

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF AMENDING THE ZONING }
MAP OF THE CITY OF TURLOCK, CALIFORNIA }
MUNICIPAL CODE [PREZONE 2016- 01 }
(NORTHWEST TRIANGLE SPECIFIC PLAN }
UPDATE)] PREZONING A PROPERTY LOCATED }
AT 3525 W. MONTE VISTA AVENUE, }
(APN: 087-003-018) TO COMMERCIAL }
THOROUGHFARE (CT) }

ORDINANCE NO. 1233-CS

WHEREAS, in 1995, the City Council adopted the Northwest Triangle Specific Plan which planned for the development of approximately 800 acres with a mix of commercial and residential uses; and

WHEREAS, in 2012, the City Council adopted an updated General Plan and Environmental Impact Report (EIR) which called for updating the Northwest Triangle Specific Plan; and

WHEREAS, the 2012 General Plan includes changes in the General Plan land use designations and zoning for the property located at 3525 W. Monte Vista Avenue, otherwise known as Stanislaus County APN 087-003-018; and

WHEREAS, the City of Turlock partnered with the affected property owner to share the cost of updating the Specific Plan and rezoning the subject property; and

WHEREAS, the owner of the subject property located at 3525 W. Monte Vista Avenue (Stanislaus County APN 087-003-018) is aware that development of the property will require a separate annexation application to be submitted and approved by the City of Turlock and the Stanislaus County Local Agency Formation Commission at the property owner's expense; and

WHEREAS, the property owner requested rezoning of the property to Commercial Thoroughfare (CT), consistent with the City of Turlock General Plan designation of Highway Commercial; and

WHEREAS, the Northwest Triangle Specific Plan Update, General Plan Amendment 2016-01 and Prezone 2016-01 was prepared and circulated for public review on April 3, 2017; and

WHEREAS, on June 13, 2017, the City Council approved Resolution 2017-141 adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for the project, having made the necessary findings pursuant to the California Environmental Quality Act based on the evaluation in the Initial Study; and

WHEREAS, on June 13, 2017, the City Council approved Resolution 2017-142 adopting the Northwest Triangle Specific Plan Update and General Plan Amendment 2016-01 designating this property Highway Commercial and rezoning the property to Commercial Thoroughfare (CT); and

WHEREAS, the City Council of the City of Turlock held a duly noticed public hearing on June 13, 2017, to solicit public comment and testimony regarding the proposal; and

WHEREAS, after the public hearing held on June 13, 2017, the City Council found and determined as follows:

1. The proposed rezoning is consistent with the General Plan and the Northwest Triangle Specific Plan (NWTSP) Update.
2. The proposed site is suitable for the type of potential development.
3. The site is suitable for the intensity of the proposed use.
4. The proposed rezoning will not cause substantial environmental damage.
5. The public necessity, convenience and general welfare require the proposed amendment.

BE IT ORDAINED by the City Council of the City of Turlock as follows:

SECTION 1. PREZONING: The Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code, is hereby amended to prezone the property located at 3525 W. Monte Vista Avenue, otherwise known as Stanislaus County APN 087-003-018, consistent with the land use designations of the Northwest Triangle Specific Plan Update adopted by Resolution 2017-142 (General Plan Amendment Resolution) and, upon annexation to the City of Turlock, said real property shall thereafter be subject to the provisions and regulations of the Turlock Municipal Code and the Northwest Triangle Specific Plan related to property located within such Districts.

SECTION 2. ZONING MAP: The Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code, is amended to appear as set forth on the attached map (Attachment A), which is hereby made a part of this ordinance by reference.

SECTION 3. VALIDITY: If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The Turlock City Council hereby declares that they would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more section, subsection, sentence, clause, word, or phrase be declared invalid or unconstitutional.

SECTION 4. ENACTMENT: Prior to the expiration of fifteen (15) days from the passage and adoption thereof, this ordinance shall be published in a newspaper of general circulation printed and published in the County of Stanislaus, State of California, together with names of the members of the City Council voting for and against the same.


PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 27th day of June, 2017, by the following vote:

AYES: Councilmembers Esquer, Bublak, and Vice Mayor DeHart
NOES: None
NOT PARTICIPATING: Councilmember Jacob
ABSENT: Mayor Soiseth

Signed and approved this 27th day of June, 2017.


GARY SOISETH, Mayor

ATTEST:


Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

ATTACHMENT A – PREZONE 2016-01
(NORTHWEST TRIANGLE SPECIFIC PLAN UPDATE)

