

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21, ZONING, OF THE MUNICIPAL CODE
TO AMEND THE ZONING ORDINANCE TO ADD CHURCHES TO THE
USE LIST AS A CONDITIONALLY PERMITTED USE IN THE
RC (REGIONAL COMMERCIAL) ZONING DISTRICT
ZONING CODE AMENDMENT 05-002

WHEREAS, the intent of this Zoning Ordinance Amendment is to conditionally permit churches in the RC zoning district; and

WHEREAS, churches typically have regional membership and they are a non-residential land use; and

WHEREAS, churches would be compatible with other land uses in the RC zoning district; and

WHEREAS, churches would be compatible with the City's adopted General Plan which identifies ". . . service uses that serve the region as a whole. . ."; and

WHEREAS, by requiring a Conditional Use Permit be approved prior to allowing this use to locate in the RC zoning district potential impacts that may result from this use can be identified and addressed through conditions of approval that may apply to the property; and

WHEREAS, at its meeting of June 28, 2005, 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. Recommended that the City Council approve the proposed ordinance; and

WHEREAS, based on consideration of information received at its meeting of July 19, 2005, 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. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Commission's recommendation from the Planning Commission's June 28, 2005 public meeting;

d. Introduced said ordinance for the first reading; and

WHEREAS, on August 2, 2005, the City Council held second reading of said ordinance.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does hereby ordain as follows:

SECTION 1. The zoning map amendment is hereby established on the official Zoning Map as shown in Exhibit A.

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 5. Inconsistency. To the extent that the terms or 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, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

Introduced at a regular meeting of the City Council held on July 19, 2005, and passed and adopted by the City Council of the City of El Paso de Robles on the 2nd day of August 2005 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk