

ORDINANCE NO. 915 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE BORKEY AREA SPECIFIC PLAN
(SPA 05-003 -WILLHOIT)

WHEREAS, Dick Willhoit on behalf of Estrella Associates, Inc. has submitted an application for a Borkey Area Specific Plan Amendment (05-003) to change the land use designation in Neighborhood 3 from Commercial to Multi-Family Residential 12-units per acre on a 5-acre site located on the south corner of River Oaks Drive and Experimental Station Road; and

WHEREAS, at its meeting of February 28, 2006, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project; and found that the Specific Plan Amendment 05-003 was consistent with the General Plan;
- b. Conducted a public hearing to obtain public testimony on the proposed project;
- c. Based on the information contained in the Initial Study prepared for this project, found that there was no substantial evidence that this project would have significant adverse effects on the environment and recommended that the City Council approve a Negative Declaration;
- d. Recommend that the City Council adopt Specific Plan Amendment 05-003.

WHEREAS, at its meeting of March 21, 2006, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendations of the Planning Commission;
- c. Conducted a public hearing to obtain public testimony on the proposed project;
- d. Based on the information contained in the Initial Study prepared for this project, found that there was no substantial evidence that this project would have significant adverse effects on the environment and approved a Negative Declaration.

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This Specific Plan Amendment is consistent with the City's General Plan.

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

SECTION 1. The following Sections/Pages within the Borkey Area Specific Plan are hereby amended as shown on the attached Exhibits A1-A3.

SECTION 2. 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 3. 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 4. Inconsistency. To the extent that the terms of 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 and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on March 21, 2006, and passed and adopted by the City Council of the City of El Paso de Robles on the 4th day of April 2006 by the following vote:

AYES: Heggarty, Nemeth, Picanco, Strong and Mecham
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Cathy M. David, Deputy City Clerk

**TABLE 3-1
PRESCRIBED LAND USES
AND PERMITTED DENSITIES, PARCEL SIZES
BORKEY AREA SPECIFIC PLAN**

<u>Plan Subarea</u>	<u>Permitted Uses</u>	<u>Maximum Development Intensity</u>	<u>Minimum Lot Size</u>
A	Rural Residential	43 Units	2.5 acres
B	Single Family Residential	481 units total* *multiple family inclusive in sub area total	5,000- 20,000s.f.
	Multiple Family	Up to 90 149 units	9.0 14.0 (acres overall)
	Public & Quasi-Public	(N/A)	
	Commercial	CP (Neighborhood Commercial) CS (Commercial Service)	6.0 acres (overall) 4.5 acres (overall)
C	Cuesta College (Public Facility)	(N/A)	(N/A)
D	Rural Residential Single Family Residential Resort/Lodging Overlay	52 units 15 units 80 units + amenities	1.0 acres .5 acres
E	Commercial/Industrial	C-3	(N/A)
F	Public & Quasi-Public	(N/A)	(N/A)

Table 3-1, Pg. 31 BASP Amendment 05-003

1.2.69

**Exhibit A-1
Table 3-1
BASP Amend 05-003
(Estrella Associates)**

Subarea B

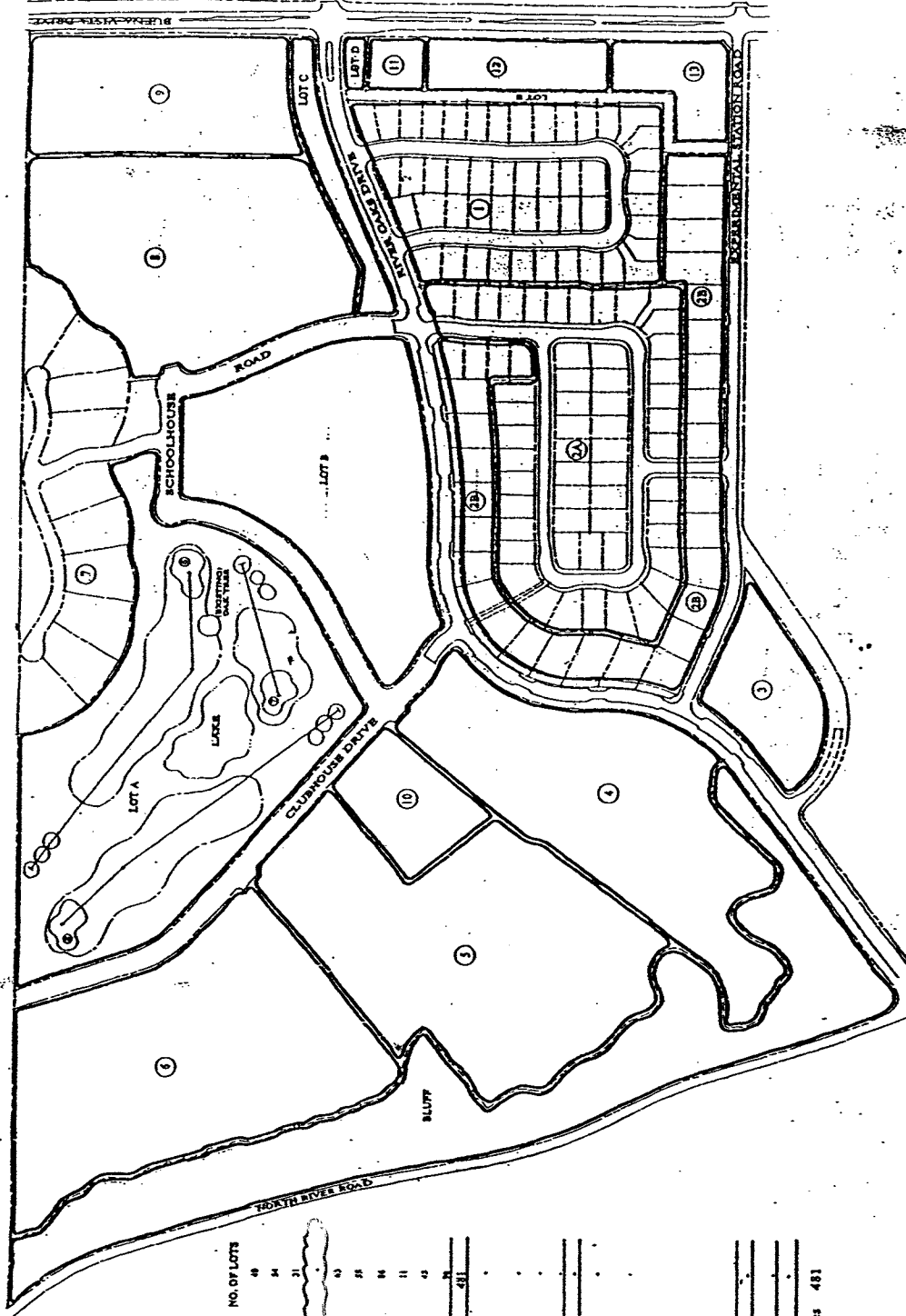
Figure 15 depicts the River Oaks Mixed-Use Conceptual Master Development Plan which is the currently approved conceptual level development pattern for Subarea B. Overall net residential density (density determined by dividing total acreage of subarea by total residential units developable based on lot size and after allowances for park, school, open space, streets, etc.) permitted in this subarea is just over 2.5 units per acre. The maximum density of 481 residential dwelling units shall remain applicable to this Subarea, but will allow for a shift in the housing product within Neighborhoods throughout the Subarea. The general mix of housing product is depicted in Figure 15, and provides for lot sizes ranging from 5,000 square foot minimums in the "active adult" neighborhoods, to 20,000 square foot lots along portions of Experimental Station Road. Adjacent to Buena Vista Road at the north end of the Subarea, an approximate 9 acre site to accommodate up to 90 units of medium density multiple family dwelling units is provided for. Nominal shifting of density between Neighborhoods is permissible, provided the density does not exceed the 90 units of multiple family, or the 481 total dwelling units for the Subarea.

Neighborhood 3 has been changed from Commercial to Multi-family residential, 12-units per acre (R3-PD zone). A maximum of 59-units will be added to Neighborhood 3, it will depend on the Planning Commission approving the subdivision map and development plan to determine if 59 units will be allowed or not on the 5-acre site.

Portion of Pg. 33, SPA 05-003

1.270

**Exhibit A-2
Sub Area - B, Pg. 33
BASP Amend 05-003
(Estrella Associates)**



CONCEPTUAL LAND USE
DEVELOPMENT PLAN

RIVER OAKS

PASO ROBLES, CALIFORNIA
JULY 13, 1999

SUMMARY

LAND USE	NEIGHBORHOOD	AREA	NO. OF LOTS
RESIDENTIAL (LOT 1)	1	102 Acres	48
RESIDENTIAL (LOT 2)	2	131 Acres	24
RESIDENTIAL (LOT 3)	3	58 Acres	31
RESIDENTIAL (LOT 4)	4	22 Acres	12
RESIDENTIAL (LOT 5)	5	102 Acres	28
RESIDENTIAL (LOT 6)	6	102 Acres	16
RESIDENTIAL (LOT 7)	7	34 Acres	11
RESIDENTIAL (LOT 8)	8	118 Acres	42
RESIDENTIAL (LOT 9)	9	118 Acres	42
RESIDENTIAL (LOT 10)	10	118 Acres	42
RESIDENTIAL (LOT 11)	11	118 Acres	42
RESIDENTIAL (LOT 12)	12	118 Acres	42
RESIDENTIAL (LOT 13)	13	118 Acres	42
RESIDENTIAL (LOT 14)	14	118 Acres	42
RESIDENTIAL (LOT 15)	15	118 Acres	42
RESIDENTIAL (LOT 16)	16	118 Acres	42
RESIDENTIAL (LOT 17)	17	118 Acres	42
RESIDENTIAL (LOT 18)	18	118 Acres	42
RESIDENTIAL (LOT 19)	19	118 Acres	42
RESIDENTIAL (LOT 20)	20	118 Acres	42
RESIDENTIAL (LOT 21)	21	118 Acres	42
RESIDENTIAL (LOT 22)	22	118 Acres	42
RESIDENTIAL (LOT 23)	23	118 Acres	42
RESIDENTIAL (LOT 24)	24	118 Acres	42
RESIDENTIAL (LOT 25)	25	118 Acres	42
RESIDENTIAL (LOT 26)	26	118 Acres	42
RESIDENTIAL (LOT 27)	27	118 Acres	42
RESIDENTIAL (LOT 28)	28	118 Acres	42
RESIDENTIAL (LOT 29)	29	118 Acres	42
RESIDENTIAL (LOT 30)	30	118 Acres	42
RESIDENTIAL (LOT 31)	31	118 Acres	42
SUB-TOTAL		350 Acres	481
MASTERS REGULATION FACILITY	10	18 Acres	1
SERVICE STATION	11	11 Acres	1
COMMERCIAL OFFICE	12	22 Acres	1
RECREATION	13	11 Acres	1
SUB-TOTAL		42 Acres	4
TOTAL		392 Acres	485

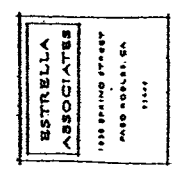
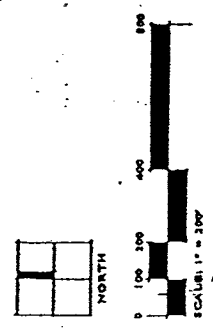


Exhibit A-3
Figure 15
BASP Amend 05-003
(Estrella Associates)

Figure 15

Conceptual Development Plan - Subarea B

12.2.71