

ORDINANCE NO. 837 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 02-005 / NORTHEAST CORNER OF CRESTON ROAD
AND SHERWOOD ROAD - HASTINGS/FOOD 4 LESS)

WHEREAS, Newlin Hastings on behalf of Elizabeth Hastings has submitted Rezone 02-005 and Code Amendment 02-010, a request to change the zoning designation from CP-PD (Neighborhood Commercial - Planned Development) to C1 (General Commercial); and

WHEREAS, changing the zoning to C1 would be consistent with the zoning for the Williams Shopping Center and the Woodland Plaza I Shopping Center; and

WHEREAS, in conjunction with Rezone 02-005, Code Amendment 02-010 has been applied for to allow drive through uses in the C1 zone, providing convenient services for the residents and employees in the area; and

WHEREAS, the 9 acre site is located on the northeast corner of Creston Road and Sherwood Road; and

WHEREAS, at its meeting of August 13, 2002, 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 project.

WHEREAS, at its meeting of August 20, 2002, 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 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 August 20, 2002, and passed and adopted by the City Council of the City of El Paso de Robles on the 3rd day of September 2002 by the following roll call vote:

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

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

NOTICE OF CORRECTION
(VOTE CHANGE ONLY)

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