

ORDINANCE NO. 877 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 04-002 / 1830 RIVERSIDE AVENUE / KEN PARISH)

WHEREAS, John McCarthy on behalf of Ken Parish have filed Rezone 04-002 to rezone an approximately 7,000 square foot site from R-3 (Apartment) to C-3 (Commercial/Light Industrial) to be consistent with the General Plan designation for the property, which is CS (Commercial Service); and

WHEREAS, the site is located at 1830 Riverside Avenue; and

WHEREAS, in August 1991, the City Council of Paso Robles updated the Land Use Element of the General Plan for this area to the Commercial Service (CS) land use category; and

WHEREAS, the proposed rezoning of the site to C-3 is consistent with the Commercial Service land use category; and

WHEREAS, the General Plan land use category of Commercial Service (CS) and the environmental impacts associated with this land use were evaluated as part of the General Plan Environmental Impact Report (EIR); and

WHEREAS, at its meeting of May 11, 2004, 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 the request is consistent with the General Plan Environmental Impact Report adopted for the 1991 General Plan, which designated this area of the City as Commercial Service (CS) and therefore, it is determined that there is 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 rezone; and

WHEREAS, at its meeting of June 1, 2004, 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 June 1, 2004, and passed and adopted by the City Council of the City of El Paso de Robles on the 15<sup>th</sup> day of June 2004 by the following roll call vote, to wit:

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

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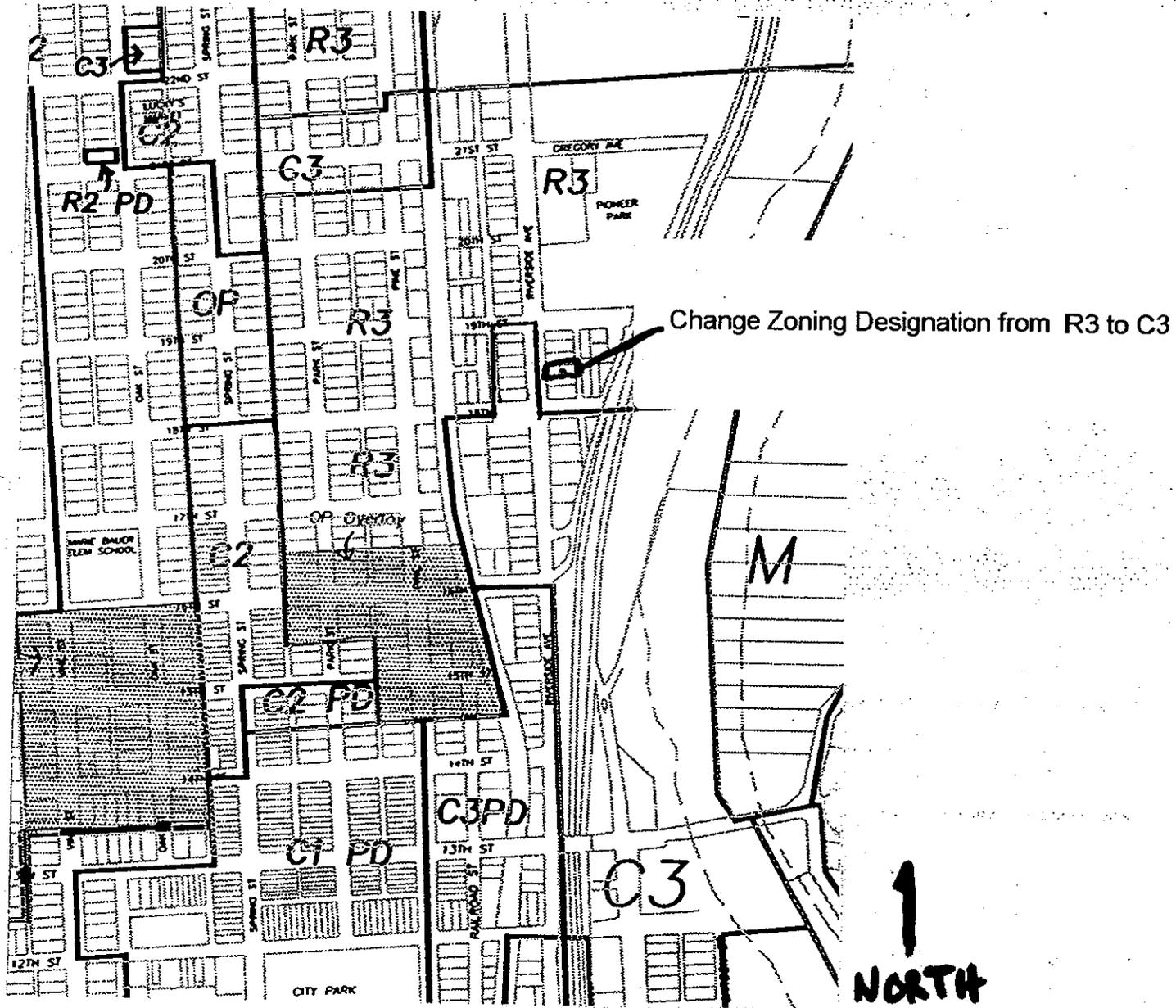
Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk

# EXHIBIT A



**REZONE 04-002**  
1830 Riverside Avenue  
(Ken Parish)