

RESOLUTION NO. 02-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING A NEGATIVE DECLARATION FOR CODE AMENDMENT 2002-003  
(NON-CONFORMING STATUS - CITY INITIATED)

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WHEREAS, the Municipal Code of the City of El Paso de Robles does not have provisions that provide protection for private property becoming non-conforming as a result of public acquisition of private property through dedication, purchase, or eminent domain proceedings; and

WHEREAS, Code Amendment 2002-003 establishes a “hold harmless” provision for private property owners involved in the City’s acquisition of private property and said code provision would seem reasonable, particularly in light of the anticipated need for the City to continue widening and improving City streets to comply with current standards and to accommodate the increased intensification of land uses; and

WHEREAS, an Initial Study was prepared for this project (on file in the Community Development Department), which proposed that a Negative Declaration be approved; and

WHEREAS, Public Notice of the proposed Negative Declaration was given as required by Section 21092 of the Public Resources Code; and

WHEREAS, public hearings were conducted by the Planning Commission on April 9, 2002 and by the City Council on May 7, 2002 to consider the proposed Negative Declaration for this application, and to accept public testimony regarding this proposed environmental determination for the proposed code amendment; and

WHEREAS, based on the information contained in the Initial Study prepared for this code amendment and testimony received as a result of the public notice, the City Council finds no substantial evidence that there would be a significant impact on the environment if the code amendment were approved.

NOW, THEREFORE, BE IT RESOLVED, that based on the City’s independent judgment, the City Council of the City of El Paso de Robles does hereby approve a Negative Declaration for Code Amendment 2002-003 in accordance with the California Environmental Quality Act.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7<sup>th</sup> day of May 2002 by the following vote:

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

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk