

ORDINANCE NO. XXX 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) ZONE CHANGE 03-005
LA QUINTA PROJECT – NORTHEAST CORNER OF HIGHWAY 46 EAST AND BUENA VISTA DRIVE
(ARCIERO & SONS, INC.)

WHEREAS, the La Quinta project (Planned Development 03-016) consists of the development by Arciero & Sons, Inc. to construct a 61,074 square foot, three story hotel with a 5,000 square foot restaurant, ancillary swimming pool, parking lot and landscaping; and

WHEREAS, the La Quinta site is located on the northeast corner of Highway 46 East and Buena Vista Drive, and

WHEREAS, the General Plan land use designation of the La Quinta Project site is Residential Single Family, 1-acre minimum lot size (RSF-1), consistent with the R-1,B4 Zoning designation; and

WHEREAS, in conjunction with PD 03-016, Arciero & Sons Inc. have applied for Rezone 03-005, to rezone the subject site to apply R/L Overlay (Resort/Lodging) which is necessary in order to allow a hotel use on the R-1 zoned property; and

WHEREAS, applying R/L Overlay to establish the ability to allow a hotel and restaurant on the subject site would be consistent with the City's adopted Economic Strategy where a goal is to develop Paso Robles into an "end destination" tourist attraction; and

WHEREAS, at its February 24, 2004 meeting, the Planning Commission took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Conducted a public hearing to obtain public testimony on the proposed La Quinta Project and the environmental determination therefor.
- C. Based on the information contained in the Initial Study prepared for the La Quinta Project, a determination has been made that there is no substantial evidence that the Project would have significant adverse effect on the environment and thus a Mitigated Negative Declaration can be adopted by the City Council.
- D. Recommended that the City Council approve Rezone 03-005.

WHEREAS, at its March 16, 2004 meeting, the City Council took the following actions:

- A. Considered the facts and analysis, as presented in the staff report and the attachments thereto.
- B. Considered the recommendation of the Planning Commission.
- C. Conducted a public hearing to obtain public testimony on the proposed project and environmental determination therefor.
- D. Based on the information contained in the Initial Study prepared for the La Quinta Project, a determination was made, based on the independent review and judgment of the City Council, that there was no substantial evidence that the Project would have significant adverse effect on the environment and thus a Mitigated Negative Declaration was adopted by separate Resolution.

NOW, THEREFORE, BE IT KNOWN that the City Council of the City of El Paso de Robles, based upon the substantial evidence presented at the above-referenced public hearing, including oral and written staff reports, does hereby make the following findings that:

1. The above stated facts of this Ordinance are true and correct.
2. The Rezone is consistent with the City's General Plan and its Economic Strategy.

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 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 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 March 16, 2004, and passed and adopted by the City Council of the City of El Paso de Robles on the 6th day of April 2004 by the following roll call vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

