SUBJECT: SECOND READING - ORDINANCE NO. 1667, ZONE CHANGE 1-2005 (CAMARENA)

SOURCE: Administrative Services Department/City Clerk Division

COMMENT: Ordinance No. 1667 approved Zone Change No. 1-2005. It was a change of zone from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential), as amended, for those three (3) parcels located on the west side of Sunnyside Street, extending south of Belleview Street. The Ordinance was given a First Reading on May 3, 2005, and has been printed.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1667, waive further reading, and adopt said Ordinance.

ATTACHMENT: Ordinance No. 1667
ORDINANCE NO. 1667

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING ZONE CHANGE 1-2005 FROM C-3 (HEAVY
COMMERCIAL TO R-3 (MULTIPLE FAMILY RESIDENTIAL, AS AMENDED, FOR
THOSE THREE (3) PARCELS LOCATED ON THE WEST SIDE OF SUNNYSIDE
STREET, EXTENDING SOUTH OF BELLEVUE AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled
meeting of April 19, 2005, conducted a public hearing to consider General Plan Amendment 1-
2005 (a) and Zone Change 1-2005 for those four (4) parcels located on the west side of Sunnyside
Street, extending south of Belleview Avenue; and

WHEREAS: General Plan Amendment 1- 2005 (a), proposes to change the Land
Use Designation of the General Plan from Heavy Commercial to High Density Residential for
those four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview
Avenue. The parcel located at the immediate southwest corner of Belleview Avenue and
Sunnyside Street has two (2) single family residential dwellings. The remaining three (3) parcels
extending to the south along Sunnyside Street have one (1) single family residential dwelling on
each parcel.

WHEREAS: City staff is currently processing an unusually large number of General
Plan Amendments. State law prohibits the amendment of any required element of the General Plan to
no more than four times in any calendar year. For this reason, Staff recommended that this item
be continued to the City Council meeting of May 3, 2005, in order to consider it with and
additional General Plan Amendment 2-2005 (Number to be changed to 1-2005 (b)) and Zone
Change 2-2005 scheduled for that meeting; and

WHEREAS: At the public hearing on April 19, 2005, Staff and the City Council were
advised by the owner of the fourth parcel on the south end of the subject site, that he had notified
the applicant that he did not want to be apart of the General Plan and Zoning proposal. It was
staff’s understanding that all property owners involved were in support of the proposal. Since
School Street, located to the east of the site is a natural line for a break in the Land Use boundary,
staff is proposing a revised project site by removing the fourth parcel on the south end of the
subject; and.

WHEREAS: At the request of Staff, the City Council of the City of Porterville continued
the public hearing for General Plan Amendment 1-2005 (a) and Zone Change 1-2005 for those
four (4) parcels located on the west side of Sunnyside Street, extending south of Belleview
Avenue to the City Council meeting of May 3, 2005 ; and

WHEREAS: At the continued public hearing of the City Council of the City of
Porterville on May 3, 2005, the City Council considered General Plan Amendment 1-2005 (a) and
Zone Change 1-2005; and
WHEREAS: General Plan Amendment 1-2005(a), proposes to change the Land Use Designation of the General Plan from Heavy Commercial to High Density Residential. The parcel located at the immediate southwest corner of Bellevue Avenue and Sunnyside Street has two (2) single family residential dwellings. The remaining two (2) parcels extending to the south along Sunnyside Street have one (1) single family residential dwelling on each parcel.

WHEREAS: Zone Change 1-2005 proposes to change the subject property from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) contingent upon approval of General Plan Amendment 1-2005 (a) of the Land Use Element; and

WHEREAS: The City Council of the City of Porterville, after proceedings duly had and taken, and after due and legal notice having been given, as prescribed by Ordinance 1198 of the City of Porterville, and the laws of the State of California, has determined that the public interest would best be served by approval of Zone Change 1-2005; and

WHEREAS: The City Council made the following findings in support of the approval of Zone Change 1-2005:

1. The Land Use Designation of the General Plan (General Plan Amendment 1-2005 (a)) designates the three (3) parcels located on the west side of Sunnyside Street, extending south of Bellevue Avenue as High Density Residential.

2. That the proposed zoning to R-3 (Multiple Family Residential) for the same three (3) parcels is consistent with the proposed General Plan designation.

3. That all uses listed in Article 2, Article 3 and Article 4 of the Porterville Zoning Ordinance may be allowed in the R-3 (Multiple Family) Zone subject to all other laws, rules and regulations.

4. That a Negative Declaration was approved for this project in accordance with the California Environmental Quality Act and mitigation measures incorporated into the approval will be precedent to project implementation.

5. That this zoning classification will ensure that any future development of the subject site will be in conformance with existing plans and policies and will not adversely impact the surrounding area.

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 1-2005, is hereby re-zoned from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those three (3) parcels located on the west side of Sunny side Street, extending south of Bellevue Avenue, more particularly shown on the attached map, incorporated herein by this reference as Exhibit “A” subject to prior approval of General Plan Amendment 1-2005 (a); 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 that all of the above described real property is re-zoned from C-3 (Heavy Commercial) to R-3 (Multiple Family Residential) for those three (3) parcels located on the west side of Sunnyside Street, extending south of Belleview Avenue; and

Section 3: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

____________________________________
Pedro R. Martinez, Mayor

ATTEST:
John Longley, City Clerk

By __________________________________
Georgia Hawley, Chief Deputy City Clerk
ZONE CHANGE 1-2005

PROPOSED ZONE CHANGE
C-3 TO R-3

CITY COUNCIL
ORDINANCE NO. 1667

EXHIBIT "A"