

ORDINANCE NO. XXX N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
APPROVING AN AMENDMENT TO THE ZONING MAP  
ESTABLISHED BY REFERENCE  
IN SECTION 21.12.020 OF THE ZONING CODE (TITLE 21)  
(REZONE 15-003 – TRI-WEST DEVELOPMENT, INC.)

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WHEREAS, an application has been filed by North Coast Engineering, on behalf of Tri-West Development, Inc., requesting to amend Section 21.12.020 (Zoning Map) to add Planned Development Overlay Zoning over the existing R1B3 zoning for the property located at 2025 Union Road (APN 025-403-032); and

WHEREAS, the rezone request is in conjunction with the submittal of Vesting Tentative Parcel Map PR 15-0058 and Planned Development PD 15-006, requesting to subdivide the 1.94 acre site into four parcels for the development of single family residential homes; and

WHEREAS, by adding PD Overlay zoning, the applicants are requesting that the City Council allow flexibility in lot size, lot width, and building setbacks associated with the subdivision of the property; and

WHEREAS, Pursuant to the Statutes and Guidelines of the California Environmental Quality Act (CEQA) and the City's Procedures for Implementing CEQA, an Initial Study and Negative Declaration (ND) was prepared and circulated for public review and comment; and

WHEREAS, the circulation period for the Negative Declaration is October 16, 2005 to December 1, 2015, the information contained in the Initial Study prepared for this project, concludes that there is no substantial evidence that this project would have significant adverse effects on the environment and recommends that the City Council approve the Negative Declaration; and

WHEREAS, at a meeting held on October 27, 2015, 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. Based on the information contained in the Initial Study prepared for this project, found that there was no substantial evidence that this project would have significant adverse effects on the environment and recommended that the City Council approve the Negative Declaration;
- d. Recommended that the City Council approve the proposed ordinance; and

WHEREAS, based on consideration of information received at its meeting of December 1, 2015, the City Council took the following actions regarding this ordinance:

- e. Considered the facts and analysis, as presented in the staff report prepared for this project;
- f. Held a public hearing to obtain public testimony on the proposed ordinance;
- g. Based on the information contained in the Initial Study prepared for this project, found that there was no substantial evidence that this project would have significant adverse effects on the environment and recommended that the City Council approve the Negative Declaration;
- h. Considered the Planning Commission recommendation of October 27, 2015;
- i. Introduced said ordinance for the first reading; and

WHEREAS, on February 2, 2016, 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: Findings: that the City Council approves Rezone 15-003, subject to the following findings:

- a. The modifications to the 1.94 acre parcel as a result of PD Overlay zoning, which would include reduced lot size, lot width, and building setbacks, associated with the subdivision of parcel, would be compatible with the character of the area, and would facilitate reinvestment in underutilized property.

SECTION 2: Amendments. The Zoning Map shall be amended consistent with Exhibit A.

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 December 1, 2015, and passed and adopted by the City Council of the City of El Paso de Robles on the 2<sup>nd</sup> day of February, 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

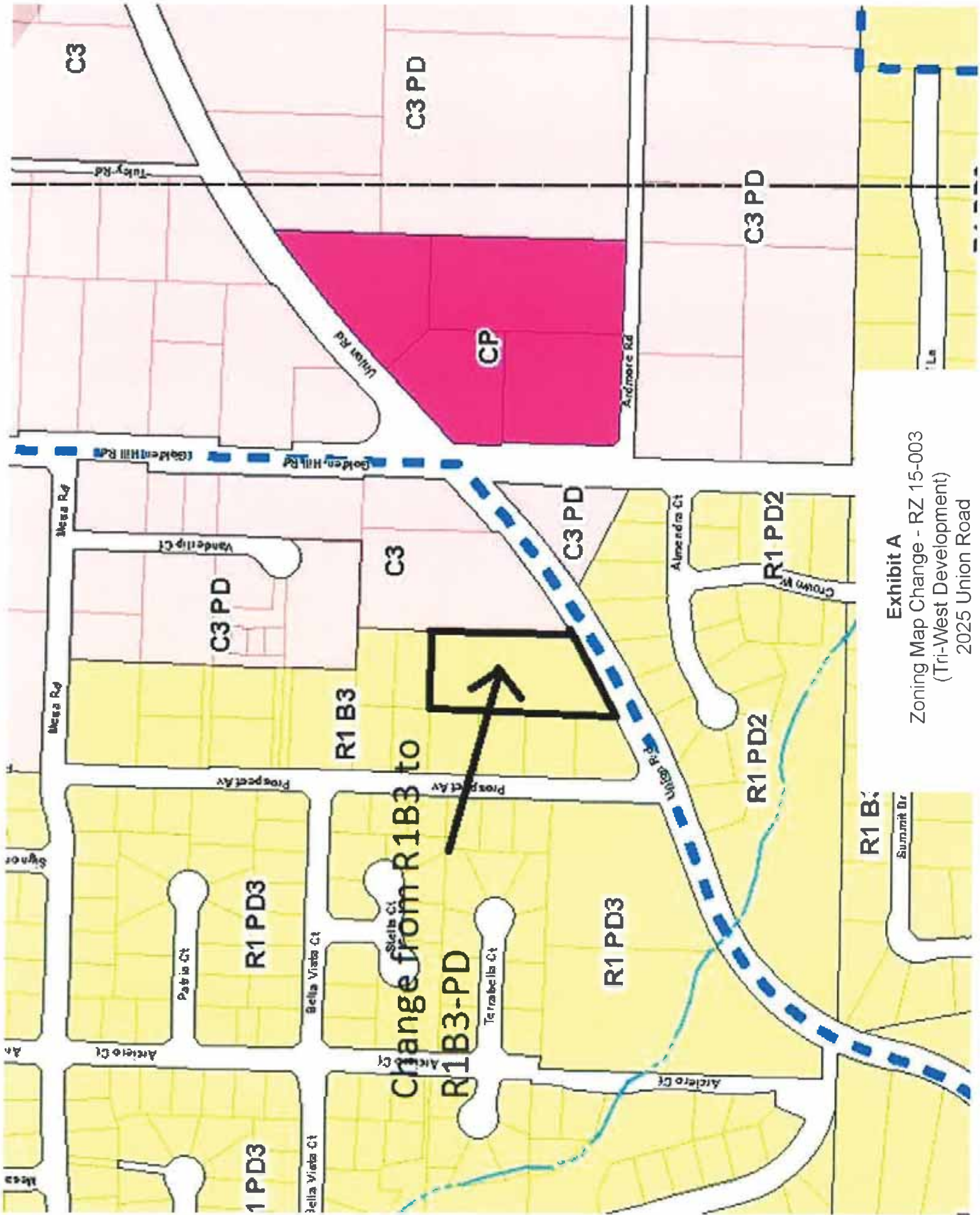
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Steven W. Martin, Mayor

ATTEST:

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Kristen L. Buxkemper, Deputy City Clerk



**Exhibit A**  
Zoning Map Change - RZ 15-003  
(Tri-West Development)  
2025 Union Road