

ORDINANCE NO. 1016 N.S.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
AMENDING THE CITY ZONING MAP ESTABLISHED BY REFERENCE IN
SECTION 21.12.020 OF THE ZONING CODE (TITLE 21)
AND AMENDING THE BORKEY AREA SPECIFIC PLAN
BUENA VISTA VILLAGE AT SAN ANTONIO WINERY
2610 BUENA VISTA DRIVE
APN 025-391-075

WHEREAS, an application has been filed by Kirk Consulting, on behalf of San Antonio Winery, Inc., requesting consideration of the following entitlements:

- Rezone 14-001 – Zoning Map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (MU) (i.e. R2-MU); and
- Specific Plan Amendment 14-002 – An amendment to the Borkey Area Specific Plan, Subarea D, to modify the list of land uses conditionally permitted to allow multi-family residential units and mixed use development (i.e. four residential units, commercial retail, restaurants, and wine tasting); and

WHEREAS, the property is located at 2610 Buena Vista Drive, APN 025-391-075, as shown in Exhibit A; and

WHEREAS, the rezone is necessary to provide zoning map consistency between the City General Plan proposed land use designation of Residential Multi-Family-8-Mixed-Use (RMF-8-MU) and zoning map amendment to modify the R1-B4 zoning to Residential Multi-Family (R2) with a Mixed Use Overlay (R2-MU), as shown in Exhibit A; and

WHEREAS, the site is located with Subarea D of the Borkey Area Specific Plan; and

WHEREAS, the specific plan amendment is necessary to revise the plan to reflect the change in the list of conditionally permitted land uses in Subarea D for this property, as shown in Exhibit B; and

WHEREAS, at its meeting of April 28, 2015, 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 there was an inconsistency with the project environmental analysis and compliance with the City's Guidelines for Implementing the California Environmental Quality Act as it relates to information prepared for the water resource analysis of the Initial Study. Therefore, Planning Commission did not recommend approval of the Mitigated Negative Declaration (MND) to the City Council; and

WHEREAS, at its meeting of June 2, 2015, 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 recommendations 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 is no substantial evidence that this project would have significant adverse effects on the environment, and that the information provided in the Initial Study related to the water resource analysis was sufficient and in compliance with the City's Guidelines for Implementing the California Environmental Quality Act, and adopted a Mitigated 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.
3. The amendment to the Borkey Area Specific Plan is consistent with surrounding land uses.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES ORDAIN AS FOLLOWS:

SECTION 1.

- a. Section 21.12.020 of the Municipal Code (Zoning Map) is hereby amended as shown on the attached Exhibit A.
- b. Borkey Areas Specific Plan, Section III, Page 19 (Subarea D) is hereby amended, as shown on the attached Exhibit B.

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 2, 2015, and passed and adopted by the City Council of the City of El Paso de Robles on the 16th day of June, 2015 by the following roll call vote:

AYES: Strong, Gregory, Hamon, Reed, Martin

NOES:

ABSENT:

ABSTAIN:

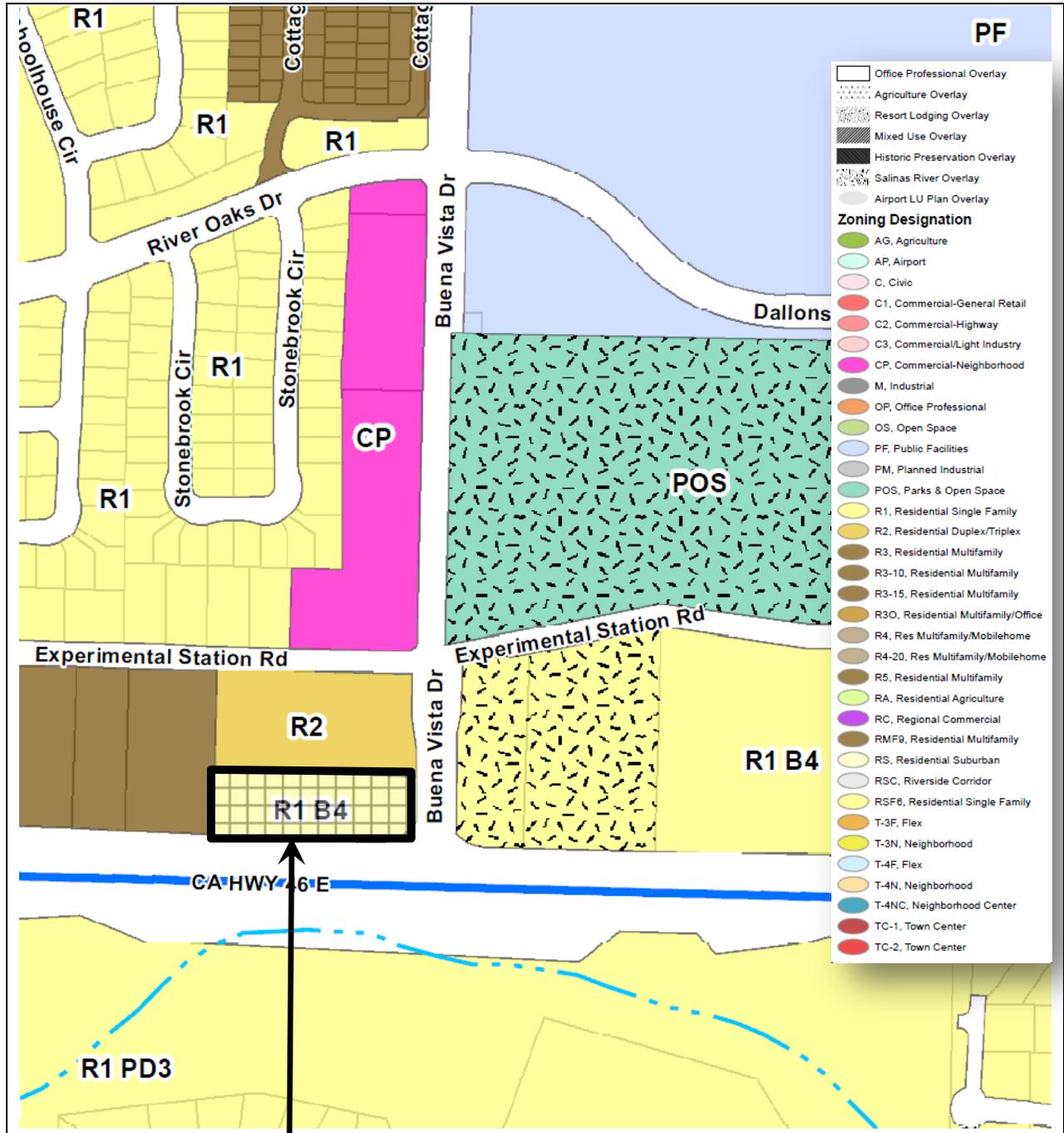


Steven W. Martin, Mayor

ATTEST:



Caryn Jackson, Deputy City Clerk



Zoning Map Amendment 14-001
Existing: R1-B4
Amended: R2-MU
Residential Multi-Family (R-2) with Mixed Use Overlay (MU)

**Borkey Area Specific Plan Amendment
SPA 14-002**

Page III-19

Existing Text - Subarea D

- D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (Martin Brothers Winery tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site.

Proposed Text - Subarea D

- D-2 The existing commercial business located at the northwest corner of Buena Vista Drive and State Highway 46 (~~Martin Brother Winery~~ e.g. wine tasting room) shall be permitted to remain in place in this subarea, and shall be regarded as a legal use; expansion of the existing uses on the current parcel, however, may be permitted only under a revision to the Conditional Use Permit currently applicable to the site. Additional small-scale commercial uses (e.g. restaurant, retail, artisans, and support uses) and four residences (e.g. one 2-bedroom home and three attached 1-bedroom units above commercial spaces) may also be permitted with approval of an amendment to the applicable Conditional Use Permit.