

# Attachment 6

ORDINANCE NO. XXXX N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES  
EXPANDING THE HIGHWAY-ORIENTED SIGN OVERLAY DISTRICT TO INCLUDE  
2805 THEATRE DRIVE, APN 009-851-022

WHEREAS, an application for Planned Development 22-02, Rezone 22-03, and Conditional Use Permit 22-16 (P22-0017), was filed by Archer Paso Robles, LLC to construct a 25,000 square-foot building and a highway-oriented sign at 2805 Theatre Drive; and

WHEREAS, an application for Conditional Use Permit 23-03 was filed by Outfront Media to construct a new billboard to replace an existing billboard on the site (P23-0019); and

WHEREAS, the site has a General Plan land use designation of Regional Commercial (RC) and is in the Commercial Highway zoning district with Planned Development zoning overlay (C2-PD); and

WHEREAS, billboard signs are a conditionally allowed use on properties that are “adjacent to the 101 or 46 Corridors” including those “separated by frontage roads”; and

WHEREAS, Paso Robles Municipal Code section 21.19.030.R. defines the term “highway-oriented sign” and section 21.19.040.H. provides that such signs are subject to the approval of a Conditional Use Permit and may be placed only in the highway-oriented sign overlay district; and

WHEREAS, the highway-oriented sign overlay district does not presently include the project site, and the applicants have requested that the City Council expand the highway-oriented sign overlay district to include the subject property; and

WHEREAS, the Development Review Committee (DRC) reviewed the design of the project at their meeting on August 8, 2022 and forwarded the project to Planning Commission with a request for images of the existing Peterbilt pole sign (across the freeway on Ramada Drive) illuminated at night, and plans showing how the project will interact with a new mini-storage use proposed on the lot to the west; and

WHEREAS, the Development Review Committee reviewed the design of a replacement billboard sign on April 17, 2023. The Development Review Committee members forwarded the project to the Planning Commission with a request for additional photographs of the existing billboard sign; and

WHEREAS, the Planning Commission held a public hearing on May 23, 2023, and considered the facts as presented in the staff report prepared for this project, accepted public testimony regarding the project, and adopted Resolution PC 23-027 by a vote of 7-0, recommending the City Council expand the Highway-Oriented Sign Overlay District to include the project site, and

WHEREAS, the City Council introduced this ordinance for first reading on June 20, 2023, and considered the facts as presented in the staff report prepared for this project and accepted public testimony regarding the ordinance.

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

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Section 1. All of the above recitals are true and correct and are 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 finds and determines:

- a. The requested rezone is consistent with the General Plan because the Conservation Element identifies the full length of Highway 101 as a visual corridor, where “development shall be designed to make a positive visual impression” and “Billboards shall be limited in number” and Action Item 2 of General Plan Land Use Element Policy LU-2B provides for “Enhancing views along highways, roads, streets, and rail corridors with landscaping, building setbacks, enhanced architecture and signage/monuments.”
- b. Mitigation Measure AES-2 would limit the height of the highway-oriented sign to 30 feet in height, Mitigation Measure AES-3 would require collocation of additional highway-oriented signs on the property with the Peterbilt sign structure, and Mitigation Measure AES-4 would require landscaping along the frontage of Theatre Drive.
- c. The requested rezone is consistent with the intents of the Highway-Oriented Sign overlay district, which are to allow signs that identify tourist-oriented businesses adjacent to Highways 101 and 46, to minimize the visual impact of highway-oriented signs, and to protect the public health and safety because the site is adjacent to Highway 101 and is contiguous to the existing Highway-Oriented Sign overlay district.

Section 3. The Highway-Oriented Sign Overlay District shall be expanded to include 2805 Theatre Drive (APN 009-851-022) as shown in attached Exhibit A.

Section 4. The project, as mitigated by Mitigated Negative Declaration SCH 2022090384, will not result in a significant impact on the environment.

Section 5. 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. 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. 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 shall either (a) have this ordinance published in a newspaper of general circulation within 15 days after its adoption or (b) have a summary of this ordinance published twice in a newspaper of general circulation within 15 days after its adoption.

INTRODUCED at a regular meeting of the City Council held on June 20, 2023, for first reading by the City Council of the City of El Paso de Robles, and adopted on \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Steven W. Martin, Mayor

ATTEST:

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Melissa Martin, City Clerk

Exhibit A. Highway-Oriented Zoning Overlay Map