

ORDINANCE NO.

AN ORDINANCE AMENDING THE STOCKTON ZONING MAP FOR REZONING 2.69±-ACRES, INCLUSIVE OF ASSESSOR'S PARCEL NUMBERS (APNs) 090-550-64 and -65, BY ASSIGNING COMMERCIAL, GENERAL (CG) ZONING DESIGNATION IN PLACE OF THE CURRENT COMMERCIAL, NEIGHBORHOOD (CN) ZONING DESIGNATION (P25-0025)

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, pursuant to SMC Section 16.116.050(B)(1) and (3), that:

- a. Finding #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.

Evidence: The proposed Rezone is consistent with the General Plan land use designation of Commercial as the CG zoning district is allowed within the Commercial Designation. The proposed rezone will not result in any inconsistencies, endanger the public health and safety, or result in an unforeseen environmental impact beyond what was previously envisioned for the area.

The Project would further General Plan policies aimed at attracting and retaining companies that offer high-quality jobs with wages that are competitive with the region and State (Goal LU-4), attracting employment and tax-generating businesses in the City (Policy LU-4.2), and prioritizing development and redevelopment of vacant, underutilized, and blighted infill areas (Policy LU-6.2).

- b. Finding #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.

Evidence: The proposed amendment, along with 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 amendment would allow the site to be considered for a wider variety of commercial uses that are subject to compliance with City development standards and for provision of all necessary infrastructure. As for the accompanying project, all necessary City services will be provided as part of the project, including for

Police and Fire protection services. The proposed uses are compatible uses to the surrounding community.

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

Evidence: The proposed Zoning Map Amendment and accompanying development project, is Categorically Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15332, Infill Development Projects, because it is consistent with the applicable general plan designation and all applicable general plan policies, and with approval of Zoning map amendment, the Project will be consistent with the CG zoning designation and development regulations. The proposed development occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses. The Project site has no value as habitat for endangered, rare or threatened species. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services.

- d. Finding #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 development(s).

Evidence: Based on the information provided by the applicant and each Department's analysis, the subject site is physically suitable for the requested zoning designation and anticipated land use 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 Zoning Map Amendment to change the existing zoning designation of APNs 090-550-64 and -65 (2.69± acres) from Commercial, Neighborhood (CN) zoning to Commercial, General (CG) zoning 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 passed the remainder of this Ordinance if such invalid portion thereof had been deleted.

SECTION IV. EFFECTIVE DATE

This Ordinance shall take effect and be in full force thirty (30) days after its passage.

ADOPTED: _____

EFFECTIVE: _____

CHRISTINA FUGAZI
Mayor of the City of Stockton

ATTEST:

KATHERINE ROLAND, CMC, CPMC
City Clerk of the City of Stockton