

ORDINANCE NO. 625 N.S.
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
ADOPTING AMENDMENT NO. 2 OF THE UNION/46 SPECIFIC PLAN

WHEREAS, on April 22, 1987 the City Council approved General Plan Amendment 87-01 to the General Plan of the City of El Paso de Robles, establishing the requirement for a Specific Plan to be prepared for the area bounded by Union Road, Highway 46, North River Road, and Prospect Avenue, referred to as the "Union/46 Specific Plan Area" (Plan Area); and

WHEREAS, the purpose and intent of adopting a specific plan for the Plan Area is to establish the appropriate mix and density of land uses, in order to provide a framework for orderly growth and development within the subject area; and

WHEREAS, a well planned and adequately financed framework of streets, water, sewer, parks, schools, and other facilities and services, both within the Plan Area and in the surrounding community, is necessary to serve the anticipated population of the Plan Area; and

WHEREAS, an additional purpose and intent of the specific plan is to mitigate, to the maximum feasible degree, the environmental, physical and fiscal impacts of development, both within the subject Plan Area upon the surrounding Paso Robles community; and

WHEREAS, pursuant to Article 8 (Authority for and Scope of Specific Plans) commencing with Section 65450 of the California Government Code, on March 1, 1988, a specific plan was prepared and the City Council adopted Resolution No. 88-12, adopting the Union/46 Specific Plan, Environmental Impact Report (EIR), and Development Fee Schedule; and

WHEREAS, Amendment No. 1 to the Union/46 Specific Plan was considered and adopted on February 4, 1992; and

WHEREAS, a property owner within the Union/46 Specific Plan area has requested the City Council to reconsider including provisions that had been recommended by the Planning Commission but which the City Council determined not to include within the scope of Amendment No. 1; and

WHEREAS, for the purposes of clarity, the Council's reconsideration of the Amendment No. 1 provisions has been proposed as Amendment No. 2; and

WHEREAS, the City Council of the City of Paso Robles finds that the proposed revisions to Specific Plan policies, is consistent with the General Plan; and

WHEREAS, the Paso Robles City Council did review and certify the Final Environmental Impact Report on the Plan; and

WHEREAS, The City Council finds that the Environmental Impact Report for the Union/46 Specific Plan adequately addresses the physical impacts of development anticipated within the specific plan area; and

WHEREAS, the City Council hereby acknowledges that restrictions being established by the specific plan diagram and text, and costs being established by the specific plan fee schedule, will increase the cost of housing within the Union/46 Specific Plan area but that without the ability to fund needed public improvements there would be an adverse impact on the public health, safety, and welfare, and there would be inadequate infrastructure to serve the population growth anticipated within the specific plan area; and

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**TABLE 3.1
DENSITY - LOT SIZE - ESTIMATED UNITS**

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<u>OWNERS</u>	<u>APPROX. ACREAGE</u>	<u>NOTE</u>	<u>MAXIMUM DU/A</u>	<u>MINIMUM LOT SIZE</u>	<u>ESTIMATED NO. OF UNITS</u>
Riverglen/TR1581	104.2	(4)	2.1	7000 s.f.	214
Sunset/TR1463	31.6	(4)	3	10000 s.f.	91
Golden Hill/TR1619	20.4	(5)	3	10000 s.f.	60
Trowbridge/Braemar Hill	170.5	(2,7)	3	10000 s.f.	265
Shinn	35.0	(2)	3	10000 s.f.	105
Thorndyke	20.1	(2,6)	3	10000 s.f.	60
Pemberton	23.2	(2)	3	10000 s.f.	27
Gillingwaters	13.1	(2)	3	10000 s.f.	36
Wolf	12.3	(2)	3	10000 s.f.	14
Coen	11.2	(2)	3	10000 s.f.	33
O'Kelly	8.9	(2)	3	10000 s.f.	17
Ottman	8.9	(2)	3	10000 s.f.	14
Ward	7.8	(2,6)	3	10000 s.f.	23
Lutes	5.6	(2)	3	10000 s.f.	17
Johnson	5.6	(2)	3	10000 s.f.	17
Marx	5.6	(2)	3	10000 s.f.	17
Weldon	4.5	(2,6)	3	10000 s.f.	14
Lopez	4.6	(2,6)	3	10000 s.f.	15
Requa	3.3	(2,6)	3	10000 s.f.	9
Pacheco	3.1	(2)	3	10000 s.f.	2
<u>18 Existing lots</u>	<u>22.9</u>	<u>(2)</u>	<u>1</u>	<u>43500 s.f.</u>	<u>18</u>
TOTALS:	526.5				1,072

NOTES:

1. The number of units identified in this table is for the purpose of estimating development potential. It is possible that the actual number of lots achievable under this Specific Plan may vary either up or down from those shown. For the purpose of calculating fees, 975 dwelling units (du) are used. The basis for utilizing 975 dwelling units is to account for the likelihood that not all properties will develop during the initial 20-year planning period, and that not all developments will achieve their maximum potential because of particular site constraints and/or reductions in potential density established by the Planning Commission and City Council through the discretionary review process.

2. City policy encourages clustering of lots within the following constraints: for Area C, the density may not exceed an overall maximum of 3 units per acre for the total property (1 du/acre in Orchard Bungalow Tract); except for the Orchard Bungalow area, the smallest lot size permitted is 10,000 square feet and the average lot size must be 12,000 feet or more. (The Hillside Development and R-1 Ordinances will determine minimum lot size and number of lots in areas over four (4) percent slope within each property; minimum lot sizes may, however, be modified by the City through the Planned Development process.)

3.6

Amendment No. 2, 5/19/92

CHAPTER 5

DEVELOPMENT REQUIREMENTS AND CONDITIONS

The Paso Robles General Plan, Zoning Ordinance, Subdivision Regulations, Hillside Regulations and other City regulations provide some of the criteria for development in the Union/46 planning area. The Specific Plan augments these standards with more detailed requirements for lot size, density, open space, streets and public facilities. Chapter 3, Section D, "Implementation and Phasing" describes the usage of the Specific Plan in relation to these other City documents.

Chapter 5 takes the general policies and proposals of the previous chapters and identifies specific requirements and conditions that will be applied by the City in reviewing each development as it is submitted for review and approval. The conditions identified below are those recommended as necessary to implement the Specific Plan. The Planning Commission and City Council may impose additional conditions as may be appropriate to a particular development as long as they do not conflict with the intent of those stated below.

The conditions and requirements are divided into eight sections covering different aspects of development. Each of these sections should be considered when reviewing a particular project to insure that each aspect of the Specific Plan is covered. Following is a list that summarizes the basic requirements established by this plan. They form the framework for all project development conditions within the Union/46 planning area neighborhood.

A. PLANNING AND DESIGN REQUIREMENTS

- A-1 **Governing Conditions:** All development and uses within the Specific Plan area must meet the standards and policies established by this Specific Plan. For general criteria, interpretations, and definitions, the Paso Robles Zoning Ordinance is referenced. The R-1 zone criteria and Hillside Development Ordinance shall apply except where the Specific Plan Conditions are more restrictive or where explicitly provided for in the plan, or if the City approves development plan modifications through the Planned Development process.

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- A-2 Minimum Lot Size: For Area "A" on Map 3.1, the minimum lot size shall be 7,000 square feet with a minimum average lot width of 65 feet. (This applies to Riverglen).

Area "B" on Map 3.1 shall have a minimum lot size of 10,000 square feet. A minimum average lot width of 75 feet is recommended. (This applies to the properties identified as "Sunset Ridge" and "Golden Hill").

Area "C" on Map 3.1, the average lot size shall be 12,000 square feet and minimum lot size shall not be less than 10,000 square feet. A minimum average lot width of 80 feet is recommended. (This applies to the general majority of the land area within the Specific Plan, with the exception of the Orchard Bungalow Tract area north of Union Road and east of Kleck Road; for the Orchard Bungalow Tract area the minimum lot size for new lots shall be one (1) acre.)

In all of the land use areas of Union/46, the Hillside Ordinance requirements for lot sizes shall also apply. Lot sizes will be required to be consistent with both the Specific Plan criteria and the Hillside Ordinance, except as may be modified through use of a Planned Development approved by the City. Each developer shall be required to provide a phasing plan for his entire property if only a portion is proposed for development in order to ensure that overall densities and average lot size requirements are met. The phasing plan shall be adopted by the City and will be applicable to all future development of the property and will be enforceable on all future property owners and developers of the property.

- A-3 Maximum Number of Units Allowed: The maximum density is 3 units per acre. Table 3.1 gives the approximate number of units allowed for any of the landowners in the Specific Plan area for purposes of cost allocation estimates. The numbers given for the "Riverglen" and "Sunset Ridge" projects may not be exceeded. (Refer to Table 3.1 and attendant notes.)
- A-4 Flag Lots: Flag lots shall be kept to a minimum and utilized only where their use conserves grading or accesses an area that cannot reasonably be reached by standard streets. The lot itself, excluding the flag, must meet the size and slope standards of the Specific Plan.
- A-5 Building Sites: Building construction shall not occur on areas of existing slopes in excess of 30 percent. Driveways may cross slopes of 30 percent but shall keep cut and fill to a minimum and may not exceed 15 percent in gradient.

- A-6 **Lot Slopes:** New residential lots created when this Specific Plan is adopted, may contain a portion of the lot on slopes exceeding 30 percent if this is required for good lot design and meets the tests described in policy DP-6. (See A-5 above)
- A-7 **Grading Requirements:** The grading requirements and conditions of the City's Hillside Ordinance shall apply to the Specific Plan area, except when modified through use of a Planned Development approved by the City.
- A-8 **Double Frontage Lots:** No double frontage lots are allowed except when adjacent to arterial streets where drive-way access is prohibited.

B. CIRCULATION SYSTEMS

- B-1 **General Conditions:** The general road and public works improvement and engineering standards of the City of Paso Robles shall apply to the construction of circulation system elements.

All streets shown on Map 3.2 shall have a sidewalk on at least one side of the right-of-way. In addition, the Environmental Impact Report contains recommendations for improvement in the traffic/circulation system for components which are not directly connected to the Specific Plan area but that must be considered as being impacted as development occurs within the planning area.

- B-2 **Highway 46 Requirements:** Improvements and construction within the Highway 46 right-of-way is under the control of Caltrans. Specific Plan improvements will require coordination and improvements to Highway 46 in three areas:

a. **Golden Hill Road:** Improvements at the grade crossing, including interim signalization and an eventual grade separated interchange will be required. Specific conditions are discussed in the section on Golden Hill Road below.

b. **Emergency Vehicle Access:** The location and design of emergency vehicle access will be considered at the time of development of the Trowbridge/Braemar property and shall be provided in a form to be approved by CalTrans and the City of Paso Robles.

WHEREAS, pursuant to the City's General Plan designation and the adopted Union/46 Specific Plan, at its meeting of July 23, 1991, the Planning Commission took the following actions regarding this ordinance proposed to Amend the Plan Text:

- a. Considered the facts and analysis, as presented in the staff report prepared for this Specific Plan and Amendment;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Based on the information contained in the initial studies prepared for this Specific Plan Amendment, found that with the adoption and implementation of appropriate mitigation measures there was no significant effect on the environment raised by this amendment, and adopted a Addendum to that EIR in accordance with the California Environmental Quality Act;
- d. Recommended that the City Council approve specified revisions to the Union/46 Specific Plan text;

WHEREAS, at its meeting of May 19, 1992, 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 Specific Plan and Amendment ;
- b. Considered the recommendation of the Planning Commission regarding this Specific Plan Amendment;
- c. Considered the results of public hearings held to obtain public testimony on the proposed ordinance;
- d. Based on the information contained in the initial studies prepared for this Specific Plan Amendment, found that with the adoption and implementation of appropriate mitigation measures there was no significant effect on the environment raised by this amendment, and adopted a Addendum to that EIR in accordance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that:

1. Amendment No. 2 of the Union/46 Specific Plan, as reviewed and accepted by the City Council, is adopted as the policy and governing set of standards for development of the Plan Area, augmented by such existing and potential future planning and development standards and the City may also adopt and maintain in effect.
2. The text of the Union/46 Specific Plan and Plan Diagram, prescribing land use and other development conditions for the Plan Area, labeled Exhibit "A", dated March 1, 1988, and supplemented by Amendment No. 1, labeled Exhibit "B", dated February 4, 1992, both on file in the office of the City Clerk, are hereby supplemented by Amendment No. 2, labeled Exhibit "A" and dated May 19, 1992.
3. The Plan contains specific development and design standards for key segments of the Plan Area. Where these guidelines/standards impose greater restrictions than those required by underlying zoning and development regulations, the Plan's provisions shall apply. In any instance when there is a conflict between the Specific Plan standards and those established in the City's General Plan, the General Plan standards shall apply.
4. The Plan may be further amended, as appropriate from time-to-time, by the City of Paso Robles, by ordinance duly approved and adopted by the City Council.

PASSED AND ADOPTED THIS 2nd day of June, 1992, by the following roll call vote:

AYES: Martin, Picanco, Reneau, Russell

NOES: Iversen

ABSENT: None

ABSTAIN: None


MAYOR CHRISTIAN E. IVERSEN

ATTEST: 
RICHARD J. RAMIREZ, CITY CLERK

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IV-A

AMENDMENT NO. 2

UNION / 46

SPECIFIC PLAN

Prepared by
the City of Paso Robles
May 19, 1992

EXHIBIT "A"

ABJ702

A M E N D M E N T N O . 2

PURPOSE AND INTENT:

Amendment No. 2 to the Union/46 Specific Plan was initiated by Braemar, a property owner in the plan area. Amendment No. 2 addresses the relationship between the Hillside Development Ordinance and Planned Development Ordinance, in the context of the Union/46 Specific Plan.

BACKGROUND TO AMENDMENT NO. 2:

1. When the Union/46 Specific Plan was adopted March 1, 1988, it included language that specifies that "Developers will be required to determine the numbers of potential units on the basis of four distinct criteria: minimum and average lot size allowed, Hillside Development Ordinance requirements, 30 percent maximum slope for unit locations and the maximum densities specified in the Plan." (Page 1.7, February 17, 1988 Final). No provisions were made in this section or elsewhere in the specific plan to permit the development standards of the Hillside Development Ordinance to be modified by the Planned Development Ordinance.
2. Amendment No. 2 provides language in the Union/46 Specific Plan that would allow the City to consider modifications to the Hillside Development Ordinance and R-1 Single Family Residential development standards.
3. Amendment No. 2 consists of specific plan text that had been considered and recommended by the Planning Commission, but which the City Council determined not to include in Amendment No. 1 (adopted February 4, 1992).
4. The text of the proposed Amendment No. 2 consists of replacement pages for the specific plan; the new text is labeled "Exhibit A", and dated 5/19/92.

AMENDMENT NO. 2 TEXT CHANGES:

Text changes have been made to the "February 17, 1988 Final" and Amendment No. 1 of the Union/46 Specific Plan. The amended pages have been replaced by new pages, each of which is labeled "Amendment No. 2, 5/19/92". The balance of the specific plan remains intact.

PLAN INTERPRETATION:

As contained on page 4.3 of the Union/46 Specific Plan, interpretations of intent shall be the responsibility of the Planning Commission. If there are any instances of conflict between the text or illustrations of the February 17, 1988 Final, Amendment No. 1, or Amendment No. 2, the provisions of Amendment No. 2 shall apply.

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of land use controls was necessary which led to the initiation of the Specific Plan process. The intent of the Specific Plan is to refine and supplement the above documents and provide specific guidance for development by establishing more detailed conditions and requirements. Where the Specific Plan contains recommendations which supplement existing City Ordinance, the Specific Plan shall establish additional requirements. The developers within the Union/46 Specific Plan Area should become familiar with these requirements prior to preparation of development proposals.

The Zoning Ordinance shown on Map 1.3 has eight different zones shown for the Specific Plan area. These zones allow for a range of densities from one to eight units per acre. If all the properties were to develop to the maximum densities allowed under the zoning in effect at the time the specific plan was adopted, it is estimated that over 1,200 units could have been built. In the preparation of the Specific Plan, it was determined that service and policy constraints, including the detailed evaluation of the hillside development requirements, made it appropriate to maintain an overall average gross density of approximately two to three units per acre. These densities are within the scope of the present zoning and are described in detail in Chapter 3.

In contrast, the General Plan calls for low density (LD) residential development for the area. The City Council and Planning Commission at their July 8, 1987 meeting determined that the densities indicated in the plan would be consistent with this definition of low density. The Specific Plan bases its density calculations on this definition. Developers will be required to determine the numbers of potential calculations on this definition. Developers will be required to determine the numbers of potential units on the basis of four distinct criteria: minimum and average lot size allowed, Hillside Development Ordinance requirements, 30 percent maximum slope for unit locations and the maximum densities specified in the Plan (see Chapters 3 and 5 for additional information on unit determination)

Please note that if and when the City approves use of the Planned Development (PD) process to modify development standards, that pursuant to the City's Planned Development Ordinance the numbers of dwelling units for a project shall not be increased over the number of dwelling units permitted under a strict interpretation of the City's Hillside Development Ordinance.

CHAPTER 3

SPECIFIC PLAN PROPOSAL

Chapter 3 describes the basic proposals of the Specific Plan. This chapter is divided into four subsections which analyze and state the plan requirements for the major areas of concern: Land Use and Development Densities, Circulation, Public Facilities and Services, and Implementation and Phasing. Those wishing to find detailed conditions as they might relate to a specific development should also refer to Chapter 5.

A. LAND USE AND DEVELOPMENT DENSITIES

1. BACKGROUND ANALYSIS

The land uses proposed are the result of three diverse factors: the existing physical character of the land, pending and existing development projects, and the basic general plan policy calling for the area to be relatively low density single family housing.

a. Topography

As previously discussed in the Chapter 2, the varied terrain requires a variety of lot sizes and configurations to preserve steep slopes, oak woodland and drainage areas. The gently rolling areas of the southwest portion of the site in the vicinity of Union Road and North River Road (approximately 30 percent of the planning area) which are close to the downtown and adjacent residential development are suitable for the most dense development proposed in the Specific Plan.

The middle section of the Specific Plan Area (roughly 50 percent of the area) is quite steep with much of the area over 30 percent slope and several heavily wooded areas with mature stands of oaks. For slopes over four (4) percent, the City's Hillside and R-1 Ordinances sets the minimum lot size and maximum dwelling unit yield for a given area. Subject to City approval, the City's Planned Development Ordinance may, however, be utilized to modify specified development standards within the dwelling unit densities established by the Hillside Development Ordinance. There will be no increase in density beyond what is permitted under the Hillside Development Ordinance.

The northeast portion of the Specific Plan Area (20 percent of the area) is very flat but more remote from higher density areas and adjacent to one acre or larger lots. Therefore, densities of up to three units per acre are proposed in this area.

b. Pending Development Proposals and City Policy

The Riverglen and Sunset Ridge (also known as Adobe Hills) projects propose residential development in the range of two to three units per acre. (These projects are indicated as Area "A" and Area "B" on Map 3.1) Both these projects are in the southwestern sector of the planning area and density coincides with the densities dictated by topographical constraints.

The Planning Commission and City Council in reviewing the development potential of the Specific Plan area has indicated that the overall density should not exceed three units per acre. In addition, the area should maintain its rural character. This density range is consistent with the preservation of oak stands, natural drainage swales and ravines minimized the amount of grading required. The concept of "mass grading" is rejected by the City as being contrary to the desired rural character when such grading has the effect of eliminating the overall landform character. On the other hand, densities as low as one unit per acre or less, while they are allowed, would not be required based on property owner concerns that the expenses of development, including connecting to the sewer system, would become prohibitively high. Hence, a balance of the short-term impacts of grading versus longer term considerations including but not limited to the cost of housing, traffic flow and safety, and facilitating drainage without erosion should be considered when evaluating any particular development proposal.

Commercial and industrial uses are not provided in the Specific Plan area. The major commercial and shopping activity is to be concentrated downtown. Convenience shopping (groceries for example) would also be available at Golden Hill and Creston Roads. Employment centers would continue to be either east of the Specific Plan Area or the downtown. Any proposals for commercial or industrial development would require an amendment to the Specific Plan (and possibly the General Plan, depending upon the location) as well as an environmental determination.

2. SPECIFIC PLAN DEVELOPMENT POLICIES

Based upon the constraints, City Policy and field investigations, the concept plan, Map 3.1, Land Use Map and Densities, was prepared. This map shows the basic relationships between open space, circulation and areas suitable for development. Table 3.1 gives the minimum lot sizes, maximum densities and estimated number of units on a land ownership basis for purposes of allocating improvement costs. The actual total number of units allowed on any particular parcel

- DP-5 Grading and major land form alterations will be limited in order to preserve the natural form of the landscape. The grading requirement of the Hillside Development Ordinance are included by reference, and shall govern development, except when modified by the Planned Development Ordinance. In the event that this Specific Plan states a more stringent regulation, the Specific Plan will augment the existing City regulations.
- a. In addition, grading for any individual lot shall not infringe upon the open space areas as defined in the concept plan, Figure 3.1.
 - b. Grading shall be kept to a reasonable minimum to gain an adequate home site. Excessive cuts or fills to achieve views are not considered adequate justification for excessive cut or fill activity. Any disputes over grading issues are appealable to the Planning Commission.
 - c. "Pad Grading" may be acceptable in areas where such grading treatment would improve drainage controls; street location, alignment and design; and where the clustering of development can help avoid adverse impacts on open space areas and help keep development away from Highway 46 East.
- DP-6 It is the intent of the Specific Plan to encourage adjacent property owners to combine their development efforts and thereby achieve better street and lot layouts. Any additional lots so achieved will be in addition to the number shown on Table 3.1.
- DP-7 General open space areas designated on Maps 3.1 and 3.3 may be part of individual lots with an open space easement (and access easements where necessary for the optional trails) ensuring that these areas remain as natural open space. Slopes over 30% should be shown as part of adjacent lots as described in Subsection C of this chapter.
- A benefit maintenance district is anticipated to be established for maintenance of these areas.
- DP-8 There shall be a minimum of a 50 foot setback from the edge of unstable bluffs in order to reduce geologic hazards to structures and people. North River Road is one specific example.