

# Exhibit A

## EXHIBIT A – PROPOSED TITLE 3, 5, 9, 12, 14, AND 22 TEXT AMENDMENTS

**Section 1.** Subsection 3.22.010.A shall be amended to read as follows:

3.22.010 - Imposition of tax.

A. Every person engaged in operating or otherwise conducting a cannabis business within the city, regardless of whether such business has a license or permit pursuant to Chapters 5.04, 21.60, or any other provision of this Code, shall pay the following cannabis business tax:

1. Up to a maximum of twenty dollars per square foot of space utilized in connection with the cultivation of cannabis, subject to adjustment by the city council pursuant to Section 3.22.050.
2. Up to a maximum of ten cents for each one dollar of gross receipts, or a fractional part thereof, for cannabis delivery businesses and retailers, subject to adjustment by the city council pursuant to Section 3.22.050.
3. Up to a maximum of fifteen cents for each one dollar of gross receipts, or a fractional part thereof, for cannabis manufacturing, testing, and distribution businesses, subject to adjustment by the city council pursuant to Section 3.22.050.
4. Up to a maximum of ten cents for each one dollar of gross receipts, or a fractional part thereof, for cannabis retailers, subject to adjustment by the city council pursuant to Section 3.22.050.

**Section 2.** Section 3.22.060 shall be amended to read as follows:

3.22.060 - Payment of tax does not authorize illegal activity.

The payment of the tax required pursuant to this chapter shall not be construed as authorizing the conduct or continuance of any illegal business or of a legal business in an illegal manner. Nothing in this chapter implies or authorizes that any activity connected with the distribution or possession of cannabis is legal unless otherwise authorized and allowed in strict and full conformance to the provisions of this Code, including without limitation the provisions of Chapter 5.04 or 21.60.

**Section 3.** Section 5.08.090 shall be amended to read as follows:

5.08.090 - Transfer and assignment.

Any transfer or assignment of any license shall be considered for all purposes in the same manner as a new application for a card room license in the city, and all the provisions of this chapter applicable to new and original applications shall apply. Pursuant to Chapter 21.32, card rooms are required to obtain a conditional use permit, which permit may be revoked if a transfer or assignment of any license under this chapter is transferred to another person or entity without the prior approval of the city council.

**Section 4.** Paragraph 9.06.030.B.9 shall be amended to read as follows:

Any condition that constitutes a visual blight. For purposes of this code, visual blight is any unreasonable or unlawful condition or use of real property, premises or of building exteriors which by reason of its appearance as viewed at ground level from the public right-of-way or from neighboring premises, is detrimental to the property of others or to the value of property of others, offensive to the senses, or reduces the aesthetic appearance of the neighborhood. The only exception is for wood and building materials being used or to be

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used for a project of repair or renovation for which a building permit has been obtained may be stored for such period of time as is reasonably necessary to expeditiously complete the project;

Visual blight includes, but is not limited to, the keeping, storing, depositing, scattering over, or accumulation on the premises any of the following:

- a. Lumber, junk, trash, debris, scrap metal, rubbish, packing materials, building materials;
- b. Abandoned, discarded or unused objects or equipment such as furniture, stoves, appliances, refrigerators, freezers, cans or containers, automotive parts and equipment;
- c. Abandoned, wrecked, disabled, dismantled or inoperative vehicles or parts thereof except inoperative vehicles that are not abandoned, are either registered or are certified as a non-operable vehicle pursuant to section 4604 of the California Vehicle Code, and are in an active state of renovation or restoration;
- d. Any personal property, object, device, decoration, design, fence, structure, clothesline, landscaping or vegetation which is unsightly by reason of its condition or its inappropriate location; and
- e. Vehicles parked on any surface other than a "paved" surface as defined in Paragraph 21.48.100.D.2 of the El Paso de Robles Municipal Code.

**Section 5.** Subsection 12.38.040.D shall be amended to read as follows:

D. Commercial motor vehicles, trailers and/or commercial equipment, if parked on private property, shall be parked upon improved and designated parking areas. Such commercial vehicle parking areas may be approved by the planning commission pursuant to the provisions of Chapter 21.19 of the Municipal Code (Conditional Use Permits and Administrative Use Permits). The use of such parking areas is limited to a period not to exceed four hours or such lesser period of time the vehicle operator is utilizing the services provided by the business use of the premise; unless that the commercial motor vehicle, trailer and/or commercial equipment is owned or operated by the commercial use on the private property upon which it is to be parked or that the commercial motor vehicle, trailer and/or commercial equipment is operated and parked by a registered transient guest of a motel or hotel and is parked within approved designated commercial vehicle parking areas upon the business premises or on a commercial or industrially zoned street within a three hundred foot radius of the business. Such commercial parking areas may be approved by the planning commission pursuant to the provisions of Chapter 21.19 of the Municipal Code (Conditional Use Permits and Administrative Use Permits).

**Section 6.** Title 14, Footnote (1) shall be amended to read as follows:

Note— Authority of director of public works—See § 2.36.010 of this code. Department salary scales—See § 2.44.090 of this code. -Discharge of waste water into streets—See Chapter 1.24 of this code.

**Section 7.** Subsection 22.16.170.A shall be amended to read as follows:

The subdivider shall file with the aforesaid agreement, to assure the subdivider's full and faithful performance thereof, a bond for such sum as is by the city engineer deemed sufficient to cover the cost of said improvements, engineering, inspection and incidental expenses. The subdivider shall also file with said agreement a labor and material payment bond for the security of material men and laborers in a sum equal to one-half of the cost of said improvements as estimated by the city engineer. Such bonds shall be executed

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by a surety company authorized to transact a surety business in the state and must be satisfactory to and approved by the city attorney as to form and by the city manager as to sufficiency. In lieu of said bonds, the subdivider may:

1. Deposit with the city treasurer cash money in an amount fixed as aforesaid by the city engineer; or
2. Any other form of security allowed under Government Code section 66499 of the Subdivision Map Act that the city engineer deems appropriate with approval by the city council, as security in lieu of deposit money or bonds; provided however, that a security interest in real property shall be limited to, exceptional circumstances, such as affordable housing projects, as defined in Section 21.61.020.A. If the security is other than a bond or bonds furnished by duly authorized corporate surety or cash money, an additional amount shall be included as determined by the city engineer and city attorney as necessary to cover the cost and reasonable expenses and fees, including reasonable attorneys' fees, which may be incurred by the city in successfully enforcing the obligation secured.

**Section 8.** Title 22, Footnote (1) shall be amended to read as follows:

Cross reference— Planning commission—See Ch. 2.20 of this code.

State Law reference— Statutory provisions—See Government Code § 66410 et seq.

**Section 9.** Subparagraph 22.34.010.E.3.a(vi) shall be amended to read as follows:

Within a one-hundred-year flood hazard area, unless the site either:

- (1) Has been subject to a letter of map revision prepared by the Federal Emergency Management Agency and issued to the local jurisdiction; or
- (2) Meets Federal Emergency Management Agency requirements necessary to meet minimum flood plain management criteria of the National Flood Insurance Program and Chapter 21.80 of this Code.

**Section 10.** Subparagraph 22.34.010.E.10.a shall be amended to read as follows:

Quantity. No more than two dwelling units of any kind may be built on a lot that results from an urban lot split. For purposes of this paragraph, "unit" means any dwelling unit, including, but not limited to, a primary dwelling unit, a unit created under Section 21.33.030 of this Code, an ADU, or a JADU.

**Section 11.** Subparagraph 22.34.010.E.10.f(iii) shall be amended to read as follows:

Front Setback Area. Structures that are constructed after an urban lot split shall conform to the objective front setbacks listed in Table 21.33.030-1 of this Code, and shall yield to the degree necessary to avoid physically precluding the construction of up to two units on a lot or either of the two units from being at least eight hundred square feet in floor area. The front setback area must:

- (1) Be kept free from all structures greater than three feet in height;
- (2) Be landscaped consistent with the objective standards within Section 21.45.020 of this Code;
- (3) Allow for vehicular and fire-safety access to the front structure in compliance with relevant city authorities, including city engineering standards, the California Fire Code and any local amendments, and applicable standards within this code.

**Section 12.** Subparagraph 22.34.010.E.15 shall be amended to read as follows:

Deed Restriction. The owner must record a deed restriction, acceptable to the city, that does each of the following:

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- a. Expressly prohibits any rental of any dwelling on the property for a period of less than thirty days.
- b. Expressly prohibits any non-residential use of the lots created by the urban lot split.
- c. Expressly prohibits any separate conveyance of a primary dwelling on the property, any separate fee interest, and any common interest development within the lot.
- d. States that:
  - (i) The lot is formed by an urban lot split and is therefore subject to the city's urban lot split regulations, including all applicable limits on dwelling size and development.
  - (ii) Development on the lot is limited to development of residential units under Section 21.33.030 of this Code, except as otherwise provided or required by state law.