

ORDINANCE NO. 799 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING CHAPTER 21.16J et seq. AND RELATED PROVISIONS OF THE MUNICIPAL CODE
(CODE AMENDMENT 2000-005 - AG ZONE)

WHEREAS, in 1995 the City Council of the City of El Paso de Robles adopted an Amendment to the City's Zoning Code to provide for an Agricultural Zone; and

WHEREAS, in 1998 the AG Zone provisions were amended to explicitly provide for "...health resorts including but not limited to outdoor hot spring or hot tub facilities..."; and

WHEREAS, it has been determined that there is an inconsistency within the Land Use Matrix and between the Matrix and the 1998 Code Amendment; and

WHEREAS, Code Amendment 2000-005 also proposes to define and provide for accessory uses that would commonly be found in conjunction with resort hotels, subject to approval of a Conditional Use Permit; and

WHEREAS, at its meeting of November 14, 2000 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 December 5, 2000, 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 November 14, 2000, public meeting;
- e. Introduced said ordinance for first reading; and

WHEREAS, on December 19, 2000, 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:

Table 21.16.200 of the Municipal Code (Zoning Code), the list of land uses subject to a Conditional Use Permit, is hereby amended to read as shown in the attached Exhibit "A".

Section 21.16J.210 is hereby amended to add the following new subsection:

Section 21.16J.030 Definitions: "Accessory land use" means a use detached from, secondary, and incidental to, and commonly associated with the primary use, which occupies no more than twenty-five (25) percent of the gross land area of the property.

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 December 5, 2000, and passed and adopted by the City Council of the City of El Paso de Robles on the 19th day of December 2000 by the following vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSENT: None
ABSTAIN: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk