

COUNCIL AGENDA – DECEMBER 16, 2014

SUBJECT: SECOND READING – ORDINANCE 1819, APPROVING ZONE CHANGE (PRC 2014-026-GZ)

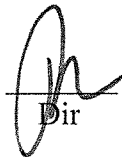
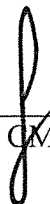
SOURCE: ADMINISTRATIVE SERVICES DEPARTMENT/CITY CLERK DIVISION

COMMENT: Ordinance No. 1819, An Ordinance of the City Council of the City of Porterville approving Zone Change (PRC 2014-026-GZ) from CN (Neighborhood Commercial) and RM-2 (Medium Density Residential) to CR (Retail Centers) for that 1.3± acre site located at the southwest corner of Henderson Avenue and Newcomb Street, was given first reading on December 2, 2014, and has been printed.

RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1819, waive further reading, and adopt said Ordinance.

ATTACHMENT: Ordinance No. 1819

Item No. 14

 Dir	<u>N/A</u> Approp./ Funded	 CM
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ORDINANCE NO. 1819

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE (PRC 2014-026-GZ) FROM CN (NEIGHBORHOOD COMMERCIAL) AND RM-2 (MEDIUM DENSITY RESIDENTIAL) TO CR (RETAIL CENTERS) FOR THAT 1.3± ACRE SITE DESCRIBED HEREIN LOCATED AT THE SOUTHWEST CORNER OF HENDERSON AVENUE AND NEWCOMB STREET

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of December 2, 2014, conducted a public hearing to approve findings and consider Zone Change PRC 2014-026-GZ, being a change of zone from CN (Neighborhood Commercial) and RM-2 (Medium Density Residential) to CR (Retail Centers) located at the southwest corner of Henderson Avenue and Newcomb Street (APNs 245-070-087, 245-070-036, 245-070-047 and 245-070-083); and

WHEREAS: The City Council of the City of Porterville determined that the proposed Zone Change (PRC 2014-026-GZ) is consistent with the guiding and implementation policies of the adopted 2030 General Plan; and

WHEREAS: Development of the project area would require additional review by the Project Review Committee and would be subject to the City's development standards and the General Plan Land Use Implementation Policies, including but not limited to General Plan Land Use Implementation Policy LU-I-21 (prohibits new strip commercial development); 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 thirty (30) days from October 31, 2014 to December 1, 2014; 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 the following General Plan guiding policies:
 - LU-G-1: Promote a sustainable, balanced land use pattern that responds to existing needs and future needs of the City.
 - LU-G-3 Promote sustainability in the design and development of public and private development projects.
 - LU-G-11: Foster strong, visually attractive regional commercial centers with a mix of tenants to serve both local and regional needs.
 - LU-G-21: Prohibit new strip commercial developments.
- b. Development of the site would be required to be reviewed by the Project Review Committee and would be subject to the City's development standards.

- c. An amendment to the General Plan designation is being processed concurrently with this Zone Change request. Approval of the Zone Change is contingent upon the approval of General Plan Amendment (PRC 2014-026-GZ), to ensure consistency between the General Plan and Zoning. The Zone Change from CN (Neighborhood Commercial) and RM-2 (Medium Density Residential) to CR (Retail Centers) would foster strong, visually attractive regional commercial center with a mix of tenants to serve both local and regional needs
- d. The subject Zone Change will not create adverse environmental impacts on the biological resources or adjacent neighborhood when mitigation measures are implemented 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 2014-026-GZ, is hereby rezoned from CN (Neighborhood Commercial) and RM-2 (Medium Density Residential) to CR (Retail Centers) pursuant to Section 3 below, for the parcels described herein as Assessor's Parcel Numbers 245-070-087, 245-070-036, 245-070-047 and 245-070-083 located on the southwest corner of Henderson Avenue and Newcomb 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 CN (Neighborhood Commercial) and RM-2 (Medium Density Residential) to CR (Retail Centers) for the site 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, subject to the following condition:

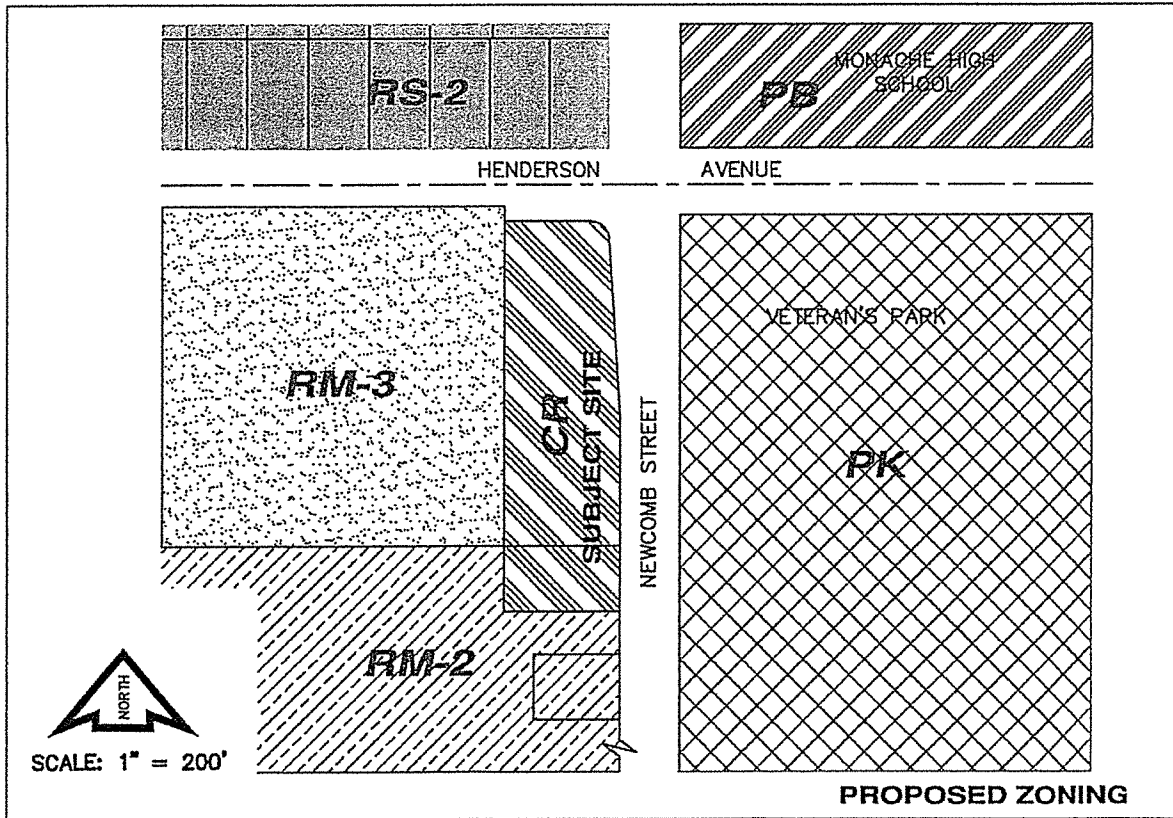
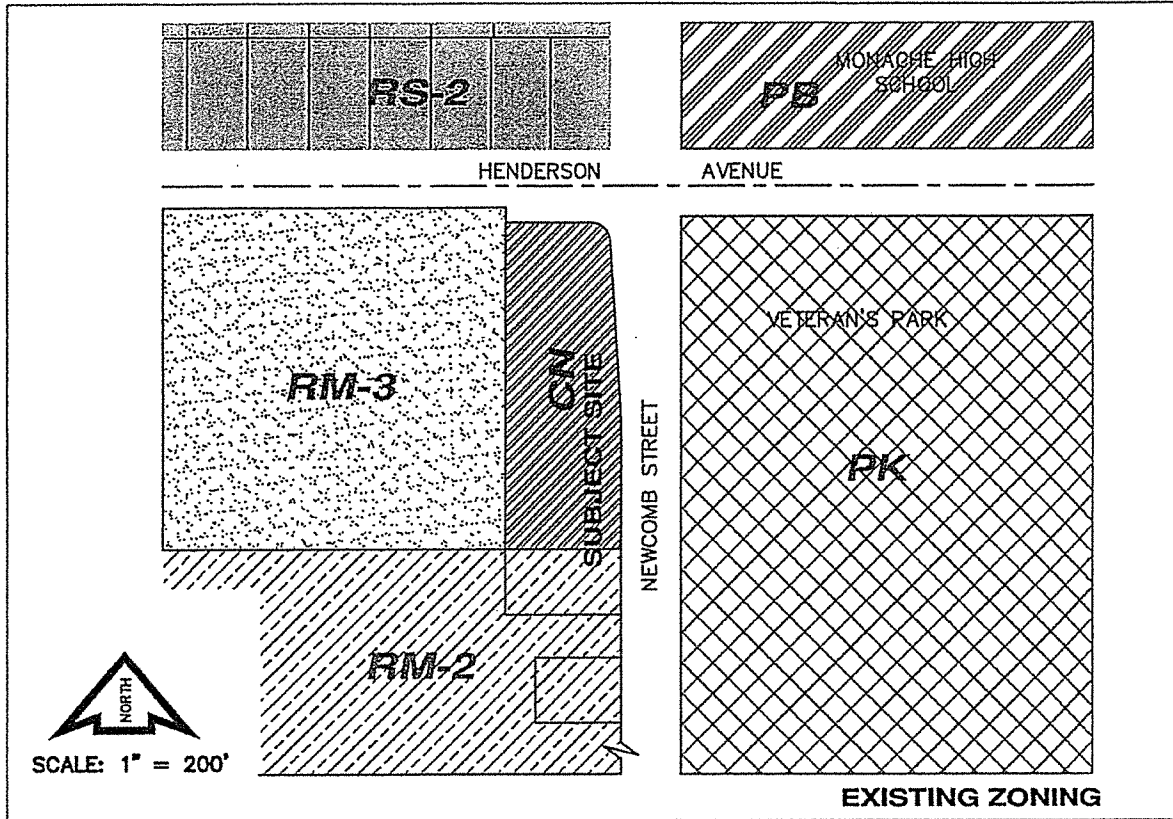
Development of the site would be required to be reviewed by the Project Review Committee and would be subject to the City's development standards.

PASSED, APPROVED AND ADOPTED this ____ day of December, 2014.

By: _____
Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk



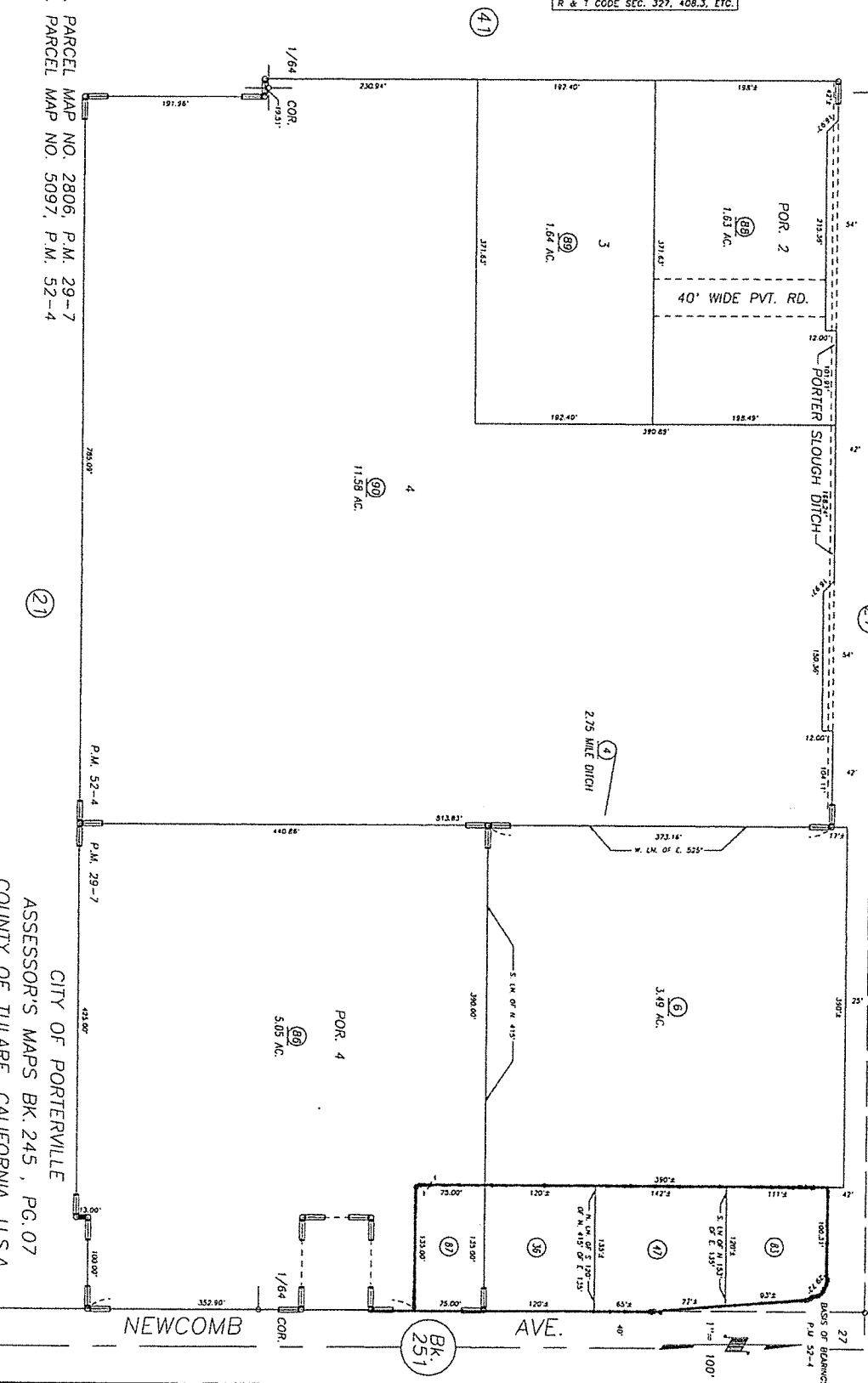
2011

N/2 OF NE/4 OF NE/4 SEC.28, T.21S., R.27E., M.D.B. & M.
 HENDERSON AVE. 160 AVE. 21 22
 Tax Area Codes 245-07
 004-023



DISCLAIMER
 THIS MAP WAS PREPARED FOR LOCAL PROPERTY ASSESSMENT PURPOSES ONLY AND THE PARCELS SHOWN HEREON MAY NOT COMPLY WITH STATE AND LOCAL SUBDIVISION ORDINANCES. AND NO LIABILITY IS ASSUMED FOR THE USE OF THE INFORMATION SHOWN HEREON. R & T CODE SEC. 327, 408.3, ETC.

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POR. PARCEL MAP NO. 2806, P.M. 29-7
 POR. PARCEL MAP NO. 5097, P.M. 52-4

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CITY OF PORTERVILLE
 ASSESSOR'S MAPS BK. 245, PG. 07
 COUNTY OF TULARE, CALIFORNIA, U.S.A.

NOTE: Assessor's Parcel Numbers Shown in Circles (1) (1.23)
 Assessor's Block Numbers Shown in Ellipses (123)

2013-080842	07/01/2014	ARP
REVISION	DATE	TECH

Bk. 251

BASES OF BEARINGS
 P.M. 52-4