

**ORDINANCE NO.**

**AN ORDINANCE AMENDING TO TITLE 16 OF THE STOCKTON MUNICIPAL CODE RELATED TO THE "ZONING MAP," IN SECTION 16.16.030 OF THE STOCKTON MUNICIPAL CODE, TO RECLASSIFY A PROPERTY FROM IG (INDUSTRIAL, GENERAL) TO IL (INDUSTRIAL, LIMITED), LOCATED AT 6343 TAM O'SHANTER DRIVE (P16-0633)**

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 Policy No. LU-5.5, Compatible Land Use - The City shall ensure an adequate separation between sensitive land uses (residential, educational, healthcare) and industrial land uses to minimize land use incompatibility associated noise, odors, and air pollutant emissions from industrial uses. Approval of the Rezoning will allow a planned religious facility on the site and the use will create a land use buffer between adjacent CO and IG zoned parcels. It will generate less intensive environmental impacts, including noise, traffic, air pollution, and odors than other existing and permitted uses that would otherwise be permitted in the IG zone; and
- ii. Land Use Policy No. LU-7, Maintaining a Current General Plan - The City shall maintain the General Plan to ensure that it reflects the needs and desires of those who live, work, and vacation in San Joaquin County. The Rezoning of the subject site from IG to IL will be consistent with the site's current Industrial General Plan designation, because the planned use is permitted as a by-right use in the IL zone and would provide religious, counseling, and educational services to serve the community.

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. The subject Rezoning from IG to IL is not expected to 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 planned re-use of the site's existing building is a lower-intensity use than the type of heavy industrial activity allowed under the current zoning.

C. The proposed action is a Categorically Exempt use, in accordance with the provisions of Section 15301, Class 1, of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines, because approval of the Rezoning request will result in a less intensive land use than would otherwise be permitted in the IG zoning district. For that reason, the planned use of the subject site is not expected to result in any significant adverse impacts related to traffic, noise, air quality, or water quality and the site will be adequately served by all required utilities and public services.

D. The site(s) 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), because the area is already supplied with the required infrastructure and has access to a public right-of-way. Approval of the Rezoning will allow the planned re-use of the existing building, and there are no known physical constraints associated the subject site and planned use.

## **SECTION II. REZONING CLASSIFICATION**

That the "Zoning Map," particularly referred to in Section 16.16.030 of the Stockton Municipal Code, and by reference made a part hereof, said Code is hereby amended as follows:

The subject property, which is in the City of Stockton, County of San Joaquin, State of California, is hereby reclassified in accordance with the rezoning description contained in the following Legal Description and Zoning Map, attached hereto 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.

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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: \_\_\_\_\_

\_\_\_\_\_  
MICHAEL D. TUBBS  
Mayor of the City of Stockton

ATTEST:

\_\_\_\_\_  
BONNIE PAIGE  
City Clerk of the City of Stockton

March 17, 2017  
Project No. 16108

EXHIBIT "A"  
LEGAL DESCRIPTION  
REZONE FROM I-G TO I-L

ALL THAT REAL PROPERTY SITUATE IN THE STATE OF CALIFORNIA, COUNTY OF SAN JOAQUIN, CITY OF STOCKTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 22, TOWNSHIP 2 NORTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 13, AS SHOWN UPON MAP ENTITLED, "TRACT NO. 1506, HAMMERTOWN, UNIT NO. 1", FILED FOR RECORD MARCH 16, 1979, IN VOLUME 24 OF MAPS AND PLATS, PAGE 39, SAN JOAQUIN COUNTY RECORDS.



# Zoning Map

