

ORDINANCE NO. 936 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING TITLE 21, ZONING, OF THE MUNICIPAL CODE
CITY-INITIATED ZONING ORDINANCE AMENDMENT
ADDING A DEFINITION FOR TRANSIENT OCCUPANCY

WHEREAS, the City's General Plan and Economic Strategy supports economic growth and Paso Robles as a tourist destination; and

WHEREAS, it is the intent to enable tourist-oriented economic development interests to have a clear understanding of the applicable regulations regarding the definition of transient occupancy and applicable permit requirements; and

WHEREAS, this Zoning Ordinance Amendment establishes the definition of transient occupancy; and

WHEREAS, at its meetings on March 27, May 22, and June 12, 2007, 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 Ordinance;
- b. Conducted public hearings to obtain public testimony on the proposed ordinance;
- c. Recommended that the City Council approve the proposed Ordinance; and

WHEREAS, based on consideration of information received at its meeting of July 17, 2007, 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. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. Considered the Commission's recommendation from the Planning Commission's June 12, 2007 public meeting;
- d. Introduced said ordinance for the first reading; and

WHEREAS, on August 7, 2007, the City Council held second reading of said ordinance.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does hereby ordain as follows:

SECTION 1. The zoning ordinance amendment is hereby established in the Zoning Ordinance as shown in Exhibits 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 5. 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, such inconsistent and conflicting provisions of prior ordinances, motions, resolutions, rules, and regulations are hereby repealed.

Introduced at a regular meeting of the City Council held on July 17, 2007, and passed and adopted by the City Council of the City of El Paso de Robles on the 7th day of August, 2007 by the following vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah Robinson, Deputy City Clerk

Exhibit A

Chapter 21.08 DEFINITIONS

Section: 21.08.444 Transient Occupancy

“Transient Occupancy” (land use), means lodging for the purpose of overnight accommodations for a period of not less than one night and not more than 30 consecutive days. Transient occupancies are subject to the transient occupancy tax requirements of Municipal Code, Chapter 5.06. Examples of transient occupancy accommodations include but are not limited to: hotels, motels, vacation rentals, timeshare vacation clubs, villas, cottages, casitas, hostel, bed and breakfast inns.