

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Uptown Specific Plan: Development During Plan Preparation
DATE: May 15, 2007

Needs: To consider options for authorizing or limiting development during preparation of the Uptown Specific Plan.

Facts:

1. At its meeting of May, 1, 2007, the City Council approved General Plan Amendment 2007-001B, which established the Uptown Specific Plan Overlay District.
2. The description of the Specific Plan Overlay District on Page LU-27 of the Land Use Element includes the following text:

“Purpose: This overlay designation is established where infrastructure needs, land use patterns, or other substantial land use related issues indicate a need to require the preparation and adoption of a Specific Plan, as defined by California Government Code sections 65450 et seq. *In such instances, the City may require completion of a specific plan prior to approval of a subdivision or development plan for any property located within the Specific Plan category.* The City Council will determine the method of funding for a specific plan on a case by case basis.”
3. With the adoption of GPA 2007-001B, the City Council directed staff to prepare options for authorizing or limiting development during preparation of the Uptown Specific Plan.
4. The Zoning Code (Section 21.23B.030) requires approval of a development plan application for the following types of development:
 - a. Development of 5 or more units per lot (i.e., multi-family residential); this would include townhouse condominiums;
 - b. Commercial or industrial development with cumulative floor areas 10,000 sq ft or larger;
 - c. Any development that is subject to the California Environmental Quality Act (i.e., for which a Negative Declaration or Environmental Impact Report would be required).
5. Discretionary applications are defined as those that require a public hearing and would include tract maps, parcel maps, development applications, and conditional use permits. All other applications (i.e., building permits for less than 5 units per lot and site plans approved by the Development Review Committee) are considered to be non-discretionary.
6. The Uptown Specific Plan Area is largely built out and subdivided. Within the planning area, there are:
 - 16 vacant residentially-zoned parcels. Of these, 2 are large parcels on the hillside west of Vine Street, south of 36th Street (owned by the Black Family); one is a 1.6 acre R-2-zoned parcel west of Vine Street; the remaining 13 are infill lots ¼ acre or smaller in area.

- 42 multi-family zoned parcels that are developed with single family homes, but have zoning capacity to add more units. Only one of these is large enough to accommodate more than 4 units total. That parcel is 1.1 acres, located on the west side of Vine, north of 28th Street.
 - 11 vacant non-residentially-zoned parcels. Of these are: the First Five Site (at 36th and Spring Street); 2 vacant lots on the west side of Park Street (behind motels); a lot at the northern end of Riverside Avenue; 3 lots between the Adelaide Inn and Powerhouse; 3 lots between Spring and Oak, north of 23rd (on which Reneau Chrysler-Dodge is displaying vehicles); and a portion of the Hot Springs Property.
7. Within the specific plan area, staff is aware of only one application that has been approved, but not yet built: PD 03-004 (Mannie/Diedun) to build 6 multi-family units on the southeast corner of Oak and 36th Streets.
 8. Within the specific plan area, there are three applications for development plans that were filed with the City prior to May 1, 2007 (date of approval of General Plan Amendment 2007-001B). These would include the following:
 - PD 06-017 (Jeffrey) to develop 58 market rate senior condominium units and 5,300 sq ft of retail/service space at 3328 Spring Street (former site of Paso Robles Ford);
 - PD 05-015 (Vernon) to develop 13 townhouse condominiums at 514 – 38th Street;
 - PD 06-014 (Sorrentino) to develop 5 townhouse condominiums at 3441 Spring Street.
 9. The First Five Commission has not yet filed a development plan application (or equivalent, as the site is owned by the County Office of Education, which may have authority to be exempt from City zoning) for their proposed School Readiness and Family Resource Center at 36th and Spring Streets. However, the City has approved expenditure of Community Development Block Grant funds to assist them with site preparation. Additionally, this project implements several Economic Strategy principles and actions.

Analysis and
Conclusion:

The primary reason for considering limitations on development during the preparation of a specific plan, particularly one in an urbanized area, is that the City is looking to improve the mix of land uses and development patterns to achieve objectives, such as those set forth in the Economic Strategy, that could not be attained under existing land use plan and development standards. If development under the existing plan and standards is allowed to continue, the opportunities for making meaningful improvements are diminished.

The value of waiting for the specific plan to be completed works to the advantage of property owners as well. The changes to be brought about by the new plan may offer a better return on their investment in their properties than would be available under the existing land use plan and development standards.

In the last 2-3 years, the City has received several applications to split existing West Side multi-family zoned lots to enable development of small-lot single family dwellings. To date, most of this activity has occurred south of 24th Street (outside of the Uptown Specific Plan Area). However, it can be expected that there may be demand to pursue more of this activity in the planning area. This type of development, while offering home ownership

opportunities to moderate income households, depletes the inventory of properties intended to be developed with housing that is affordable to low income households.

Options

A. Allow the following types of development to proceed during preparation of the Uptown Specific Plan

- (1) All discretionary development applications that have an active (i.e., not expired) approval status. Time extensions for such applications could be approved during this period.
- (2) All non-discretionary development: that is, development of 4 or fewer dwelling units per lot, new commercial and industrial buildings if less than 10,000 sq ft (cumulative) on a lot.
- (3) Conditional use permits for occupancy of existing buildings.
- (4) All discretionary applications filed with the City prior to May 1, 2007.
- (5) Development of the First Five Commission's proposed School Readiness and Family Resource Center at 36th and Spring Streets.

Under Option A, the City would not allow consideration of new applications for development plans, tract maps, or parcel maps during the preparation of the specific plan.

B. Allow all that Option A allows, but add the following situations as being eligible for approval

- (1) Approval of a parcel map if either (a) the resulting number of dwelling units would be 4 or fewer, or (b) the lots to be created are similar in dimensions and areas to other lots in the same block.
- (2) Approval of a development plan for more than 5 units per lot, cumulative, provided that the maximum number of units on a lot complies with the current General Plan.

An example of property that meets both of the above situations is a 0.8 acre lot on the north side of 30th Street, between Spring and Park Street. This parcel measures 113' x 300'. Parcels to the north on the same block measure 56.5' x 150' and 113' x 150'. Additionally, this parcel has 7 dwelling units, and the general plan would allow up to 9 units. This parcel is presently for sale and a prospective buyer asked if he could split the parcel and build 2 more units.

Policy

Reference: 2003 General Plan; 2006 Economic Strategy

Fiscal Impact:

No direct impacts are anticipated with this action. Increases in property tax revenues associated with discretionary development of some properties would be postponed for about two years. However, the purpose of the Uptown Specific Plan is to improve the long range development of the planning area, which would be expected to generate, in the long term, higher property values and corresponding higher amounts of property tax revenues.

Options:

After consideration of all public testimony, that the City Council consider the following options:

- a. Adopt attached Resolution No. 07-xx Approving the types of development to be authorized during preparation of the Uptown Specific Plan to consist of the following:
 - (1) All discretionary development applications that have an active (i.e., not expired) approval status. Time extensions for such applications could be approved during this period.
 - (2) All non-discretionary development: that is, development of 4 or fewer dwelling units per lot, new commercial and industrial buildings if less than 10,000 sq ft (cumulative) on a lot.
 - (3) Conditional use permits for occupancy of existing buildings.
 - (4) All discretionary applications filed with the City prior to May 1, 2007.
 - (5) Development of the First Five Commission's proposed School Readiness and Family Resource Center at 36th and Spring Streets.

- b. Adopt attached Resolution No. 07-xx Approving the types of development to be authorized during preparation of the Uptown Specific Plan to consist of the following:
 - (1) All discretionary development applications that have an active (i.e., not expired) approval status. Time extensions for such applications could be approved during this period.
 - (2) All non-discretionary development: that is, development of 4 or fewer dwelling units per lot, new commercial and industrial buildings if less than 10,000 sq ft (cumulative) on a lot.
 - (3) Conditional use permits for occupancy of existing buildings.
 - (4) All discretionary applications filed with the City prior to May 1, 2007.
 - (5) Development of the First Five Commission's proposed School Readiness and Family Resource Center at 36th and Spring Streets.
 - (6) Approval of a parcel map if either (a) the resulting number of dwelling units would be 4 or fewer, or (b) the lots to be created are similar in dimensions and areas to other lots in the same block.
 - (7) Approval of a development plan for more than 5 units per lot, cumulative, provided that the maximum number of units on a property complies with the current General Plan.

- c. Amend, modify or reject the foregoing options.

Attachment: Resolution Approving the Types of Development to be Authorized During Preparation of the Uptown Specific Plan

ED\UPTOWN SPECIFIC PLAN\CCR 051507 – DEVELOPMENT LIMITATIONS

RESOLUTION NO. 07-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING THE TYPES OF DEVELOPMENT TO BE ALLOWED
WITHIN THE UPTOWN SPECIFIC PLAN OVERLAY DISTRICT
DURING PREPARATION OF THE UPTOWN SPECIFIC PLAN

WHEREAS, at its meeting of May 1, 2007, the City Council adopted Resolution 07-081 to approve General Plan Amendment 2007-001B to amend the Land Use Element to establish the Uptown Specific Plan Overlay District; and

WHEREAS, the description of the Specific Plan Overlay District on Page LU-27 of the Land Use Element includes the following text:

Purpose: This overlay designation is established where infrastructure needs, land use patterns, or other substantial land use related issues indicate a need to require the preparation and adoption of a Specific Plan, as defined by California Government Code sections 65450 et seq. In such instances, the City may require completion of a specific plan prior to approval of a subdivision or development plan for any property located within the Specific Plan category. The City Council will determine the method of funding for a specific plan on a case by case basis.; and

WHEREAS, with the adoption of GPA 2007-001B, the City Council directed staff to prepare options for authorizing or limiting development during preparation of the Uptown Specific Plan, a process which is expected to be completed between the end of Calendar Year 2009 and middle of Calendar Year 2010;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, California, does hereby authorize the following types of development to occur within the Uptown Specific Plan Area during the preparation of the specific plan:

- 1.All discretionary development applications that have an active (i.e., not expired) approval status. Time extensions for such applications could be approved during this period.
- 2.All non-discretionary development: that is, development of 4 or fewer dwelling units per lot, new commercial and industrial buildings if less than 10,000 sq ft (cumulative) on a lot.
- 3.Conditional use permits for occupancy of existing buildings.
4. All discretionary applications filed with the City prior to May 1, 2007.
5. Development of the First Five Commission's proposed School Readiness and Family Resource Center at 36th and Spring Streets.

Option B Only (Delete the following if Option A is approved.)

6. Approval of a parcel map if either (a) the resulting number of dwelling units would be 4 or fewer, or (b) the lots to be created are similar in dimensions and areas to other lots in the same block.

7. Approval of a development plan for more than 5 units per lot, cumulative, provided that the maximum number of units on a property complies with the current General Plan.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 15th day of May 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk