

ORDINANCE NO. 16-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH REPEALING THE EXISTING ZONING ORDINANCE (CHAPTER 25 OF THE FIREBAUGH MUNICIPAL CODE) AND REPLACING IT WITH A NEW COMPREHENSIVE ZONING ORDINANCE UPDATE

WHEREAS, the City of Firebaugh adopted a new General Plan in 2010 that establishes goals, objectives and policies to plan for the physical growth and development of the City in the future, and

WHEREAS, several action plans within the General Plan call for the City to adopt a new Zoning Ordinance for a variety of reasons, including:

- Many portions of the existing Zoning Ordinance are more than 30 years old and are out of date;
- Ensuring the ordinance is legally sound and consistent with State zoning laws;
- Incorporating smart-growth and form-based zoning standards and mechanisms to make future neighborhoods more walkable and livable;
- Clarifying and simplifying complicated planning permit processes;
- Revising, updating and clarifying permitted use lists in each zone district;
- Updating definitions and terminology;
- Eliminate unused zone districts, such as the R-2-A and R-3-A zones, etc.;
- Updating and clarifying standards pertaining to specific issues like fencing, parking, landscaping, accessory uses and structures, etc.;
- Making the Ordinance more user-friendly through the addition of graphic illustrations of complex zoning standards, as well as providing flow charts for permit processes;
- Establishing an up-to-date and legally sound adult businesses ordinance;
- Eliminating unneeded and repetitious sections of the Zoning Ordinance;
- Incorporating requirements of the recently adopted Housing Element;
- Correcting other problem issues identified by staff, the City Council and Planning Commission, etc., and
- Improving formatting for better readability.

WHEREAS, the City Planner has prepared a comprehensive update of the Zoning Ordinance that responds to the foregoing concerns, and

WHEREAS, the Planning Commission has conducted numerous public workshops to educate themselves on zoning, planning and design issues and has reviewed individual chapters of the new Zoning Ordinance, and

WHEREAS, the Planning Commission conducted a public hearing on July 11, 2016 and voted to recommend adoption of the Zoning Ordinance update and also an associated Negative Declaration as the environmental finding for the Zoning Ordinance update, and

WHEREAS, the Planning Department has prepared a staff report and environmental finding on this matter, and

WHEREAS, the City published a public hearing notice at least ten days before the City Council's meeting, and

WHEREAS, the City Council held a public hearing on the proposed Zoning Ordinance Update (and the associated environmental analysis) and accepted testimony.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FIREBAUGH DOES ORDAIN AS FOLLOWS:

- Section 1.** Chapter 25 (Zoning) of the Firebaugh Municipal Code is hereby rescinded and replaced with the Zoning Ordinance Update (new Chapter 25) as shown in Attachment “A”.
- Section 2.** Any typographical or clerical errors in this Ordinance may be remedied by the City Planner, with the assistance of the City Clerk, and shall not constitute an alteration within the meaning of Chapter 25-49.2 b. of the Firebaugh Municipal Code.
- Section 3.** This ordinance shall take effect thirty days after its adoption.
- Section 4.** The City Clerk is authorized and directed, to cause this ordinance to be codified, after its adoption.
- Section 5.** The City Clerk is further authorized and directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated in the City of Firebaugh within 15 days after its adoption. If a summary of this ordinance is published, then the City Clerk, also shall cause a summary of the proposed ordinance to be published, and a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk, at least five days prior to the Council’s meeting, at which the ordinance is adopted and again after the meeting, at which the ordinance is adopted. The City Attorney shall approve the summary.

The foregoing Ordinance No. 16-05 was introduced at a regular meeting of the City Council of the City of Firebaugh on the 19th day of September, 2016, and was passed and adopted at a regular meeting of the City Council on the _____ day of _____, 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

Freddy Valdez, Mayor
City of Firebaugh

ATTEST:

Rita Lozano, City Clerk
City of Firebaugh