

PC RESOLUTION 10-09-2024-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEEDLES, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING AN AMENDMENT TO THE NEEDLES MUNICIPAL CODE ("CODE") AMENDING SECTION 96.00 "TABLE OF PERMISSIBLE USES" AND SECTION 96.08 "DWELLING UNITS." PURSUANT TO A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTIONS 15060(C), 15061(B)(3) AND 15378.

WHEREAS, the Planning Commission of the City Needles is empowered to recommend amendments to the Zoning Ordinance. Modifications to the various Sections listed herein to further the purposes of the Zoning Ordinance and facilitate the implementation of State law; and

WHEREAS, the City of Needles ("City") is required by California Government Code Sections 65854 to 65857 to amend the Zoning Ordinance, as defined therein; and

WHEREAS, changes to various sections of the Zoning Code related to permitted uses and development standards are proposed to implement and ensure consistency with Government Code, Title 7, Division 1, Chapter 13 (sections 66310-66342); and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), the Zoning Ordinance Amendment is exempt under Sections 15060(C), 15061(b)(3) and 15378 of the State CEQA Guidelines; and

WHEREAS, as contained here, the City has endeavored in good faith to set forth the basis for its decisions on the Project; and

WHEREAS, all of the findings and conclusions made of the Planning Commission pursuant to this Resolution is based upon the oral and written testimony; and

WHEREAS, a public hearing notice for the Needles Planning Commission meeting was published in the Needles Desert Star on September 25, 2024; and

WHEREAS, the Needles Planning Commission has sufficiently considered all testimony and evidence presented to them in order to make the following determination.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Needles as follows:

SECTION 1. Recitals. The recitals above are hereby incorporated by reference as a substantive component of this Resolution.

SECTION 2. Compliance with CEQA. The Planning Commission hereby recommends that the City Council determine that this ordinance qualifies for a categorical exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c), 15061(B)(3) (the common-sense exemption), and 15378, that this Ordinance is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can

be with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.; and

SECTION 3. The Planning Commission HEREBY FINDS AND DETERMINES that facts do exist to recommend to the City Council the amendments to the Needles Municipal Code and Needles Zoning Code, attached as "Exhibit "A".

SECTION 4. The Planning Commission HEREBY RECOMMENDS APPROVAL OF RESOLUTION NO. 10-09-2024-PC for an amendment to the Needles Municipal Code and Needles Zoning Code, attached as Exhibit "A".

SECTION 5. This action shall become final and effective 30 days after this decision by the City Council as provided by the Needles City Code.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Needles, California, held on the 9th day of October 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Bob Rath, Chairperson
Needles Planning Commission

Kathy Raasch
Development Services Director