

RESOLUTION 019P-007

A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION RECOMMENDING APPROVAL OF A ZONING TEXT AMENDMENT TO AMEND THE PLANNING AND ZONING CODE AMENDING THE TIMEFRAMES FOR MAINTAINING LEGAL NON-CONFORMING USE STATUS

WHEREAS, Article 2 of Chapter 6 of the Coalinga Planning and Zoning code permits the continuation of uses and continued occupancy and maintenance of structures that were legally established but do not comply with all of the standards and requirements of the current version of the Planning and Zoning Code; and

WHEREAS, Section 9-6.210 of the planning and zoning code prohibits nonconforming uses to resume, reestablish, reopen or be replace by any other nonconforming use after it has been abandoned or vacated for a period of six (6) months; and

WHEREAS, the City desires to amend section 9-6.210 of the planning and zoning code to allow a longer period of time for a non-conforming use to resume, reestablish, reopen or be replace by any other nonconforming use; and

WHEREAS, a Public Hearing has been advertised and conducted pursuant to Public Resources Code Section 21092 and 21092.3, and public comment has been solicited, and;

WHEREAS, a Notice of Public Hearing was provided to the Coalinga Press, posted at City Hall, Police Department bulletin board, Fire Department Bulletin Board, Coalinga District Library, and Chamber of Commerce on June 26, 2019, and;

WHEREAS, the Planning Commission held the noticed Public Hearing on July 9, 2019 to take testimony with regard to the proposed Zoning Text Amendment; and

WHEREAS, the Planning Commission completed its review of the proposed Zoning Text Amendment and details in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the Planning Commission has made the following findings based on the Zoning Text Amendment proposal:

- The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of

physical constraints) for the requested zoning designations and anticipated land uses/developments.

- The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission recommends approval to the City Council adoption of a draft ordinance (Exhibit "A") to amend the planning and zoning code related to amending the timeframes for a legal non-conforming use to resume, be replaced or reestablish in accordance with State Law.

PASSED AND ADOPTED, by the City of Coalinga Planning Commission at a regular meeting held on the 19th day of July 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

Planning Commission Chairman/Vice Chairman

ATTEST:

City Clerk/Deputy City Clerk

Exhibit "A"

Draft Legal Non-Conforming Ordinance