

**ORDINANCE NO. 30-18 N.S.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND  
AMENDING THE RICHMOND MUNICIPAL CODE CHAPTER 15.04 (ZONING  
AND SUBDIVISION REGULATIONS) AND ZONING MAP**

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**WHEREAS**, the general plan is the City's constitution for future development and any decision by a City affecting land use and development must be consistent with the general plan; and

**WHEREAS**, Chapter 15.04 of the Richmond Municipal Code provides that "the zoning ordinance whose purpose is to regulate existing uses and uses contemplated in the future shall be made consistent with the general plan as required by State Law; and

**WHEREAS**, on November 15, 2016, the City Council adopted the Zoning and Subdivision regulations which were updated under comprehensive review and revision in order to ensure that such regulations are consistent with the adopted General Plan 2030 and state and federal laws; and

**WHEREAS**, for the past two years, planning staff has kept a record of minor amendments needed for General Plan consistency, correction of technical and grammatical errors, elimination of duplication and conflicts, state law consistency, and to clarify requirements; and

**WHEREAS**, on November 1, 2018, the Planning Commission held a duly and properly noticed public hearing to consider cleanup amendments to Chapter 15.04 - Zoning and Subdivision Regulations of the Richmond Municipal Code, and Zoning Map incorporated herein by reference; and

**WHEREAS**, the Planning Commission considered the agenda report, all public comments, and the amendments to Chapter 15.04 and the zoning map, as set forth in Exhibit A of this ordinance and the applicable provisions of the Richmond Municipal Code ("the Record") and recommended adoption to the City Council of the proposed zoning text and map amendments; and

**WHEREAS**, on November 13, 2018, the City Council held a duly and properly noticed public hearing to consider cleanup amendments to Chapter 15.04 - Zoning and Subdivision Regulations of the Richmond Municipal Code, incorporated herein by reference; and

**WHEREAS**, the City Council has considered the agenda report, all public comments, and the amendments to Chapter 15.04 and Zoning Map Amendments, as set forth in this ordinance as Exhibit A and B, and the applicable provisions of the Richmond Municipal Code ("the Record").

**WHEREAS**, the City Council finds and determines:

1) Pursuant to California Environmental Quality Act ("CEQA") Guidelines § 15378 and California Public Resources Code § 21065, the amendments to Chapter 15.04 are not a "project" because its adoption is not an activity that has the potential for a direct physical change or reasonably foreseeable indirect physical change in the environment; and

2) Even if the amendments to Chapter 15.04 qualified as a "project" subject to CEQA, and pursuant to CEQA Guidelines § 15061(b)(3), there is no possibility that this project will have a significant impact on the physical environment. The proposed ordinance merely makes minor clean up amendments and does not directly or indirectly authorize or approve any actual changes in the physical environment. Applications for development or change to an existing development would be subject to additional environmental review on a case-by-case basis; and

3) The facts set forth in the recitals in this Ordinance are true and correct and incorporated by reference. The recitals constitute findings in this matter and, together with the agenda report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in this Ordinance; and

4) The amendments to Chapter 15.04 are consistent with the General Plan, Richmond Municipal Code, and applicable federal and state law; and

5) The amendments to Chapter 15.04 will not be detrimental to the public interest, health, safety, convenience or welfare.

**SECTION I. Municipal Code Amendments.**

**The City Council of the City of Richmond does ordain as follows:**

Chapter 15.04 of the City of Richmond Municipal Code is hereby amended as shown in Exhibit A (~~strikeout text indicates deletion~~; underline text indicates insertion), and the Zoning Map is amended as shown in Exhibit B, attached hereto and incorporated herein by reference.

**SECTION II. Severability.**

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

**SECTION III. Effective Date.**

All applications filed after or pending upon the date of final passage and adoption of this Ordinance shall be subject to this Ordinance. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

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First introduced at a regular meeting of the City Council of the City of Richmond held December 4, 2018, and finally passed and adopted at a regular meeting held December 18, 2018, by the following vote:

AYES: Councilmembers Beckles, Choi, Martinez, Myrick,  
Recinos, Vice Mayor Willis, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: None.

**PAMELA CHRISTIAN**  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:  
**TOM BUTT**  
Mayor

Approved as to form:  
**BRUCE GOODMILLER**  
City Attorney

State of California                    }  
County of Contra Costa            }           : ss.  
City of Richmond                    }

I certify that the foregoing is a true copy of **Ordinance No. 30-18 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 18, 2018.

  
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Pamela Christian, City Clerk of the City of Richmond

Attachments:  
Exhibit A: Zoning Text Amendments  
Exhibit B: Zoning Map Amendments