ORDINANCE NO. 013-11-C.S.

AN ORDINANCE AMENDING CHAPTER 16 OF THE STOCKTON MUNICIPAL CODE, WHICH SETS FORTH THE ZONING PROVISIONS OF THE CITY OF STOCKTON, BY AMENDING THE "ZONING MAP," PARTICULARLY REFERRED TO IN SECTION 16.16.030 OF THE STOCKTON MUNICIPAL CODE TO CLASSIFY TO IL (INDUSTRIAL, LIMITED) FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ARCH ROAD AND NEWCASTLE ROAD (ARCHTOWN INDUSTRIAL PROJECT, P09-148)

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

SECTION I. Rezoning Classification.

The City Council hereby finds and declares, based upon the record of these proceedings, that the provisions of this ordinance are consistent with the City of Stockton 2035 General Plan, specifically the Land Use Element of the General Plan and the objectives, goals, and policies of the General Plan; that the Initial Study/Final Mitigated Negative Declaration that has been prepared for the Archtown Industrial Project ("Project") is in compliance with the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the City's Guidelines for the Implementation of CEQA; said environmental document has been reviewed and certified by the City Council; and that, pursuant to Sections 15091 and 15093 of the State CEQA Guidelines and Public Resources Code section 21081.6, the approval of this Prezoning request for FR Investment Properties, LLC (the property owner), is based on, and subject to, the implementation of the concurrently-adopted findings, as specified in the related findings for the project.

The "Zoning Map," particularly referred to in Section 16.16.030 of the Stockton Municipal Code, and, by reference made a part hereof, said Code is hereby amended as follows, to wit:

City Atty
Review
Date November 9, 2011
The subject property (as described in Exhibits 1 and 2, which are attached hereto and incorporated herein by this reference), which is to be annexed into the City of Stockton, County of San Joaquin, State of California, is hereby classified in accordance with the Prezoning descriptions contained in the attached exhibits (Prezoning Request of FR Investment Properties, LLC).

SECTION II. Effective Date.

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

ADOPTED: November 15, 2011

EFFECTIVE: December 15, 2011

ANN JOHNSTON, Mayor
of the City of Stockton

ATTEST:

BONNIE PAIGE, City Clerk
of the City of Stockton
DESCRIPTION OF ARCHTOWN
PREZONING TO THE CITY OF STOCKTON
SAN JOAQUIN COUNTY, CALIFORNIA

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, AND BEING DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 1 NORTH, RANGE 7 EAST, MOUNT DIABLO BASE AND MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ARCH ROAD, WIDTH VARIES, WITH THE WEST RIGHT-OF-WAY LINE OF NEWCASTLE ROAD, 50 FEET WIDE, SAID INTERSECTION BEING ON THE STOCKTON CITY LIMIT LINE; THENCE ALONG SAID CITY LIMIT LINE THE FOLLOWING TWO COURSES (BEING COURSES 1 AND 2), (1) ALONG SAID WEST RIGHT-OF-WAY LINE, SOUTH 0° 51' EAST, 466.01 FEET; (2) LEAVING SAID WEST RIGHT OF WAY LINE, NORTH 89° 30' 03" EAST, 60.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF NEWCASTLE ROAD; (3) THENCE ALONG SAID EAST RIGHT-OF-WAY LINE, SOUTH 0° 51' EAST, 840.40 FEET TO THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28; (4) ALONG SAID EASTERLY EXTENSION AND SAID SOUTHERLY LINE, SOUTH 89° 37' 30" WEST, 2885.61 FEET TO THE SOUTHWEST CORNER OF SAID NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28; (5) THENCE NORTH 0° 51' 30" WEST, 1293.37 FEET THE SOUTH RIGHT-OF-WAY LINE OF SAID ARCH ROAD, BEING ON SAID CITY LIMIT LINE; THENCE ALONG SAID CITY LIMIT LINE, BEING SAID SOUTH RIGHT-OF-WAY LINE, NORTH 89° 35' EAST, 2625.78 FEET TO THE POINT OF BEGINNING.

CONTAINING 79.17 ACRES, MORE OR LESS