

Resolution No.

STOCKTON PLANNING COMMISSION

RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO TITLE 16, CHAPTER 16.220, SECTIONS 16.220.030 AND 16.220.100 OF THE STOCKTON MUNICIPAL CODE RELATING TO STRUCTURES OF MERIT (P19-0292)

The City Manager has, pursuant to Stockton Municipal Code (SMC) Section 16.116.030, initiated an amendment to Title 16, Chapter 16.220, Sections 16.220.030, and 16.220.100 of the SMC; and

On April 15, 2019, public notice for the subject application was published in accordance with SMC Sections 16.88.030 and 16.116.040(D); and

On April 25, 2019, the Planning Commission conducted a public hearing on the proposed amendment, in compliance with SMC Section 16.116.040(D), at which point all persons wishing to be heard were provided such opportunity; now, therefore,

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

- A. The foregoing recitals are true and correct and incorporated by reference.
- B. Based upon its review of the entire record herein, the Planning Commission makes the following findings:

Mandatory Findings of Fact for All Amendments (SMC § 16.116.050(B)(1))

1. The proposed amendment 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.

The proposed amendment concerns the creation of due process safeguards consisting of public notice and hearing requirements for the Structure of Merit designation process codified at SMC Section 16.220.100. Proposed safeguards would not conflict with other processes within SMC Title 16 (Development Code) (e.g., SMC Section 16.88.030 (Public Hearing Notices)). No land use or development standards of the General Plan or SMC Title 16 (Development Code) would be modified or effected by the amendment.

General Plan Goal LU-3 (Authentic Neighborhoods) states, "Protect and preserve the authentic qualities of Stockton's neighborhoods and historic districts." The

creation of the new due process safeguards serves to further General Plan Goal LU-3 by enabling greater public participation in the decision-making process for Structure of Merit designations. The amendment also increases transparency in government decision-making by requiring a record of all Structure of Merit actions.

2. The proposed amendment will not be detrimental to the public convenience, health, interest, safety, or general welfare of persons residing or working in the City.

As the amendment concerns administrative matters (e.g., mailing of public notice, record keeping, conducting a public hearing), it has no potential to result in an adverse effect to the public's health, safety or welfare. However, concerning public convenience and interest, the amendment furthers both by enabling greater participation in the Structure of Merit designation process.

3. The proposed amendment complies with the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines.

The proposed amendment is exempt from California Environmental Quality Act (CEQA) under the "general rule" that CEQA applies only to projects which have the potential for causing significant environmental effects, as specified in section 15061(b)(3). Approval of the required amendments constitutes an administrative action that will not result in direct or indirect physical changes in the environment, and any future projects that would rely on these amendments, will require further case-specific environmental review under CEQA.

Additional Finding for Development Code Amendments (SMC § 16.116.050(B)(2))

4. The proposed amendment would be internally consistent with other applicable provisions of this Development Code.

The proposed amendment creates public notice and hearing requirements for the Structure of Merit designation process codified at SMC Section 16.220.100, consistent with other like-processes under the Code. Related code sections (i.e., SMC Chapter 16.88 and Chapter 16.100) are referenced without creating new and/or modified provisions that may create a conflict.

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C. The Planning Commission hereby recommends to the City Council adopt amendments to Title 16, Chapter 16.220, Sections 16.220.030 and 16.220.100 of SMC relating to Structures of Merit, as set forth in Exhibit 1, attached hereto and incorporated by this reference.

PASSED, APPROVED and ADOPTED: April 25, 2019.

KIMBERLY WARMSLEY, CHAIR
City of Stockton Planning Commission

ATTEST:

MICHAEL MCDOWELL, SECRETARY
City of Stockton Planning Commission