Chapter 19.810

ZONING CODE TEXT/MAP AMENDMENT

19.810.010 Purpose.

Government Code Section 65853 allows amendments to any provisions of the Zoning Code. Whenever the public necessity, convenience, general welfare or good zoning practice requires, the City Council may, amend, supplement or change the regulations, zone boundaries or zoning classifications of property established by the Zoning Code. (Ord. 6966 §1, 2007)

19.810.020 Initiation of Map/Text Amendment.

Amendments to the provisions of the Zoning Code may be initiated in any one of the following manners:

A. Upon Minute Action of the City Council.

B. Upon Minute Action of the Planning Commission.

C. Upon application by a property owner or owners of any parcel subject to requirements of the Zoning Code.

D. The Community Development Director or his/her designee may initiate an amendment to the text of the Zoning Code.

E. Pursuant to Section 19.660.015 A (Initiation of Applications). (Ord. 7235 §21, 2013; Ord. 7091 §15, 2010; Ord. 6966 §1, 2007)

19.810.030 Procedures.

A. General Process

Zoning Code text/map amendment applications shall be processed in accordance with the discretionary permit processing provisions as set forth in Chapters 19.650 (Approving Authority), 19.660 (General Application Processing Procedures), 19.670 (Notices and Hearings), 19.680 (Appeals), 19.690 (Effective Dates) and other applicable Chapters of the Zoning Code.

B. Voting/Approval Requirement

Approval of a Zoning Code amendment requires the affirmative vote of at least 4 Planning Commission members, or a majority, whichever is greater. The Planning Commission’s denial of a Zoning Code amendment is final unless appealed to the City Council. If approved by the Planning Commission or
appealed to the City Council, the City Council is the final approving authority. A simple majority vote of the City Council is required for approval. Notwithstanding the above, application and removal of the CR (Cultural Resources) Overlay Zone shall be approved directly by the City Council.

C. Notice

The Planning Commission shall hold a public hearing on any proposed rezone or amendment to the Zoning Code. Notice of the hearing shall be given pursuant to Section 19.670.040 A (Notice of Hearing for Legislative Actions) and if the proposed rezone or amendment to the Zoning Code affects the permitted uses of real property, notice shall also be given pursuant to Section 19.670.040 B (Notice of Hearing for Legislative Actions).

D. Adoption

Zoning Code Text/Map Amendments shall be adopted by ordinance of the City Council that constitutes final action. Ordinances to amend the Zoning Code Text/Map are subject to referendum and therefore become effective 30 days after their adoption. (Ord. 7091 §§16, 17, 2010; Ord. 6966 §1, 2007)

19.810.040 Required Findings for Zoning Code Amendment.

In acting to approve an amendment to the Zoning Code Text or Map, the City Council shall be required to make the following findings:

A. That the proposed Zoning Code Text or Map Amendment is generally consistent with the goals, policies, and objectives of the General Plan;

B. That the proposed Zoning Code Text or Map Amendment will not adversely affect surrounding properties; and

C. That the proposed Zoning Code Text or Map Amendment promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code. (Ord. 7091 §18, 2010; Ord. 6966 §1, 2007)

[Diagram showing the process flow with labeled steps]

- Application Filed
- Application reviewed and determination made by Zoning Administrator
- Application determined complete
- Decision made by City Planning Commission
- Decision Final
- Appeal may be filed
- Approval in full or in part
- Conditionally approve in full or in part
- Denial of amendment
- Ordinance in effect
19.810.060 Zoning Map Amendment Process in Flow Chart Form.

First reading of Zoning Code amendment (Introduction)

Applicant to contact Public Works, Planning, and City Attorney to ensure compliance with conditions and schedule second City Council Hearing.

Second reading of Zoning Code amendment (Auction) 30 Days

City Council acts to approve or disapprove.

Applicant submits application for change of site

Staff recommends to City Council for open sessions.

City Planning Commission takes action to: approve, reject in toto, or modify.

DINAL of change of zone

Decision final

Applicant submits application for change of site

Review of application by City Council, Planning Commission, and other applicable authorities.

Applicant submitted on form (19.400.020)

Application deemed complete.

* City Council action is final and no other appeal will lie.

Application pending.

** If applicant does not demonstrate compliance with zoning conditions of approval, the application shall be deemed to be the effective at once.