

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21, ZONING, OF THE MUNICIPAL CODE
REZONING PROPERTY FROM SINGLE FAMILY RESIDENTIAL (R-1 B-4) TO
SINGLE FAMILY RESIDENTIAL (R-1 B-3), AND TO AMEND THE UNION/46
SPECIFIC PLAN TO REFLECT THIS DENSITY MODIFICATION
FOR APN 025-011-024, 1640 KLECK ROAD -
ZONING CODE AMENDMENT 05-001

WHEREAS, the City's adopted General Plan of December 16, 2003 reflects a Residential Single Family Density (RSF-2), with a residential density of two dwelling units per acre for (APNs 025-011-024); and

WHEREAS, the current Zoning Map has a Residential Single Family (R-1 B-4) designation for the subject parcels; and

WHEREAS, the current Zoning is inconsistent with the City's adopted General Plan, which is the land use policy of the City of Paso Robles; and

WHEREAS, this Zoning Map Amendment will provide consistency between the Zoning Map and Land Use Map in the General Plan as shown in Exhibit A; 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, Union/46 Specific Plan fees are applicable on a per-dwelling unit basis, and any new dwelling unit would be subject to this per dwelling unit fee.

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. The Union/46 Specific Plan amendment is hereby established as shown in Exhibit B of the Union/46 Specific Plan.

SECTION 2. Effective Date. This Ordinance shall go into effect and be in full force and effect as of 12:01 a.m. on the 31st day after its passage.

SECTION 3. 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 4. 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 August 2, 2005, and passed and adopted by the City Council of the City of El Paso de Robles on the 16th day of August 2005 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk