

**ORDINANCE NO.****AN ORDINANCE AMENDING TITLE 16 OF THE STOCKTON MUNICIPAL CODE RELATED TO THE "ZONING MAP," IN SECTION 16.16.030 OF THE STOCKTON MUNICIPAL CODE, TO APPLY A COMMERCIAL, GENERAL (CG) TO THE ASSESSOR'S PARCEL NUMBER 094-050-04 (APPLICATION NO. P19-0812)**

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

**SECTION I. FINDING AND INTENT**

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

A. The proposed Zoning Map Amendment action ensures and maintains internal consistency with the general land uses, objectives, policies, programs, and actions of all elements of the General Plan. The 2040 General Plan Land Use Map designates the subject site Commercial. Pursuant to Table 2-1 (General Plan Relationship to Development Code) of the General Plan, the present Commercial, Office (CO) designation is consistent with the site's General Plan Land Map designation of Commercial. However, the proposed car wash land use is not permitted in the Commercial, Office (CO) zone. The proposed Commercial, General (CG) zone is compatible with the Commercial General Plan Land Use Map designation of Commercial and allows the proposed land use. The proposed Zoning Map Amendment action would not create any inconsistencies 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; and
- ii. Land Use Policy LU-6.2: Prioritize development and redevelopment of vacant underutilized, and blighted infill areas.

B. The proposed Zoning Map Amendment action 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 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 action complies with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines, because it, along with other requested land use entitlements concerns a project that is Categorically Exempt pursuant to CEQA Guidelines section 15332 (In-Fill Development Projects). The project is (a) is consistent with the applicable general plan designation and all applicable general plan policies as well 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. The site would include site improvements (e.g., off-street parking, landscaping and irrigation, pavement, curbs, and asphalt within the site) to bring the property into conformance with zoning standards.

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 Commercial, General zoning designation and anticipated land use development. The site is an existing parcel, located in an urban area, and provide with all necessary infrastructure (e.g., roads, utilities). The site is presently undeveloped and the proposed improvements to this underutilized site will bring it into conformance with those commercial standards.

**SECTION II. ZONING MAP AMENDMENT**

The Zoning Map, referred to in SMC Section 16.16.030, and by reference made a part hereof, said Code is hereby amended to provide a Commercial, General (CG) zoning designation for Assessor's Parcel Number 094-050-04.

**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.

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**SECTION IV. EFFECTIVE DATE**

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

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

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

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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