

ORDINANCE NO. 770 N.S.
AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING CHAPTER 21.16I et seq. AND TABLE 21.16.200
OF THE MUNICIPAL CODE (ZONING CODE)
(CODE AMENDMENT 99-002 - DOMESTIC VIOLENCE SHELTER)

WHEREAS, the City's Zoning Code does not provide for a Domestic Violence Shelter as a permitted use in the Multi-Family Residential Zone; and

WHEREAS, the North County Women's Shelter & Resource Center has identified the need for providing a Domestic Violence Shelter as a permitted use in order to preserve the confidentiality of the location of this land use; and

WHEREAS, evidence provided regarding the experience of the neighboring City of Atascadero indicates that this type of land use can be provided for as a permitted use in the Multi-Family Zones without having a significant adverse effect on the community; and

WHEREAS, the Paso Robles City Council considered a request to provide for a Domestic Violence Shelter at their meeting of April 20, 1999 and unanimously directed staff to advise the North County Women's Shelter & Resource Center that they may apply for the requested Zoning Code Amendment; and

WHEREAS, Code Amendment 99-002 would Amend the City's Zoning Code to provide for a Domestic Violence Shelter as a permitted use in the Multi-Family Zones (R-2, R-3, or R-4), specifically Amending Chapter 21.16I et seq. and Amending Table 21.16.200 (PERMITTED LAND USES IN ALL ZONING DISTRICTS); and

WHEREAS, at its meeting of May 11, 1999 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 approve the proposed ordinance; and

WHEREAS, at its meeting of May 18, 1999, 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. Considered the Commission's recommendation from the Planning Commission's April 27, 1999, public meeting;
- d. Introduced said ordinance for first reading; and

WHEREAS, on June 15th, 1999, 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:

Chapter 21.16I, Section 030A (Uses Permitted by Right), is hereby amended to add the following permitted land use in the Multi-Family Residential Zones:

“(8) Domestic Violence Shelter, such as operated by the North County Women’s Shelter & Resource Center.”

Table 21.16.200 is hereby amended to add the following use under “Residential” land uses:

“13. Domestic Violence Center” which shall be reflected in the Table as “P” (Permitted by Right land use) in the R-2, R-3, and R-4 Zones and “N” (Not Permitted) in the balance of the Zone Districts, 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. 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 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 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 May 18, 1999, and passed and adopted by the City Council of the City of El Paso de Robles on the 15th day of June, 1999, by the following roll call vote, to wit:

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

Duane J. Picanco, Mayor

ATTEST:

Cindy Pilg, Deputy City Clerk