

ORDINANCE NO.

AN ORDINANCE AMENDING TITLE 16, CHAPTER 16.16, SECTION 16.16.030 OF THE STOCKTON MUNICIPAL CODE RELATED TO THE “ZONING MAP,” TO RECLASSIFY A PORTION OF THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EIGHT MILE ROAD AND THORNTON ROAD FROM RH (RESIDENTIAL, HIGH-DENSITY) TO CG (COMMERCIAL, GENERAL) (P16-0667)

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 that:

A. The proposed Rezoning ensures and maintains internal consistency with the general land uses, objectives, policies, programs, and actions of all elements of the General Plan on balance and would not create any inconsistencies with the Development Code. The requested Rezoning will be consistent with the following General Plan policies:

- i. Land Use-4.8 Neighborhood Serving Commercial – The City shall encourage small neighborhood serving commercial uses adjacent to and within residential areas where such uses are compatible with the surrounding area and mitigate any significant impacts (i.e., traffic, noise, lighting). The development of commercial center will be established adjacent to the residential area to create compatible uses with an opportunity for a jobs-to-housing relationship and minimize the need for vehicle trips.
- ii. HE-1.2, Avoid Downzoning – The City shall not downzone parcels identified in the Housing Element inventory unless they are replaced concurrently by comparable zoned land elsewhere within the City, or the City makes findings that there still adequate sites in the inventory to meet the remaining regional housing needs allocation. A future high-density residential development containing 234 units will be constructed on the 7.98-acre remainder site with a density of 29 units per acre. By comparison, the City’s Housing Element, adopted in 2016, projected that 222 housing units would be developed on the entire 10.09-acre parcel, so the number of residential units would exceed the Housing Element projection.

B. 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 because the business owner will be required to install a video surveillance system inside and outside of the commercial buildings and security lighting around the exterior of the premises and the parking lot, helping to provide

SECTION IV. EFFECTIVE DATE

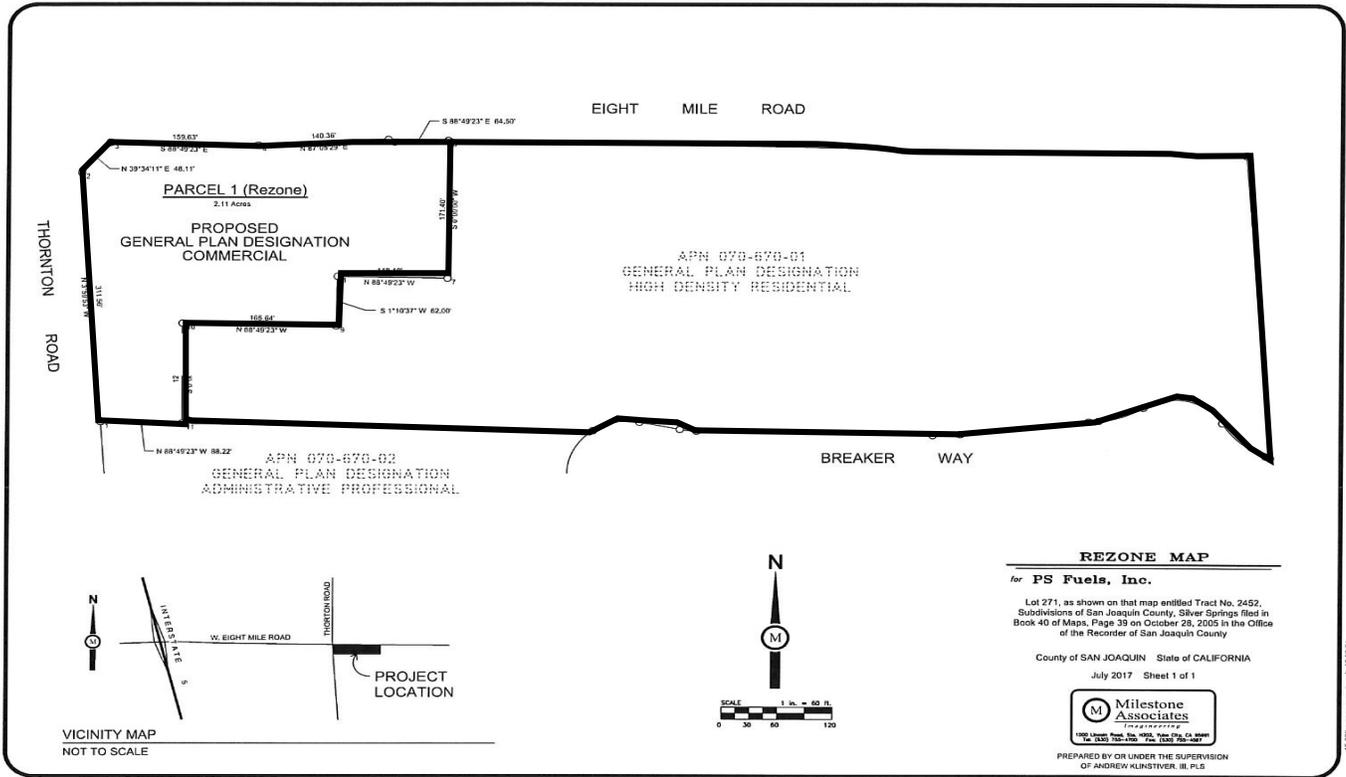
This Ordinance shall take effect and be in full force thirty (30) days after its passage.

ADOPTED: _____
EFFECTIVE: _____

MICHAEL D. TUBBS
Mayor of the City of Stockton

ATTEST:

BRET HUNTER
Interim City Clerk of the City of Stockton



REZONE LEGAL DESCRIPTION

A parcel of land situated in the City of Stockton, County of San Joaquin, State of California; all that portion of Lot 271 as shown on that map entitled Tract No. 2452, subdivisions of San Joaquin County, Silver Springs filed in Book 40 of Maps, Page 39 on October 28, 2005 in the office of the recorder of San Joaquin county, more particularly described as follows:

Beginning at the southwest corner of said Lot 271; thence (1) North 03°59'53" West along the westerly line of Lot 271 and easterly line of Thornton Road a distance of 311.56 feet;

Thence (2) North 39°34'11" East a distance of 48.11 feet to the northerly line of Lot 271 and southerly line of Eight Mile Road;

Thence (3) South 88°49'23" East along the northerly line of Lot 271 and southerly line of Eight Mile Road a distance of 159.63 feet;

Thence (4) North 87°05'29" East a distance of 140.36 feet;

Thence (5) South 88°49'23" East, 64.50 feet;

Thence (6) South 00°00'00" West leaving said northerly line of Lot 271 a distance of 171.40 feet;

Thence (7) North 88°49'23" West a distance of 118.10 feet;

Thence (8) South 01°10'37" West a distance of 62.00 feet;

Thence (9) North 88°49'23" West a distance of 165.64 feet;

Thence (10) South 0°00'00" West a distance of 124.65 feet to the south line of Lot 271;

Thence (11) North 88°49' 23" West along the south line of Lot 271 a distance of 88.22 feet to the point of beginning containing 2.11 acres.