

ORDINANCE NO.

AN ORDINANCE APPROVING A REZONE OF ASSESSOR PARCEL NUMBER 072-410-43 FROM COMMERCIAL, OFFICE (CO) TO COMMERCIAL, GENERAL (CG) FOR A 1.48-AC PORTION OF THE SITE AND RESIDENTIAL, MEDIUM DENSITY (RM) FOR THE REMAINING 0.62-AC, LOCATED AT 9036 THORNTON ROAD (P23-0083)

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 and B3:

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:

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

As the proposed amendment concerns the Zoning Map, no inconsistencies with the Development Code text would result. ((16.116.050)(B)(1)(a))

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 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. ((16.116.050)(B)(1)(b))

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

The proposed project is Categorically Exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines, in accordance with the provisions of section 15332(b) - which consists of projects characterized as in-fill development that meet: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. (c) The project site has no value as habitat for endangered, rare or threatened species. (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. (e) The site can be adequately served by all required utilities and public services. ((16.116.050)(B)(1)(c))

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.

Based on the information provided by the applicant and each departments analysis, the subject 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. ((16.116.050)(B)(3))

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 an Amendment for the boundary modification to the Zoning Map of APN 072-410-43, changing the existing designation of Commercial, Office (CO) zoning to Commercial, General (CG) zoning for a 1.48-acre portion of the site, and Residential, Medium Density (RM) for the remaining 0.62-acres, as shown in Exhibit 1, attached and incorporated by this reference.

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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.

SECTION IV. EFFECTIVE DATE

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

ADOPTED: _____

EFFECTIVE: _____

KEVIN J. LINCOLN II
Mayor of the City of Stockton

ATTEST:

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