

TO: Planning Commission
FROM: Ed Gallagher, Community Development Director
SUBJECT: Code Amendment 11-002 - Emergency Shelters Ordinance
DATE: October 25, 2011

Needs: For the Planning Commission to consider recommending the City Council adopt an Emergency Shelter Ordinance.

- Facts:
1. In 2007 the State legislature enacted SB 2 which requires local jurisdictions to incorporate policies into their General Plan Housing Elements to allow establishment of Emergency Shelters, Transitional and Supportive Housing “by right” in specified zoning districts, and to amend their zoning ordinances to implement these policies within one year of the adoption of updated Housing Elements.
 2. SB 2 also requires that emergency shelters not be subject to more stringent development standards than other land uses in the same district.
 3. The 2011 Housing Element Update includes Action Item 9 which calls for the City to adopt an ordinance to implement SB 2 to provide that emergency shelters be permitted by right (without a Conditional Use Permit) in the Riverside Corridor (RC) and Planned Manufacturing (PM) zoning districts. (See Attachment 1, HE-Action Item 9.) Locations in the PM district would be limited to the Sherwood Industrial Park. (See Attachment 2, Zone Location Maps.)
 4. The proposed ordinance also includes provisions to permit emergency shelters in other zoning districts subject to approval of a Conditional Use Permit (CUP). These zones include the T-3 Neighborhood (T-3N), T-3 Flex (T-3F), T-4 Neighborhood (T-4N), and the T-Flex (T-4F) districts within the Uptown/Town Center Specific Plan.
 5. The proposed ordinance includes definitions of the proposed uses and development standards.
 6. Staff circulated the draft ordinance mid-September to local housing organizations and City departments for early input on the proposed regulations. The City did not receive any comments on the draft ordinance.
 7. In accordance with the California Environmental Quality Act (CEQA), a draft Negative Declaration was prepared for this project and circulated on September 30, 2011. The Negative Declaration concludes that this project will not result in significant environmental impacts. (See Attachment 4, Draft Negative Declaration).

**Analysis
and**

Conclusions:

As noted above, SB 2 was enacted by the State in 2007. The regulations require jurisdictions to estimate the local homeless population, and to add provisions in the Housing Element that identifies one or more zoning districts where emergency shelters are permitted “by right”. Emergency shelters provide temporary housing and services to assist homeless persons in obtaining permanent housing and social services. SB 2 also requires that the zoning district(s) identified have sufficient capacity to accommodate the estimated housing need. These amendments are required to be adopted within one year after the updated Housing Element is adopted. The City adopted an updated Housing Element in June 2011 with a target date of December 31, 2011 to adopt an Emergency Housing ordinance.

Additionally, the legislation requires Housing Elements include provisions to amend its zoning code to allow “transitional housing” and “supportive housing” by right in residential zoning districts. Transitional housing refers to rental housing that can be occupied by program recipients for up to six months. Supportive housing does not have a limit on the duration that residents may live there, but it is intended for people with health-related issues.

The Housing Element includes an estimate of the local homeless population in Paso Robles. It is estimated that there are at least 771 homeless persons in the City, with approximately 44 percent of them children. (See Attachment 6, Housing Element excerpt.) The Housing Element identifies the RC and PM zones as appropriate zones to accommodate emergency shelters. The Element analyzes the capacity of these zones to accommodate the housing need of homeless persons in Paso Robles. To calculate the shelter needs in terms of beds/acre, an accepted factor of 150 beds per acre is assumed. On that basis, one or more shelters with a total of 771 beds would require 5.2 acres of vacant land. The proposed zones have vacant and underutilized properties that could be improved or modified to accommodate emergency shelters. The analysis concludes that these two zones have sufficient capacity to accommodate emergency shelters for 771 beds.

Additionally, to provide flexibility the proposed ordinance also includes emergency shelters permitted with approval of a CUP in the T-3N, T-3F, T-4N, and T-4F zones within the Uptown/Town Center Specific Plan area (See Attachment 2, Zoning District Locations.)

SB 2 stipulates that emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards. The proposed emergency shelter ordinance includes the objective standards in Table 1 below. These standards are provided in more detail in the Emergency Shelter Ordinance, Attachment 5.

Table 1 – Objective Standards	
State Objective Standards	Proposed Objective Standards
<ul style="list-style-type: none"> The maximum number of beds or persons permitted to be served nightly by the facility. 	<ul style="list-style-type: none"> The maximum number of beds per shelter is 50 beds.
<ul style="list-style-type: none"> The provision of onsite management. 	<ul style="list-style-type: none"> Onsite management, with at least one staff supervisor person per 25 persons during hours of operation is required and maintaining a log of occupants.
<ul style="list-style-type: none"> The length of stay. 	<ul style="list-style-type: none"> The maximum length of stay is limited to 180 days per calendar year.
<ul style="list-style-type: none"> Off-street parking based on the demonstrated need, provided that the standards do not require more parking than for other residential or commercial uses within the same zone. 	<ul style="list-style-type: none"> A minimum of one parking space and secured bicycle space per 10 beds.
<ul style="list-style-type: none"> The proximity to other emergency shelters provided that they are not required to be more than 300 feet apart. 	<ul style="list-style-type: none"> A minimum of 300 feet is required between shelters.
<ul style="list-style-type: none"> The size and location of client exterior and interior onsite waiting and client intake areas. 	<ul style="list-style-type: none"> Intake area and hours of operation: 4 pm to 8 am, except for children which may enter at 3 pm for study hours.
<ul style="list-style-type: none"> Lighting. 	<ul style="list-style-type: none"> Exterior lighting requirements.
<ul style="list-style-type: none"> Security during hours that the emergency shelter is in operation. 	<ul style="list-style-type: none"> Security camera and alarm systems required.
<ul style="list-style-type: none"> Not specified. 	<ul style="list-style-type: none"> Per City Municipal Code - loitering and site cleanliness requirements.

Staff Report

Prepared By: Susan DeCarli, AICP, City Planner

Reference: El Paso de Robles 2011 General Plan Housing Element Update, 2006 Economic Strategy, Zoning Ordinance, and CEQA.

Fiscal

Impact: None.

Options: After opening the public hearing and taking public testimony, the Planning Commission is requested to take one of the actions listed below:

- a. 1) Approve the attached Resolution recommending the City Council adopt the Negative Declaration for this project; and 2) Introduce for first reading Ordinance No. -XXX.
- b. Amend, modify, or reject the above-listed action.
- c. Request additional information and analysis.

Attachments:

1. General Plan Housing Element, Action 9
2. Zone Location Maps
3. Resolution
4. Negative Declaration
5. Ordinance
6. Housing Element, excerpt
7. Public Hearing Notice

- 8 For those housing units and/or projects for lower income households that are assisted with LMIH Funds for the purpose of offsetting development impact fees, allow for deferral of payment of fees several years beyond occupancy, as opposed to delaying construction until sufficient LMIH funds are on hand.

One-Time Actions/Projects

- 9 Adopt an ordinance to implement SB 2 (Statutes of 2007) to provide that emergency shelters may be permitted by right (without a conditional use permit) in the Riverside Corridor (RC) zoning district in the Uptown/Town Centre Specific Plan and in the Planned Industrial (PM) zoning district at Sherwood Industrial Park. Emergency shelters shall be only subject to the same development and management standards that apply to other permitted uses within these zoning districts. This ordinance shall also provide that transitional and supportive housing are a residential use subject to only those restrictions that apply to other residential uses of the same type in the same zoning district. *Target Date: December 31, 2011.*
- 10 Encourage developers of single family dwellings to incorporate "Universal Design" and/or "visitability" improvements to the greatest extent feasible. Include policy statements to this effect in the Chandler Ranch, Olsen Ranch, and Beechwood Area Specific Plans. Provide technical assistance to developers in this area. *Target Date: Fiscal Year 11/12.*

Goal H-2 Preserve the City's inventory of housing that is affordable to low income households.

Policy H-2.1 Protect subsidized housing designated for occupancy by low and very low-income households from premature conversion to market rate.

Policy H-2.2 Maintain an inventory of market rate housing that is affordable to low-income households.

Ongoing Actions/Programs

- 11 As part of the General Plan Annual Report, evaluate the need/urgency to amend the Zoning Code to incorporate regulations for the conversion of rental housing (apartments) to condominiums in order to maintain residential stability, prevent a decline in the supply of rental housing, and to require that affected tenants receive right of first refusal to purchase and/or relocation assistance.
- 12 Provide technical assistance to owners and non-profit housing corporation buyers of existing subsidized low income housing complexes that are at risk of conversion to market rate to extend subsidy contracts and/or find government financing (e.g., HOME funds) for acquisition and rehabilitation, including the following:
 - Monitor complexes that are At-Risk of conversion to market rate..
 - Work with Potential Purchasers - Establish contact with public and non-profit agencies interested in purchasing and/or managing units at-risk to inform them of the status of such projects. Where feasible, provide technical assistance and support to these organizations with respect to financing.

Appendix K
Map of Potential Sites for Emergency Shelters
RC Zone

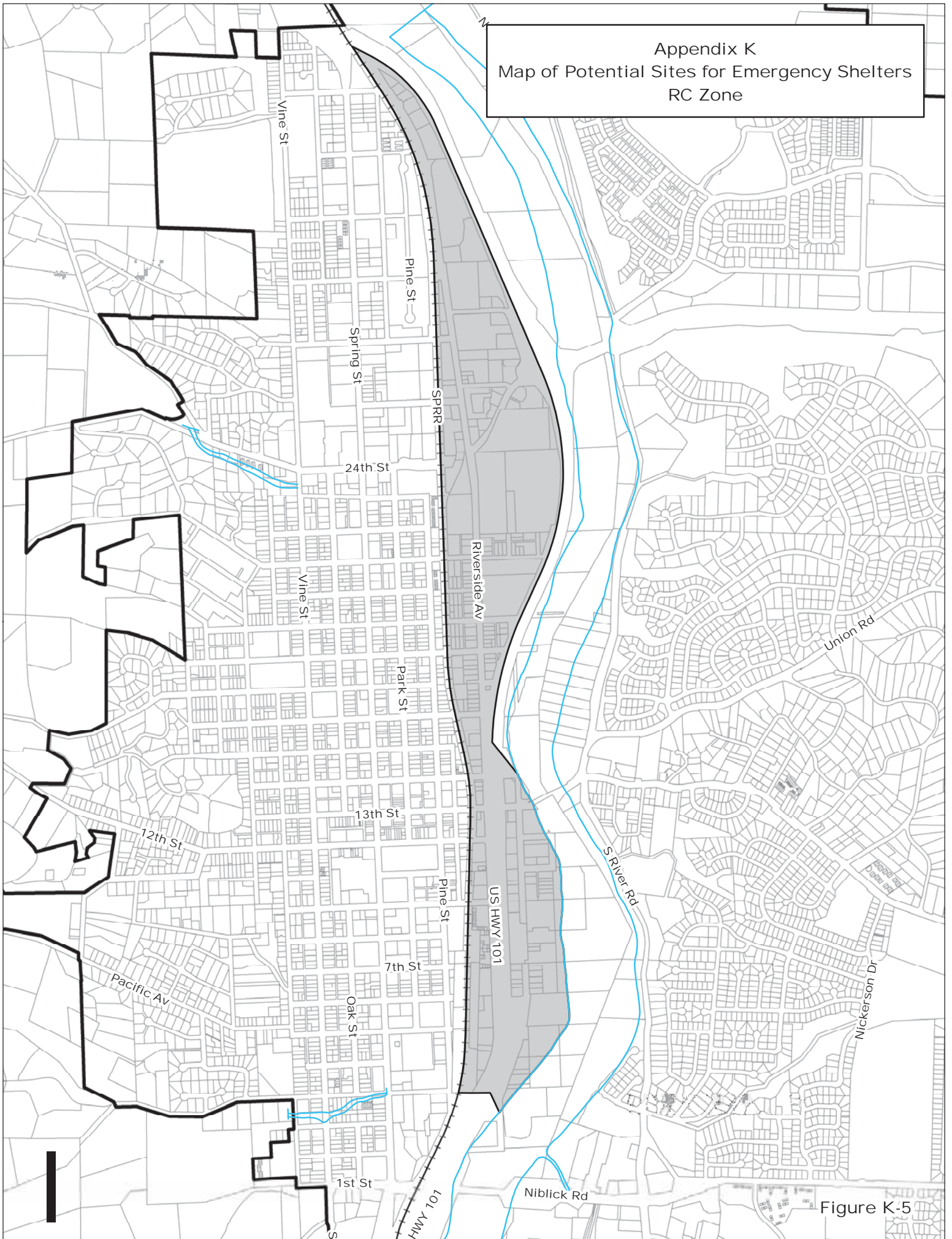


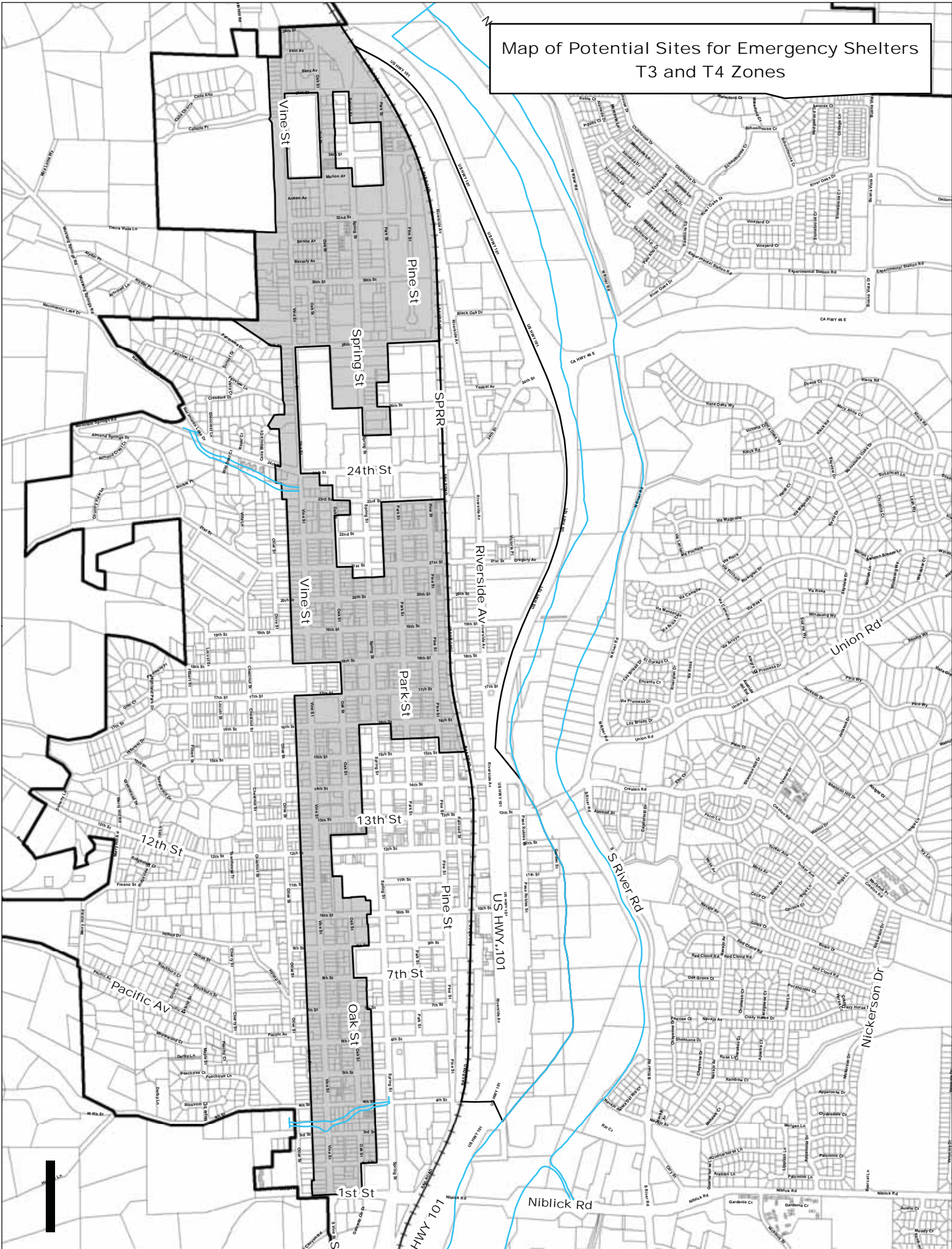
Figure K-5

Appendix K
Map of Potential Sites for Emergency Shelters
PM Zone



Figure K-6

Map of Potential Sites for Emergency Shelters T3 and T4 Zones



RESOLUTION NO:

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
RECOMMENDING ADOPTION TO THE CITY COUNCIL
OF A NEGATIVE DECLARATION FOR THE
EMERGENCY SHELTER ORDINANCE**

WHEREAS, the State adopted legislation in 2007, SB 2, that requires local agencies to incorporate provisions in Housing Element updates to provide for Emergency Shelters permitted “by right” within specified zoning district; and

WHEREAS, the City of El Paso de Robles adopted a General Plan, Housing Element Update in June 2011; and

WHEREAS, the Housing Element is consistent with State legislation (SB 2), and includes specific actions to amend the City’s Zoning Code to include Emergency Shelters permitted “by right” in zoning districts, that can accommodate the housing needs of local homeless persons, and to provide transitional and supportive housing “by right” in all residential districts; and

WHEREAS, the City has prepared an ordinance to amend the Zoning Code to permit Emergency Shelters “by right” in the Riverside Corridor (RC) Zone and the Planned Manufacturing (PM) Zone within the Sherwood Industrial Park area, and with approval of a Conditional Use Permit (CUP) in the T-3 Neighborhood (T-3N), T-3 Flex (T-3F), T-4 Neighborhood (T-4N), and the T-Flex (T-4F) districts within the Uptown/Town Center Specific Plan; and

WHEREAS, the ordinance also includes an amendment to permit transitional and supportive housing “by right” in all residential districts; and

WHEREAS, the ordinance includes objective development standards in compliance with the requirements of SB 2, which are not more stringent than development standards for other land uses within the same zoning districts; and

WHEREAS, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) to evaluate whether this project would result in environmental impacts, and the City has determined that the Zoning Code Amendment incorporating Emergency Shelters, transitional and supportive housing within specified zoning districts with applicable development standards will not result in significant environmental impacts, 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 and a Draft Negative Declaration was prepared and circulated for public review and comment; and

WHEREAS, no public comments or responses were received in regard to the Draft Negative Declaration and Initial Study prepared for this project; and

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

WHEREAS, a public hearing was conducted by the Planning Commission on October 25, 2011 to consider the Initial Study and the proposed Negative Declaration prepared for the proposed project, and to accept public testimony on the Emergency Shelter Ordinance and environmental determination; and

WHEREAS, based on the information and analysis contained in the Initial Study prepared for this project and testimony received as a result of the public notice, the Planning Commission finds that there is no substantial evidence that there would be a significant impact on the environment as a result of implementation of the Emergency Shelter Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, based on its independent judgment, that it does hereby recommend the City Council adopt a Negative Declaration for the Emergency Shelter Ordinance in accordance with the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA.

PASSED AND ADOPTED THIS 25th day of October, 2011, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN STEVE GREGORY

ATTEST:

ED GALLAGHER, PLANNING COMMISSION SECRETARY

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

- PROJECT TITLE:** Emergency Shelter Ordinance
- 2. LEAD AGENCY:** City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446
- Contact Person:** Susan DeCarli, AICP
Phone: (805) 237-3970
Email: sdecarli@prcity.com
- 3. PROJECT LOCATION:** Zoning Districts: Riverside Corridor (RC), Planned Manufacturing (Sherwood Industrial Park), T-3 Neighborhood (T-3N), T-3 Flex (T-3F), T-4 Neighborhood (T-4N), and the T-Flex (T-4F), residential districts
- 4. PROJECT PROPONENT:** City of Paso Robles
- Contact Person:** Susan DeCarli, AICP
Phone: (805) 237-3970
Email: sdecarli@prcity.com
- 5. GENERAL PLAN DESIGNATION:** Various
- 6. ZONING:** Riverside Corridor (RC), Planned Manufacturing (Sherwood Industrial Park), T-3 Neighborhood (T-3N), T-3 Flex (T-3F), T-4 Neighborhood (T-4N), and the T-Flex (T-4F), residential districts
- 7. PROJECT DESCRIPTION:** The project is a zoning code amendment to add Emergency Shelters as a permitted land use “by right” in the RC and PM (Sherwood Industrial Area only) zoning districts and to allow them with approval of a Conditional Use Permit (CUP) in the T-3N, T-3F, T-4N, and T-4F zoning districts, subject to specific objective development standards that are not more stringent than what is required for other land uses in the same district(s). The amendment includes permitting all “transitional and supportive” housing “by right” in all residential zoning districts. (See Attachment 1, Proposed Emergency Shelter Ordinance.)
- 8. 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 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project is a zoning code amendment to allow Emergency Shelters, transitional and supportive housing in various zoning districts subject to development standards. As a text amendment, the “project” in and of itself would not result in physical changes to the environment or impacts on scenic resources. However, the project may result in indirect impacts on scenic resources at some point in the future. Impacts that may result from future land uses proposed as a result of this code amendment. They will be evaluated on a case-by-case basis and be evaluated in compliance with CEQA. Since direct impacts cannot be determined with this code amendment, and future CEQA evaluation would be conducted on future projects subject to CEQA, and projects resulting from this amendment would be subject to development standards, it is anticipated that impacts to aesthetic resources would be less than significant.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See I.a. above.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See I.a. above.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See I.a. above.

II. AGRICULTURE AND FORESTRY 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State’s inventory of forest land, including the forest and Range Assessment Project and the forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. 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"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: There are no agricultural properties or farmlands within the zoning districts proposed for modifications by this project. Therefore, these resources could not result in impacts from this project.

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no properties within the City of Paso Robles under Williamson Act contract. Therefore, this project could not result in impacts to agricultural lands, uses or properties under Williamson Act contract.

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no forest land or timberland properties within the City of Paso Robles, therefore this project could not result in impacts to these resources.

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: See II. C. above.

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: There are no agricultural properties or farmlands within the zoning districts proposed for modifications by this project. Therefore, these resources could not result in impacts from this project.

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 checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project (code amendment) will not result in direct air quality impacts or conflict with applicable air quality plans. The amendment will likely result in future beneficial impacts by directing growth to be located within the City limits, primarily in the town center area where the new housing or reuse of existing facilities for housing would be close to services and thus reduce the need for occupants to travel outside of the city to meet their needs, reducing air pollution emissions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 11) Discussion: See III.a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) Discussion: See III.a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations? (Source: 11) Discussion: The proposed project will not result in direct or indirect exposure of pollutants to sensitive receptors.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people? (Source: 11) Discussion: See III d. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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? Discussion: The proposed project would not result in a direct impact to biological resources, and future development that may occur as a result of this code amendment would occur in previously disturbed, urbanized areas that do not have sensitive biological resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? Discussion: See IV a above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Have a substantial adverse effect on 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: See IV a. above, in addition there are no wetlands or other hydrological resources within future development areas identified in the code amendment that could be impacted.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: See IV a. above, , in addition there are no areas proposed in the code amendment that would be subject to movement of native or migratory fish or wildlife species that could be impacted as a result of future development in areas identified in the code amendment.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The proposed project does not conflict with any local regulations regarding biological resources. Should future development be proposed in areas where they are biological resources, they would be subject to CEQA review and/or need to comply with the City's Oak Tree Preservation Ordinance.

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"/>
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Discussion: There are no applicable conservation plans within the City of Paso Robles.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: Since this project does not propose to affect historic resources it would not result in a direct impact to these resources. If future development were to be deemed a "project under CEQA, and had the potential to affect historic resources the significance of those impacts would be evaluated in compliance with CEQA and the City's Historic Preservation Ordinance. Therefore, it is not foreseeable that this project would result in impacts to historic resources, and thus it is anticipated that impacts would be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? Discussion: See V a. above. There are no known archaeological resources in the vicinity of the zoning districts associated with the proposed code amendment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? Discussion: See V. b. above.	<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? Discussion: See V. b. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VI. GEOLOGY AND SOILS: Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk 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) Discussion: The proposed code amendment could not result in exposing people or structures to potential risks from geologic impacts. Future development that may occur as a result of this code amendment would need to be consistent with all applicable building and safety codes, include earthquake safety regulations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking? (Sources: 1, 2, & 3) Discussion: See VI a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction? (Sources: 1, 2 & 3) Discussion: See VI a. above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: See VI a. above. Additionally, there are no known risks for landslides within the zoning districts affected by the proposed code amendment.

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| c. Result in substantial soil erosion or the loss of topsoil? (Sources: 1, 2, & 3) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See VI a. above. Additionally, any future development that may occur as a result of the proposed code amendment would need to comply with the City’s Grading and Erosion Control regulations best management practices to control soil erosion or loss of topsoil.

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| d. 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See VI a. above.

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| e. 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See VI a. above.

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| f. 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See VI a. above.



VII. GREENHOUSE GAS EMISSIONS: Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: As a code amendment, this project could not result in direct impacts to GHG. See item III a. above.

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: As a code amendment, this project could not result in direct impacts to GHG. See item III a. above.

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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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"/>
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Discussion: The proposed project (code amendment), could not affect or be affected by hazardous materials or result in hazards to the public.

- 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"/>
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Discussion: See VIII a. above.

- 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"/>
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Discussion: See VIII a. above.

- 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"/>
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Discussion: Not applicable.

- 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"/>
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Discussion: Not applicable.

- 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"/>
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Discussion: Not applicable.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? Discussion: Not applicable.	<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? Discussion: Not applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The proposed project (code amendment) could not result in direct impacts to water supplies, in either quantity or quality, or alterations to natural hydrological systems. Any future development that occurs as a result of this code amendment would need to be evaluated in compliance with CEQA and consistent with the City's General Plan, and applicable State water quality requirements.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: See IX a. above.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: See IX b. and VI c. above.

d. Substantially alter the existing drainage pattern of the site or area, including through	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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)</p> <p>Discussion: See IX b. above.</p>				
<p>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)</p> <p>Discussion: See IX b. above.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>f. Otherwise substantially degrade water quality?</p> <p>Discussion: See IX b. above.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>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?</p> <p>Discussion: None of the zones proposed to allow the uses in the code amendment are within a 100 year flood zone.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?</p> <p>Discussion: See IX g. above.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>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?</p> <p>Discussion: See IX g. above.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>j. Inundation by mudflow?</p> <p>Discussion: Not applicable.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>k. Conflict with any Best Management Practices found within the City's Storm Water Management Plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: See IX b.

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | 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"/> |
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Discussion: See IX b.

X. LAND USE AND PLANNING: Would the project:

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: Not applicable.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed zoning text amendment is consistent with all applicable City plans, codes and regulations.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c. | Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: Not applicable.

XI. MINERAL RESOURCES: Would the project:

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|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Not applicable.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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: Not applicable.

XII. NOISE: Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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"/>

Discussion: The proposed project (code amendment) could not result in direct noise related impacts. Potential development that may be proposed as a result of this amendment would need to be constructed and operated in compliance with application noise codes and regulations, and are not anticipated to be significant.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: See XII a. above.

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"/>
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Discussion: See XII a. above.

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"/>
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Discussion: See XII a. above.

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"/>
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Discussion: Not applicable.

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 roads or other infrastructure)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The proposed project could not result in direct impacts in population growth. However, the code amendment is intended to result in accommodating homeless persons within the vicinity. The population growth is provided for in the City's General Plan Housing Element housing needs assessment. Future development of housing units for homeless persons shall be in compliance with maximum growth anticipated

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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in the Housing Element, therefore the project would not result in indirect significant growth impacts.

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| b. | Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See XIII a. above.

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|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. | Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See XIII a. above.

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:

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|----|----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. | Fire protection? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The proposed project would not result in direct impacts to public services, however, potential future development that may result from the code amendment would need to be evaluated to be found in compliance with public service and facility capacities and limitations. It is not anticipated that future development would result in the need for new or altered public services or facilities, and new development would be required to offset service and facility impacts through applicable development fees.

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| b. | Police protection? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See XIV a. above.

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|----|----------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c. | Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion See XIV a. above.

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|----|--------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. | Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See XIV a. above.

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|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e. | Other public facilities? (Sources: 1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: See XIV a. above.

XV. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See XIV a. above.				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
Discussion: See XIV a. above.				

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion: The proposed project could not result in direct conflicts with circulation plans and performance measures. It is not anticipated that indirect impacts would result from future foreseeable development as an outcome of this code amendment since homeless shelters do not cause significant traffic demand or impacts.				
b. Conflict with an applicable congestion management program, including but not limited to a 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"/>
Discussion: See XVI a. above.				
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"/>
Discussion: Not applicable.				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Discussion: Not applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access? Discussion: Not applicable.	<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? Discussion: See XVI a. above. In addition, indirect potential foreseeable impacts from homeless shelter development and alternative transportation are anticipated to be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? Discussion: The proposed project could not result in direct exceedance of wastewater treatment requirements of the applicable Regional Water Quality Control Board. Indirect impacts that may result from future development would be evaluated in compliance with CEQA and other applicable regulations, but are not anticipated to exceed requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? Discussion: There will be no direct impacts from this project, however indirect impacts to the City's water and wastewater systems are accounted for in the General Plan build out projections and impact fee program.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 effects? Discussion: See XVII above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? Discussion: See XVII above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? Discussion: See XVII above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? Discussion: See XVII above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste? Discussion: See XVII above.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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? Discussion: The proposed project could not directly impact the quality of the environment, and indirect impacts will be less than significant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**Potentially
Significant
Impact**

**Less Than
Significant with
Mitigation
Incorporated**

**Less Than
Significant
Impact**

**No
Impact**

Discussion: The proposed project could not directly impact the quality of the environment, and indirect impacts will be less than significant.

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

Discussion: The proposed project could not directly impact the quality of the environment, and indirect impacts will be less than significant.

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 that may have been used 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	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	San Luis Obispo County Air Pollution Control District Guidelines for Impact Thresholds	APCD 3433 Roberto Court San Luis Obispo, CA 93401
12	San Luis Obispo County – Land Use Element	San Luis Obispo County Department of Planning County Government Center San Luis Obispo, CA 93408
13	USDA, Soils Conservation Service, Soil Survey of San Luis Obispo County, Paso Robles Area, 1983	Soil Conservation Offices Paso Robles, Ca 93446
14	Draft Bike Plan, 2009	City of Paso Robles Community Development Department 1000 Spring Street Paso Robles, CA 93446

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21 (ZONING) OF THE MUNICIPAL CODE TO ESTABLISH
CHAPTER 21.21, SECTION 21.21.150 – EMERGENCY SHELTERS
(CODE AMENDMENT 11-XX)

WHEREAS, in 2007 the State legislature enacted SB 2 which requires local jurisdictions to incorporate policies into their General Plan - Housing Elements to allow establishment of Emergency Shelters, Transitional and Supportive Housing “by right” in specified zoning districts and to amend their zoning ordinances to implement such policies; and

WHEREAS, the City Council adopted a General Plan - Housing Element Update in June 2011, which includes Action Item 9, which calls for the City to adopt an ordinance to implement SB 2 to provide that emergency shelters may be permitted by right (without a conditional use permit) in the Riverside Corridor (RC) zoning district in the Uptown/Town Centre Specific Plan and in the Planned Industrial (PM) zoning district at Sherwood Industrial Park, to provide that emergency shelters shall be only subject to the same development and management standards that apply to other permitted uses within these zoning districts, and to provide that transitional and supportive housing are a residential use subject to only those restrictions that apply to other residential uses of the same type in the same zoning district; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) does not prohibit the City from providing that emergency shelters may be established as conditional uses in other zoning districts, provided that the requirements of SB 2 have first been complied with; and

WHEREAS, it is proposed that emergency shelters also be established as conditional uses (i.e., subject to approval of a conditional use permit) in the T-3 Neighborhood (T-3N), T-3 Flex (T-3F), T-4 Neighborhood (T-4N), and T-4 Flex (T-4F) Districts within the Uptown/Town Center Specific Plan; and

WHEREAS, SB 2 requires that where Emergency Shelters are to be permitted “by right”, they shall not be subject to more stringent development standards than standards applicable to other permitted land uses in the same zoning district(s) where they are permitted; and

WHEREAS, in compliance with SB 2 and the 2011 Housing Element, Transitional and Supportive Housing are proposed to be incorporated into the Zoning Code “by right” in all residential districts; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) an Initial Study was prepared, and it was determined that this project could not result in significant

environmental impacts. Therefore, a draft Negative Declaration was prepared for this project; and

WHEREAS, at its meeting on _____, the Planning Commission conducted a public hearing on the proposed Code Amendment and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this ordinance;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. In accordance with CEQA, recommended the City Council adopt a Negative Declaration for the proposed ordinance;
- d. Recommended that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting on _____, the City Council conducted a public hearing on the proposed Code Amendment and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this ordinance;
- b. Considered the recommendation of the Planning Commission regarding this ordinance;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- d. Based on its independent judgment and in accordance with CEQA, the City Council adopted a Negative Declaration for this ordinance.

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, hereby finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This ordinance is consistent with the City's General Plan.

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

SECTION 1: Chapter 21.08 Definitions of the El Paso de Robles Zoning Code is hereby amended to incorporate the following definitions:

- a. 21.08.247 – Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of 180 day per calendar year or less by a homeless

person. No individual or household may be denied emergency shelter because of an inability to pay. (Health and Safety Code Section 50801(e)).

- b. 21.08.426 – Supportive Housing. Housing with no limit on length of stay, that is occupied by the clients of social services, such as persons with medical or mental health conditions, and that is linked to on- or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Health and Safety Code 50675.14(b)). This definition excludes housing for half-way houses intended for occupancy by parolees or convicted persons and living groups.
- c. 21.08.446 – Transitional Housing/Transitional Housing Development. Buildings configured as rental housing developments, but operated under program requirements (per Health and Safety Code 50675.3(h) that call per for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (Health and Safety Code 50675.3(h)). This definition excludes housing for half-way houses intended for occupancy by parolees or convicted persons and living groups.

SECTION 2: Table 21.16.200, Subsection B. Residential, is hereby amended to read as shown in Exhibit A.

SECTION 3: Section 21.21.150, Emergency Shelters, is hereby established, to read as follows:

Section: 21.21.160

- A. Purpose. The purpose and intent of this section is to identify zones where emergency shelters may be permitted “by right”, and zones where they may be established with approval of a Conditional Use Permit, in compliance with Senate Bill 2 (Statutes of 2007) and the General Plan - Housing Element. For applicable zoning and permit requirements, see Chapter 21.16, Table 21.16.200 of this Title, and the Uptown/Town Center Specific Plan, Chapter 5 Development Code, Table 5.3.1.
- B. Applicability.
 - 1. Within the Uptown/Town Center Specific Plan:
 - a. In the Riverside Corridor (RC) District, emergency shelters shall be subject to approval of a Site Plan in accordance with Section 21.23B.030.B.
 - b. In the T-3N, T-3F, T-3F, T-4N, and T-4F Districts, emergency shelters shall be subject to approval of a Conditional Use Permit in accordance with Section 21.23.030.

2. Elsewhere in the City:
 - a. In the PM District on Commerce Way, Sherwood Road, Fontana Road, and Linne Road, emergency shelters shall be subject to approval of a Site Plan in accordance with Section 21.23B.030.B.

C. Site Development Standards

1. Maximum Number of Persons/Beds. Emergency shelters may have a maximum of 50 beds/persons for overnight occupants per facility.
2. Operator.
 - a. Each shelter shall be operated by a responsible agency or organization, with experience in managing and/or providing social services.
 - b. Staff and services shall be provided to assist residents to obtain permanent shelter and provide referral information and/or services for health or mental health services, educational opportunities, job training/employment and life skills training.
 - c. There shall be at least one on-site supervisor per 25 persons during the hours of operation.
 - d. Operators shall maintain a log of occupants which may be reviewed by the City at any time to assure compliance with Subsection B.7.
3. Concentration of Use. No emergency shelters shall be established within 300 feet of another emergency shelter.
4. Parking. One vehicle parking space and one secured bicycle parking space per 10 beds shall be provided on-site.
5. Outdoor Use Area. Outdoor intake and outdoor recreation areas may only be used between 4 pm and 7 pm. Loitering shall not be permitted on the shelter site or on sidewalks, streets, or adjacent to, or in the vicinity of, the shelter.
6. Hours of Operation. Occupants shall be permitted entry beginning at 4 pm (except children may enter at 3 pm for study hours if provided by shelter services). Occupants shall leave the premises by 8 am the following morning.
7. Length of Stay. Individuals and families may not stay at an emergency shelter for more than a total of 180 days per calendar year.
8. Lighting. Exterior lighting may be installed for security purposes. Lighting shall be directed away from adjacent properties, and shall be shielded and downcast consistent with Section 21.21.040 (H).

9. Outdoor Cleanliness. The outdoor areas (yards) of shelters and surrounding areas shall be kept clean and free of debris, litter, and storage personal effects shall not be stored outdoors.
10. Security. Security systems shall be installed prior to issuance of certificate of occupancy. Security systems shall include an alarm system to detect unrecorded or unauthorized entry or exiting of a facility, and a camera surveillance system which shall be installed in locations to the satisfaction of the Police Chief.
11. Uptown/Town Center Specific Plan. Emergency shelters proposed in the Riverside Corridor (RC) zone shall comply with site development standards of the RC zone, Section 5.5.8 in the Uptown/Town Center Specific Plan, except for parking requirements, which shall be provided in compliance with subsection (C) (4), above.

SECTION 4: 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 5. 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 6. Inconsistency. To the extent that the terms of 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 7. 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 _____, and passed and adopted by the City Council of the City of El Paso de Robles on the ____ day of _____by the following roll call vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

EXHIBIT A

Excerpt from TABLE 21.16.200
(Subsection B – Residential Uses)

NOTES:

1. Additions are shown in **bold text**; deletions are shown in ~~strike through text~~.
2. Land uses have been re-ordered alphabetically from previous versions.

ZONING DISTRICT																			
LAND USE	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS	
...																			
B. Residential																			
1. Boardinghouse, roominghouse	N	N	N	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N
2. Caretaker residence accessory to a business																			
a. one per business	P	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P	P	P
b. more than one per business	C	N	N	N	N	N	N	N	C	C	C	C	C	C	C	C	C	C	C
3. Convalescent care facilities/nursing homes	N	N	N	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N
4. Detached accessory buildings:																			
a. Second units for related senior citizens per Chapter 21.16D (accessory to single family only)	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	P
b. Guest house without kitchen facilities (accessory to single family only)	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	P
c. Non-dwelling accessory buildings (garages, storage sheds, etc.) as primary uses on a lot. Exception: a common lot with accessory structures may be created for condominium development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
d. Recreational Vehicle Shelters within interior side yard or rear yard setback and/or within building separation per Section 21.20.240	N	N	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N

ZONING DISTRICT

LAND USE	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
5. Domestic violence center	N	N	N	P	P	N	P	P	N	N	N	N	N	N	N	N	N	N
6. Emergency Shelters (as defined by Section 21.08.247)																		
* Only in Commerce Industrial Park (on properties facing Sherwood Road, Commerce Way, Fontana Road, and Linne Road	N	N	N	C	C	C	C	C	N	N	N	N	N	N	N	P*	N	N
7. Employee Housing as described, defined, and regulated by the State Employee Housing Act (California Health and Safety Code Sections 17000 et seq. and subject to issuance of an Employee Housing Permit by the California Department of Housing and Community Development, Codes and Standards Division.																		
a. Employee Housing per Section 17021.5 of the California Health and Safety Code for 6 or fewer employees.																		
* Employee Housing is not permitted on properties within the Airport Land Use Plan.	P *	P *	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
b. Employee Housing per Section 17021.5 of the California Health and Safety Code for 6 or fewer employees.																		
* Employee Housing is not permitted on properties within the Airport Land Use Plan.	P *	P *	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
8. Group Care Homes (as defined by Section 21.08.217)	N	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
9. Home occupation business per Section 21.23.070	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10. Living Groups (as defined by Section 21.08.265)	N	C	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N

ZONING DISTRICT

LAND USE	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
11. Mobile homes (1 per lot):																		
a. As permanent dwellings	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
b. As temporary caretaker units during construction of a permanent building	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
12. Mobile home parks	N	N	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N
13. Multiple family (2 or more residential units per lot as a primary land use)																		
* C in the area between 18th and 24th Streets and between Highway 101 and railroad.	N	N	N	P	P P	P	P	P	C	N	N	N	N	N	N	N	N	N
14. Residential care facilities (for elderly, handicapped, etc.):																		
a. 6 and fewer residents	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	P
b. More than 6 residents	N	N	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N
15. Single family dwelling (detached, attached, condominium/townhouse unit)																		
* DRC approval required (See Section 21.18.090)	P	P	P	P	P	P	P	P	P*	N	N	N	N	N	N	N	N	P**
** C if lot less than 1 acre (See Section 21.16F.020)																		
16. Supportive housing (as defined in Section 21.08.426)	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
17. Transitional housing (as defined in Section 21.08.446)	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
...																		

Appendix K
Map of Potential Sites for Emergency Shelters
RC Zone

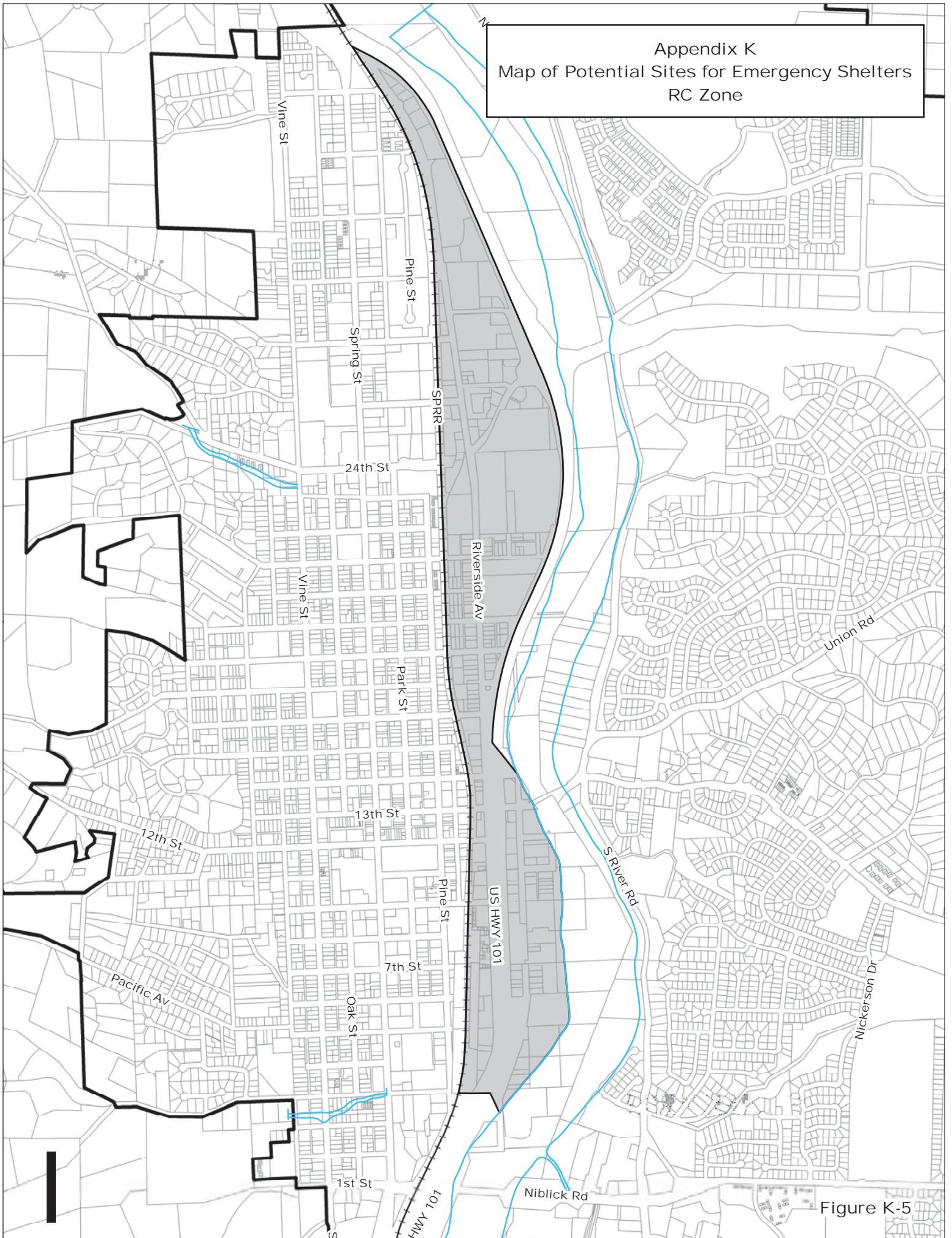
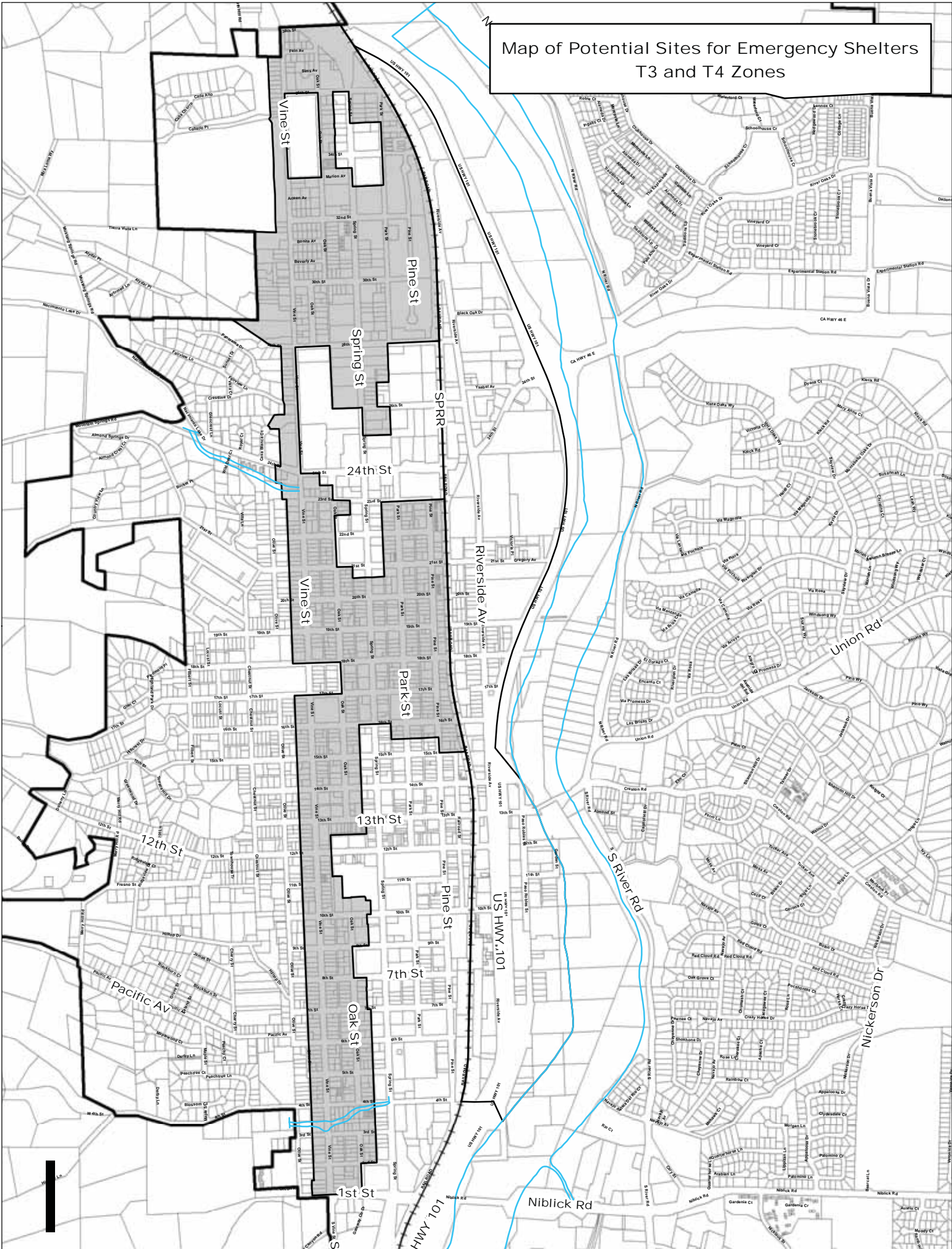


Figure K-5

Map of Potential Sites for Emergency Shelters T3 and T4 Zones



ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21 (ZONING) OF THE MUNICIPAL CODE TO ESTABLISH
CHAPTER 21.21, SECTION 21.21.150 – EMERGENCY SHELTERS
(CODE AMENDMENT 11-XX)

WHEREAS, in 2007 the State legislature enacted SB 2 which requires local jurisdictions to incorporate policies into their General Plan - Housing Elements to allow establishment of Emergency Shelters, Transitional and Supportive Housing “by right” in specified zoning districts and to amend their zoning ordinances to implement such policies; and

WHEREAS, the City Council adopted a General Plan - Housing Element Update in June 2011, which includes Action Item 9, which calls for the City to adopt an ordinance to implement SB 2 to provide that emergency shelters may be permitted by right (without a conditional use permit) in the Riverside Corridor (RC) zoning district in the Uptown/Town Centre Specific Plan and in the Planned Industrial (PM) zoning district at Sherwood Industrial Park, to provide that emergency shelters shall be only subject to the same development and management standards that apply to other permitted uses within these zoning districts, and to provide that transitional and supportive housing are a residential use subject to only those restrictions that apply to other residential uses of the same type in the same zoning district; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) does not prohibit the City from providing that emergency shelters may be established as conditional uses in other zoning districts, provided that the requirements of SB 2 have first been complied with; and

WHEREAS, it is proposed that emergency shelters also be established as conditional uses (i.e., subject to approval of a conditional use permit) in the T-3 Neighborhood (T-3N), T-3 Flex (T-3F), T-4 Neighborhood (T-4N), and T-4 Flex (T-4F) Districts within the Uptown/Town Center Specific Plan; and

WHEREAS, SB 2 requires that where Emergency Shelters are to be permitted “by right”, they shall not be subject to more stringent development standards than standards applicable to other permitted land uses in the same zoning district(s) where they are permitted; and

WHEREAS, in compliance with SB 2 and the 2011 Housing Element, Transitional and Supportive Housing are proposed to be incorporated into the Zoning Code “by right” in all residential districts; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) an Initial Study was prepared, and it was determined that this project could not result in significant

environmental impacts. Therefore, a draft Negative Declaration was prepared for this project; and

WHEREAS, at its meeting on _____, the Planning Commission conducted a public hearing on the proposed Code Amendment and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this ordinance;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. In accordance with CEQA, recommended the City Council adopt a Negative Declaration for the proposed ordinance;
- d. Recommended that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting on _____, the City Council conducted a public hearing on the proposed Code Amendment and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this ordinance;
- b. Considered the recommendation of the Planning Commission regarding this ordinance;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- d. Based on its independent judgment and in accordance with CEQA, the City Council adopted a Negative Declaration for this ordinance.

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, hereby finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This ordinance is consistent with the City's General Plan.

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

SECTION 1: Chapter 21.08 Definitions of the El Paso de Robles Zoning Code is hereby amended to incorporate the following definitions:

- a. 21.08.247 – Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of 180 day per calendar year or less by a homeless

person. No individual or household may be denied emergency shelter because of an inability to pay. (Health and Safety Code Section 50801(e)).

- b. 21.08.426 – Supportive Housing. Housing with no limit on length of stay, that is occupied by the clients of social services, such as persons with medical or mental health conditions, and that is linked to on- or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Health and Safety Code 50675.14(b)). This definition excludes housing for half-way houses intended for occupancy by parolees or convicted persons and living groups.
- c. 21.08.446 – Transitional Housing/Transitional Housing Development. Buildings configured as rental housing developments, but operated under program requirements (per Health and Safety Code 50675.3(h) that call per for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (Health and Safety Code 50675.3(h)). This definition excludes housing for half-way houses intended for occupancy by parolees or convicted persons and living groups.

SECTION 2: Table 21.16.200, Subsection B. Residential, is hereby amended to read as shown in Exhibit A.

SECTION 3: Section 21.21.150, Emergency Shelters, is hereby established, to read as follows:

Section: 21.21.160

- A. Purpose. The purpose and intent of this section is to identify zones where emergency shelters may be permitted “by right”, and zones where they may be established with approval of a Conditional Use Permit, in compliance with Senate Bill 2 (Statutes of 2007) and the General Plan - Housing Element. For applicable zoning and permit requirements, see Chapter 21.16, Table 21.16.200 of this Title, and the Uptown/Town Center Specific Plan, Chapter 5 Development Code, Table 5.3.1.
- B. Applicability.
 - 1. Within the Uptown/Town Center Specific Plan:
 - a. In the Riverside Corridor (RC) District, emergency shelters shall be subject to approval of a Site Plan in accordance with Section 21.23B.030.B.
 - b. In the T-3N, T-3F, T-3F, T-4N, and T-4F Districts, emergency shelters shall be subject to approval of a Conditional Use Permit in accordance with Section 21.23.030.

2. Elsewhere in the City:
 - a. In the PM District on Commerce Way, Sherwood Road, Fontana Road, and Linne Road, emergency shelters shall be subject to approval of a Site Plan in accordance with Section 21.23B.030.B.

C. Site Development Standards

1. Maximum Number of Persons/Beds. Emergency shelters may have a maximum of 50 beds/persons for overnight occupants per facility.
2. Operator.
 - a. Each shelter shall be operated by a responsible agency or organization, with experience in managing and/or providing social services.
 - b. Staff and services shall be provided to assist residents to obtain permanent shelter and provide referral information and/or services for health or mental health services, educational opportunities, job training/employment and life skills training.
 - c. There shall be at least one on-site supervisor per 25 persons during the hours of operation.
 - d. Operators shall maintain a log of occupants which may be reviewed by the City at any time to assure compliance with Subsection B.7.
3. Concentration of Use. No emergency shelters shall be established within 300 feet of another emergency shelter.
4. Parking. One vehicle parking space and one secured bicycle parking space per 10 beds shall be provided on-site.
5. Outdoor Use Area. Outdoor intake and outdoor recreation areas may only be used between 4 pm and 7 pm. Loitering shall not be permitted on the shelter site or on sidewalks, streets, or adjacent to, or in the vicinity of, the shelter.
6. Hours of Operation. Occupants shall be permitted entry beginning at 4 pm (except children may enter at 3 pm for study hours if provided by shelter services). Occupants shall leave the premises by 8 am the following morning.
7. Length of Stay. Individuals and families may not stay at an emergency shelter for more than a total of 180 days per calendar year.
8. Lighting. Exterior lighting may be installed for security purposes. Lighting shall be directed away from adjacent properties, and shall be shielded and downcast consistent with Section 21.21.040 (H).

9. Outdoor Cleanliness. The outdoor areas (yards) of shelters and surrounding areas shall be kept clean and free of debris, litter, and storage personal effects shall not be stored outdoors.
10. Security. Security systems shall be installed prior to issuance of certificate of occupancy. Security systems shall include an alarm system to detect unrecorded or unauthorized entry or exiting of a facility, and a camera surveillance system which shall be installed in locations to the satisfaction of the Police Chief.
11. Uptown/Town Center Specific Plan. Emergency shelters proposed in the Riverside Corridor (RC) zone shall comply with site development standards of the RC zone, Section 5.5.8 in the Uptown/Town Center Specific Plan, except for parking requirements, which shall be provided in compliance with subsection (C) (4), above.

SECTION 4: 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 5. 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 6. Inconsistency. To the extent that the terms of 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 7. 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 _____, and passed and adopted by the City Council of the City of El Paso de Robles on the ____ day of _____by the following roll call vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk

EXHIBIT A

Excerpt from TABLE 21.16.200
(Subsection B – Residential Uses)

- NOTES:
1. Additions are shown in **bold text**; deletions are shown in ~~strike through text~~.
 2. Land uses have been re-ordered alphabetically from previous versions.

ZONING DISTRICT																			
LAND USE	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS	
...																			
B. Residential																			
1. Boardinghouse, roominghouse	N	N	N	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N
2. Caretaker residence accessory to a business																			
a. one per business	P	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P	P	P
b. more than one per business	C	N	N	N	N	N	N	N	C	C	C	C	C	C	C	C	C	C	C
3. Convalescent care facilities/nursing homes	N	N	N	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N
4. Detached accessory buildings:																			
a. Second units for related senior citizens per Chapter 21.16D (accessory to single family only)	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	P
b. Guest house without kitchen facilities (accessory to single family only)	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	P
c. Non-dwelling accessory buildings (garages, storage sheds, etc.) as primary uses on a lot. Exception: a common lot with accessory structures may be created for condominium development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
d. Recreational Vehicle Shelters within interior side yard or rear yard setback and/or within building separation per Section 21.20.240	N	N	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N

ZONING DISTRICT

LAND USE	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
5. Domestic violence center	N	N	N	P	P	N	P	P	N	N	N	N	N	N	N	N	N	N
6. Emergency Shelters (as defined by Section 21.08.247)																		
* Only in Commerce Industrial Park (on properties facing Sherwood Road, Commerce Way, Fontana Road, and Linne Road	N	N	N	C	C	C	C	C	N	N	N	N	N	N	N	P*	N	N
7. Employee Housing as described, defined, and regulated by the State Employee Housing Act (California Health and Safety Code Sections 17000 et seq. and subject to issuance of an Employee Housing Permit by the California Department of Housing and Community Development, Codes and Standards Division.																		
a. Employee Housing per Section 17021.5 of the California Health and Safety Code for 6 or fewer employees.																		
* Employee Housing is not permitted on properties within the Airport Land Use Plan.	P *	P *	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
b. Employee Housing per Section 17021.5 of the California Health and Safety Code for 6 or fewer employees.																		
* Employee Housing is not permitted on properties within the Airport Land Use Plan.	P *	P *	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
8. Group Care Homes (as defined by Section 21.08.217)	N	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
9. Home occupation business per Section 21.23.070	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10. Living Groups (as defined by Section 21.08.265)	N	C	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N

ZONING DISTRICT

LAND USE	AG	RA	R1	R2	R3	R30	R4	R5	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
11. Mobile homes (1 per lot):																		
a. As permanent dwellings	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
b. As temporary caretaker units during construction of a permanent building	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
12. Mobile home parks	N	N	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N	N
13. Multiple family (2 or more residential units per lot as a primary land use)																		
* C in the area between 18th and 24th Streets and between Highway 101 and railroad.	N	N	N	P	P P	P	P	P	C	N	N	N	N	N	N	N	N	N
14. Residential care facilities (for elderly, handicapped, etc.):																		
a. 6 and fewer residents	P	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	P
b. More than 6 residents	N	N	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N
15. Single family dwelling (detached, attached, condominium/townhouse unit)																		
* DRC approval required (See Section 21.18.090)	P	P	P	P	P	P	P	P	P*	N	N	N	N	N	N	N	N	P**
** C if lot less than 1 acre (See Section 21.16F.020)																		
16. Supportive housing (as defined in Section 21.08.426)	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
17. Transitional housing (as defined in Section 21.08.446)	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N
...																		

Appendix K
Map of Potential Sites for Emergency Shelters
RC Zone

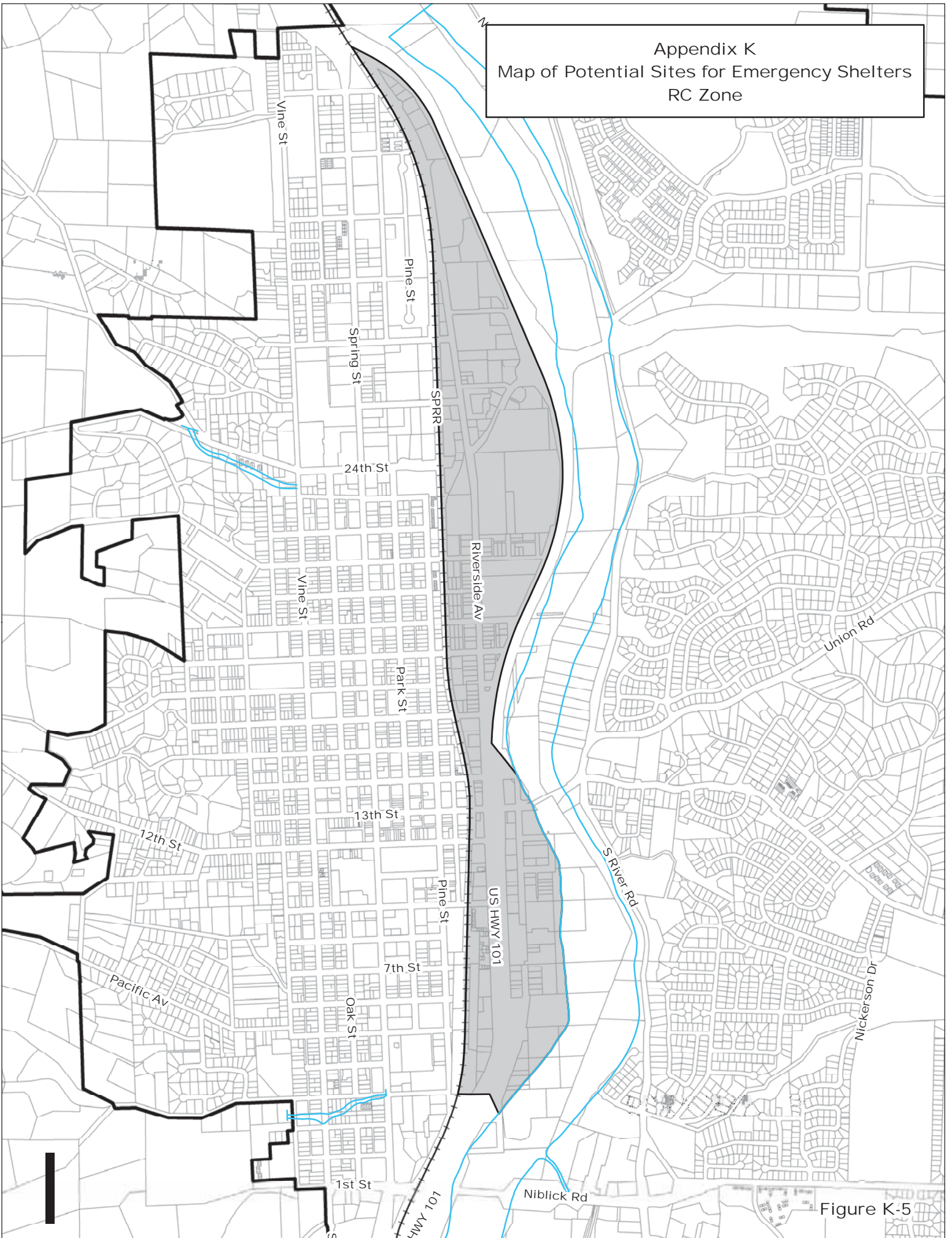


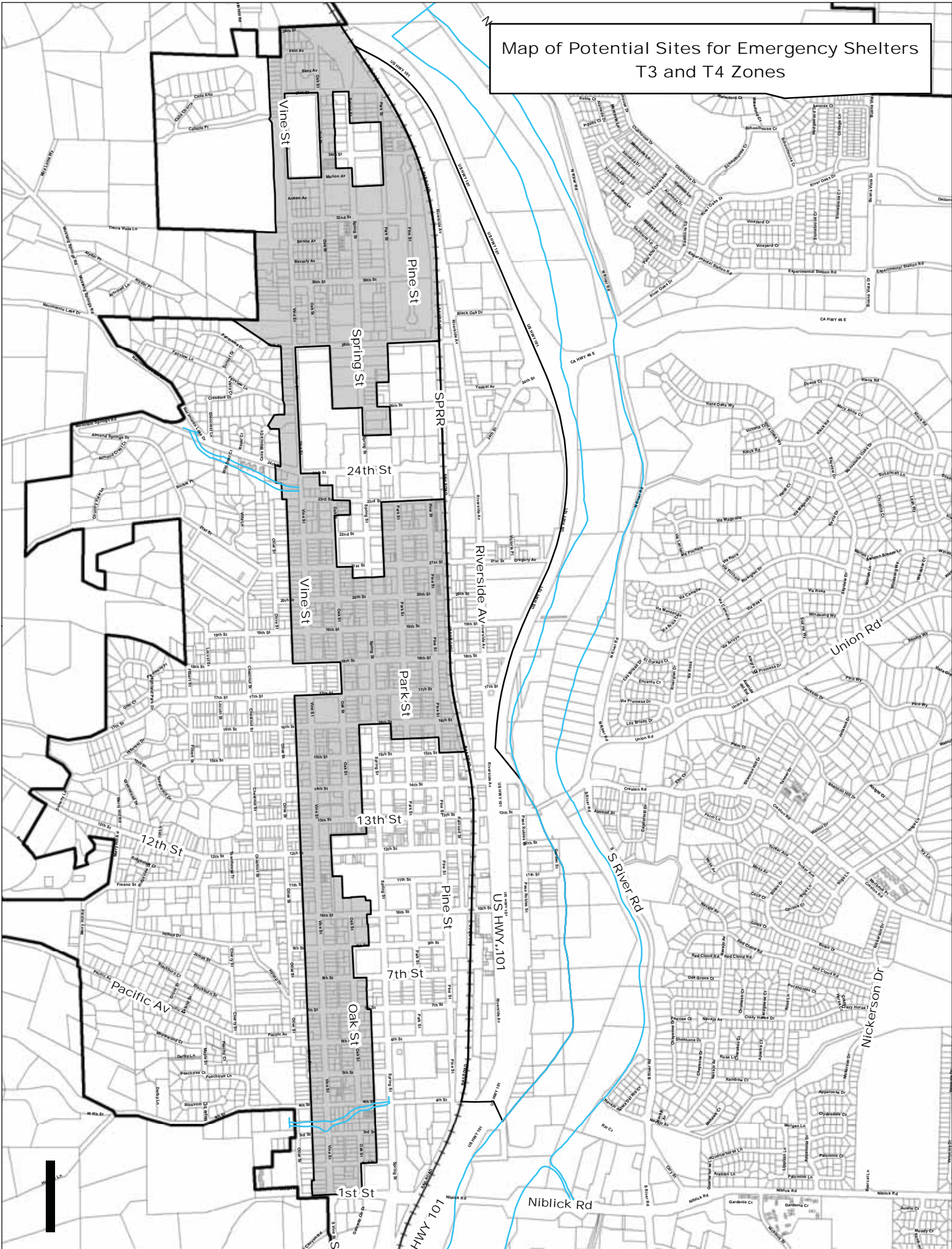
Figure K-5

Appendix K
 Map of Potential Sites for Emergency Shelters
 PM Zone



Figure K-6

Map of Potential Sites for Emergency Shelters T3 and T4 Zones



- Identify one or more zoning districts where emergency shelters are permitted by right (without requiring a conditional use permit);
- The identified zoning districts must have sufficient capacity to accommodate the estimated need;
- Amend its zoning code to implement the above within one year of the adoption of the updated housing element;
- Amend its zoning code to allow “transitional housing” and “supportive housing” by right in residential zoning districts.

SB 2 also provides that emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

- The maximum number of beds or persons permitted to be served nightly by the facility.
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
- The size and location of client exterior and interior onsite waiting and client intake areas.
- The provision of onsite management.
- The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.
- The length of stay.
- Lighting.
- Security during hours that the emergency shelter is in operation.

State law provides the following definitions for “emergency shelter”, “transitional housing” and “supportive housing”:

- “Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay. (Health and Safety Code Section 50801(e))
- “Transitional housing” and “transitional housing development” means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. (Health and Safety Code Section 50675.2(h))
- “Supportive housing” means housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the

housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Health and Safety Code Section 50675.14(b))

To comply with SB 2, the following actions are proposed.

1. Identify Zones Where Emergency Shelters Would Be Permitted By Right.

To calculate the shelter needs in terms of beds/acre, an accepted factor of 150 beds per acre is assumed. On that basis, one or more shelters with a total of 771 beds would require 5.2 acres of vacant land.

While capacity is primarily measured by large, vacant parcels, it could include commercial/light industrial buildings or properties with minimal improvements (e.g. storage yards) that could be converted to use as a shelter.

The City is considering the following areas as candidates for a zone in which emergency shelters would be permitted by right:

- a. Riverside Corridor (RC) Zone within the Uptown/Town Centre Specific Plan: This zone extends the length of Riverside Avenue through the West Side of the City, between Highway 101 and the Railroad; it also includes Paso Robles Street. Properties in this zone are presently used for service commercial, light industrial, and multi-family residential use. Riverside Avenue is a collector street. There are presently no fixed local transit routes on this street, but the Uptown/Town Centre Specific Plan proposes that such routes be considered in the future. The Second Baptist Church is located in the geographic middle of this zone. As noted above, this church hosts a program that provides daily meals, donated clothing, and showers for the homeless. Within this zone there are presently 8 vacant parcels ranging in size from 0.2 to 1.7 acres; the total area of all 8 vacant parcels is 5.4 acres. Additionally, within this zone, there are 17 parcels with land uses that have potential for re-use as a shelter. Some parcels are used as contractor's yards or outside storage, some have vacant commercial and industrial buildings, some have occupied industrial buildings. The total area for these 17 lots is 16.2 acres. See Appendix K-5 for a map of this Zone.
- b. Commerce Industrial Park: This area, which is zoned PM for industrial use, is located south and east of Creston and Sherwood Roads, both of which are arterial streets. This area is developed with light industrial buildings that have insignificant levels of industrial-related nuisances such as fumes, dust, noise, etc. and is adjacent to a neighborhood shopping center and a local transit stop. Within this area, there are 6 vacant PM-zoned parcels ranging in size between 1.9 and 3.4 acres. There is also a 5.4 acre parcel of which only 2.4 acres is developed, leaving 3.0 vacant acres. See Appendix K-6 for a map of this Zone.

Within both of the areas described above, there is sufficient capacity to locate emergency shelters with 771 beds. As required by SB2, Action 9 proposes that the City amend its Zoning Code to allow emergency shelters by right well within a year of adoption of the Housing Element.

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL
PROJECT NOTICING


Newspaper: Tribune

Date of
Publication: September 30, 2011

Hearing
Date: October 25, 2011
(Planning Commission)

Project: Notice of Intent to Recommend Adoption of a
Negative Declaration and Approval of an
Emergency Homeless Shelter Ordinance (City-
Initiated)

I, Theresa Variano, 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: 
Theresa Variano

forms/newsaffi.691

CITY OF EL PASO DE ROBLES
NOTICE OF PUBLIC HEARING

**NOTICE OF INTENT OF THE PLANNING COMMISSION
TO RECOMMEND ADOPTION OF A NEGATIVE
DECLARATION AND RECOMMENDATION TO
APPROVE AN EMERGENCY HOMELESS SHELTER
ORDINANCE TO THE CITY COUNCIL
OF EL PASO DE ROBLES**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing on Tuesday, October 25, 2011, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider recommending adoption of a Negative Declaration in accordance with the provisions of the California Environmental Quality Act (CEQA) for the following project:

Emergency Homeless Shelter Ordinance - In compliance with SB 2 and the City's General Plan Housing Element, this ordinance is intended to amend the City of Paso Robles Zoning Ordinance to allow Emergency Homeless Shelters "by right" (without a Conditional Use Permit) in the Riverside Corridor (RC) zone and Planned Manufacturing (PM) zone (within the Sherwood Industrial Park area), and in the T-3N, T-3F, T-4N, and T-4F zones in the Uptown/Town Center Specific Plan area with approval of a Conditional Use Permit. Additionally, the amendment will permit "transitional" and "supportive" housing "by right" in all residential zones.

The public review period for the Negative Declaration (ND) is from September 30, 2011 through October 19, 2011. The proposed ND and Emergency Homeless Shelter Ordinance may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California or on the City's website at www.prcity.com. Copies may be purchased for the cost of reproduction.

Written comments on the proposed Ordinance and corresponding ND may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 or emailed to the City provided that the 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 project, please contact Susan DeCarli at (805) 237-3970 or sdecarli@prcity.com.

If you challenge this project 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 at, or prior to, the public hearing.

Susan DeCarli, AICP
Planning Manager
September 30, 2011

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