

RESOLUTION NO. 05-184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ESTABLISHING GUIDELINES FOR PLANNING COMMISSION CONSIDERATION OF
CONDITIONAL USE PERMITS FOR CHURCHES IN COMMERCIAL ZONED AREAS

WHEREAS, the City's General Plan provides for a balance of land uses, including but not limited to residential, commercial, industrial, public, and institutional; and

WHEREAS, the ability of the City to provide services to the community, including but not limited to Police, Emergency Services, Parks & Recreation, Library, Road construction and maintenance, Bridges, interchanges and traffic control devices, and General City government / administration, is dependent upon sales tax and other revenues from commercial land uses; and

WHEREAS, the City's adopted Economic Development Strategy has the purpose and intent of fostering revenue generating land uses to provide employment and income to the City to pay for the costs of facilities and services of general public benefit; and

WHEREAS, locating a church in a commercially zoned location could result in incompatibility with land uses that are permitted by right in a commercial zone (e.g. sale of alcoholic beverages) and/or could displace revenue generating land uses upon which the City depends for covering the costs of City facilities and services; and

WHEREAS, churches are conditionally permitted in all residential zones, most commercial zones, and two manufacturing zones, thereby providing a wide range of opportunities to establish a church in a location that is suitable for the church and, at the same time, does not raise issues of compatibility and/or adverse fiscal impact on the City; and

WHEREAS, there are currently no established guidelines or standards for the issuance of a Conditional Use Permit for a church in a commercially zoned location; and

WHEREAS, establishment of guidelines that would assist the Planning Commission in their consideration of a Conditional Use Permit for a church in a commercially zoned location could help prevent conflicts between land uses and inconsistencies with the implementation of the City's Economic Development Strategy.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby establish the following guidelines for use by the Planning Commission in their consideration of a Conditional Use Permit for a church in a commercially zoned location:

1. A prerequisite to approval of a Conditional Use Permit for a church in a commercially zoned location should be a written acknowledgement by the applicant of the range of land uses that are permitted either by right or conditionally in the City's commercial zones and a statement that the applicant will not protest the establishment of land uses that are provided for in the Commercial zones as reflected in the City's Zoning Code. The Planning Commission should also consider the issue of land use compatibility and consider denial of the Conditional Use Permit for a church if the Planning Commission concludes there is a potential for incompatibility.

2. In conjunction with consideration of an application for a Conditional Use Permit for a church in a commercially zoned location, the Planning Commission should evaluate whether the design, location and operation of the proposed church is consistent with the protection of the public health, safety and welfare and whether the proposed church use will have a significant adverse fiscal impact upon the neighboring properties. A finding that such use is inconsistent with the public health, safety and welfare or that it will have a significant adverse fiscal impact would be grounds for denial of the pending application.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 6th day of September 2005 by the following vote:

AYES: Nemeth, Strong, and Mecham
NOES: Picanco
ABSTAIN: None
ABSENT: Heggarty

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk