

ORDINANCE NO. 858 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 003--001 – LANGSTAFF)

WHEREAS, in conjunction with General Plan Amendment 003-01 (Part 2 of a 2 part General Plan Amendment), Ryan and Jennifer Langstaff filed an application for Rezone 003-001 to establish an "Office Professional" Zoning Overlay on existing Residential Low Density (R-2) for the area bounded by Oak Street, 9th Street, the adjacent alley, and 8th Street (APN 009-144-006, 007, 008, 009, 013, 014); and

WHEREAS, at its meeting of April 22, 2003, 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 May 6, 2003, 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, the City Council approved a Negative Declaration;
- e. Adopted a resolution to approve General Plan Amendment 003-01, Part 2, which enables Rezone 003-001 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.

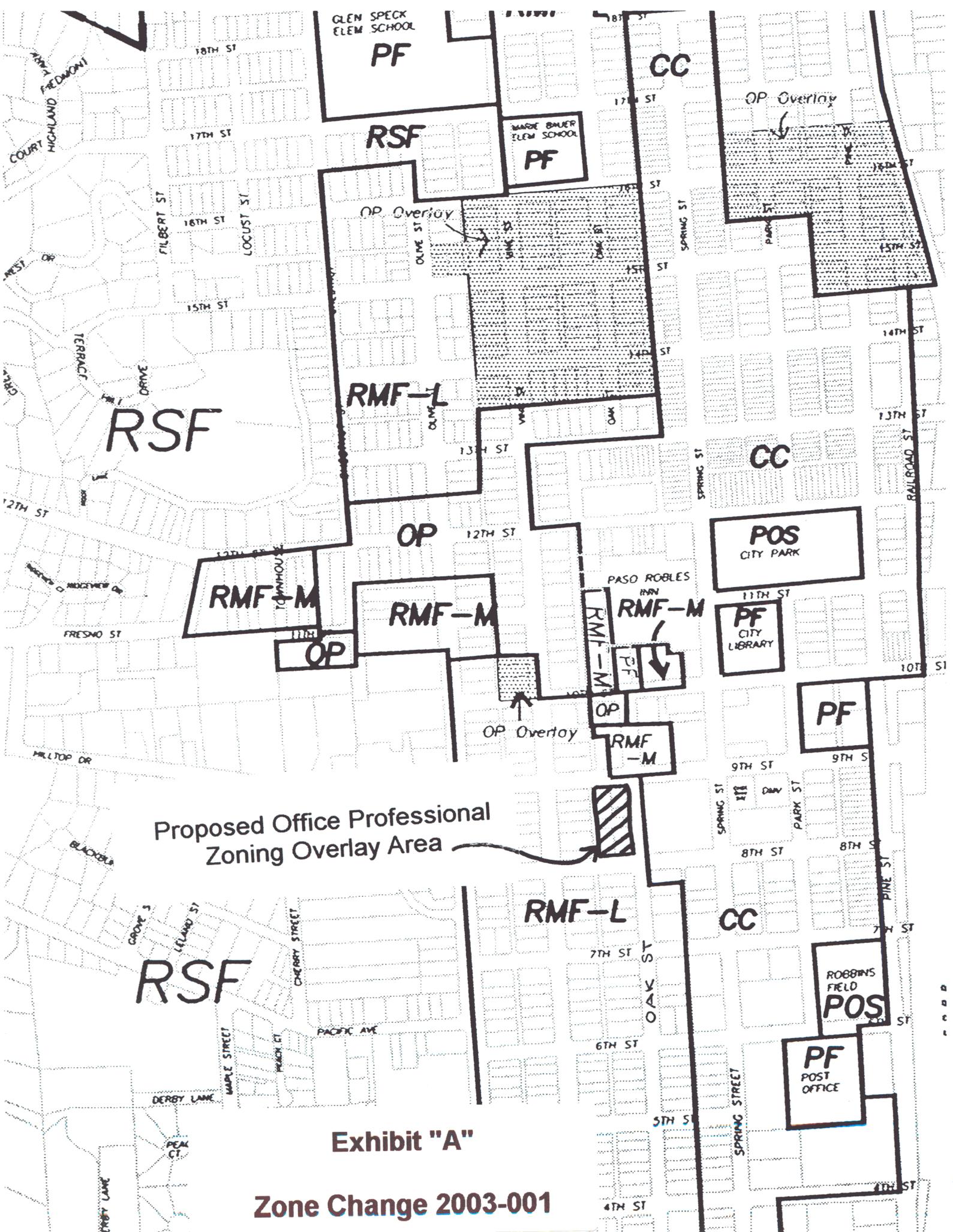
Introduced at a regular meeting of the City Council held on May 6, 2003, and passed and adopted by the City Council of the City of El Paso de Robles on the 20th day of May 2003 by the following roll call vote, to wit:

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

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk



Proposed Office Professional
Zoning Overlay Area

Exhibit "A"

Zone Change 2003-001

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

Newspaper: Press

Date of Publication: March 26, 2003

Meeting Date: April 22, 2003
 (Planning Commission)
 May 6, 2003
 (City Council)

Project: General Plan Amendment 03-001, Zone Change 03-001 and Conditional Use Permit 03-003 (Traffic movement in and around the intersection of Hwys 46 west and 101.)

I, Lonnie Dolan , employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed: Lonnie Dolan
 Lonnie Dolan

NOTICE OF PUBLIC HEARINGS; NOTICE OF INTENT TO ADOPT NEGATIVE DECLARATION

General Plan Amendment 2003-001
A Two Part Amendment to the Land Use and Circulation Elements of the City of Paso Robles General Plan, and Zone Change 2003-001/Conditional Use Permit 2003-003 (Applicant: Langstaff); for a Professional Office at 565 8th Street
NOTICE IS HEREBY GIVEN that the Planning Commission of the City of El Paso de Robles will hold a Public Hearing to consider making recommendations regarding adoption of Negative Declarations and approval of a two (2) part General Plan Amendment (Land Use / Circulation Elements), accompanied by a related Zone Change and Conditional Use Permit.
Part 1: A City initiated General Plan Amendment (Land Use and Circulation) to consider modifying the General Plan's Level of Service (LOS) standard for traffic movement, as an interim measure that would apply only to the area in and around the intersection of Highway 46 West and Highway 101. The proposal is to adopt LOS "D" as the interim standard which would apply until the subject interchange is reconstructed. In the absence of any other policy decisions, the goal would be to return to LOS "C" as the standard

for this geographic area. Part 2: A General Plan Amendment (Land Use) application filed by Jennifer Langstaff to provide for an "Office Professional" overlay designation on property located between 8th and 9th Streets, bounded by Oak Street on the east and the alley on the west. Along with the General Plan Amendment is a related Zone Change to provide for an Office Professional Zoning Overlay and a Conditional Use Permit to establish a professional office use at the NW corner of 8th and Oak Streets. The street address of the subject property is 565 8th Street and the Assessor Parcel No. is 009-144-014. If approved, the General Plan Amendment and Zone Change would permit professional offices as a conditionally approvable land use within the designated area. The General Plan Amendment and Zone Change would not impact the current land uses or the ability of a property owner to establish new residential land uses in conjunction with the existing Multi-Family, Low Density land use designation and R-2 Zone.

The Planning Commission's hearing will take place in the Conference Room of the Library / City Hall at 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, April 22, 2003 at which time all interested parties may appear and be heard.
NOTICE IS ALSO HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider the same two-part General Plan Amendment and referenced Zone Change application. The City Council's hearing will take place in the Conference Room of the Library / City Hall at 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on Tuesday, May 6, 2003 at which time all interested parties may appear and be heard.
As part of the noticed Public Hearing, the City Council will consider adoption of Negative Declaration

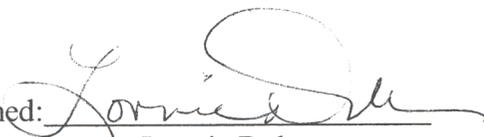
of Environmental Impact (statements that there will be no significant environmental effects) in accordance with the provision of the California Environmental Quality Act (CEQA). The proposed Negative Declarations will be available for public review from March 31, 2003 through April 22, 2003. Copies of the staff report and draft Negative Declaration will be available for the cost of reproduction at the Community Development Department City Hall, 1000 Spring Street, Paso Robles, CA 93446. Please write to the address or call the Planning Division at (805) 237-3970 should you have questions or comments regarding this notice or related matters.
If you challenge the ordinance in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission or the City Council at, or to, the public hearings mentioned in this notice.
Bob Lata, Community Development Director
Pub: 3/26/2003
Paso Robles Press
Legal #9724

**AFFIDAVIT
OF MAIL NOTICES**

PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for General Plan Amendment 03-001, Zone Change 03-002, and Conditional Use Permit 03-003 (Langstaff), on this 8th day of April 2003.

City of El Paso de Robles
Community Development Department
Planning Division

Signed: 
Lonnie Dolan