

## ORDINANCE NO. 519

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE AMENDING THE BLUE LAKE ZONING ORDINANCE NO. 382, AS PREVIOUSLY AMENDED, SECTIONS 707, 708, 712 and 713

The City Council of the City of Blue Lake, Humboldt County, California, does hereby ordain as follows:

**Section 1. Findings.** The City Council for the City of Blue Lake hereby makes the following findings:

- A. After due notice and public hearing held at the regular meetings of the Blue Lake Planning Commission on April 18, 2016, the Planning Commission duly adopted Resolution 2-2016 recommending amendments to Article VII (Amendments, Variances, Use Permits), Sections 707, 708, 712 and 713 pertaining to Zoning Ordinance amendments.
- B. In accordance with Section 707 of Ordinance 382, the Planning Commission submitted a written report to the City Council concerning the recommended amendments to the Zoning Ordinance on May 10, 2016.
- C. In accordance with Section 708 of Ordinance 382, the City Council conducted a noticed public hearing on the proposed Zoning Ordinance amendments on May 24, 2016.
- D. The Zoning Ordinance amendments as proposed by the Planning Commission in Resolution 2-2016 are consistent with the existing applicable general plan and specific plans.

**Section 2. Amendments.** Sections 707, 708, 712, and 713, as adopted initially by Ordinance No. 382 and subsequently amended, are hereby amended as shown with new text indicated in bold and deleted text as bold strikethrough in Exhibit "A," attached hereto and made a part hereof.

**Section 3.** Said revised Sections 707, 708, 712, and 713 are hereby integrated into Ordinance 382 as previously amended. All other provisions of Ordinance 382 as amended shall remain unaffected and in full force and effect.

**Section 4.** To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior city ordinance, motion, resolution, rule or regulation governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof and such inconsistent or conflicting provisions of prior ordinances, motions, resolutions, rules or regulations are hereby repealed.

**Section 5.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase added by this Ordinance, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more subsections, subdivisions, paragraphs, sentences, clauses or phrases are declared unconstitutional, invalid or ineffective.

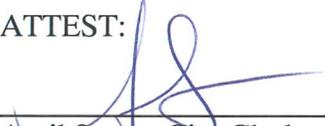
**Section 6.** This action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) which states, “*The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*”

**Section 7.** This Ordinance shall go into effect and be in full force and operation thirty (30) days after its final passage and adoption.

**APPROVED:**

  
Michele McCall-Wallace, Mayor

ATTEST:

  
April Sousa, City Clerk

#### CLERK'S CERTIFICATE

**THIS IS TO CERTIFY** that Ordinance No. 519 of the City Council of the City of Blue Lake was introduced and read at the regular meeting of the City Council of the City of Blue Lake, California, held on May 24, 2016. This Ordinance, again read at the regular meeting of the Blue Lake City Council, held on June 14, 2016 and at the time, passed by roll call vote, the vote on the adoption of the Ordinance being as follows:

AYES: McCall-Wallace, Sawatzky, Lynch, Jones

NOES: none

ABSENT: Kullmann

DISQUALIFIED: none

  
April Sousa, City Clerk, City of Blue Lake

**ORDINANCE NO. 519**  
**EXHIBIT "A"**

707. ~~Within forty (40) days of the conclusion of the hearing~~ After the hearing, the Planning Commission shall ~~submit to the City Council a written report of recommendations and reasons thereof~~ render its decision in the form a written recommendation to the City Council. Such recommendation shall include the reasons for the recommendation and the relationship of the proposed ordinance or amendment to applicable general and specific plans.

708. Upon receipt of the written report of the Planning Commission, the City Council ~~(at its next regular meeting)~~ shall set the matter for a public hearing; provided, however, as set forth in the next section.

712. 712. Any modification of the proposed ordinance or amendment by the City Council not previously considered by the Planning Commission during its hearing , shall first be referred to the Planning Commission for report and recommendation; but the Planning Commission is not required to hold a public hearing thereon. Failure of the Planning Commission to report within forty (40) days after the reference, or such longer period as may be designated by the City Council , shall be deemed to be approval of the proposed modification.

713. ~~Within forty (40) days of the conclusion of the hearing before the City Council, or within forty (40) days of the filing for the report by the Planning Commission with the City Council, or the expiration of the time for filing such report by the Planning Commission with the City Council, on any referral by the City Council as set forth in Section 712, the City Council may adopt the proposed ordinance or amendment. Failure of the City Council to adopt the proposed ordinance or amendment within the period set forth in this section shall be deemed to be denial of such proposed ordinance or amendment. RESERVED~~