

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION AUTHORIZING THE FILING WITH THE LOCAL AGENCY FORMATION COMMISSION AN APPLICATION FOR THE ANNEXATION OF ASSESSOR'S PARCEL NUMBER 130-030-06 AND -07, ABUTTING PORTIONS OF MARANATHA DRIVE AND MORELAND STREET, TO THE CENTERLINE OF EAST HAMMER LANE WITH RELATED CITY SERVICES PLAN WITH CONCURRENT DETACHMENT FROM THE WATERLOO-MORADA FIRE DISTRICT

On November 13, 2019, the applicant, KFP Stockton, LLC submitted a request to, amongst other requests, annex Assessor's Parcel Number (APN) 130-030-06 and -07, abutting portions of Maranatha Drive, and to the centerline of East Hammer Lane into the City of Stockton; and

The petition for annexation is for the purposes of obtaining general City services as outlined in the City Services Plan; and

The subject territory is not subject to a Williamson Act contract; and

The subject territory will, upon annexation, be able to receive normal City services as required by Section 56653 of the Cortese/Knox Local Government Reorganization Act of 1985; and

In accordance with Section 56375(a)(7) of the Cortese/Knox Local Government Reorganization Act of 1985 and the policies of the San Joaquin County Local Agency Formation Commission, the City Council has concurrently with this resolution adopted an ordinance to prezone APN 130-030-06 AND -07 to Commercial, General (CG) Zone; and

Pursuant to Stockton Municipal Code Section 16.216.070(H)(2), the following findings of fact are made:

- a) The subject territory is located within the urban services area of the City;
- b) APN 130-030-06 AND -07 have been prezoned, as described above;
- c) The subject territory is contiguous to the existing City limits;
- d) The proposed annexation does not split a line of assessment and would, as described in the Addendum to the 2040 General Plan Environmental Impact Report, prepared for the overall project, include a future subdivision map application to ensure property ownership lines align with the City limit boundary established by the annexation. This finding is supported by San Joaquin County Local Formation Agency Commission Policy 10 (Definite

and Certain Boundaries) which requires: (a) all boundaries shall be and certain and conform to lines of assessment or ownership; and (b) acknowledgement by the City of Stockton that the Commission may impose a condition on the annexation requiring the recordation of a parcel map to avoid creating remnants of legal lots.

- e) The proposal does not create islands or areas in which it would be difficult to provide City services. The subject territory includes a corner parcel abutting two public roads within requisite infrastructure (e.g., water, sewer, stormwater) located within or in immediate proximity. The proposal utilizes said services without creating a feature that may make their delivery difficult to other areas.
- f) The 2040 General Plan Land Use Map designates the subject site Commercial. Pursuant to Table 2-1 (General Plan Relationship to Development Code) of the General Plan, the CG Zone is compatible with the Commercial General Plan Land Use Map designation of Commercial.

The proposed annexation would further the following General Plan policies:

- Goal LU-4: Attract and retain companies that offer high-quality jobs with wages that are competitive with the region and state.
- Policy LU-4.2: Attract employment- and tax-generating businesses that support the economic diversity of the city.
- Policy LU-6.2: Prioritize development and redevelopment of vacant, underutilized, and blighted infill areas.

Consistency of the annexation proposed with these policies is demonstrated through its ability to enable development of a new commercial land use in a location that is both vacant and contiguous to the existing City limits. Said commercial zoning is capable of providing high-quality jobs and tax-generating business(es) now absent from the subject site.

On September 28, 2021, the City Council held a duly noticed public hearing, pursuant to Stockton Municipal Code Section 16.216.070, at which time all interested parties had the opportunity to be heard; and

On September 28, 2021, and prior to acting on this request, the City Council considered and certified the Environmental Impact Report prepared pursuant to the California Environmental Quality Act; now, therefore,

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

1. As referenced above, per SMC 16.216.070(H)(2), all findings of fact can be made to approve the annexation request.
2. The City Manager is authorized to file with the San Joaquin County Local Agency Formation Commission, the above-noted annexation request and the City Services Plan, attached as Exhibit 1 and incorporated herein by this reference.
3. The San Joaquin County Local Agency Formation Commission is hereby requested to approve: (a) the above-noted annexation of territory to the City of Stockton as depicted on Exhibit 2; and (b) the detachment of said territory from the Waterloo-Morada Fire District.

PASSED, APPROVED, and ADOPTED September 28, 2021.

KEVIN J. LINCOLN II
Mayor of the City of Stockton

ATTEST:

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