

RESOLUTION NO. 06-196

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING A NEGATIVE DECLARATION FOR CODE AMENDMENT 06-001
AMENDING THE ZONING CODE WITH REGARD TO DOWNTOWN PARKING FACILITIES
AND SETTING AN IN LIEU PARKING FEE PURSUANT TO SECTION 21.22.035 OF THE
PASO ROBLES MUNICIPAL CODE

WHEREAS, in 1994 the City Council of the City of El Paso de Robles adopted an Amendment to the City's Municipal Code to provide a special set of off-street parking standards for the Downtown Area as defined by Figure 21.22-4 of the Zoning Code; and

WHEREAS, in 1998, 2003, and 2005 the City Council approved extensions of time under which the special parking code provisions would apply; and

WHEREAS, Municipal Code Amendment 2006-001 proposes to modifications to the Downtown Parking Provisions, in conjunction with establishment of a Parking Financing Program; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, at its October 10, 2006 meeting, the Planning Commission held a duly noticed public hearing on the proposed Code Amendment to accept public testimony on the proposal, including the environmental determination therefor; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission recommended to the City Council that the proposed Code Amendment be approved and that a Negative Declaration be adopted.

WHEREAS, public notice of intent to adopt a Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, based on the information and analysis contained in the Initial Study and the attachments thereto, a determination has been made that the proposed Code Amendment qualifies for adoption of a Negative Declaration.

NOW, THEREFORE, the City Council of the City of El Paso de Robles, using its independent judgment and analysis, does hereby:

1. Find and determine that the proposed Code Amendment and adoption of a parking in lieu fee will not have a significant impact on the environment.

This finding and determination was made based upon the substantial evidence presented at the public hearing, including the whole record before the City Council (including the Initial Study, the Staff Report, the proposed Code Amendment, and any public comments or testimony received thereon); and,

2. Adopt a Negative Declaration for the proposed Code Amendment.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of October 2006, by the following vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk

**ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM
CITY OF PASO ROBLES
PLANNING DIVISION**

- 1. PROJECT TITLE:** Code Amendment 06-001
- Concurrent Entitlements:** None
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact:** Ronald Whisenand, Community Development Director
Phone: (805) 237-3970
- 3. PROJECT LOCATION:** Downtown
- 4. PROJECT PROPONENT:** City of Paso Robles
- Contact Person:** Ronald Whisenand, Community Development Director
Phone: (805) 237-3970
- 5. GENERAL PLAN DESIGNATION:** Various Land Use Categories
- 6. ZONING:** Various Zoning Districts
- 7. PROJECT DESCRIPTION:** A proposal to amend the City's downtown parking regulations contained in Section 21.22.035 of Zoning Code to simplify and standardize the method for calculating parking spaces for downtown properties as well as establish a fee in lieu of providing on-site parking.
- Attached to this Initial Study is the draft ordinance.
- 8. ENVIRONMENTAL SETTING:** See the Environmental Impact Report for the 2003 Update of the City's General Plan
- 9. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):** none

10. PERSONS PARTICIPATING IN THE PREPARATION OF THE INITIAL STUDY:

Ronald Whisenand, Community Development Director

11. RELATED ENVIRONMENTAL DOCUMENTATION: none

12. CONTEXT OF ENVIRONMENTAL ANALYSIS FOR PROJECT: The proposed amendment by itself will cause no impacts. Parking is currently required for all new or expanding downtown development. In addition, the City already has a downtown parking in lieu fee program. The proposed amendment will simply clarify existing parking requirements and establish an actual per space fee. As required by the California Environmental Quality Act, each future development project designed in accordance with the proposed code amendment will be the subject to preparation of its own environmental document.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or is “Potentially Significant Unless Mitigated,” as indicated by the checklist on the following pages.

- Land Use & Planning
- Transportation/Circulation
- Public Services
- Population & Housing
- Biological Resources
- Utilities & Service Systems
- Geological Problems
- Energy & Mineral Resources
- Aesthetics
- Water
- Hazards
- Cultural Resources
- Air Quality
- Noise
- Recreation
- Mandatory Findings of Significance

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

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 an attached sheet have been added to the project. **A NEGATIVE DECLARATION** will be prepared.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect(s) on the environment, but one or more effects (1) have been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) have been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or is “potentially significant unless mitigated.” An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effect(s) that remain to be addressed.

I find that although the proposed project could have a significant effect(s) on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project. (See item #11 above, for a specific reference to that EIR.)

Signature

Ronald Whisenand

Printed Name

6/02/06

Date

Community Development Director

Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards.

All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

“Potentially Significant Impact” is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more “Potentially Significant Impact” entries when the determination is made, preparation of an Environmental Impact Report is warranted.

Potentially Significant Impact Unless Mitigated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.

References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided at the end of the checklist. Other sources used or individuals contacted have been cited in the respective discussions.

The following checklist has been formatted after Appendix I of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the needs and requirements of the City of Paso Robles.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures. For the readers’ information, a list of applicable standard conditions identified in the discussions has been provided as an attachment to this document.)_

SAMPLE QUESTION:

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p><i>Would the proposal result in or expose people to potential impacts involving:</i></p> <p><i>Landslides or Mud flows? (Sources: 1, 6)</i></p> <p><i>Discussion: The attached source list explains that 1 is the Paso Robles General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).</i></p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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LAND USE AND PLANNING. Would the Proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with general plan designation or zoning? (Source: Paso Robles Zoning Code.) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Alternative parking standards as well as a parking in-lieu fee program for the downtown currently exists in the City's Zoning Regulations. In addition, the proposed changes, which will help protect the long term health of the downtown are consistent with numerous policies of the City Economic Strategy and General Plan.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Be incompatible with existing land use in the vicinity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible uses)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

II. POPULATION AND HOUSING. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cumulatively exceed official regional or local population projections? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace existing housing, especially affordable housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fault rupture? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Seismic ground shaking? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Seismic ground failure, including liquefaction? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Landslides or Mud flows? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Subsidence of the land? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IV. WATER. Would the proposal result in:

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? (Source: 9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding? (Source: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Discussion:				
c) Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen, turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
e) Changes in currents, or the course or direction of water movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
f) Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or through substantial loss of groundwater recharge capability? (Source: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				

V. AIR QUALITY. Would the proposal:

a) Violate any air quality standard or contribute to an existing or projected air quality violation? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
b) Expose sensitive receptors to pollutants? (Source: 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Alter air movement, moisture, or temperature? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Create objectionable odors? (Source: 10) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

VI. TRANSPORTATION/CIRCULATION. Would the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Increased vehicle trips or traffic congestion? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Downtown development generates vehicle trips. While the proposed amendments will not change the density at which downtown could develop, it may result in less on-site parking for individual businesses which could in turn cause people to drive further to find available municipal parking lots or on-street parking. However, due to the compact nature of the downtown and proper signage directing people to available public parking, this impact is considered less than significant.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Inadequate emergency access or inadequate access to nearby uses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Insufficient parking capacity on-site or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See response on item a) above. Traditional downtowns by their nature function better with fewer on-site parking spaces and efficient use of available on-street parking or municipal parking lots and or structures. Downtowns experience linked trips where shoppers park and visit several establishments thereby resulting in fewer parking spaces being required. The proposed amendments will recognize this downtown parking trend.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Hazards or barriers for pedestrians or bicyclists? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Rail, waterborne or air traffic impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				

VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:

a) Endangered, threatened or rare species or their habitats (including but not limited to: plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
d) Wetland habitat (e.g., marsh, riparian and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
e) Wildlife dispersal or migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				

VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

a) Conflict with adopted energy conservation plans? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
b) Use non-renewable resource in a wasteful and inefficient manner? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. HAZARDS. Would the proposal involve:

A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation)?

Discussion:

b) Possible interference with an emergency response plan or emergency evacuation plan?

Discussion:

c) The creation of any health hazard or potential hazards?

Discussion:

d) Increased fire hazard in areas with flammable brush, grass, or trees?

Discussion:

X. NOISE. Would the proposal result in:

a) Increases in existing noise levels?

Discussion:

b) Exposure of people to severe noise levels?

Discussion:

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered government services in any of the following areas:

a) Fire protection? (Source: 1,9)

Discussion:

b) Police Protection? (Source: 1,9)

Discussion:

c) Schools?

Discussion:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Maintenance of public facilities, including roads? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other governmental services? (Source: 1,9) Discussion: Any fees collected in lieu of providing parking will be spent on providing future parking for the downtown. New facilities will come on-line as the demand increases and sufficient revenues are collected.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

a) Power or natural gas? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communication systems? Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Solid waste disposal? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies? (Source: 1,9) Discussion:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. AESTHETICS. Would the proposal:

a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have a demonstrable negative aesthetic effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Create light or glare? (Source: 1, 2, 9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

XIV.CULTURAL RESOURCES. Would the proposal:

- | | | | | |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Disturb paleontological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Disturb archaeological resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Affect historical resources? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Have the potential to cause a physical change which would affect unique ethnic cultural values? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Restrict existing religious or sacred uses within the potential impact area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

XV.RECREATION. Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Increase the demand for neighborhood or regional parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Affect existing recreational opportunities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI.MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or 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?

Discussion:

b) Does the project have the potential to achieve short-term, to the disadvantage of long-term environmental goals?

Discussion:

c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Discussion:

d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion:

EARLIER ANALYSIS AND BACKGROUND MATERIALS.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D).

Earlier Documents Prepared and Utilized in this Analysis and Background / Explanatory Materials

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Paso Robles General Plan	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446
2	City of Paso Robles Zoning Code	Same as above
3	City of Paso Robles Environmental Impact Report for General Plan Update	Same as above
4	1977 Airport Land Use Plan	Same as above
5	City of Paso Robles Municipal Code	Same as above
6	City of Paso Robles Water Master Plan	Same as above
7	City of Paso Robles Sewer Master Plan	Same as above
8	City of Paso Robles Housing Element	Same as above
9	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
10	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
11	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
12	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446

Downtown Parking Ordinance And In-Lieu Fee Program

In December of 2005, the Council amended the City's downtown parking code to include a Parking In-Lieu Fee Program where property owners would have the option of paying a per space fee "in lieu" of providing the parking on-site. Council deferred setting the actual per space fee until the completion of a downtown parking financing study by Economic & Planning Systems (EPS). The first phase of this study, which explores the downtown parking ordinance and in-lieu fee programs, is complete and ready for City Council action. Key components of these programs are summarized below.

In Lieu Fee Program

- The City currently has a Parking In-Lieu Program. However, there is a need for the Council to set the actual per space fee that property owners can choose to pay in lieu of providing on-site parking for downtown projects. Setting the fee will allow several important downtown redevelopment projects to proceed.
- Fees collected through the program will be used to help fund additional municipal parking facilities in the downtown.
- Setting the fee is less an exact science than finding the proper balance between encouraging redevelopment of the downtown and establishing sufficient funds to expand downtown parking in the future. Setting the fee too high, could cause downtown to develop with an abundance of on-site parking that detracts from its pedestrian character or could discourage property owners from upgrading their properties altogether. Setting the fee too low will place more of the financial burden for future downtown parking on the general population.
- EPS is recommending that the in-lieu fee amount be set at \$15,000 per space. However, it is recommended that the fee could be initially set lower and increased annually in order to phase it in over a reasonable period of time.

Downtown Parking Ratios

- The City's downtown parking standards differ from other commercial areas of the City in recognition of how businesses in a downtown setting "share" common on-street parking in and around the downtown.
- The current regulations are confusing and base parking on the size of the parcel rather than the size of the building or the use.
- Parking requirements for upper floors of commercial buildings are too restrictive in relation to ground floor space which creates a disincentive for building multi-story downtown buildings as called for in our General Plan and Economic Strategy.
- The current parking exemption for restaurant and entertainment uses may be inadvertently discouraging development of other mixed use and specialty retail uses that are also needed in a healthy downtown setting.

Frequently Asked Questions

Q. Why limit the program to the downtown?

A. Because of the historic nature of our downtown, buildings were developed close to the street and side by side with little area devoted to on-site parking as is typical in other commercial areas of the City. Requiring new or expanding businesses in the downtown to provide parking would detract from the pedestrian character of our downtown called for by the City's General Plan and Economic Strategy. Parking lots are far less interesting to the downtown visitor than the latest storefront display. Parking in downtowns such as ours is therefore more appropriately located on the street and in public lots that exist in and around the downtown.

Q. By allowing property owners the ability to pay a fee and not provide parking, is the City not creating a parking problem?

A. Technically yes, but only for a short term. The nature of any successful in lieu fee program is to collect fees that grow as development occurs. Those fees will then in turn be used to finance and improve new parking spaces in the downtown

Q. Will new parking be built near the property that pays the fee?

A. Not necessarily. Downtowns function different than other commercial areas. It is not unusual and often common for a user of the downtown to park and then visit more than one store or destination. For instance on your way to the movies, you may drop off a book at the library, watch a movie, and then grab a bite to eat all in one trip. Parking just needs to be available within a "reasonable" walking distance from your destinations. A single parking space could, therefore, conceivably serve every business in the downtown.

Q. Will there be a new assessment that I, as a downtown business owner, will need to pay for parking?

A. No, this is not a parking assessment program. It only applies to property owners or businesses who want the option to pay a fee "in lieu" of providing parking on their properties.

Q. Will I need to pay a fee if I want to change a use in my existing building?

A. No. The option to pay a fee only applies when you want to construct a new or expanded building. In the case of an expansion (such as by adding a new floor), you are only responsible for providing parking (or paying a fee) for the new area that you are expanding.

Q. What happens if I choose to tear my existing building down and start "from scratch"?

A. When the City calculates your parking requirements, previously existing floor area will be credited. Again, you only need to provide parking (or pay a fee) for increased floor area.

Q. Is the City proposing parking meters or time restricted parking at this time?

A. No, parking meters are not currently being proposed with this program. However, as development in the downtown continues, the City will need to address parking turnover and parking behaviors. Parking meters may, therefore, be discussed as a possible tool to address parking issues in our downtown. These issues are anticipated to be addressed in more detail in 2007.

Ronald Whisenand, Community Development Director
City of El Paso de Robles
1000 Spring Street
237-3970
rwhisenand@prcity.com

21.22.035 Downtown area parking space requirements.

A. **Retail Commercial, service and office Service Commercial, and Commercial Recreation** land uses located within the downtown area shall be required to provide off-street parking spaces at the ratio of one (1) space per one thousand seven hundred fifty square feet of land area, in order to encourage economic investment and a pedestrian-oriented development pattern **400 square feet of gross floor area.**

B. ~~Exceptions to the downtown area parking space requirements:~~

~~1. Within the downtown area, buildings existing as of November 1, 1992, shall have no requirement to provide off-street parking spaces for commercial, service and office land uses.~~

~~2. There are no off-street parking requirements for the class and nature of land uses that includes movie theaters, theatrical productions, restaurants and other assembly type land uses that typically, but not exclusively, are in operation after usual business hours (i.e., after five p.m.); the applicability of this standard shall be determined by the planning commission.~~

~~3. The planning commission shall have the authority to waive the one space per one thousand seven hundred fifty square foot off-street parking requirement in the downtown area when such waiver would support the city's economic development strategy, dated May 18, 1993, and no health or safety concerns would be adversely impacted by such waiver.~~

C. ~~Conditions on the applicability of the downtown area parking space requirements: Any incremental increase in usable building area as a result of new construction (e.g., a new building or adding additional floors to an existing building) shall be subject to payment of an "in-lieu" parking fee of an amount to be established by resolution of the city council and shall be based on the difference between the number of new off-street parking spaces that are provided on-site and the city-wide off-street parking requirements of Section 21.22.040 of this chapter or any other parking code requirement subsequently adopted for the downtown area. In addition, as a condition of the granting of any entitlement for an increase in building area, the property owner shall enter into an agreement in a form to be approved by the city attorney, committing the property owner and his or her tenants to participating in a proportionate share in the financing of off-street parking facilities in the downtown area in a form and amount specified by city council resolution. Exception: Replacement for demolished structures (e.g., as a result of the 2003 earthquake or property owner decision to replace a structure) shall receive credit for pre-existing square footage.~~

B. Residential Uses

1. Dwellings containing two (2) bedrooms or more shall be required to provide off-street parking spaces at the ratio of one and a half (1.5) parking spaces per dwelling unit.

2. Dwellings containing one (1) bedroom shall be required to provide off-street parking spaces at the ratio of one parking space per dwelling unit.

3. Studio dwellings shall be required to provide off-street parking spaces at the ratio of three quarters (.75) of a parking space per dwelling unit.

D. ~~Effective Dates. The off-street parking requirements and exemptions from such requirements that are provided for in this section shall apply from the effective date of the ordinance codified in this chapter through December 31, 2007. Prior to December 31, 2007, the city council may, by ordinance, determine to extend the effective period of the requirements and/or exemptions. In the absence of an affirmative action by the city council to extend the requirements and/or exemption provided for in this chapter, on January 1, 2008, off-street parking requirements for new constructions within the downtown area, as defined in Section 21.22.030 et seq., of this chapter shall revert to the off-street parking requirements contained in Section 21.22.040 of this chapter. Even if the city council does not extend the off-street parking requirements and/or exemptions provided for by this chapter, any buildings and structures, existing as of January 1, 2008, shall continue to be exempt from off-street parking requirements. Payment of in-lieu fees and participation in~~

~~financing public parking shall apply to any projects approved by the planning commission or development review committee projects after January 1, 2006, with the above noted exception. (Ord. 910 N.S., 2006; Ord. 868 N.S., 2003; Ord. 756 N.S., 1999; Ord. 669 N.S. 3, 1994)~~

C. All parking provided for any downtown building or use shall be located within an enclosed structure or behind the building and accessed off an alley. This requirement does not apply to municipal parking facilities provided for general downtown use.

D. Downtown buildings not meeting current parking requirements that are replaced or reconstructed, shall not be required to provide more on-site parking than existed at the time of demolition or remodel. Expanded floor area beyond what previously existed shall be subject to downtown parking requirements.

E. The Downtown Area parking requirements contained in this section may be satisfied partially or in full through the payment of an In-Lieu Parking Fee. The In-Lieu Parking Fee program shall be administered as follows:

1. **Establishment of Amount of Fee:** The amount of the In-Lieu Parking Fee shall be set by separate resolution of the City Council. The City Council may adjust the fee at their discretion as frequently as is deemed necessary based on factors including, but not limited to, inflation, the cost of providing new parking spaces, and the market value of parking spaces.

2. **Applicable Geographic Area:** Properties eligible to apply to participate in the In-Lieu Parking Fee program shall be those parcels located within the Geographic Boundaries of the Downtown Area as shown on Exhibit "A", Figure 21.22-4 of the City's Zoning Regulations

3. **Payment of Fee:** Payment of In-Lieu Parking Fees shall be made to the City in one lump sum prior to the issuance of a building permit or if a building permit is not required, within fourth-five (45) days of request by City for payment. The In-Lieu Parking Fee shall be a one-time-only, non-refundable payment and shall be considered full satisfaction of the off-street parking requirement for the number of parking spaces for which the fee was paid.

5. **Effect of Payment:** In-Lieu Parking Fees shall be used exclusively to make available additional parking spaces for public use within the Downtown Area and does not guarantee the construction of spaces in any particular area of the Downtown Parking Area or within any particular period of time. In-Lieu Parking fees are solely an alternative means of satisfying the applicant's obligations to provide off-street parking as required by this Chapter and payment of the In-Lieu Fee does not carry any other guarantees, rights, or privileges to the applicant. The location, type, and configuration of parking spaces funded by In-Lieu Parking Fees are at the City's sole discretion.

RESOLUTION NO. 06-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING A NEGATIVE DECLARATION FOR CODE AMENDMENT 06-001
AMENDING THE ZONING CODE WITH REGARD TO DOWNTOWN PARKING FACILITIES
AND SETTING AN IN LIEU PARKING FEE PURSUANT TO SECTION 21.22.035 OF THE
PASO ROBLES MUNICIPAL CODE

WHEREAS, in 1994 the City Council of the City of El Paso de Robles adopted an Amendment to the City's Municipal Code to provide a special set of off-street parking standards for the Downtown Area as defined by Figure 21.22-4 of the Zoning Code; and

WHEREAS, in 1998, 2003, and 2005 the City Council approved extensions of time under which the special parking code provisions would apply; and

WHEREAS, Municipal Code Amendment 2006-001 proposes to modifications to the Downtown Parking Provisions, in conjunction with establishment of a Parking Financing Program; and

WHEREAS, pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA), and the City's Procedures for Implementing CEQA, an Initial Study was prepared and circulated for public review and comment; and

WHEREAS, at its October 10, 2006 meeting, the Planning Commission held a duly noticed public hearing on the proposed Code Amendment to accept public testimony on the proposal, including the environmental determination therefor; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission recommended to the City Council that the proposed Code Amendment be approved and that a Negative Declaration be adopted.

WHEREAS, public notice of intent to adopt a Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, based on the information and analysis contained in the Initial Study and the attachments thereto, a determination has been made that the proposed Code Amendment qualifies for adoption of a Negative Declaration.

NOW, THEREFORE, the City Council of the City of El Paso de Robles, using its independent judgment and analysis, does hereby:

1. Find and determine that the proposed Code Amendment and adoption of a parking in lieu fee will not have a significant impact on the environment.

This finding and determination was made based upon the substantial evidence presented at the public hearing, including the whole record before the City Council (including the Initial Study, the Staff Report, the proposed Code Amendment, and any public comments or testimony received thereon); and,

2. Adopt a Negative Declaration for the proposed Code Amendment.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of October 2006, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk

ORDINANCE NO. XXX N.S.
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTION 21.22 et seq. AND RELATED PROVISIONS OF THE
MUNICIPAL CODE (MUNICIPAL CODE AMENDMENT 2006-001 – DOWNTOWN PARKING)

WHEREAS, in 1994 the City Council of the City of El Paso de Robles adopted an Amendment to the City's Municipal Code to provide a special set of off-street parking standards for the Downtown Area as defined by Figure 21.22-4 of the Zoning Code; and

WHEREAS, in 1998, 2003, and 2005 the City Council approved extensions of time under which the special parking code provisions would apply; and

WHEREAS, Municipal Code Amendment 2006-001 proposes to modifications to the Downtown Parking Provisions, in conjunction with establishment of a Parking Financing Program which is the subject of a separate City Council consideration; and

WHEREAS, at its meeting of October 10, 2006, 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. Conducted 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 consideration of information received at its meetings of October 17, 2006, 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. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Commission's recommendation from the Planning Commission's October 10, 2006, public meeting;
- e. Introduced said ordinance for first reading; and

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 code 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 21.22 et seq. is hereby amended to replace the current text with the text of the code amendment attached and labeled Exhibit "A" (Downtown Area Parking Space Requirements).

SECTION 1. 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 2. 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 3. 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 and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 4. 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 October 17, 2006, and passed and adopted by the City Council of the City of El Paso de Robles on the 7th of November, 2006 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk

21.22.035 Downtown area parking space requirements.

A. Retail Commercial, Service Commercial, and Commercial Recreation land uses located within the downtown area shall be required to provide off-street parking spaces at the ratio of one (1) space per 400 square feet of gross floor area.

B. Residential Uses

1. Dwellings containing two (2) bedrooms or more shall be required to provide off-street parking spaces at the ratio of one and a half (1.5) parking spaces per dwelling unit.

2. Dwellings containing one (1) bedroom shall be required to provide off-street parking spaces at the ratio of one parking space per dwelling unit.

3. Studio dwellings shall be required to provide off-street parking spaces at the ratio of three quarters (.75) of a parking space per dwelling unit.

C. All parking provided for any downtown building or use shall be located within an enclosed structure or behind the building and accessed off an alley. This requirement does not apply to municipal parking facilities provided for general downtown use.

D. Downtown buildings not meeting current parking requirements that are replaced or reconstructed, shall not be required to provide more on-site parking than existed at the time of demolition or remodel. Expanded floor area beyond what previously existed shall be subject to downtown parking requirements.

E. The Downtown Area parking requirements contained in this section may be satisfied partially or in full through the payment of an In-Lieu Parking Fee. The In-Lieu Parking Fee program shall be administered as follows:

1. **Establishment of Amount of Fee:** The amount of the In-Lieu Parking Fee shall be set by separate resolution of the City Council. The City Council may adjust the fee at their discretion as frequently as is deemed necessary based on factors including, but not limited to, inflation, the cost of providing new parking spaces, and the market value of parking spaces.

2. **Applicable Geographic Area:** Properties eligible to apply to participate in the In-Lieu Parking Fee program shall be those parcels located within the Geographic Boundaries of the Downtown Area as shown on Exhibit "A", Figure 21.22-4 of the City's Zoning Regulations

3. **Payment of Fee:** Payment of In-Lieu Parking Fees shall be made to the City in one lump sum prior to the issuance of a building permit or if a building permit is not required, within fourth-five (45) days of request by City for payment. The In-Lieu Parking Fee shall be a one-time-only, non-refundable payment and shall be considered full satisfaction of the off-street parking requirement for the number of parking spaces for which the fee was paid.

5. **Effect of Payment:** In-Lieu Parking Fees shall be used exclusively to make available additional parking spaces for public use within the Downtown Area and does not guarantee the construction of spaces in any particular area of the Downtown Parking Area or within any particular period of time. In-Lieu Parking fees are solely an alternative means of satisfying the applicant's obligations to provide off-street parking as required by this Chapter and payment of the In-Lieu Fee does not carry any other guarantees, rights, or privileges to the applicant. The location, type, and configuration of parking spaces funded by In-Lieu Parking Fees are at the City's sole discretion.

RESOLUTION NO. 06-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ADOPTING PARKING IN LIEU FEES FOR DOWNTOWN PROPERTIES
PURSUANT TO SECTION 21.22.035 OF THE PASO ROBLES MUNICIPAL CODE

WHEREAS, Section 21.22.035 of the Paso Robles Municipal Code allows developers of downtown properties to pay a fee in lieu of providing required on-site parking; and

WHEREAS, the City contracted with Economic & Planning Systems, Inc to provide a comprehensive evaluation of the City's downtown parking fee program; and

WHEREAS, the City has received Paso Robles Downtown Parking In-Lieu Fee Program prepared by Economic & Planning Systems dated August 4, 2006 where costs of providing parking are evaluated and recommendations on setting in fees at an appropriate level are made; and

WHEREAS, Economic & Planning Systems, Inc. in their *Study* recommends setting an in lieu fee at \$15,000 per space which is less than the cost of providing downtown parking for which the fee is to off-set; and

WHEREAS, Economic & Planning Systems, Inc. in their *Study* recommends setting the fee lower initially and working up to the full amount over time; and

WHEREAS, the *Study* has been available for public review and comment; and

WHEREAS, the City Council held a noticed public hearing on the proposed parking in lieu fees on October 17, 2006, to solicit public input on the proposed fee;

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

SECTION 1. Findings.

The City Council finds and determines that the Paso Robles Downtown Parking In-Lieu Fee Program Study prepared by Economic & Planning Systems, Inc. and dated August 4, 2006, establishes the basis for the imposition of fees in lieu of providing parking in the downtown. This finding is based on the facts that the *Study*:

- (a) Identifies the purpose of the fee;
- (b) Identifies the use to which the fee will be put;
- (c) Demonstrates a reasonable relationship between the amount of the fee and the cost of providing parking in and around the downtown.

SECTION 2. Fees for Uses Consistent with the *Study*.

The City Council hereby determines that the fees collected pursuant to this resolution shall be used to finance public parking improvements in and around the downtown as may from time to time be approved by the City Council.

SECTION 3. Amount of Fee.

The City Council hereby approves and adopts a per space parking in lieu fee of \$3,000 to be adjusted annually by increasing the fee amount by \$1,000 plus any inflationary adjustments pursuant to the Consumer Price Index.

SECTION 4. Effective Date.

Consistent with California Government Code section 66017(a), the fees as identified in attached Exhibit "A" adopted by this resolution shall take effect sixty (60) days following the adoption of this resolution by the City Council.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of October, 2006 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

Attachment:

A: Paso Robles Downtown Parking In-Lieu Fee Program Study, August 4, 2006

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING

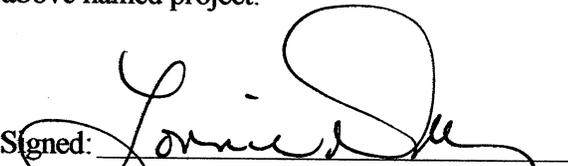
Newspaper: Tribune

Date of Publication: September 28, 2006

Meeting Date: October 10, 2006
(Planning Commission)
October 17, 2006
(City Council)

Project: Code Amendment 06-001
(City initiated – downtown
parking and in-lieu fees)

I, Lonnie Dolan, employee of the Community
Development Department, Planning Division, of the City
of El Paso de Robles, do hereby certify that this notice is
a true copy of a published legal newspaper notice for the
above named project.

Signed: 
Lonnie Dolan

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider making recommendations regarding adoption of a Negative Declaration and approval of a Code Amendment relating to the Zoning Code.

Code Amendment 06-001 is a proposal to amend Section 21.22.035 of the City's Zoning Regulations regarding downtown parking standards. The amendment proposes to simplify and standardize the calculation method for on-site parking standards for downtown properties including the ability to pay fees in lieu of providing off-street parking. The action, which will be in the form of a recommendation to the City Council, will include establishing an in lieu parking fee.

The Planning Commission's hearing will be held on Tuesday, October 10, 2006.

NOTICE IS ALSO HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider the same Code Amendment as described above. The City Council's meeting will take place at their meeting on October 17, 2006.

Both the Planning Commission and the City Council hearings will begin at the hour of 7:30 pm in the Conference Center (First Floor) at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California. All interested parties may appear and be heard at these hearings.

As part of the noticed public hearing, the City Council will consider adoption of a Negative Declaration of Environmental Impact (statement that there will be no significant environmental effects) in accordance with the provisions of the California Environmental Quality Act (CEQA). The proposed Negative Declaration will be available for public review from September 28, 2006 through October 17, 2006. Copies of the staff report and draft Negative Declaration will be available for the cost of reproduction at the Community Development Department, City Hall, 1000 Spring Street, Paso Robles, CA 93446. Please write to this address or call the Planning Division at (805) 237-3970 should you have questions or comments regarding this notice or related matters.

Written comments on the proposed Code Amendment may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Ronald Whisenand at (805) 237-3970.

If you challenge the Code Amendment in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or City Council at, or prior to, their respective public hearings.

Ronald Whisenand, Community Development
Director
September 28, 2006 6461075