

ORDINANCE NO. 800 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
AMENDING CHAPTER 21.18 OF THE ZONING CODE  
RELATING TO PERMISSIBLE AND CONDITIONALLY PERMISSIBLE USES  
WITHIN THE OFFICE PROFESSIONAL DISTRICT

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WHEREAS, on August 6, 1991 the City Council adopted Resolution 91-100 approving comprehensive updates to the Land Use and Circulation Elements of the General Plan, and

WHEREAS, the City Council subsequently, on August 16, 1994, adopted an ordinance establishing the language and standards of the City's Office Professional District, including lists of permissible and conditionally permissible land uses; and

WHEREAS, James Pankey has filed Code Amendment 00-004 to modify the list of permissible and conditionally permissible uses within the OP district as follows:

- **Cafés** would be changed from Conditionally permitted uses (only along the Spring Street corridor) to Conditionally Permitted uses along both the Spring Street and Creston Road corridors;
- **Urgent Care Facilities** would be changed from a Non-permitted use to a Conditionally permitted use along the Creston Road corridor;
- **Government administrative offices** would be changes from a Non-permitted use to a Conditionally permitted use in along the Creston Road corridor; and

WHEREAS, public hearings were conducted by the Planning Commission on November 14, 2000 and by the City Council on December 5 2000, to consider facts as presented in the staff report and to accept public testimony regarding this proposed code amendment; and

WHEREAS, at its meeting of December 5, 2000, the City Council adopted a Negative Declaration for this code amendment in accordance with the California Environmental Quality Act; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of El Paso de Robles, California, that Title 21 (Zoning) of the Municipal Code be amended as follows;

**SECTION 1:** Sections 21.18.020 and Section 21.18.030 and Seciton 21,18.040 are amended to read as follows:

(NOTE: bold/italicized text is new text and removed text is shown with strike-through):

**Section 21.18.020: Uses permitted (administrative approval).**

- a. Medical or dental offices; accessory uses
- b. Business and professional offices; accessory uses
- c. Child day care facilities (six or less children)
- d. Residential uses subject to the provisions of this chapter
- e. Activities of a cultural nature (e.g. galleries, art or photographic studios when of a neighborhood scale and orientation with no open storage of materials or equipment)
- f. Accessory Buildings, compatible in design and function to main buildings

**Section 21.18.030: Uses conditionally permitted (planning commission approval).**

The granting of a Conditional Use Permit would be dependent upon the specific land use proposed, its relative location as it relates to established neighborhoods and residential patterns, and the ability and degree to which neighborhood compatibility concerns can be resolved. For example, some uses which might be appropriate on Spring Street **and Creston Road** might not be appropriate on Vine and Oak Streets. The following uses shall require a Conditional Use Permit as listed by sub-area within the Office Professional District:

All areas of Office Professional District:

- a. Churches
- b. More than one residential unit per parcel
- c. Bed and Breakfast establishments (subject to the provisions of Chapter 21.15, Section II)
- d. Plant Nursery;
- e. Florist (may include outdoor display);
- f. Cafes, restaurants and tea rooms as primary uses with indoor and/or outdoor seating **only along the Spring Street and Creston Road Corridors (including the Rolling Hills Road intersection, but otherwise non-permitted in other OP areas);**
- g. **Emergency/urgent care centers, including out-patient services only along the Creston Road Corridor (including the Rolling Hills Road intersection, but otherwise non-permitted in other OP areas);**

- h. **Governmental Administrative Offices only along the Creston Road Corridor (including the Rolling Hills Road intersection, but otherwise non-permitted in other OP areas);**
- i. Other uses as determined by the planning commission as being similar in class and nature to conditionally permitted uses listed in this section

**Section 21.18.040: Nonpermitted uses.**

- a. Clinics, social services facilities
- b. Emergency/urgent care centers including outpatient services *(accept as may be found appropriate via a Conditional Use Permit in the Creston Road corridor)*
- c. Hospitals
- d. Other uses not specifically provided for within this chapter
- e. Government Offices *(accept as may be found appropriate via a Conditional Use Permit in the Creston Road corridor)*

**Table 21.16.200 of the Municipal Code (Zoning Code):** the list of land uses that are either permitted, non-permitted or conditionally permitted within all zoning districts (Land Use Matrix), is hereby amended to read as shown in the attached Exhibit "A."

**SECTION 2. 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 3. 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 4. 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 5. 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 19<sup>th</sup> day of December 2000 by the following vote:

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

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk