

ORDINANCE NO. 827 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE BORKEY AREA SPECIFIC PLAN 02-01A TO INCLUDE
117 ACRES ALONG THE NORTHERN BOUNDARY OF THE PLAN AREA,
CONFORM LAND USE AND ZONING DESIGNATIONS FOR SUBAREA "A"
OF THE PLAN AREA, CHANGE THE ZONING DESIGNATION FOR A 23-ACRE
PARCEL WITHIN SUBAREA "A" FROM AGRICULTURE (AG) TO PUBLIC FACILITIES
WITH A PLANNED DEVELOPMENT OVERLAY (PF, PD)
(APPLICANT – CITY OF EL PASO DE ROBLES/KIESSIG FAMILY TRUST)
SPECIFIC PLAN AMENDMENT 02-01A

WHEREAS, the Land Use Element of the City's General Plan establishes the need for preparation of Specific Plans for certain geographic areas of the City, including, but not limited to, areas north of Highway 46 East and east of North River Road; and

WHEREAS, pursuant to Ordinance 588 N.S., the Borkey Area Specific Plan (BASP) text, plan diagrams, and fee schedule were established on January 8, 1990, for the areas north of Highway 46 East and east of North River Road; and

WHEREAS, the BASP established allowable land uses and development standards for property within the Specific Plan area; and

WHEREAS, the Kiessig Family Trust has filed a request to revise the allowable land uses for a 23 acre parcel within Subarea A of the Plan Area from Agriculture (AG) to Public Facilities with a Planned Development Overlay (PF, PD); and

WHEREAS, Kiessig Family Trust has requested an expansion of BASP to include 117 acres along the Plan's northern boundary within Subarea A; and

WHEREAS, Kiessig Family Trust has requested that BASP be brought into conformance with the General Plan Land Use and Zoning designations of Agriculture with a Planned Development Overlay; and

WHEREAS, Kiessig Family Trust has proposed modifications to the text and diagrams of BASP to establish development standards for land uses consistent with the Agriculture, Planned Development Overlay requirements of the General Plan and Zoning Ordinance; and

WHEREAS, the Planning Commission conducted a noticed public hearing on May 28, 2002, to consider making a recommendation with regards to the proposed amendments to the BASP and took the following action 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; and
- c. Recommended that the City Council approve an Ordinance amending the Borkey Area Specific Plan and related document text and graphics as shown in Exhibits A and B, attached hereto; and

WHEREAS, at its meeting of June 18, 2002, the City Council held a public hearing on these subjects and the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance and Resolutions;
- c. Considered the recommendation from the Planning Commission's May 28, 2002, public meeting; and
- d. Introduced the Ordinance for first reading.

WHEREAS, on July 2, 2002, the City Council held a second reading of said ordinance.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does ordain as follows:

The Borkey Area Specific Plan text and diagrams are amended to read as presented in Exhibits A (text) and B (diagrams), attached hereto and/or on file in the Community Development Department and made a part hereof.

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. 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.

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, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules and regulations are hereby repealed.

SECTION 4. 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 invalid or unconstitutional.

Introduced at a regular meeting of the City Council held on July 2, 2002, and passed and adopted by the City Council of the City of El Paso de Robles on the 16th day of July 2002 by the following roll call 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