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RESOLUTION 26-XXX(C)

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING PLANNED DEVELOPMENT 25-14, MODIFICATION 26-04, AND CONDITIONAL USE PERMIT 25-05 (P25-0080)

APPLICANT – COVELOP, INC. & MD3 INVESTMENTS APN: 025-362-050

WHEREAS, Cove lop, Inc. & MD3 Investments (“Applicant”) has applied for entitlements for a 154-unit residential subdivision (“Project”) on a +/- 12.98-acre property located at 2930 Union Road, Lots 6 & 13 of APN 025-362-050; 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 Planned Overlay “F” (C3-PD, District “F” Overlay); and

WHEREAS, the Applicant has requested Planned Development 25-14 (“PD25-14”), Conditional Use Permit 25-05 (“CUP25-05”), Vesting Tentative Tract Map 3255 (“VTTM 3255”), Modification 26-04 (“MOD26-04”), and Oak Tree Removal 25-09 (“OTR25-09”), which includes the site planning, architecture, subdivision layout, various development standard modifications, and oak tree removals necessary for the project; and

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

WHEREAS, the Applicant also 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 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 (0) lot line development as part of the associated development plan; and
- Exceptions to the Special Planned Development Overlay “F” designation, as outlined by Paso Robles Municipal Code (“PRMC”) Section 21.04.070, to eliminate the requirement for a solid wall, six (6) to eight (8) feet high, adjacent to residentially zoned land as part of the associated development plan; and
- Minimum lot size, parking requirements, and common recreation amenities; and

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WHEREAS, on February 20, 2024, the City adopted a Mitigated Negative Declaration (“MND”) for a commercial/industrial project (“Cove lop”) consisting of two hundred forty thousand (240,000) square feet of floor area spanning six (6) buildings for this project site (Planned Development 22-20, Conditional Use Permit 22-20, Vesting Tentative Parcel Map 22-0054, Oak Tree Removal 23-11). As lead agency, and as part of the City’s due diligence, the City required a supplemental Noise Analysis, a supplemental Arborist Report, and a supplemental Air Quality and Greenhouse Gas Emissions Analysis to determine if the proposed Project would result in any new or more severe significant effects not identified in the original MND. Based on these studies, and a full analysis of the scope of the Project and the previously adopted 2024 MND, none of the criteria specified in CEQA Guidelines Section 15162 requiring a subsequent or supplemental environmental document to be prepared are triggered. In particular, (1): there have been no substantial changes in the project that will require major revisions to the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) there have been no substantial changes with respect to the circumstances under which the Project is undertaken that will require major revisions to the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and (3) there has been no new information of substantial importance that was not known and could not have been known at the time the previous MND was adopted that shows: (a) the Project would have significant effects not discussed in the previous MND; (b) the Project would have more severe environmental effects; or (c) mitigation measures previously found to be infeasible or new mitigation measures now exist and would be feasible and would reduce significant effects. Therefore, an addendum is the appropriate document under CEQA to analyze the consistency of the Project with the type and intensity of development previously analyzed for the site in the MND as provided for in CEQA Guidelines Sections 15162 and 15164; and WHEREAS, PD25-14 and CUP25-05 requests consideration to establish a one hundred fifty-four (154) unit residential development as shown in Exhibit “D” (“Project Plans”); and

WHEREAS, MOD26-04 requests consideration of modifications to specific development standards of the Zoning Code, including:

- Objective Design Standard Tier 1 – A portion of the project’s frontage along Ardmore Road (facing west) will not have pedestrian-oriented entries along the street frontage;
- Objective Design Standard Tier 4 – The project incorporates only one (1) out of the two (2) required design strategies for roofs;
- Objective Design Standard Eave Projections – The project will have eaves that project between zero (0) and twelve (12) inches beyond the roofline, instead of the required eighteen (18) inches;
- Hillside Development Standards – The project will include retaining walls in five locations throughout the project site in which the heights exceed the six (6) foot maximum height by more than two (2) feet; and

WHEREAS, on March 24, 2026, the Planning Commission held a duly noticed public hearing at which it received a staff report, considered all public testimony, and reviewed the proposed Planned Development Conditional Use Permit (“CUP”), and Modification (“MOD”); and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

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

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

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Section 2. Based upon the facts and analysis presented in the staff report and public testimony received, the City Council makes the following findings:

Development Plan Findings

- A. The design and intensity (density) of the proposed project is consistent with the goals and policies established by the general plan because the property would be in a Commercial/Light Industrial Planned Development and Mixed-Use Overlay (C3-PD, MU Overlay) and subject to Special Planned Development Overlay K, which would be consistent with the following:
- General Plan Policy LU-1A, since it would “[p]rovide an appropriate mix and diversity of land uses”
 - General Plan Policy LU-2I, since it would “[e]ncourage infill development as a means of accommodating growth, while preserving open space areas, reducing vehicle miles traveled, and enhancing livability/quality of life.”
 - General Plan Policy LU-2D, since the project includes modifications to allow zero (0) lot line development, which, combined with the site planning of the development, will create more “[a]ttractive streetscapes,” “[a] pedestrian friendly setting,” and “[c]oordinated site design, architecture, and amenities.”
- B. The design and intensity (density) of the proposed project is consistent with the policies and development standards established by any applicable specific plan, special planned development, or master development plan because the site will be developed under Special Planned Development K, which is consistent with the General Plan Land Use Element which allows for “innovation and flexibility in the design of residential... developments” especially when “[a]pproval of a planned development can allow modification of certain development standards if it results in better design or greater public benefit.” Special Planned Development Overlay “K” will allow:
- Reduced setbacks including zero (0) 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 six (6) to eight (8) feet high solid wall adjacent to residentially zoned land as part of the associated development plan.
- C. The design and intensity (density) of the proposed project is consistent with the Zoning Code, including the purpose and intent of the zoning districts in which a development project is located as well as applicable design and development standards. The site would be in the designated C3-PD, MU Overlay and subject to Special Planned Development Overlay “K”. The project will provide one hundred fifty-four (154) residential units that are subject to a precise development plan to ensure the project meets applicable design and development standards of the Zoning Code,

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except those that are being modified as part of Development Plan Modification 26-04, which is allowed under Section 21.16.020 of the Zoning Code.

- D. The design and intensity (density) of the proposed project is consistent with all other adopted codes, policies, standards, and plans of the City, including design guidelines adopted by resolution by the Planning Commission, because it incorporates objective design standards, which are applicable to multi-family residential projects and the density of the project is well under the allowed thirty (30) units per acre for the Mixed-Use Overlay.
- E. The proposed project will not be detrimental to the public health, safety, or welfare, or be injurious to property or other improvements in the vicinity because it is a well-designed residential project. The site planning, circulation, and emergency access were reviewed by the City and determined to be sufficient to meet City standards. Further, the adjustments to the objective design standards enhance the design and functionality of the project, are cosmetic only, and do not serve as fire life safety standards under the building code.
- F. The proposed project accommodates the aesthetic quality of the city as a whole, especially where development will be visible from gateways to the city and scenic corridors and contributes to the orderly development of the city as a whole because it is a well-designed residential project, and although not in a scenic corridor the majority of the project has enhanced frontage treatments featuring covered porches facing the street which will improve the streetscape quality for this segment of the City.
- G. The proposed project is compatible with, and is not detrimental to, surrounding land uses and improvements, provides appropriate visual appearance, and contributes to the mitigation of any environmental and social (such as privacy) impacts because it is a well-designed residential project with buildings in scale with other buildings in the vicinity. Since the project is being rezoned, it will be more compatible with the residentially zoned property to the south.
- H. The proposed development plan is compatible with existing scenic and environmental resources such as hillsides, stream courses, oak trees, vistas, historic buildings and structures because the project proposes to mitigate impacts to the oak trees and to design around oak trees that can be retained and preserved.
- I. The proposed project is a special planned development in conformance with the findings listed in Section 21.11.060. Concurrent with the request for a Development Plan, CUP, and Modification is a request to adopt Special Planned Development Overlay "K". The City Council has considered the request to adopt Special Planned Development Overlay "K" and proposed project's conformity with Section 21.22.060 concurrently with this Resolution in City Council Ordinance XXX, and adopts the findings made in Ordinance XXX by this reference.

Conditional Use Permit Findings

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- A. Consistency. The proposed use is consistent with the general plan and any applicable specific plan; and is allowed within the applicable zoning district, subject to the granting of a conditional use permit or development plan, and complies with all other applicable provisions of the Zoning Code and the Municipal Code because as a residential project, it does not present the types of impacts typically associated with commercial uses—such as excessive noise, visual disturbances, or land use conflicts—that would necessitate additional scrutiny under the CUP process. Therefore, no additional conditions of approval are required to satisfy the CUP findings.
- B. Compatibility. The design, location, size, and operating characteristics of the project will be compatible with the existing and future land uses in the vicinity because the proposed residential subdivision is of an appropriate scale and density for this part of the City and will provide an effective transition between the established commercial and industrial uses within the C3 zone to the north and west, and the future North Chandler Ranch development to the east.
- C. Suitability.
 - 1. The site is physically suitable in terms of:
 - a. Its design, location, shape, size, and operating characteristics of the proposed use in order to accommodate the use, site improvements, loading, and parking because the site has ample room for vehicle circulation, parking, open space, and stormwater retention areas.
 - b. Streets and highways adequate to accommodate public and emergency vehicle (such as fire and medical) access because the site circulation has been designed to accommodate all modes of transportation, ranging from pedestrian, to bicyclists, to emergency services.
 - c. Public protection services (such as fire protection, police protection, etc.) because the site is of a sufficient width to accommodate fire apparatus throughout the project site.
 - d. The provision of utilities (such as potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.) because water, sewer, and other utilities are available to the site and as part of the application review process for considering the Mixed Use Overlay to allow residential uses, the project was thoroughly reviewed by the City's Utilities Department to ensure there is adequate capacity for the site to be served by the City's water, sewer and solid waste divisions. Conditions of approval have also been added to the project to ensure the utilities are designed to the satisfaction of the City's Utilities Division.
 - 2. The type, density, and intensity of the residential project will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located because the environmental and technical studies, including noise, traffic, air quality, biological, and cultural resources, demonstrate that potential impacts as a result of the project will be less than

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significant with standard mitigation measures. Further, the design promotes general welfare through thoughtful housing, neighborhood amenities, and streetscape improvements.

Development Plan Modification Findings

- A. There are no alternatives to the requested modification, such as an incentive or concession allowed through a density bonus (PRMC Chapter 21.61), that could provide an equivalent level of benefit to the Applicant with less potential detriment to surrounding owners and occupants or to the public, as the requested modifications to the objective design standards and retaining wall height would still be necessary even if the project incorporated a density bonus.
- B. The modification will not be detrimental to the health, safety, or general welfare of the persons within the vicinity, because the adjustments to the objective design standards enhance the design and functionality of the project, are cosmetic only, and do not serve as fire life safety standards under the building code.
- C. The modification results in a superior project, since waiving the pedestrian-entry requirement for the Ardmore Road-facing units allows for a functional and logical site layout, concentrating pedestrian access within the community, while still enhancing the streetscape and achieving the intent of a pedestrian-oriented frontage. Similarly, allowing a combination of key elements from the Tier 4 Design Strategies results in roof forms that maintain architectural variety and high-quality building design. The requested setback modifications do not adversely affect surrounding properties and, if anything, reinforce a cohesive and context-sensitive site design. Lastly, the rear-yard retaining walls will have a visible height exceeding six feet in only two limited instances. The first instance occurs along the eastern property line behind Lot 79, where the increased height is visible solely from within the private rear yard. The second instance occurs along the north side of Drainage Basin C, where the increased height is visible from offsite locations. In all other areas, although the structural height of certain retaining walls exceed six feet, the visible height remains at or below six feet due to sloping topography, intervening drainage features, and fencing. These limited exceptions are dictated by existing topographic conditions and drainage constraints and are necessary to accommodate required stormwater infrastructure and development. By restricting taller retaining walls to discrete, functionally necessary locations and minimizing their visibility through site design and screening, the project avoids adverse visual or physical impacts on adjacent properties and maintains compatibility with surrounding development.
- D. The characteristics of the project and the degree of potential for the project to negatively impact neighboring properties justify the modification, because the building orientation, roof design, and rear yard retaining wall heights enable well-planned open spaces, improved pedestrian streetscapes, and greater affordability by supporting a compact, efficient lot layout. These adjustments

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enhance design and functionality without compromising other architectural elements or community amenities.

- E. The modification does not preclude or prevent adequate fire protection as the requested modifications do not affect emergency access.
- F. The modification does not impair the sight distance of vehicles on the street or on the driveway of adjacent lots since the adjustments to the objective design standards are strictly applied to the building's architecture and will not impede sight distance, The retaining wall height modification does not impair the sight distance of vehicles on the street or on the driveway of adjacent lots since the rear-yard retaining walls will have a visible height exceeding six feet in only two limited instances. The first instance occurs along the eastern property line behind Lot 79, where the increased height is visible solely from within the private rear yard. The second instance occurs along the north side of Drainage Basin C, where the increased height is visible from offsite locations. In all other areas, although the structural height of certain retaining walls exceeds six feet, the visible height remains at or below six feet due to sloping topography, intervening drainage features, and fencing. These limited exceptions are dictated by existing topographic conditions and drainage constraints and are necessary to accommodate required stormwater infrastructure and development, but will not pose as physical or visual hindrances to vehicle circulation on the site.

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 necessitates only minor modifications to the 2024 MND. Therefore, pursuant to CEQA Section 15164, an Addendum to the 2024 MND is the appropriate document for the Project.

The City Council further finds that the preparation of a subsequent or supplemental MND or EIR is not required for the Project because the 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:
 - a. The Project would have one or more significant effects not discussed in the 2024 MND;
 - b. That significant effects previously examined would be substantially more severe than shown in the 2024 MND;

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- c. 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
- d. 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 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 Project and reflects the independent judgment and analysis of the City Council.

Section 5. Given the foregoing, the City Council approves Planned Development 25-14, Conditional Use Permit 25-05, and Modification 26-04, subject to the following:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Site-Specific Conditions of Approval (Planning Division)
B	Site-Specific Conditions of Approval (Engineering/Utilities Divisions)
C	Standard Conditions of Approval
D	Project Plans

Section 6. The documents and materials that constitute the record of proceedings on which these findings are based are located at the City's offices at 1000 Spring Street, Paso Robles, CA 93446. The Secretary to the City Council is the custodian of the record of proceedings.

Section 7. This Resolution shall become effective upon its adoption. The Mayor of the City Council shall sign this Resolution and the City Clerk to the Council shall attest and certify to the passage and adoption thereof.

APPROVED this 21st day of April, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John R. Hamon, Jr., Mayor

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ATTEST:

Melissa Martin, City Clerk

Exhibit A - Site-Specific Conditions of Approval (Planning Division)

Exhibit B - Site-Specific Conditions of Approval (Engineering/Utilities Divisions)

Exhibit C - Standard Conditions of Approval

Exhibit D - Project Plans