

ORDINANCE NO. 1030 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
ADOPTING SPECIFIC PLAN AMENDMENT 13-001 –
BORKEY AREA SPECIFIC PLAN, SUBAREA A
APPLICANT – WES WILLHOIT/ESTRELLA ASSOCIATES
RIVER OAKS II EXPANSION - APN: 025-390-009

WHEREAS, Wes Willhoit, on behalf of Estrella Associates (“Applicant”), in connection with the proposed development of a project known as River Oaks II Expansion (the “Project”), has filed a request for a General Plan Land Use Element Diagram Amendment (GPA 13-002); and

WHEREAS, Applicant has also filed a request for a Specific Plan Amendment (SPA 13-001), to modify the allowable land uses for property located north of the existing River Oaks residential neighborhood development, east of the Salinas River, west of Buena Vista Drive, located within the Borkey Area Specific Plan (BASP), Subarea A, APN: 025-390-009, as shown in Exhibit A; and

WHEREAS, SPA 13-001 would amend property currently designated Agricultural in the BASP, Subarea A to: Residential Single Family (R-1) - 85 acres, Parks and Open Space (POS) - 18 acres, and add a Resort Lodging Overlay (R/L) on approximately 26 acres, as shown in Exhibit B – BASP Subarea A, Map Amendment; and

WHEREAS, SPA 13-001 would provide land use consistency with Applicant’s request for GPA 13-002; and

WHEREAS, SPA 13-001 requests a modification of applicable development criteria in the BASP Subarea A, as set forth in the proposed BASP text amendments (Exhibit C); and

WHEREAS, the proposed modifications to applicable development criteria are intended to provide development continuity between the existing River Oaks I development and the proposed Project; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the City Council has approved a Mitigated Negative Declaration regarding the Project; and

WHEREAS, the City Council has approved GPA 13-002.

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

SECTION 1. All of the above recitals are true and correct and incorporated herein by reference.

SECTION 2. Based on the facts and analysis presented to it, including all written and oral testimony, the City Council hereby makes following findings regarding Specific Plan Amendment 13-001:

- a. SPA 13-001 would provide land use consistency with GPA 13-002.
- b. The proposed modifications to applicable development criteria are intended to provide development continuity between the existing River Oaks I development and the proposed River Oaks II expansion.
- c. The proposed amendments to the Borkey Area Specific Plan, Subarea A would provide for orderly development within the City, and within the Borkey Area Specific Plan area.

SECTION 3. The foregoing findings and determinations are based upon the following:

- (a) The Recitals set forth in this Ordinance, which are deemed true and correct;
- (b) Resolution No. 16-082, adopted by the City Council on June 21, 2016, making findings as to the Mitigated Negative Declaration for the River Oaks II Expansion project, including the Mitigation Monitoring and Reporting Program, approved by and incorporated in said Resolutions, which Resolutions and exhibits are incorporated herein by reference as if set forth in full;
- (c) The City’s General Plan, as amended by the General Plan Amendment adopted by the City Council by Resolution No. 16-083 prior to adoption of this Ordinance;
- (d) All City staff reports (and all other public reports and documents) prepared for the Planning Commission, City Council, or others relating to the Specific Plan Amendment, and other actions relating to the Property;

- (e) All documentary and oral evidence received at public hearings or submitted to the City Council or City during the comment period relating to the Specific Plan Amendment, and other actions relating to the Property; and
- (f) All other matters of common knowledge to the Planning Commission and City Council, including, but not limited to the City's fiscal and financial status; City policies and regulations; reports, projections and correspondence related to development within and surrounding the City; State laws and regulations and publications.

SECTION 4. The City Council hereby approves the Specific Plan Amendment, attached hereto as Exhibit A, B and C, and incorporated herein by 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 thirty (30) days after its passage and adoption as provided by Government Code section 36397.

SECTION 7. Publication. The City Clerk will 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 fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Government Code section 36933.

Introduced at a regular meeting of the City Council held on June 21, 2016, and passed and adopted by the City Council of the City of El Paso de Robles on the 19th day of July, 2016 by the following roll call vote, to wit

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



 Steven W. Martin, Mayor

ATTEST:


 Kristen L. Buxkemper, Deputy City Clerk

Exhibit A – Location Map
 Exhibit B – BASP Map Amendments
 Exhibit C – BASP Text Amendments

Exhibit A – Location Map

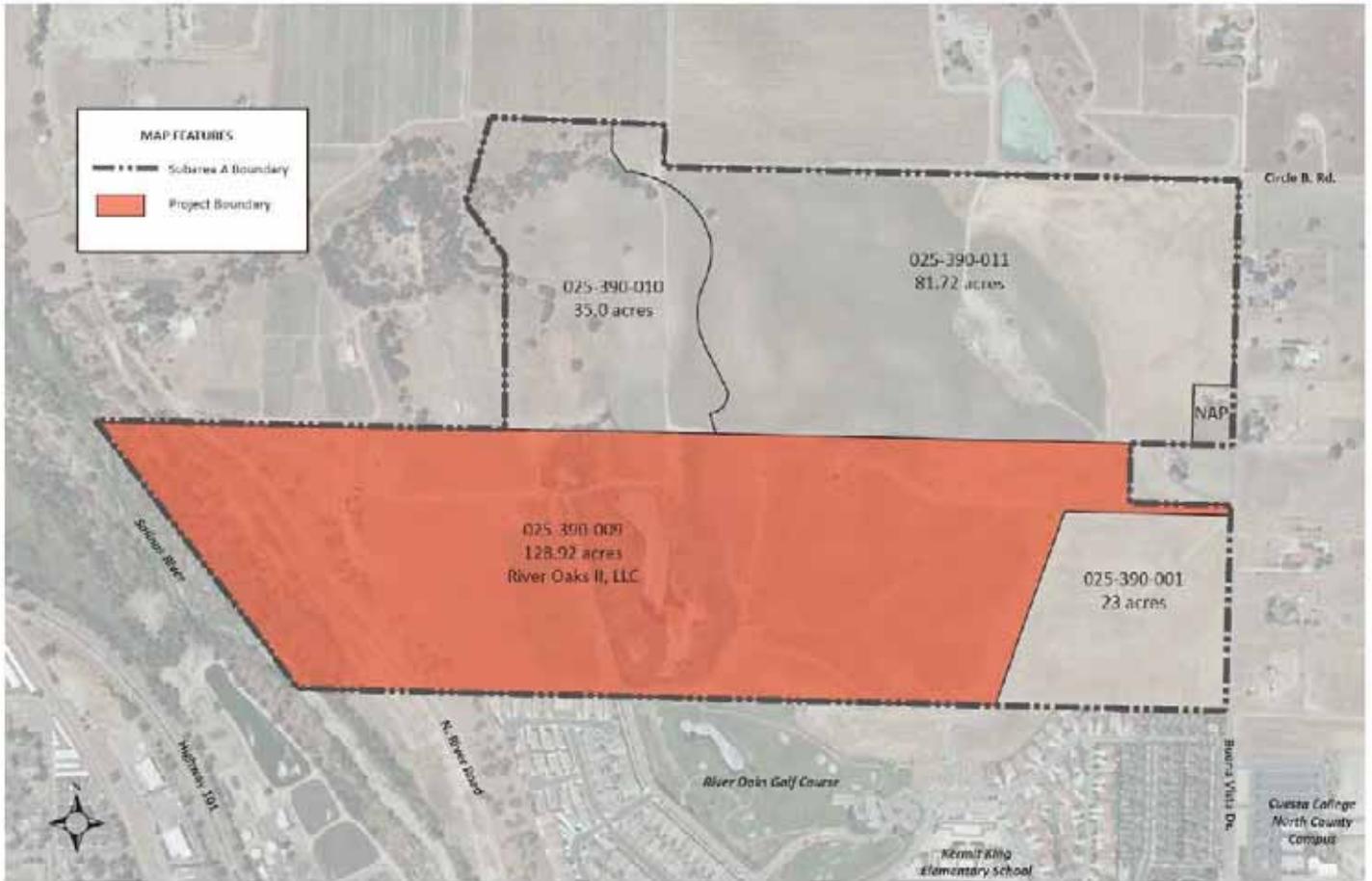


Exhibit B – BASP Map Amendments

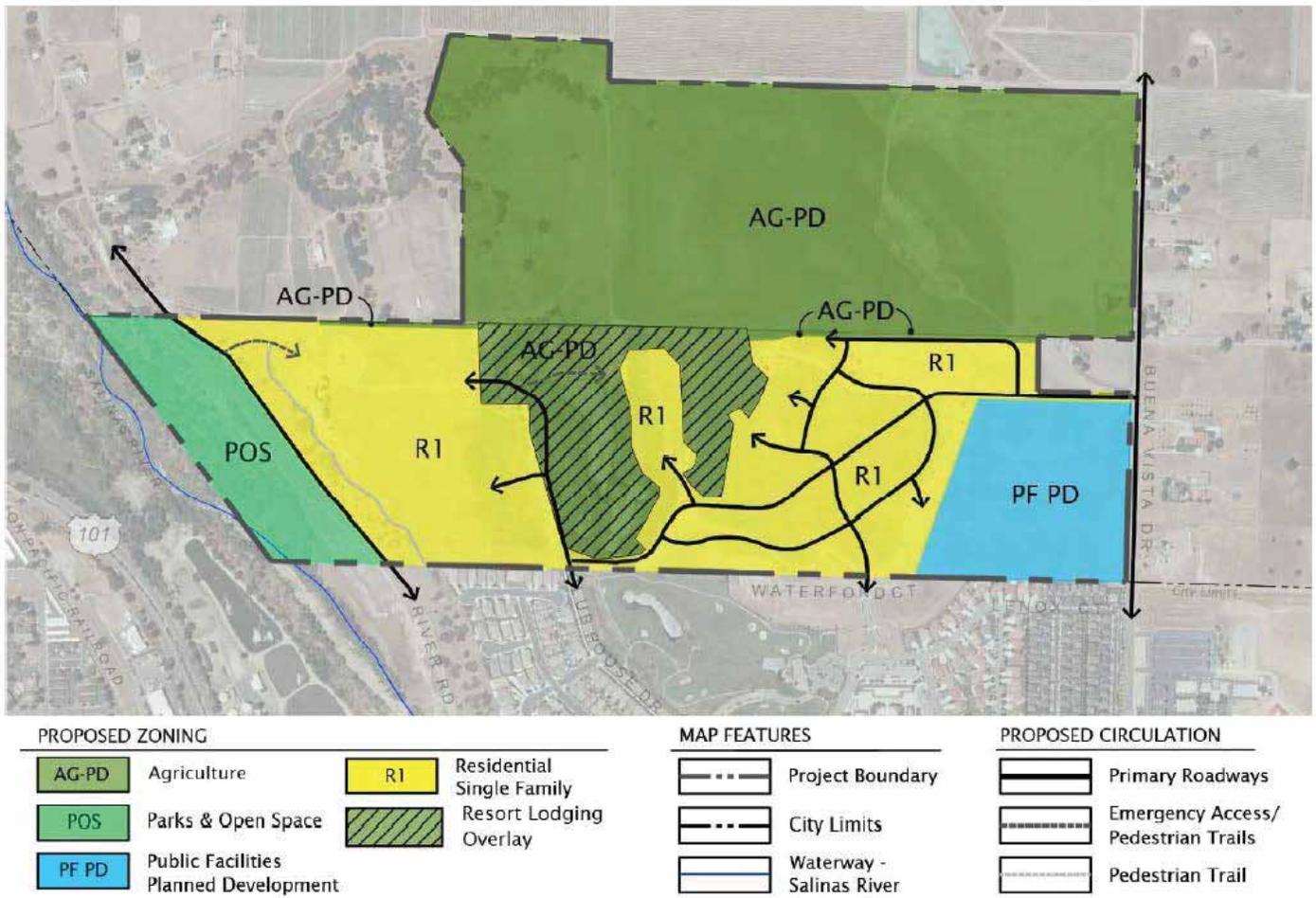


Exhibit 10 - Borkey Area Specific Plan – Proposed Subarea A Zoning

Exhibit C - Borkey Area Specific Plan Text Amendment

Borkey Area Specific Plan Amendments

Amend 85 acres of the Borkey Area Specific Plan Land Use in the southern portion of Subarea A from Agriculture (AG) to Residential Single Family (RSF) and the specific plan zoning from AG-PD to R-1 plus the following text and graphic amendments:

Chapter 2 – Existing Conditions in Plan Area

- Page II-1: Revise Subarea A, paragraph 2, last sentence as follows:

~~The remaining 232 acres of Subarea A are proposed as an agriculturally compatible, recreational resort development known as the “Paso Robles Hot Springs and Spa.”~~

The 85 acres west of the college site are proposed as single family residential (RSF) with the western most portion being an active adult neighborhood. The northern 117 acres of Subarea A will remain agriculture.

- Page II-8: Revise Figure D-1 (Proposed City General Plan Designations) to be consistent with Exhibit B of BASP amendment resolution .
- Page II-9: Revise Figure D-2 (Proposed City Zoning Designations) to be consistent with Exhibit C of BASP amendment resolution.

Chapter 3 – Development Plan for the Borkey Area

- Page III-4: Revise Figure 13 (Development Plan for Borkey Area). See page 24.
- Page III-5: Revise Subarea A, paragraph 1, as follows:

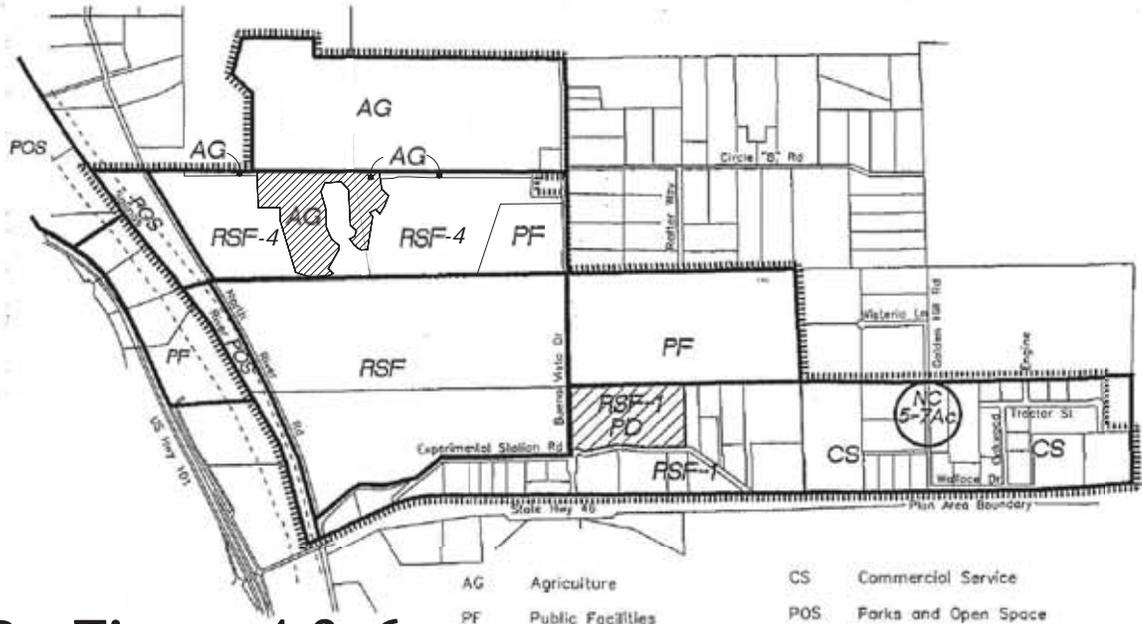
~~Subareas A is designed by the Specific Plan to accommodate Paso Robles Hot Springs and Spa Resort. This use provides a transition between the suburban and urban land uses south and east of Subarea A to the north where existing unincorporated County land is zoned and used for agricultural purposes. The Paso Robles Hot Springs and Spa Resort includes large areas of agriculture and open space, particularly along the northern, western, and eastern perimeters of the properties providing a buffer from more intensive agricultural uses to the north and east. The development concentrates resort uses and activities on the central and south portions of the site adjoining the existing residential and recreational features of Subarea B.~~

Subarea A is designated to accommodate the completion of the River Oaks Master Plan Community and accommodate the existing hot springs and spa facility. Anticipated development will include an active adult neighborhood consistent with "Traditions" and the extension of "The Classics" conventional residential neighborhoods to the south and emulating both the concepts of "The Classics" and "Vineyard Estates." In addition, the existing River Oaks Hot Springs Spa and pavilion is proposed to be maintained and expanded along the existing lake, and will serve as an amenity feature for the existing and proposed residences. The northern portion of Subarea A will remain agriculture, providing a significant transition to the agricultural uses to the north and east.

A Master Plan of Development shall be approved for Subarea A consisting of the following:

1. Conceptual Master Site Plan
2. Conditions of Approval
3. Design Manual.

All tentative maps, grading plans and development plans shall be consistent with the Master Plan of Development.



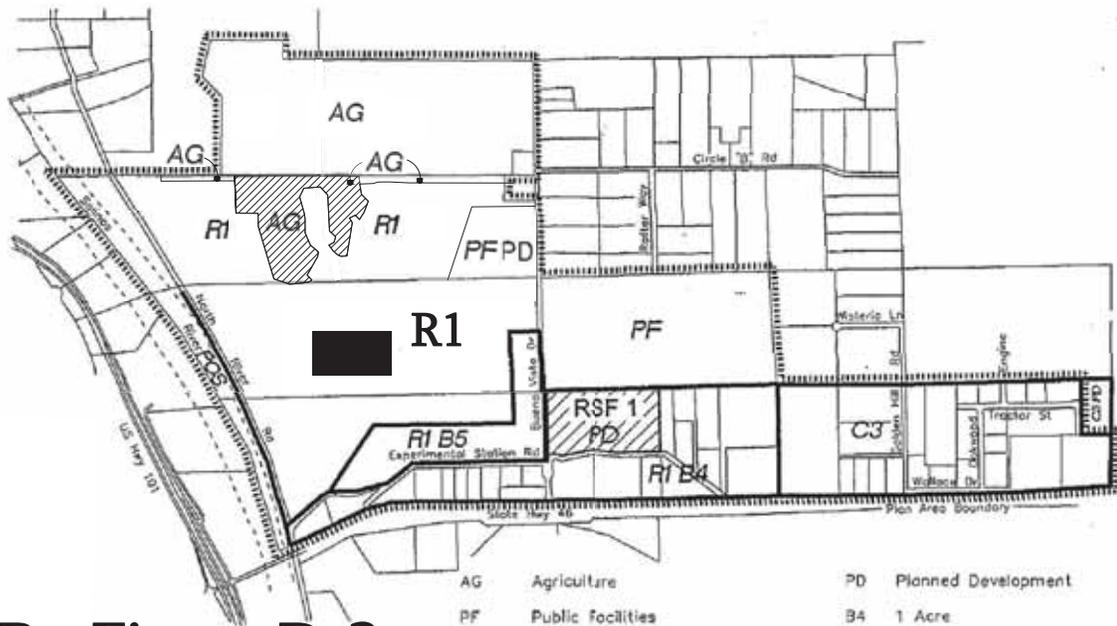
BASP - Figure 4 & 6

Resort/Lodging Overlay

AG	Agriculture	CS	Commercial Service
PF	Public Facilities	POS	Parks and Open Space
POS	Parks and Open Space	RSF	Residential Single Family
C	Commercial Light Industrial	RSF-1	Residential Single Family .75 DU per Acre
NC	Neighborhood Commercial	RSF2	Residential Single Family 1.5 DU per Acre

Borkey Area Specific Plan

REVISED FIGURE D-1: Proposed City General Plan Designations
(Replaces Page II-8)



BASP - Figure D-2

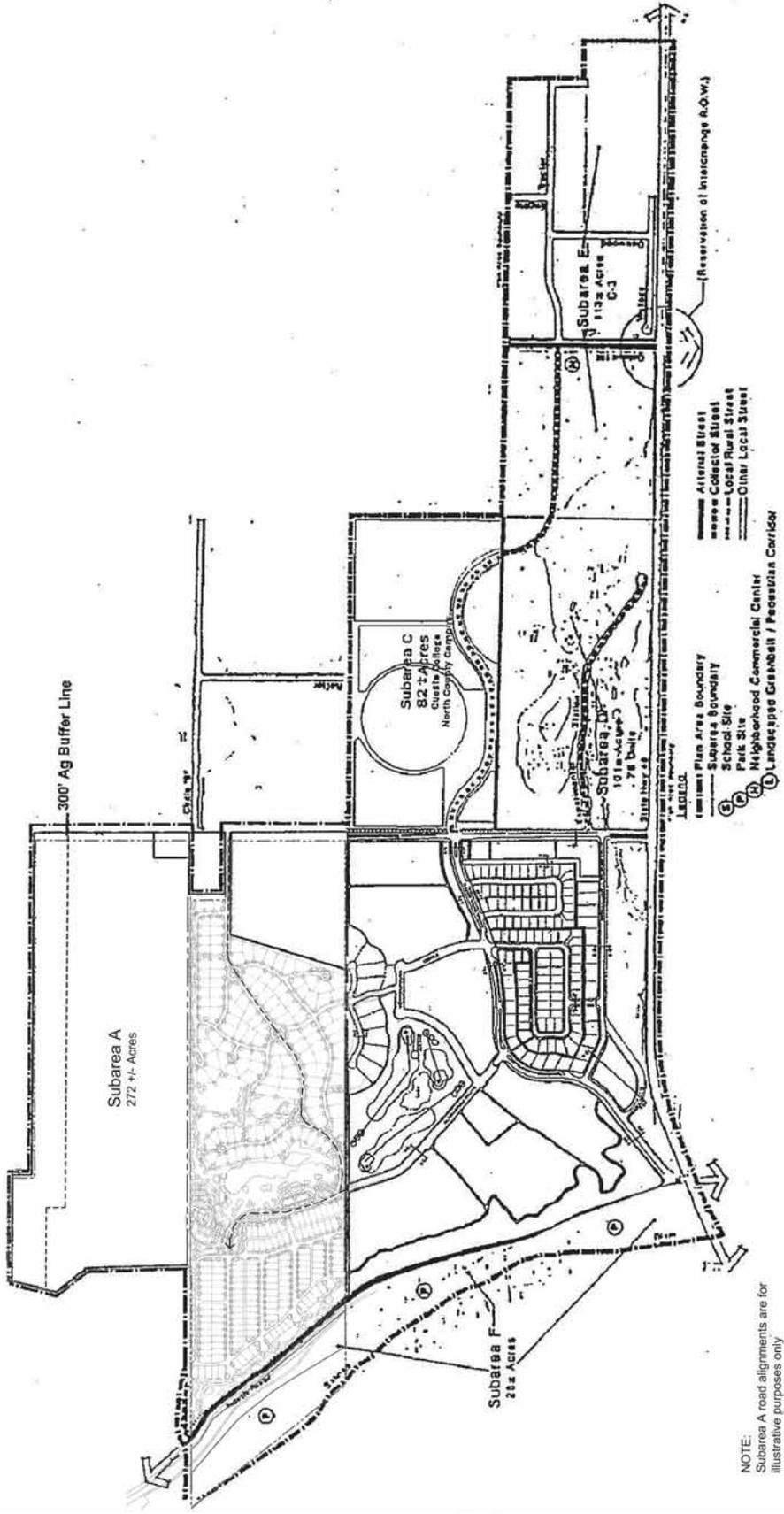
Resort/Lodging Overlay

AG	Agriculture	PD	Planned Development
PF	Public Facilities	B4	1 Acre
R1	Single family	B5	2 Acres
RSF	Residential Single Family 1 Acre Minimum	POS	Parks and Open Space
RSF 2	Residential Single Family 1.5 Acre Minimum	C3	Commercial/Light Industrial

Borkey Area Specific Plan

REVISED FIGURE D-2: Proposed City Zoning Designations
(Replaces Page II-9)





Borkey Area Specific Plan
REVISED FIGURE 13: Development Plan for Borkey Area
(Replaces Page III-4)

Subarea A Land Uses

RSF - Residential Single Family

The RSF land use accommodates low-density residential development with the anticipated density of two (2) to four (4) units per acre. A total of 271 residential units are proposed with lot sizes ranging from 5,000 square foot minimums in the western “active adult” neighborhood, to 20,000 square foot lots on the eastern portion of Subarea A.

The design intent for these neighborhoods is to mimic the existing River Oaks residential developments to the south. For the “active adult” neighborhood, ownership will be limited to those 55 years old and better and offer amenities similar to the existing Traditions development such as a community center and pool. The conventional residential neighborhood will be designed to cluster residential units in order to maximize open space and will have access to the Community Center and Health, Wellness, and Fitness Center.

AG – Resort Lodging Overlay

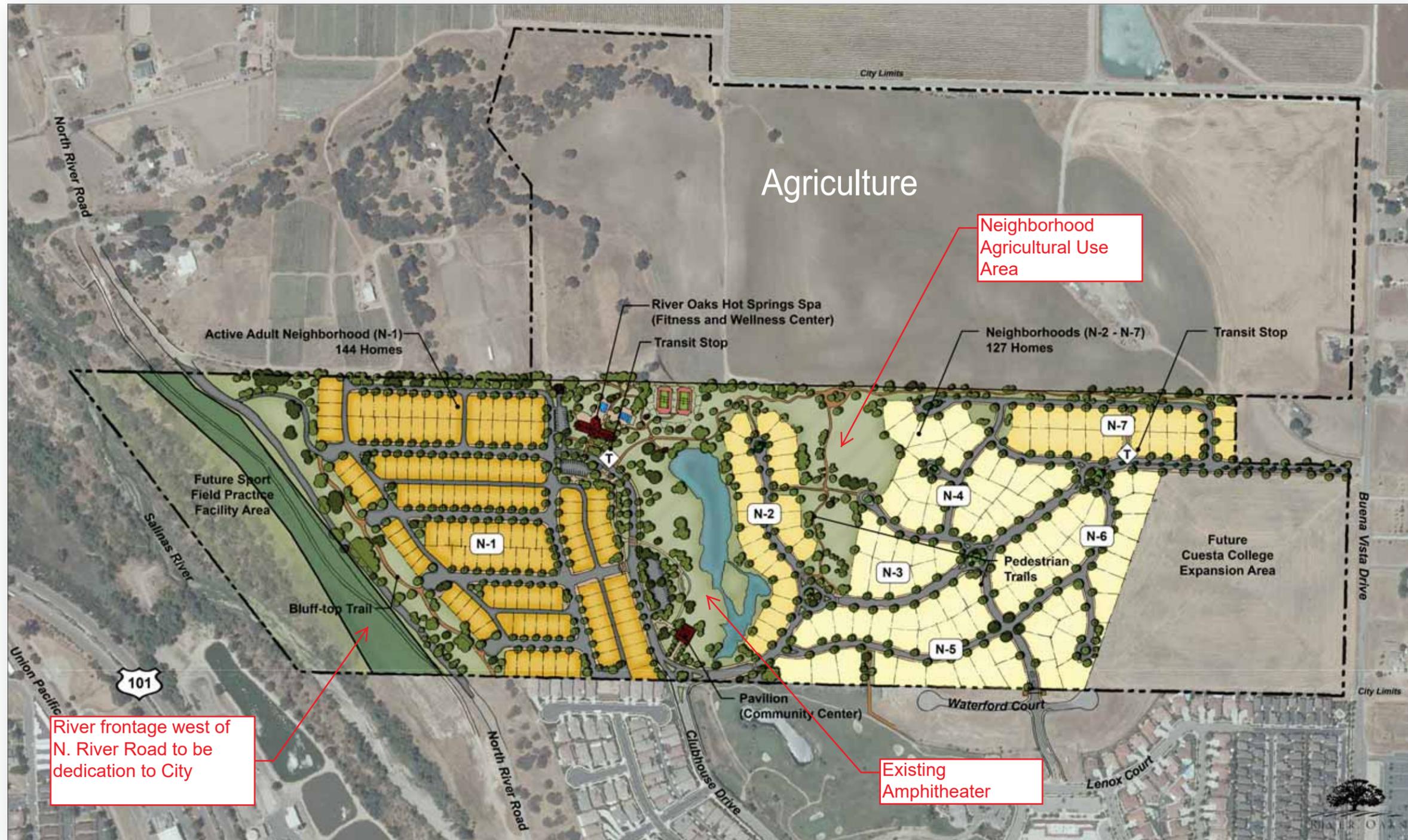
This overlay includes the existing River Oaks Hot Springs Spa, neighborhood green space, neighborhood pavilion, and lake. Proposed uses within this area include a remodeled pavilion and HOA facilities, and expansion of the existing River Oaks Hot Springs Spa as a fitness and wellness center. These facilities will be private facilities available exclusively to all 271 homes and to existing residents of the River Oaks Master Plan Area through the Master Homeowners Association (HOA).

Subarea A Land Use Summary Table

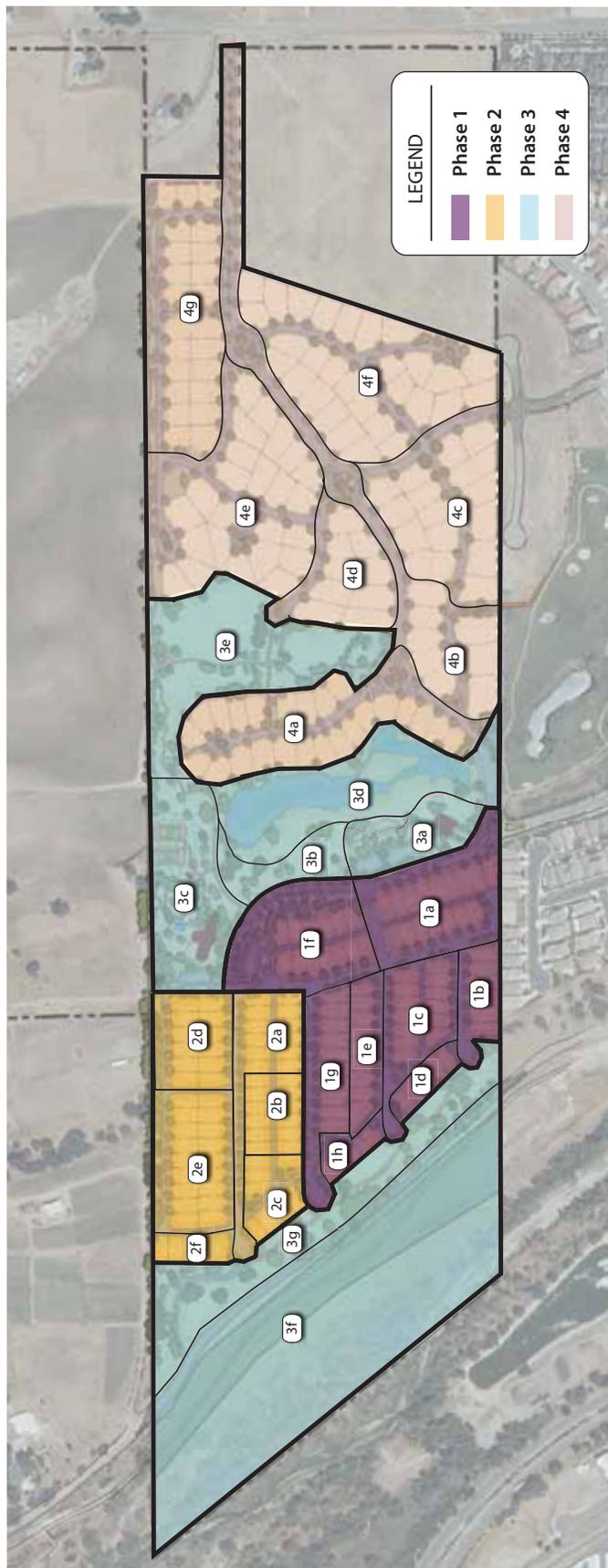
Land Use	Acres	Density	Max. Density	Proposed Units
RSF	85	4 units/acre	340	271
PF	23			
AG	145			
POS	18			
TOTAL	271			271

River Oaks 2 2016 amendment

Figure 14 - Borkey Area Specific Plan Subarea A
Conceptual Site Master Plan



Not to Scale



Borkey Area Specific Plan

EXHIBIT 14-A: Conceptual Phasing

Plan

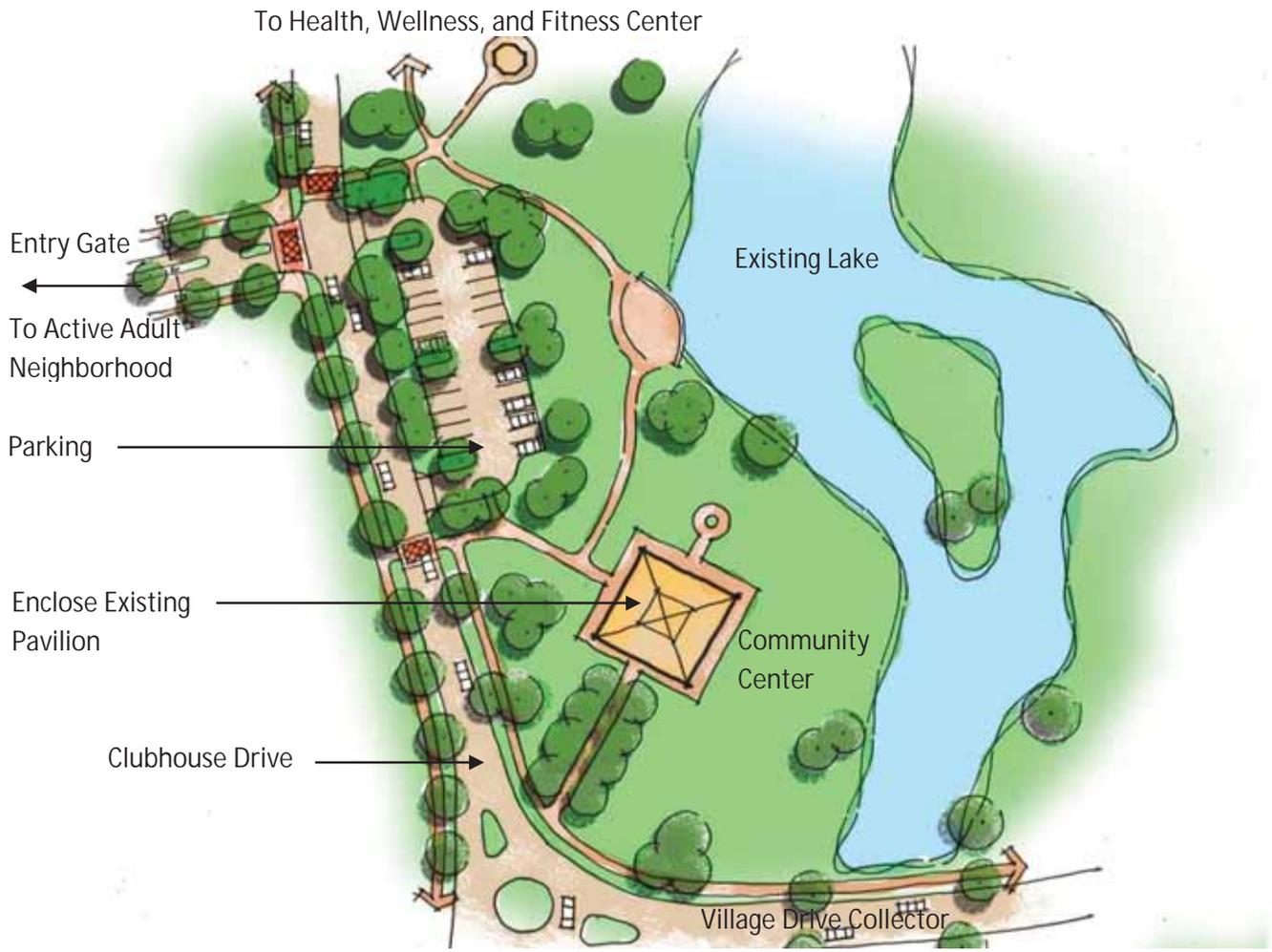


Exhibit 14-B - Community Center Concept Plan

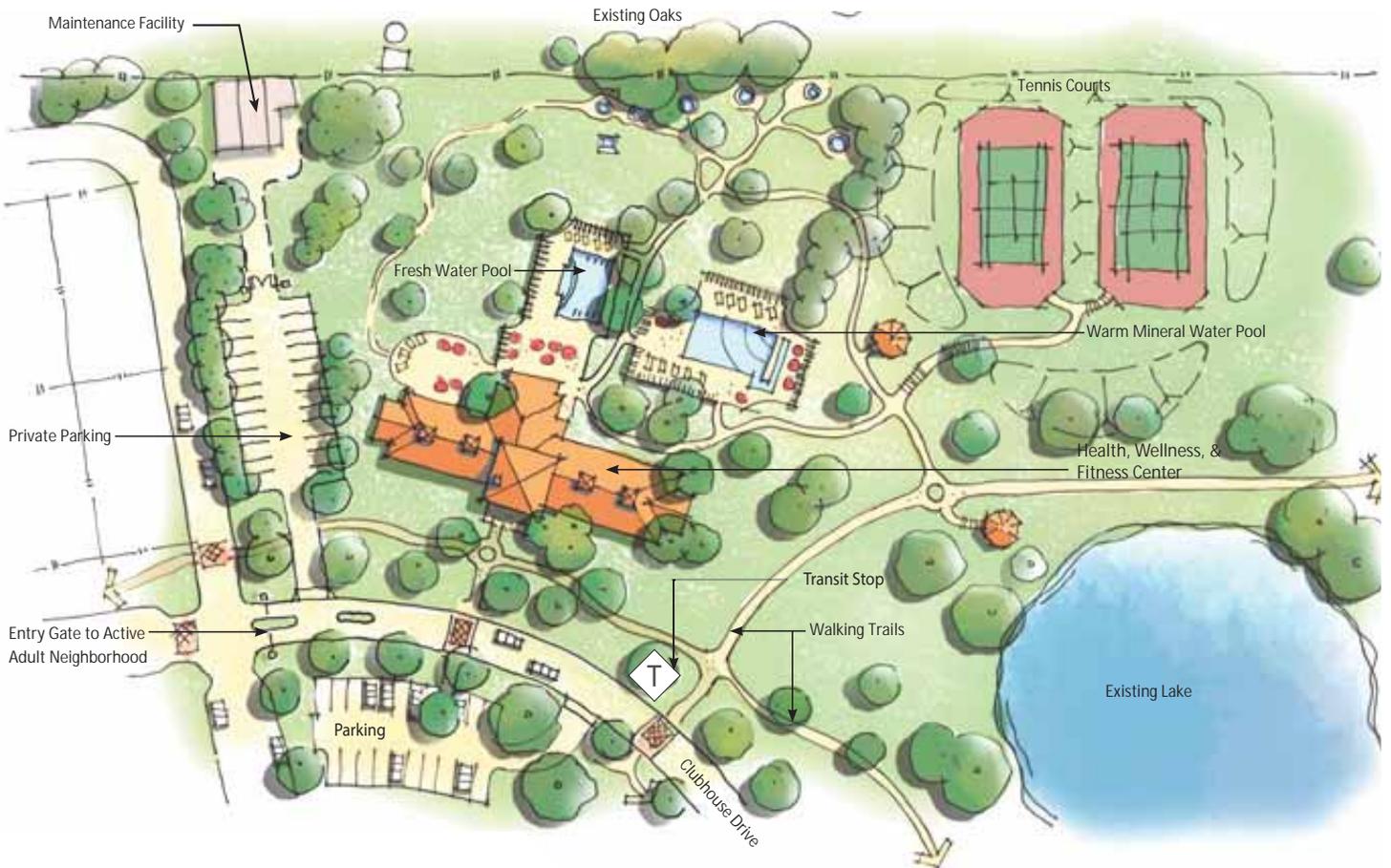


Exhibit 14C — Health Wellness Fitness Concept Plan

- Page III-6: Revise Table 3-1 for Plan Subarea A as follows:

Table- 3-1 Prescribed Land Uses and Permitted Densities, Parcel Sizes Borkey Area Specific Plan			
Plan Subarea	Permitted Uses	Maximum Development Intensity	Minimum Lot Size
A	Agriculture	-	-
	Resort Overlay		
	<ul style="list-style-type: none"> • Hot Springs and Spa/Fitness - Wellness Facility 	-	-
	<ul style="list-style-type: none"> • Warm Mineral Water Pool 	-	-
	<ul style="list-style-type: none"> • Fresh Water Pool 	-	-
	<ul style="list-style-type: none"> • Tennis Courts 	-	-
	<ul style="list-style-type: none"> • Pavilion 	200 persons	-
	Single Family Residential	±144 active adult units ±127 conventional housing units	5,000 sf – 20,000 sf

- Page III-7: Revise Figure 14 (Conceptual Development Plan – Subarea A). See page 25.
- Page III-16: Revise A-1 as follows:

~~The Paso Robles Hot Springs and Spa resort shall be developed in accordance with a master development plan approved by the City, including improved circulation, drainage, utilities, and provisions for agriculture buffers to the west, north, and east. The resort shall be designed to provide an agriculturally compatible, recreational destination, conference, and tourist facility.~~

The River Oaks Hot Springs Spa resort, if expanded, shall be developed in accordance with a master development plan approved by the City. The facility will be improved in its current location with the potential for expansion along the west side of the lake. The facility will be made available as a private amenity for exclusive use of River Oaks master plan community (Plan Subarea A), and to others for a fee, through the master homeowners association (HOA).

- Page III-32: Revise Figure 20 A-2 (Schematic Water Supply).
- Page III-34: Revise Figure 21 A-2 (Schematic Wastewater Collection System).
- Page III-37: Revise Figure 22 A-2 (Schematic Storm Drainage System).

- Page III-49 and following: Revise Subarea A, Project Design Standards as follows:

Subarea A

The following standards shall apply to the northern 117 acres of Subarea A designated Agriculture (AG/PD):

SA-1 The minimum building setback from any public right of way shall be fifty (50) feet.

SA-2 The minimum building setback from any side lot line, except for such a lot line abutting a public right of way, shall be thirty (30) feet.

SA-3 The minimum building setback from any rear lot line, except for such a lot line abutting a public right of way, shall be thirty (30) feet.

SA-4 The minimum building setback from the top of the bluffs overlooking the Salinas River shall be fifty (50) feet.

SA-5 No building shall be placed at a location rendering it visible from the westerly edge of the right of way of North River Road.

SA-6 No building intended for human occupation or routine human use shall be erected in the agricultural buffer designated by the Plan Diagram, within three hundred (300) feet of the northerly boundary of Subarea A, of as long as the adjacent parcel(s) to the north are zoned for agricultural use.

SA-7 No principal building shall exceed thirty-five (35) feet above the average natural grade, in height. Architectural or agricultural elements, such as towers, silos, etc. may be approved at heights greater than thirty-five (35) feet after review by the Development Review Committee or the Planning Commission, provided that heights do not exceed those as stated in the City's Zoning Ordinance for Agricultural Districts. On ridges and hills, building designs shall be architecturally compatible to the site.

The following standards shall apply to the creation and/or development of all residential parcels and lots on the southern portion of Subarea A designated Residential Single Family (RSF):

SA-6 The minimum building setback from any front lot line shall be twenty (20) feet to a street facing garage or carport and ten (10) feet to any residence or other building (detached Casita) or side entry garage (See Chapter 3 of River Oaks II Design Manual for additional design considerations). A detached Casita (home office or guest room not for the purposes of a separate dwelling unit) is permitted at front yard setback lines when the design is fully integrated into the architectural style and character of the single family residence. Casitas shall only be permitted when CC&Rs or other reliable constructive notice is established for lot owners to be notified of strict restrictions on the Casitas against rental or related multiple family uses. Conditions shall be imposed at the time of issuance of a building permit that will reduce the potential for such units to be converted for rental use.

SA-7 The minimum building setback from any side lot line shall be that prescribed by the City of Paso Robles zoning ordinance for the R-1 zone district, except that the City may approve a building setback of zero (0) feet for one side line of any lot, if a Planned Development application is processed in conjunction with a subdivision application and findings can be made in accordance with the City's Planned Development Chapter (21.16A), (See Chapter 3 of River Oaks II Design Manual).

SA-8 The minimum building setback from any rear lot line shall be that prescribed by the City of Paso Robles zoning ordinance for the R-1 zone district (20 feet for the residence, 3 feet for accessory structures).

SA-9 Homes placed along the Salinas River Bluff shall match the setback of the existing homes to the south in the "Traditions" neighborhood.

SA-10 All building heights shall conform to the requirements of the City's Zoning Ordinance.

SA-11 No two adjacent residences constructed by the same builder shall be painted or color coated the same color. A minimum ratio of one (1) different house color for each four (4) houses constructed by any builder shall be required.

SA-12 A detailed fence plan shall be submitted to the City at the time of application for any development. Fence style and construction shall be consistent for all residential lots. The erection of any chain link fencing is prohibited within any required building setback.

SA-13 Five (5) foot concrete sidewalks shall be constructed adjacent to each public street, or an eight (8) foot sidewalk may be constructed on one side of the roadway, when the opposite side adjoins a passive/active recreational site. Sidewalks shall be detached (separated from the curb by a landscaped/irrigated parkway) in accordance with the City's engineering standards.

SA-14 All residences shall have driveway aprons extending between required garages and/or carports and the public right-of-way that are consistent with the existing developed phases of the River Oaks master plan community.

SA-15 When practical, residential structures are recommended to be oriented to achieve optimum solar accessibility. The use of active solar systems is encouraged, particularly for domestic water heating, heating of swimming pools and spas, and similar purposes. Passive solar design and orientation is also particularly encouraged, to reduce energy use for residential space heating and cooling.

SA-16 The use of drought-tolerant landscaping is encouraged, to minimize water consumption requirements for irrigation.

SA-17 Residential units shall be required to utilize water-saving fixtures and devices, including those which might be prescribed by the City at the time of development

application review in excess of the requirements of applicable building and construction codes.

SA-18 Any appurtenant structure on any residential lot shall be constructed in the same architectural character and style as the primary residential structure on the lot.

SA-19 Landscaped "entry way" shall be constructed on both sides of the east-west collector street crossing Subarea A at its intersection with Buena Vista Road.

SA-20 Landscaping and trail improvements along the bluff shall be environmentally sensitive and be consistent with the existing trail and landscaping to the south. Said landscaping would take into account the existing oak trees and other native vegetation.

SA-21 Street trees shall be provided by the developer or sub divider of any property at the average rate of one tree for each forty (40) feet, or fraction thereof, of public street frontage. Trees may be planted in clusters and should be planted within the street right-of-way (detached parkway) or within the first five (5) feet of the private property adjacent to the right-of-way when a parkway does not exist. Trees shall be selected from the street tree list provided in the "River Oaks II Expansion - Design Manual". Street trees shall be the maintenance obligation of the adjacent private property owner either directly (when on private property) or indirectly through a Home Owners Association (when in the parkway).

SA-22 The extension of Clubhouse Drive into Subarea A may be constructed at a local street standard and may be dedicated as a public street or maintained as a private street consistent with the street section shown in the "River Oaks II Expansion – Design Manual", Chapter 6.

SA-23 Reduced width street sections may be proposed within the residential neighborhoods as shown in the "River Oaks II Expansion – Design Manual" (see Exhibits 13-19).

SA-24 Apply the following Low Impact Development (LID) principles into development applications:

- a. Limit the use of potable water or other natural surface or subsurface water resources available on or near the project site for landscape irrigation.
- b. Drought-tolerant landscaping is required. Plant selection should be based on the climate and environment of the area, as well as site characteristics such as exposure, light intensity, soil analysis, site drainage and irrigation. Proper plant selection based on site characteristics will enhance the plants' likelihood of becoming established in the site and reduce potential incidences of low vigor, excessive maintenance, disease or death. California native species are preferred for natural landscapes.
- c. Permeable paving shall be used in parking lots and private driveways where practical.

- d. All permeable paving surfaces must be Americans with Disabilities Act (ADA) accessible.
- e. Pervious pavement (pervious concrete, pervious asphalt, pervious pavers, and similar surface and subsurface materials) shall be utilized wherever practical to reduce stormwater runoff and to allow for ground water recharging.
- f. Site runoff shall be directed to vegetated open areas, planting areas, rain gardens, etc. to improve the quality of stormwater runoff through bio-filtration.
- g. Detention basins, bioswales (vegetated swales) and rain gardens shall be utilized wherever practical in the storm drainage system to collect, detain, or slow stormwater runoff and improve runoff water quality.
- h. A point of connection to the underground storm drainage system should be provided to allow use of on-site stormwater best management practice (bmp) features to treat stormwater prior to allowing excess inflows to enter the storm drain.
- i. Site drainage shall be designed to integrate a decentralized system that distributes stormwater across the project site to replenish groundwater supplies.
- j. Reduce pollution from construction activities by controlling soil erosion, waterway sedimentation, and airborne dust generation.
- k. Constructed surfaces on the site should be shaded whenever possible with landscape features and utilize high-reflectance materials and other materials to reduce the heat absorption of hardscape.

SA-25 Existing non-potable water sources have been historically utilized for irrigation, and shall be utilized in the same manner for irrigation within Subarea A.

SA-26 Storm water Plan: Upon tentative tract map submittal the developer shall submit a storm water control plan offering an overall evaluation and assessment of constraints and opportunities for Low Impact Development and corresponding storm water management strategies. The plan must quantify storm water retention in relation to new regulations adopted by the Water Board on July 12, 2013.

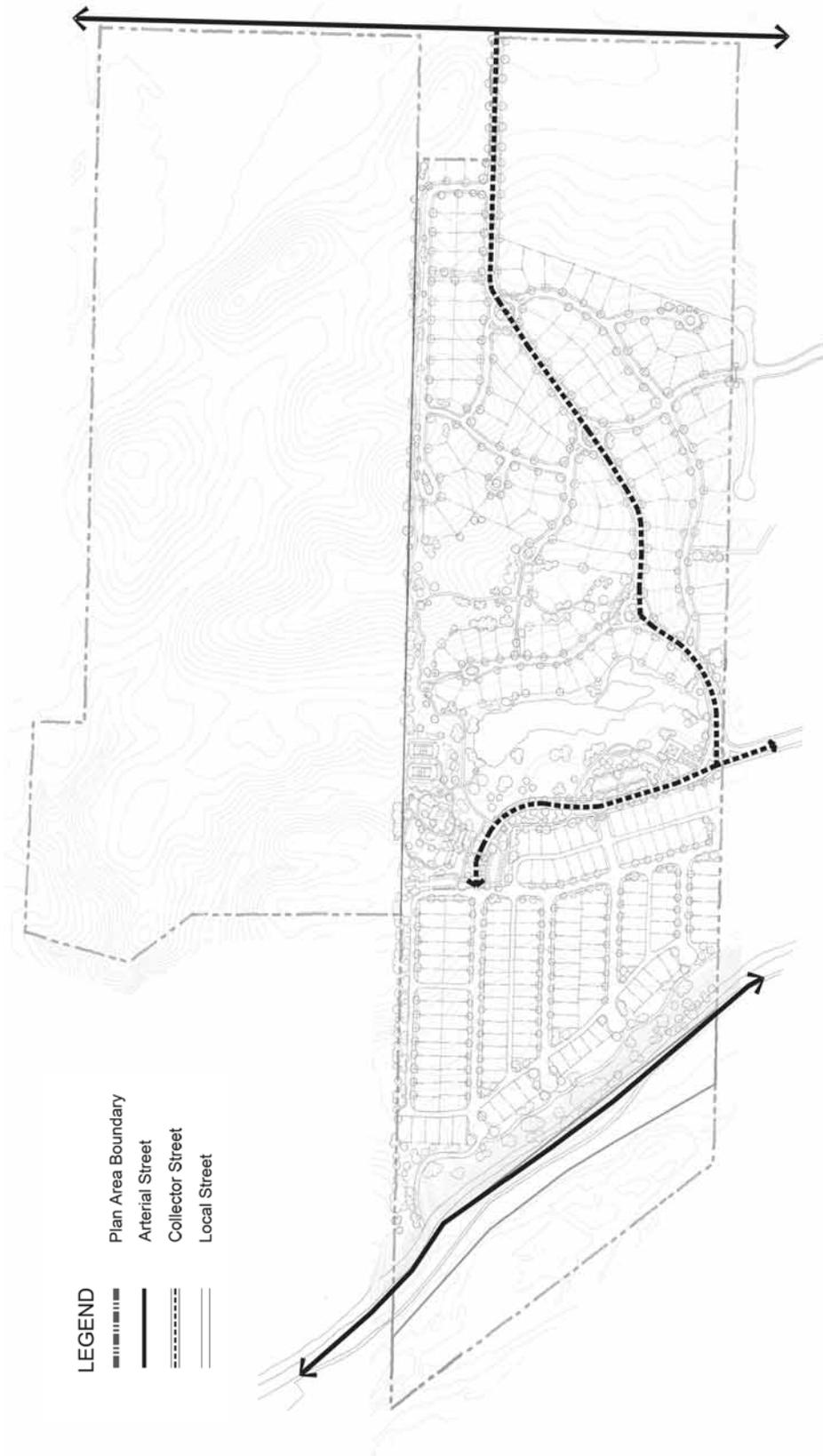
Finally, for each subarea of the overall plan area, the design guidelines prescribed by the RO II Expansion Design Manual include specific landscaping requirements, augmenting those already set out in the City's zoning ordinance for the applicable zone districts allocated to the area. Approval of any development application for the plan area will require City approval of an accompanying detailed landscaping plan for the proposed project neighborhood. The above referenced Design Manual is hereby incorporated into this Specific Plan by reference.

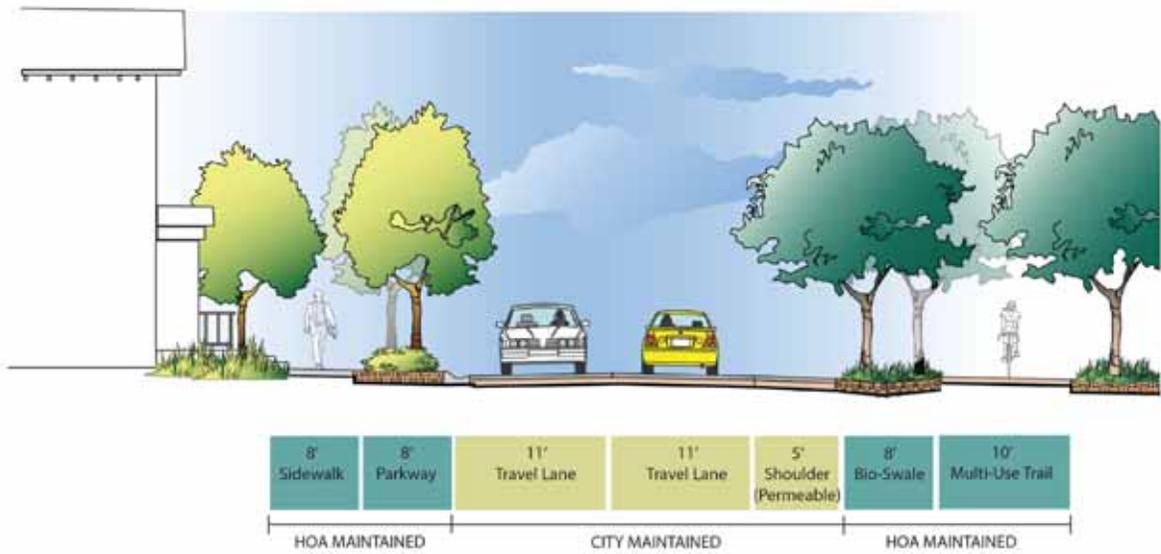
Chapter 4 – Plan Implementation and Phasing

- Page IV-5: Revise Subarea A as follows:
 - Agricultural District (AG) ~~Planned Development (PD) Overlay~~ Designation for the northern 223 117-acre portion. See Chapters 21.16A and J of the City Zoning Ordinance.

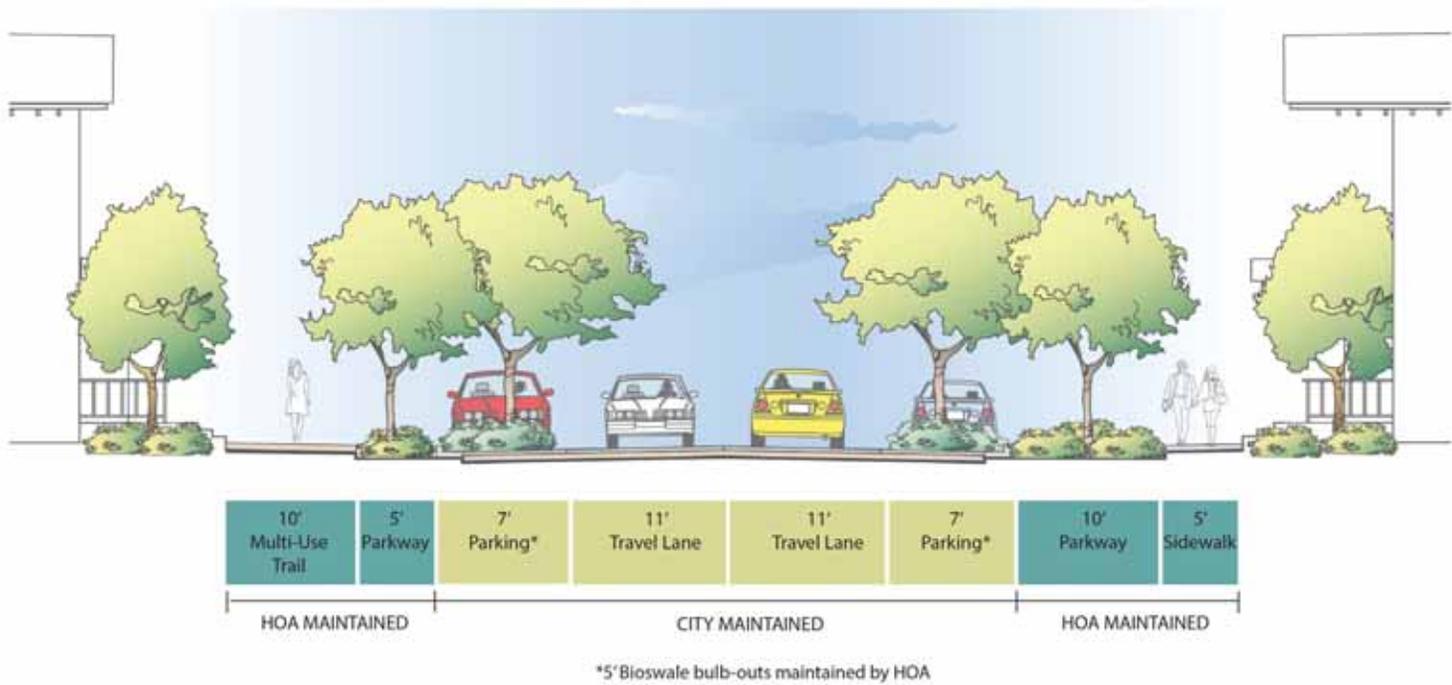
- Residential (R-1) and Agriculture District (AG) Planned Development Overlay Designation (PD) for 113 acres (See Chapters 21.16A and J of the City Zoning Ordinance).

Figure 9-A. Subarea A Circulation Plan

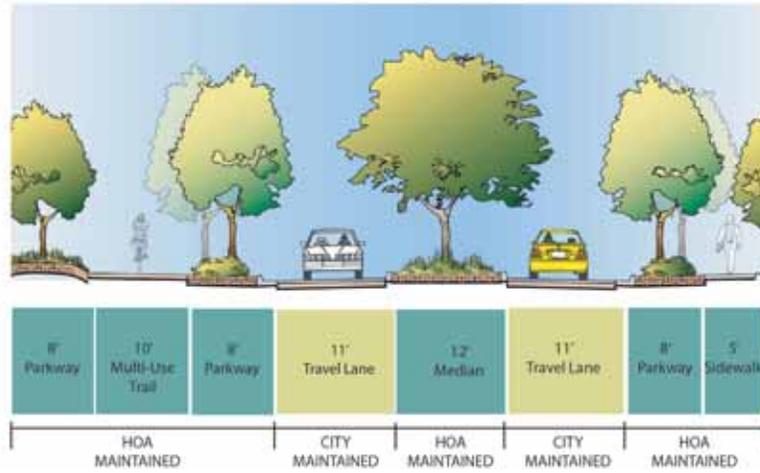




Borkey Area Specific Plan
 EXHIBIT 9-B: Clubhouse Drive Extension
 rrm design group
 creating environments people enjoy
 November, 2013

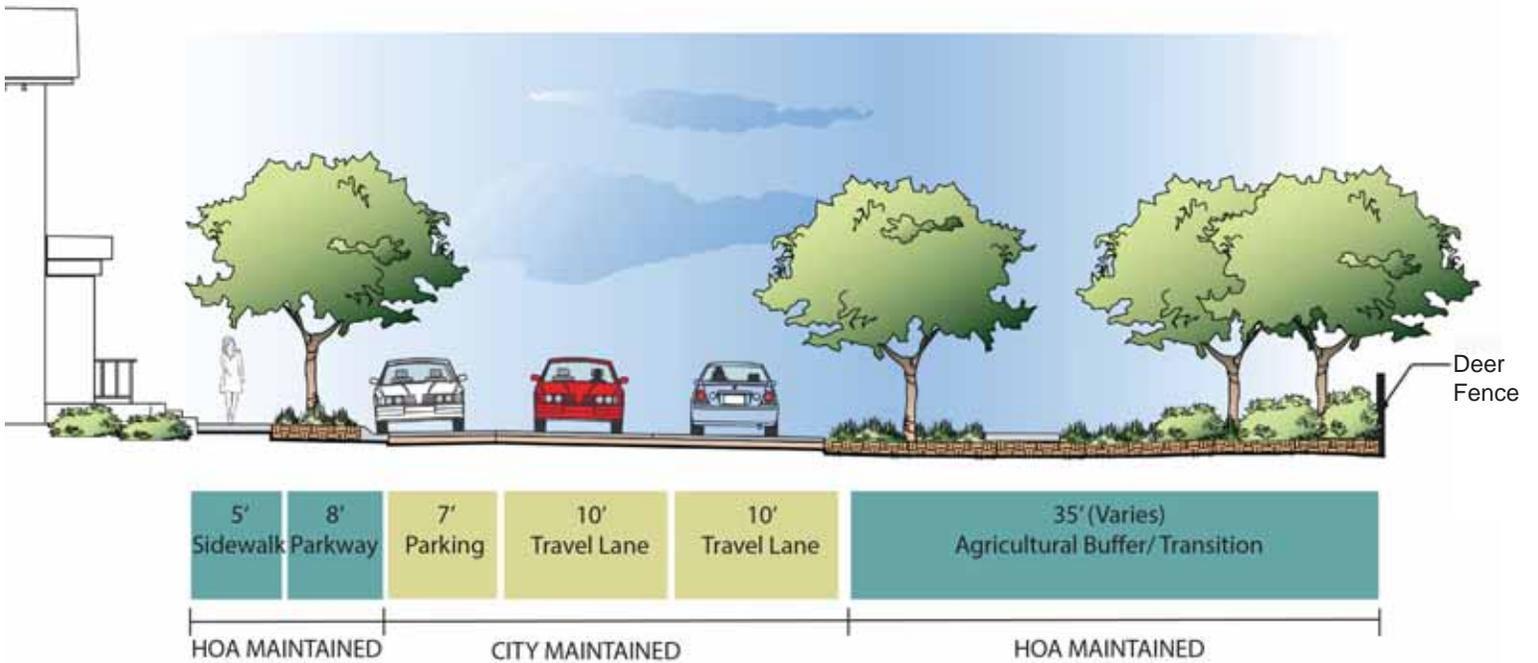


Borkey Area Specific Plan EXHIBIT
 9-C: Village Drive Collector
 rrm design group
 creating environments people enjoy
 November, 2013



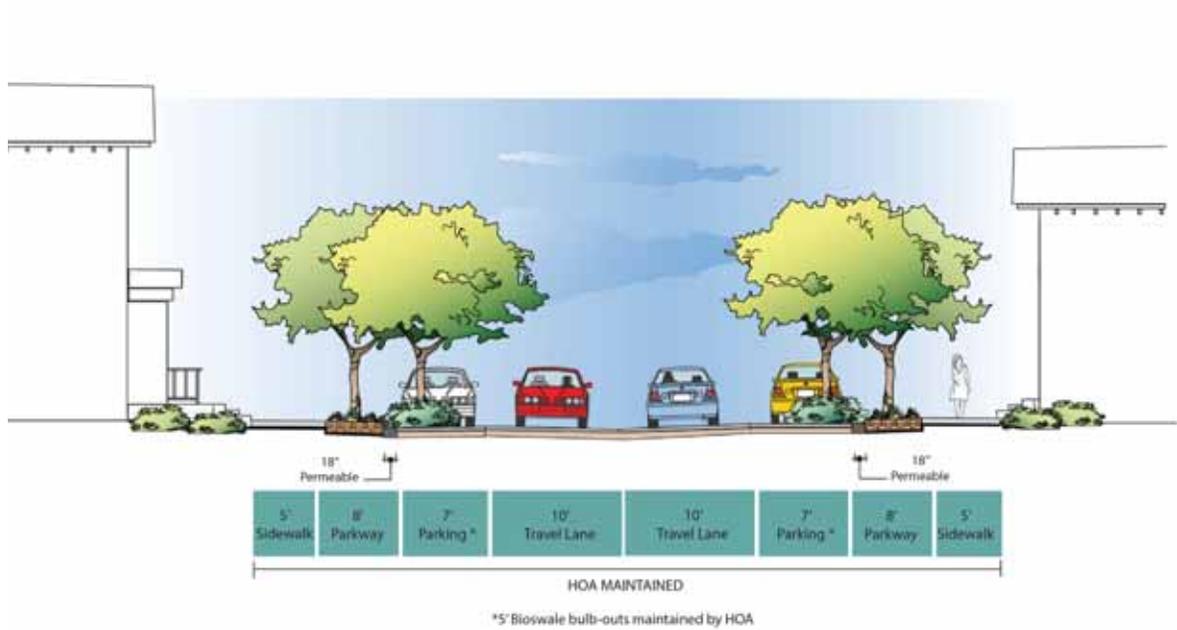
Borkey Area Specific Plan
 EXHIBIT 9-D: Village Entry Street

rrm design group
 creating environments people enjoy
 November, 2013



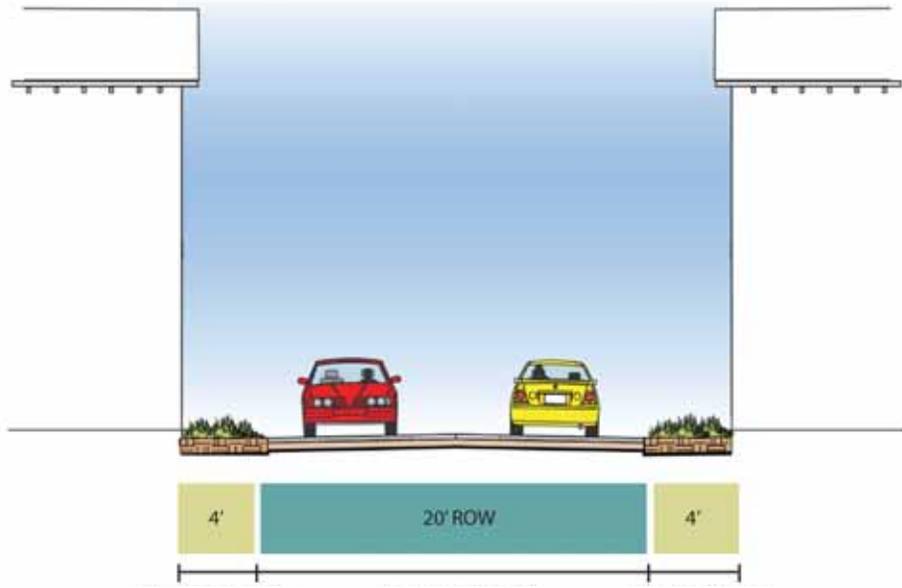
Borkey Area Specific Plan
 EXHIBIT 9-E: Single Loaded Adjacent to Agriculture

rrm design group
 creating environments people enjoy
 May, 2016



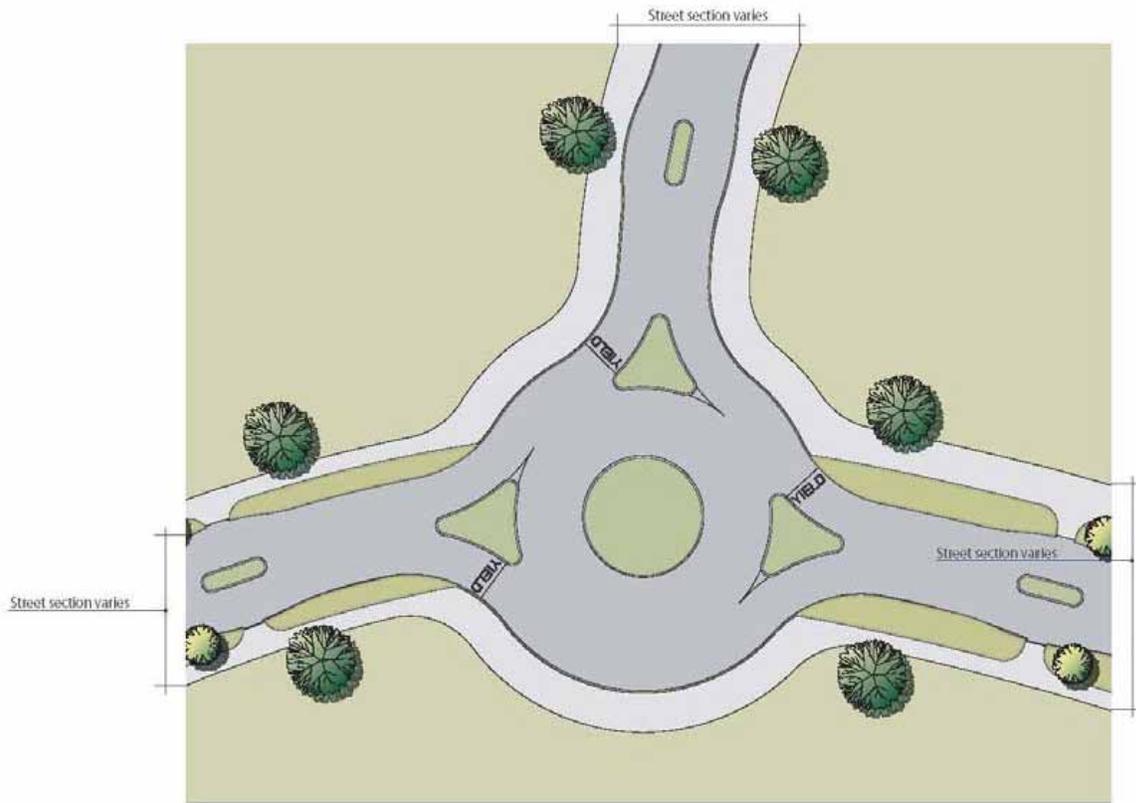
Borkey Area Specific Plan
 EXHIBIT 9-F: Local Street with Parkway Adjacent to Curb

rrm design group
 creating environments people enjoy
 November, 2013



Borkey Area Specific Plan EXHIBIT
 9-G: Typical Lane (Alley)

rrm design group
 creating environments people enjoy
 November, 2013

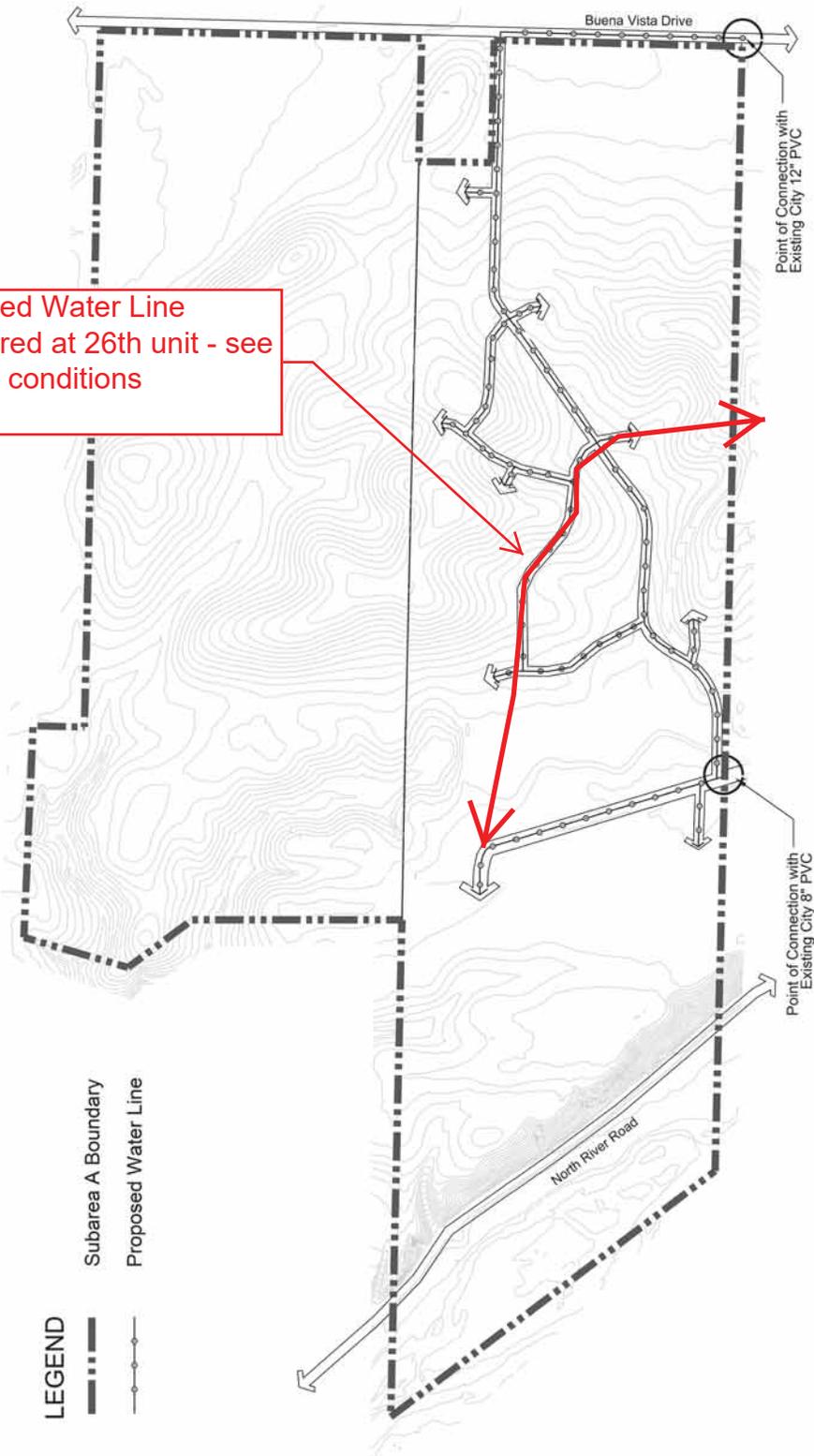


Borkey Area Specific Plan

EXHIBIT 9-H: Typical Roundabout

rrm **design** group 
creating environments people enjoy
 November, 2013

Looped Water Line
required at 26th unit - see
MDP conditions



LEGEND

- Subarea A Boundary
- Proposed Water Line

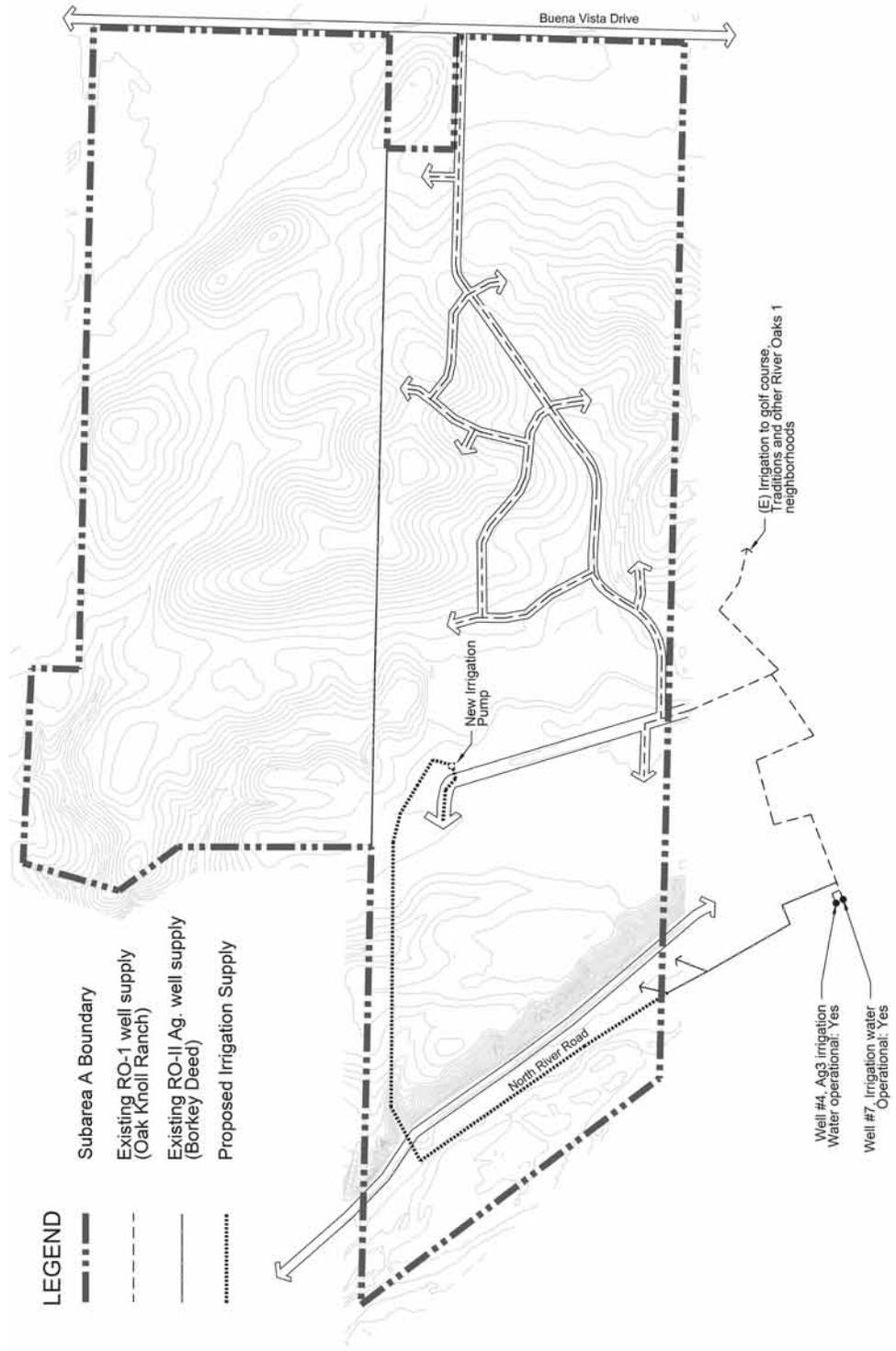
Borkey Area Specific Plan

REVISED FIGURE 20 A-2: Schematic Water Supply
(Replaces Page III-32)



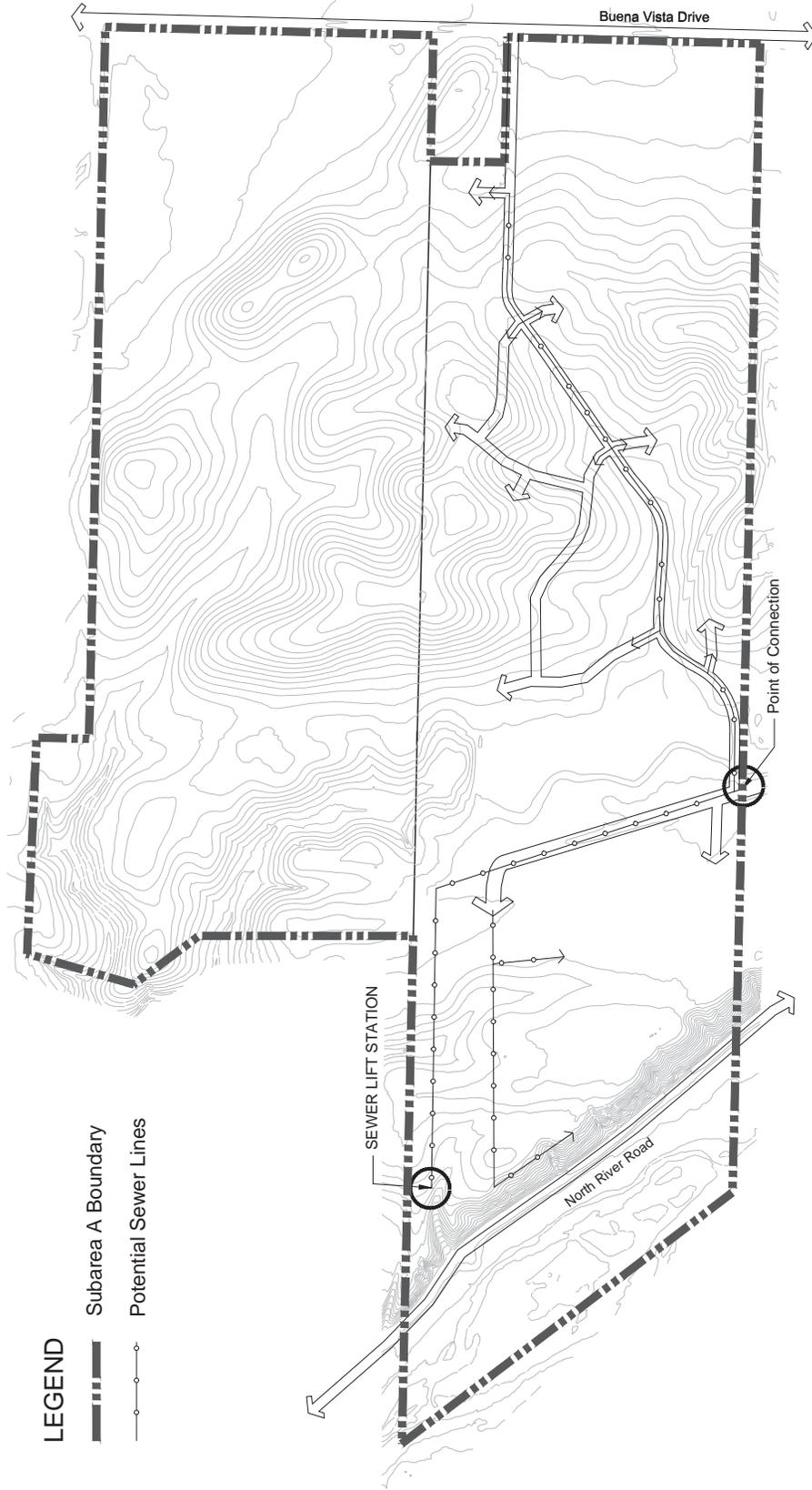
rmdesigngroup
"making the difference in your world"
September, 2013

NOT TO SCALE



- LEGEND**
- +—+—+— Subarea A Boundary
 - - - - - Existing RO-1 well supply (Oak Knoll Ranch)
 - Existing RO-II Ag: well supply (Borkey Deed)
 - Proposed Irrigation Supply

Borkey Area Specific Plan
FIGURE 12: Schematic Non-Potable Irrigation Supply



LEGEND

- Subarea A Boundary
- Potential Sewer Lines

Borkey Area Specific Plan
REVISED FIGURE 21 A-2: Schematic Wastewater Collection System
(Replaces Page III-34)

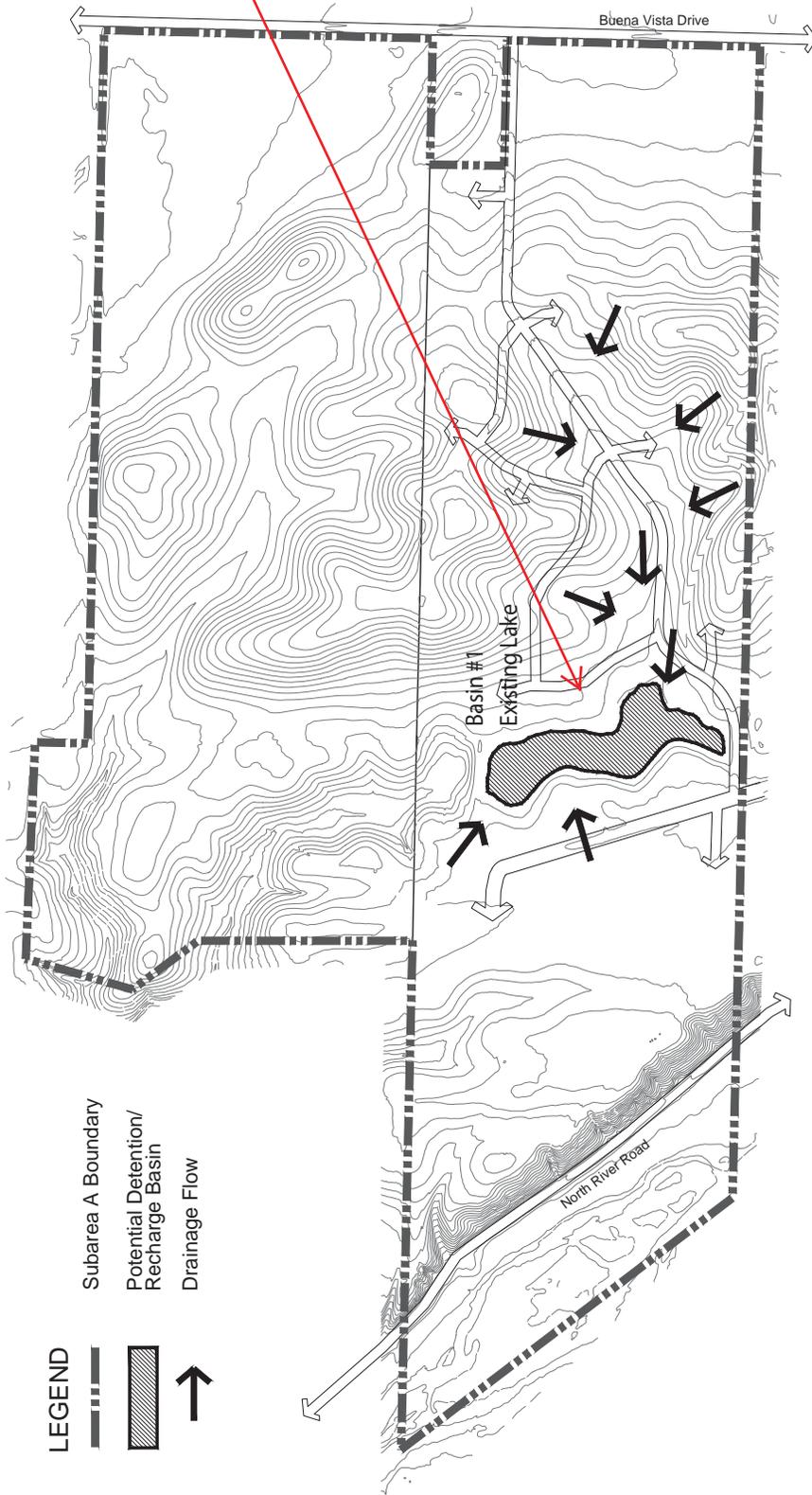


September, 2013



NOT TO SCALE

A stormwater master plan shall be approved prior to the issuance of any grading plans to demonstrate consistency with RWQCB post construction regulations



rmbsi group
September, 2013

NOT TO SCALE

Borkey Area Specific Plan
REVISED FIGURE 22 A-2: Schematic Storm Drainage System
(Replaces Page III-37)