

ORDINANCE NO. 951 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21, ZONING, OF THE MUNICIPAL CODE
REZONING PROPERTY TO MULTIPLE-FAMILY RESIDENTIAL WITH
PLANNED DEVELOPMENT OVERLAY (R-3-PD) FOR PROPERTY LOCATED
AT 1450 GOLDEN HILL ROAD, APN 025-366-012 & 018
APPLICANT – GOLDEN HILL DEVELOPMENT, LLC
ZONING MAP AMENDMENT 07-003

WHEREAS, the current Zoning of subject property is Single Family Residential (R-1 B-3); and

WHEREAS, this Zoning Map Amendment to change the zoning to R-3 with Planned Development (PD) Overlay, will allow multiple-family residential development of this property, with a maximum residential density of 12 dwelling units per acre, as shown in Exhibit A; and

WHEREAS, in accordance with Section 21.16A.030, Density and use limitations, the use of the subject site will be limited to senior retirement/residential care type facilities not to exceed 125 units; and

WHEREAS, at its meeting of October 14, 2008, 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. Based on the information contained in the Initial Study prepared for the project, the Planning Commission found that there was no substantial evidence that approval of this portion of the amendment would have significant adverse effects on the environment and recommended that the City Council approve a Mitigated Negative Declaration for this amendment;
- d. Recommended that the City Council approve the proposed ordinance; and

WHEREAS, based on consideration of information received at its meeting of November 18, 2008, 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 October 14, 2008 public meeting;
- d. Determine that the proposed rezoning to be consistent with the City's General Plan;

- e. Based on its independent judgment, found that there was no substantial evidence that this amendment would have significant adverse effect on the environment and approved a Mitigated Negative Declaration for this General Plan amendment in accordance with the California Environmental Quality Act;
- f. Introduced said ordinance for the first reading; and

WHEREAS, on December 2, 2008, 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. Section 21.13.030 of the Zoning Ordinance, Overlay District Regulations, is hereby amended to add the following language (**bold print**):

Each subsection set forth below contains conditions placed on the use and/or development of certain properties by the ordinances cited therein for zoning map amendments for such properties. The conditions listed below are additional to the primary zoning district regulations set forth in Chapter 21.20, and performance standards set forth in Chapter 21.21.

I. 1450 Golden Hill Road, a 11.8 acre site (Lot 2 of PR 06-0272) is conditioned by Ordinance No. XXX N.S. to require a conditional use permit to ensure that uses for the site are limited to senior retirement communities/residential care type uses, as shown on Figure 21.13-7.

SECTION 3. This Ordinance will not take effect until 31 days after the adoption of Ord.No.XXX N. S.

SECTION 4. 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 5. 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 6. 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 November 18, 2008, and passed and adopted by the City Council of the City of El Paso de Robles on the 2nd day of December, 2008, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk



**Exhibit A
General Plan Amendment 7-003
(Golden Hill Retirement)**

PROOF OF PUBLICATION
LEGAL NEWSPAPER NOTICES
CITY COUNCIL
PROJECT NOTICING

Newspaper: Paso Robles Press

Date of Publication: November 25, 2008

Meeting Date: December 2, 2008

Project:

Rezoning property to multiple family residential with planned development overlay at (Zoning Map Amendment 07-003)

13.9 acre parcel at 1450 Golden Hill Road
APN 025-366-012 & 018

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 REZONING PROPERTY TO MULTIPLE-FAMILY RESIDENTIAL WITH PLANNED DEVELOPMENT OVERLAY (R-3-PD) FOR PROPERTY LOCATED AT 1450 GOLDEN HILL ROAD, APN 025-366-012 & 018 APPLICANT: GOLDEN HILL DEVELOPMENT, LLC ZONING MAP AMENDMENT 07-003

Said ordinance changes the land use designation from Residential Single Family (RSF-2) to Residential Multiple Family, 12 units per acre (RFM-12) at property located at 1450 Golden Hill Road. The project site is a 13.9 acre parcel, and proposes to construct a multi-level, 125-

unit senior retirement community for individuals aged 60 and over, which would include residential living units, assisted living units, and special care units.

I, Deborah D. Robinson, Deputy City Clerk of the City of El Paso de Robles, do hereby certify 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 November 18, 2008, and will be introduced for second reading at the regular meeting of said Council on the 2nd day of December, 2008.

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.

/s/ Deborah D. Robinson,
Deputy City Clerk

Pub: 11/25/2008
Legal #10968