

ORDINANCE NO. 725 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 97004 - PILG)

WHEREAS, Tim and Kim Pilg have filed Rezone 97004 to rezone Lots 5 and 6 of Block 23, City of El Paso de Robles from C-1,PD (General Retail Commercial) to C-2,PD (Highway Commercial); and

WHEREAS, said Lots 5 and 6 of Block 23, City of El Paso de Robles are separated from existing C-2,PD Zoned property by Lot 4 of Block 23, City of El Paso de Robles, which is also currently zoned C-1,PD; and

WHEREAS, in order to provide for a continuous pattern of zoning, said Lot 4 of Block 23, City of El Paso de Robles should be added to the area to be considered for rezoning to C-2,PD so that the "Site" to be rezoned will consist of Lots 4, 5 and 6 of Block 23, City of El Paso de Robles; and

WHEREAS, the Land Use Element of the General Plan designates the Site for Community Commercial (CC) land use; and

WHEREAS, the proposed rezoning of the Site to C-2,PD is consistent with the Community Commercial land use category; and

WHEREAS, at its meeting of April 22, 1997, 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;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Based on the information contained in the Initial Study prepared for this rezone, recommended that the City Council find that there would not be a significant impact on the environment as a result of rezoning the Site to C-2,PD and adopt a Negative Declaration in accordance with the California Environmental Quality Act.
- d. Recommended that the City Council adopt the ordinance rezoning the property to C-2,PD and amending the zoning map as established by the Municipal Code, and

WHEREAS, at its meeting of May 6, 1997, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendation of the Planning Commission regarding this rezone;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- d. Based on the information contained in the Initial Study prepared for this rezone, the City Council finds that there would not be a significant impact on the environment as a result of rezoning the Site to C-2,PD and adopted a Negative Declaration in accordance with the California Environmental Quality Act.

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 so that Lots 4, 5, and 6 of Block 23, City of El Paso de Robles, be rezoned from C-1,PD to C-2,PD as shown on the attached Exhibit A.

**SECTION 2.** Section 21.16.200 of the Municipal Code is hereby amended to revise item no. F.1.b(1) of Table 21.16.200 (Automobiles, motorcycles, recreational vehicles, trucks, boats, farm equipment - vehicle sales with auto service as ancillary use - new and 25% or less used) to insert an asterisk (“\*”) after the “P” (for use permitted by right) for the C-2 Zoning District and a note below item #F.1 that reads:

“\* Floor area for vehicle service operations shall be limited to 25 percent of the total floor area of the sales facility, and approval of a Site Plan application shall be obtained that demonstrates that service areas will be located and designed to provide the maximum feasible mitigation for neighboring land uses.”

**SECTION 3. 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 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.

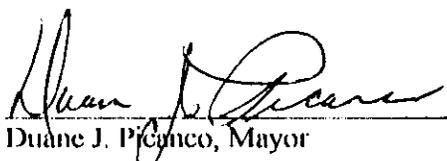
The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

**SECTION 5. 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.

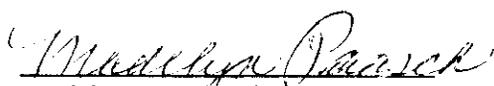
**SECTION 6. Effective Date.** This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on May 6, 1997, and passed and adopted by the City Council of the City of El Paso de Robles on the 20<sup>th</sup> day of May, 1997, by the following roll call vote, to wit:

AYES: Baron, Iversen, Macklin, and Swanson  
 NOES: Picanco  
 ABSENT: None  
 ABSTAINING: None

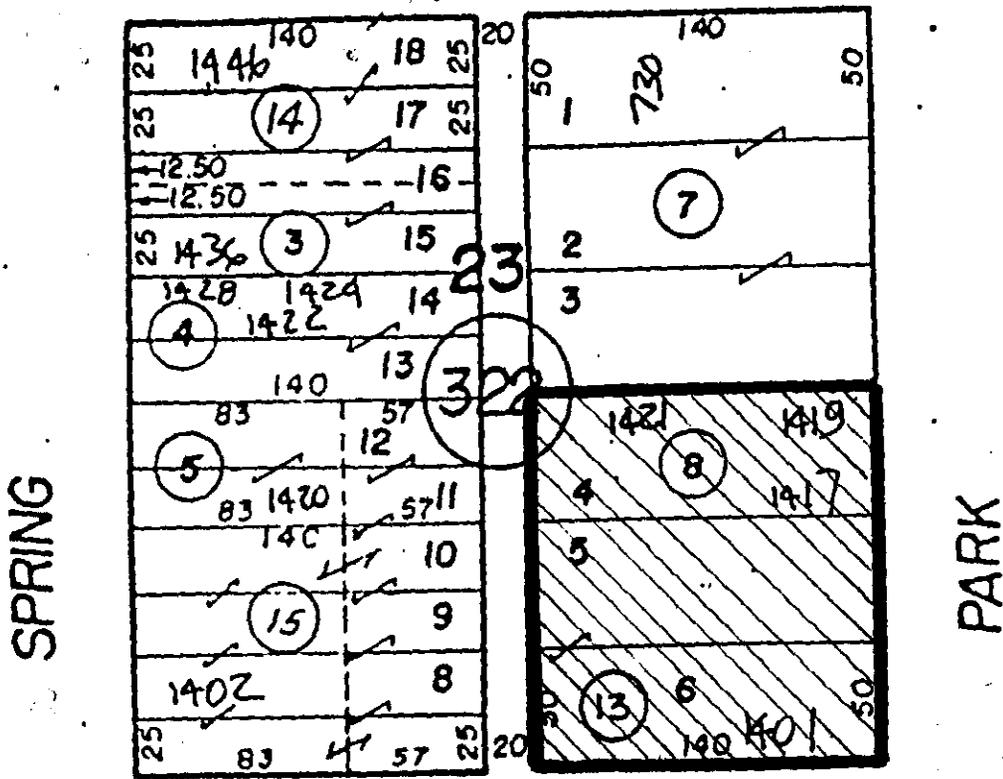
  
 Duane J. Picanco, Mayor

ATTEST:

  
 Madelyn Paasch, City Clerk

ABJ657

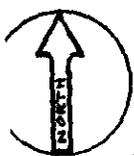
FIFTEENTH



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PROPERTY TO BE REZONED FROM C-1,PD TO C-2,PD



REZONE 97004 (PILG)

EXHIBIT A

ORDINANCE \_\_\_ N.S.