

**ORDINANCE NO.**

**AN ORDINANCE AMENDING THE STOCKTON ZONING MAP FOR REZONING 1.19-ACRES, INCLUSIVE OF ASSESSOR'S PARCEL NUMBERS APNs 153-030-23; -24; -25; -26; -27; -28 and 153-030-02; -03; and -04, BY ASSIGNING COMMERCIAL, GENERAL (CG) ZONING DESIGNATION IN PLACE OF THE CURRENT INDUSTRIAL, LIMITED (IL) ZONING DESIGNATION (P24-0150)**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:**

**SECTION 1. FINDINGS AND INTENT**

The City Council of the City of Stockton finds, pursuant to SMC Section 16.116.050(B)(1) and (3), that:

- a. Finding #1: The proposed amendment ensures and maintains internal consistency with general land uses, objectives, policies, programs, and actions of all elements of the General Plan on balance and would not create any inconsistencies with this Development Code.

Evidence: The proposed Rezone is consistent with the General Plan land use designation of Commercial as the CG zoning district is allowed within the Commercial Designation. The proposed rezone will not result in any inconsistencies, endanger the public health and safety, or result in an unforeseen environmental impact beyond what was previously envisioned for the area.

The project would further General Plan policies aimed at attracting and retaining companies that offer high-quality jobs with wages that are competitive with the region and State (Goal LU-4), attracting employment and tax-generating businesses in the City (Policy LU-4.2), and prioritizing development and redevelopment of vacant, underutilized, and blighted infill areas (Policy LU-6.2).

- b. Finding #2: The proposed amendment will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the City.

Evidence: The proposed Rezone of the proposed parcels will be consistent with the existing surrounding parcels to the north, west and south. This amendment will result in physical development on five (5) of the nine (9) parcels, and all will comply with all applicable CG zoning standards as well as all building and fire regulations for health and safety. The remaining four (4) lots are currently vacant with no proposed project; all future development would be required to comply with the municipal code standards and any other regulations at the

time of submittal to the City for a Planning application or Building permits. Therefore, the proposed rezone will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety or general welfare of persons residing or working in the City.

- c. Finding #3: The proposed amendment complies with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines.

Evidence: The proposed Project is Categorically Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15303(c), New Construction or Conversion of Small Structure, since it includes the construction of a store, motel, office, restaurant or similar structure, not involving the use of significant amounts of hazardous substances and not exceeding 2,500 square feet in floor area. In urbanized areas, the exemption also applies to up to four (4) commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive

The project site is on a city block with both Industrial, Limited (IL) and Commercial, General (CG) zoning. City blocks to the north, west, and south are currently zoned CG. Thus, the proposed rezone from IL to CG would not create any inconsistencies with the existing zoning of the surrounding vicinity.

- d. Finding #4: The site would be physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation(s) and anticipated land use development(s).

Evidence: Based on the information provided by the applicant and each Department's analysis, the subject site is physically suitable to be accessed from existing public streets and served from existing utilities located within the adjacent streets. Further, the proposed change to a commercial use is compatible with existing adjoining commercial land uses (retail sales and services) located within the same City block as the project site and along the adjacent Wilson Way corridor. The project design as proposed was reviewed and will meet all applicable City development standards.

## **SECTION II. REZONE CLASSIFICATION**

Based on its review of the entire record herein, including the accompanying staff report, all supporting, referenced, and incorporated documents, and all comments received, the City Council hereby approves an Amendment for the boundary modification to the Zoning Map for APNs 153-030-23; -24; -25; -26; -27; -28 and 153-030-02; -03; and -04, changing the existing designation of Industrial, Limited (IL) zoning to Commercial, General (CG)

zoning as shown in Exhibit 1, attached and incorporated by this reference.

**SECTION III. SEVERABILITY**

If any part of this Ordinance is held invalid for any reason, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

**SECTION IV. EFFECTIVE DATE**

This Ordinance shall take effect and be in full force thirty (30) days after its passage.

ADOPTED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_

\_\_\_\_\_  
CHRISTINA FUGAZI  
Mayor of the City of Stockton

ATTEST:

\_\_\_\_\_  
KATHERINE ROLAND, CMC, CPMC  
City Clerk of the City of Stockton