

ORDINANCE NO. 623 N.S.  
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
AMENDING THE ZONING CODE TO ESTABLISH REGULATIONS  
FOR THE PARKS AND OPEN SPACE DISTRICT AND  
AMENDING THE ZONING MAP ESTABLISHED BY REFERENCE  
IN SECTION 21.12.020 OF THE ZONING REGULATIONS  
(PREZONE 90013 - POE ANNEXATION)

WHEREAS, The Land Use Element of the General Plan has established a Parks and Open Space Land Use Category; and

WHEREAS, The Land Use Element of the General Plan calls for the establishment of a zoning district to permit the types and intensities of land uses applicable to the Parks and Open Space Land Use Category and provides that said district may be established on properties that are categorized for residential land use; and

WHEREAS, an application was filed by Bill Poe and John Kleinhammer to annex approximately 318 acres located between Creston and South River Roads, opposite Beechwood Drive; and

WHEREAS, both applicants indicated a desire to develop separate golf courses and requested that the area to be annexed be pre-zoned as Parks and Open Space; and

WHEREAS, the area to be annexed has been categorized by the City's General Plan for Residential Suburban Land Use, which would permit single family residential development at densities of one dwelling unit per 2.5 acres as a permitted use and outdoor recreation uses such as golf courses as a conditional use; and

WHEREAS, Title 21 (Zoning) of the Municipal Code has not yet been amended to establish a Parks and Open Space Zoning District as called for by the General Plan; and

WHEREAS, public hearings were conducted by the Planning Commission on February 11, 1992 and by the City Council on March 3, 1992, to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment and pre-zoning; and

WHEREAS, following the public hearing held at its meeting of March 3, 1992, the City Council decided that annexation of two parcels totalling 54 acres represented by John Kleinhammer was premature and therefore reduced the area to be pre-zoned to the 264 acres represented by Bill Poe; and

WHEREAS, a Negative Declaration has been adopted for this code amendment (264 acres) in accordance with the California Environmental Quality Act; and

WHEREAS, at its meeting of March 3, 1992, the City Council gave first reading to this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that Title 21 (Zoning) of the Municipal Code be amended as follows;

SECTION I: Section 21.12.010, of the Municipal Code is hereby amended to add the words "Parks and Open Space District or POS District" to the list of zoning districts.

SECTION II: Chapter 21.16, of the Municipal Code is hereby amended to add section 21.16.140 to read as follows:

**21.16.140 POS district.** Subject to the provisions of Chapter 21.20, the uses set out in Chapter 21.16F will be allowed and the regulations set out therein shall apply in the POS district.

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SECTION III: Chapter 21.16F, Parks and Open Space (POS) District, attached as Exhibit A, is hereby established.

BE IT FURTHER ORDAINED by the City Council of the City of El Paso De Robles, California, to amend the Zoning Map of the City of El Paso De Robles, dated July 1, 1977, to show that the following properties, as described on the 1991 Assessor's Rolls for the County of San Luis Obispo, are rezoned POS as shown on Exhibit B (attached):

- Assessor's Parcel No.
- 20-461-22
- 33-051-12
- 33-051-24
- 33-051-25

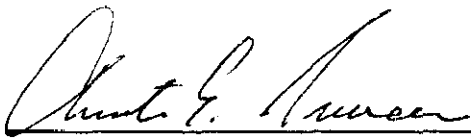
PASSED AND ADOPTED THIS 3rd day of March, 1992 by the following roll call vote:

AYES: Martin, Picanco, Russell, Iversen

NOES: Reneau

ABSENT: None

ABSTAIN:

  
 \_\_\_\_\_  
 MAYOR CHRISTIAN E. IVERSEN

ATTEST:

  
 \_\_\_\_\_  
 RICHARD J. RAMIREZ, CITY CLERK

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## EXHIBIT A

## CHAPTER 21.16F

## PARKS AND OPEN SPACE DISTRICT

**21.16F.010 Purpose.** The Parks and Open Space District is established to provide a district for public and private properties that are to be used for parks, open space, and recreational land uses.

**21.16F.020 Permitted Uses.** Those land uses which are permitted by right and those which are subject to approval of a conditional use permit are as follows:

A. Uses Permitted by Right:

1. Public-owned or operated recreation facilities (parks, playgrounds, ballfields, etc.);
2. Open space (undeveloped land);
3. Private pedestrian, bicycle, and/or equestrian paths (off-road motorized vehicle trails are not permitted);
4. One single family detached dwelling per lot on privately-owned lots that are 20 acres or larger in area;

Exception: One single family detached dwelling per lot on existing lots that are one acre or larger that were annexed into the City after January 1, 1992 may be considered to be a permitted use.

5. Accessory buildings to single family dwellings (e.g. Storage sheds, garages, patio covers, pools, spas) provided that there is a single family dwelling on the lot (i.e. a lot may not be developed with only an accessory building);
6. Crop production (includes dry and irrigated farming, orchards, vineyards);
7. Public water facilities (wells, pump stations, water tanks, etc.).

B. Uses Subject to Approval of a Conditional Use Permit:

1. Private/commercial recreation facilities:
  - a. Golf courses, driving ranges, country clubs;
  - b. Ballfields, playgrounds, picnic areas;
  - c. Equestrian facilities (e.g., stables, riding academies);
  - d. Resort hotels in close proximity to golf courses;
  - e. Hot spring resort/spas.
2. Mining for sand, gravel, and/or fill dirt;
3. Animal keeping (exception: household pets in conjunction with a single family residence);
4. One single family detached dwelling per lot on lots less than 20 acres in area, subject to meeting the lot size, width, depth and grading standards of the R-1 District, given the natural slope, and provided that oak trees, stream courses, and any other significant natural feature will not be adversely

affected by development of a single family dwelling.

Exception: On those lots created for open space purposes as part of a subdivision of land zoned for residential, commercial or industrial use, no residential use shall be permitted.

5. Detached accessory buildings with heights greater than 15 feet and gross floor areas greater than 50 percent of the main structure;

- C. Uses Similar to any of the Above-Listed Uses: Any use not specifically listed above is not permitted unless the Planning Commission or City Council makes a determination that a particular land use is similar to a use which is specifically listed as permitted by right or subject to approval of a conditional use permit.

**21.16F.030 Creation of New Lots.** Within the POS District, new lots may be created via subdivision map, parcel map, or lot line adjustment, to define the boundaries of public and private parks and recreational facilities and open space areas. New lots shall not be created with the intent of creating opportunities for single family residential land use.

There are no standards for minimum lot sizes, widths and depths in the POS District.

**21.16F.040 Development Standards.** Standards for the development of buildings and structures (setbacks, building separations, grading limitations, architectural requirements, etc.) shall be the same as those specified for the R-1 District.

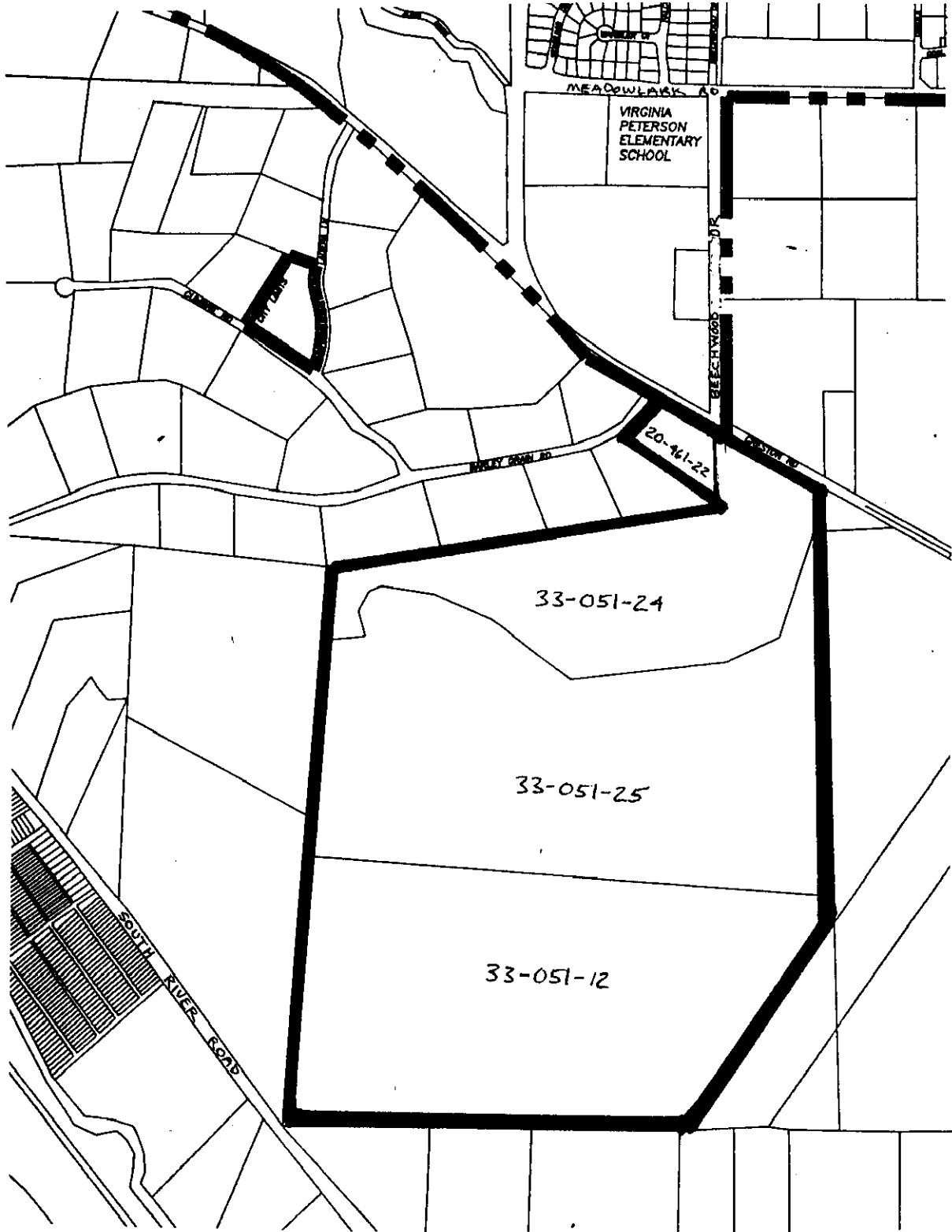
**21.16F.050 Architectural Review Required.** Architectural Review is required for all development in the POS District.

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EXHIBIT B  
PRE-ZONE 90011 (POE)

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PREZONE ASSESSOR'S PARCELS 20-461-22, 33-051-12, 33-051-24,  
AND 33-051-25 AS PARKS AND OPEN SPACE (POS)

