

CITY OF CLEARLAKE

ORDINANCE NO. 271-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE TO REPEAL CHAPTER 18 OF THE CLEARLAKE MUNICIPAL CODE – CITY OF CLEARLAKE ZONING CODE AND REENACT CHAPTER 18 OF THE CLEARLAKE MUNICIPAL CODE – CITY OF CLEARLAKE ZONING CODE, REPLACING THE OFFICIAL CITY CODES AND REGULATIONS

WHEREAS, the City of Clearlake has initiated Zoning Ordinance Application ZOA 2024-02 to update the Zoning Code and incorporate applicable State housing law provisions and other enhancements and clarifications into the Clearlake Zoning Ordinance; and

WHEREAS, the City of Clearlake City Council has considered the recommendations of the Zoning Code Update: and

WHEREAS, the Planning Commission held a duly noticed Public Hearings on September 10th, 2024 and September 24th, 2024 to considered and recommended adoption of the Zoning Ordinance ZOA 2024-02, to the City Council; and

WHEREAS, the City Council finds that the amendments of this Ordinance are consistent with the City of Clearlake’s General Plan; and

WHEREAS, the amendments to the City of Clearlake Municipal Code set forth herein provide for the “public necessity and convenience and general welfare” and would not be detrimental to the public’s health, safety, and welfare; and

WHEREAS, the City Council has determined that Zoning Ordinance ZOA 2024-02 is exempt from environmental review in accordance with Sections 15060(c)(2), 15060(c)(3), and Section 15061 (b)(3) of the CEQA Guidelines, California Code of Regulations, and

WHEREAS, the City of Clearlake City Council has considered public comment at duly noticed public hearings on _____ 2024.

THE CITY COUNCIL OF THE CITY OF CLEARLAKE DOES ORDAIN AS FOLLOWS:

Section 1. The City of Clearlake City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a project as defined in Section 15378) , and Section 15061 (b)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 because it has no potential for resulting in physical change to the environment, directly or indirectly, and directs staff to file a Notice of Exemption accordingly.

Section 2. Chapter 18 of the Clearlake Municipal Code, the City of Clearlake Zoning Code, is hereby repealed in its entirety and reenacted as set forth in the attached Exhibit A, that is incorporated herein by this reference.

Section 3. The City Council declares that, should any provision, section, subsection, sentence, paragraph, clause, phrase, or word of this Ordinance, or the Code section hereby adopted, be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, subsections, sentences, paragraphs, clauses, phrases or words of this Ordinance and Code section hereby adopted shall remain in full force and effect.

Section 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause a summary of the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

Introduced at a Regular Meeting of the City Council of the City of Clearlake on _____ 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor

Passed and Adopted at a Regular Meeting of the City Council of the City of Clearlake on _____ 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

MAYOR

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED this ____ day of _____, 2024.

ATTEST:

CITY/DEPUTY CLERK

Exhibit A

Zoning Code Amendments for Zoning Ordinance Amendment ZOA 2024-02