

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
AMENDING TITLE 21, ZONING, OF THE MUNICIPAL CODE  
CITY-INITIATED ZONING ORDINANCE AMENDMENT  
ADDING A DEFINITION FOR TRANSIENT OCCUPANCY

WHEREAS, the City's General Plan and Economic Strategy supports economic growth and Paso Robles as a tourist destination; and

WHEREAS, it is the intent to enable tourist-oriented economic development interests to have a clear understanding of the applicable regulations regarding the definition of transient occupancy and applicable permit requirements; and

WHEREAS, this Zoning Ordinance Amendment establishes the definition of transient occupancy; and

WHEREAS, at its meetings on March 27, May 22, and June 12, 2007, 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 Ordinance;
- b. Conducted public hearings 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 17, 2007, 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 12, 2007 public meeting;
- d. Introduced said ordinance for the first reading; and

WHEREAS, on August 7, 2007, 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 ordinance amendment is hereby established in the Zoning Ordinance as shown in Exhibits 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 17, 2007, and passed and adopted by the City Council of the City of El Paso de Robles on the 7th day of August, 2007 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Deborah Robinson, Deputy City Clerk

Exhibit A

Chapter 21.08        DEFINITIONS

Section: 21.08.444    Transient Occupancy

“Transient Occupancy” (land use), means lodging for the purpose of overnight accommodations for a period of not less than one night and not more than 30 consecutive days. Transient occupancies are subject to the transient occupancy tax requirements of Municipal Code, Chapter 5.06. Examples of transient occupancy accommodations include but are not limited to: hotels, motels, vacation rentals, timeshare vacation clubs, villas, cottages, casitas, hostel, bed and breakfast inns.

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

CITY COUNCIL  
PROJECT NOTICING

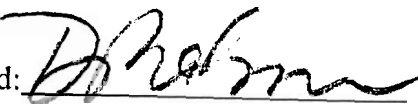
Newspaper: Paso Robles Press

Date of Publication: July 27, 2007

Meeting Date: August 7, 2007

**Project:**  
Transient Occupancy category as land use  
Change to Municipal Code

I, Deborah Robinson, employee of the of  
the City of El Paso de Robles do hereby  
certify that this notice is a true copy of a  
published legal newspaper notice for the  
above named project.

Signed:   
Deborah Robinson

**ORDINANCE  
SUMMARY**

AN ORDINANCE OF  
THE CITY OF EL PASO  
DE ROBLES  
AMENDING TITLE 21,  
ZONING, OF THE  
MUNICIPAL CODE  
CITY-INITIATED ZONING  
ORDINANCE AMEND-  
MENT  
ADDING A DEFINITION  
FOR TRANSIENT  
OCCUPANCY

Said ordinance propos-  
es to add to the City's  
Zoning Regulations a  
definition of transient  
occupancy (as a land  
use) which will be occu-  
pancy of lodging facili-  
ties for 30 continuous  
days or less.  
Continuous occupancy  
beyond 30 days would  
**be determined to be**  
residential or prohibited  
depending on specific  
circumstances.  
Transient occupancies  
are subject to the tran-  
sient occupancy tax  
requirements of  
Municipal Code,  
Chapter 5.06.

I, Deborah D. Robinson,  
Deputy City Clerk of the  
City of El Paso de  
Robles, do hereby certi-  
fy that the foregoing is a  
summary of an  
Ordinance, which was  
introduced at a regular  
meeting of the City  
Council of the City of El  
Paso de Robles on July  
17, 2007, and will be  
introduced for second  
reading at the regular  
meeting of said Council  
on the 7th day of  
August, 2007.

The above summary is  
a brief description of the  
subject matter contained  
in the text of the  
Ordinance, which has  
been prepared pursuant  
to Government Code  
Section 36933. This  
summary does not  
include or describe  
every provision of the  
ordinance and should  
not be relied upon as a  
substitute for the full text  
of the ordinance.

To obtain a copy of the  
full text of the ordinance,  
please contact the  
Office of the City Clerk  
805-237-3960 between  
8:00 AM and 5:00 PM,  
Monday through Friday.  
There is no charge for  
the copy.

Deborah D. Robinson,  
Deputy City Clerk

PUBLICATION DATE:  
7/27/2007  
LEGAL NUMBER: 1543