

ORDINANCE NO. 1176

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COACHELLA, CALIFORNIA, AMENDING SECTIONS 16.12.110 AND 17.70.050 OF THE MUNICIPAL CODE REGARDING NOTICES OF PUBLIC HEARING RELATED TO TENTATIVE SUBDIVISION MAPS AND THE PROCESSING OF APPLICATIONS ON PLANNING AND ZONING MATTERS. CITY-INITIATED. (1ST Reading)

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

SECTION 1. Amendment to Coachella Municipal Code. Coachella Municipal Code Chapter 16.12 *Tentative Maps*, Section 6.12.110 is hereby amended as follows (deleted text in ~~striketrough~~, new text in **bold underline**):

“16.12.110 - Public hearing.

All tentative subdivision maps shall be reviewed by both the planning commission and the city council at duly noticed public hearings. Notice of public hearings shall be by both mailed notice and posting of the property. **Such written notice shall be provided in English and Spanish, or in such other language as may be required by law. Failure to provide written notice in any language other than English shall not affect the validity of any notice provided hereunder.**

- A. Written notice shall be mailed to the subdivider and to the owners of all property within three hundred (300) feet of the exterior boundaries of the property involved at least ten (10) days prior to the date of the hearing. The last known name and address of each owner as shown on the records of the county assessor may be used for the notice.

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- D. Any interested person may appear at a hearing and shall be heard.”

SECTION 2. Amendment to Coachella Municipal Code. Coachella Municipal Code Chapter 17.70 *Administration Generally*, Subsection F of Section 17.70.050 is hereby amended as follows (deleted text in ~~striketrough~~, new text in **bold underline**):

“17.70.050 - General rules for processing applications.

- A. Initiation. Applications to initiate consideration of planning and zoning matters may be made by a variety of persons or agencies, such as owners, bona fide lessees, the city planning commission or the city council. The specific types of are listed under the applicable procedures.

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- F. Notification of Public Hearing. A public hearing shall require notification of the time, place and purpose of the hearing in one or more of the following ways **listed below** and as noted by reference under the specific procedure. **Written notice provided in the ways listed below**

shall be provided in English and Spanish, or in such other language as may be required by law. Failure to provide written notice in any language other than English shall not affect the validity of any notice provided hereunder.

1. Newspaper. by at least one publication in a newspaper of general circulation in the city not less than ten (10) days prior to the date of the hearing.
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6. Notification of Subsequent Hearings. Notice of subsequent public hearings may be given at each preceding meeting, but additional written notice is not required.”

SECTION 3. 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 reasonable 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 4. 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 6. 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 A. 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