

Resolution No.

# STOCKTON CITY COUNCIL

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## **RESOLUTION APPROVING A GENERAL PLAN AMENDMENT FOR ASSESSOR PARCEL NUMBER 072-410-43 BY MODIFYING THE BOUNDARY OF THE EXISTING ADMINISTRATIVE PROFESSIONAL LAND USE DESIGNATION FOR A PROPOSED PROJECT, LOCATED AT 9036 THORNTON ROAD (P23-0083)**

On March 23, 2023, the applicant, Al Shaghghi, submitted a request to, amongst other requests, prepare a General Plan Amendment of approximately 1.48-acres of APN 072-410-43 to a Commercial General Plan Designation and the remaining approximately 0.62-acres to a Medium Density Residential General Plan Designation; and

On October 30, 2023, a public notice for the subject application was published in local newspaper in accordance with Stockton Municipal Code (SMC) Section 16.88.030; and

On November 9, 2023, the Planning Commission conducted a public hearing on the application, in compliance with SMC Section 16.116.040(D), at which point all persons wishing to be heard were provided such opportunity, and direction was given to staff to prepare an approval resolution which was ratified on December 14, 2023; and

On February 6, 2024, the City Council conducted a public hearing on the application, in compliance with SMC Section 16.166.040(D), at which point all persons wishing to be heard were provided such opportunity; and

On February 6, 2024, the City Council approved the General Plan Amendment and Rezone for the Project; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOW:

- A. The foregoing recitals are true and correct and incorporated by reference.
- B. Based on its review of the entire record herein, the City Council affirms the following findings, pursuant to Municipal Code Section 16.116.050.B.1:
  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.*

The proposed General Plan Amendment would maintain consistency with other applicable General Plan goals and policies, including:

Policy LU-4.2 “Attract employment- and tax-generating businesses that support the economic diversity of the city.”

- Policy LU-6.2 “Prioritize development and redevelopment of vacant, underutilized and blighted infill areas.”
- Action CH-2.1C: “Develop incentives to promote reuse of distressed areas, such as through re-zoning, permit streamlining, density bonuses, and other appropriate tools.”
- Policy CH-2.2: “Stimulate investment through partnerships with private property owners, neighborhood groups, health and housing advocates, nongovernmental organizations, and other community supporters.”
- Action CH-2.2A: “...Encourage private investment in older neighborhoods. Cooperate in joint public-private partnerships to invest in older neighborhoods.”

With the adoption of a companion Zoning Map Amendment, the project would not create any inconsistencies with the Development Code. ((16.116.050)(B)(1)(a))

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.*

The proposed development would not result in hazard to the public convenience, health, interest, safety, or general welfare for people working or residing in the City. The development will be subject to compliance with City development standards and for provision of all necessary infrastructure. All necessary City services will be provided as part of the project, including for Police and Fire protection services. ((16.116.050)(B)(1)(b))

3. *The proposed amendment complies with the California Environmental Quality Act (CEQA) and the City’s CEQA Guidelines.*

The proposed amendment complies with the California Environmental Quality Act (CEQA) and the City’s CEQA Guidelines. The proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines, in accordance with the provisions of section 15332(b) - which consists of projects characterized as in-fill development that meet: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. ((16.116.050)(B)(1)(c)).

City Council Action

Based on its review of the entire record herein, including all supporting, referenced, and incorporated documents, and all comments received, the City Council hereby approves a General Plan Amendment to modify the Land Use Map for an approximately 1.48-acre portion of Assessor's Parcel Number 072-410-43 from Administrative Professional to Commercial, and the remaining approximately 0.62-acres portion from Administrative Professional to Medium Density Residential as shown in Exhibit 1.

PASSED, APPROVED, and ADOPTED February 6, 2024.

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KEVIN J. LINCOLN II  
Mayor of the City of Stockton

ATTEST:

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ELIZA R. GARZA, CMC  
City Clerk of the City of Stockton