

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THE CITY COUNCIL CHANGE THE ZONING OF ASSESSOR'S PARCEL NUMBER 094-050-04 FROM COMMERCIAL, OFFICE (CO) TO COMMERCIAL, GENERAL (CG)(APPLICATION NO. P19-0812)

The applicant Steven Torres, on behalf of property owner Amandeep Singh, has submitted a request, among other things, to change the Commercial, Office (CO) zoning designation of Assessor's Parcel Number 094-050-04 to Commercial, General (CG) zoning; and

On February 11, 2021, the Planning Commission conducted a duly noticed public hearing, pursuant to Stockton Municipal Code (SMC) Section 16.116.040(D), to consider the proposed Zoning Map Amendment, at which time all interested parties had the opportunity to be heard; and

On February 11, 2021, and prior to acting on the requested actions, the Planning Commission considered the California Environmental Quality Act (CEQA) determination reflected in the findings below; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOWS:

1. Pursuant to SMC Section 16.116.050(B) Findings of Fact:

- a. The proposed amendment ensures and maintains internal consistency with general land uses, objectives, policies, programs, and actions of all element of the 2040 General Plan. The 2040 General Plan Land Use Map designates the subject site as Commercial. Pursuant to Table 2-1 (General Plan Relationship to Development Code) of the 2040 General Plan, the present Commercial, Office (CO) zoning designation is consistent with the site's General Plan Land Use Map, however, the proposed car wash land use is not permitted in the Commercial, Office (CO) zoning district. The proposed Commercial, General (CG) zone is compatible with the Commercial General Plan Land Use Map designation of Commercial and would allow for the car wash land use. The proposed Zoning Map Amendment action would not create an inconsistency with SMC Title 16 (Development Code) since it pertains to the Zoning Map only and the text of Title 16 (Development Code) would remain unchanged under this action. The proposed Zoning Map Amendment action would further the following General Plan policies:
 - i. Land Use Policy LU-4.2: Attract employment- and tax-generating businesses that support the economic diversity of the city.
 - ii. Land Use Policy LU-6.2: Prioritizing development and redevelopment of vacant, underutilized, and blight infill area.

- b. The proposed Zoning Map Amendment action will not endanger, jeopardize, or otherwise constitute a hazard to public convenience, health, interest, safety, or general welfare of persons residing or working in the City, because the Commercial, General (CG) zoning designation will, as noted above, be compatible with General Plan Land Use Map designation applicable to the site. The Applicant will be installing a new masonry wall between the Project and existing homes on the southern property line. Additionally, hours of operation will be limited from 8:00 AM to 8:00 PM. Both actions endure to mitigate noise impacts to the public. The site will be kept in a clean and safe condition by the business staff.

- c. The proposed Zoning Map Amendment complies with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines, as the project is Categorically Exempt pursuant to CEQA Guidelines section 15332 (In-Fill Development Projects). Per CEQA Guidelines section 15332, the new development must be, (a) consistent with the applicable general plan designation and all applicable general plan policies as well as applicable zoning designation and regulations; (b) occurs within the city limits on a site of no more than five (5) acres substantially surrounded by urban uses; (c) occurs on a site with no value as habitat for endangered, rare, or threatened species; (d) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (e) can be adequately served by all required utilities and public services.

- d. The subject 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 and anticipated land use development. The site is an existing parcel, located in an urban area, and provided with all necessary infrastructure (e.g., roads, utilities). The site is presently substandard regarding development (e.g., no off-street parking, landscaping). Improvement to the underutilized site will bring it into conformance with the development standards.

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2. The Planning Commission hereby recommends the City Council adopt the proposed ordinance for a Zoning Map Amendment, attached hereto as Exhibit 1, to apply a Commercial, General (CG) designation to the Assessor's Parcel Number 094-050-04.

PASSED, APPROVED, and ADOPTED February 11, 2021.

WAQAR RIZVI, CHAIR
City of Stockton Planning Commission

ATTEST:

WILLIAM CREW, SECRETARY
City of Stockton Planning Commission