

ORDINANCE NO. 813 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) (00-005 / MARSDEN)

WHEREAS, Jeff Marsden has filed an application for Rezone 00-005 to rezone an approximate 3 acre site (3-1-acre sites) from R1 to R2, PD (Residential Multiple Family Low Density, Planned Development Overlay), and

WHEREAS, the project area and application was expanded to consider six (6) additional properties along the Creston Road corridor that are also designated in the General Plan as Residential Multiple Family – Low Density (RMF-L) parcels, but still have R1 or R1,B3 zoning, and

WHEREAS, the properties are located on the north side of Creston Road between Trigo Lane and Orchard Drive, and

WHEREAS, the existing General Plan land use category for the project area is Residential Multiple Family Low Density (RMF-L), and

WHEREAS, this rezone request to R2, PD will bring the zoning into conformance with the General Plan, and

WHEREAS, at its meeting of May 8, 2001, the Planning Commission took the following actions:

- 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 project;
- c. 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 Negative Declaration;
- d. Recommended that the City Council approve the proposed rezone; and

WHEREAS, at its meeting of June 5, 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. Determined that a smaller project area was appropriate for rezone consideration and eliminated the additional nine (9) properties (expanded area) from the project area (leaving only three 1-acre parcels within the subject rezone project area);
- e. 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 approved a Negative Declaration.

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 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 June 5, 2001, and passed and adopted by the City Council of the City of El Paso de Robles on the 19<sup>th</sup> day of June 2001 by the following roll call vote, to wit:

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

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk