

**ORDINANCE NO. 729 N.S.**

**ZONING CODE AMENDMENT 97-003  
AN AMENDMENT TO THE ZONING AND MUNICIPAL CODES  
OF THE CITY OF EL PASO DE ROBLES  
WITH REGARDS TO STREAMLINING THE DEVELOPMENT REVIEW PROCESS  
(CITY OF PASO ROBLES)**

WHEREAS, the City of Paso Robles has initiated Zone Change 97-003 to consider the appropriate amendments to the City's Zoning and Municipal Code, with the purpose and intent of streamlining the development review process; and

WHEREAS, streamlining the development review process is consistent with the City's adopted Economic Development Strategy and the goals discussed at the Streamlining Roundtable Discussion held on April 14, 1997; and

WHEREAS, two specific topics are addressed by the Zoning Code Amendment that is currently under consideration:

1. A proposal to delegate responsibility for processing Lot Line Adjustments to City staff (with the ability to appeal staff decisions to the Planning Commission and City Council);
2. Discussion regarding whether or not the City should retain (or modify) its existing requirements for the landscaping of front yard areas within the residential zones;

WHEREAS, public hearings were conducted by the Planning Commission on May 13, 1997 and by the City Council on June 3, 1997 to consider facts as presented in the staff report and to accept public testimony regarding this proposed Zoning Code / Municipal Code Amendment; and

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

WHEREAS, at its meeting of June 3, 1997, the City Council gave first reading to this ordinance; and

WHEREAS, at its meeting of June 17, 1997, the City Council gave second reading to this ordinance; and

WHEREAS, this ordinance shall go into effect on July 16, 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.

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

1. The Municipal Code of the City of El Paso de Robles, Title 22 et seq. (Subdivisions), is hereby amended to add a Chapter 22.18 with regards to requirements for processing Lot Line Adjustment requests, in the manner described in the attached Exhibit "A".
2. The Zoning Code of the City of El Paso de Robles, Title 21 et seq., is hereby amended with regards to requirements for front yard landscaping, in the manner described in the attached Exhibit "B-2".

ABJ657

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.

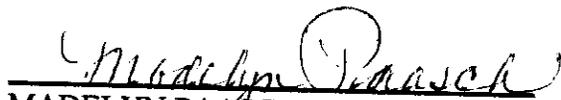
The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared invalid or unconstitutional.

Introduced at a regular meeting of the City Council held on 3 June 1997, and passed and adopted by the City Council of El Paso de Robles on the 17th day of June, 1997, by the following roll call vote, to wit:

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

  
DUANE PICANCO, MAYOR  
City of El Paso de Robles

ATTEST:

  
MADELYN PAASCH, CITY CLERK

ABJ657

**Chapter 22.18  
Lot Line Adjustment Process**

**Exhibit "A"**

**Purpose and Intent:**

To provide a process through which applicants can obtain an adjustment of a lot line or lines between two or more existing adjacent parcels, pursuant to Section 66412 (d) of the State Subdivision Map Act.

**Definition of a Lot Line Adjustment:**

As described in Section 66412 (d) of the Subdivision Map Act of the State of California, a Lot Line Adjustment is an adjustment between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existing is not thereby created. A combination or consolidation of existing parcels (eliminating lot lines) may be accomplished through the same procedure.

**Application Process:**

A property owner or his representative shall submit an application to the office of the Community Development Director. The application form and specifications shall be as established by the Community Development Department of the City of El Paso de Robles. Application and processing fees shall be as established by the City Council of the City of El Paso de Robles. An informal hearing process may be established, if necessary.

**Review By Local Agency:**

The Community Development Director shall have authority to review and approve a Tentative Lot Line Adjustment. Said review and approval shall be limited to a determination of whether or not the parcels resulting from the Lot Line Adjustment will conform to local Zoning and Building Ordinances.

The Community Development Director shall not impose conditions or exactions on approval of a Lot Line Adjustment except to conform to the City's Zoning and Building Ordinances, to require the prepayment of real property taxes prior to the approval of the Lot Line Adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements.

If the scale and nature of the requested Lot Line Adjustment (e.g. the number of acres and/or parcels) would, in the opinion of the Community Development Director, raise questions as to consistency with the purpose and intent of the Lot Line Adjustment in relation to the City's General Plan and/or Zoning Code, the Community Development Director shall have the authority to refer the requested Lot Line Adjustment to the Planning Commission for an informal public hearing.

No tentative map, parcel map, or final map shall be required as a condition of approval of a Lot Line Adjustment. The Lot Line Adjustment shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a Lot Line Adjustment unless required by Section 8762 of the Business and Professions Code. The final form of documentation of a Lot Line Adjustment shall be subject to approval of the City Engineer.

**Appeal Process:**

Any determination by the Community Development Director or other staff member with regards to a Lot Line Adjustment may be appealed to the Planning Commission for their consideration. The appeal must be filed in writing, with the applicable fee deposit, within fifteen (15) calendar days of the staff determination. The appeal will be scheduled for consideration at the earliest feasible date.

Any determination by the Planning Commission with regards to a Lot Line Adjustment may be appealed to the City Council for their consideration. The appeal must be filed in writing, with the applicable fee deposit, within fifteen (15) calendar days of the staff determination. The appeal will be scheduled for consideration at the earliest feasible date.

**Exhibit "A"**

**Exhibit "B-2"****21.16E.340 Landscaping requirements for front yard areas.**

A. Within one year of issuance of a certificate of occupancy, the holder of a building permit for a single-family dwelling shall have installed front yard landscaping in all nonpaved portions of the area between the front of the home and the street upon which the home faces. The landscaping may consist of lawn, ground cover, flowers, gravel, bark or other equivalent decorative materials. Bare ground and/or weeds are not acceptable landscaping treatments.

B. In order to ensure enforcement of this provision, if required landscaping is not completed prior to issuance of a certificate of occupancy, a security deposit, in a form and an amount to be established by city council resolution, shall be submitted prior to issuance of the certificate of occupancy. The costs of inspecting the landscaping, as required by this Code Section, shall be charged against the security deposit. The remaining deposit shall be refunded upon compliance with the requirements of this section.

C. Upon completion of landscaping installation, the holder of the building permit shall request a building inspection; upon approval of the installed landscaping, the permit holder is released from further responsibility regarding the landscaping. Following approval of landscaping installation, it shall thereafter be the responsibility of the property owner to ensure that the installed landscaping is adequately maintained. Inadequately maintained landscaping may be grounds for public nuisance abatement. Judgment of the adequacy of installed and/or maintained landscaping shall be the responsibility of the city planner, who shall use reasonable discretion. Exceptions from the requirements to landscape front yard areas may be granted by the development review committee upon demonstration that such landscaping would not be reasonable or appropriate based on property size or location.

**Exhibit "B-2"**

h:\stream\city\97\landscaping requirements B-2 May 97

ABJ657