

ORDINANCE NO. 883 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE ZONING TITLE OF THE MUNICIPAL CODE
TO APPROVE A ZONING MAP CHANGE FOR
REZONE 04-006 (BEECHWOOD AREA, ANNEXATION #87)

WHEREAS, Mike Harrod, represented by North Coast Engineering, has initiated Rezone 04-006 to consider the appropriate zoning designation (pre-zone) for property that is to be considered for Annexation to the City of El Paso de Robles; and

WHEREAS, the subject area is located in the County unincorporated area east of the City of Paso Robles, south of an extension of Meadowlark Road, east of Beechwood Avenue, and north of Creston Road, including thirteen (13) separate parcels reflected as County Assessor Parcel Numbers 020-301-050, 038, 036, 037, 005, 006, 002, 003, 051, 018, 052, 053 and 022; and

WHEREAS, the total property subject to this zoning amendment is approximately 235 acres under nine (9) different ownerships; and

WHEREAS, the proposed City zoning designation for the property that would be consistent with the 2003 General Plan designations, providing RSF-3 (residential single family with an overall density of up to three units per acre), with the potential of up to 200 units of RMF (Residential Multi-Family), totaling up to 674 dwelling units, all of which would be subject to approval of a Specific Plan for the subject properties; and

WHEREAS, the actual number of dwelling units to be approved will be subject to completion and adoption of a Specific Plan and consideration of topographic, environmental and other development constraints; and

WHEREAS, a Final Environmental Impact Report (FEIR) was certified by the Paso Robles City Council for the General Plan update on December 16, 2003, anticipating the type of zoning that is under consideration for the subject properties, and based on that FEIR there would be no further need for environmental review or assessment in conjunction with the proposed pre-zone and annexation, anticipating that there would be a more detailed environmental assessment in conjunction with preparation of a Specific Plan and prior to granting any entitlement for subdivision or related development of the subject properties; and

WHEREAS, at its meeting of August 10, 2004, 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 conclude that there is no need for further environmental review at this point in time;
- d. Recommended that the City Council adopt the proposed ordinance; and

WHEREAS, at its meeting of August 17, 2004, 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;
- d. Considered the content of the Final Environmental Impact Report for the 2003 General Plan update and concluded that there is no need for further environmental review in conjunction with the proposed pre-zone and related annexation application.

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 zoning map amendment 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. *The Zoning Map of the Municipal Code is hereby amended as shown on Exhibit A of this ordinance.*

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 17, 2004, and passed and adopted by the City Council of the City of El Paso de Robles on the 7th day of September 2004 by the following vote:

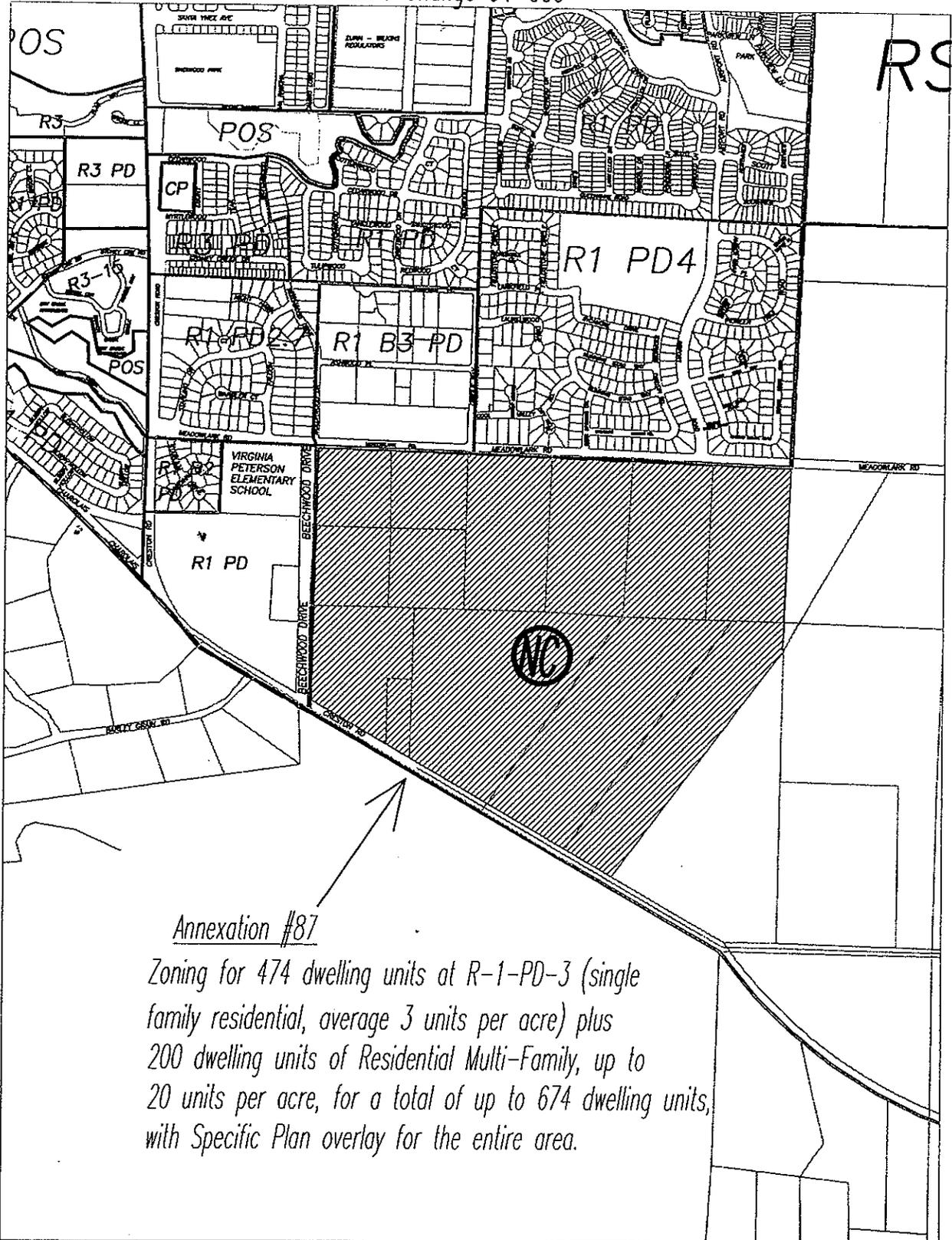
AYES: Finigan, Heggarty, Nemeth, and Picanco
NOES: Mecham
ABSTAIN: None
ABSENT: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

Exhibit "A"
Beechwood Area; Annexation #87
Zone Change 04-006



Annexation #87
Zoning for 474 dwelling units at R-1-PD-3 (single family residential, average 3 units per acre) plus 200 dwelling units of Residential Multi-Family, up to 20 units per acre, for a total of up to 674 dwelling units, with Specific Plan overlay for the entire area.