

ORDINANCE NO. 582

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
ADOPTING A COMPREHENSIVE ZONING ORDINANCE UPDATE TO RESCIND
AND REPLACE TITLE 17 OF THE ATHERTON MUNICIPAL CODE**

WHEREAS, the last comprehensive update to the zoning code was completed in 1985. The City Council authorized PMC, planning consultants, to complete a comprehensive update to the Zoning Code for internal consistency and compliance with any changes to State Law,

WHEREAS, PMC and Town staff conducted three duly noticed town-wide public workshops on the zoning code update;

WHEREAS, the General Plan Committee reviewed the draft zoning code update at a duly noticed meeting and forwarded the document to the Planning Commission with a favorable recommendation;

WHEREAS, the Planning Commission conducted a duly noticed public hearing on the comprehensive zoning code update on June 24, 2009 at which time all individuals desiring to comment on the document were heard and the Planning Commission recommended that the City Council adopt the Comprehensive Zoning Code update replacing Title 17 in its entirety;

WHEREAS, the City Council conducted a duly noticed public hearing on the comprehensive zoning code update on August 19, 2009 at which time all individuals desiring to comment on the document were heard.

NOW THEREFORE BE IT RESOLVED that the City Council of the Town of Atherton does ordain as follows:

SECTION 1: Title 17 of the Atherton Municipal Code shall hereby be rescinded and replaced in its entirety with the Comprehensive Zoning Code Update entitled "Town of Atherton Zoning Code Title 17 of the Atherton Municipal Code", attached hereto and incorporated herein as EXHIBIT A.

SECTION 2: CEQA Exemption. This ordinance is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15061(b)(3), as the proposed zoning code update will not have any adverse impact on the environment.

SECTION 3: Severability. The City Council hereby declares every section, paragraph, sentence, clause and phrase is severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

SECTION 4: Effective Date. This Ordinance shall be in full force and effective 30 days after its adoption, and shall be published and posted as required by law.

Passed and adopted as an Ordinance of the Town of Atherton at a regular meeting thereof held on the 21st day of October, 2009, by the following vote

AYES: 5	COUNCILMEMBERS: Carlson, McKeithen, Marsala, Dobbie, Lewis
NOES: 0	COUNCILMEMBERS
ABSTAIN	COUNCILMEMBERS
ABSENT	COUNCILMEMBERS

Jerry Carlson
MAYOR, Town of Atherton

ATTEST

Theresa DellaSanta
Deputy City Clerk

APPROVED AS TO FORM:

Wynne Furth
City Attorney