

ORDINANCE NO. 09-955 N.S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES  
AMENDING TITLE 21, ZONING, OF THE MUNICIPAL CODE  
REZONING PROPERTY TO PARKS AND OPEN SPACE WITH AN  
AIRPORT OVERLAY FOR PROPERTY LOCATED AT THE NORTHERN  
END OF GOLDEN HILL ROAD, (APNS 025-431-037, 038 AND 039)  
APPLICANT – PASO 160, LLC- PR MOTORCOACH  
ZONING MAP AMENDMENT 09-001

WHEREAS, the current Zoning of the subject property is Residential Agriculture Planned Development with an Airport Overlay (RA-PD/AP); and

WHEREAS, Lot Line Adjustment 07-093, would reconfigure the site, where Parcel 1 would be 58.8 acres, Parcel 2 would be 68.6 acres and Parcel 3 would be 21.4 acres; and

WHEREAS, Rezone 09-001 proposes the following zoning designation changes to the three parcels:

- **Parcels 1:** change the zoning designation from Residential Agriculture (RA) to Agriculture with Airport Overlay (AG/AP);
- **Parcel 2:** change the zoning designation from Residential Agriculture (RA) to Parks & Open Space with Airport Overlay (POS/AP);
- **Parcels 3:** change the zoning designation from Residential Agriculture (RA) to Agriculture with a Planned Development and Airport Overlay (AG-PD/AP);

WHEREAS, at its meeting of February 24, 2009 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. Based on the information contained in the staff report and Initial Study prepared for the proposed Zoning Map Amendment that the proposed rezoning would be appropriate for this property, and recommended the City Council approve the proposed Zoning Map Amendment; and

WHEREAS, based on consideration of information received at its meeting of March 17, 2009, 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 recommendation from the Planning Commission's February 24, 2009 public meeting.
- d. Determined that the proposed rezoning would be appropriate for this property and would not conflict with policies in the City's General Plan Land Use Element, and an amendment to the land use designation is being considered concurrently to provide for consistency between the General Plan and property zoning.
- e. Introduced said Ordinance for the first reading; and

WHEREAS, on April 7, 2009, 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 map amendments are hereby established on the official Zoning Map as shown in Exhibit A.

**SECTION 2.** Section 21.13.030 of the Zoning Ordinance, Overlay District Regulations, is hereby amended to add the following language (**bold print**):

*Each subsection set forth below contains conditions placed on the use and/or development of certain properties by the ordinances cited therein for zoning map amendments for such properties. The conditions listed below are additional to the primary zoning district regulations set forth in Chapter 21.20, and performance standards set forth in Chapter 21.21.*

**I. The 21.4 acre site (Parcel 3 of LLA 07-0293) as shown on Figure 21.13-8, is conditioned by Ordinance No. 955 N.S. to limit future uses to the following agricultural/recreational related uses and be subject to a Conditional Use Permit as noted below:**

- **Crop production (includes dry and irrigated farming, orchards, vineyards) (1)**
- **Wineries (1)**
- **Wine-tasting rooms (1)**
- **Libraries, museums and art galleries (private) (2)**
- **Ball fields, playgrounds, stadiums and amphitheaters (2)(3)**
- **Hot springs resort/spa (2)(3)**
- **Pools, waterslides (2)(3)**
- **Tennis courts (2)(3)**
- **Sit-down and/or walk-up restaurant with outdoor seating and liquor license (2)**
- **Bed and breakfast inn (2)**
- **Hotel, maximum 18 rooms (2)**
- **Outdoor storage of materials and equipment (as an accessory use) with screening (1)**

**NOTES:**

**(1) Permitted Use**

**(2) Conditional Use – Requires approval of a Conditional Use Permit**

**(3) Can be accessory use to a hotel/resort development, subject to approval of a Conditional Use Permit**

**SECTION 3. 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 4. 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 March 17, 2009, and passed and adopted by the City Council of the City of El Paso de Robles on the 7<sup>th</sup> day of April, 2009, by the following vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

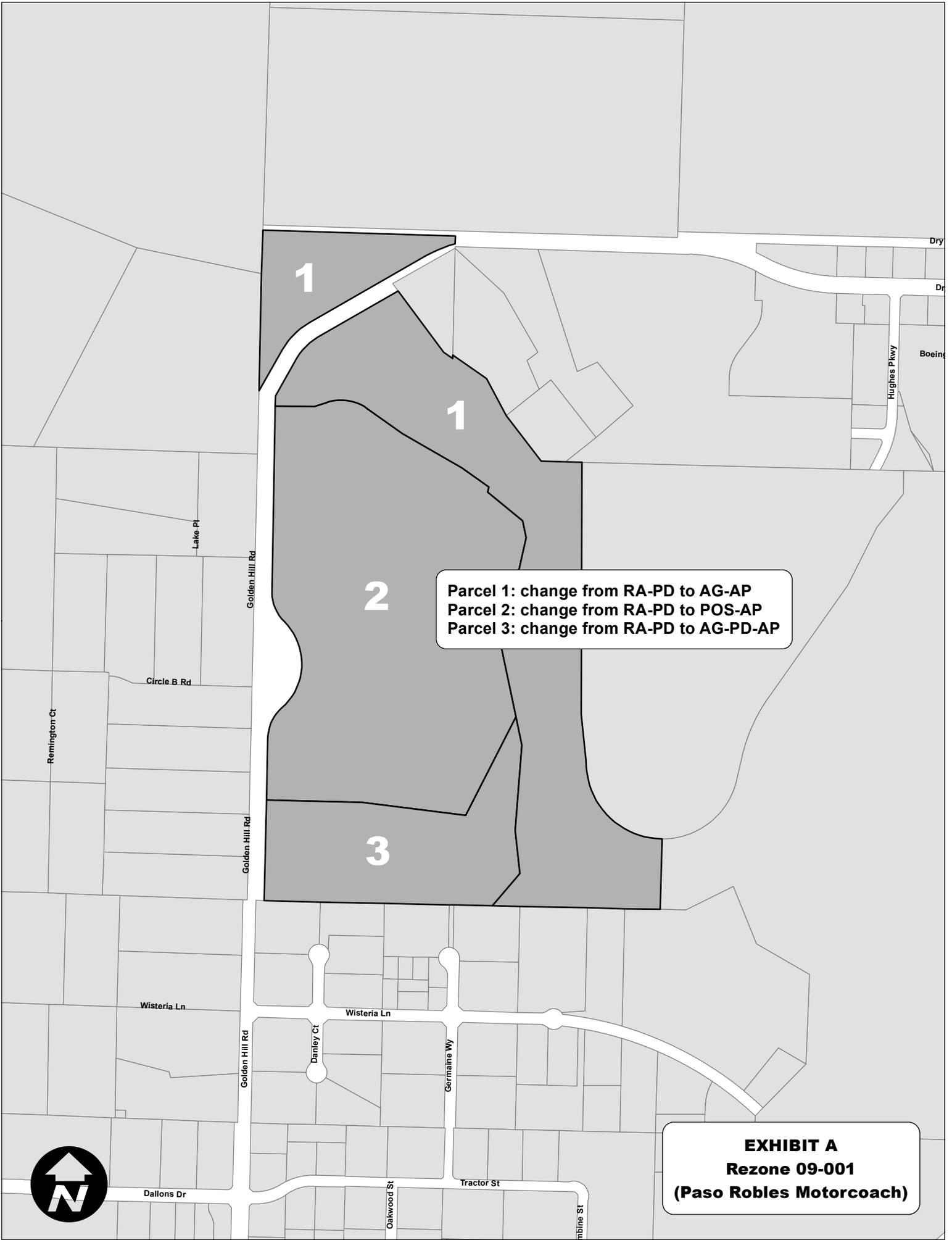
ABSTAIN:

ABSENT:

  
\_\_\_\_\_  
Duane Picanco, Mayor

ATTEST:

  
\_\_\_\_\_  
Cathy David, Deputy City Clerk



**Parcel 1: change from RA-PD to AG-AP**  
**Parcel 2: change from RA-PD to POS-AP**  
**Parcel 3: change from RA-PD to AG-PD-AP**

**EXHIBIT A**  
**Rezone 09-001**  
**(Paso Robles Motorcoach)**