

ORDINANCE NO. 839 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21 (ZONING) OF THE MUNICIPAL CODE
TO AMEND CHAPTER 21.20 TO RE-ESTABLISH REGULATIONS PROHIBITING USE
OF TRAVEL TRAILERS, RECREATIONAL VEHICLES, AND CAMPERS AS RESIDENCES IN
RESIDENTIAL ZONING DISTRICTS (CODE AMENDMENT 02-012)

WHEREAS, Section VI of Ordinance 690 N.S. amended Section 21.20.230 of the Municipal Code to prohibit the use of travel trailers, recreational vehicles, campers, and similar vehicles as residences in residential zoning districts; and

WHEREAS, Ordinance 791N.S., which adopted regulations establishing unlawful areas to use recreational vehicles, camp, and sleep, supplanted the text of Section 21.20.230, as it had been adopted via Ordinance 690 N.S., and inadvertently deleted the prohibitions on use of travel trailers, recreational vehicles, campers, and similar vehicles as residences in residential zoning districts; and

WHEREAS, the proposed re-establishment of an ordinance that prohibits a certain use of property would not have a direct physical change on the environment, nor would it foreseeably have an indirect physical change on the environment and, therefore, is not a project, as defined by Section 21065 of the California Public Resources Code, and no further environmental study for this ordinance is required under the California Environmental Quality Act; and

WHEREAS, at its meeting of September 10, 2002, the Planning Commission took the following actions 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;
- c. Recommended that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting of September 17, 2002, the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Considered the recommendation of the Planning Commission regarding this code amendment;
- c. Conducted a public hearing to obtain public testimony on the proposed ordinance.

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 code amendment is consistent with the City's General Plan.
3. That the use of travel trailers, recreational vehicles, campers, and similar vehicles as residences in residential zoning districts is detrimental to the health, safety, and welfare of the City's residents;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Section 21.20.234 is hereby established to read as follows:

“21.20.234 Limitations on use of travel trailers, recreational vehicles, and campers as residences.

Travel trailers, recreational vehicles, campers, and similar vehicles shall not be used for residences in any residential district for any amount of time. Subject to approval of a conditional use permit, they may be used as caretaker residences in commercial and industrial districts for temporary events such as Christmas trees sales or construction activities.”

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 September 17, 2002, and passed and adopted by the City Council of the City of El Paso de Robles on the 1st day of October 2002 by the following roll call vote:

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

Mayor Frank R. Mecham

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk