

ORDINANCE NO. 2024-04-02-1601-01

ORDINANCE APPROVING AMENDMENTS TO THE STOCKTON CITYWIDE ZONING MAP FOR AMENDMENTS TO THE PREVIOUSLY APPROVED CANNERY PARK SUBDIVISION PROJECT LOCATED ON MULTIPLE PARCELS AT 3827 PFC JESSE MIZENER STREET (APNs 122-020-32, -33, -38 and -60)(P21-0435)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STOCKTON AS FOLLOWS:

SECTION I. FINDINGS AND INTENT

Amendments to Zoning Map

- A. Pursuant to SMC section 16.116.050(B) "Mandatory Findings of Fact," an amendment to the Stockton Zoning Map may be approved only if all of the findings of fact listed below, can be made.
- I. The project site is currently zoned CG (Commercial, General) for 88.61 acres and RH (Residential, High Density) for 11.27 acres. The proposed rezoning would reclassify to 19.76 acres of CG, 12.34 acres of RH and 67.78 acres of RL (Residential, Low Density). As the Project areas are surrounded by development, it would be physically suitable to accommodate the change, is needed to comply with the General Plan amendment request, the rezone complies with City standards.
 - II. The design of the proposed development will not cause serious public health or safety problems. The proposed commercial and high density residential was previously approved on the subject property. The layout is being requested to be revised. The proposed low density residential uses are compatible with the adjacent residential uses to the south and west surrounding the subject site and will not cause serious public health or safety problems. All on-site and off-site improvements to serve the development will be constructed as part of the Project, which provides a public benefit. Any potential health risks have been evaluated in the Addendum to the Cannery Park EIR and are as necessary, addressed.
 - III. The proposed project site was previously certified for an EIR by the Cannery Park EIR [SCH # 2003042022]. The EIR Addendum was prepared for the proposed project in compliance with the California Environmental Quality Act (CEQA) section 15164, since the project is requesting a change of a previously certified EIR, and the proposal does not result in substantial changes or create new significant environmental effects beyond what was anticipated in the original EIR.

- IV. (Additional Finding for Zoning Map Amendments). The Project will install on-site and off-site improvements, including public streets, sidewalks, curbs, gutters, sidewalk, landscaping, and street lighting. All proposed utilities (e.g., water, sewer, storm drainage) will be extended to the subject site from the existing subdivision to the southwest and comply with the City's Standard Plans and Specifications.

Residential Density

- B. Pursuant to Government Code section 65863, the City may not reduce the residential density for any parcel to a lower residential density unless it makes written findings supported by substantial evidence of both of the following:

- I. The reduction is consistent with the adopted General Plan, including the housing element.

Evidence: The City of Stockton 2015-2023 Housing Element included the Cannery Park project high- and low-density units but did not anticipate residential uses in the commercial zoned designations. Since the proposed amendment will maintain the high-density housing units and add 331 new low-density units, the map amendments will add residential capacity beyond what was anticipated in the Housing Element.

- II. The remaining sites identified in the housing element are adequate to meet the requirements of section 65583.2 and to accommodate the jurisdiction's share of the regional housing need pursuant to section 65584. The finding shall include a quantification of the remaining unmet need for the jurisdiction's share of the regional housing need at each income level and the remaining capacity of sites identified in the housing element to accommodate that need by income level.

Evidence: In addition, the "no net loss" provision of Government Code section 65863 requires that specific findings be made if the City reduces residential density on any property to a lower residential density. As indicated above, the proposed amendment to convert the regional commercial zones to new housing will add housing to the project and city in addition to maintaining neighborhood services retail uses along Eight Mile Road and a new 4-acre neighborhood park.

SECTION II. AMENDMENT CITYWIDE ZONING MAP

The Stockton Citywide Zoning Map pursuant to SMC section 16.16.030 (Zoning Map Adopted) is hereby amended as described in Section I (Finding and Intent) and illustrated in (Exhibit 1) and (Exhibit 2), based on the above findings.

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.

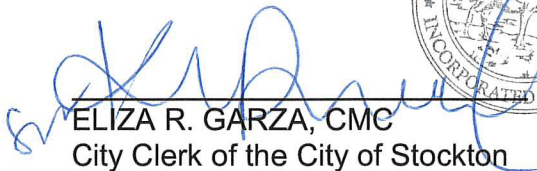
SECTION IV. EFFECTIVE DATE

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

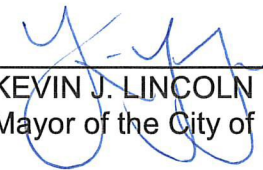
ADOPTED: 2024-04-02

EFFECTIVE: 2024-05-12

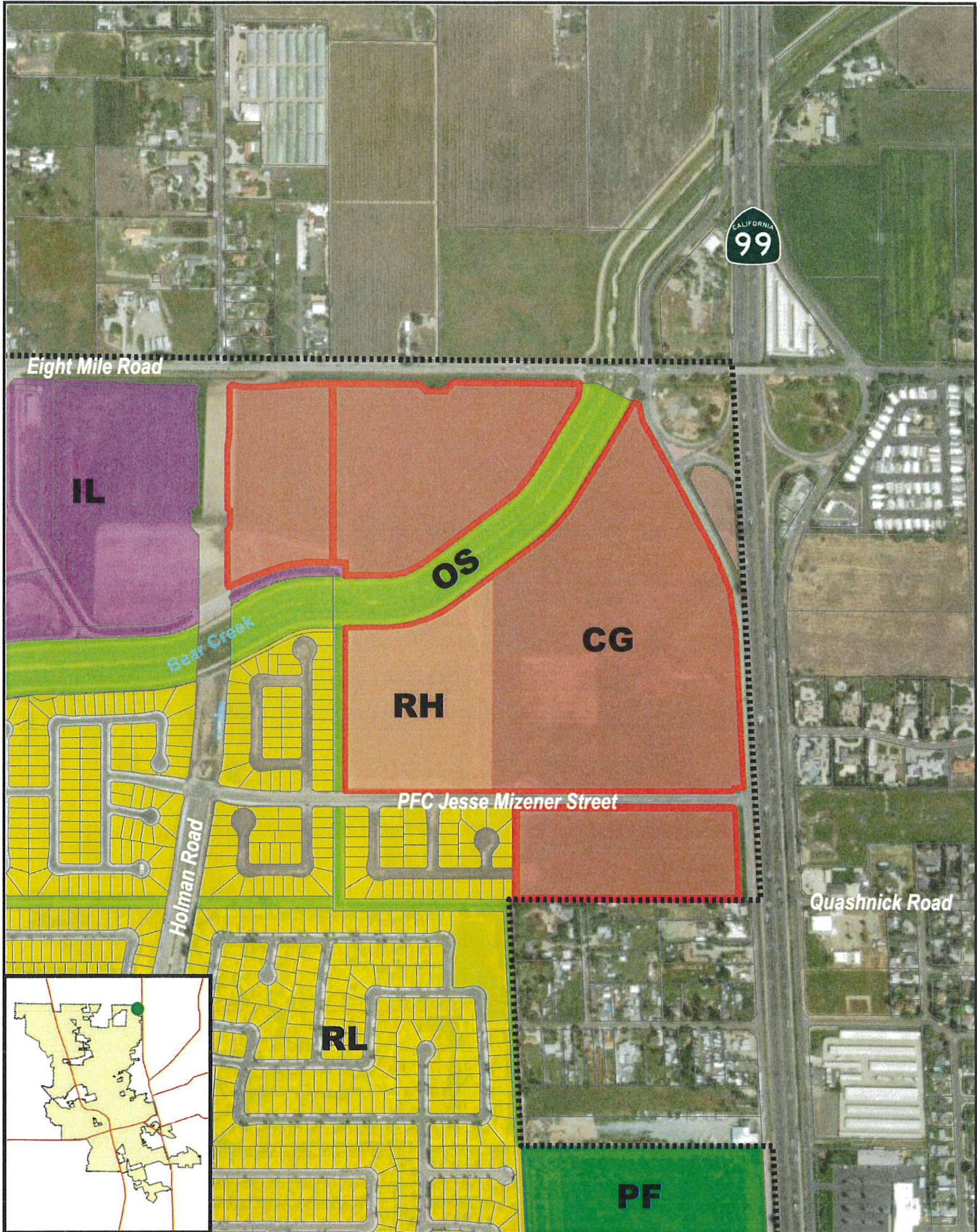
ATTEST:


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



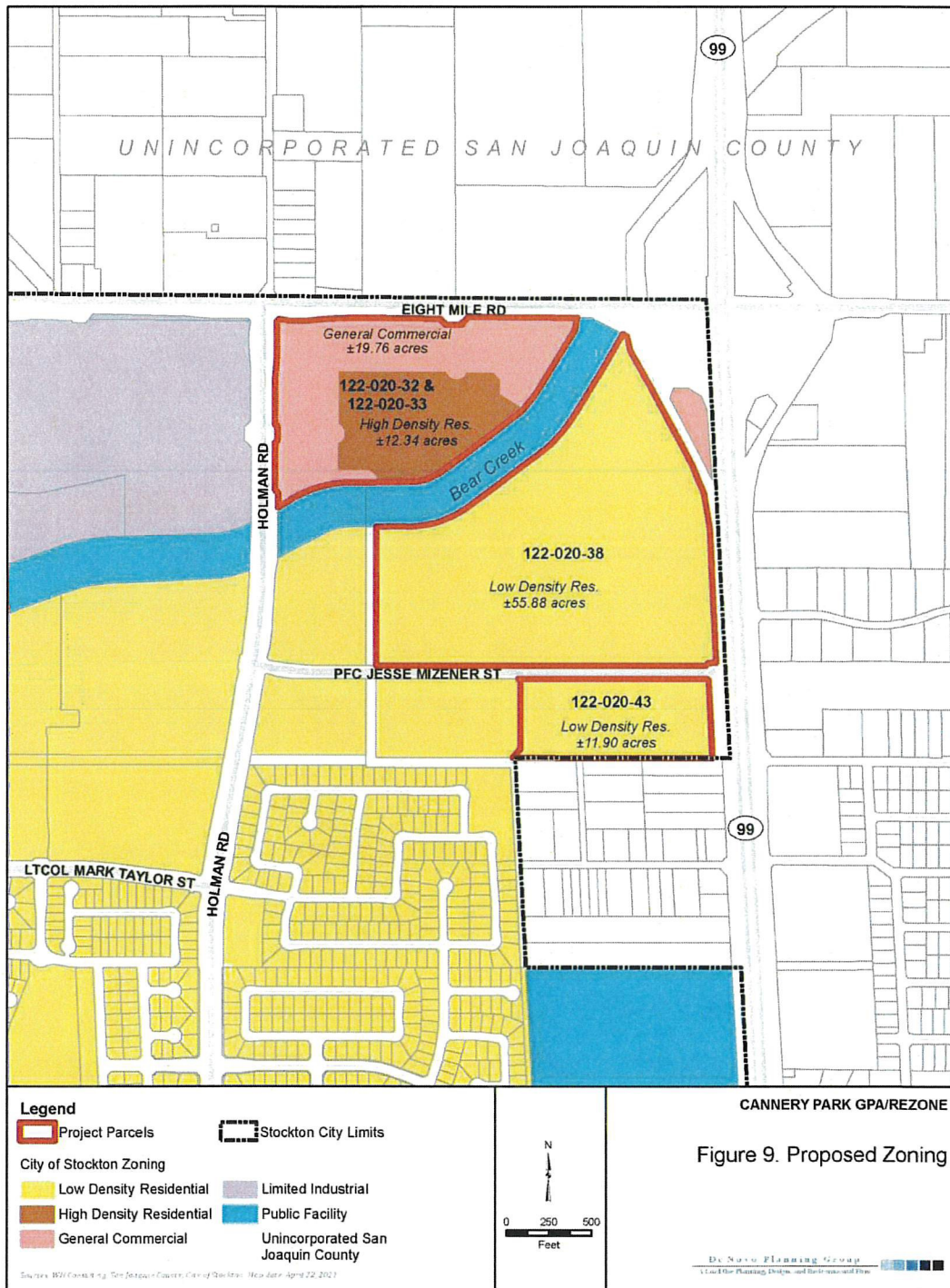


KEVIN J. LINCOLN II
Mayor of the City of Stockton



<p>CITY OF STOCKTON</p>	<p>Legend</p>		<p>CURRENT ZONING MAP</p>	
	<p> City Limits</p> <p> Subject Parcels</p> <p> Low Density Residential Zoning</p>	<p> General Commercial Zoning</p> <p> Open Space Zoning</p> <p> High Density Residential Zoning</p>	<p>MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT</p> <p>City of Stockton, CA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.</p> <p>Map created by: AL</p> <p>Map created on: October 27, 2023</p> <p>Aerial Photo: Esri, Maxar, Earthstar Geographics, and the GIS User Community</p>	

EIR ADDENDUM – CANNERY PARK EIR



**EXHIBIT A
ZONE CHANGE FOR
CANNERY PARK UNIT NO. 1, LOTS 4 & 5
AND CANNERY PARK NO. 12, REMAINDER
LEGAL DESCRIPTION**

Being a portion of Lot 4, and Lot 5, as shown on that certain map entitled "Tract No. 3465, Cannery Park Unit No. 1" filed for record in Book 40 of Maps and Plats, Page 51, Amended per Certificate of Correction recorded as Document No. 2006-081669, and on the map entitled "Tract No. 4076, Cannery Park No. 12-Village C", San Joaquin County Records, City of Stockton, County of San Joaquin, State of California, more particularly described as follows:

PARCEL 1**PROPOSED CG ZONE, CHANGE IN SIZE:**

APN: 122-020-32 & 33

Being a portion of said Lot 4, more particularly described as follows:

BEGINNING at the Northeast corner of said Lot 4; thence, along the Easterly and Southeaster lines of said Lot 4 the following five (5) courses: (L12) South 08°37'05" West 74.09 feet; thence, (L13) South 32°05'10" West 155.94 feet; thence, (L14) South 31°56'19" West 279.44 feet; thence, (L15) South 37°30'51" West 40.68 feet; thence, (L16) South 39°35'53" West 74.78 feet; thence, (L17) North 58°03'48" West 166.20 feet; thence, (L18) North 00°29'52" East 82.94 feet; thence, (L19) North 44°30'08" West 57.26 feet; thence, (L20) North 89°30'08" West 160.61 feet to a non-tangent curve concave to the North having a radius of 63.00 feet, to which a radial line bears (L67) South 66°07'20" East; thence, along said curve (C1) through a central angle of 133°14'25" an arc distance of 146.51 feet, and a chord course of North 89°30'08" West 115.65 feet; thence, (L21) North 89°30'08" West 636.15 feet; thence, (L22) South 00°29'52" West 307.70 feet to a non-tangent curve concave to the West having a radius of 62.50 feet, to which a radial line bears South 24°04'33" West thence, along said curve (C2) through a central angle of 132°50'37" an arc distance of 144.91 feet, and a chord course of South 0°29'52" West 114.56 feet; thence, (L23) South 0°29'52" West 159.64 feet; thence, (L24) North 87°51'54" East 157.64 feet to a tangent curve concave to the Southwest having a radius of 70.00; thence, along said curve (C3) through a central angle of 65°49'23" an arc distance of 80.42 feet, and a chord course of South 59°13'24" East 76.07 feet; thence; thence, (L25) South 26°18'43" East 37.14 feet; thence, (L26) South 88°51'17" West 78.07 feet; thence, (L27) South 89°34'20" West 130.36 feet to a non-tangent curve concave to the Southeast having a radius of 725.76 feet, to which a radial line bears (L69) North 4°48'44" West; thence, along said curve (C4) through a central angle 29°30'30" an arc distance of 373.78 feet, and a chord course of South 70°26'01" West 369.66 feet; thence, (L28) South 61°07'39" West 42.51 feet; thence, (L29) North 78.92 feet; thence, (L30) North 41°27'48" West 30.21 feet; thence, (L31) North 274.78 feet; thence, (L32) North 45°00'00" East 21.21 feet; thence, (L33) North 78.00 feet; thence, (L34) North 45°00'00" West 21.21 feet; thence, (L35) North 269.29 feet to a beginning of curve concave to the East having a radius of 250.00 feet; thence, along said curve

(C5) through a central angle of 05°42'38" an arc distance of 24.92 feet, and a chord course of North 2°51'19" East 24.91 feet; thence, (L36) North 05°42'38" East 63.09 feet to a tangent curve concave to the West having a radius of 500.00 feet; thence, along said curve (C6) through a central angle of 05°42'38" an arc distance of 49.83 feet, and a chord course of North 2°51'19" East 49.81 feet; thence, (L37) North 195.15 feet; thence, (L1) North 45°14'56" East 21.31 feet; thence, (L2) South 79°50'37" East 59.60 feet; thence, (L3) South 89°30'08" East 101.98 feet; thence, (L4) North 84°52'07" East 141.07 feet; thence, (L5) North 87°29'58" East 136.92 feet; thence, (L6) South 89°30'08" East 514.31 feet; thence, (L7) South 44°30'08" East 49.50 feet; thence, (L8) South 89°30'08" East 96.00 feet; thence, (L9) North 00°29'52" East 11.00 feet; thence, (L10) North 45°29'52" East 49.50 feet; thence, (L11) South 89°30'08" East 643.27 feet to **THE POINT OF BEGINNING**.

Containing 19.77 acres, more or less.

PARCEL 2

PROPOSED RH ZONE, CHANGE FROM CG ZONE:

APN: 122-020-32 & 33

Being a portion of said Lot 4, more particularly described as follows:

COMMENCING at a the Northeast corner of said Lot 4; thence, along Easterly and Southeasterly of said Lot 4 the following five (5) courses: (L12) South 8°37'05" West 74.09 feet; (L13) South 32°05'10" West 155.94 feet; (L14) South 31°56'19" West 279.44 feet ; (L15) South 37°30'51" West 40.68 feet; (L16) South 39°55'53" West 74.78 feet to **THE POINT OF BEGINNING**; thence, continue on the Southeasterly line of said Lot 4 (L60) South 39°35'53" West 17.04 feet; thence, (L38) South 53°01'55" West 331.26 feet; thence, (L39) South 53°36'09" West 268.60 feet; thence, (L40) South 63°23'39" West 92.55 feet; thence, (L41) South 80°36'49" West 68.05 feet; thence, (L42) South 88°51'17" West 216.98 feet; thence, leaving last said line (L25) North 26°18'43" West 37.14 feet to a tangent curve concave to the Southwest having a radius of 70.00 feet; thence along said curve (C3) through a central angle of 65°49'23" an arc distance of 80.42 feet, and a chord course of North 59°13'24" West 76.07 feet; thence, (L24) South 87°51'54" West 157.64 feet; thence, (L23) North 0°29'52" East 159.64 feet to beginning of a non-tangent curve concave to the West having a radius of 62.50 feet, to which a radial line bears (L61) South 23°04'49" East; thence, (L22) North 0°29'52" East 307.70 feet; thence, (L21) South 89°30'08" East 636.15 feet to a non-tangent curve concave to the North having a radius of 63.00 feet, to which a radial line bears (L62) South 67°07'04" West; thence, along said curve (C1) through a central angle of 133°14'25" an arc distance of 146.51 feet, and a chord course of South 89°30'08" East 115.65 feet; thence, (L20) South 89°30'08" East 160.61 feet; thence, (L19) South 44°30'08" East 57.26 feet; thence, (L18) South 0°29'52" West 82.94 feet ; thence, (L17) South 58°03'48" East 166.20 feet to **THE POINT OF BEGINNING**.

Containing 12.34 acres, more or less.

PARCEL 3

PROPOSED RL ZONE, CHANGE FROM CG ZONE & RH ZONE:

APN: 122-020-38

Being a portion of said Lot 5, more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 5; thence, (L43) North 89°22'15" East 150.78 feet to beginning of a non-tangent curve concave to the Northwest having a radius of 623.00 feet, to which a radial line bears (L63) South 3°06'54" West; thence, along said curve (C7) through a central angle of 40°11'56" an arc distance of 437.10 feet, and a chord course of North 73°00'56" East 428.19 feet; thence, (L44) North 53°35'08" East, a distance of 513.88 feet to a non-tangent curve concave to the Northwest having a radius of 843.00 feet, to which a radial line bears (L65) South 37°57'44" East; thence, along said curve (C8) through a central angle of 21°16'16" an arc distance of 312.96 feet, and a chord course of North 41°24'08" East 311.17 feet; thence, (L45) North 31°57'15" East 248.32 feet; thence, (L46) North 30°48'26" East 278.36 feet; thence, (L47) North 32°06'05" East 10.36 feet to the most Northerly corner of said Lot 5; thence, (L48) South 62°54'17" East 28.98 feet; thence, (L49) South 12°39'10" East 82.92 feet; thence, (L50) South 29°35'46" East 256.86 feet; thence, (L51) South 28°16'08" East 505.61 feet; thence, (L52) South 22°04'50" East 187.54 feet; thence, (L53) South 09°20'57" East 198.35 feet; thence, (L54) South 02°48'08" East 788.53 feet; thence, (L55) South 87°11'52" West 46.62 feet; thence, (L56) South 43°35'56" West 19.33 feet; thence, West 1,950.75 feet; thence, North 812.38 feet to **THE POINT OF BEGINNING**.

Containing 55.876 acres, more or less.

PARCEL 4

PROPOSED RL ZONE, CHANGE FROM CG ZONE:

APN: 122-020-43

Being said Remainder, more particularly described as follows:

BEGINNING at the Northwest corner of said Remainder; thence, along the Northerly line of said Remainder East 1 100.56 feet; thence, (L57) South 46°24'04" East 13.79 feet; thence, (L58) South 2°48'08" East 453.16 feet; thence, North 89°53'30" West 1132.71 feet; thence, (L59) North 459.98 feet to **THE POINT OF BEGINNING**.

Containing 11.90 acres, more or less.

All Parcels are subject to covenants, conditions, restrictions, reservations, rights, rights-of-way, and easements of record, if any.

See Exhibit B consisting of three sheets attached hereto and made a part hereof.


Kaiser I. Shahbaz, L. S. 8599

3/06/2024

Date





VICINITY MAP
NOT TO SCALE

ABBREVIATIONS:

- AC ACRE
- APN ASSESSOR'S PARCEL NUMBER
- EXIST EXISTING
- PROP PROPOSED
- POB-1 POINT OF BEGINNING OF PARCEL 1 (TYP)
- POC-2 POINT OF COMMENCING OF PARCEL 2 (TYP)

PROPERTY OWNER:

HOLMAN INVESTORS LLC
4114 E EIGHT MILE RD
STOCKTON, CA 95212
122-020-32, 22, 38 & 43

REFERENCE:

- (R1) BK 40 OF MAPS & PLATS, PAGE 51, SJCR
- (R2) BK 44 OF MAPS & PLATS, PAGE 46, SJCR

BASIS OF BEARINGS:

ALL BEARINGS AND DISTANCES SHOWN ARE BASED
ON BK 40 OF MAPS AND PLATS, PAGE 51 PER (R1)

LOTS 4 & 5 OF CANNERY PARK UNIT NO. 1, TRACT NO. 3465, FILED AS BOOK
40 OF MAPS AND PLATS, PAGE 51, SAN JOAQUIN COUNTY RECORDS, AND BEING
A PORTION OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 6 EAST, MOUNT DIABLO
MERIDIAN, CITY OF STOCKTON, SAN JOAQUIN COUNTY, CALIFORNIA



Kaiser Isaac Shahbaz

3/06/2024

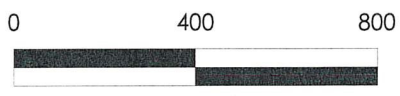
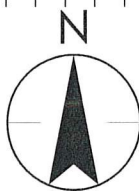
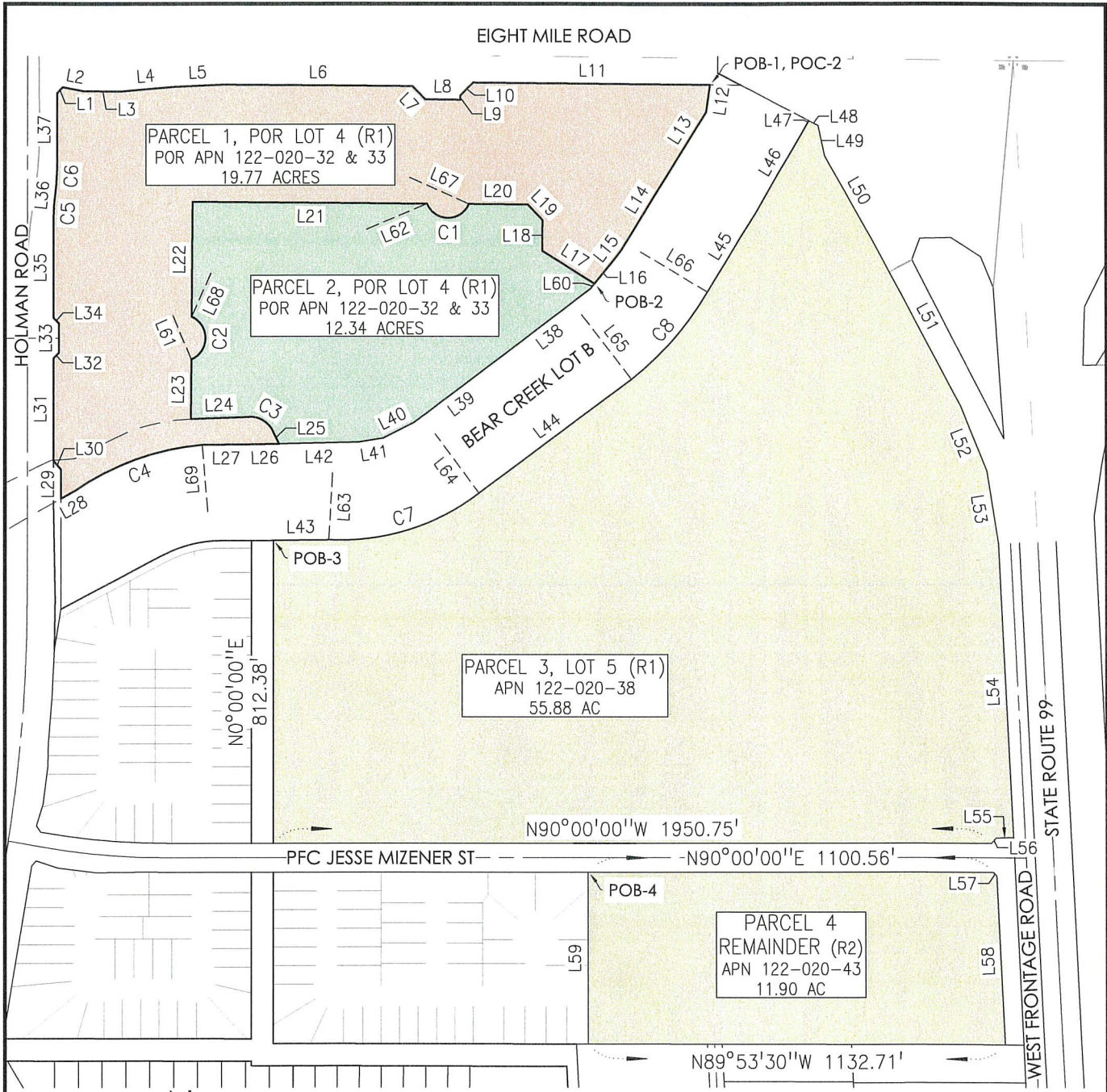
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KS 3/06/2024

HOLAM INVESTORS LLC
4114 E EIGHT MILE ROAD
STOCKTON, CA 95212

PROPOSED ZONE CHANGE
CANNERY PARK UNIT NO. 1, LOTS 4 & 5
AND UNIT NO. 12, REMAINDER
APN 122-020-32, 22, 38 & 43

EXHIBIT
B



SCALE: 1" = 400'

PROPOSED ZONE CHANGE FOR PARCELS:

- PARCEL 1: PROP CG ZONE
REDUCED SIZE OF EXISTING CG ZONE
- PARCEL 2: PROP RH ZONE
FROM EXISTING CG ZONE
- PARCEL 3: PROP RL ZONE
CHANGE FROM RH ZONE AND CG ZONE
- PARCEL 4: PROP RL ZONE
FROM EXISTING CG ZONE

SHEET 2 OF 3

 430 10th Street Modesto, CA 95354 Tel. 209.568.4477 Fax. 209.568.4478	W:\10810300\survey\DRAWING\SHEET FILES\GEN-ZONE CHANGE\DWG\EXB_REZONE.dwg HOLAM INVESTORS LLC 4114 E RIGHT MILE ROAD STOCKTON, CA 95212	KS PROPOSED ZONE CHANGE CANNERY PARK UNIT NO. 1, LOTS 4 & 5 AND UNIT NO. 12, REMAINDER APN 122-020-32, 22, 38 & 43	3/06/2024 EXHIBIT B
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LINE DATA TABLE		
LINE	BEARING	DISTANCE
L1	N45°14'56"E	21.31'
L2	S79°50'37"E	59.60'
L3	S89°30'08"E	101.98'
L4	N84°52'07"E	141.07'
L5	N87°29'58"E	136.92'
L6	S89°30'08"E	514.31'
L7	S44°30'08"E	49.50'
L8	S89°30'08"E	96.00'
L9	N0°29'52"E	11.00'
L10	N45°29'52"E	49.50'
L11	S89°30'08"E	643.27'
L12	S8°37'05"W	74.09'
L13	S32°05'10"W	155.94'
L14	S31°56'19"W	279.44'
L15	S37°30'51"W	40.68'
L16	S39°35'53"W	74.78'
L17	N58°03'48"W	166.20'
L18	N0°29'52"E	82.94'
L19	N44°30'08"W	57.26'
L20	N89°30'08"W	160.61'

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L21	N89°30'08"W	636.15'
L22	S0°29'52"W	307.70'
L23	S0°29'52"W	159.64'
L24	N87°51'54"E	157.64'
L25	S26°18'43"E	37.14'
L26	S88°51'17"W	78.07'
L27	S89°34'20"W	130.36'
L28	S61°07'39"W	42.51'
L29	N0°00'00"E	78.92'
L30	N41°27'48"W	30.21'
L31	N0°00'00"E	274.78'
L32	N45°00'00"E	21.21'
L33	N0°00'00"E	78.00'
L34	N45°00'00"W	21.21'
L35	N0°00'00"E	269.29'
L36	N5°42'38"E	63.09'
L37	N0°00'00"E	195.15'
L38	S53°01'55"W	331.26'
L39	S53°36'09"W	268.60'
L40	S63°23'39"W	92.55'

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L41	S80°36'49"W	68.05'
L42	S88°51'17"W	216.98'
L43	N89°22'15"E	150.78'
L44	N53°35'08"E	513.88'
L45	N31°57'15"E	248.32'
L46	N30°48'26"E	278.36'
L47	N32°06'05"E	10.36'
L48	S62°54'17"E	28.98'
L49	S12°39'10"E	82.92'
L50	S29°35'46"E	256.86'
L51	S28°16'08"E	505.61'
L52	S22°04'50"E	187.54'
L53	S9°20'57"E	198.35'
L54	S2°48'08"E	788.53'
L55	S87°11'52"W	46.62'
L56	S43°35'56"W	19.33'
L57	S46°24'04"E	13.79'
L58	S2°48'08"E	453.16'
L59	N0°00'00"E	459.98'
L60	S39°35'53"W	17.04'

CURVE DATA TABLE					
CURVE	DELTA	RADIUS	LENGTH	CH.BEARING	CHORD
C1	133°14'25"	63.00'	146.51'	N89°30'08"W	115.65'
C2	132°50'37"	62.50'	144.91'	S0°29'52"W	114.56'
C3	65°49'23"	70.00'	80.42'	S59°13'24"E	76.07'
C4	29°30'30"	725.76'	373.78'	S70°26'01"W	369.66'
C5	5°42'38"	250.00'	24.92'	N2°51'19"E	24.91'
C6	5°42'38"	500.00'	49.83'	N2°51'19"E	49.81'
C7	40°11'56"	623.00'	437.10'	N73°00'56"E	428.19'
C8	21°16'16"	843.00'	312.96'	N41°24'08"E	311.17'

LINE DATA TABLE		
LINE	BEARING	DISTANCE
L61	S23°04'49"E	(R)
L62	S67°07'04"W	(R)
L63	S3°06'54"W	(R)
L64	S37°05'02"E	(R)
L65	S37°57'44"E	(R)
L66	S59°14'00"E	(R)
L67	S66°07'20"E	(R)
L68	N24°04'33"E	(R)
L69	N4°48'44"W	(R)

