



Council Agenda Report

From: Susan DeCarli, City Planner

Subject: Second Reading - Rezone 17-004

- Zoning Map Boundary Adjustment - Town Center -1 (TC-1) and Town Center (TC-2)
- Modifications to Land Use Table 5.3-1 - Add: Brewery, Distillery, and Winery Land Uses to the TC-1, TC-2 and Riverside Corridor (RC) Zones, and add Wine Tasting Rooms to the T3-F Zone on Spring Street

Date: February 6, 2018

Facts

1. The City Council held a public hearing on January 16, 2018, and unanimously approved amendments to the Uptown/Town Center Specific Plan (UP/TC SP) map to expand the TC-2 zoning district boundary, as shown below. Additionally, the land uses listed in Table 5.3-1 of the UP/TC SP were modified to permit breweries, distilleries and wineries in the TC-1, TC-2 and RC zoning districts. Lastly, Table 5.3-1 was modified to permit wine tasting rooms in the T3-F zone on Spring Street between 16th and 19th Streets
2. .



2. The proposed action for the February 6, 2018 City Council meeting is to adopt the ordinance on 2nd reading by consent. No substantive changes have been made to the proposed ordinance since the first

reading. A summary of the proposed ordinances, approved by the City Attorney, was printed in The Tribune (a newspaper of general circulation).

3. The staff report from the January 16, 2018 meeting is summarized below for information.

Analysis and Conclusions

TC-1/TC-2 Zoning Map Boundary Adjustment. A comparison of the differences in land uses that are permitted or not permitted between the TC-1 and TC-2 zone are provided in Attachment 2. If property in the area shown on the map above outlined in green were zoned as TC-2, then that area would be permitted to establish the list of uses identified. Given the existing development pattern in this area, these uses may be compatible in that area.

Land Use Table 5.3-1 Addition of Breweries, Distilleries, Wineries, and Wine Tasting Rooms. Typical businesses that are interested in downtown are usually very small scale and include some type of tasting, bar, and perhaps a restaurant component to accompany the business. Larger scale production facilities usually need bigger properties to accommodate their needs. Breweries/brewpubs, small distilleries and small case production wineries have successfully located in other downtowns, and demonstrate that they can be compatible with and support vibrant downtowns. Market demand suggests the City consider this use in the TC-1, TC-2 and RC zones of the Uptown/Town Center Specific Plan. To accommodate this land use, Land Use Table 5.3-1 would need to be modified to add the breweries and distilleries as permitted uses. Additionally, wine tasting rooms may be compatible with the surrounding land uses on Spring Street between 16th and 19th Streets in the T3-F zone, and it is therefore proposed to add wine tasting rooms to the T3-F zone on Spring Street at this location.

Fiscal Impacts

None.

Recommendation

Hold 2nd reading, by title only, and adopt Ordinance 18-XXX, amending the Uptown/Town Center Specific Plan, to rezone a portion of the TC-1 zoning district to TC-2, add breweries and distilleries as permitted uses in the TC-1, TC-2 and RC zones, and to permit wineries in these zones with approval of a Conditional Use Permit, correct clerical error from prior Table 5.3-1 modification, and add back "Personal Services" as permitted use in the T3-F zone at 1740 Spring Street only (to allow an existing business to continue at that location); and allow wine tasting rooms with approval of a Conditional Use Permit in the T3-F zone on Spring Street (only).

Attachments

1. Draft Ordinance A (Rezone 17-004)
 - a. Exhibit A - Rezoning Map
 - b. Exhibit B - Uptown/Town Center Specific Plan Table 5.3.1, Land Use Table Amendment
2. Legal Notice

Attachment 1

Rezone 17-004

TC-1/TC-2 Zone District Boundary Map



TC-1 zone that may warrant a change to TC-2 to encourage new uses and reinvestment by providing additional flexibility of uses

Attachment 1

Draft Ordinance A

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 AMENDMENTS TO THE TOWN CENTER-1 (TC-1) AND TOWN CENTER-2 (TC-2) ZONING DISTRICT BOUNDARIES, AND MODIFICATIONS TO LAND USE TABLE 5.3-1 PERTAINING TO BREWERIES, DISTILLERIES, WINERIES, AND WINE TASTING ROOMS

(City of Paso Robles – Uptown/Town Center Zoning Map and Land Use Table Amendments)

WHEREAS, the Uptown/Town Center Specific Plan (UP/TC) was adopted in May 2011, which established new zoning and land use regulations that apply to property on the west side of Paso Robles; and

WHEREAS, the UP/TC includes a “Regulating Plan” that identifies different zones where land uses may be permitted, conditionally permitted and/or are not permitted; and

WHEREAS, an important focus of the UP/TC plan is to encourage pedestrian activity to create an attractive, lively downtown that benefits local businesses and the community; and

WHEREAS, in the ensuing six (6) years since the UP/TC plan was adopted, experience in implementing it and community demands have continued to evolve, and the code has been amended from time to time; and

WHEREAS, there are two (2) downtown zoning districts in the UP/TC plan, including the Town Center-1 (TC-1) zone in the downtown core, which emanates from City Park to areas desirable for the most intense pedestrian activity; and

. The Town Center-2 (TC-2) zone is adjacent to the TC-1 zone to the south, and is intended for somewhat less pedestrian-oriented uses than the TC-1 zone. For instance, restaurants and shops in the TC-1 zone may be supported by office, retail and service uses in the TC-2 zone that are within walking distance of the TC-1 zone; and

WHEREAS, the TC-1 zone boundary north of City Park includes blocks and/or portions of blocks where it might not support the zone’s designated uses . Certain land uses such as offices are not permitted on the ground floor in the front of a building facing a street in the TC-1 zone. The intent of this requirement (of only permitting offices above or in the rear of buildings), is that offices do not typically encourage pedestrian activity like commercial and restaurant uses and can create “dead” zones in a downtown core if too many offices are allowed in close proximity; and

WHEREAS, property in the TC-1 zone located northeast of City Park, (mid-block between 13th Street and 14th Street to 15th street, and mid-block between Spring Street and Park Street to the Union Pacific Railroad) is an area that does not appear to be trending toward significant pedestrian activity and certain private property owners have requested that ground floor, street-facing office uses be permitted; and

WHEREAS, the City Council considered this issue at its October 3, 2017 meeting and directed staff to initiate rezoning for a portion of the TC-1 zone to TC-2; and

WHEREAS, the City additionally often receives inquiries as to whether breweries, distilleries and wineries are permitted uses in the downtown area; and

Attachment 1

Draft Ordinance A

WHEREAS, because “breweries, distilleries and wineries” are defined as “manufacturing” land uses that typically require a large site and do not create much foot traffic, such uses were not considered to be compatible with other downtown uses; and

WHEREAS, new “micro” breweries, distilleries and wineries have developed and have become popular in downtown districts since they often include tasting rooms and/or taverns that generate pedestrian activity. They also tend to be compatible with surrounding restaurants and entertainment uses, and add to a vibrant downtown atmosphere; and

WHEREAS, these types of uses do not generally result in external impacts, such as significant wastewater pre-treatment, truck traffic, or outdoor storage of materials as compared to larger scale production facilities; and

WHEREAS, the addition of small-scale breweries, distilleries and wineries appear that they would be compatible with and support the intent of downtown area in the TC-1, TC-2 and the Riverside Corridor (RC) Zones; and

WHEREAS, wine tasting rooms are currently only permitted in the TC-1, TC-2 and RC Zones. However, the City has had interest in establishing wine tasting rooms on properties on Spring Street in the T3-Flex (T3-F) Zone. Wine tasting rooms support pedestrian activity, and in the zones in which they have been permitted, they have been quiet, low-key businesses add variety to the types of businesses that could locate there, and do not adversely impact neighboring properties, and

WHEREAS, personal services were inadvertently eliminated from Table 5.3-1 in the T3-F zone at 1740 Spring Street the last time the table was modified and this use should be added back as noted to the table; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), this amendment is exempt from CEQA per CEQA Guidelines, Section 15061(b)(3), General Rule, this zoning amendment could not result in significant environmental effects, and no environmental analysis is required; and

WHEREAS, on December 12, 2017 the Planning Commission held a duly noticed public hearing on the proposed Uptown/Town Center Specific Plan, Zoning Ordinance Amendment and recommended approval of the ordinance amendments to the City Council; 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.

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.

Attachment 1

Draft Ordinance A

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, this amendment is Exempt from CEQA per CEQA Guidelines, Section 15061(b)(3), General Rule, this zoning amendment could not result in significant environmental effects, and no environmental analysis is required.

Section 4. Uptown / Town Center Specific Plan Amendment. The City Council hereby modifies the zoning district boundary for the TC-1 and TC-2 zones attached hereto as Exhibit A, incorporated herein by reference, and amendments to Land Use Table 5.3-1, of the Uptown Town Centre Specific Plan to read in full as set forth in Exhibit B, 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 as to the adoption of this Ordinance and shall cause a summary thereof to be published at least five (5) days prior to the meeting at which the proposed Ordinance is to be adopted and shall post a certified copy of the proposed Ordinance in the Office of the City Clerk. Within fifteen (15) days of the adoption of the Ordinance, the City Clerk shall cause a summary of the Ordinance to be published, including the vote for and against the same, in accordance with Government Code Section 36933.

INTRODUCED at a regular meeting of the City Council held on January 16, 2018, for first reading by the City Council of the City of El Paso de Robles, and adopted on the 6th day of February, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven W. Martin, Mayor

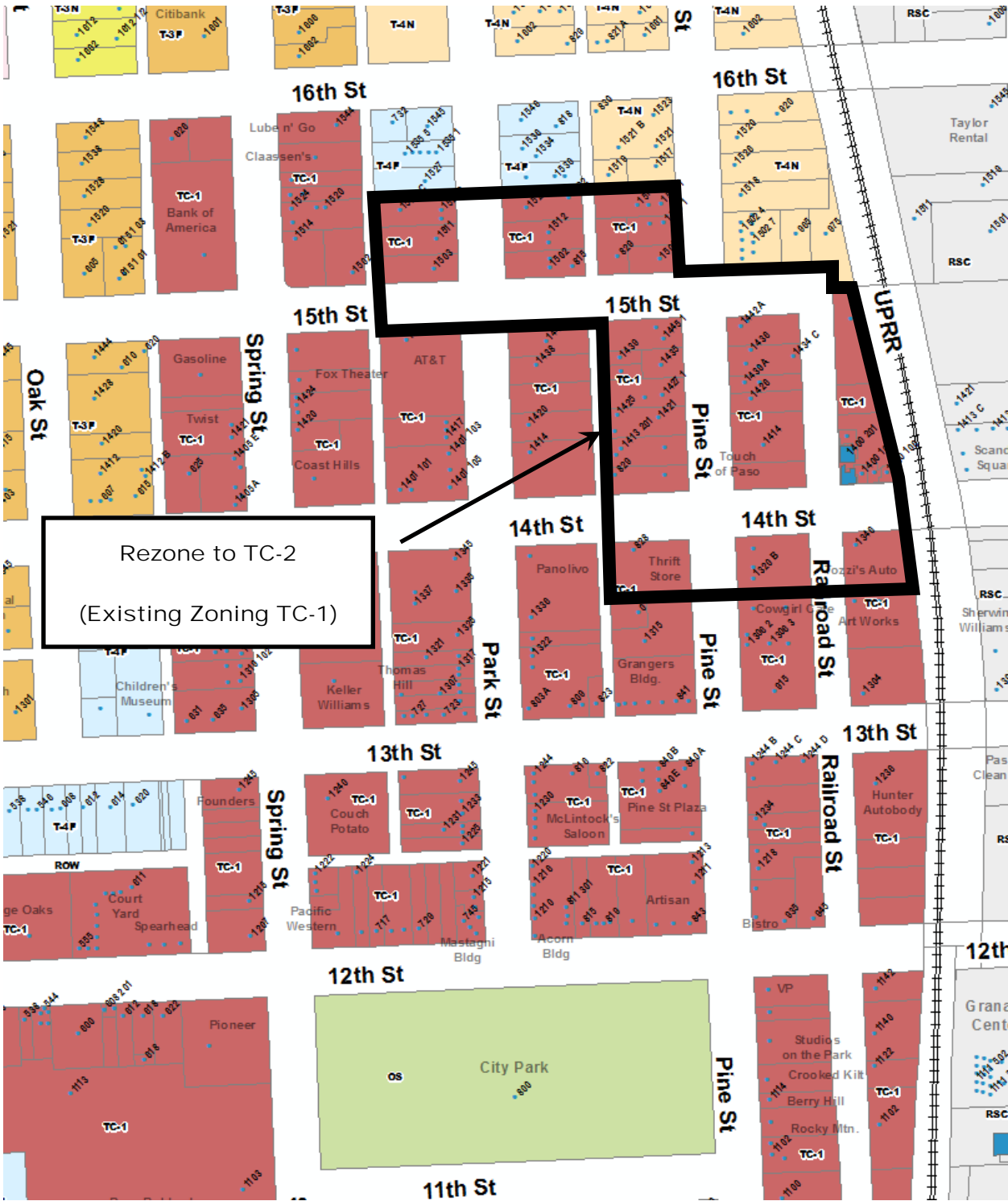
Attest:

Kristen L. Buxkemper, Deputy City Clerk

Exhibit A Zoning Map
Exhibit B Table 5.3-1

Exhibit A

Zoning Map Amendment 17-004



ZC 17-004 Alt. Exhibit B-1

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	
Carwashes	-	-	-	-	-	CUP*	CUP	CUP	-	* Only when accessory to an existing gas station, not as a primary use.
Drive-through sales/services: Banks, pharmacies, coffee kiosks and other similar uses as determined acceptable by the Development Review Committee. Excludes drive-through restaurants	-	-	-	-	P	P	P	P	-	
Food products, small scale manufacturing and retail (e.g. bakeries, gelato, etc.)	-	-	-	p*	p*	p*	p*	-	-	Food products must be available for retail purchase on site. Total floor area of the manufacturing and retail use shall not exceed 5,000 sq ft.
Breweries and Distilleries with on-site consumption						P / CUP*	P / CUP*	P / CUP*		* CUP required for breweries or distilleries 10,000 sq. ft. or greater
Fortunetelling and related services (card reading, psychics, palmistry, etc.)	-	CUP	-	CUP	CUP	-	CUP	CUP	-	
Hot Springs Resorts (may include restaurants & lodging)	-	-	-	-	-	-	-	-	CUP	
Indoor sports: racquetball courts, skating rink, etc.	-	-	-	-	-	CUP	P	P	-	
Market – Community	-	-	-	P	P	P	P	P	-	
Market - Neighborhood	-	-	-	P	P	P	P	P	-	
Meeting facilities, public or private	CUP	CUP	CUP	CUP	CUP	CUP	P	P	CUP	
Museums, art galleries	-	CUP	-	CUP	CUP	P	P	P	-	
Nurseries (garden supplies)	-	p*	-	p*	-	-	P	P	-	* On Spring St Corridor only
Offices: insurance, real estate, administrative, consulting professions such as accountants, architects, attorneys, engineers, etc.	-	P	-	P	P	p*	P	P	-	* Use allowed only on an upper floor, or behind a ground floor street-fronting use.