

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE ZONING TITLE OF THE MUNICIPAL CODE
TO APPROVE A ZONING MAP CHANGE FOR APN 018-031-008 -
REZONE 02-008 (MCKINLEY, ANNEXATION #84)

WHEREAS, Diane McKinley has initiated Rezone 02-008 to consider the appropriate zoning designation (pre-zone) for property that is to be considered for Annexation to the City of El Paso de Robles; and

WHEREAS, the subject parcel is located at 3650 Plymouth Hill Road, west of the intersection of 38th and Vine Streets, and approximately north of the current City limit boundary in the County unincorporated area; and

WHEREAS, the total property subject to this zoning amendment is 1.92 acres in size and is developed with a single family residence; and

WHEREAS, the proposed City zoning designation for the property that would be comparable to County Residential Suburban (RS) zoning is Residential Single-Family, 2-Acre Minimum (R-1, B5); and

WHEREAS, a resolution was adopted by the City Council approving a Negative Declaration status for this project, and a Negative Declaration was prepared for the proposed zoning map change application in accordance with the California Environmental Quality Act; and

WHEREAS, at its meeting of January 28, 2003, the Planning Commission took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Recommend that the City Council adopt a Negative Declaration for the Zoning Map change;
- d. Recommended that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting of February 18, 2003, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendation of the Planning Commission regarding this code amendment;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- d. Considered the content of the Environmental Initial Study and adopted a Negative Declaration status for the Code Amendment and Annexation.

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This zoning map amendment is consistent with the City's General Plan.

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

SECTION 1. *Subarea 1 of the Zoning Map of the Municipal Code is hereby amended as shown on Exhibit A of this ordinance.*

SECTION 2. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

SECTION 3. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 4. Inconsistency. To the extent that the terms of provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on February 18, 2003, and passed and adopted by the City Council of the City of El Paso de Robles on the 4th day of March 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk