

ORDINANCE NO. 639 N.S.  
 AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
 EXTENDING THE URGENCY MEASURE  
 AMENDING THE MUNICIPAL AND ZONING CODES REGARDING SUSPENSION  
 CONSIDERATION OF ADULT USES

The City Council of the City of El Paso de Robles, State of California, ordains as follows:

SECTION 1. The City Council does hereby find, determine and declare as follows:

a. The City of El Paso de Robles is currently up-dating the Municipal and Zoning Codes, and

b. As part of the codes up-date process, there will be consideration of changes to provisions relative to commercial land uses, particularly in relation to General Plan Goals relative to preservation of Paso Robles' unique small town character and high quality of life, including but not limited to preservation of residential neighborhoods, downtown revitalization; and

c. Pursuant to General Plan goals, the General Plan policies and programs call for preservation of the "small town" character that the City has historically enjoyed, including revitalizing of the historic downtown area including but not limited to the quality of development; and

d. Concerns have been expressed regarding the adequacy of certain existing provisions the Municipal and Zoning Codes of the City of El Paso de Robles, and in particular their ability to meet the purpose and intent of General Plan Goals and Policies; and

e. Those concerns center on the adequacy of existing code provisions and development standards to control the number, location, and land use impacts of Adult uses; and

f. For the purposes of this Resolution, Adult uses are defined as the class of land uses that includes but is not limited to adult arcades, adult bookstores, adult cabaret, adult motion picture theater, adult theater, massage parlor, or sexual encounter establishments whereby a substantial portion of trade consists of sexually explicit materials or entertainment; and

g. Consideration of new adult uses in advance of the adoption of adequate Municipal and Zoning Code provisions, to appropriately control the number, location, development standards, and impact fees could be not only counter-productive but also contrary to the purpose and intent of the General Plan; and

h. On July 21, 1992, the City Council unanimously adopted an urgency measure ordinance which directed that the City staff suspend the acceptance or processing of applications for Business Licenses and/or Planning approvals for new or additional card parlors or Adult uses. The effective time and date of said suspension is applications that are determined to be complete by 5:00 PM on Tuesday, July 21, 1992; said suspension shall continue in effect until City Council adoption of the current revisions to the Municipal and Zoning Codes, along with implementing measures including but not limited to zoning consistency and development standards, development impacts fees designed to insure that card parlors and/or Adult uses do not exceed the ability of the community to provide services without adversely impacting service levels to the current resident and business community.

i. The 45 day period established under the urgency ordinance has not provided adequate time for the City staff to bring forward to the City Council a comprehensive Adult Ordinance which adequately addresses the General Plan Goals and Polices of the City of Paso Robles;

SECTION 2. The City Council does hereby find, determine and declare as follows:

In the absence of a comprehensive Adult Ordinance which would limit the number, location, and land use impacts of Adult uses, the approval of additional land use entitlements for Adult uses is an immediate danger to public health, safety and/or welfare.

SECTION 3. This ordinance shall remain in effect only until July 15, 1993 and as of such date is repealed, unless a later enacted ordinance, which is effective before July 15, 1993, deletes or extends such date.

PASSED AND ADOPTED THIS 15th day of September, 1992, by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen  
NOES: None  
ABSENT: None

  
MAYOR CHRISTIAN E. IVERSEN

ATTEST:

  
RICHARD J. RAMIREZ, CITY CLERK

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