

ORDINANCE NO. 743 N.S.
 AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
 AMENDING THE ZONING AND BUILDING TITLES OF THE MUNICIPAL CODE
 REGARDING SETBACKS IN RESIDENTIAL ZONING DISTRICTS
 FOR RECREATIONAL VEHICLE SHELTERS AND REGARDING
 STREAMLINING THE DEVELOPMENT REVIEW PROCESS
 (CODE AMENDMENT 97007)

WHEREAS, the City has initiated Code Amendment 97007 to revise the regulations for setbacks for shelters for recreational vehicles; and

WHEREAS, Ordinance 739 N.S., adopted by the City Council on January 6, 1998, regarding streamlining the development review process, established Table 21.16.150 and amended Table 21.16.200, which between them contain the lists of permitted, conditional, temporary and non-permitted land use for all zoning districts; and

WHEREAS, following the adoption of Ordinance 739 N.S. there remained sections in Chapters 21.16E (R-1 District Regulations), 21.16F (Parks and Open Space District), 21.16I (Multiple-Family Residential Districts), 21.16J (Agricultural District), and 21.18 (Office Professional District) that either duplicated or conflicted with Tables 21.16.150 and 21.16.200; additionally both tables contained lists of permitted, conditional, temporary and non-permitted land use for the R-3-O Zoning District; and

WHEREAS, consolidation of Tables 21.16.150 and 21.16.200 and elimination of duplicative and conflicting code sections would improve the public's understanding of the Zoning Code; and

WHEREAS, at its meeting of February 10, 1998, 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. Recommended that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting of March 3, 1998, 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 code amendment;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- d. Based on the information contained in the Initial Study, the City Council found that there would not be a significant impact on the environment as a result of the code amendment 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 code amendment 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:

LAND USE	ZONING DISTRICT																		
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS		
b. As temporary caretaker units during construction of a permanent building	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		
8. Mobile home parks	N	N	N	N	N	N	C	N	N	N	N	N	N	N	N	N	N		
9. Multiple family (2 or more residential units per lot as a primary land use) * C in the area between 18th and 24th Streets and between Highway 101 and railroad.	N	N	N	P	P*	P	P	C	N	N	N	N	N	N	N	N	N		
10 Residential care facilities (for elderly, handicapped, etc.):																			
a. 6 and fewer residents	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N		
b. More than 6 residents	N	N	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N		
11. Single family dwelling (detached, attached, condominium/townhouse unit) * DRC approval required (See Section 21.18.090) ** C if lot less than 1 acre (See Section 21.16F.020)	P	P	P	P	P	P	P	P*	N	N	N	N	N	N	N	N	N	P**	
12. Temporary farm labor housing	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
C. Institutional, Public & Quasi-Public																			
1. Cemeteries (including pet cemeteries) * In Airport Clearzone only.	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P*	N	
2. Churches (including meeting halls & Sunday schools)	N	C	C	C	C	C	C	C	N	C	C	C	N	C	N	N	N		
3. Day care centers:																			
a. 6 children or fewer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
b. More than 6 children	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
4. Libraries, museums and art galleries (private) * See Section 21.18.020(e)	N	C	C	C	C	C	C	P*	P	P	P	P	P	P	P	P	C		

LAND USE	ZONING DISTRICT																
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
5. Convention centers (private)	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P
6. Public facilities (government offices, community centers, libraries, recreation buildings, equipment yards, etc.)	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P
7. Public parks, playgrounds, ballfields	N	C	C	C	C	C	C	N	P	P	P	P	P	P	P	P	P
8. Public utilities facilities:																	
a. Wells, pump stations, switching and relay boxes	P	C	C	C	C	C	C	N	P	P	P	P	P	P	P	P	P
b. Pipelines & power transmission lines	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P
c. Water tanks, electrical substations	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P
9. Schools:																	
a. Public, all levels	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
b. Private, all levels	N	N	C	C	C	C	C	N	C	C	C	C	N	C	C	C	N
c. Business, trade, dance schools	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N
10. Social halls, clubs, lodges, scout huts and fraternal organizations * See Section 21.18.020	N	N	C	C	C	C	C	P*	C	P	P	P	C	P	P	P	C
D. Communications																	
1. Broadcasting studios	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N
2. Transmission & receiving stations (not including ham operators, private microwave and radio dispatch)	P	N	N	N	N	N	N	N	N	C	C	C	C	C	C	C	N
E. Private Club and Commercial Recreation																	
1. Indoor Facilities:																	
a. Amusement arcades (video)																	

LAND USE	ZONING DISTRICT																
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
games, pinball, etc.) 4 or more games constitutes an arcade.	N	N	N	N	N	N	N	N	P	P	P	P	P	N	N	N	N
b. Bowling alleys	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
c. Card rooms	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	N	N
d. Dance halls, dance schools	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N	N
e. Gyms, health spas, etc.	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N
f. Pool/billiard halls	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
g. Racquetball, handball courts	N	N	C	C	C	C	C	N	N	P	P	P	P	P	P	P	N
h. Shooting Range	N	N	N	N	N	N	N	N	N	N	N	P	N	P	N	P	N
i. Skating Rink (ice, roller)	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N
j. Theaters (* Requires a finding that a theater will not be detrimental to the City's efforts to revitalize the downtown.	N	N	N	N	N	N	N	N	C*	P	C*	C*	C*	N	N	N	N
2. Outdoor facilities:																	
a. Amusement parks (permanent)	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N
b. Ballfields, playgrounds, stadiums and amphitheaters	N	C	C	C	C	C	C	N	N	N	C	C	C	C	N	C	C
c. Carnivals, circuses, fairs, festivals, concerts, etc.	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
d. Golf course, driving ranges	N	C	C	N	N	N	N	N	N	C	P	P	P	P	P	P	C
e. Hot springs resort/spa	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C
f. Miniature auto/go-cart courses	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N
g. Miniature golf	N	N	N	N	N	N	N	N	N	P	P	P	P	C	N	C	N
h. Off-road vehicle courses	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
i. Pools, waterslides	N	N	C	C	C	C	C	N	N	N	C	C	C	C	N	C	N
j. Shooting ranges	N	N	N	N	N	N	N	N	N	N	N	C	C	N	N	C	N
k. Tennis courts	N	C	C	C	C	C	C	N	N	N	P	P	P	P	P	C	C
F. Retail Commercial																	
1. Automobiles, motorcycles, recreational vehicles, trucks, boats, farm equipment:																	

LAND USE	ZONING DISTRICT																		
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS		
a. Parts sales (indoors, without installation)	N	N	N	N	N	N	N	N	N	P	P	P	P	P	N	P	N		
b. Vehicle Sales (including auto service as accessory use):																			
(1) New and 25 percent or less used	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	P	N		
(2) More than 25% used	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	C	N		
2. Building Materials	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	C	N		
3. Cocktail Lounges & bars	N	N	N	N	N	N	N	N	C	C	C	C	C	C	N	C	N		
4. Florist	N	N	N	N	N	N	N	C	P	P	P	P	P	P	N	P	N		
5. Food & beverage sales (groceries, supermarkets, mini-marts, delis, liquor stores, bakeries, specialty food stores)	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N		
6. Fuel Dealers (propane, butane, fuel oil, gasoline, diesel fuel)	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	C	N		
7. Furniture, appliances, home furnishings	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N		
8. General merchandise (includes department stores, drug stores, discount stores, specialized retail, artisans, manufacturing incidental to retail use, etc.)	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	P	N		
9. Mobile home sales	N	N	N	N	N	N	N	N	N	N	N	C	C	P	N	C	N		
10. Nurseries:																			
a. retail	N	N	N	N	N	N	N	C	P	P	P	P	P	P	P	P	N		
b. wholesale (not open to public)	P	P	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P		
11. Outdoor sales:																			
a. Peddlers	N	N	N	N	N	N	N	N	C	C	C	C	C	C	N	N	N		
b. Parking lot sales and other promotional events where only on-site businesses are participating (if longer than 7 days)	N	N	N	N	N	N	N	N	T	T	T	T	T	T	T	T	N		
c. Parking lot sales and other																			

LAND USE	ZONING DISTRICT																		
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS		
promotional events where only on-site business are participating (7 days or less)	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N		
12. Pet stores	N	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N		
13. Restaurants:																			
a. Drive-through (* P if more than 300 feet from the nearest residential zone; C if 300 feet or less from the nearest residential zone)	N	N	N	N	N	N	N	N	N	N	P*	P*	P*	P*	P*	P*	N		
b. Sit-down and/or walk-up * P if 5,000 sq ft or less in gross floor area or if more than 5,000 gross sq ft and located between 6th and 16th Streets and between Riverside Avenue and Vine Street; C if more than 5,000 sq ft with a finding that such a restaurant will not be detrimental to the City's efforts to revitalize the downtown. ** Spring Street only.	N	N	N	N	N	N	N	C**	P*	N									
c. Outdoor seating * Spring Street only.	N	N	N	N	N	N	N	C*	P	P	P	P	P	P	P	P	N		
d. Where liquor is served	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N		
e. Accessory to a golf course or resort/spa (outdoor seating and liquor service included)	N	N	C	N	N	N	N	N	N	C	P	P	P	P	P	P	P		
13. Restaurants (cont'd):																			
f. Temporary food service (e.g. barbecues) when located at the business' permanent location or in conjunction with a non-profit fundraising event (greater than seven days)	N	N	N	N	N	N	N	N	T	T	T	T	T	T	T	T	N		

	ZONING DISTRICT																		
LAND USE	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS		
g. Temporary food service (e.g. barbecues) when located at the businesses' permanent location or in conjunction with a non-profit fundraising event (seven days or less)	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N		
14. Secondhand merchandise:																			
a. Antiques	N	N	N	N	N	N	N	N	N	P	P	P	N	P	N	N	N		
b. Clothing, furniture and household goods:																			
(1) Without donation drop-off	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	N	N		
(2) With donation drop-off	N	N	N	N	N	N	N	N	N	N	C	C	N	C	N	N	N		
c. Swap meets, flea markets	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	N	N		
15. Service Stations:																			
a. Without auto service uses	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	P	N		
b. With auto service uses	N	N	N	N	N	N	N	N	C	C	C	C	C	C	N	C	N		
G. Service Commercial																			
1. Appliance repair	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N		
2. Automobiles, motorcycles, recreational vehicles, trucks, boats, farm equipment:																			
a. Body and paint (primary use)	N	N	N	N	N	N	N	N	N	N	C	C	N	C	N	C	N		
b. Carwashes	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	C	N		
c. Detailing	N	N	N	N	N	N	N	N	N	N	P	P	C	P	N	P	N		
d. Rental and accessory services	N	N	N	N	N	N	N	N	N	N	P	P	P	P	N	P	N		
e. Repair, parts installation (primary use)	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	C	N		
3. Contracted services (plumbing, heating & air conditioning, janitorial, pest exterminating, construction trades)	N	N	N	N	N	N	N	N	N	N	P	P	N	P	N	P	N		
4. Equipment rental (includes outdoor storage)	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N	C	N		
5. Financial services (banks, savings & loans, credit unions)	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	P	N		

LAND USE	ZONING DISTRICT																
	AG	RA	R1	R2	R3	R30	R4	OP	CP	CI	C2	C3	RC	M	PM	AP	POS
6. Health care services:																	
a. Clinics, social services facilities	N	N	N	N	N	N	N	N	N	C	C	C	N	N	N	C	N
b. Emergency/urgent care centers including outpatient services	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N
c. Hospitals	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N
d. Offices for physicians, dentists, chiropractors, psychiatrists, etc * Subject to a limitation that the floor area shall not exceed 10 percent of the total floor area of a commercial center.	N	N	N	N	N	N	N	P	P	P	P	P	P*	P	C	P	N
7. Laundries and dry cleaning plants (does not include laundromats or non-plant laundries)	N	N	N	N	N	N	N	N	N	N	C	P	N	P	N	P	N
8. Offices (general: including insurance, real estate, administrative, consulting professions such as accountants, architects, attorneys, engineers, etc.) * Subject to a limitation that the floor area shall not exceed 10 percent of the total floor area of a commercial center.	N	N	N	N	N	N	N	P	P	P	P	P	P*	P	P	P	N
9. Real estate sales offices (within approved development projects)	N	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	N
10. Personal services:																	
a. Barber/beauty shops, nails & tanning salons, massage	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	P	N
b. Laundries, non-plant	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	P	N
c. Laundromats	N	N	N	N	N	N	N	N	P	P	P	P	N	N	N	N	N
d. Locksmiths	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	P	N

LAND USE	ZONING DISTRICT																		
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS		
e. Mortuaries (* if located within 300 feet of existing cemetery)	N	N	N	C*	C*	C*	C*	N	N	C	C	C	C	C	N	C	N		
f. Parcel services	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N		
g. Tailor/dressmakers, alterations, shoe repair	N	N	N	N	N	N	N	N	P	P	P	P	P	P	N	P	N		
11. Printing, publishing, blueprinting, duplicating	N	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N		
12. Recycling																			
a. Collection centers for aluminum glass, paper, plastic, etc. (does not include collection of hazardous/toxic items)	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N	C	N		
b. Composting, green waste	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
13. Small motor repair (electrical motor rewinding lawnmower repair, etc.)	N	N	N	N	N	N	N	N	N	N	P	P	N	P	N	P	N		
14. Upholstery (includes Auto Upholstery)	N	N	N	N	N	N	N	N	N	N	C	P	N	P	N	P	N		
H. Transient Lodgings																			
1. Bed & breakfast inns (* See Chapter 21.15A)	C	C	C*	C*	C*	C*	C*	C*	N	P	P	P	P	P	N	P	C		
2. Hotels & motels * Requires a finding that a hotel or motel will not be detrimental to the City's efforts to revitalize the historic downtown	N	N	N	N	N	N	N	N	N	P	P	P	C*	P	N	P	C		
3. Recreational vehicle parks	N	N	N	N	N	N	N	N	N	N	P	P	C	P	N	C	C		
I. Wholesale & Storage																			
1. Mini-storage facilities	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
2. Temporary construction yards in conjunction with valid	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

LAND USE	ZONING DISTRICT																
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS
building permit on the site of the building permit or on the immediately adjacent property																	
3. Temporary off-site construction yards in conjunction with a valid building (unless on the immediately adjacent property)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
4. Warehousing	N	N	N	N	N	N	N	N	N	N	P	P	N	P	P	P	N
5. Wholesale & distribution (not including truck terminals and fuel dealers)	N	N	N	N	N	N	N	N	N	N	P	P	N	P	P	P	N
6. Vehicle storage lots (autos, recreational vehicles, boats, trailers, trucks, construction and farm equip. as freestanding, commercial businesses)	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N	C	N
J. Manufacturing & Processing																	
1. Apparel manufacturing	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N
2. Chemical products manufacturing and processing	N	N	N	N	N	N	N	N	N	N	N	C	N	C	C	C	N
3. Concrete, gypsum & plaster products manufacturing and processing	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	P	N
4. Electrical equipment, electronic & scientific instruments manufacturing and assembly	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N
5. Food & kindred products processing (includes wholesale bakeries; does not include crop processing & packaging or meat packing/slaughterhouse)	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N
6. Furniture & fixtures manufacturing (does not include cabinet shops)	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N

LAND USE	ZONING DISTRICT																		
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS		
7. Glass products manufacturing (does not include stained glass and glassblowing by artisans)	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
8. Lumber & wood products manufacturing, processing & assembly:																			
a. Cabinet shops	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
b. Prefabricated walls & trusses, firewood, plywood & veneer mills	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
9. Machinery, motor vehicle and transportation equipment manufacturing & assembly	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
10. Meat Packing, slaughterhouse	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
11. Metal industries: primary (includes foundries, smelting, refining, extruding, casting and plating)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N		
12. Metal fabrication (indoors only, includes sheet metal, machine shops, welding)	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
13. Mobile home & modular building manufacturing & assembly (indoors only)	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
14. Outdoor manufacturing and assembly	N	N	N	N	N	N	N	N	N	N	N	C	N	C	C	C	N		
15. Paper products manufacturing & assembly	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
16. Paving materials manufacturing & processing (including roofing tar creosoted wood)	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N		
17. Plastics, fiberglass, and rubber products manufacturing, processing & assembly	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
18. Recycling & scrap processing																			

SECTION 1. Section 21.16.005 of the Municipal Code is hereby amended to read as follows:

“AG District. Uses permitted by right and subject to approval of a conditional use permit in the AG District shall be as listed in Section 21.16.200. Development and use of land within the AG District shall be in conformance with the standards and regulations listed in Chapter 21.16J. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the AG District.”

SECTION 2. Section 21.16.010 of the Municipal Code is hereby amended to read as follows:

“R-A District. Uses permitted by right and subject to approval of a conditional use permit in the R-A District shall be as listed in Section 21.16.200. Development and use of land within the R-A District shall be in conformance with the standards and regulations listed in Section 21.16.220. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the R-A District.”

SECTION 3. Section 21.16.020 of the Municipal Code is hereby amended to read as follows:

“R-1 District. Uses permitted by right and subject to approval of a conditional use permit in the R-1 District shall be as listed in Section 21.16.200. Development and use of land within the R-1 District shall be in conformance with the standards and regulations listed in Chapter 21.16E. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the R-1 District.”

SECTION 4. Section 21.16.030 of the Municipal Code is hereby amended to read as follows:

“R-2 District. Uses permitted by right and subject to approval of a conditional use permit in the R-2 District shall be as listed in Section 21.16.200. Development and use of land within the R-2 District shall be in conformance with the standards and regulations listed in Chapter 21.16I. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the R-2 District.”

SECTION 5. Section 21.16.050 of the Municipal Code is hereby amended to read as follows:

“R-3 District. Uses permitted by right and subject to approval of a conditional use permit in the R-3 District shall be as listed in Section 21.16.200. Development and use of land within the R-3 District shall be in conformance with the standards and regulations listed in Chapter 21.16I. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the R-3 District.”

SECTION 6. Section 21.16.060 of the Municipal Code is hereby amended to read as follows:

“R-3-O District. Uses permitted by right and subject to approval of a conditional use permit in the R-3-O District shall be as listed in Section 21.16.200. Development and use of land within the R-3-O District shall be in conformance with the standards and regulations listed in Section 21.16.220. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the R-3-O District.”

SECTION 7. Section 21.16.070 of the Municipal Code is hereby amended to read as follows:

“R-4 District. Uses permitted by right and subject to approval of a conditional use permit in the R-4 District shall be as listed in Section 21.16.200. Development and use of land within the R-4 District shall be in conformance with the standards and regulations listed in Chapter 21.16I. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the R-4 District.”

SECTION 8. Section 21.16.140 of the Municipal Code is hereby amended to read as follows:

“POS District. Uses permitted by right and subject to approval of a conditional use permit in the POS District shall be as listed in Section 21.16.200. Development and use of land within the POS District shall be in conformance with the standards and regulations listed in

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LAND USE	ZONING DISTRICT																	
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS	
(includes auto dismantlers)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N
19. Small scale manufacturing & assembly (includes artisans, jewelry, toys, brooms & brushes, etc.)	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	
20. Stone & cut stone products processing	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	
21. Structural clay & pottery-related products manufacturing	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	
22. Testing laboratories (soils & materials testing, research and development)	N	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N	
23. Textile mills	N	N	N	N	N	N	N	N	N	N	N	N	N	C	C	C	N	
K. Resource Extraction																		
1. Sand & gravel mining	C	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	C	
2. Fill dirt mining	C	N	N	N	N	N	N	N	N	N	N	C	C	C	C	N	C	
L. Transportation																		
1. Airport, landing strip, helicopter operations	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	N	
2. Bus stations:																		
a. Public	N	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N	
b. Private	N	N	N	N	N	N	N	N	N	C	C	C	C	C	C	C	N	
3. Parking lots:																		
a. Public (including park & ride lots)	N	N	C	C	C	C	C	C	P	P	P	P	P	P	P	P	N	
b. Private off-street parking for commercial and industrial uses	N	N	C	C	C	C	C	C	P	P	P	P	P	P	P	P	N	
4. Truck terminals	N	N	N	N	N	N	N	N	N	N	N	C	N	C	N	C	N	
5. Truck stops	N	N	N	N	N	N	N	N	N	N	C	C	N	C	N	N	N	
M. General Accessory Uses Common To Most Zones																		
1. Canopies & structures which project into the public right-of-way (subject to approval of an encroachment permit)	N	N	N	N	N	N	N	P	P	P	P	P	P	P	N	N	N	
2. Outdoor storage of materials																		

LAND USE	ZONING DISTRICT																		
	AG	RA	RI	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS		
and equipment (as an accessory use):																			
a. If property and adjacent streets are improved and storage is screened as specified in Section 21.21.110	P	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	N		
b. If property and adjacent streets are <u>not</u> improved and storage is screened as specified in Section 21.21.110	P	N	N	N	N	N	N	N	C	C	C	C	C	C	C	C	N		
3. Outdoor display of merchandise for sale or rental in accordance with Section 21.21.120	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P	N		
4. Non-conforming uses and buildings (in conformance with Sections 21.20.340 and 21.20.350):																			
a. Replace existing non-conforming use with a new, less non-conforming use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
4. Non-conforming uses and buildings (cont'd)																			
b. Additions to existing buildings containing a non-conforming use	N	N	N	N	N	N	N	C	C	C	C	C	C	C	C	C	N		
c. Restoration of destroyed residential non-conforming use	N	N	N	N	N	N	N	C	C	C	C	C	C	C	C	C	N		
d. Restoration of destroyed residential non-conforming building to previous state of non-conformity	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
e. Lot line adjustment between two buildings with non-conforming setbacks	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		

LAND USE	ZONING DISTRICT																			
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS			
5. Trailer/temporary building use:																				
a. For a construction office (within approved development projects)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
b. For a place of business/office:																				
(1) in conjunction with an existing on-site business (two year maximum)	T	T	N	N	N	N	N	N	T	T	T	T	T	T	T	T	T			
(2) in conjunction with the construction of a building and with available paved parking (maximum of one year)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			
(3) permanent	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			

TABLE 21.16.220

DEVELOPMENT STANDARDS FOR THE R-A AND R-3-O ZONING DISTRICTS

District	Maximum Height	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Side Yard Street Side	Minimum Side Yard Interior	Minimum Rear Yard	Maximum Lot Coverage
R-A	30 feet ¹	3 acres	100 feet	25 feet	20 feet	20 feet	20 feet	40 percent
R-3-O ²	40 feet ³	6,000 corner 5,000 interior	60 ft. corner 50 ft. interior	15 feet	10 feet	5 feet	10 feet	75 percent

Notes:

1. Maximum height for non-habitable buildings and structures: 50 feet.
2. Accessory Buildings: side yard setback on rear ½ of lot: 3 feet; rear yard 3 feet; min. bldg area in R-3-0 Zone: 2,175 sq ft per d.u.
3. Building Height Maximums for Accessory Structures: 20 feet

Chapter 21.16F. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the POS District.”

SECTION 9. Section 21.16.170 of the Municipal Code is hereby amended to read as follows:

“OP District. Uses permitted by right and subject to approval of a conditional use permit in the OP District shall be as listed in Section 21.16.200. Development and use of land within the OP District shall be in conformance with the standards and regulations listed in Chapter 21.18. Additionally, the provisions of Chapters 21.20 and 21.21 shall apply to both the use and development of land within the OP District.”

SECTION 10. Section 21.16.200 of the Municipal Code is hereby amended to read as follows:

“Permitted and conditional uses in zoning districts. Uses permitted by right and subject to approval of a conditional use permit in zoning districts shall be as listed in Table 21.16.200. In the event of conflict between Table 21.16.200 and any other section within this title, the contents of Table 21.16.200 shall prevail.”

SECTION 11. Table 21.16.200 of the Municipal Code is hereby amended to read as shown on Exhibit A of this ordinance.

SECTION 12. Section 21.16.220 of the Municipal Code is hereby established to read as follows:

“Development standards for the R-A and R-3-O districts. All property located in the R-A and R-3-O districts shall be developed in the accordance with the development standards listed in Table 21.16.220.”

SECTION 13. Table 21.16.220 of the Municipal Code is hereby established to read as shown in Exhibit B of this ordinance.

SECTION 14. Tables 21.16.150 and 21.16.160 of the Municipal Code, as adopted by Ordinance 739 N.S., are hereby deleted.

SECTION 15. Section 21.16D.130 (Senior Housing Units) of the Municipal Code is hereby amended to read as follows:

“Permit requirements. A Site Plan application approved by the Development Review Committee shall be obtained prior to the issuance of a building permit.

SECTION 16. Section 21.16E.040 of the Municipal Code is hereby amended to read as follows:

“Permitted and conditional uses. Uses permitted by right and subject to approval of a conditional use permit in the R-1 district shall be as listed in Section 21.16.200. As noted in Table 21.16.200, accessory crop production, which includes dry and irrigated farming, orchards, and vineyards, shall be a permitted use when all of the following conditions are met:

- a. It is accessory to a single family dwelling;
- b. There are no commercially-applied pesticides, which could impact surrounding properties transmitted through surface runoff, ground water infiltration or air emissions; and
- c. There are no use of audible pest control methods.”

SECTION 17. Section 21.16E.220 of the Municipal Code is hereby amended to add subsection D to read as follows:

“D. Setbacks for shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles. Shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the interior side yard and rear yard setbacks shown in Table 21.16E.220 subject to approval of a conditional use permit and subject to the conditions prescribed in Section 21.20.240.”

SECTION 18. Section 21.16E.230 of the Municipal Code is hereby amended in its entirety to read as follows:

“21.16E.230 Building Separations.

- A. General. The minimum separations between detached buildings, both main and accessory, shall be ten feet, as measured from the exterior walls or vertical posts to support roofs. To be considered attached, buildings shall be made structurally a part of, and shall have a common roof with, the main building(s).
- B. Building Separations for shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles. Shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the building separations prescribed in subsection A, subject to approval of a conditional use permit and subject to the conditions prescribed in Section 21.20.240.”

SECTION 19. Section 21.16F.020 of the Municipal Code is hereby amended to read as follows:

“Permitted and conditional uses. Uses permitted by right and subject to approval of a conditional use permit in the POS district shall be as listed in Section 21.16.200. As noted in Table 21.16.200, the following conditions apply to development of single-family dwellings:

- a. One single-family dwelling shall be permitted on privately-owned lots that are twenty (20) acres or larger in area. Exceptions: (1) one single-family dwelling per lot on existing lots that are one acre or larger that were annexed into the City after January 12, 1992 may be considered to be a permitted use; (2) on those lots created for open space purposes as part of a subdivision of land zoned for residential, commercial or industrial use, no residential use shall be permitted.
- b. A conditional use permit shall be required for one single-family dwelling per lot on lots less than twenty (20) acres in area, subject to meeting the lot size, width, depth and grading standards of the R-1 district, given the natural slope, and provided that oak trees, stream courses, and any other significant natural feature will not be adversely affected by development of a single family dwelling. Exception: On those lots created for open space purposes as part of a subdivision of land zoned for residential, commercial or industrial use, no residential use shall be permitted.

SECTION 20. Section 21.16I.030 of the Municipal Code is hereby amended to read as follows:

“Permitted and conditional uses. Uses permitted by right and subject to approval of a conditional use permit in the R-2, R-3 and R-4 districts shall be as listed in Section 21.16.200.

SECTION 21. Subsection C2 of Section 21.16I.160 of the Municipal Code is hereby amended to add subsection “e” to read as follows:

- “e. Shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the interior side yard setbacks set forth in this section subject to approval of a conditional use permit and subject to the conditions prescribed in Section 21.20.240.”

SECTION 22. Subsection D2 of Section 21.16I.160 of the Municipal Code is hereby amended to add subsection “e” to read as follows:

- “e. Shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the rear yard setbacks set forth in this section subject to approval of a conditional use permit and subject to the conditions prescribed in Section 21.20.240.”

SECTION 23. Subsection B of Section 21.16I.170 of the Municipal Code is hereby amended in its entirety to read as follows:

- “B. 1. General. Between a main building and a detached accessory building or between two detached accessory buildings, no less than ten feet, as measured from the exterior walls or vertical posts to support roofs. To be considered attached, buildings shall be made structurally a part of, and shall have a common roof with, the main building(s).
2. Building Separations for shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles. Shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the building separations prescribed in subsection B1, subject to approval of a conditional use permit and subject to the conditions prescribed in Section 21.20.240.”

SECTION 24. Section 21.16J.020 of the Municipal Code is hereby amended to read as follows:

“**Permitted and conditional uses.** Uses permitted by right and subject to approval of a conditional use permit in the AG district shall be as listed in Section 21.16.200.

SECTION 25. Section 21.20.240 of the Municipal Code is hereby added to read as follows:

- “21.20.240 Setbacks and building separations in residential zoning districts for shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles. In the R-1, R-2, R-3, and R-4 Zoning Districts, shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the interior side yard and rear yard setbacks up to the property line, and within building separations, subject to approval of a conditional use permit and subject to the following conditions:
1. All of the materials used in the construction of the shelter are non-combustible (e.g. steel or aluminum);
 2. The shelter structure is open on all four sides (to prevent gasoline or other fuel fumes from collecting to a point where a heater or refrigerator pilot in the vehicle might ignite them),
 3. The shelter structure shall not exceed fourteen (14) feet in height as measured from the top of floor to the ridge or highest point of the roof;
 4. The shelter structure shall not be used for conducting maintenance on the vehicle (e.g. overhaul, draining of fluids, tune-ups or other mechanical work).”

SECTION 26. Subsection U of Section 17.04.020 of the Municipal Code (Changes or additions to the Uniform Building Code) is hereby added to read as follows:

- “U. Section 503.5, Setbacks and building separations in residential zoning districts for shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, is added to read as follows:

In the R-1, R-2, R-3, and R-4 Zoning Districts, shelters for recreational vehicles, boats, campers, travel trailers or similar vehicles, but not including automobiles, trucks, motorcycles, all-terrain vehicles and non-travel trailers, may be placed within the interior side yard and rear yard setbacks up to the property line, and within building separations, subject to approval of a conditional use permit and subject to the following conditions:

1. All of the materials used in the construction of the shelter are non-combustible (e.g. steel or aluminum);
2. The shelter structure is open on all four sides (to prevent gasoline or other fuel fumes from collecting to a point where a heater or refrigerator pilot in the vehicle might ignite them);
3. The shelter structure shall not exceed fourteen (14) feet in height as measured from the top of floor to the ridge or highest point of the roof;
4. The shelter structure shall not be used for conducting maintenance on the vehicle (e.g. overhaul, draining of fluids, tune-ups or other mechanical work)."

SECTION 27. 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 28. 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.

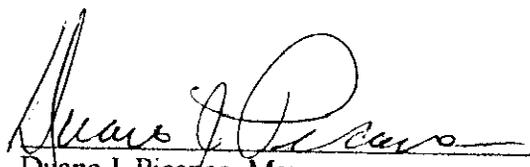
The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 29. 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.

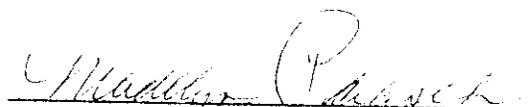
SECTION 30. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Introduced at a regular meeting of the City Council held on March 3, 1998, and passed and adopted by the City Council of the City of El Paso de Robles on the 17th day of March, 1998, 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

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EXHIBIT "A"
 TABLE 21.16.200
 PERMITTED LAND USES FOR ALL ZONING DISTRICTS

EXPLANATION OF CODES USED IN THIS CHART

- P (permitted use) denotes a land use which is permitted.
- C (conditional use) denotes a land use which requires approval of a conditional use permit (CUP).
- N (non-permitted use) denotes a land use which is not permitted.
- T (temporary use permit) denotes a land use which requires approval of a temporary use permit per Chapter 21.23C.

NOTES

1. All uses are subject to compliance with the general regulations and performance standards contained within Chapters 21.20 and 21.21, and specific limits and/or restrictions contained in chapters for specific zoning districts. Additionally, there may be limits and restrictions within overlay zoning districts and specific plan areas.
2. Any use not specifically listed below is not permitted unless the Planning Commission determines a particular land use to be similar to another permitted, conditional or temporary use within a particular zoning district.

LAND USE	ZONING DISTRICT																	
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS	
A. Agriculture & Animal Keeping																		
1. Animal Hospitals, veterinary clinics (includes overnight boarding as an accessory use)	P	C	N	N	N	N	N	N	N	N	C	C	N	C	N	N	N	
2. Animal Keeping																		
a. Bee keeping	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
b. Cattle, horse & sheep grazing	P	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	P	
c. Commercial poultry, goat, rabbit farms & dairies	P	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
d. Hogs, pig keeping or farming	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
e. Equestrian facilities	C	C	N	N	N	N	N	N	N	N	N	C	N	N	N	C	C	
f. Exotic animals (other than dogs, cats, horses, cattle, sheep, pigs, poultry & rabbits)	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	C	

LAND USE	ZONING DISTRICT																		
	AG	RA	RI	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS		
2. Animal keeping (cont'd)																			
g. Horse, cattle, sheep keeping accessory to residential use per Section 21.20.100 * C if lot size is less than 1 acre.	P	P	P*	P*	P*	P*	P*	N	N	N	N	N	N	N	N	N	N	P*	
h. Kennels, pet boarding	P	C	N	N	N	N	N	N	N	N	C	C	N	C	N	N	N		
i. Poultry & rabbit keeping accessory to residential use per Section 8.04.150	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N	N	P	
3. Crop processing & packaging (does not include wineries food processing involving cooking or similar activities)	C	N	N	N	N	N	N	N	N	N	N	P	N	P	P	P	N		
4. Crop production (includes dry and irrigated farming, orchards, vineyards) * P if conforming to Section 21.16E.040	P	P	P*	N	N	N	N	N	N	N	N	C	C	C	C	P	P		
5. Feed lots, livestock auctions/sales yards	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N		
6. Outdoor sales of agricultural products:																			
a. Year-round roadside produce stands and Certified Farmers Markets	C	N	N	N	N	N	N	N	N	N	C	C	C	C	C	C	C		
b. Seasonal stands (including Christmas trees and pumpkins)	P	N	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P		
c. Seasonal stands with a caretakers unit	T	N	N	N	N	N	N	N	T	T	T	T	T	T	T	T	T		
7. Wineries	P	C	N	N	N	N	N	N	N	N	N	P	N	P	P	P	C		
8. Wine-tasting Rooms	P	C	C	N	N	N	N	N	N	P	P	P	P	P	P	P	P		

LAND USE	ZONING DISTRICT																			
	AG	RA	R1	R2	R3	R30	R4	OP	CP	C1	C2	C3	RC	M	PM	AP	POS			
B. Residential																				
1. Boardinghouse, roominghouse	N	N	N	C	C	C	C	N	N	N	N	N	N	N	N	N	N			
2. Caretaker residence accessory to a business																				
a. one per business	P	N	N	N	N	N	N	P	P	P	P	P	P	P	P	P	P			
b. more than one per business	C	N	N	N	N	N	N	C	C	C	C	C	N	C	C	C	C			
3. Convalescent care facilities/nursing homes	N	N	N	C	C	C	C	C	N	N	N	N	N	N	N	N	N			
4. Detached accessory buildings:																				
a. Second units for related senior citizens per Chapter 21.16D (accessory to single family only)	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N			
b. Guest house without kitchen facilities (accessory to single family only)	P	P	P	P	P	P	P	P	N	N	N	N	N	N	N	N	N			
c. Non-dwelling accessory buildings (garages, storage sheds, etc.) as primary uses on a lot. Exception: a common lot with accessory structures may be created for condominium development	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N			
d. Recreational Vehicle Shelters within interior side yard or rear yard setback and/or within building separation per Section 21.20.240	N	N	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N			
5. Group homes (convents, fraternities, sororities)	N	N	N	C	C	C	C	N	N	N	N	N	N	N	N	N	N			
6. Home occupation business per Section 21.23.070	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
7. Mobile homes (1 per lot):																				
a. As permanent dwellings	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N	N	N			