

ORDINANCE NO. 712 N.S.

CODE AMENDMENT 96-003 OF THE CITY OF EL PASO DE ROBLES
 AMENDING CHAPTER 21 OF THE MUNICIPAL CODE (ZONING CODE)
 MODIFYING DEVELOPMENT RESTRICTIONS AND REQUIREMENTS FOR
 WINE TASTING ROOMS IN THE R-1 ZONE
 (CITY INITIATED; CITY OF PASO ROBLES)

WHEREAS, the City of Paso Robles has initiated Code Amendment 96-003 to provide additional flexibility in development of Wine Tasting Rooms in the R-1 Zone; and

WHEREAS, provisions for Wine Tasting Rooms in the R-1 Zone are contained in Chapter 21.21.100 of the Zoning Code; and

WHEREAS, the intent of this code amendment is to modify and up-date existing development restrictions and requirements to assist in implementing the City's adopted Economic Development Strategy; and

WHEREAS, public hearings were conducted by the Planning Commission on May 28, 1996 and by the City Council on June 4, 1996 to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment, and

WHEREAS, staff is recommending that the City Council adopt a Negative Declaration of environmental impact in conjunction with this code amendment; and

WHEREAS, at its meeting of June 4, 1996, the City Council gave first reading to this ordinance, and

WHEREAS, at its meeting of June 18, 1996, the City Council gave second reading to this ordinance, and

WHEREAS, this ordinance shall go into effect on July 18, 1996.

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 code amendment is not inconsistent with the General Plan.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does ordain as follows:

Chapter 21 of the Paso Robles Municipal Code (Zoning Code) is hereby amended to modify the provisions of Chapter 21.21.100 (Wine Tasting Rooms in the R-1 District), as contained in the attached Exhibit "A".

Section 1. 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 2. 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.

Section 3. 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, such inconsistent and conflicting provisions of prior ordinance, motions, resolutions, rules and regulations are hereby repealed.

Section 4. 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.

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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 invalid or unconstitutional.

Introduced at a regular meeting of the City Council held on 4 June 1996, and passed and adopted by the City Council of El Paso de Robles on the 18th day of June, 1996, by the following roll call vote, to wit:

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

Walter J. Macklin
WALTER J. MACKLIN, MAYOR
City of El Paso de Robles

ATTEST:
Richard J. Ramirez
RICHARD J. RAMIREZ, CITY MANAGER / CITY CLERK

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Zoning Code Amendment 96-003

Section 21.21.100 Wine tasting rooms in the R-1 district

A. Purpose and Intent: Wine tasting rooms serve as outlets for the agricultural sector of the City's economy. While they are primarily a commercial land use, they have historically been located among and have proven to be compatible with agricultural - residential uses with lot sizes greater than one acre. Since they serve the City, regional and tourist markets, they are best located on highways or arterial streets at intersections with other arterials or collector streets.

B. Definition. A "wine tasting room" is an establishment for the tasting and retail sale of wine. One or more wine tasting rooms may be established, along with accessory uses to include the following (accessory uses are not specifically limited as to size or area; the primary criterion will be the Planning Commission's determination of scale and compatibility with the wine tasting room as the primary land use on the subject property) :

1. Caretaker's residence (one dwelling unit);
2. Retail sale of food items and gifts.
3. Restaurants.
4. Lodging facilities.
5. Conference and meeting facilities.
6. Other accessory uses as may be determined by the Planning Commission, based on a finding of compatibility with development of the subject property and nearby land uses.

Prohibited accessory uses:

1. Sale of alcoholic beverages other than wine;
2. Cocktail lounges, night clubs, and similar establishments.

C. Permit Requirements: A Conditional Use Permit and Development Plan approval are required.

D. Location: Wine tasting rooms in the R-1 district must be located at the intersection of an arterial street and either another arterial street or collector street, as designated by the Circulation Element of the General Plan.

E. Minimum Site Size: The minimum site size shall be one and one half acres.

F. Setbacks. Building setbacks shall be as follows:

1. Front and street side yards: forty (40) feet;
2. Interior yards: forty (40) feet;

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