ORDINANCE NO. 673 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING CHAPTER 21.16 (EFFECTING DRIVE THROUGH FACILITIES IN C-1 ZONES) AND CHAPTER 21.16E (EFFECTING ACCESSORY CROP PRODUCTION IN R-1 ZONES) OF THE CITY'S ZONING ORDINANCE

WHEREAS, at its meeting of March 21, 1994, the Planning Commission took the following actions regarding this ordinance:

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

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

c. In accordance with the California Environmental Quality Act, considered a proposed Negative Declaration, and made a recommendation that the city Council adopt a Negative Declaration; and

d. Recommended that the City Council adopt an ordinance amending respective Chapters of the Zoning Code in order to allow drive-through facilities within the C-1 district and to allow accessory crop production within the R-1 district; and

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WHEREAS, at its meeting of April 19, 1994, the City Council took the following actions regarding this ordinance:

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

b. Considered the discussions of the Planning Commission regarding this ordinance; and

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

d. In accordance with the California Environmental Quality Act, adopted a Negative Declaration status for the code amendment.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of El Paso De Robles, California to adopt this ordinance to amend the zoning code regulations as follows:

SECTION A:

Table 21.16.200 - (Permitted Land Uses: Commercial and Industrial Zoning Districts) is hereby amended to read in part as follows:

LAND USE	R3O	CP	C-1	C-2	C-3	RC	M	PM	AP
F. RETAIL COMMERCIAL									
12. Restaurants:									
a. Drive-through.....	N	N	P*	P*	P*	P*	P*	P*	P*
b. Sit-down and/or walk up	N	P**	P**	P**	P**	P**	P**	P**	P**
c. Outdoor seating.....	N	P	P	P	P	P	P	P	P

* Permitted if more than 300 feet from the nearest residential zoning district; conditional if 300 feet or less from the nearest residential zoning district.

** Permitted if 5,000 square feet or less in gross floor area; if 5,000 square feet or more in gross floor area, subject to approval of a conditional use permit and finding that such a restaurant will not be detrimental to the City's efforts to revitalize the historic downtown.

SECTION B:

Section 21.16E.040 - (R-1 District Regulations: Permitted Uses) is hereby amended to read as follows:

21.16E.040 Permitted Uses.

Those land uses which are permitted by right and those which are subject to the approval of a condition use permit in the R-1 district are listed as follows:

A. Uses permitted by right:

1. Detached single-family dwelling (one per lot, regardless of lot size),

2. Mobile homes on individual lots as permanent dwellings (in accordance with Chapter 21.15A),

3. Residential care facilities (for elderly, handicapped, etc.) for six and fewer residents,

4. Day care for six and fewer children,

5. Public schools, all levels,

6. 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 accessary building),

7. Accessory Crop production - which includes dry and irrigated farming, orchards, vineyards when such use meets the following criteria:

a. Accessory to a single family use;
b. No commercially applied pesticides which could impact surrounding properties transmitted through surface runoff, ground water infiltration, or air emissions;
c. No use of audible pest control methods.

B. Uses subject to approval of a conditional use permit:

1. Guest house without kitchen facilities,

2. Senior housing unit (in accordance with Chapter 21.16D),

3. Detached accessory buildings with heights greater than fifteen feet and gross floor areas greater than fifty percent of the main structure,

4. Bed and breakfast inns (in accordance with Section 21.15.210 through 21.15.240),

5. Churches (including meeting halls and Sunday schools as accessory uses),

6. Day care centers for more than six children,

7. Residential care facilities (For elderly, handicapped, etc.) for more than six residents,

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8. Quasi-public facilities (private libraries, museums, art galleries, scout huts, etc.),

9. Public facilities (government offices, community centers libraries, recreation buildings, equipment yards, etc.),

10. Public parks, playgrounds, ballfields,

11. Public facilities (electrical substations, transmission facilities, etc.),

12. Private schools, all levels,

13. Private/commercial recreation facilities;
    a. Racquetball, handball courts
    b. Ballfields, playgrounds, stadiums
    c. Golf courses, driving ranges
    d. Off-road vehicle courses
    e. Pools, waterslides (for use other than accessory to a single dwelling)

14. Private off-street parking for commercial and industrial uses when adjacent to the use being served,

15. Winetasting rooms (in accordance with Section 21.21.100),

16. Crop production - which includes dry and irrigated farming, orchards and vineyards which do not fall within the criteria set forth in item number A7 (Accessory Crop Production).

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PASSED AND ADOPTED THIS 3rd day of May, 1994 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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