

ORDINANCE NO. 731 N.S.

ZONE CHANGE 97-006 (Pre-Zone)
 OF THE CITY OF EL PASO DE ROBLES
 WITH REGARDS TO ANNEXATION #74
 (RUSSELL AND CAROL KIESSIG)

WHEREAS, the City of Paso Robles has initiated Zone Change 97-006 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 between Buena Vista Drive and North River Road, north of Highway 46 East; and

WHEREAS, the total property that is subject to the Zone Change is approximately 270 acres, of which approximately 138 acres are within the Borkey Area Specific Plan; and

WHEREAS, at their meeting of May 6, 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 Russell and Carol Kiessig; and

WHEREAS, Russell and Carol Kiessig are seeking a change from the County designation of Agriculture to the City's Agriculture (AG) 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, there will be no physical impacts resulting from the Pre-Zoning designation; and

WHEREAS, public hearings were conducted by the Planning Commission on June 10, 1997 and by the City Council on June 17, 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 June 17, 1997, the City Council gave first reading to this ordinance; and

WHEREAS, at its meeting of July 1, 1997, the City Council gave second reading to this ordinance, and

WHEREAS, this ordinance shall go into effect on July 31, 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:

The Zoning Map of the City of El Paso de Robles is hereby amended to pre-zone the subject property as Agriculture (AG) as contained in the attached Exhibit "A".

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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 17 June 1997, and passed and adopted by the City Council of El Paso de Robles on the 1st day of July, 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

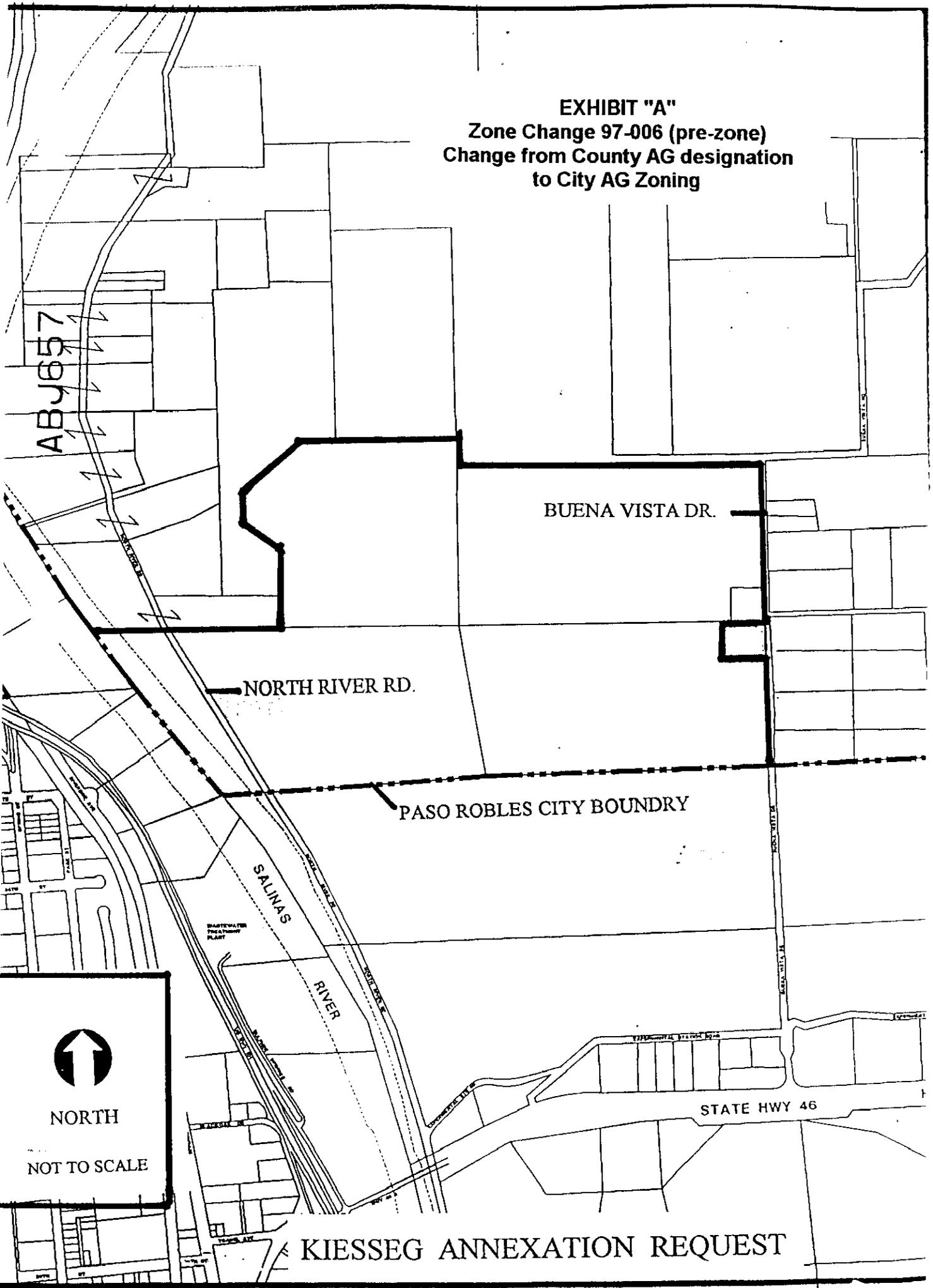
ATTEST:


 MADELYN PAASCH, CITY CLERK

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EXHIBIT "A"
Zone Change 97-006 (pre-zone)
Change from County AG designation
to City AG Zoning



NORTH

NOT TO SCALE

KIESEG ANNEXATION REQUEST