

## **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 THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF LORRAINE AVENUE AND BURGUNDY DRIVE FROM CO (COMMERCIAL, OFFICE) AND IG (INDUSTRIAL, GENERAL) TO RL (RESIDENTIAL, LOW-DENSITY (P17-0027)**

**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:

The City Council approves a Rezone from CO and IG to RL, based on the following findings:

#### **Findings**

1. The proposed Zoning change 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, because approving Rezoning will allow the subject residential development to comply with applicable provisions of the Development Code. The Rezoning maintains consistency with the General Plan Goals and Policies, Housing Element, HE-2.3, Housing Variety:

The City shall encourage and provide opportunities for a variety of housing types that provide market rate, affordable housing opportunities and promote balanced mixed-income neighborhoods, because the project is an infill development and the sale prices for five residences will be compatible with surrounding existing home prices. The residential development will provide homeownership opportunities for moderate-income households.

2. The proposed Rezoning 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 single-family residential development will be compatible with surrounding land use and does not have the potential to constitute a hazard to the public health, safety or welfare of persons residing or working in the area.
3. The subject project is exempt from environmental review under the provisions of the CEQA pursuant to section 15332, Class 32 of the State CEQA Guidelines. The proposed development will be consistent with the applicable General Plan designation, policies and zoning regulations. The site is less than five acres and has no value as habitat for endangered or threatened species. The subject use is not expected to result in any significant, adverse impacts related to traffic, noise,

air quality, or water quality and will be adequately served by all required utilities and public services.

#### **Additional Finding for Rezoning**

4. The 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, because the area is already supplied with the required infrastructure, utilities and accesses. Approval of the Rezoning will allow the single-family residences nearby an existing residential neighborhood to the north and west of the site.

#### **SECTION II. AMENDMENT OF ZONING MAP**

Title 16, Chapter 16.16, Section 16.16.030 of the Stockton Municipal 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 Legal description and Zoning Map, attached hereto as Exhibit 1 incorporated by this reference.

#### **SECTION III. SEVERABILITY**

If any of this ordinance or the application thereof to any person or circumstances is held invalid, that invalidity shall not affect other provisions or applications of the act which can be given without the invalid provision or application, and to this end, the provisions of this act are severable

#### **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, CMC  
City Clerk of the City of Stockton