

ORDINANCE NO. 913 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 05-005 -ERSKINE)

WHEREAS, John McCarthy on behalf of Tom Erskine of Ranch and Coast Properties, Inc. has submitted Zone Change 05-005, a proposal to change the zoning designation of a 28 acre site located at the eastern terminus of Wisteria Lane, East of Golden Hill Road, north of Highway 46 East, from Parks and Open Space (POS) to Planned Industrial (PM); and

WHEREAS, at its meeting of February 28, 2006, the Planning Commission took the following actions:

- a.** Considered the facts and analysis, as presented in the staff report prepared for this project and found that the Zone Change 05-005 was consistent with the General Plan;
- b.** Conducted a public hearing to obtain public testimony on the proposed project;
- c.** Based on the information contained in the Initial Study prepared for this project, failed to recommend that the City Council approve a Mitigated Negative Declaration;
- d.** Failed to make a recommendation on the proposed Zone Change 05-005;

WHEREAS, at its meeting of March 21, 2006, 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 input received at the Planning Commission meeting;
- 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 approved a Mitigated Negative Declaration.

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearing, 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 March 21, 2006, and passed and adopted by the City Council of the City of El Paso de Robles on the 4th day of April 2006 by the following vote:

AYES: Heggarty, Nemeth, Picanco, Strong and Mecham
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Cathy M. David, Deputy City Clerk

Zoning Map for Subarea 3

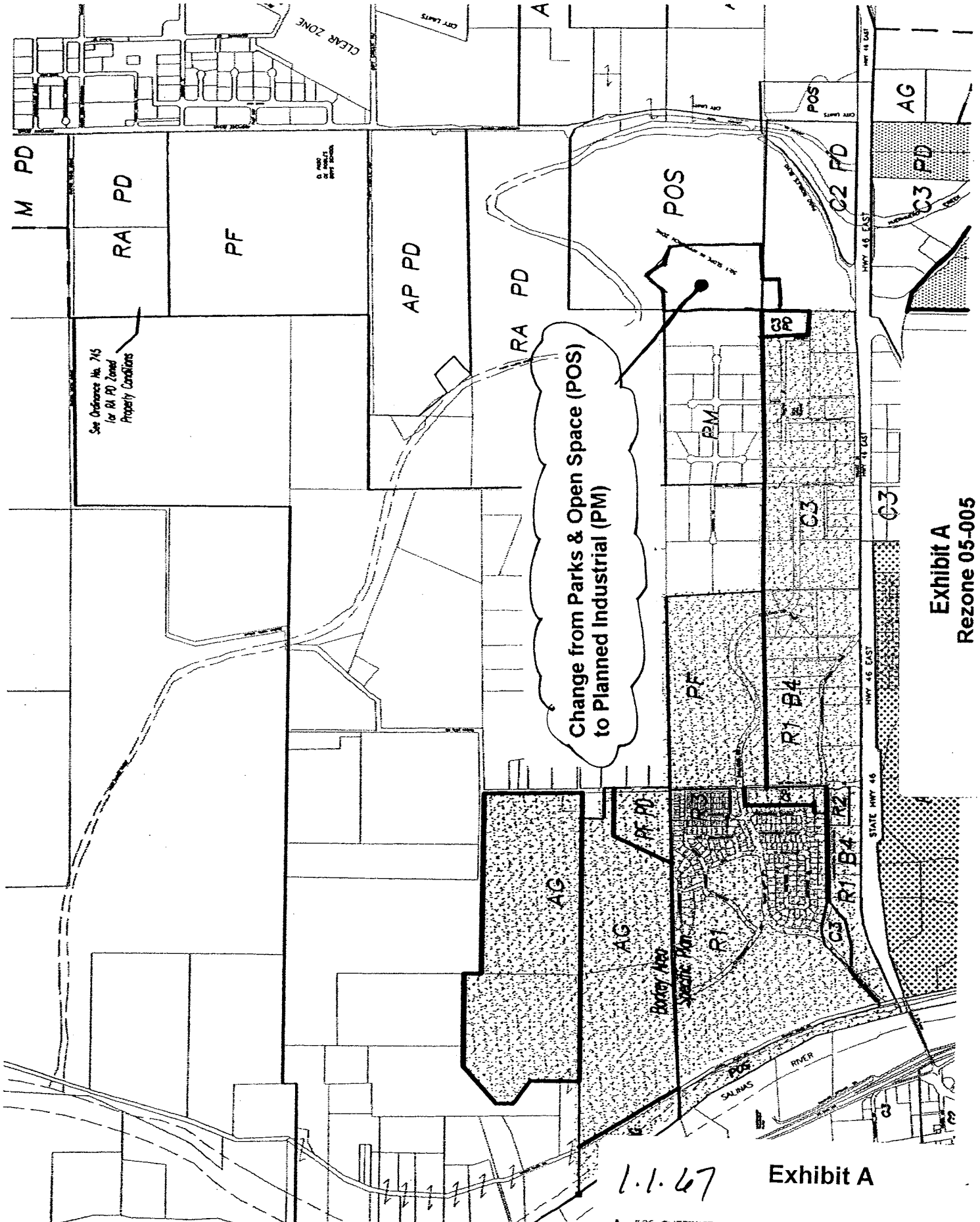
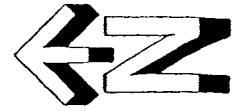


Exhibit A
Rezone 05-005
(Erskine)

1.1.67

Exhibit A