

ORDINANCE NO. 1042 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES  
AMENDING THE UPTOWN TOWN CENTRE SPECIFIC PLAN REGARDING SPECIALTY  
RETAIL AND FLEX SHED BUILDINGS IN THE T3-F ZONE

ZONE CHANGE 17-001  
(PASO MARKET PLACE – 1803 SPRING STREET)

WHEREAS, McShane Murane of M+, on behalf of Deborah Longo, has submitted applications for the Paso Market Place project for PD 17-003 and CUP 17-007 to construct and operate a 16,126 square feet mixed-use development project, including a restaurant, specialty retail and residential uses; and

WHEREAS, the project is proposed to be located on the site at 1803 Spring Street; and

WHEREAS, in conjunction with the PD17-003 & CUP 17-007, Zone Change 17-001 has been filed requesting to amend the Uptown Town Centre Specific Plan to allow for specialty retail uses and allow for the Flex Shed building type in the T3-F zoning district; and

WHEREAS, on May 23, 2017 the Planning Commission on a 5-0 vote, recommended that the City Council approve the Mitigated Negative Declaration, Zone Change, Conditional Use Permit and Development Plan; and

WHEREAS, on June 20, 2017, after hearing the applicant's presentation and hearing public testimony, the Council on a 3-0 vote, continued the project to a future Council meeting, requesting that the applicant address the following concerns:

- a. Consider reducing the amount of metal siding used, and provide additional architectural details showing specific colors and materials for the buildings;
- b. Provide additional on-site parking and reduce the number of tandem spaces;
- c. Look at other areas on site to locate the trash dumpsters, besides one location on the alley;
- d. Request for applicants to hold meeting with the neighbors to discuss their concerns and ways to address their concerns;

WHEREAS, on July 10, 2017 the applicants submitted revised project information with changes to the project as suggested by the City Council; and

WHEREAS, the City Council held a duly noticed public hearing on the proposed Zoning Ordinance amendment on August 1, 2017, where it considered the staff report and public testimony; and

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

Section 1. Recitals. The recitals set forth above are true and correct and are incorporated as though fully set forth herein.

Section 2. Findings: based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions listed below, the City Council makes the following findings:

1. The proposed specific plan amendment is consistent with the goals and policies established by the General Plan, since the project would provide for expanded retail and infill development in the Downtown, and additional tourist-oriented development.
2. The proposed specific plan amendment is consistent with goals and vision of the Uptown/Town Center Specific Plan since it would help preserve and augment Downtown's unique historical value while enhancing its economic vitality.

Section 3. Environmental Determination. 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 Mitigated Negative Declaration (ND) was prepared and circulated for public review and comment. Based on the information and analysis contained in the Initial Study (and comments and responses thereto), a determination has been made that the project may be approved with a Negative Declaration.

Section 4. Uptown / Town Center Specific Plan Amendment. The Council hereby adopts the language attached hereto as Exhibit A, B and C and incorporated herein by reference amending Table 5.3-1, Section 5.4.2.B and Table 5.1.1 are to be amended to the Uptown Town Centre Specific Plan to read in full as set forth in Exhibit A, Exhibit B, and Exhibit C, incorporated by this reference.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect 30 days after its passage and adoption as provided by Government Code section 36397.

Section 7. Publication. The City Clerk shall certify to the passage of this Ordinance by the City Council of the City of El Paso de Robles, California, and cause a summary to be published once within 15 days after its passage in a newspaper of general circulation, published and circulated in the City in accordance with Government Code section 36933.

INTRODUCED at a regular meeting of the City Council held on August 1, 2017, for first reading by the City Council of the City of El Paso de Robles, and adopted on the 15<sup>TH</sup> day of August, 2017, by the following vote:

AYES: Strong, Gregory, Hamon, Reed, Martin  
NOES:  
ABSENT:  
ABSTAIN:

  
Steven W. Martin, Mayor

Attests

  
Kristen L. Buxkemper, Deputy City Clerk

Exhibit A Table 5.3-1  
Exhibit B Section 5.4.2.B  
Exhibit C Table 5.1.1

City of Paso Robles  
**Uptown/Town Centre Specific Plan**

Land Use Type	PERMIT REQUIRED BY ZONE									Specific Use Regulations
	T3-N	T3-F	T4-N	T4-F	T4-NC	TC-1	TC-2	RC	OS	
Offices for physicians, dentists, chiropractors, psychiatrists, including emergency/urgent care centers including outpatient services	-	P	-	P	P	P*	P	P	-	* Use allowed only on an upper floor, or behind a ground floor street-fronting use.
Outdoor sales: parking lot sales and other promotional events where only on-site business are participating (7 days or less)	-	-	-	-	P	P	P	P	-	
Outdoor sales: Parking lot sales and other promotional events where only on-site businesses are participating (if longer than 7 days)	-	-	-	-	TUP	TUP	TUP	TUP	-	
Parking facility, public or commercial	-	-	-	-	-	CUP	CUP	CUP	-	
Personal and business support services: barber/beauty shops, nails & tanning salons, massage; laundries and dry cleaning (no on-site plants); laundromats, locksmiths; parcel services; printing, publishing, blueprinting, duplicating; tailor/dressmakers, alterations, shoe repair; etc.	-	-	-	P	P	P	P	P	-	
Pet stores	-	-	-	-	-	-	P	P	-	
Produce stand, winery, etc.; does not include Certified Farmers Markets)	-	-	-	CUP*	-	-	-	P	-	* On Spring Street Corridor only
Produce: Certified Farmers Markets	-	-	-	-	-	CUP	CUP	CUP	-	
Restaurants: sit-down and walk-up only	-	P*	-	P	P	P	P	P	-	* On Spring Street Corridor only
Restaurants: drive-through	-	-	-	-	-	-	CUP*	CUP	-	* Only in locations shown on Figure 5.3-2, subject to special regulations. (Ordinance 1015)
Retail Sales: clothing; beverage, drug stores; furniture, appliances, home furnishings specialized retail; antiques; artisans (does not include second-hand/ thrift stores)	-	/ CUP*	-	P	P	P	P	P	-	* Conditional Allowed Use on any lot with Spring St. frontage. 1740 Spring is a permitted use

## 5.4.2 T-3 Flex (T-3F) Zone



### A. BUILDING FORM AND USE

Building Form	Use
Small, detached residential; small attached retail	Residential, flexible

### B. ALLOWED BUILDING TYPES AND HEIGHTS

The following building types and their particular maximum height are allowed in the T-3F Zone subject to compliance with all applicable requirements, including the requirements for each building type. Please see Chapter 5.5.1 for individual design standards and definitions.

Building Type	Maximum Height (Stories/Feet)	See Section
Single Dwelling <sup>3</sup>	2 <sup>1</sup> / 26 feet	5.5.1.E.1
Carriage House, RYDs <sup>4</sup>	2 <sup>2</sup> / 26 feet	5.5.1.E.2
Duplex, Triplex <sup>3</sup>	2 <sup>2</sup> / 26 feet	5.5.1.E.3
Bungalow Court	2 <sup>2</sup> / 26 feet	5.5.1.E.6
Rowhouse	2 <sup>2</sup> / 26 feet	5.5.1.E.7
Live-Work	2 <sup>2</sup> / 26 feet	5.5.1.E.8
<b>Flex Shed<sup>5</sup></b>	<b>3 / 36 feet</b>	<b>5.5.1.E.14</b>

- 1 Maximum number of accessory units: 1 unit per property.
- 2 Attic space may be occupied and not count as a story. Occupiable attic space shall not exceed 75% of the ground floor footprint area.
- 3 These buildings may accommodate commercial and mixed-uses, subject to Table 5.3-1 (Allowable Uses and Permit Requirements).
- 4 RYDs are Rear Yard Dwellings and Rear Yard Duplexes.
- 5 **Flex Shed building type permitted on Spring St. frontage lots only**

### C. BUILDING PLACEMENT

1. **Principal Buildings.** Each principal building shall be located in compliance with the following setback requirements.

Setback	Minimum	Maximum
Primary Street	15 feet	20 feet
Side Street	12 feet	15 feet
Side Yard - 1 story	5 feet	12 feet
- 2 story	8 feet; 5 feet for lots 50 feet wide or less	-
Rear Yard	10 feet	-

2. **Façade Plane.** Street facing facades shall be built parallel to the right-of-way.

3. **Accessory Buildings:** If permitted, each accessory building shall be located in compliance with the following setback requirements.

Setback	Minimum	Maximum
Primary Street	50 % of lot depth	-
Side Street	12 feet	-
Side Yard - 1 story	5 feet	-
- 2 story	8 feet	-
Rear Yard	5 feet	-

Rear Yard Single Dwellings and Rear Yard Duplexes shall be separated from the principal building by a minimum distance of 10 feet. Carriage Houses may be attached to the principal building per the provisions of Section 5.5.1.A.

### D. ENCROACHMENT INTO SETBACKS

1. Allowed encroachments into required setbacks shall be limited as shown in the table and illustration below.

City of Paso Robles  
Uptown/Town Centre Specific Plan

**Table 5.1.1 – Building Types Standards by Zone**

Building Type	Lot Width (min-max) <sup>1,2</sup>	Number of Stories							
		T-3N	T-3F	T-4N	T-4F	T-4NC	TC-1	TC-2	RC
1. Carriage House/ Rear Yard Single Dwelling/Rear Yard Duplex	45' – 75'	2	2	2	2	-	-	-	-
2. Single Dwelling	40' – 70'	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-
3. Duplex	50' – 75'	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	-	-	2	2
Triplex/Quadplex	50' – 75'	-	-	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-
4. Villa	100' – 200'	-	-	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-
5. Rosewalk	125' – 200'	-	-	2 <sup>3</sup>	-	-	-	-	-
6. Bungalow Court	100' – 200'	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	2 <sup>3</sup>	-	-	-	-
7. Rowhouse	14' – 125'	-	2 <sup>3</sup>	3 <sup>3</sup>	3 <sup>3</sup>	3	-	3	3
8. Tuck-Under	14' – 125'	-	-	3 <sup>3</sup>	3 <sup>3</sup>	3	-	3	-
9. Live-Work	14' – 125'	-	2 <sup>3</sup>	3 <sup>3</sup>	3 <sup>3</sup>	3	3	3	3
10. Courtyard Housing	125' – 250'	-	-	3 <sup>3</sup>	3	-	3	3	3
11. Stacked Dwellings	100' – 200'	-	-	-	3	3	3	4	-
12. Liner	170 – 350'	-	-	-	-	3	4	4	4
13. Flex Block	125' – 200'	-	-	-	3	3	4	4	4
14. Flex Shed	40' – 100'	-	3 <sup>4</sup>	-	3	3	4	4	4

- Not allowed

1 Measured along the front of the lot

2 Properties west of Vine Street and north of 21<sup>st</sup> Street are subject to the Hillside Development District (Chapter 21.14A of the Zoning Ordinance).

3 Attic space may not be occupied and not count as a story.

4 **Flex Shed permitted on Spring St frontage lots only.**