

ORDINANCE NO. 1179

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AMENDING SECTION 16.12.110, SUBSECTION B, OF THE COACHELLA MUNICIPAL CODE TO REQUIRE THAT SUBDIVIDERS POST ON-SITE NOTICES OF PUBLIC HEARING AND TO PROVIDE UNIFORM POSTING STANDARDS. CITY-INITIATED (*1ST Reading*)

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

SECTION 1. Amendment to Coachella Municipal Code. Subsection B of Section 16.12.110 of the Coachella Municipal Code entitled “*Public Hearing.*” is hereby deleted in its entirety and re-written to read as follows:

“B. On-Site Posting Requirements. At least ten (10) days before the public hearing, the subdivider shall cause at least three notices to be posted, not more than three hundred (300) feet apart, in front of each block or part of a block affected by the public hearing. The notices shall be posted as follows:

1. Manner of Posting. The notices may be posted in the form of posters or signs generally measuring three feet by four feet or in such other dimensions as may be necessary to effectuate the posting. The notices shall be posted six feet in height from ground level. If the property is surrounded by fences, walls, or hedges at or near the street property line, additional height may be provided as necessary to ensure visibility of the sign from the public right-of-way. The notices may be posted on support elements made of wood posts, on existing utility poles or street lights using clear tape, or, when there is an existing structure on the property, in a window, on a fence, or on a building wall. In all cases, the notices shall be legible from the nearest public right-of-way; provided, however, that the notices shall not be illuminated.
2. Content. The notices shall contain, at a minimum, the date, time, and place of the public hearing, the identity of the hearing body, a general explanation of the matter to be considered, and a general description of the location of the subject real property. The director of planning may prescribe a standardized notice form or template as may effectuate public notice pursuant to this section in accordance with law.
3. Duration. The notices shall remain in place until the city council has approved, conditionally approved, or disapproved the tentative map in accordance with section 16.12.100. The notices shall be removed within ten (10) days of such action by the city council.

4. Proof of posting. The subdivider shall submit proof of posting to the director of planning or his or her designee in the form of a signed affidavit, indicating the placement locations of the notices, the number of notices posted, and the date the notices were posted. The subdivider shall include photographs evidencing posting of the notices upon request.
5. Deviations. The director of planning may approve deviations to these requirements and require such other specifications, such as size, style, and color of the lettering or notice, in order to meet the intent of this section.
6. Failure to Post. Failure to post notices or otherwise comply with these standards and requirements may result in the delay of the required public hearing.
7. Costs. The subdivider shall bear the costs of complying with this subsection.”

SECTION 2. CEQA. The 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) and 15060(c)(3) (the activity is not a project as defined in Section 15378) 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.

SECTION 3. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 4. Certification. The City Clerk shall certify the passage of this Ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

ORDINANCE PASSED AND APPROVED at a regular meeting of the City Council of the City of Coachella this _____ day of _____, 2021.

Steven Hernandez, Mayor

ATTEST:

Angela M. Zepeda, City Clerk

APPROVED AS TO FORM:

Carlos Campos, City Attorney

I, Angela M. Zepeda, City Clerk, City of Coachella, California, certify that the foregoing Ordinance was adopted by the City Council at a regular meeting of the City Council held on the ___th day of _____ 2021 and was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angela M. Zepeda, City Clerk