the T-3N Zone, is amended as follows:

Old Page #	New Page #	Change
5:15	5-25	Delete Footnote #4 so as to allow triplexes west of Vine.

SECTION 16: Section 5.4.1.C, Building Placement in the T-3N Zone, is amended as follows:

Old Page #	New Page #	Change
5:15	5-25	Reduce rear yard setbacks from 20 feet to 10 feet.

SECTION 17: Section 5.4.2.B, Allowed Building Types in the T-3F Zone, is amended as follows:

Old Page #	New Page #	Change
5:16	5-27	Allow triplexes.

SECTION 18: Section 5.4.2.B, Allowed Building Types in the T-3F Zone, is amended as follows:

Old Page #	New Page #	Change
5:16	5-27	Add Rear Yard Dwellings and Rear Yard Duplexes to the list (in the same category as "Carriage Houses").

SECTION 19: Section 5.4.2. C, Building Placement in the T-3F Zone, is amended as follows:

Old Page #	New Page #	Change
5:15	5-27	Reduce rear yard setbacks from 20 feet to 10 feet.

SECTION 20: Section 5.4.3.B, Allowed Building Types in the T-4N Zone, is amended as follows:

Old Page #	New Page #	Change
5:17	5-29	Add Rear Yard Dwellings and Rear Yard Duplexes to the list (in the same category as "Carriage Houses").

SECTION 21: Section 5.4.3.B, Allowed Building Heights in the T-4N Zone, is amended as follows:

Old Page #	New Page #	Change
5:17	5-29	Revise building heights so that 3 story buildings may be 36 feet.

SECTION 22: Section 5.4.3.C, Building Placement in the T-4N Zone, is amended as follows:

Old Page #	New Page #	Change
5:17	5-29	Reduce rear yard setbacks from 15 feet to 10 feet.

SECTION 23: Section 5.4.4.B, Allowed Building Types in the T-4F Zone, is amended as follows:

Old Page #	New Page #	Change
5:18	5-31	Add Rear Yard Dwellings and Rear Yard Duplexes to the list (in the same category as "Carriage Houses").

SECTION 24: Section 5.4.4.B, Allowed Building Heights in the T-4F Zone, is amended as follows:

Old Page #	New Page #	Change
5:18	5-31	Revise building heights so that 3 story buildings may be 36 feet.

SECTION 25: Section 5.4.4.C, Building Placement in the T-4F Zone, is amended as follows:

Old Page #	New Page #	Change
5:18	5-31	Reduce rear yard setbacks from 20 feet to 10 feet.

SECTION 26: Section 5.5.1.B, first paragraph, is amended to read:

Old Page #	New Page #	Change
5:23	5-41	B. Applicability. Each building shall be designed in compliance with the standards of this Section for the applicable building type, with the exception of civic and institutional buildings. Because of their unique disposition and application, civic and institutional buildings are not required to comply with building type requirements, but are instead subject to a separate design review process as described in Section 5.3.D 4.4.e.

SECTION 27: Section 5.5.1.F, Requirements for Individual Building Types, amend as follows:

Old Page #	New Page #	Change
5:25	5-42	F. Requirements for Individual Building Types. The following requirements are applicable to all Building Types in the Specific Plan area. Standards listed under each building type supplement those listed in E. General Requirements for Building types. <u>In the TC-2 Zone, south of 4th Street, the City may grant exceptions from the height, building length, upper floor area, and frontage type requirements for Flex Block and Flex Shed buildings as stated in Subsections F.13.b and F.14.b, for hotel buildings, provided that an architectural quality of similar or better than that specified in the Architectural Design Guidelines in Section 5.5.3 is provided.</u>

SECTION 28: Section 5.5.1.F.1.e, open space standards for single dwellings, is amended as follows:

Old Page #	New Page #	Change
5:26	5-46	e. Open Space Standards i. Front yards are defined by the setback and frontage type requirements of the applicable zone. ii. For each lots with one Single Dwelling, rear yards shall <u>a minimum of 300 square feet of open space shall be provided in the rear yard. be no less than 20% of the area of each lot and This open space shall be of a regular (e.g., rectangular) geometry and have a minimum dimension of 10 feet. Rear yard area calculation may include setbacks.</u> iii. For lots with two Single Dwellings (one principal building and one Rear Yard Single Dwelling), rear yards shall be no less than 20% (combined for all units) of the total lot area and of a regular (e.g., rectangular) geometry. Rear yard area calculation may include rear and interior side yard setbacks.

SECTION 29: Section 5.5.1.F.2.b, Building Size and Massing Standards for Carriage Houses, etc.: Subsection vii is amended as follows:

Old Page #	New Page #	Change
5:27	5-48	vii. When not attached to the principal building, Carriage Houses, Rear Yard Single Dwellings, or Rear Yard Duplexes must be <u>separated from the primary building set back a minimum of 10 feet. min. if 1-story and 20 feet min. if 2-story.</u>

SECTION 30: Section 5.5.1.F.10.c, Access Standards for Courtyard Housing, delete subsections iv and v as follows:

Old Page #	New Page #	Change
5:35	5-64	iv. Where an alley is not present, parking and services shall be accessed from the street by a 10-foot wide, maximum, driveway flanked by grass lawn and/or minimum 2-foot wide planters on each side of the driveway. v. On a corner lot without access to an alley, parking and services shall be accessed from the side street by a driveway that is 10-foot wide maximum for one-way traffic and 16-foot maximum for two-way traffic. Grass lawn and/or minimum 2-foot wide planters shall be provided on each side of the driveway. Services shall be located in the side and/or rear yards.

SECTION 31: Section 5.5.1.F.11.c, Access Standards for Stacked Dwellings, delete subsections iv and v as follows:

Old Page #	New Page #	Change
5:37	5-68	<p>iv. Where an alley is not present, parking and services shall be accessed from the street by a 10 foot wide, maximum, driveway flanked by grass lawn and/or minimum 2 foot wide planters on each side of the driveway.</p> <p>v. On a corner lot without access to an alley, parking and services shall be accessed from the side street by a driveway that is 10 feet wide maximum for one way traffic and 16 feet maximum for two way traffic. Grass lawn and/or minimum 2 foot wide planters shall be provided on each side of the driveway. Services shall be located in the side and/or rear yards.</p>

SECTION 32: Section 5.5.1.F.12.c, Access Standards for Liners, delete subsections iv and v as follows:

Old Page #	New Page #	Change
5:38	5-70	<p>iv. Where an alley is not present, parking and services shall be accessed from the street by a 10 foot wide, maximum, driveway flanked by grass lawn and/or minimum 2 foot wide planters on each side of the driveway.</p> <p>v. On a corner lot without access to an alley, parking and services shall be accessed from the side street by a driveway that is 10 feet wide maximum for one way traffic and 16 feet maximum for two way traffic. Grass lawn and/or minimum 2 foot wide planters shall be provided on each side of the driveway. Services shall be located in the side and/or rear yards.</p>

SECTION 33: Section 5.5.1.F.13.c, Access Standards for Flex Block, delete subsections iv and v as follows:

Old Page #	New Page #	Change
5:39	5-72	<p>iv. Where an alley is not present, parking and services shall be accessed from the street by a 10 foot wide, maximum, driveway flanked by grass lawn and/or minimum 2 foot wide planters on each side of the driveway.</p> <p>v. On a corner lot without access to an alley, parking and services shall be accessed from the side street by a driveway that is 10 feet wide maximum for one way traffic and 16 feet maximum for two way traffic. Grass lawn and/or minimum 2 foot wide planters shall be provided on each side of the driveway. Services shall be located in the side and/or rear yards.</p>

SECTION 34: Section 5.5.1.F.14.c, Access Standards for Flex Shed, delete subsections iv and v as follows:

Old Page #	New Page #	Change
5:40	5-74	<p>iv. Where an alley is not present, parking and services shall be accessed from the street by a 10 foot wide, maximum, driveway flanked by grass lawn and/or minimum 2 foot wide planters on each side of the driveway.</p> <p>v. On a corner lot without access to an alley, parking and services shall be accessed from the side street by a driveway that is 10 feet wide maximum for one way traffic and 16 feet maximum for two way traffic. Grass lawn and/or minimum 2 foot wide planters shall be provided on each side of the driveway. Services shall be located in the side and/or rear yards.</p>

SECTION 35: Section 5.5.2.E, Requirements for Individual Frontage Types, amend as follows:

Old Page #	New Page #	Change
5:41	5-75	The following standards in Tables 5.5.3 and 5.5.4 apply to all proposed building/modifications in the plan area. <u>Exceptions from the frontage requirements for Flex Block and Flex Shed buildings may be made on a case-by-case basis for hotel buildings.</u>

SECTION 35: Section 5.5.3 Architectural Style Guidelines is amended to add Subsection D, Roof Materials, as follows:

Old Page #	New Page #	Change
5:47	5-84	<u>D. Roof Materials.</u> <u>The Development Review Committee may approve a variety of roof materials, including metal roofs, if it can be demonstrated that the requested materials will complement the architectural treatment of the building and will conform with the fabric of the neighborhood.</u>

SECTION 36: Section 5.8.2, Subdivision of Sits Less Than 2 Acres, is amended to add Subsection B as follows:

Old Page #	New Page #	Change
5:112	5-111	<u>B. Where an existing lot with alley access is proposed to be split into two or more lots, all new lots shall be configured to have alley access for parking and pedestrian access. Methods to achieve this may include creation of common lots or easements.</u>

SECTION 37: Section 5.9, Definitions, is amended to revise the definition of "Context" as follows:

Old Page #	New Page #	Change
5:114	5-115	<u>Context:</u> the particular combination of elements that creates a specific environment. <u>The transect-styles zones used in Chapter 5 are</u> A neighborhood zone (e.g. RN-C Zone) <u>is administratively similar to the land-use zones in conventional zoning ordinances, except that in addition to specifying the building use, density, height and setback, all the relevant elements and characteristics of the intended environment are integrated. The integration includes the characteristics of the private lot and building as well as those of the enfronting public streetscape. This approach is applied accordingly to the other components of this plan: open space types, streetscapes and public realm; thoroughfare types and the street network; building types and block types.</u>

SECTION 38: Section 5.9, Definitions, is amended to delete the definition of "Driveway" as follows:

Old Page #	New Page #	Change
5:114	5-116	<u>Driveway:</u> a vehicular lane within a lot, usually leading to a garage. A Driveway may be used for parking, providing that it is no more than 18 feet wide.

SECTION 39: Section 5.9, Definitions, is amended to delete the definition of “Light Court” (as a subset of “Frontage Type”); as follows:

Old Page #	New Page #	Change
5:114	5-117	<ul style="list-style-type: none"> • Light Court: a sunken space parallel to the sidewalk that provides direct access to levels below grade.

SECTION 40. 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 41. 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 42. Inconsistency. To the extent that the terms or provisions of this ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

Introduced at a regular meeting of the City Council held on September 17, 2013, and passed and adopted by the City Council of the City of El Paso de Robles on the 1st day of October, 2013 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

Newspaper: Tribune

Date of Publication: September 6, 2013

Meeting Date: September 17, 2013
(City Council)

Project: Public Hearing Notice of Intent to Adopt
a Negative Declaration to consider Specific
Plan Amendment 13-002.
The Uptown/Town Center Specific Plan.

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

Signed: Kristen Buxkemper
Kristen Buxkemper

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING
**NOTICE OF INTENT TO ADOPT
A NEGATIVE DECLARATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider Specific Plan Amendment 13-002, which was initiated by the City of Paso Robles to amend the Uptown/Town Centre Specific Plan to make several "clean up" changes to Chapters 1-3 to conform with prior amendments to this specific plan and to make several amendments to the zoning regulations in Chapter 5.

The public hearing will be conducted on Tuesday, September 17, 2013 in the Conference Room at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 pm. All interested parties are invited to attend and be heard on this matter.

NOTICE IS ALSO HEREBY GIVEN that the City of Paso Robles has prepared a Negative Declaration (statement that there will be no significant environmental effects resulting from this project) in accordance with the California Environmental Quality Act for this project. The Public Review Period for the proposed Negative Declaration commenced on August 16, 2013, and will end at the City Council hearing on September 17, 2013.

The proposed Negative Declaration may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the proposed Specific Plan Amendment and its corresponding Negative Declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to: ed@procity.com, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this project, please call Ed Gallagher at (805) 237-3970.

At its meeting of August 23, 2013, the Planning Commission reviewed Specific Plan Amendment 13-002 and recommended that the City Council approve it as presented with the exception of a recommendation to delete the proposal that Chapter 5 of the Specific Plan be amended to allow carwashes in the TC-1 Zone.

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

s/ Ed Gallagher, Community Development Director
September 6, 2013 7031484