

COUNCIL AGENDA – NOVEMBER 5, 2013

SUBJECT: SECOND READING – ORDINANCE 1798, APPROVING ZONE CHANGE
(PRC 2013-014-Z)

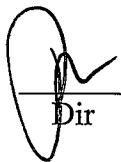
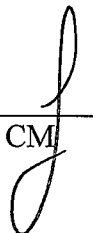
SOURCE: ADMINISTRATIVE SERVICES/CITY CLERK DIVISION

COMMENT: Ordinance No. 1798, An Ordinance of the City Council of the City of Porterville Approving Zone Change (PRC2013-014-Z) From CG (General and Service Commercial) to IG (General Industrial) for that 10.21± Acre Site Located Generally at the Northwest Corner of North Grand Avenue and North Main Street, was given first reading on October 15, 2013, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1798, waive further reading, and adopt said Ordinance.

ATTACHMENT: Ordinance No. 1798

Item No. 19

 Dir	<i>N/A</i> Approp./ Funded	 CM
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ORDINANCE NO. 1798

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
APPROVING ZONE CHANGE (PRC 2013-014-Z) FROM CG (GENERAL AND SERVICE
COMMERCIAL) TO IG (GENERAL INDUSTRIAL) FOR THAT 10.21± ACRE SITE
LOCATED GENERALLY AT THE NORTHWEST CORNER OF NORTH GRAND AVENUE
AND NORTH MAIN STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of October 15, 2013, conducted a public hearing to approve findings and consider Zone Change (PRC 2013-014-Z), being a change of zone from CG (General and Service Commercial) to IG (General Industrial) for two parcels; the primary parcel of 10.05± acres (APN 243-190-016) and a smaller parcel of 6805± square feet (APN 255-250-012) located at the northwest corner of North Grand Avenue and North Main Street; and

WHEREAS: The City Council of the City of Porterville determined that the proposed Zone Change (PRC 2013-014-Z) is consistent with the guiding and implementation policies of the adopted 2030 General Plan; and

WHEREAS: That a Mitigated Negative Declaration was prepared for the project in accordance with the California Environmental Quality Act and was transmitted to interested agencies and made available for public review and comment. The review period ran for 30 days from September 13, 2013, to October 14, 2013. One comment letter was received on the Initial Study. The San Joaquin Valley Air Pollution Control District wrote to concur with the findings of the Mitigated Negative Declaration, and ask that the applicant be reminded that the proposed project is subject to District Rule 9510, which applies to development projects of this scale. No other comments were received; and

WHEREAS: The City Council made the following findings that the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted:

- a. The project supports and complies with General Plan policies.

Specifically, the project promotes a sustainable, balanced land use pattern that responds to the needs of a re-emergent economy, while also encouraging industrial growth (LU-G-1 and LU-G-3). Additionally, by inviting solar energy with the proposed project, the City is promoting sustainability for other future project which could benefit from the available clean energy.

- b. Development of the site as proposed has been reviewed by the Project Review Committee, which has provided direction consistent with the City's development standards.
- c. The General Plan designation for the subject area was approved by the City Council on October 15, 2013, modifying the General Plan designation from General and Service Commercial to Industrial for the subject site.
- d. The subject Zone Change will not create adverse environmental impacts on the adjacent neighborhood when mitigation measures as defined in the mitigation

monitoring report are met, and standards of the Development Ordinance and General Plan are applied to the subsequent development project.

NOW, THEREFORE, BE IT ORDAINED: That the City Council of the City of Porterville does ordain as follows:

- Section 1: That the following described property in the City of Porterville, County of Tulare, State of California, known as Zone Change PRC 2013-014-Z, is hereby rezoned from CG (General and Service Commercial) to IG (General Industrial), pursuant to Section 3 below, for the parcels described herein as Assessor's Parcel Numbers 243-190-016 and 255-250-012 located at the northwest corner of North Grand Avenue and North Main Street; and
- Section 2: It is further ordained that all records of the City of Porterville, together with the official zoning map of the City of Porterville, shall be changed to show the above described real property is rezoned from CG (General and Service Commercial) to IG (General Industrial) for the parcels described above, more particularly shown on the attached map as Exhibit "A"; and
- Section 3: This ordinance shall be in full force and effect not sooner than thirty (30) days from and after the ordinance's publication and passage.

PASSED, APPROVED AND ADOPTED this 5th day of November, 2013.

By: _____
Cameron J. Hamilton, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk