

RESOLUTION NO. 13-133

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING A NEGATIVE DECLARATION FOR  
SPECIFIC PLAN AMENDMENT 13-002  
(UPTOWN/TOWN CENTRE SPECIFIC PLAN)

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WHEREAS, the City has initiated Specific Plan Amendment 13-002 to amend the Uptown/Town Centre Specific Plan to make several "clean up" changes to Chapters 1-3 to conform with prior amendments to this specific plan and to make several amendments to the zoning regulations in Chapter 5; and

WHEREAS, an Initial Study was prepared for this project (attached to this resolution), which proposed that a Negative Declaration be approved; and

WHEREAS, Public Notice of the proposed Negative Declaration was given as required by Section 21092 of the Public Resources Code; and


WHEREAS, public hearings were conducted by the Planning Commission on August 27, 2013 and by the City Council on September 17, 2013 to consider the Initial Study prepared for this application, and to accept public testimony regarding this proposed environmental determination for the proposed general plan amendment; and

WHEREAS, based on the information contained in the Initial Study prepared for this general plan amendment and testimony received as a result of the public notice, the City Council finds no substantial evidence that there would be a significant impact on the environment if the specific plan amendment was approved.

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 approve a Negative Declaration for Specific Plan Amendment 13-002 in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17<sup>th</sup> Day of September, 2013 by the following vote:

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

  
\_\_\_\_\_  
Duane Picanco, Mayor

ATTEST:

  
\_\_\_\_\_  
Caryn Jackson, Deputy City Clerk

# ENVIRONMENTAL INITIAL STUDY CHECKLIST FORM CITY OF PASO ROBLES

- 1. PROJECT TITLE:** **Uptown/Town Centre Specific Plan - Amendment (SPA 13-002)**
- Concurrent Entitlements:** None
- 2. LEAD AGENCY:** City of Paso Robles  
1000 Spring Street  
Paso Robles, CA 93446
- Contact:** Ed Gallagher, Community Development Director  
**Phone:** (805) 237-3970  
**Email:** [ed@prcity.com](mailto:ed@prcity.com)
- 3. PROJECT LOCATION:** UTCSP Area (between the Salinas River and Vine Street, and between 1<sup>st</sup> and 38<sup>th</sup> Streets, Paso Robles, CA)
- 4. PROJECT PROPONENT:** **City of Paso Robles**
- Contact Person:** **Ed Gallagher**
- Phone:** **(805) 237-3970**  
**Email:** [ed@prcity.com](mailto:ed@prcity.com)
- 5. GENERAL PLAN DESIGNATION:** **Several land use designations**
- 6. ZONING:** **Several zones**
- 7. PROJECT DESCRIPTION:** The City of Paso Robles proposes to amend the Uptown Town Centre Specific Plan to:

The proposed amendment includes three basic types of changes: (1) substantial policy matters, (2) minor policy matters, and (3) clean-up matters. Details for all of the amendments proposed for consideration appear in an attachment to this Initial Study.

**Substantial Policy Matters** include the following issues:

Change	Change #s in Attachment 1
<u>Carwashes</u> : Should carwashes be a conditionally-permitted use in the TC-1 Zone? Prior to adoption of the specific plan, a conditional use permit was granted to Steve's Gas to include a carwash at the southeast corner of Spring and 15 <sup>th</sup> Streets. That approval expired prior to adoption of the specific plan, which now does not allow carwashes in the TC-1 Zone.	5-2

<u>Residential Care Facilities for the Elderly for more than 6 residents</u> : Should these be permitted in the TC-1 Zone, presumably with a CUP as they are in other zones? The City has received a letter requesting this change.	5-4
<u>Hotels</u> : The development standards for “Flex Block” and “Flex Shed” building types do not work well for larger hotel buildings like The Oaks or Holiday Inn Express. Consider amending the code to provide exceptions to the height limits, building length limits, upper floor area limits, and the frontage type requirements for hotels.	5-20 and 5-28
<u>Open Space Standards for Single Dwellings</u> : Since all residential zoning in the specific plan area is designed for multi-family use, consider reducing the open space standards for single dwellings from no less than 20% of lot area to 300 sq ft. This would facilitate infilling lots with carriage houses, rear yard single dwellings, or rear yard duplexes.	5-21

**Minor Policy Matters** include the following issues:

Change	Change #s in Attachment 1
<u>Rear Yard Setbacks for T-3N, T-3F, T-4N, and T-4F Zones</u> : Consider reducing the required rear yard setback from 20 feet to 10 feet to allow the same setback that the R-2 and R-3 Zones allowed prior to adoption of the specific plan. A 20 foot setback conflicts with other regulations that allow for detached units in the rear yard in these zones.	5-9, 5-12, 5-15, and 5-18
<u>Triplexes in T-3N and T-3F Zones</u> : Presently the code disallows triplexes in the T-3N Zone on the west side of Vine Street and does not allow them at all in the T-3F Zone (even though they are allowed in the T-3N Zone – east of Vine Street). Consider amending Subsection B for the T-3N and T-3F Regulations to allow triplexes throughout these zones.	5-8 and 5-10
<u>Separations between residential buildings on the same lot</u> : The specific plan presently requires a 20 foot separation between two residential buildings on the same lot. For most West Side lots, this would discourage infill with carriage houses, rear yard single dwellings, or rear yard duplexes. Consider reducing the separation to 10 feet, as was previously allowed prior to adoption of the specific plan.	5-22
<u>Driveway widths</u> : There is a conflict between the driveway widths prescribed in the Parking Code (Section 5.7.2) and in “Access Standards for Courtyard Housing, Stacked Dwelling, Liner, Flex Block, and Flex Shed Buildings. Consider deleting the narrower (10-16 foot width) driveways allowed in the Access Standards.	5-23 to 5-27
<u>Roofing Materials</u> : Consider allowing the DRC to approve the use of metal roofs if it can be demonstrated that the requested materials will complement the architectural treatment of the building and will conform with the fabric of the neighborhood.	5-29
<u>Lot Splits</u> : Consider adding a subsection to require that where an existing lot with alley access is proposed to be split into two or more lots, all new lots shall be configured to have alley access for parking and pedestrian access. Methods to achieve this may include creation of common lots or easements. This has been	5-30

Change	Change #s in Attachment 1
the City’s practice for several years, but it has yet to be codified.	

**Clean-Up Matters** include the following:

Change	Change #s in Attachment 1
<u>Internal consistency</u> : Several items in the draft plan were changed at the time of adoption of the plan or with the first two amendments, but not all of the original text was revised to be consistent with the adopted plan or its amendments.	1-1, 2-1, 2-2, 2-3, 2-4, 3-1, 5-1
<u>Emergency Shelter Ordinance</u> : Following adoption of the plan, the City adopted Ordinance 976 N.S. to provide regulations for emergency shelters, supportive housing, and transitional housing in accordance with SB 2. Table 5.3-1 is proposed to be revised to be consistent with Ord 976.	5-3 and 5-5
<u>Miscellaneous</u> : a. The section on fence material limitations was copied from the Zoning Code and adjustments are needed to make it applicable to the specific plan. b. Section 5.5.1.B referred to the wrong section of the plan and suggested that there was more than one design review process. c. Revise the building heights in the T-4N and T-4F Zones to allow 3 story buildings to be 36 feet high, not 26. (This is a typographical error.) d. Amend Subsection B for the T-3N, T-3F, T-4N, and T-4F Zone regulations to add Rear Yard Dwellings and Rear Yard Duplexes building types in the same category as “Carriage Houses”. (This was an oversight.)	5-6  5-19  5-14 and 5-17  5-7, 5-11, 5-13, and 5-16
<u>Definitions</u> : a. The definition of “context” needs minor adjustments to clarify its intent; b. The definition of “Driveway” is unnecessary and should be deleted. It suggests that commercial driveways could be used for parking, and it limits driveway widths to 18 feet. c. The definition of “Light Court” (as a subset of “Frontage Type”) is not used elsewhere in the specific plan and should be removed.	5-31, 5-32, and 5-33
<u>Format</u> : Reformat the plan from 11” x 17” to 8½” x 11”. Benefits include: a. Enabling amendments to be easily incorporated into the text, rather than maintaining a printed log of updates (like an errata sheet). b. 8½” x 11” format is easier to store (in a binder).	

**8. ENVIRONMENTAL SETTING:**

The proposed Specific Plan amendments would affect properties within the urbanized portion of the Uptown/Town Center Specific Plan (UTCSP) area within the City of Paso Robles, which lies between 1<sup>st</sup> and 38<sup>th</sup> Streets and between Paso Robles Street and Highway 101.

**9. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):**  
None.

**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" as indicated by the checklist on the following pages.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics                     | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources           | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils                     |
| <input type="checkbox"/> Greenhouse Gas Emissions       | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality          |
| <input checked="" type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing           | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic         | <input type="checkbox"/> Utilities / Service Systems        | <input type="checkbox"/> 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 revisions in the project have been made by or agreed to by the project proponent. A MITIGATED 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 "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: \_\_\_\_\_

Date \_\_\_\_\_

## **EVALUATION OF ENVIRONMENTAL IMPACTS:**

1. 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 projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. 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.
3. “Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” 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 “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. 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). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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**I. AESTHETICS:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: 1, 2, 10)                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a-d) The only aspect of the proposed specific plan amendment related to aesthetics is the increase in building height proposed for hotel buildings. The City already has 2 hotel buildings (Marriott and La Bellasera) that have 4 stories and one office building (Granary) that has 5 stories. There is no General Plan policy that limits heights.

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**II. AGRICULTURE AND FOREST RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with existing zoning for, or cause rezoning of, forest, land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 5114(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Involve other changes in the existing environment which, due to their location or   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				

Discussion a-e: This specific plan amendment does not propose any substantive change in land use and development policy that will affect agricultural resources.

**III. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? (Source: 11)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Create objectionable odors affecting a substantial number of people? (Source: 11)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion a-e: This specific plan amendment does not propose any substantive change in land use and development policy that will affect air quality.

**IV. BIOLOGICAL RESOURCES:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Have a substantial adverse effect on  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-f): This specific plan amendment does not propose any substantive change in land use and development policy that will affect biological resources.

**V. CULTURAL RESOURCES:** Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-d): This specific plan amendment does not propose any substantive change in land use and development policy that will affect cultural resources.

**VI. GEOLOGY AND SOILS:** Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion a-e: This specific plan amendment does not propose any substantive change in land use and development policy that will affect geological or soils resources.

**VII. GREENHOUSE GAS EMISSIONS:** Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion (a-b): This specific plan amendment does not propose any substantive change in land use and development policy that will affect greenhouse gas emissions.

**VIII. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion (a-h): This specific plan amendment does not propose any substantive change in land use and development policy that will increase exposure to hazardous materials.

**IX. HYDROLOGY AND WATER QUALITY:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., Would the production rate of pre-existing nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? Would decreased rainfall infiltration or groundwater recharge reduce stream baseflow? (Source: 7) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 10)   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 10)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 10)  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Place within a 100-year flood hazard area  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
structures which would impede or redirect flood flows?				
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j. Inundation by mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l. Substantially decrease or degrade watershed storage of runoff, wetlands, riparian areas, aquatic habitat, or associated buffer zones?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-l): This specific plan amendment does not propose any substantive change in land use and development policy that will affect hydrology and water quality.

**X. LAND USE AND PLANNING:** Would the project:

a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The specific plan amendment will not physically divide established communities.				
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: Two of the proposed substantive amendments seek changes in land use policy to allow car-washes and Residential Care Facilities for the Elderly (RCFE) in the TC-1 Zone.

The following sections of the specific plan contain policy statements pertinent to these requests for change:

- Section 2.1.A, which describes the "Downtown District" as "the historic retail core of the City. As much of the retail life of the City has moved to larger centers, the Downtown is being reinvented as a restaurant, entertainment, cultural, artistic, educational, and civic center for the City and the region. A strong retail component, as well as residential and office uses, are also planned, to create a vibrant, 18-hour mixed-use urban district."
- Section 2.1.4.B, which includes the following "Short-Term" program for the Downtown neighborhood: "Expand the existing retail district northward to 16th Street and southward along both sides of Pine Street to the train station (7th Street). Retail should be required on the ground floor of all buildings within this district and should be comprised of specialty stores and restaurants peppered with a few national retail chain tenants."
- Section 5.2.6, which reads: "The TC-1 zone applies to the area occupied by Paso Robles' historic

<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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Downtown. In general, buildings are 1-, 2-, and 3-story, zero-setback flex block buildings occupied by commercial and mixed-uses. Many of the buildings within the TC-1 zone are historically significant. The intent of the TC-1 zone is to preserve and augment Downtown's unique historical value while enhancing its economic vitality.”

Carwashes: Prior to adoption of the specific plan, the Planning Commission approved a carwash on the southwest corner of Spring and 15<sup>th</sup> Streets (at Steve’s Gas, an existing service station), when the General Plan land use designation for that property was “Community Commercial” and the Zoning was “C-2”. The approval lapsed while the specific plan was prepared. The property has since been re-designated “Downtown Commercial” and re-zoned to TC-1. Carwashes and service stations are not permitted in the TC-1 Zone. The existing service station is now a non-conforming use.

As noted above, the TC-1 Zone is intended to have a compact development pattern of buildings with retail commercial and entertainment uses on the ground floor and offices or residential uses on the upper floors, and along Spring Street, such a land use pattern would extend to 16<sup>th</sup> Street. Service stations and carwashes have been considered to be inconsistent with this pattern. As a non-conforming use, the service station may continue to be operated indefinitely. The specific plan’s zoning code provides that non-conforming uses should not be expanded (e.g., by adding more non-conforming uses).

Residential Care Facilities for the Elderly: These uses may potentially be contrary to the objective of creating a vibrant, 18-hour downtown, with a continuous pattern of ground floor retail and entertainment uses (restaurants, winetasting, cocktail lounges, etc.) for the following reasons:

- a. They can introduce a “gap” in the land use pattern that dissuades pedestrians from walking across their frontage to see what other retail and entertainment uses lie beyond.
- b. Senior residents may be more sensitive to noise from nighttime entertainment uses and become a source of complaints that puts pressure on the City to limit entertainment operations.

Degree of Impact: The policy statements in the specific plan are not couched as absolutes and arguably leave room for interpretation as to which land uses are appropriate in the TC-1 Zone. Consequently, whether or not the proposed changes would be considered to be “environmentally significant” is largely a matter of “opinion”; no other environmental issues are involved with such a change.

The City Council could amend the specific plan to provide that car washes and RCFEs are permitted or conditional uses in the TC-1 Zone. Making such uses “conditional” (i.e., subject to approval of a conditional use permit) offers the City an opportunity to assess whether a proposed development can make the necessary findings that a use will fit in any given location and whether additional conditions are warranted to ensure such a fit. This proposed Negative Declaration suggests that the proposed changes would not be considered to be “environmentally significant”.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion: There are no habitat conservation plans or natural community conservation plans established in this area of the City. Therefore there could not be impacts related to conservation plans.

**XI. MINERAL RESOURCES:** Would the project:

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?      
(Source: 1)

Discussion: There are no known mineral resources within the City of Paso Robles.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: see XI a. above.

**XII. NOISE:** Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Carwashes could generate a level of noise that may be a nuisance to neighboring residents (if any). The previously-approved conditional use permit (CUP) for the carwash at Steve’s Gas was conditioned upon mitigation measures identified by a noise study that was required for that use. Via a CUP application and/or CEQA review for individual projects, the City may require noise studies for carwashes and implementation of mitigation measures.

RCFEs would not generate noise. However, they may be the source of noise complaints from neighboring entertainment uses. Via a CUP application and/or CEQA review for individual projects, the City could condition approval of RCFEs on the incorporation of noise mitigation measures (construction techniques) that mitigate noise from external sources.

**XIII. POPULATION AND HOUSING:** Would the project:

a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
roads or other infrastructure)? (Source: 1)				
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-c): The proposed specific plan amendment will not create or induce population growth or displace housing or people.

**XIV. PUBLIC SERVICES:** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Police protection? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities? (Sources: 1,10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-e): This specific plan amendment does not propose any substantive change in land use and development policy that will affect public services.

**XV. RECREATION**

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-b): See XIV above, the project will not impact recreational facilities.

**XVI. TRANSPORTATION/TRAFFIC:** Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (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"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-f): This specific plan amendment does not propose any land uses that would generate significant impacts to transportation or traffic.

**XVII. UTILITIES AND SERVICE SYSTEMS:** Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
effects?				
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-g): This specific plan amendment does not propose any substantive change in land use and development policy that will affect utilities, water or wastewater treatment or delivery services.

### **XVIII. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (a-c): This specific plan amendment does not propose any substantive change in land use and

**Potentially  
Significant  
Impact**

**Less Than  
Significant with  
Mitigation  
Incorporated**

**Less Than  
Significant  
Impact**

**No  
Impact**

development policy that will affect any of the issues in this section.

**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

<b><u>Reference #</u></b>	<b><u>Document Title</u></b>	<b><u>Available for Review at:</u></b>
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	2005 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 Urban Water Management Plan 2005	Same as above
8	City of Paso Robles Sewer Master Plan	Same as above
9	City of Paso Robles Housing Element	Same as above
10	City of Paso Robles Standard Conditions of Approval for New Development	Same as above
11	Uptown/Town Centre Specific Plan	Same as above
12	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
13	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
14	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446