

RESOLUTION NO: 96-66

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF EL PASO DE ROBLES  
GRANTING NEGATIVE DECLARATION STATUS FOR  
ZONING CODE AMENDMENT 96-003  
(WINE TASTING ROOMS; CITY INITIATED)

WHEREAS, Section 21.21.100 of the City's Zoning Code provides for Wine Tasting Rooms, subject to approval of a Conditional Use Permit in the R-1 Zone; and

WHEREAS, Code Amendment 96-003 would provide additional flexibility as to the range of permitted accessory uses, but still retain the requirement for a Conditional Use Permit and the location restrictions that are part of the City's Zoning Code; and

WHEREAS, an Initial Study was prepared for this project and is attached; and

WHEREAS, a public hearing was conducted by the Planning Commission on May 28, 1996 and by the City Council on June 4, 1996 to consider the initial study prepared for this application, and to accept public testimony regarding this proposed environmental determination on the Zoning Code Amendment; and

WHEREAS, based on the existing restrictions as to the potential locations for Wine Tasting Rooms in the R-1 Zone, and the continued availability of a Conditional Use Permit as a regulatory tool, the Council finds that this Zoning Code Amendment will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that based on the City's independent judgment, the City Council of the City of El Paso De Robles does hereby grant a Negative Declaration status for Zoning Code Amendment 96-003.

PASSED AND ADOPTED THIS 4th day of June, 1996 by the following roll call vote:

AYES: Heggarty, Martin, Picanco, Macklin

NOES: Iversen

ABSTAIN: None

ABSENT: None

  
MAYOR WALTER J. MACKLIN

ATTEST:



RICHARD J. RAMIREZ, CITY MANAGER / CITY CLERK

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INITIAL STUDY

DATE: 10 May 1996  
FILE #: Code Amendment 96-003  
APPLICATION: Amendment to Zoning Code Regarding Wine Tasting in R-1 Zone  
APPLICANT: City Initiated

1. PROJECT DESCRIPTION AND LOCATION: Attached.
2. ENVIRONMENTAL SETTING: Attached.
3. IDENTIFICATION OF ENVIRONMENTAL EFFECTS: Please see attached Initial Study Checklist.
4. DISCUSSION OF SIGNIFICANT ENVIRONMENTAL EFFECTS:  
If any of the items on the Initial Study Checklist are marked "Yes/Maybe", please see the attached Analysis for discussion and recommendations for mitigation or further environmental study.
5. CONSISTENCY OF PROJECT WITH EXISTING GENERAL PLAN, ZONING AND OTHER LAND USE CONTROLS:  
 This project is consistent with the City's General Plan, Zoning Ordinance and other land use controls.  
 This project involves a request to change the General Plan, Zoning Ordinance, and/or other land use controls.
6. PERSONS PARTICIPATING IN THE PREPARATION OF THIS INITIAL STUDY:  
Bob Lata, Community Development Director
7. DETERMINATION: On the basis of this Initial Study:  
 I find that the proposed project could not have a significant effect on the environment, and a Negative Declaration will be prepared.  
 I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on the attached Discussion of Environmental Evaluation have been added to the project. A Negative Declaration will be prepared.  
 I find that there is insufficient information to determine whether the proposed project could have a significant effect on the environment and that the applicant needs to provide additional information in the form of an expanded initial study.  
 I find that the proposed project could have a significant effect on the environment, and recommend that an Environmental Impact Report be prepared.

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**INITIAL STUDY CHECKLIST**

FILE #s: Zoning Code Amendment 96-003 (City Initiated)

APPLICATION: Amendment to Section 21.21.100 (Zoning Code) Regarding Regulations on Wine Tasting Rooms in the R-1 Zone

APPLICANT: City Initiated.

This Initial Study Checklist was completed by reviewing the project application in light of the following:

- a. The City's General Plan, Municipal Code and adopted Standards;
- b. Environmental information and studies maintained by the City;
- c. Consultation, when necessary, with Responsible and Trustee Agencies, as defined by CEQA, and other interested parties;
- d. Observation of the project site in the field.

All items checked "Yes/Maybe" will be discussed in the section entitled "Analysis" attached to this checklist.

If an item is checked "No", the project will either not have a significant effect on the environment, or, any potential significant effects will be mitigated by standard conditions of development required by the City.

Item	Environmental Impact	Yes/Maybe	No
1.	<u>LAND USE, POPULATION, HOUSING:</u>		
a.	Alteration of present or planned land use in an area.....	.....X.....	.....
b.	Compatibility with existing or planned land uses in an area.....	.....X.....	.....
c.	Alteration of location, distribution, density or population growth rate of an area.....	.....	..X..
d.	Affect existing housing or create demand for additional housing.....	.....	..X..
e.	Airport Land Use Plan.....	.....	..X..
2.	<u>CIRCULATION/TRANSPORTATION:</u>		
a.	Traffic generation.....	.....X.....	.....
b.	Traffic access, movement, hazards.....	.....X.....	.....
c.	Pedestrian, bicycle systems.....	.....	..X..
d.	Parking facilities.....	.....	..X..
e.	Emergency vehicle access.....	.....	..X..
f.	Air, rail operations.....	.....	..X..

Item	Environmental Impact	Yes/Maybe	No
3.	<u>GEOLOGY AND SOILS:</u>		
a.	Unstable earth, changes in geological substructures.....		..X..
b.	Changes to soil strata (disruption, displacement, compaction, etc.).....		..X..
c.	Exposure of people or property to landslides and seismic hazards.....		..X..
d.	Increase in soil erosion.....		..X..
4.	<u>SURFACE AND SUBSURFACE WATER:</u>		
a.	Changes to groundwater flows.....		..X..
b.	Groundwater quality and quantity.....		..X..
c.	Streamcourse alteration and siltation.....		..X..
d.	Increase in runoff, storm drainage impact.....		..X..
e.	Other water-related impacts.....		..X..
5.	<u>VEGETATION AND ANIMAL LIFE:</u>		
a.	Oak trees.....		..X..
b.	Other vegetation concerns.....		..X..
c.	Wildlife habitats.....		..X..
d.	Other wildlife concerns.....		..X..
6.	<u>AIR QUALITY:</u>		
a.	Creation of air emissions.....		..X..
b.	Creation of objectionable odors.....		..X..
c.	Alteration of air movement patterns.....		..X..
d.	Other air quality concerns.....		..X..
7.	<u>PUBLIC SERVICES AND UTILITIES:</u>		
a.	Fire protection.....		..X..
b.	Police protection.....		..X..
c.	Water service.....		..X..
d.	Sewer service.....		..X..
e.	Street maintenance.....		..X..
f.	Other governmental services.....		..X..
g.	PG&E.....		..X..
h.	So. California Gas Co.....		..X..
i.	Sonic Cable TV, Pacific Bell.....		..X..
j.	Solid waste disposal.....		..X..

Item	Environmental Impact	Yes/Maybe	No
8.	<u>HEALTH AND SAFETY:</u>		
	a. Noise: Creation of or exposure to.....		..X..
	b. Light & Glare: Creation of.....		..X..
	c. Electromagnetic disturbance, radiation.....		..X..
	d. Health hazards: Creation of or exposure to.....		..X..
	e. Fire, Explosion, Chemical spill.....		..X..
9.	<u>AESTHETICS:</u>		
	a. Visually-sensitive area or corridor.....	.....X.....	
	b. Hillside, grading issues.....		..X..
	c. Other aesthetic concerns.....	.....X.....	
10.	<u>PARKS, RECREATION, AND OPEN SPACE:</u>		
	a. Impact on public parks and recreation.....		..X..
	b. Generates need for private recreation.....		..X..
	c. Need to maintain open space.....		..X..
11.	<u>CULTURAL, HISTORICAL, AND ARCHAEOLOGICAL:</u>		
	a. Historic and/or cultural sites.....		..X..
	b. Archaeological sites.....		..X..
12.	<u>NATURAL RESOURCES AND ENERGY:</u>		
	a. Natural resources supply.....		..X..
	b. Energy supply.....		..X..
13.	<u>MANDATORY FINDINGS OF SIGNIFICANCE:</u>		
	a. Potential to degrade the quality of the environment, substantially reduce the habitat of a wildlife species, cause wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.....		..X..

b.	Potential to achieve short-term, to the disadvantage of long-term, environmental goals..	.....	..x...
c.	Impacts which are individually limited, but cumulatively considerable.....	.....	..x...
d.	Substantial adverse effects on human beings, either directly or indirectly.....	.....	..x...

**Analysis of Significant Impacts / Potentially Significant Impacts on the Environment**

(Supplement to Initial Study Checklist, Addressing "Yes/Maybe" responses)

Project: Zoning Code Amendment 96-003

Date: 10 May 1996

**Subject and Analysis of Level of Significance / Potential Significance:**

1. **Land Use, Population, Housing:** If approved and implemented, the Zoning Code Amendment would allow a more intensive use of sites where Wine Tasting Rooms are permitted in the R-1 Zone, subject to a Conditional Use Permit. Since the location restrictions in the Zoning Code would remain unchanged, Wine Tasting Rooms in the R-1 Zone would continue to be limited to properties at the intersections of arterial streets or the intersection of an arterial with a collector street (ie: locations where one would anticipate relatively high levels of traffic). Given the location restrictions on Wine Tasting Rooms in the R-1 Zone, the impact of increasing land use intensities should be insignificant. Further, the Conditional Use Permit would continue to be available to assess the appropriateness of a specific proposal in a specific location and/or the necessary mitigation measures.
2. **Circulation / Transportation:** Based on the above described reasoning, changes in the permitted land use intensity should be insignificant. Each individual Wine Tasting Room would, however, be subject to separate environmental assessment to insure that traffic circulation needs are adequately addressed.
3. **Geology and Soils:** None
4. **Surface and Subsurface Water:** None
5. **Vegetation and Animal Life:** None
6. **Air Quality:** None
7. **Public Services and Utilities:** None
8. **Health and Safety:** None
9. **Aesthetics:** Since the most likely location for new Wine Tasting Rooms in the R-1 Zone would be along the Highway 46 East traffic corridor, aesthetic concerns would be an important consideration for individual project proposals. Because the Conditional Use Permit is available as a controlling tool, there would be no significant impact as a result of the Code Amendment.
10. **Parks, Recreation, and Open Space:** None
11. **Cultural, Historical and Archaeological:** None
12. **Natural Resources and Energy:** None

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