

ORDINANCE NO. 862 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) ZONE CHANGE 03-003  
PALAZZO PROJECT - 102 SOUTH VINE STREET (SOUTH VALLEY DEVELOPERS, INC.)

WHEREAS, Planned Development 02-016 has been filed by South Valley Developers to construct a 86,337 square foot, four story hotel with ancillary parking lot and landscaping; and

WHEREAS, the Palazzo site is located on the southern portion of the property bounded by 1<sup>st</sup> Street on the north, South Vine Street on the west, the southbound on-ramp to Highway 101 on the east and an existing single family residence on the south; and

WHEREAS, the General Plan land use designation of the Palazzo Project site is Office Professional (OP); and

WHEREAS, in conjunction with PD 02-016, South Valley Developers Inc. have applied for Rezone 03-003, to rezone the subject site to apply R/L Overlay (Resort/Lodging) which is necessary to in order to allow a hotel use on the OP zoned property; and

WHEREAS, applying R/L Overlay to establish the ability to allow a hotel on the subject site would be consistent with the City's adopted Economic Strategy where a goal is to develop Paso Robles into an "end destination" tourist attraction; and

WHEREAS, at its May 27, 2003 meeting, the Planning Commission took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Conducted a public hearing to obtain public testimony on the proposed Palazzo Project and the environmental determination therefor.
- C. Based on the information contained in the Initial Study prepared for the Palazzo Project, a determination has been made that there is no substantial evidence that the Project would have significant adverse effect on the environment and thus a Mitigated Negative Declaration can be adopted by the City Council.
- D. Recommended that the City Council approve Rezone 03-003.

WHEREAS, at its June 17, 2003 meeting, the City Council took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Considered the recommendation of the Planning Commission.
- C. Conducted a public hearing to obtain public testimony on the proposed project and environmental determination therefor.
- D. Based on the information contained in the Initial Study prepared for the Palazzo Project, a determination was made, based on the independent review and judgment of the City Council, that there was no substantial evidence that the Project would have significant adverse effect on the environment and thus a Mitigated Negative Declaration was adopted by separate Resolution.

NOW, THEREFORE, BE IT KNOWN that the City Council of the City of El Paso de Robles, based upon the substantial evidence presented at the above-referenced public hearing, including oral and written staff reports, does hereby make the following findings that:

1. The above stated facts of this Ordinance are true and correct.
2. The Rezone is consistent with the City's General Plan and its Economic Strategy.

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 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 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 17, 2003, and passed and adopted by the City Council of the City of El Paso de Robles on the 1<sup>st</sup> day of July 2003 by the following roll call vote, to wit:

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

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk

