

ORDINANCE NO. 750 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING SECTION 21.19.070 OF THE MUNICIPAL CODE
(CODE AMENDMENT 98005)

WHEREAS, Travis Engineering on behalf of Jack in the Box Restaurants has initiated Code Amendment 98005 to revise the regulations contained within Municipal Code Section 21.19.070.5a, pertaining to highway oriented signs; and

WHEREAS, at its meetings of July 28, 1998 and August 11, 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. Recommend that the City Council to approve the proposed ordinance; and

WHEREAS, at its meeting of August 18, 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. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. 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; and
- d. Considered the Commission's recommendation from the Planning Commission's August 11th, 1998, public meetings;
- e. Introduced said ordinance for first reading; and

WHEREAS, on September 1, 1998, the City Council held second reading of said ordinance.

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:

- a. Section 21.19.070.5 of the Municipal Code is hereby amended by modifying Figure 21.19-1 as indicated in the attached Exhibit "A".
- b. Section 21.19.0705 of the Municipal Code is hereby amended as follows:
 5. *Highway Oriented Signs.*
 - a. *Highway-oriented signs are subject to approval of a conditional use permit and may be placed in commercial and manufacturing zoning districts on those properties near the intersections of State Highways 101 and 46 and intersection of Golden Hill Road and Highway 46 specifically indicated on Figure 21.19-1 and 21.19-2 set out at the end of this chapter.*

b. Conditional use permits for highway-oriented signs shall only be approved for those signs that identify tourist-oriented businesses such as gasoline service stations, restaurants, motels and regional commercial uses.

c. The City shall limit the number, height, and visual impact of highway oriented signs. Pole signs will be discouraged where adequate signage can be provided on the sides of buildings and in the form of monument signs. The height of permitted signs shall be limited to the lowest practical elevation, considering line of sight from nearby highways. Combinations of more than one sign on a pole are strongly encouraged.

d. Pole signs which would be located east of the Highway 101 and Highway 46 West intersection, shall be limited to the maximum height of thirty-five feet (35) above Highway 101 (ex. If the highway is 20 feet above the subject property, the pole sign height could not extend over fifty-five (55) feet.) Also in this geographic area, one acre minimum lot size shall be required for a pole sign to be applied for, unless approved as part of a comprehensive sign program for a multi-use center (under which the City may approve pole signs for smaller parcels).

e. Pole signs which are located in the geographic area of Highway 46 East and Golden Hill Road are subject to the City Council approved design parameters established in Resolution No. 96-35.

f. The planning commission or DRC may require minimum clearances beneath a highway oriented sign where necessary to protect the public health and safety.

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. 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.

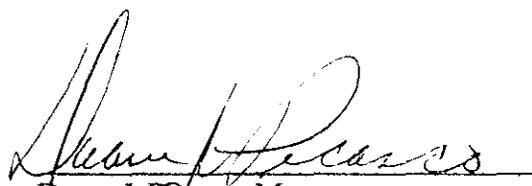
The City Council hereby declares that it would have passed this ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

SECTION 3. 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.

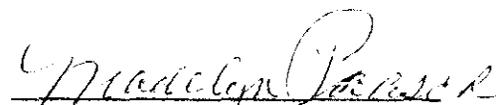
SECTION 4. Effective Date. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage

Introduced at a regular meeting of the City Council held on August 18, 1998, and passed and adopted by the City Council of the City of El Paso de Robles on the 1st day of September, 1998, by the following roll call vote, to wit:

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


Duane J. Picanco, Mayor

ATTEST:


Madelyn Paasch, City Clerk

ABJ657

ABJ660

Figure 21.19-1

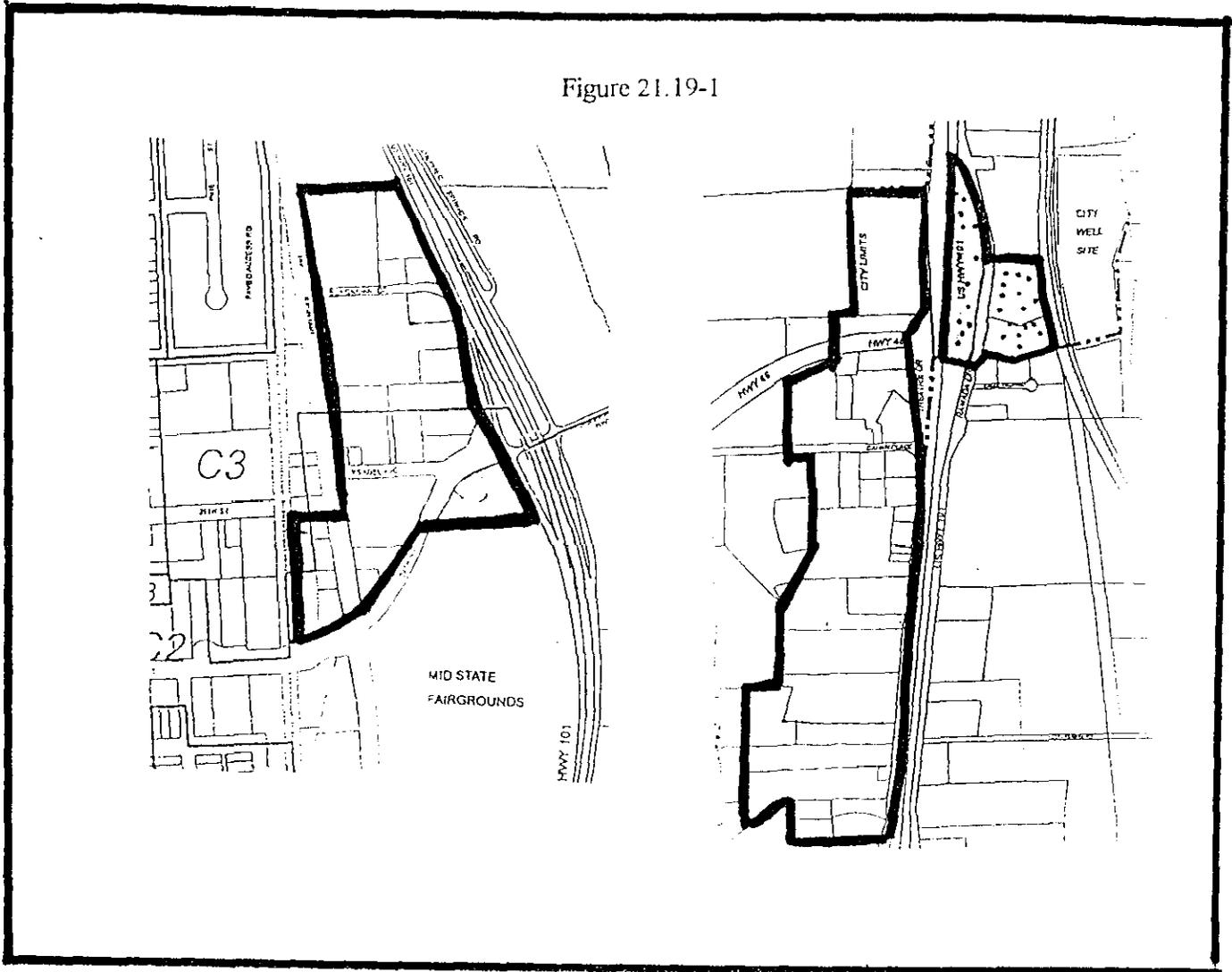


EXHIBIT "A"
Jack in the Box Restaurants
Code Amendment C.A. 98005



PROPOSED EXPANSION OF GEOGRAPHIC AREA WHERE A CONDITIONAL USE PERMIT FOR A HIGHWAY-ORIENTED SIGN CAN BE APPLIED (SUBJECT TO A CONDITIONAL USE PERMIT)



EXISTING AREA WHERE A CONDITIONAL USE PERMIT FOR A HIGHWAY-ORIENTED SIGN CAN BE APPLIED (SUBJECT TO A CONDITIONAL USE PERMIT)