

ORDINANCE NO. 984 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE UPTOWN/TOWN CENTER SPECIFIC PLAN
(SPECIFIC PLAN AMENDMENT 12-002 - 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, it has been determined that the build-out scenario of 1,649 residential units provided by the consultants that prepared the plan to be unrealistic and that the current General Plan build-out scenario of 989 residential units is more likely; and

WHEREAS, several of the public improvements proposed in the plan are so expensive to construct and have such a low priority for accomplishment and, therefore, warrant removal from the plan; and

WHEREAS, the 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 14, 2012, 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 the proposed ordinance; and

WHEREAS, based on information received at its meeting on September 4, 2012 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 14, 2012 public meeting;
- d. Introduced said ordinance for the first reading; and

WHEREAS, on September 18, 2012 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: Section 1.5.A (Page 1:4) is amended to delete the last four paragraphs as noted below.

~~Because this Specific Plan has been drafted five years after the last comprehensive update of the General Plan, the provisions of this Specific Plan represent more current community intentions for the character and quality of development in the areas covered by the plan than are reflected in the existing, older General Plan. Therefore, provisions of the existing General Plan that are superseded by the directions proposed in this Specific Plan will be revised simultaneously with the adoption of the Specific Plan, and those changes will be evaluated in the overall project Environmental Impact Report. Specific amendments to the General Plan could include increasing the potential number of dwelling units allowed in the Plan area from 989 to 1,649.~~

~~This Specific Plan projects that up to 1,649 new residential units will be constructed within the plan area between the years 2010, when this Specific Plan was adopted, and 2035, the vision horizon of this plan. However, the 2003 General Plan allows only 989 new residential dwelling~~

~~units to be built within the plan area between the years 2010 and 2025, when the current General Plan expires.~~

~~Since the vision for this plan is ten years longer than the horizon for the 2003 General Plan, there is a possibility – should all eligible properties in the plan area be developed per this Specific Plan – that the number of new residential units could exceed the threshold mandated in the 2003 General Plan.~~

~~In order to prevent the number of new residential units from exceeding the amount permitted by the 2003 General Plan, this plan provides a mechanism for monitoring and controlling growth (see Section 5.3.D.Residential Growth Monitoring).~~

SECTION 2: Section 1.8.B (Pages 1:6 – 1:7) is amended to revise the last sentence in the first paragraph to read:

“Growth in San Luis Obispo County between 2010 and 2030 presents a potential target market of 37,000 additional households, indicating that the Specific Plan Area would need to capture 3.4 percent of this potential market in order to achieve build-out of 989 4,322 new units by 2030.”

SECTION 3: Section 2.1 (Page 2:1) is amended as follows:

a. To revise the second paragraph and the first bullet to read:

“This chapter shows a vision of significant change that is likely to take as long as 25 years to occur. The 25-year build-out projection¹ includes the addition of up to:

- ~~989 1,649~~ residential units ~~(unit counts over 989 would require a General Plan amendment)~~²
- 228,000 square feet of retail space
- 223,000 square feet of office space
- 275,000 square feet of industrial space
- 20 acres of usable open space”

b. To delete footnote “2” at the bottom of Page 2:1 as follows.

~~Moule & Polyzoides calculated the development potential on a parcel by parcel basis and only from parcels that were identified as changed during the Charrette. Residential potential was calculated by multiplying the area identified for change within each zone and within each plan area by the average density of the building types allowed within each zone, per Table 5.5.1 (Building Type Standards by Zone). Hotel, Retail, Office, and Industrial potential was calculated by multiplying the area identified for change within each zone and within each plan area by the expected floor area ratio that can be accommodated by the allowed building types in Table 5.5.1. Note that the development capacity also subtracts existing development (for example, if a quadplex replaces a single family house, the net development potential is 3 units).~~

SECTION 4: Section 2.1.1.B (Pages 2:3 – 2:4) is amended as follows:

a. To revise the first bullet under Short Term projects to read:

- Introduce a neighborhood-serving retail plaza along Spring Street between 34th and 32nd Streets. The realignment of 34th Street as shown in the Illustrative Plan is an option, but not a mandate. Angled parking that may be developed on 34th Street may be used to meet a portion of the off-street parking requirements of this plaza; the actual percentage of which will be determined at the time of review of a development plan and shall be appropriate to the nature and intensity of the proposed uses on the plaza site.

b. To relocate the second bullet under Mid Term projects (“Introduce a pedestrian/vehicular crossing over the existing railroad tracks at 28th Street”) to be the 4th bullet under Long Term projects.

SECTION 5: Section 2.1.4.B (Pages 2:9 – 2:10) is amended as follows:

a. To delete the Long Term project as follows:

- ~~Introduce a pedestrian bridge at 12th Street that crosses the 101 Freeway, connecting downtown to the Salinas River.~~

b. To delete “B” (Pedestrian Bridge Across Highway 101) from the Illustrative Plan of Downtown.

SECTION 6: Section 2.1.5.B (Pages 2:11 – 2:12) is amended as follows:

- a. To delete the fourth bulleted item under Long Term projects as follows:
 - ~~Introduce a pedestrian bridge across the railroad tracks between Pine Street and the near vicinity of the historic Farmers' Alliance Building.~~
- b. To delete "C" (Pedestrian Bridge Across Railroad Tracks) from the Illustrative Plan of South of Downtown.

SECTION 7: Section 2.1.7.B (Page 2:15) is amended to delete Item #14 as follows:

- ~~Provide an under-crossing of Highway 101 from the Event Center to the Salinas River at the current County maintenance yard for equestrian access to the river. (See Illustrative Plan of Museum Complex at Pioneer Park on following page.~~

SECTION 8: Section 2.1.8 (Page 2:16) is amended to delete Item "G" (Equestrian/Pedestrian Highway 101 Underpass) from the Illustrative Plan of Museum Complex at Pioneer Park.

SECTION 9: Section 2.1.9.B, is amended as follows:

- a. To delete Item "A" (Equestrian/Pedestrian Highway 101 Underpass) from the Trails and Bicycle Path Plan (Page 2:19).
- b. To revise subsection "a.ii" under "Proposals" (Page 2:20) to read as follows:

West Side Trail. The West Side Trail is comprised of a combination of riverside trails and on-street paths. Beginning at the Charolais Road pedestrian/bicycle bridge, the West Side Trail follows the Salinas River along the top of bank, staying outside of the 10-year and 50-year floodway as much as possible. At 13th 42th Street, the trail crosses Highway 101 ~~over a new pedestrian bridge~~ and joins the urban fabric of the city, at which point its paving surface changes from decomposed granite to pavement. ~~Until the pedestrian bridge is built or if the pedestrian bridge is not built, the trail would cross the existing 13th Street Bridge.~~ At this point, trail users may either continue north along Riverside Drive or continue to Paso Robles City Park and then head north along the re-landscaped Park Street Greenway. Both the Riverside Drive and Park Street trails lead to the Hot Springs Interpretive Center and connect to the East Side Trail via the Hot Springs pedestrian/bicycle bridge.

Importantly, the West Side Trail provides opportunities for designation as a portion of the historic Anza Trail.

- c. To delete subsection "b.ii" under "Destinations" (Page 2:21) as follows:

~~**Highway 101 Underpass and Equestrian Park.** The introduction of a pedestrian and equestrian underpass beneath Highway 101 would provide a great way to connect the Paso Robles Event Center and Pioneer Park and its historical institutions to the river.~~

~~The County of San Luis Obispo currently owns the site on the east side of the underpass and currently uses it as a maintenance yard. If the City works with the County to relocate the maintenance yard elsewhere within the City (perhaps in a joint City-County facility), the site could host a public loading/unloading site for horseback riders who want to use the Salinas River as a "trail" – a use that would be very complementary to the Paso Robles Event Center located just on the other side of the freeway.~~

~~The site is flat, is located outside of the 100-year floodway, and would require little alteration to accommodate this use, although access from the site to the river would require cutting a trail into an existing hillside separating the two. The facility could also provide a picnic pavilion that would be available to all users.~~

- e. To re-number and revise subsection "b.iii" under "Destinations" (Page 2:22) to read as follows:

~~**ii. iii. Hot Springs Interpretive Center.** The historic Hot Springs site, located at the northern end of the Specific Plan area, contains both natural and cultural assets. Along its western edge, the site contains a beautiful wetland, the result of stormwater discharges onto the site and, possibly, a natural spring. Currently privately owned, the site offers tremendous opportunities including:~~

- Introducing an interpretive kiosk and a winding boardwalk that could pass over the river's meandering stream bed, eventually leading to the Paso Robles Wastewater Treatment Plant property, where a second educational kiosk could tell the story of Paso Robles' water—from river to tap to river—and the City's efforts to conserve and recycle its precious resource. Though within the floodway, the boardwalk could likely be designed in a manner that would not inhibit flood flows and consequently be approved by regulatory agencies.
- Reconstructing the historic Hot Springs Resort that previously operated on the site. Potential uses for the facility could include a resort, restaurant, artists' retreat, or interpretive center. The rich land around it could be used to recreate historic gardens and/or provide interpretive exhibits describing native American practices and the Anza Trail.
- Introducing a pedestrian/bicycle bridge that would connect the eastern and western branches of the proposed riverside trail system.

The viability of redevelopment of this site is in part dependent upon resolving current safety issues related to the at-grade railroad crossing that provide access to the site.

SECTION 10: Section 3.1.3 (Page 3:9) is amended to delete Item “A” (Equestrian/Pedestrian Highway 101 Underpass) from the Trails and Bicycle Path Plan.

SECTION 11: Table 4.3-1 is amended as follows:

- a. To delete the following line item projects:
 - (1) Pedestrian bridge across railroad tracks between Pine Street and the near vicinity of the historic Farmers' Alliance Building (7th “Street Improvements” line item for South of Downtown on Page 4:11);
 - (2) 12th Street Pedestrian Bridge (6th “Street Improvements” line item for Riverside Corridor on Page 4:13);
 - (3) Equestrian Underpass Beneath Highway 101 (8th “Street Improvements” line item for Riverside Corridor on Page 4:13);
- b. To enter “long-term” as a priority for the “28th Street at-grade pedestrian crossing at railroad tracks” (5th “Street Improvements” line item for Uptown on Page 4:7).
- c. To enter “mid-term” as a priority for the “Riverfront Promenade” (1st “River restoration” line item for Salinas River on Page 4:13).

SECTION 12: Section 5.1.D.6 (Page 5:4) is deleted as follows:

~~**6. Growth Monitoring and Management.** The draft Specific Plan has the potential to allow more dwelling units to be built than the current (2003) General Plan population planning threshold of 44,000 by 2025 would accommodate. Because the Specific Plan proposes to set a vision that will last beyond the General Plan's 2025 horizon, to ensure that the Specific Plan is consistent with the General Plan, the following growth management and monitoring program is established.~~

- ~~▪ Monitor and report the rate of growth in the Specific Plan area and City-wide as part of the annual General Plan Status Report.~~
- ~~▪ Establish 600 new units (added since January 1, 2010) as a milestone expressed as the number of dwelling units (within the planning area) at which point the City will begin to develop a growth management program that would limit the number of building permits issued annually for new dwelling units (in the planning area).~~
- ~~▪ Establish 750 new units (added since January 1, 2010) as the number of dwelling units (within the planning area) at which point the City will implement the developed growth management program.~~

SECTION 13: Table 5.3-1 (Page 5:7) is amended to add a row under “Commercial: Retail, Service, Office” for “Food products, small scale manufacturing and retail (e.g. bakeries, gelato, etc.)” and show such uses as being permitted (“P”) in the TC-1, TC-2, T4-F, and T4-NC Zones and placing a note in the “Specific Use Regulations” column for this item to read: “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.”

SECTION 14: Amend Section 5.4.4.B, Allowed Building Types and Heights in the T-4F Zone (Page 5:18) to provide that “Carriage House” buildings may be built in this zone and be 2 stories/26 feet in height.

SECTION 15: Amend Section 5.4.5.B, Allowed Building Types and Heights in the T4-NC Zone (Page 5:19) to provide that “Flex Shed” buildings may be 3 stories/36 feet in height.

SECTION 16: Amend Section 5.4.6.B, Allowed Building Types and Heights in the TC-1 Zone (Page 5:20) to provide that “Flex Shed” buildings may be built and may be 3 stories/36 feet in height.

SECTION 17: Amend Section 5.4.7.B, Allowed Building Types and Heights in the TC-2 Zone (Page 5:21) to provide that “Flex Shed” buildings may be 3 stories/36 feet in height.

SECTION 18: Amend Section 5.4.8.B, Allowed Building Types and Heights in the Riverside Corridor Zone (Page 5:22) to provide that “Flex Shed” buildings may be 3 stories/36 feet in height.

SECTION 19: Amend Table 5.5.1, Building Type Standards by Zone (Page 5:24) to provide that “Flex Shed” buildings (Item #14) may be 3 stories in the T4-NC, TC-1, TC-2, and Riverside Corridor Zones.

SECTION 20: Amend Section 5.5.1.F.1, Single Dwelling Requirements (Page 5:26) as follows:

- a. Subsection d.v. shall read as follows:

Garages on lots without alley access may accommodate no more than two cars. ~~and shall have separate, one-car garage doors.~~

- b. Subsection d.vi. shall read as follows:

Garages that face primary streets shall be set back by at least 25 feet from the front face of the building. ~~and shall have separate, one-car garage doors.~~

SECTION 21: Amend Subsection d.iii. of Section 5.5.1.F.2, Carriage House, Rear Yard Single Dwelling, and Rear Yard Duplex Requirements (Page 5:27) to read as follows:

A non-alley-accessed garage may accommodate no more than two cars. ~~A side-street-facing garage shall have 1-car garage doors.~~

SECTION 22: Amend Section 5.5.1.F.3, Duplex, Triplex, Quadplex Requirements (Page 5:28) as follows:

- a. Subsection d.iv. shall read as follows:

Garages on corner lots without alley access may accommodate no more than four cars. ~~and shall have separate, one-car garage doors.~~

- b. Subsection d.v. shall read as follows:

Garages that face primary streets shall be set back by at least 25 feet from the front face of the building. ~~and shall have separate, one-car garage doors.~~

SECTION 23: Amend Subsection e.i of Section 5.5.1.F.13, Flex Block Building Requirements (Page 5:39) to read as follows:

- i. Private and shared open space is not required if the building is within a 1/4-mile walking distance of a park that is at least 0.10 acres in size and is open to use by the public at any time. Otherwise, private patios or balconies must be provided for each unit. (Note: The use of Robbins Field is restricted to scheduled sports teams and does not qualify as a “park” for this purpose.)

SECTION 24: Amend Section 5.5.1.F.14, Flex Shed Building Requirements (Page 5:40) as follows:

- a. Subsection b.i. shall read as follows

Maximum height: 3 stories.

b. Subsection e shall read as follows:

e. Open Space Standards

- i. If the building is occupied entirely by non-residential uses: there are no open space requirements.
- ii. If the building is occupied by residential uses:
 - Open space may be pooled into a large, shared open space at the equivalent of 40 square feet per dwelling unit; or
 - Each dwelling ground floor unit shall be provided with a private or semi-private required yard (patio or enclosed yard), and shall be no less than 150 square feet and of a regular (e.g., rectangular) geometry, and with a minimum width of 10 feet; yard must be enclosed by a fence, wall, or hedge; or
 - Private and shared open space is not required if the building is within a 1/4-mile walking distance of a park that is at least 0.10 acres in size and is open to use by the public at any time. Otherwise, private patios or balconies must be provided for each unit. (Note: The use of Robbins Field is restricted to scheduled sports teams and does not qualify as a “park” for this purpose.)
- iii. ~~ii.~~ Private balconies may be provided at front, side, or rear yards.

SECTION 25: Subsection B.1 of Section 5.6, Sign Standards (Pages 5:101 – 5:102) is amended to read as follows:

1. Signs regulated.

- a. These sign regulations, as described and illustrated in Tables 5.6.1 (Allowed Sign Types) and 5.6.2 (Allowed Sign Locations by Frontage Type), apply to all building-mounted signs in the T-3F, T4-F, T4-NC, TC-1, and TC-2 zones.
- b. All other signs, including building-mounted signs in the RC Zone, banner signs, inflatable signs, yard signs, monument signs, real estate directional signs, winery directional signs, and billboards shall instead comply with Zoning Code Requirements (Chapter 21.19).
- c. In the T-3F, T-4F, T-4NC, TC-1, and TC-2 Zones, monument signs:
 - (1) Shall not exceed 24 square feet in area and 4 feet in height on non-arterial streets (e.g. Vine and 21st Streets);
 - (2) Shall not exceed 32 square feet in area and 6 feet in height on arterial streets (e.g. Spring, 13th, and 24th Streets).
- d. Monument signs are defined as “freestanding signs set on an architecturally integrated base structure”. They are a type of allowed sign in addition to those shown in Table 5.6.1.
- e. In the T-3F, T-4F, T-4NC, TC-1, and TC-2 Zones, in the event of a conflict between the sign regulations in Chapter 21.19 and in Section 5.6 of this plan, the provisions of Section 5.6 shall take precedence.

SECTION 26: Section 5.7.8, (to be placed on Page 5:110) is established to read as follows:

Community/Recreation Rooms for Multi-family Residential Developments. Multi-family residential developments consisting of thirty-two or more dwelling units shall provide either a community/recreation room or a day care center. The minimum size of such a facility shall be no less than twenty square feet for each dwelling unit in the development and shall be a minimum of 1,200 square feet. If a day care center is provided, it shall be operated in accordance with state law governing day care services.

SECTION 27. 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 28. 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 29. 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 4, 2012, and passed and adopted by the City Council of the City of El Paso de Robles on the 18th day of September, 2012 by the following vote:

AYES: Strong, Hamon, Gilman, Picanco

NOES:

ABSTAIN:

ABSENT: Steinbeck

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

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.

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Duane Picanco, Mayor

ATTEST:



Caryn Jackson, Deputy City Clerk