

# Attachment 2

## RESOLUTION 26 -XXX(A)

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES CERTIFYING AN ADDENDUM TO A MITIGATED NEGATIVE DECLARATION FOR PLANNED DEVELOPMENT PD25-14, MODIFICATION 26-04, REZONE 25-03, VESTING TENTATIVE TRACT MAP 3255, CONDITIONAL USE PERMIT 25-05, AND OAK TREE REMOVAL 25-09

#### 2930 UNION ROAD, APN 025-362-050

WHEREAS, Covelop, Inc. & MD3 Investments (“applicant”) applied for entitlements for a mixed-use commercial and light industrial project consisting of approximately 240,000 square feet of commercial/light-industrial space spanning six buildings on a +/- 12.98-acre property located at 2930 Union Road, Lots 6 & 13 of APN 025-362-050 (the “Project”); and

WHEREAS, in 2024 the City Council, pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) (CEQA), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) determined that a Mitigated Negative Declaration (MND) be prepared pursuant to CEQA in order to analyze all potential adverse environmental impacts of the Project encompassed by Planned Development 22-20, Oak Tree Removal 23-11, Modification 26-04, Vesting Tentative Parcel Map PR 22-0054, and Conditional Use Permit 23-14; and

WHEREAS, on February 20, 2024, Resolution 24-016 of the City Council adopted the Mitigated Negative Declaration (“2024 MND”) and Mitigation Monitoring and Reporting Plan for the Project (SCH# 2023090132); and

WHEREAS, since the time of approval, the applicant has reevaluated the site’s development potential considering evolving market demands, the City’s housing objectives, and the City’s 5-year Economic Development Strategic Plan and now proposes certain changes to the Project; and

WHEREAS, the applicant proposes to replace the previously approved development with the development of a 154-unit residential multi-family housing development (“Revised Project”); and

WHEREAS, the Project applicant is now seeking the following entitlements to allow for construction of the Revised Project: Rezone to include a Mixed-Use Overlay, Special Planned Development Overlay, Planned Development, Conditional Use Permit, a Development Plan Modification, a Phased Vesting Tentative Tract Map (TR 3225), and Oak Tree Removal; and

WHEREAS, the General Plan designation is Commercial Service (CS) and the zoning designation is Commercial/ Light Industrial with a Planned Development Overlay and special district “F” overlay (C3-PD, District “F” Overlay); and

WHEREAS, the applicant has requested Planned Development 25-14, Conditional Use Permit 25-05, Modification 26-04, Vesting Tentative Tract Map 3255, and Oak Tree Removal 25-09, which includes the site planning, architecture, subdivision layout, various development standard modifications, and oak tree removals necessary for the Revised Project; and

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WHEREAS, on November 4, 2025, the City Council of the City of Paso Robles approved Resolution 25-124, authorizing a reservation of 154-units from the Cycle 2 Surplus Density Unit pool to be applied to this project site; and

WHEREAS, the applicant has requested RZN 25-03, requesting the site be rezoned to include the MU Overlay to allow residential uses by-right, which would enable an allocation of units to be assigned to the subject property. The purpose of the MU Zoning Overlay zoning is to provide for locations appropriate for development of multi-family residential in nonresidential zoning districts, either in combination with commercial uses or as stand-alone residential development projects; and

WHEREAS, as part of RZN 25-03, and in accordance with Section 21.11.050 of the Zoning Code, the applicant is also requesting SPD Zoning Overlay K be established to allow:

- Reduced setbacks including zero lot line development as part of the associated development plan; and
- Exceptions to the Special Planned Development Overlay “F” designation as outlined by PRMC Section 21.04.070, to eliminate the requirement for a solid wall adjacent to residentially zoned land.
- Minimum lot size, parking requirements, and common recreation amenities.

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an MND has been adopted, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines Section 15162 require additional environmental review; and

WHEREAS, it has been determined that an addendum is the appropriate document under CEQA to analyze the consistency of the Revised Project with the type and intensity of development previously analyzed for the site in the 2024 MND as provided for in CEQA Guidelines section 15162 and 15164. The Addendum is attached as **Exhibit A**; and

WHEREAS, by way of preparation of an addendum for the Revised Project, staff evaluated the proposed changes to the Project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166, and State CEQA Guidelines section 15162 by preparing an Initial Study and accompanying technical reports (Addendum) including an updated Acoustics Study (**Exhibit B**), Air Quality and Greenhouse Gas assessment (**Exhibit C**), and Oak Tree Assessment (**Exhibit D**); and

WHEREAS, based on that evaluation, staff concluded pursuant to State CEQA Guidelines Section 15162 that there is substantial evidence in light of the whole record that the proposed changes to the Project will not result in new significant environmental effects or a substantial increase in the severity of significant effects previously identified in the 2024 MND, and that no mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative, and therefore, no subsequent EIR or mitigated negative declaration is required; and

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WHEREAS, pursuant to State CEQA Guidelines Section 15164, only minor technical changes or additions to the MND were necessary and none of the conditions described in Section 15162 have occurred, therefore an Addendum to the 2024 MND was prepared; and

WHEREAS, pursuant to State CEQA Guidelines Section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be included within the public record with the final 2024 MND; and

WHEREAS, a public hearing was conducted by the Planning Commission on March 24, 2026 to consider the Addendum to the adopted 2024 MND prepared for the Revised Project, and to accept public testimony on the Planned Development, Conditional Use Permit, Modification, Rezone, VTTM, and Oak Tree Removal; and

WHEREAS, based on the information and analysis contained in the Addendum prepared for the Revised Project and testimony received as a result of the public notice, the City Council finds that there is no substantial evidence that the Revised Project would result in significant effects on the environment not previously studied in the 2024 MND.

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

Section 1. The above recitals are true and correct and incorporated herein by reference.

Section 2. Section 2. The City Council has reviewed and considered the 2024 MND and Addendum, any oral or written comments received, and the administrative record prior to making a recommendation on the Revised Project. The City Council finds that the Addendum and 2024 MND contain a complete and accurate reporting of all the environmental impacts associated with the Revised Project. The City Council further finds that the Addendum has been completed in compliance with the State CEQA Guidelines. The City Council therefore adopts the Addendum to the 2024.

Section 3. Based on the substantial evidence set forth in the record, including but not limited to, the 2024 MND, the Addendum, and all related information presented to the City Council, the City Council finds that the Project necessitate only minor modifications to the 2024 MND. Therefore, pursuant to State CEQA section 15164, an Addendum to the 2024 MND is the appropriate document for the Revised Project.

The City Council further finds that the preparation of a subsequent or supplemental MND or EIR is not required for the Revised Project because the Revised Project:

A. will not result in substantial changes that would require major revisions of the 2024 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

B. will not result in substantial changes with respect to the circumstances under which the Project is developed that would require major revisions of the 2024 MND due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

C. does not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the 2024 MND documents were certified showing any of the following:

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- (i) the Revised Project would have one or more significant effects not discussed in the 2024 MND;
- (ii) that significant effects previously examined would be substantially more severe than shown in the 2024 MND;
- (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the lead agency declined to adopt such measures; and
- (iv) that mitigation measures or alternatives considerably different from those analyzed would substantially reduce one or more significant effects on the environment, but which the lead agency declined to adopt.

Section 4. Having considered the Addendum, the administrative record, the 2024 MND and all written and oral evidence presented to the City Council, the City Council finds that all environmental impacts of the Revised Project have been addressed within the 2024 MND and the Addendum. The City Council finds that no new or additional mitigation measures are required. The City Council further finds that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in any significant environmental impacts beyond those analyzed in the 2024 MND. The City Council finds that the Addendum contains a complete, objective, and accurate reporting of the environmental impacts associated with the Revised Project and reflects the independent judgment and analysis of the City Council.

APPROVED this 21<sup>st</sup> day of April 2026, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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John R. Hamon, Jr., Mayor

ATTEST:

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Melissa Martin, City Clerk

Exhibit A – CEQA Addendum / Initial Study / Mitigated Negative Declaration

Exhibit B – Noise Assessment

Exhibit C – Air Quality and GHG Assessment

Exhibit D – Oak Tree Assessment

Exhibit E – 2024 Mitigated Negative Declaration

EXHIBIT F – Project Plans

EXHIBIT G – Project Description