

ORDINANCE NO. 726 N.S.

ZONE CHANGE 97-002 (Pre-Zone)
 OF THE CITY OF EL PASO DE ROBLES
 WITH REGARDS TO ANNEXATION #73
 (CITY OF PASO ROBLES, ON BEHALF OF HARVEY MUNDEE)

WHEREAS, the City of Paso Robles has initiated Zone Change 97-002 to consider the appropriate zoning designation (pre-Zone) for property that is to be considered for Annexation to the City of El Paso de Robles; and

WHEREAS, the subject property is located northeast of the intersection of Airport Road and Highway 46 East; and

WHEREAS, the total property that is subject to the Zone Change is approximately 19.4 acres, of which approximately 2.67 acres are currently in the City of El Paso de Robles and approximately 16.75 acres are proposed for annexation to the City; and

WHEREAS, at their meeting of February 18, 1997, the City Council directed staff to initiate the steps necessary for the City to function as Lead Agency for the processing of the Annexation on a reimbursement basis on behalf of Harvey Munde; and

WHEREAS, Harvey Munde is seeking a change from the County designation of Agriculture to the City's Parks and Open Space (POS) Zoning designation for the subject property; and

WHEREAS, until such time as the property is annexed to the City and further development entitlements are granted (specifically, approval of a Development Plan for the subject property), there will be no physical impacts resulting from the Pre-Zoning designation; and

WHEREAS, public hearings were conducted by the Planning Commission on April 22, 1997 and by the City Council on May 6, 1997 to consider facts as presented in the staff report and to accept public testimony regarding this proposed Zone Change; and

WHEREAS, the City Council will be considering adoption of a Negative Declaration of environmental impact in conjunction with this Zone Change; and

WHEREAS, at its meeting of May 6, 1997, the City Council gave first reading to this ordinance; and

WHEREAS, at its meeting of May 20, 1997, the City Council gave second reading to this ordinance; and

WHEREAS, this ordinance shall go into effect on June 19, 1997.

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 (assuming the companion request, a General Plan Amendment from Agriculture to Parks and Open Space is approved).

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

The Zoning Map of the City of El Paso de Robles is hereby amended to pre-zone the subject property as Parks and Open Space (POS) 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 or 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.

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 6 May 1997, and passed and adopted by the City Council of El Paso de Robles on the 20th day of May, 1997, by the following roll call vote, to wit:

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


DUANE PICANCO, MAYOR
City of El Paso de Robles

ATTEST:


MADELYN PAASCH, CITY CLERK

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PARCEL 1
49 P.M. 49

3604 O.R. 748
64 L.S. 60

EASEMENT FOR INGRESS,
EGRESS, P.U.E. & INCIDENTAL
PURPOSES PER DOC. #1997-004283
RECORDED ON JANUARY 28, 1997

EXISTING
CITY LIMITS

N 89°50'32" E 570.58'

10' P.T.&T.
EASEMENT

CENTERLINE OF COUNTY
ROAD ABANDONED
PER 1249 O.R. 298
AND 1249 O.R. 300

ZONE CHANGE (PRE-ZONE) 97-002

PROPOSED CHANGE FROM AG IN COUNTY
TO PARKS & OPEN SPACE IN THE CITY

CENTERLINE OF P.U.E.
PER 1249 O.R. 298

ANNEXATION AREA: 16.75 ACRES
PORTIONS OF PARCEL 1 26 P.M. 22
AND 3604 O.R. 753

AIRPORT

CITY OF
EL PASO
DE ROBLES

PARCEL 1
26 P.M. 22

N00°05'38"W 1294.30'

S00°05'38"E

1148.18'

3604 O.R. 753
64 L.S. 60

2.67 ACRE PORTION OF
PARCEL 1 26 P.M. 22
ANNEXED IN
ANNEXATION NO. 69

P.O.B.

S 55°42'04" W
59.89'

N 89°03'00" W
156.04'

S 16°21'42" W
109.77'

ACCESS DENIAL
PER 637 O.R. 394

20' ACCESS
OPENING

23 24
26 25

$\Delta = 03^{\circ}52'19"$
 $R = 4945.00'$
 $L = 334.18'$

EXISTING
CITY LIMITS

HIGHWAY 46

COMMUNITY DEVELOPMENT

RECEIVED
MAR 28 1997

EXHIBIT "A"