



## City Council Agenda Report

From: Warren Frace, Community Development Director  
Subject: **Second Reading - Zoning Code Amendment 17-001,**  
1803 Spring Street / APNs 008-234-007, -008, and -009  
Applicant – Deborah Longo  
A request to amend the Uptown / Town Center Specific Plan to conditional allow specialty retail in the T-3F zone.

Date: August 15, 2017

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### Facts

1. The project consists of a request to establish and operate a 16,126 sf mixed-use development project. The project includes a restaurant, specialty retail and residential uses, as follows:
  - Building A – Restaurant
  - Building B – Retail and Residence
  - Building C – Retail
  - Building D – Retail, café, bar
  - Building E – Restaurant and Residence
2. The project site is located at 1803 Spring Street. See Vicinity Map, Attachment 1.
3. The site is currently vacant (except for an existing historic building). The last use of the site was Hometown Nursery, which moved to another location several years ago and subsequently closed.
4. The proposed specialty retail land use is not permitted in the T3-Flex district, however, it is permitted on property located one block south of the site on the east side of Spring Street. Given this precedence and the proposed low-scale development pattern of the project, and the low-intensity uses proposed, the applicant has requested a zoning code amendment to allow specialty retail use with approval of a Conditional Use Permit on Spring Street in the T3-Flex zone.
5. The Planning Commission held a duly noticed public hearing on May 23, 2017, and is recommending the City Council approve the ordinance.
6. The City Council held a duly noticed public hearing on August 1, 2017, and voted 4-0 to introduce the ordinance for first reading by title only.

### Options

1. Take no action.
2. Approve 2<sup>nd</sup> Reading of the proposed Amendment to the Uptown Town Centre Specific Plan;
3. Refer back to staff or Planning Commission for additional analysis.

## **Analysis and Conclusions**

### **Project Summary**

The proposed changes to Chapter 5 of the Uptown Town Centre Specific Plan would allow for specialty retail uses in the T3-F zone along Spring Street, with the approval of a Conditional Use Permit. The amendment would also allow the flex-shed building type within the T3-F zone.

### **Fiscal Impact**

Revenue neutral.

The amendment will require conditional use permit for all requests for specialty retail uses in the T3-F zone on Spring Street. Conditional use permits have cost recovery fees that make the process revenue neutral to the City.

### **Recommendation**

Approve Second Reading by Title Only of Ordinance XXXX N.S., amending Table 5.3-1, Section 5.4.2.B and Table 5.1.1 of the Uptown Town Centre Specific Plan.

### **Attachments**

1. Ordinance XXXX N.S. - Proposed amendment to Uptown Town Centre Specific Plan
2. Legal Noticing

# Draft Ordinance A

## Attachment 8

Ordinance No. XXXX.N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES  
AMENDING THE UPTOWN TOWN CENTRE SPECIFIC PLAN REGARDING SPECIALTY  
RETAIL AND FLEX SHED BUILDINGS IN THE T3-F ZONE**

**ZONE CHANGE 17-001  
(PASO MARKET PLACE – 1803 SPRING STREET)**

WHEREAS, McShane Murane of M+, on behalf of Deborah Longo, has submitted applications for the Paso Market Place project for PD 17-003 and CUP 17-007 to construct and operate a 16,126 square foot mixed-use development project, including a restaurant, specialty retail and residential uses; and

WHEREAS, the project is proposed to be located on the site at 1803 Spring Street; and

WHEREAS, in conjunction with the PD17-003 & CUP 17-007, Zone Change 17-001 has been filed requesting to amend the Uptown Town Centre Specific Plan to allow for specialty retail uses and allow for the Flex Shed building type in the T3-F zoning district; and

WHEREAS, on May 23, 2017 the Planning Commission on a 5-0 vote, recommended that the City Council approve the Mitigated Negative Declaration, Zone Change, Conditional Use Permit and Development Plan; and

WHEREAS, on June 20, 2017, after hearing the applicant's presentation and hearing public testimony, the Council on a 3-0 vote, continued the project to a future Council meeting, requesting that the applicant address the following concerns:

- a. Consider reducing the amount of metal siding used, and provide additional architectural details showing specific colors and materials for the buildings;
- b. Provide additional on-site parking and reduce the number of tandem spaces;
- c. Look at other areas on site to locate the trash dumpsters, besides one location on the alley;
- d. Request for applicants to hold meeting with the neighbors to discuss their concerns and ways to address their concerns;

WHEREAS, on July 10, 2017 the applicants submitted revised project information with changes to the project as suggested by the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on the proposed Zoning Ordinance amendment on August 1, 2017, where it considered the staff report and public testimony; and

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

Section 1. Recitals. The recitals set forth above are true and correct and are incorporated as though fully set forth herein.

# Draft Ordinance A

## Attachment 8

Section 2. Findings: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the City Council makes the following findings:

1. The proposed specific plan amendment is consistent with the goals and policies established by the General Plan, since the project would provide for expanded retail and infill development in the Downtown, and additional tourist-oriented development.
2. The proposed specific plan amendment is consistent with goals and vision of the Uptown/Town Center Specific Plan since it would help preserve and augment Downtown's unique historical value while enhancing its economic vitality.

Section 3. Environmental Determination. Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Mitigated Negative Declaration (ND) was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that the project may be approved with a Negative Declaration.

Section 4. Uptown / Town Center Specific Plan Amendment. The Council hereby adopts the language attached hereto as Exhibit A, B and C and incorporated herein by reference amending Table 5.3-1, Section 5.4.2.B and Table 5.1.1 are to be amended to the Uptown Town Centre Specific Plan to read in full as set forth in Exhibit A, Exhibit B, and Exhibit C, incorporated by this reference.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect 30 days after its passage and adoption as provided by Government Code section 36397.

Section 7. Publication. The City Clerk shall certify to the passage of this Ordinance by the City Council of the City of El Paso de Robles, California, and cause a summary to be published once within 15 days after its passage in a newspaper of general circulation, published and circulated in the City in accordance with Government Code section 36933.

INTRODUCED at a regular meeting of the City Council held on August 1, 2017, for first reading by the City Council of the City of El Paso de Robles, and adopted on the \_\_\_ day of \_\_\_\_\_, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Steven W. Martin, Mayor

Attest:

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Kristen L. Buxkemper, Deputy City Clerk

# Draft Ordinance A

## Attachment 8

Exhibit A	Table 5.3-1
Exhibit B	Section 5.4.2.B
Exhibit C	Table 5.1.1

# EXHIBIT - A

City of Paso Robles  
**Uptown/Town Centre Specific Plan**

**Table 5.3-1 Allowed Land Uses and Permit Requirements**

Land Use Type	PERMIT REQUIRED BY ZONE											Specific Use Regulations
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RC	OS			
Offices for physicians, dentists, chiropractors, psychiatrists, including emergency/urgent care centers including outpatient services	-	P	-	P	P	P*	P	P	-	-	* Use allowed only on an upper floor, or behind a ground floor street-fronting use.	
Outdoor sales: parking lot sales and other promotional events where only on-site businesses are participating (7 days or less)	-	-	-	-	P	P	P	P	-	-		
Outdoor sales: Parking lot sales and other promotional events where only on-site businesses are participating (if longer than 7 days)	-	-	-	-	TUP	TUP	TUP	TUP	-	-		
Parking facility, public or commercial	-	-	-	-	-	CUP	CUP	CUP	-	-		
Personal and business support services: barber/beauty shops, nails & tanning salons, massage; laundries and dry cleaning (no on-site plants); laundromats, locksmiths; parcel services; printing, publishing, blueprinting, duplicating; tailor/dressmakers, alterations, shoe repair; etc.	-	-	-	P	P	P	P	P	-	-		
Pet stores	-	-	-	-	-	-	P	P	-	-		
Produce stand, winery, etc.; does not include Certified Farmers Markets)	-	-	-	CUP*	-	-	-	P	-	-	* On Spring Street Corridor only	
Produce: Certified Farmers Markets	-	-	-	-	-	CUP	CUP	CUP	-	-		
Restaurants: sit-down and walk-up only	-	P*	-	P	P	P	P	P	-	-	* On Spring Street Corridor only	
Restaurants: drive-through	-	-	-	-	-	-	CUP*	CUP	-	-	* Only in locations shown on Figure 5.3-2, subject to special regulations. (Ordinance 1015)	
Retail Sales: clothing; beverage, drug stores; furniture, appliances, home furnishings specialized retail; antiques; artisans (does not include second-hand/ thrift stores)	-	/ CUP*	-	P	P	P	P	P	-	-	* Conditional Allowed Use on any lot with Spring St. frontage. 1740 Spring is a permitted use	

## 5.4.2 T-3 Flex (T-3F) Zone



### A. BUILDING FORM AND USE

Building Form	Use
Small, detached residential; small attached retail	Residential, flexible

### B. ALLOWED BUILDING TYPES AND HEIGHTS

The following building types and their particular maximum height are allowed in the T-3F Zone subject to compliance with all applicable requirements, including the requirements for each building type. Please see Chapter 5.5.1 for individual design standards and definitions.

Building Type	Maximum Height (Stories/Feet)	See Section
Single Dwelling <sup>3</sup>	2 <sup>1</sup> / 26 feet	5.5.1.E.1
Carriage House, RYDs <sup>4</sup>	2 <sup>2</sup> / 26 feet	5.5.1.E.2
Duplex, Triplex <sup>3</sup>	2 <sup>2</sup> / 26 feet	5.5.1.E.3
Bungalow Court	2 <sup>2</sup> / 26 feet	5.5.1.E.6
Rowhouse	2 <sup>2</sup> / 26 feet	5.5.1.E.7
Live-Work	2 <sup>2</sup> / 26 feet	5.5.1.E.8
<b>Flex Shed <sup>5</sup></b>	<b>3 / 36 feet</b>	<b>5.5.1.E.14</b>

- 1 Maximum number of accessory units: 1 unit per property.
- 2 Attic space may be occupied and not count as a story. Occupiable attic space shall not exceed 75% of the ground floor footprint area.
- 3 These buildings may accommodate commercial and mixed-uses, subject to Table 5.3-1 (Allowable Uses and Permit Requirements).
- 4 RYDs are Rear Yard Dwellings and Rear Yard Duplexes.
- 5 **Flex Shed building type permitted on Spring St. frontage lots only**

### C. BUILDING PLACEMENT

1. **Principal Buildings.** Each principal building shall be located in compliance with the following setback requirements.

Setback	Minimum	Maximum
Primary Street	15 feet	20 feet
Side Street	12 feet	15 feet
Side Yard - 1 story	5 feet	12 feet
- 2 story	8 feet; 5 feet for lots 50 feet wide or less	-
Rear Yard	10 feet	-

2. **Facade Plane.** Street facing facades shall be built parallel to the right-of-way.

3. **Accessory Buildings:** If permitted, each accessory building shall be located in compliance with the following setback requirements.

Setback	Minimum	Maximum
Primary Street	50 % of lot depth	-
Side Street	12 feet	-
Side Yard - 1 story	5 feet	-
- 2 story	8 feet	-
Rear Yard	5 feet	-

Rear Yard Single Dwellings and Rear Yard Duplexes shall be separated from the principal building by a minimum distance of 10 feet. Carriage Houses may be attached to the principal building per the provisions of Section 5.5.1.A.

### D. ENCROACHMENT INTO SETBACKS

1. Allowed encroachments into required setbacks shall be limited as shown in the table and illustration below.

**Table 5.1.1.1 – Building Types Standards by Zone**

	Building Type	Lot Width (min-max) <sup>1,2</sup>	Number of Stories									
			T-3N	T-3F	T-4N	T-4F	T-4NC	TC-1	TC-2	RC		
1.	Carriage House/ Rear Yard Single Dwelling/Rear Yard Duplex	45' – 75'	2	2	2	2	2	-	-	-	-	
2.	Single Dwelling	40' – 70'	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-	
3.	Duplex	50' – 75'	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	-	-	2	2	
	Triplex/Quadplex	50' – 75'	-	-	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-	
4.	Villa	100' – 200'	-	-	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-	
5.	Rosewalk	125' – 200'	-	-	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-	-	
6.	Bungalow Court	100' – 200'	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-	
7.	Rowhouse	14' – 125'	-	2 <sup>3</sup>	3 <sup>3</sup>	3 <sup>3</sup>	3 <sup>3</sup>	3	-	3	3	
8.	Tuck-Under	14' – 125'	-	-	3 <sup>3</sup>	3 <sup>3</sup>	3 <sup>3</sup>	3	-	3	-	
9.	Live-Work	14' – 125'	-	2 <sup>3</sup>	3 <sup>3</sup>	3 <sup>3</sup>	3 <sup>3</sup>	3	3	3	3	
10.	Courtyard Housing	125' – 250'	-	-	3 <sup>3</sup>	3	3	-	3	3	3	
11.	Stacked Dwellings	100' – 200'	-	-	-	3	3	3	3	4	-	
12.	Liner	170 – 350'	-	-	-	-	-	3	4	4	4	
13.	Flex Block	125' – 200'	-	-	-	3	3	3	4	4	4	
14.	Flex Shed	40' – 100'	-	3 <sup>4</sup>	-	3	3	3	4	4	4	

- Not allowed  
 1 Measured along the front of the lot  
 2 Properties west of Vine Street and north of 21<sup>st</sup> Street are subject to the Hillside Development District (Chapter 21.14A of the Zoning Ordinance).  
 3 Attic space may not be occupied and not count as a story.  
 4 Flex Shed permitted on Spring St frontage lots only.



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City of Paso Robles  
Community Development Dept

# THE TRIBUNE

Newspaper of the Central Coast

3825 South Higuera • Post Office Box 112 • San Luis Obispo,

In The Superior Court of The State of California  
In and for the County of San Luis Obispo  
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AD #3179478  
CITY OF PASO ROBLES

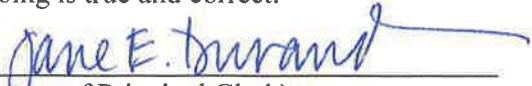
STATE OF CALIFORNIA

SS.

County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; JULY 18, 2017 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

  
(Signature of Principal Clerk)

DATE: JULY 18, 2017  
AD COST: \$399.30

**CITY OF EL PASO DE ROBLES  
NOTICE OF INTENT TO ADOPT  
A MITIGATED NEGATIVE DECLARATION  
NOTICE OF PUBLIC HEARING  
ZONING CODE AMENDMENT 17-001, CUP 17-007 &  
PLANNED DEVELOPMENT 17-003  
(Paso Market Place)**

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will consider adopting a Mitigated Negative Declaration in accordance with the California Environmental Quality Act and approval of the following project:

**Project Title:** Paso Market Place  
**Applicant:** Deborah Longo  
**Project Location:** 1803 Spring Street, Paso Robles, CA  
APN: 008-234-007, 008 & 009  
**Project Description:** **Zone Code Amendment 17-001:** a request to amend the Uptown Town Centre Specific Plan to modify Table 5.3-1 Allowed Land Uses and Permit Requirements, to allow for specialty retail uses in the T3-F zoning district with approval of a Conditional Use Permit.  
**Planned Development 17-003 & Conditional Use Permit 17-007:** the development of a 16,126 square foot mixed use commercial development including ground floor commercial, specialty retail, and restaurant with six residential units on the second floor. The project includes establishing a restaurant use in the existing historic house on the site, and a request to exceed height limits from 26 feet to 36 feet.

The Public Review Period for the proposed Mitigated Negative Declaration commenced on May 18, 2017, and ended on June 6, 2017, however comments can still be provided up to the public hearing before the City Council scheduled to take place on Tuesday, August 1, 2017, at 6:30 pm. The hearing will be held in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

On May 23, 2017 the Planning Commission (on a 5-0 vote), recommended that the City Council approve the Mitigated Negative Declaration, **Zone Change, Conditional Use Permit and Development Plan.** The Commission requested that the applicant address some concerns related to parking and architectural design.

On June 20, 2017 the City Council (on a 3-0 vote: 3 in favor, 1 abstention and 1 absent), requested that the project be continued to a future Council meeting, to allow the applicant additional time to meet with the neighbors to try to address their concerns. The applicants held a meeting on-site with the neighbors and have provided plans with changes in response to Council and neighbor comments.

**FINDING**

The City of Paso Robles has reviewed the above project in accordance with the City of Paso Robles' Rules and Procedures for the Implementation of the California Environmental quality Act and has determined that an Environmental Impact Report need not be prepared because:

- The proposed project will not have a significant effect on the environment.
- Although the proposed project could have a significant effect on the environment due to impacts related to cultural resources (historic building), there will not be a significant effect in this case because mitigation measures have been added to the project as a part of a Mitigated Negative Declaration, to reduce impacts to a less than significant level.

The Initial Study which provides the basis for this determination is available at the City of Paso Robles, Community Development Department, 1000 Spring Street, Paso Robles, CA 93446.

**NOTICE**

The public is invited to provide written comment on the Draft Mitigated Negative Declaration and the project and/or to provide oral comment at the public hearing noted above. The appropriateness of the Draft Negative Declaration will be reconsidered in light of the comments received.

Questions about and comments on the proposed project and Mitigated Negative Declaration and project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or e-mailed to CDdirector@prcity.com provided that any comments are received prior to the time of the City Council hearing. Should you have any questions about this project, please call Darren Nash at (805) 237-3970 or send email to dnash@prcity.com.

Darren Nash, Associate Planner July 14, 2017  
July 18, 2017 CC Agenda 8-15-17 3179478

changed

✓  
Margaret

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MAY 17 2017

City of Paso Robles  
Community Development Dept.

# THE Newspaper of the Central Coast TRIBUNE

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In The Superior Court of The State of California  
In and for the County of San Luis Obispo  
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AD # 3071125  
CITY OF PASO ROBLES

STATE OF CALIFORNIA  
County of San Luis Obispo

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen and not interested in the above entitled matter; I am now, and at all times embraced in the publication herein mentioned was, the principal clerk of the printers and publishers of THE TRIBUNE, a newspaper of general Circulation, printed and published daily at the City of San Luis Obispo in the above named county and state; that notice at which the annexed clippings is a true copy, was published in the above-named newspaper and not in any supplement thereof – on the following dates to wit; MAY 12, 2017 that said newspaper was duly and regularly ascertained and established a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on June 9, 1952, Case #19139 under the Government Code of the State of California.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Jane E. Durand  
(Signature of Principal Clerk)

DATE: MAY 12, 2017  
AD COST: \$333.96

**CITY OF EL PASO DE ROBLES  
NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE  
DECLARATION NOTICE OF PUBLIC HEARING ZONING CODE  
AMENDMENT 17-001, CUP 17-007 & PLANNED  
DEVELOPMENT 17-003  
(Paso Market Place)**

NOTICE IS HEARBY GIVEN that the Planning Commission of the City of El Paso de Robles will consider making a recommendation to the City Council to adopt a Mitigated Negative Declaration in accordance with the California Environmental Quality Act and approval of the following project:

Project Title: Paso Market Place  
Applicant: Deborah Longo  
Project Location: 1803 Spring Street, Paso Robles, CA  
APN: 008-234-007, 008 & 009

Project Description: **Zone Code Amendment 17-001:** a request to amend the Uptown Town Centre Specific Plan to modify Table 5.3-1 Allowed Land Uses and Permit Requirements, to allow for specialty retail uses in the T3-F zoning district with a Conditional Use Permit.

**Planned Development 17-003 & Conditional Use Permit 17-007:** the development of a 15,700 square foot mixed use commercial development including ground floor commercial, specialty retail, and restaurant with six residential units on the second floor. The project includes establishing a restaurant use in the existing historic house on the site.

The Public Review Period for the proposed Mitigated Negative Declaration will commence on May 18, 2017, and end on June 6, 2017. A public hearing before the Planning Commission, is scheduled to take place on Tuesday, May 23, 2017, at the hour of 6:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at this hearing.

**FINDING**

The City of Paso Robles has reviewed the above project in accordance with the City of Paso Robles' Rules and Procedures for the Implementation of the California Environmental Quality Act and has determined that an Environmental Impact Report need not be prepared because:

The proposed project will not have a significant effect on the environment.

Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures have been added to the project as a part of a Mitigated Negative Declaration.

The Initial Study which provides the basis for this determination is available at the City of Paso Robles, Community Development Department, 1000 Spring Street, Paso Robles, CA 93446.

**NOTICE**

The public is invited to provide written comment on the Draft Mitigated Negative Declaration and/or to provide oral comment at the public hearing noted above. The appropriateness of the Draft Negative Declaration will be reconsidered in light of the comments received.

Questions about and comments on the proposed project and Mitigated Negative Declaration may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or e-mailed to CDdirector@prcity.com provided that any comments are received prior to the time of the Planning Commission hearing. Should you have any questions about this project, please call Darren Nash at (805) 237-3970 or send email to dnash@prcity.com.

May 9, 2017  
Darren Nash, Associate Planner  
May 12, 2017

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