

ORDINANCE NO. 996 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.

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</u> at the Salinas River, <u>between 12th and 13th Streets.</u> end of the 12th Street extension, connected to the Downtown via the proposed 12th Street pedestrian bridge.”

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
5:9	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 10: 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 11: 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 12: 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, 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 13: 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 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	Delete Footnote #4 so as to allow triplexes west of Vine.

SECTION 15: 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 16: 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 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	Add Rear Yard Dwellings and Rear Yard Duplexes to the list (in the same category as "Carriage Houses").

SECTION 18: 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 19: 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 20: 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 21: 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 22: 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 23: 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 24: 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 25: 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 1.4.c.

SECTION 26: 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 27: 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 <ul 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 <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 28: 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 29: 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 feet wide maximum for one way traffic and 16 feet maximum for two way traffic. Grass lawn

Old Page #	New Page #	Change
		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 30: 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	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 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.

SECTION 31: 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	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 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.

SECTION 32: 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	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 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.

SECTION 33: 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	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 feet wide maximum for one way traffic and 16 feet maximum for two way traffic. Grass lawn

Old Page #	New Page #	Change
		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 34: 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. The Development Review Committee may approve a variety of roof materials, including metal roofs and alternative roofing materials, 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	Context: the particular combination of elements that creates a specific environment. 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.

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	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.

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	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:

ABSTAIN:

ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk