

ORDINANCE NO.

AN ORDINANCE APPROVING A REZONE FOR A PORTION OF ASSESSOR PARCEL NUMBER 070-670-32 BY CHANGING THE RESIDENTIAL, HIGH DENSITY ZONING DESIGNATION TO COMMERCIAL, GENERAL FOR THE PROPOSED CAR WASH DEVELOPMENT PROJECT, LOCATED AT THE SOUTHEAST CORNER OF EIGHT MILE ROAD AND THORNTON ROAD (P19-0411)

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

SECTION I. FINDINGS AND INTENT

The City Council of the City of Stockton finds, pursuant to Stockton Municipal Code section 16.116.050(B):

A. Based on its review of the entire record herein, the Planning Commission makes the following recommended findings to City Council, pursuant to Municipal Code section 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 Zoning Map Amendment would maintain consistency with applicable General Plan goals and policies, including:

- Commercial land use designation: This land use designation allows for a wide range of retail, service, and commercial recreational uses.
- Goal LU-6: Provide for orderly, well-planned, and balanced development.

As the proposed amendment concerns the Zoning Map, no inconsistencies with the Development Code text would result.

2. 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 proposed development would not result in hazard to the public convenience, health, interest, safety, or general welfare for people working or residing in the City. The car wash development will be subject to compliance with City development standards and for provision of all necessary infrastructure. All necessary City services will be provided as part of the project, including for Police and Fire protection services.

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

A complete CEQA analysis for the development project was performed in completing an Addendum to the original project IS/MND, including updated traffic, noise and air quality analyses. The project would not result in creation of any new potentially significant environmental impacts compared to the original project, though revisions made to the project resulted in reduction in noise impacts, allowing for elimination of two noise Mitigation Measures.

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(s) and anticipated land use developments.

The project site is physically suitable for the proposed development. All necessary on- and off-site roadways, water, wastewater, and storm drainage infrastructure and utilities will be installed by the developer. Development will meet all applicable City standards. There would be no conflict with adjacent land uses due to proper site planning and design.

SECTION II. REZONE CLASSIFICATION

Based on its review of the entire record herein, including the accompanying staff report, all supporting, referenced, and incorporated documents, and all comments received, the City Council hereby approves a Rezone to modify the Land Use Map for a portion of Assessor's Parcel Number 070-670-32 from Residential, High-Density (RH) to Commercial, General (CG), as shown in Exhibit 1, attached 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 passes the remainder of this Ordinance, is 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:

ELIZA R. GARZA, CMC
City Clerk of the City of Stockton