

RESOLUTION NO. PC 2024-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CLEARLAKE
RECOMMENDING TO THE CITY COUNCIL ADOPTION OF ZONING ORDINANCE TEXT
AMENDMENT ZOA 2024-02 TO REPEAL CHAPTER 18, ZONING OF THE CLEARLAKE
MUNICIPAL CODE AND REPLACE WITH AMENDED CHAPTER 18, ZONING OF THE
CLEARLAKE MUNICIPAL CODE.**

WHEREAS, the City of Clearlake has initiated Zoning Ordinance Text Amendment Application ZOA 2024-02 and corresponding environmental filing, Categorical Exemption, CE 2024-06 to amend the Zoning Code and incorporate applicable CA State Legislations, State Housing Laws and other enhancements/clarifications into the Clearlake Zoning Ordinance; and

WHEREAS, the Planning Commission has determined that this project is not subject to environmental review in accordance with Sections 15060(c)(3), 15378, and 15061 (b)(3) of the California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations and;

WHEREAS, the Planning Commission has duly called, advertised/published in the Lake County Record Bee on August 31st, 2024, the public had the opportunity to submit input, and on September 10th, 2024, Public Hearing required by law concerning the proposed amendments to the Zoning Ordinance and;

WHEREAS, on September 10th, 2024, the City of Clearlake Planning Commission held a public hearing, and has considered the proposed amendments, including public input and recommended to the City Council adoption of Zoning Ordinance Text Amendment Application ZOA 2024-02, and continuing Section 18-20.140 (Curb, Gutter, Sidewalk) to September 24^h, 2024 for further discussion and;

WHEREAS, on September 24th, 2024, the City of Clearlake Planning Commission held a public hearing on Section 18-20.140 (Curb, Gutter, Sidewalk), and has considered the proposed amendments, including public input and continued the public hearing to October 22nd, 2024 for further consideration, and

WHEREAS, on September 10th, 2024, September 24th, 2024, and on October 22nd, 2024, the City of Clearlake Planning Commission held a public hearing, and has considered the proposed amendments, including public input and recommended to the City Council adoption of full Zoning Ordinance Text Amendment Application ZOA 2024-02, and;

NOW, THEREFORE, BE IT RESOLVED CITY OF CLEARLAKE PLANNING COMMISSION, THAT THE PLANNING COMMISSION RECOMMENDS, BASED ON THE FINDING WITHIN THIS RESOLUTION (BELOW), THAT THE CITY COUNCIL OF THE CITY OF CLEARLAKE ADOPT THE FOLLOWING AS SHOWN IN EXHIBIT A:

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF CLEARLAKE REPEALING
AND REPLACING CHAPTER 18 OF THE CLEARLAKE
MUNICIPAL CODE**

FINDINGS OF FACT

1. The proposed amendments to the City of Clearlake Municipal Code, Chapter 18 (Zoning) provide for the “public necessity and convenience and general welfare;” and
2. The proposed amendments would not be detrimental to the public’s health, safety and welfare; and

3. The proposed amendments are exempt under California Environmental Quality Act (CEQA) 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. Additionally, the proposed text amendment serves to establish general standards and regulations. Individual projects that are subject to the Ordinance would still require individual review for conformance with CEQA; and
4. The Project was duly noticed for public hearing before City of Clearlake Planning Commission, and there were no comments or opposition to the project; and
5. The project is consistent with the goals and policies of the General Plan; and
6. The Planning Commission hereby recommends to the City Council adoption of Clearlake Zoning Ordinance Text Amendment ZOA 2024-02.

THE PLANNING COMMISSION OF THE CITY OF CLEARLAKE HEREBY ORDERS AS FOLLOWS:

Section 1. The Planning Commission hereby authorizes and directs the officers, employees, staff, consultants and attorneys for the Planning Commission to take any and all actions that may be necessary to effectuate the purposes of this resolution or which are appropriate or desirable in the circumstances. If prior to the adoption of the City Council desires to make any minor, technical, or clarifying changes to the Clearlake Zoning Ordinance Text Amendment ZOA 2024-02, the Planning Commission hereby finds and determines that any such minor, technical, or clarifying changes need not be referred to it for further report and recommendation.

Section 2. The Planning Commission hereby authorizes and directs staff to transmit a copy of this resolution to the City Council.

PASSED, APPROVED and ADOPTED this September 10th, 2024, and October 22nd, 2024, by the following vote:

AYES: Chair Williams, Vice Chair Smalley, Inglis, Stewart

NOES:

ABSTAIN:

ABSENT:

Planning Commission Chair

ATTEST:

City/Deputy Clerk