SUBJECT: SECOND READ ING - ORDINANCE NO. 1670, ZONE CHANGE NO. 3-2005 (MRS. NEAL DAYBELL)

SOURCE: Administrative Services Department/City Clerk Division

COMMENT: Ordinance No. 1670 approved Zone Change No. 3-2005. It was a change of zone from C-3 (Heavy Commercial) to R-4 (Multiple Family Residential) for those eight (8) parcels located on the west side of North “E” Street, extending south of Willow Avenue. The ordinance was given a First Reading on July 19, 2005, and has been printed.

RECOMMENDATION: That Council give Second Reading to Ordinance No. 1670, waive further reading, and adopt said ordinance.

ATTACHMENT: Ordinance No. 1670
ORDINANCE NO. 1670

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE APPROVING ZONE CHANGE 3-2005 BEING A CHANGE OF ZONING FROM CITY C-3 (HEAVY COMMERCIAL) TO R-4 (MULTIPLE FAMILY RESIDENTIAL) FOR THOSE EIGHT (8) LOTS LOCATED ON THE WEST SIDE OF NORTH “E” STREET EXTENDING SOUTH OF WILLOW AVENUE

WHEREAS: The City Council of the City of Porterville at its regularly scheduled meeting of July 19, 2005, conducted a public hearing to consider Zone Change 3-2005, being a change of zone from C-3 (Heavy Commercial) to R-4 (Multiple Family Residential) for those eight (8) lots located on the west side of North “E” Street extending south of Willow Avenue; 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 the proposed Zone Change 3-2005; and

WHEREAS: The City Council made the following findings in support of the approval of Zone Change 3-2004:

1. The Land Use Element of the General Plan designates the subject parcels as High Density Residential.
2. That the proposed R-4 (Multiple Family Residential) zoning will conform with the land use designation (High Density Residential) of the General Plan.
3. That all uses listed in Article 2, Article 3 and Article 4 of the Porterville Zoning Ordinance are allowed in the R-4 (Multiple Family Residential) Zone and that consolidation of the eight (8) parcels is essential to promoting orderly and logical development, as such, a lot line adjustment is essential to facilitate development.
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 designation 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.

On approval of the zone change, a lot line adjustment will be recorded prior to the issuance of any building permit for conversion of the existing structure into a fourplex.

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 3-2005, is hereby re-zoned from C-3 (Heavy Commercial)
to R-4 (Multiple Family Residential) for the eight (8) lots located on the west side of North “E” Street extending south of willow Avenue, more particularly shown on the attached map, incorporated herein by this reference as Exhibit “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 rezoned from C-3 (Heavy Commercial) to R-4 (Multiple Family Residential) for the eight (8) lots located on the west side of North “E” Street extending south of willow Avenue; and

Section 3: That a Lot Line Adjustment removing the existing lot lines for the eight (8) parcels will be required prior to the second reading of the ordinance.

Section 4: This ordinance shall be in full force and effect thirty (30) days from and after its publication and passage.

________________________________________
Kelly E. West, Mayor

ATTEST:

John Longley, City Clerk

By: ______________________________
   Georgia Hawley, Chief Deputy City Clerk
ZONE CHANGE 3–2005

CITY COUNCIL
ORDINANCE NO. 1670

EXHIBIT "A"