

## ORDINANCE NO. 764 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
 AMENDING THE ZONING CODE (ZONING MAP)  
 (APPLICANT - REAL PROPERTY LENDERS / ROD JARMIN)  
 ZONE CHANGE 98-007

WHEREAS, the City has received an application for Zone Change 98-007, regarding a proposed change from R-3-O to R-3-PD for a one (1) acre parcel located on the north side of Creston Road, between Walnut Street and Trigo Lane.; and

WHEREAS, the requested zoning would be consistent with property directly to the east. Multi-family, commercial and office land uses are shown in the General Plan for other properties along the north side of Creston Road.

WHEREAS, the Planning Commission conducted a noticed public hearing on January 26, 1999, to consider making a recommendation with regards to the proposed Zoning Code Amendments and 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. In accordance with the California Environmental Quality Act, considered a proposed Negative Declaration of Environmental Impact, and made a recommendation that the City Council approve a Resolution adopting said document; and
- d. Recommended that the City Council approve a Resolution Amending the City's General Plan along with an Ordinance amending the Zoning Code; and

WHEREAS, at its meeting February 16, 1999 the City Council held a public hearing on this subject, and the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Based on the scope and nature of the proposed change to the General Plan and Zoning Code, found that the proposed Negative Declaration of Environmental Impact Report was adequate in terms of its description of the project and anticipated environmental impacts and approved the Negative Declaration as being in accordance with the California Environmental Quality Act; and
- d. Considered the Commission's recommendation from the Planning Commission's January 26, 1999 public meeting; and
- e. Introduced said ordinance for first reading, and

WHEREAS, on March 2, 1999 the City Council held second reading of said ordinance.

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

Section 21.08 of the Zoning Code (Zoning Map) is amended to designate the subject property as R-3-PD (Residential, Multi-Family, Medium Density), per the attached Exhibit "A".

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 February 16, 1999, and passed and adopted by the City Council of El Paso de Robles on the 2<sup>nd</sup> day of March, 1999, by the following roll call vote, to wit:

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

  
DUANE J. PICANCO, MAYOR

ATTEST:

  
MADELYN PASCH, CITY CLERK

ABJ657

