ORDINANCE NO. 783 N.S

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE ZONING MAP ESTABLISHED BY REFERENCE IN
SECTION 21.12.020 OF THE ZONING CODE (TITLE 21)
(REZONE 99010 – JERRY HANDLEY)

WHEREAS, in conjunction with General Plan Amendment 4-99 (Part 2 of a 2 part General Plan Amendment), Jerry Handley has filed an application for Rezone 99010 to rezone the eastern 17,000 square feet of an approximate 34,000 square-foot site from C-2 to R-4, PD; and

WHEREAS, the subject site is the eastern 17,000 square feet of a parcel located at 3505 Spring Street; and

WHEREAS, at its meeting of October 26, 1999, the Planning Commission took the following actions:

a.   Considered the facts and analysis, as presented in the staff report prepared for this project (general plan amendment and rezone);

b.   Conducted a public hearing to obtain public testimony on the proposed project;

c.   Recommended that the City Council approve the proposed rezone; and

WHEREAS, at its meeting of November 16, 1999, the City Council took the following actions:

a.   Considered the facts and analysis, as presented in the staff report prepared for this project;

b.   Considered the recommendation of the Planning Commission;

c.   Conducted a public hearing to obtain public testimony on the proposed project;

d.   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 a Negative Declaration;

e.   Adopted a resolution to approve General Plan Amendment 4-99, of which this application is the Part 2 component, which enables Rezone 99010 to be in conformance with the General Plan;

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearings, including oral and written staff reports, finds as follows:

1.   The above stated facts of this ordinance are true and correct.

2.   This rezone is consistent with the City's General Plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

SECTION 1.   Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit A.

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 of 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 and such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

SECTION 5.   Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on November 16, 1999, and passed and adopted by the City Council of the City of El Paso de Robles on the 7th day of December, 1999 by the following roll call vote, to wit:

AYES: Baron, Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: None

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Duane J. Picanco, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk