BEFORE THE CITY COUNCIL OF THE CITY OF AVENAL

IN THE MATTER OF:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AVENAL REVISING CHAPTER 6 AND REPEALING THE EXISTING ZONING ORDINANCE AND SUBDIVISION ORDINANCE (CHAPTERS 9 AND 10 OF THE AVENAL MUNICIPAL CODE) AND REPLACING THEM WITH A NEW COMPREHENSIVE ZONING AND ZONING ORDINANCE UPDATE

ORDINANCE 2024-02

WHEREAS, the City of Avenal has prepared a comprehensive update of the Avenal Zoning and Subdivision Ordinance; and,

WHEREAS, several action plans of the 2035 Avenal General Plan call for the City to adopt a new Zoning and Subdivision Ordinance for a variety of reasons, including:

- Implementation of the 2035 Avenal General Plan
- Consistency with State and Federal Laws
- User-Friendliness
- Creation of a Transparent Process
- Promotion of Areas of Development Design
- Response to Community Concerns
- Promotion of Infill Development
- Standardized Development Review

WHERAS, the City's existing Zoning and Subdivision Ordinances are significantly dated and not consistent with current development practices or the goals and policies of the 2035 General Plan; and,

WHEREAS, on September 9, 2024, the Planning Commission recommended approval of the comprehensive Draft Zoning and Subdivision Ordinance, as well as recommended approval to the changes made to the Sanitation and Health Code; and,

WHERAS, on September 26, 2024, the City Council received an update on the status of the Draft Zoning and Subdivision Ordinance; and,

WHERAS, the City has reviewed the Project in compliance with the California Environmental Quality Act (CEQA) and determined the Project was exempt from further environmental review pursuant to CEQA Guidelines Section 15061(b)(3), the common sense exemption, since the updates will have no significant environmental effect; and,

WHEREAS, a duly noticed public hearing was held by the City Council for the review of the proposed comprehensive updates to the Zoning and Subdivision Ordinances on October 10, 2024 for the purposes of receiving public comments and taking action to adopt the ordinances; and,

UPON MOTION OF COUNCILMEMBER **VERDUGO**, SECONDED BY COUNCILMEMBER **HERNANDEZ** FOREGOING ORDINANCE NO. 2024-**02** WAS INTRODUCED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF AVENAL ON THE 10TH DAY OF OCTOBER, 2024, AND WAS PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL ON THE **24TH** DAY OF **OCTOBER**, 2024, BY THE FOLLOWING VOTE:

AYES: **VERDUGO, HERNANDEZ, RAMIREZ.**
NOES: **NONE.**
ABSTAIN: **NONE.**
ABSENT: **GRAVELLE, RAMIREZ.**

Alvaro Preciado, Mayor
CITY OF AVENAL

ATTEST:

MARIA A. ORTIZ, City Clerk
CITY OF AVENAL

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

Section 1. Chapter 9 (Zoning) is hereby rescinded and replaced with the Zoning Ordinance Update (new Chapter 9) as shown in Attachment "A".

Section 2. Chapter 10 (Subdivision Ordinance) of the Avenal Municipal Code is hereby rescinded and replaced with the Subdivision Ordinance Update (new Chapter 10) as shown in Attachment "B".

Section 3. Chapter 6 (Sanitation and Health) of the Avenal Municipal Code is hereby amended with the Sanitation and Health Update as shown in Attachment "C".

Section 4. 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 ordinance update.

Section 5. This ordinance shall take effect thirty days after its adoption.

Section 6. The City Clerk is authorized and directed to cause this ordinance to be codified after its adoption.

Section 7. 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 Avenal 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 summary shall be approved by the City Attorney.

Section 8. Authorized the City Manager, City Clerk and all relevant City staff to carry out the terms and conditions of this resolution and to take all steps reasonably necessary, proper and/or convenient and/or incidental thereto.

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