

# Attachment 5

## RESOLUTION NO. PC 26-xx

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL PASO DE ROBLES

**TO RECOMMEND ADOPTION OF ORDINANCE xxx AMENDING PASO ROBLES MUNICIPAL CODE (PRMC) SECTION 21.69.120 (FOOD TRUCKS AND FOOD TRUCK COURTS), CHAPTER 21.20 (TEMPORARY USE PERMITS), TABLE 21.32-1 (ZONING DISTRICT USE REGULATIONS), SECTION 21.91.070 (“F” DEFINITIONS) AND UPTOWN/TOWN CENTRE SPECIFIC PLAN (UTCSP) TABLE 5.3-1 (ALLOWED LAND USES AND PERMITTING REQUIREMENTS), AND FINDING THE ACTION NOT A PROJECT SUBJECT TO CEQA**

### APPLICANT – CITY OF PASO ROBLES

**WHEREAS**, on October 1, 2024, City Council approved a variety of updates to the Paso Robles Zoning Code, Title 21 of the Paso Robles Municipal Code, including updates to Section 21.69.120, “Food Trucks and Food Truck Courts” (Attachment 1). This section of the municipal code establishes the permit requirements and operational standards for food trucks operating within the City limits. The rules codified staff policy on food trucks that had existed since 2019, and;

**WHEREAS**, all food trucks operating are required to comply with the operational requirements of Section 21.69.120, have a valid City business license, and have an active County of San Luis Obispo Environmental Health Permit, and;

**WHEREAS**, in addition to the above requirements, food trucks operating at one location for more than seven days in a calendar year, but less than one year, are required to obtain a Temporary Use Permit (TUP) and must meet the findings provided in Section 21.20.070, “Findings for Approval and Revocation”, and;

**WHEREAS**, on August 5, 2025, City Council discussed a ‘Legislative Update and Review Regarding Food Truck Regulations’. Staff presented the current permitting process as well as some of the challenges in enforcing the food truck standards and permitting requirements due to ambiguity in the municipal code. Members of the public were invited to participate in the discussion and provided feedback. The City Council voted to establish an Ad Hoc Committee of the City Council to be comprised of Councilmember Gregory and Councilmember Bausch to address food truck regulations and report back to City Council within 6 months with recommendations for future action based on the discussion, and;

**WHEREAS**, the first Food Truck Regulation Review City Council Ad Hoc Committee meeting was held on September 22, 2025. The priority of the meeting was to gather more in-depth feedback from the public. The meeting had a high level of participation from the public. Ad Hoc committee members directed staff to collect additional information on the following topics:

# Attachment 5

- a. Generators that can meet Noise Ordinance requirements,
- b. Comparison of the current food truck policies listed on the City's website and the standards in the Zoning Ordinance,
- c. Clarification on Fire inspection requirements,
- d. Additional information on complaints received by the City regarding food trucks,
- e. Policies and options for food trucks utilizing tables, chairs, and shade structures, and
- f. Clarification of how the 7-day rule applies to food trucks hired to serve food at special events (not operated by the City), and;

**WHEREAS**, the second Food Truck Regulation Review City Council Ad Hoc Committee meeting was held on November 12th, 2025. The priority of the meeting was to report back on topics brought to light at the first ad hoc meeting. This included details of previous food truck complaints, providing clear and concise rules that align with other departments' requirements, and additional information on fire department inspections. Staff also provided draft recommendations to gather feedback from the Ad Hoc Committee members and from the public. Ad hoc committee members made recommendations were made for the following topics:

- a. Generator Noise,
- b. Accessory Furniture,
- c. Temporary Use Permit permitting requirements,
- d. Setbacks, and
- e. Proximity to Downtown, and;

**WHEREAS**, on December 16<sup>th</sup>, 2025 Staff reported the findings and recommendations made at the second Food Truck Regulation Review City Council Ad Hoc Committee back to City Council for review and formal recommendations. City Council provided specific direction to staff regarding operational requirements effective immediately:

- a. Food trucks will utilize generator acoustic panels to protect adjacent land uses and the public right-of-way from excessive noise and to comply with the Noise Ordinance.
- b. Accessory furniture is not permitted:
  - i. In the public right of way (e.g., sidewalk or parkways),or
  - ii. Where it will obstruct circulation, ingress, or egress
- c. The following accessory furniture is permitted:
  - i. 1 shade structure, no more than 120square feet in size;
  - ii. Table(s) totaling no more than 24 square feet in size; and
  - iii. 8 chairs
- d. Require a minimum setback of 9 feet (half the length of an uncovered parking space) for food trucks with service windows facing the public right-of-way. No setback is required for food truck service window facing internally into the commercial lot. Shade canopies, tables, and chairs area allowed within the food truck setback. Allow the Zoning Administrator to increase or decrease

# Attachment 5

setback requirements for individual temporary use permits to account for unique site configurations.

- e. Temporary Use Permits will not be granted on private property within 100 feet of City Park, and;

**WHEREAS**, on December 16<sup>th</sup>, 2025, City Council also provided a recommendation to amend Paso Robles Municipal Code (PRMC) Section 21.69.120 to:

- f. Require a Temporary Use Permit (TUP) for ALL food trucks operating in the City and vending to the public. Exception - food truck operating as a caterer for an event are not required to have a TUP, and;
- g. Require on-site commercial businesses hosting more than 7 events in a year to obtain a Temporary Use Permit for food trucks to participate in reoccurring events, and;

**WHEREAS**, staff has prepared amendments to the Paso Robles Municipal Code and Uptown/Town Centre Specific Plan to achieve City Council recommendations to food truck regulations made at the December 16<sup>th</sup>, 2025 City Council meeting to present to the Planning Commission to make a recommendation to the City Council, and;

**WHEREAS**, a duly noticed public hearing was conducted for the Planning Commission meeting on April 14<sup>th</sup>, 2026 to consider the facts as presented in the staff report prepared for this purpose, and to accept public testimony regarding this proposed Paso Robles Municipal Code and Uptown/Town Centre Specific Plan amendment and make a recommendation to City Council, and;

**WHEREAS**, the proposed ordinance is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a “project” under CEQA. State CEQA Guidelines §15060(c) provides that “[a]n activity is not subject to CEQA if ... the activity is not a project as defined in Section 15378” and, alternatively, is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment.

NOW THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of El Paso de Robles, as follows:

**Section 1: Recitals.** The above recitals are hereby found to be true and correct and are incorporated herein.

**Section 2: Findings.** Having considered the staff report and facts surrounding this matter, and having heard public testimony, the Planning Commission of the City of El Paso de Robles makes the following findings with respect to the proposed amendment of Title 21 of the Municipal Code and the Uptown/Town Center Specific Plan:

# Attachment 5

1. The proposed amendment is consistent with the General Plan and any applicable specific plan;
  - a. The proposed amendment is consistent with the goals, objectives, and policies of the General Plan Land Use element commercial land uses as this amendment maintains accommodation for food trucks as a potential commercial use on commercially zoned properties. This amendment maintains the ability to provide the public access to a commercial good while maintaining aesthetically appeal of City viewsheds and gateway.
2. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare;
  - a. The proposed amendment requires food trucks vending to the public obtain a temporary use permit issued through the Community Development Department. This provision allows staff to review food trucks in a site-specific context. In addition, food truck temporary use permits are reviewed by the Fire department, Industrial Wastewater department, and is required to have County of San Luis Obispo Health permit. All food trucks operating within City limits are required to abide by the operational requirements listed in Section 21.69.120 (Food Trucks and Food Truck Courts) to ensure the food trucks are not detrimental to public health and safety.
3. The proposed amendment is internally consistent with other applicable provisions of the zoning code.
  - a. In addition to the City Council’s recommendation to amend Paso Robles Municipal Code Section 21.69.120 (Food Truck and Food Truck Courts), staff has proposed amendments to Chapter 21.20 (Temporary Use Permits), Table 21.32-1 (Zoning District Use Regulations), Section 21.91.070 (“F” Definitions) and Uptown/Town Centre Specific Plan (UTCSP) Table 5.3-1 (Allowed Land Uses and Permitting Requirements) to ensure consistent language and regulation of food trucks and food truck courts throughout the Zoning Code.

**Section 3: CEQA.** The Planning Commission’s recommendation for adoption of the proposed Ordinance is not subject to the California Environmental Quality Act (CEQA) because it does not qualify as a “project” under CEQA. State CEQA Guidelines §15060(c) provides that “[a]n activity is not subject to CEQA if ... the activity is not a project as defined in Section 15378” and, alternatively, is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment.

**Section 4: Recommendation to City Council.** Having considered the staff report and facts surrounding this matter, and having heard public testimony, the Planning Commission of the City of El Paso de Robles does hereby recommend that the City Council adopt Ordinance xxx, attached as Exhibit A approving amendments to Paso Robles Municipal Code (PRMC) Section 21.69.120 (Food Trucks and Food Truck Courts), Chapter 21.20 (Temporary Use Permits), Table 21.32-1 (Zoning District Use Regulations), Section 21.91.070 (“F” Definitions) and

# Attachment 5

Uptown/Town Centre Specific Plan (UTCSP) Table 5.3-1 (Allowed Land Uses and Permitting Requirements).

PASSED AND ADOPTED THIS 14<sup>th</sup> day of April 2026, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

SHARON RODEN, CHAIR-PRO TEM

ATTEST:

---

WARREN FRACE, PLANNING COMMISSION SECRETARY

Exhibit A: Proposed Ordinance xxx