

ORDINANCE NO. 1005 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING
THE UPTOWN/TOWN CENTER SPECIFIC PLAN
(CODE AMENDMENT 14-005 - ELSAYED)

WHEREAS, an application has been filed by Steve Elsayed requesting to amend Table 5.3-1 of the Uptown Town Centre Specific Plan (Specific Plan) to allow car washes in the TC-1 zone; and

WHEREAS, Mr. Elsayed has approvals for a major remodel and expansion of his existing gas station located at 1441 Spring Street and with the remodel he would like to add a car wash; and

WHEREAS, Table 5.3-1 of the Uptown Town Centre Plan (Specific Plan), does not allow car washes in the TC-1 zoning district; and

WHEREAS, the request is to amend Table 5.3-1 to allow carwashes in the TC-1 zone, with a Conditional Use Permit (CUP); and

WHEREAS, this application is categorically exempt from environmental review per Section 15061(b)(3) (General Rule) of the State's Guidelines to Implement CEQA.; and

WHEREAS, at a meeting held on June 10, 2014, 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. Held a public hearing to obtain public testimony on the proposed ordinance;
- c. Recommended that the City Council _____the proposed ordinance; and

WHEREAS, based on information received at its meeting on July 1, 2014 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. Held a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Planning Commission's recommendation from its June 24, 2014 public meeting;
- d. Introduced said ordinance for the first reading; and

WHEREAS, on July 15, 2014 the City Council held a 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: Table 5.3-1 is amended as follows:

Page #	Change
5:9	Show carwashes as being permitted in the TC-1 Zone with the approval of Conditional Use Permit and insert a note in the right hand column: "Only when accessory to an existing gas station, not as a primary use."

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 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 1, 2014, and passed and adopted by the City Council of the City of El Paso de Robles on the 15th day of July, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk