

ORDINANCE NO. 805 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE ZONING MAP ESTABLISHED BY REFERENCE IN
SECTION 21.12.020 OF THE ZONING CODE (TITLE 21)
(REZONE 01-001 – VINA ROBLES)

WHEREAS, in conjunction with General Plan Amendment 01-01 (Part 2 of a 4 part General Plan Amendment) and an associated Annexation process, Vina Robles Corporation, has filed an application for Rezone 01-001 to modify the County zoning from Agriculture (AG) to City Pre-Zone of Parks and Open Space (POS) zoning for an approximate 29-acre site (APN: 026-191-023), and to Pre-Zone APN Nos. 026-211-036, 026-211-030, 026-211-031 and a portion of 026-211-039 from County AG to City AG designation; and

WHEREAS, the subject 94-acres project area is located on the south side of Highway 46 East on both the east and west sides of Mill Road; and

WHEREAS, at its meeting of January 23, 2001, the Planning Commission opened the public hearing that had been noticed in a January 10, 2001 Newspaper publication and continued the open hearing to their regular meeting of February 13, 2001;

WHEREAS, at its meeting of February 13, 2001, the Planning Commission took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project (general plan amendment and rezone);
- b. Conducted a public hearing to obtain public testimony on the proposed project;
- c. Recommended that the City Council approve the proposed rezone; and

WHEREAS, at its meeting of February 20, 2001, the City Council opened the public hearing that had been noticed in a January 10, 2001 Newspaper publication and continued the open hearing to their regular meeting of March 6, 2001;

WHEREAS, at its meeting of March 6, 2001, the City Council took the following actions:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendation of the Planning Commission;
- c. Conducted a public hearing to obtain public testimony on the proposed project;
- d. Based on the information contained in the Initial Study prepared for this project, found that there was no substantial evidence that this project would have significant adverse effects on the environment and recommended that the City Council approve a Mitigated Negative Declaration;
- e. Adopted a resolution to approve General Plan Amendment 01-01, of which this application is the Part 2 component, which enables Rezone 01-001 to be in conformance with the General Plan;

NOW, THEREFORE, BE IT KNOWN that the Paso Robles City Council, based upon the substantial evidence presented at the above referenced public hearings, including oral and written staff reports, finds as follows:

1. The above stated facts of this ordinance are true and correct.
2. This rezone 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:

SECTION 1. Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on 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 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 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 March 6, 2001, and passed and adopted by the City Council of the City of El Paso de Robles on the 20th day of March, 2001, 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