

RESOLUTION NO. 12-045

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
DENYING AN APPEAL OF PLANNED DEVELOPMENT 08-001
& CONDITIONAL USE PERMIT 08-001
(Paso Robles RV Resort)
APN: 025-435-022, & 023

WHEREAS, PD 08-001 & CUP 08-001 (The PR Motorcoach Resort project) was approved by the City Council on February 10, 2004, via Resolutions 09-025, 09-026 & 09-027; and

WHEREAS, the project is located on the 73-acre site at the northern end of Golden Hill Road, on the east side of the road; and

WHEREAS, the project allows for the development of a 332 space RV resort; and

WHEREAS, North Coast Engineering on behalf of Paso 33 LP, has applied to amend PD 08-001 & CUP 08-001; and

WHEREAS, the proposed amendment would consist of the following changes:

- Consider a new design that would reduce the disturbed area (grading) from 73 acres to 50;
- Reduce the amount of grading, retaining walls and paving for roads;
- Reduce the RV space size and reduce the use of impermeable materials;
- Relocate reception building to the northeast, further away from Golden Hill Road;
- Eliminate the club house;
- Replace the masonry wall proposed along Golden Hill Rd. with an combination of masonry wall, open fence and screening landscaping;
- Eliminate the RV sites at the south east corner of the site, reducing views of RVs from Golden Hill Rd.;
- Request to review various conditions of approval related to road improvements and fees;
- Addendum to the Mitigated Negative Declaration related to Kit Fox mitigation as a result of less site impact.

WHEREAS, at its January 10, 2012 meeting, the Planning Commission continued the open public hearing to the February 14, 2012 Planning Commission meeting, to allow for additional time for staff to work with the applicants to answer questions raised by the Planning Commission and the public related to the proposed project; and

WHEREAS, at its February 14, 2012 meeting, the Planning Commission on a 4 to 3 vote approved the applicant's request for an amendment to PD 08-001, CUP 08-001 and the associated Mitigated Negative Declaration; and

WHEREAS, on February 28, 2012, the City received a letter from the Circle B Springs Association appealing the Planning Commission's decision on February 14th; and

WHEREAS, the appeal was based on concerns the Circle B neighbors have related to impacts the project may have related to traffic, noise, aesthetics, light and drainage; and

WHEREAS, the Association also have concerns related to the environmental review process for the project; and

WHEREAS, based upon the facts and analysis presented in the staff report and the attachments thereto, the public testimony received, the City Council makes the following findings:

Section 1. Findings

In accordance with Sections 21.23.250 and 21.23B.050 of the Zoning Code, based on facts and analysis set forth in the staff report for this item, and taking into consideration comments received from the public and/or other governmental agencies having purview in the subject development plan and conditional use permit applications, the City Council hereby makes the following findings:

- a. The design and intensity (density of the proposed development) is consistent with the following:
 1. The goals and policies established by the General Plan;
 - a. *The project site is located in the Parks and Open Space Land Use Category. The purpose of this land use category includes provision of sites for recreation uses.*
 - b. *The project site is also located in the Airport Overlay Land Use Category. This overlay land use category allows business and non-residential land uses. RV Parks are considered to be a type of transient lodging and not a residential use. Conditions #6 will limit the length of stay for any RV space or tents or tent/cabins to a maximum of 30 consecutive days.*
 - c. *Consistent with Policy OS-1A of the Conservation Element, a 58 acre portion of the site has been dedicated to the City for open space purposes.*
 - d. *The project is designed to maximize protection of oaks and biological resources as called for in Policies C-3A and C-3B of the Conservation Element. Additionally, Condition #10 requires submittal and implementation of an oak tree replacement plan and Condition #1 of Resolution 12-009 requires mitigation of impacts to Kit Fox habitat.*
 - e. *Conditions # 20 will require construction of pedestrian paths (sidewalks) and incorporation of air quality mitigation measures, which will implement Policies C-2-B and C-2C of the Conservation Element.*
 2. The policies and development standards established by any applicable specific plan;

The project site is not located within any specific plan area.
 3. The Zoning Code, particularly the purpose and intent of the zoning district in which a development project is located;
 - (a) *The project site is located in the Parks and Open Space (POS) Zone. RV Parks are subject to approval of a Conditional Use Permit (CUP) in the POS Zone. The purpose of a CUP is to enable the City to impose conditions to ensure that land uses will be compatible with neighboring properties and implement City codes and policies.*
 - (b) *The project site is located in Airport Land Use Plan Zone 5. RV parks are permitted uses in this zone.*
 4. All other adopted codes, policies, standards, and plans of the City;
 - a. *This resolution contains several conditions designed to implement the Municipal Code, City State, and Regional governmental policies, regulations and adopted standards related to public infrastructure (e.g., streets, water, sewer, storm drainage), building and fire safety, general public safety.*
 - b. *The project expands the City's inventory of transient lodgings, which advances the following policies in the 2006 Economic Strategy*
 - (1) *The overall policy pertaining to "Place", which calls for the establishment of "distinctive, quality, stable, safe and sustainable physical improvements and attractions that welcome ... commerce, **tourism**... and wealth necessary to maintain and enhance quality of life."*
 - (2) *The "Positioning" policy, which calls for the promotion of local industry, products, services and destinations via expansion and diversification of hotel products, including end destination full-service resorts;*
- b. The Paso Robles RV Resort is consistent with the adopted codes, policies, standards and plans of the City; since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for recreational parks in the Parks and Open Space zoning districts; and
- c. The Paso Robles RV Resort will not be detrimental to the health, safety, morals, comfort, convenience and general welfare of the residents and or businesses in the surrounding area, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City; since the project will be required to comply with the recommended conditions of approval, including any environmental mitigation measures, and comply with any building and fire codes; and
- d. The Paso Robles RV Resort accommodates the aesthetic quality of the City as a whole, especially where development will be visible from the gateways to the City, scenic corridors and the public right-of-way; in this particular case, the project site is not located in a City gateway area or a scenic corridor and has minimal

frontage to the public street, however, based on the project being designed to fit the subject site and based on the site plan, architecture and landscaping, the proposed development will accommodate the aesthetic quality of the City as a whole; and

- e. The Paso Robles RV Resort is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts, because the project has been designed to provide significant buffers, including setbacks, screen walls and landscaping from the residential neighborhood to the west, and additionally as a result of the site planning, building architecture and environmental mitigation, and included with this project.
- f. The Paso Robles RV Resort is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc. as a result of the project being designed to limit the amount of grading and oak tree impacts by developing in the flatter areas of the site, which allows for the preservation of the existing hillsides and oak trees; and
- g. The establishment, maintenance or operation of the Paso Robles RV Resort, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for recreational vehicle parks in the POS zoning districts; and
- h. The Paso Robles RV Resort contributes to the orderly development of the City as a whole, since the project will utilize the existing infrastructure in Golden Hill Road, consisting of sewer water and other utilities; and
- i. The Paso Robles RV Resort as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing a transient occupancy/resort type use in close proximity to golf courses and commercial recreation.
- j. The Paso Robles RV Resort would be consistent with the Economic Strategy, since it would allow for the expansion and diversification of transient occupancy projects, by providing an end-destination full-service resort.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles to uphold the Planning Commission's action on February 14, 2012, approving Resolutions 12-008, 12-009 & 12-010, and to deny the appeal application by the Circle B Springs Homeowners Association.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 3rd day of April 2012 by the following vote:

AYES: Gilman, Hamon, Steinbeck, Strong
NOES: Picanco
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

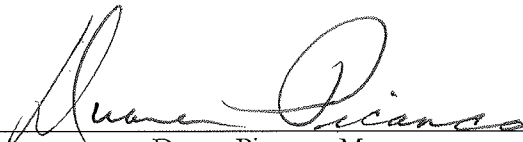
frontage to the public street, however, based on the project being designed to fit the subject site and based on the site plan, architecture and landscaping, the proposed development will accommodate the aesthetic quality of the City as a whole; and

- e. The Paso Robles RV Resort is compatible with, and is not detrimental to, surrounding land uses and improvements, provides an appropriate visual appearance, and contributes to the mitigation of any environmental and social impacts, because the project has been designed to provide significant buffers, including setbacks, screen walls and landscaping from the residential neighborhood to the west, and additionally as a result of the site planning, building architecture and environmental mitigation, and included with this project.
- f. The Paso Robles RV Resort is compatible with existing scenic and environmental resources such as hillsides, oak trees, vistas, etc. as a result of the project being designed to limit the amount of grading and oak tree impacts by developing in the flatter areas of the site, which allows for the preservation of the existing hillsides and oak trees; and
- g. The establishment, maintenance or operation of the Paso Robles RV Resort, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, since the project has gone through the development review process including, environmental review and the processing of a Conditional Use Permit as required by Table 21.16.200 for recreational vehicle parks in the POS zoning districts; and
- h. The Paso Robles RV Resort contributes to the orderly development of the City as a whole, since the project will utilize the existing infrastructure in Golden Hill Road, consisting of sewer water and other utilities; and
- i. The Paso Robles RV Resort as conditioned would meet the intent of the General Plan and Zoning Ordinance by providing a transient occupancy/resort type use in close proximity to golf courses and commercial recreation.
- j. The Paso Robles RV Resort would be consistent with the Economic Strategy, since it would allow for the expansion and diversification of transient occupancy projects, by providing an end-destination full-service resort.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles to uphold the Planning Commission's action on February 14, 2012, approving Resolutions 12-008, 12-009 & 12-010, and to deny the appeal application by the Circle B Springs Homeowners Association.


PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 3rd day of April 2012 by the following vote:

AYES: Gilman, Hamon, Steinbeck, Strong
NOES: Picanco
ABSTAIN:
ABSENT:



Duane Picanco, Mayor

ATTEST:



Caryn Jackson, Deputy City Clerk