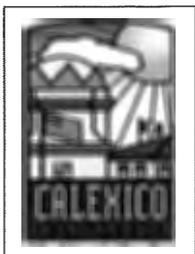


**AGENDA
ITEM**

07



AGENDA STAFF REPORT

DATE: November 28, 2018

TO: Mayor and City Council

APPROVED BY: David B. Dale, City Manager *MF for D.P.*

PREPARED BY: Ralph B. Morales, Development Services

SUBJECT: Second Reading and Adoption of Ordinance No.1189 approving Zone Change No. 2018-01

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Recommendation:

Second Reading and Adoption of Ordinance No. 1189 approving Zone Change No. 2018-01

Background:

Tentative Subdivision Map No.'s 058-400-007 & 058-400-060 proposing to subdivide approximately 45 acres of land in order to create seven (7) parcels located west of Cesar Chavez Blvd. and north of Second Street. An Amendment to the General Plan will be required in order to change the current designation from Open Space (OS) to Industrial Railroad (IR), through the adoption of Ordinance No. 1189 for Zone Change No. 2018-01. A first reading conducted in a City Council public hearing on November 7, 2018. This was also presented on October 8, 2018, to the Calexico Planning Commission through a public hearing and recommending approval of Negative Declaration No. 2018-03.

Open Space where approximately 5 acres facing Cesar Chavez Blvd. will be re-designated as Industrial/Commercial usage and Zone Change No. 2018-01 changing current zoning of Open Space (OS). The applications are being proposed by the city in order to legally separate the water plant and city shop from the remaining acreage to market as future industrial/commercial development along Cesar Chavez Blvd.

Discussion & Analysis:

Staff supports the proposed project and recommends approval of the Zone Change.



General Plan Amendment No. 2018-01

In order to allow for future development of any of the parcels created, staff recommends approval of the requested General Plan Amendment which will re-designate approximately 5 acres of property facing Cesar Chavez Blvd. owned by the city to Industrial/Commercial usage.

Zone Change No. 2018-01

In order to allow for future development of any of the parcels created, staff recommends approval of the requested Zone Change Ordinance which will re-zone approximately 5 acres of property facing Cesar Chavez Blvd. owned by the city to IR, Industrial Rail.

Fiscal Impact:

None.

Coordinated With:

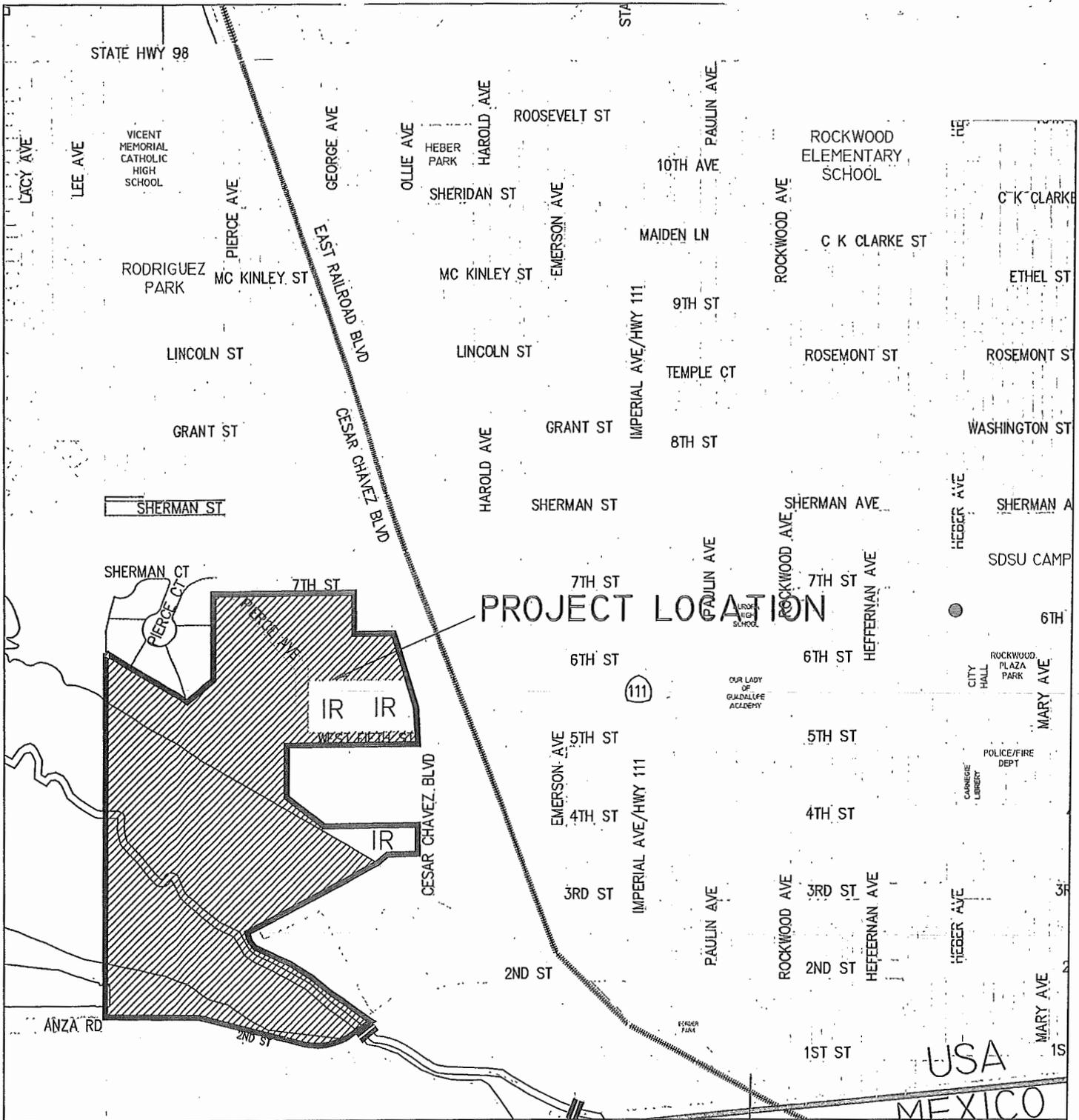
City Attorney's Office.

Exhibits:

A. Zone Change Map - OS, Open Space to IR, Industrial Rail.

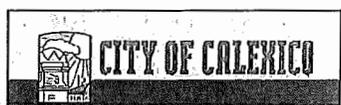
Attachments:

1. City Council Ordinance No. 2018 - __ Approving Zone Change No. 2018-01.



PROJECT LOCATION

ZONE CHANGE FROM OS, OPEN SPACE
TO IR, INDUSTRIAL RAIL.



ORDINANCE NO. 2018 -

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALEXICO, CALIFORNIA, APPROVING ZONE CHANGE NO. 2018-01 TO CHANGE THE ZONING CLASSIFICATION FOR APPROXIMATELY 5 ACRES WITHIN THE LARGER 45 ACRE SITE FORM OS, OPEN SPACE TO I-R, INDUSTRIAL RAIL

WHEREAS, the City of Calexico Engineering Division has filed an application to change the Zoning classification for approximately 5 acres of land from "OS", Open Space within a larger 45 acre area respectively, to I-R, Industrial Rail. The proposed project areas can be more specifically described as follows: APN #'s: 058-400-060 & 058-400-007 (see Exhibit "B"); and

WHEREAS, the City Council of the City of Calexico has been delegated with the responsibility of making decisions for changes to the approved Zoning Map; and

WHEREAS, the Planning Commission, at its regular meeting on October 8, 2018, held a duly noticed public hearing, and recommended to the City Council approval of Zone Change No. 2018-01 (Resolution No. 2018-__); and

WHEREAS, the City Council held a duly noticed public hearing on November 7, 2018 at which time all interested parties were given an opportunity to address the City Council on these matters; and

WHEREAS, the City Council of the City of Calexico finds that the Zone Change is consistent with the policies and goals of the adopted General Plan, and that in accordance with State Planning and Zoning law and the City of Calexico, the following findings for the approval of a Zone Change have been made.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALEXICO DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council has considered the proposed Zone Change No. 2018-01, prior to making a decision to approve the proposed amendment to the Zoning Map. The City Council finds and determines that this project is consistent with the Calexico Municipal Code (CMC) and determines that a Negative Declaration is adequate and was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with State Planning and Zoning law and the City of Calexico the following findings for the approval of Zone Change No. 2018-01 have been made as follows:

1. The proposed zone change will not be; a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements

CITY COUNCIL ORDINANCE NO. ____
ZONE CHANGE NO. 2018-01
PAGE 2 OF 3

in the neighborhood or within the City.

The proposed Zone Change has been analyzed relative to its potential to be detrimental to the health, safety, comfort and welfare of the persons residing or working within the neighborhood of the proposed Zone Change. Staff concluded that the project does not propose land uses, densities, or development patterns that will jeopardize the health and safety of the persons residing or working within the neighborhood of the property. Health, safety, and welfare will not be degraded as a result of this project.

2. The proposed action will be consistent with the Goals, Objectives, and Policies of the General Plan and the development standards established with the Calexico Municipal Code (CMC).

Staff has concluded that the requested Zone Change is consistent with the General Plan's Industrial land use designation for the project site. The Zone Change will allow development of a well-balanced and functional mix of apartment uses. This mix of uses is consistent with the goals, objectives, and policies of the General Plan and Zoning designations for the project area.

SECTION 3. The Official Zoning Map of the City shall be amended to reflect Zone Change No. 2018-01, more specifically described above and as shown in Exhibit "B".

SECTION 4. Severability. If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other ordinance provisions or clauses or applications therefore which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this ordinance are declared to be severable.

EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this Ordinance and cause it to be published as required by law.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Calexico, California on the 7th day of November 2018 and;

THEREAFTER ADOPTED at the regular meeting of the City Council of the City of Calexico, California on the 21st day of November by the following vote:

CITY COUNCIL ORDINANCE NO. ____
ZONE CHANGE NO. 2018-01
PAGE 3 OF 3

CITY OF CALEXICO

LEWIS PACHECO, MAYOR

ATTEST:

GABRIELA GARCIA, CITY CLERK
APPROVED AS TO FORM:

CARLOS CAMPOS, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL) SS
CITY OF CALEXICO)

I, Gabriela Garcia, City Clerk of the City of Calexico, do hereby certify under penalty of perjury that the foregoing is a true and correct copy of Ordinance No. _____ that was duly and regularly introduced at a regular meeting of said City Council held on November 7, 2018 and was adopted by said City Council at a regular meeting held on November 7, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

GABRIELA GARCIA, CITY CLERK

SEAL