

ORDINANCE NO. 733 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 97003 - DANLEY/ERSKINE)

WHEREAS, in conjunction with General Plan Amendment (GPA) 97-03(A), Bill Danley and Tom Erskine have filed Rezone 97003 to rezone a 74 acre parcel, described as Assessor's Parcel No. 025-421-018, located on the east side of Golden Hill Road, approximately 1/4 mile north of Highway 46 east from Residential Agriculture Planned Development (RA PD) to Planned Industrial (PM); and

WHEREAS, at its meeting of June 10, 1997, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project (general plan amendment and rezone);
- b. Conducted a public hearing to obtain public testimony on the proposed project;
- c. Based on the information contained in the Initial Study prepared for this project, unanimously found that there was no substantial evidence that this project would have significant adverse effects on the environment and recommended that the City Council approve a Negative Declaration;
- d. Recommended that the City Council approve this project; and

WHEREAS, on June 17, 1997, City Council opened the public hearing for the rezone request and continued the hearing to the Council's July 1, 1997 meeting for further consideration; and

WHEREAS, at its meeting of July 1, 1997, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendation of the Planning Commission;
- c. Conducted a public hearing to obtain public testimony on the proposed project;
- d. Based on the information contained in the Initial Study prepared for this Rezone, the proposed mitigation measures, the mitigation contract signed by the applicant, the staff report, and testimony received as a result of the public notice, the City based on its own independent and objective judgment found that all potentially significant effects of the project, on the environment can and will be avoided or mitigated to a level of insignificance by:
 1. Imposing the approved mitigation measures on future development; and
 2. Compliance with the Mitigation contract that allows for further, development specific, CEQA review;
- e. Based on the City's independent judgment, the City Council of the City of El Paso de Robles granted a Negative Declaration for General Plan Amendment 97-03(A) and Rezone 97003 in accordance with the California Environmental Quality Act;
- f. Adopted a resolution to approve General Plan Amendment 97-03, which enables Rezone 97003 to be in conformance with the General Plan;

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 Assessor's Parcel No. 025-421-018 is rezoned from RA PD to PM, as shown on the attached Exhibit A.

SECTION 2. 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 3. 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.

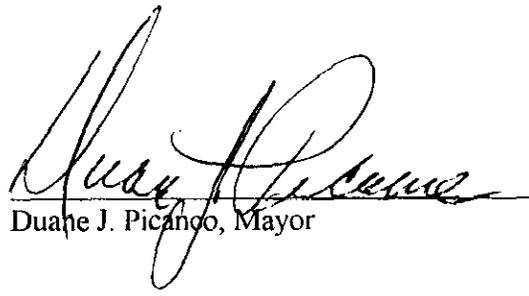
The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 4. 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 5. 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 July 1, 1997, and passed and adopted by the City Council of the City of El Paso de Robles on the 15th day of July, 1997, by the following roll call vote, to wit:

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


 Duane J. Picanco, Mayor

ATTEST:

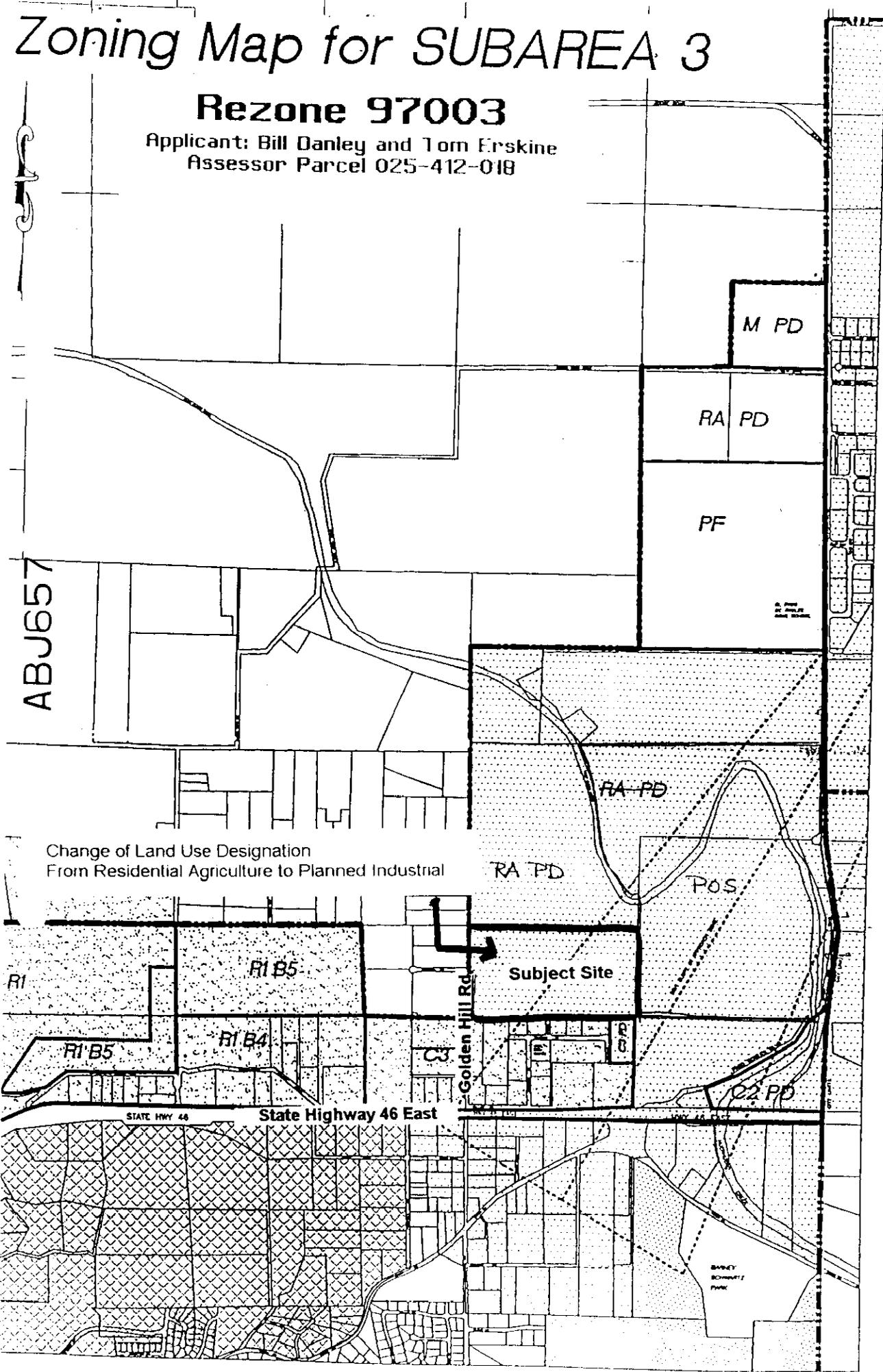
 Madelyn Paasch, City Clerk

ABJ657

Zoning Map for SUBAREA 3

Rezone 97003

Applicant: Bill Danley and Tom Erskine
Assessor Parcel 025-412-018



Change of Land Use Designation
From Residential Agriculture to Planned Industrial

RA PD

POS

Subject Site

RI

RI B5

RI B5

RI B4

C3

R2 PD

STATE HWY 46

State Highway 46 East

Golden Hill Rd

BARNEY SCHWITZ PARK