

RESOLUTION NO. 16-35

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH APPROVING A
NEGATIVE DECLARATION FOR THE COMPREHENSIVE FIREBAUGH ZONING
ORDINANCE UPDATE.**

WHEREAS, the City of Firebaugh has prepared a comprehensive update of the Firebaugh Zoning Ordinance (Chapter 25 of the Firebaugh Municipal Code), and

WHEREAS, several action plans of the 2030 Firebaugh 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- Many portions of the existing Zoning Ordinance are more than 30 years old and are out of date;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 R-2-A and R-3-A, 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, Commission, etc., and;
- Improving formatting for better readability.

WHEREAS, the Zoning Ordinance Update is considered a “project” under the Guidelines of the California Environmental Quality Act (CEQA) and accordingly the City has prepared an Initial Environmental Study consistent with CEQA, and

WHEREAS, the Initial Environmental Study determined that the proposed Zoning Ordinance Update would not result in any significant impacts to the environment, and

WHEREAS, the City advertised and circulated the Initial Environmental Study for public review and comment for a period of 20 days, with a closing date of June 13, 2016 for comments to be submitted, and

WHEREAS, by the end of the comment period one comment letter (Caltrans) was received by the City and this letter did not disagree with the results of the Initial Environmental Study, and

WHEREAS, the Planning Department has prepared a staff report on the project.

WHEREAS, the Planning Commission conducted a public hearing on this matter on July 11, 2016 and voted to recommend adoption of the Negative Declaration.

NOW, THEREFORE, BE IT RESOLVED that the City Council, after considering all the evidence presented determined the following findings were relevant in evaluating this action:

1. The Zoning Ordinance Update is consistent with the goals, objectives and policies of the 2030 Firebaugh General Plan.
2. The City has prepared an Initial Environmental Study, consistent with the requirements of CEQA. The study determined the Zoning Ordinance Update would not have significant impacts on the environment. Accordingly, a Negative Declaration (Attachment "A") has been prepared for adoption.
3. The proposed action will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community.

NOW, THEREFORE BE IT RESOLVED THAT the Initial Environmental Study prepared for the Zoning Ordinance Update and the Negative Declaration (as shown in Attachment "A"), are adopted by the Firebaugh City Council.

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Firebaugh held on the 19th day of September, 2016, by the following vote:

AYES: Council Member(s)
NOES: Council Member(s)
ABSENT: Council Member(s)
ABSTAIN: Council Member(s)

APPROVED:

ATTEST:

Freddy Valdez, Mayor

Rita Lozano, Deputy City Clerk

ATTACHMENT A

**CITY OF FIREBAUGH
PROPOSED NEGATIVE DECLARATION**

FIREBAUGH PLANNING DEPARTMENT	1133 "P" STREET	FIREBAUGH, CA 93622	(559) 659-2043
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APPLICANT: City of Firebaugh
1133 P Street
Firebaugh, CA 93622

PROJECT TITLE: Comprehensive Firebaugh Zoning Ordinance Update

PROJECT LOCATION: The Zoning Ordinance Update applies to all parcels within the city limits of the City of Firebaugh.

PROJECT

DESCRIPTION: The project is a comprehensive update of the Firebaugh Zoning Ordinance (Chapter 25 of the Firebaugh Municipal Code). The Zoning Ordinance regulates the development of land within the City. The updated ordinance will replace the existing Chapter 25 of the Firebaugh Municipal Code, which will be rescinded.

FINDINGS OF NO SIGNIFICANCE:

1. The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
2. The project does not have the potential to achieve short-term economic gain, to the disadvantage of long-term environmental goals.
3. The project does not have the potential to have impacts, which are individually limited but cumulatively considerable.
4. The project will not cause substantial adverse effects on people, either directly or indirectly.

DETERMINATION:

On the basis of an initial environmental assessment and the findings mentioned above, the City of Firebaugh determines that the project will not have a significant impact on the environment.

City Planner

Date Adopted