

PUBLIC HEARINGS, continued:

5B. GENERAL PLAN AMENDMENT AND REZONE

GP07-01	This is a public hearing to consider a General Plan
Z07-01	Amendment and Rezone on 37 parcels (approximately
N. Frontage Road between the	59 acres) currently designated "Light Industrial,"
Main Street overcrossing and	"Heavy Industrial," "Community Commercial," and
Prospect Way	"Highway Service," and changing it to "Mixed Use."

Goodwin Drive located in close
proximity to the Freeway

Planning Director Zuidervaart introduced the report and said that these properties are more suitable for development along the Highway 99 corridor as 'Mixed Use' which would provide more flexibility for potential future developers. This change would also bring existing businesses into compliance with zoning.

Vice Mayor Winn asked if this change is a benefit or detriment to selling or developing property.

Zuidervaart said that everyone is in favor of the change.

PUBLIC HEARING OPENED

Art Saldivar, Ripon, asked if this change affects adult businesses?

Zuidervaart said that adult businesses are not allowed in Mixed Use Districts, and there is a 1,000 foot buffer from schools, churches, and residential areas.

Steve Landreth, Ripon, said he is in favor of the rezoning.

Allan Feters, Ripon, said he owns the land that Ripon Farm leases, and he is in discussion to extend the lease. He asked if this change would cause any limitations to their business.

Zuidervaart said that there are no additional limitations – no need for a "Non-Conforming Use" permit.

PUBLIC HEARING CLOSED

MOTION: MOVED, SECONDED (UECKER, RESTUCCIA) AND CARRIED BY A VOTE OF 5-0 TO APPROVE THE GENERAL PLAN AMENDMENT (GP07-01) AND REZONE (Z07-01).



City Council Staff Report

City Council Meeting October 2, 2007

Project Title: *City of Ripon General Plan Amendment #GP07-01 and Rezone #Z07-01*

Request: *A request for the City Council to consider amending the General Plan land use designation and Zoning classification on 37 parcels (approximately 59 acres) generally located along N. Frontage Road between the Main Street Over Crossing and Prospect Way as well as properties located along Goodwin Drive located in close proximity to the Freeway.*

Location: *Within Current City Limits*

Planner: *Ken Zuidervart, Director of Planning*

Discussion:

The request is for an amendment to the General Plan land use of approximately 59 acres currently designated LI (Light Industrial), HI (Heavy Industrial), CC (Community Commercial) and HS (Highway Service), and changing it to the MU (Mixed Use)

Various properties located in the North Pointe, Ripona, and Manley Planning Districts (see attachments) are currently zoned M1 (Light Industrial), M2 (Heavy Industrial) and C2 (Community Commercial). After reviewing the current zoning, and researching various land uses typically associated with development along major Highways and Freeways, staff feels that these properties are more suitable for development along the Highway 99 corridor as MU (Mixed Use). This specific type of zoning would provide more flexibility for potential future developers, as well as allow existing businesses already located in these districts to remain as legal conforming uses.

These are a couple examples of potential beneficial uses that the Mixed Use zoning allows property owners:

- Within the Heavy Industrial and Light Industrial districts, Hotels, Day Care Facilities, Retail Sales, etc. are not allowed. However within the Mixed Use district, these type of uses are allowed.
- Within the Community Commercial district, Contractor Offices are not allowed. However with the Mixed Use district, these type of uses are allowed.
- Within the Highway Services district, professional/business offices are not allowed. However with the Mixed Use district, these type of uses are allowed.

Letters were sent to all property owners involved in the potential rezone, and all residences and property owners within a 300 foot radius of the project were also notified of the potential rezone project and the date of the Public Hearing for the project. The public hearing notice for this project was also published in the paper.

Rezoning the properties does not in any way constitute or guarantee approval for any projects within the rezone area. Any and all proposed future projects will have to process the appropriate applications through the City of Ripon for separate consideration for approval.

Planning Commission Action:

On May 8, 2007 the Planning Commission held a public hearing to review the project and provide the public an opportunity to comment on the project. At that time, one individual came forward with some general questions regarding the rezone. Staff also received several phone calls regarding the project, all of which were seeking information regarding the impending rezone and how it would affect their properties. At that time no one had any objections to the rezone project. The Planning Commission minutes have been attached for your reference.

Subsequently, the Commission took action to recommend the City Council adopt the Negative Declaration and approve the proposed General Plan amendment and Rezone, with a 5-0 vote.

Subsequent Action:

In September of 2004, the Governor's Office of Planning and Research passed SB 18, which requires cities and counties to contact, and consult with, California Native American Tribes before adopting or amending their General Plan. This consultation is for the purpose of preserving or mitigating impacts on Cultural Places. Per SB 18, Tribes have 90 days to request consultation. An initial contact letter was sent out to two tribes within our region that have traditional lands located either within or near the City of Ripon's jurisdictions. The tribes have up to 90 days to request consultation with local jurisdictions regarding pending General Plan amendment projects. The 90 day consultation period ended on September 5, 2007 and neither Tribe contacted, requested consultation. Therefore the City of Ripon has met their obligation required by SB 18.

Required Findings:

1. That the amendment is consistent with the goals, policies and programs of the General Plan land use element.
2. That the zone changes are consistent with the General Plan land use designation as amended.
3. The uses permitted as a result of the zone changes are compatible with the goals, policies, and objectives of the General Plan.

Conditions:

1. That proponents of any development proposals within the project area be subject to separate environmental review to determine specific impacts and identify appropriate mitigation measures caused by the development.

Environmental Analysis:

In accordance with the California Environmental Quality Act and the Guidelines, a Negative Declaration (PEA 07-16) has been prepared for this project.

Recommended Action:

Should the City Council agree with Planning Commissions recommendation, the following motion would be appropriate:

“The City Council approves the General Plan Amendment (GP 07-01) and Rezone (Z 07-01) of the specified properties, based on the findings and subject to the conditions of the staff report, and adopts the Negative Declaration (PEA 07-16).”

General Application Information:

- Owner/Applicant: City of Ripon
- Application#: General Plan Amendment GP07-01 and Rezone Z07-01
- GP Designation: LI (Light Industrial), HI (Heavy Industrial), CC (Community Commercial), and HS (Highway Service)
- Zoning: M1 (Light Industrial), M2 (Heavy Industrial), C2 (Community Commercial), and C4 (Highway Service)
- Parcel #/ Address: 261-020-05/1001 Goodwin Drive, 261-020-06/948 Frontage Road, 261-020-07/938 Frontage Road, 261-020-10/816 Frontage Road, 261-020-11/932 Frontage Road, 261-020-20/970 Goodwin Drive, 261-020-21/960 Goodwin Drive, 261-020-22/814 Frontage Road, 261-020-34/928 Frontage Road, 261-020-35/904 Frontage Road, 261-020-36/971 Goodwin Drive, 261-040-02/1050 Warren Avenue, 261-060-07/542 Key Avenue, 261-060-08/534 Key Avenue, 261-060-13/514 Key Avenue, 261-060-14/223 Washington Street, 261-060-17/534 Frontage Road, 261-060-18/540 Frontage Road, 261-060-19/542 Frontage Road, 261-060-20/521 Key Avenue, 261-060-26/526 Key Avenue, 261-080-01/980 Warren Avenue, 261-080-11/810 Warren Avenue, 261-110-01/260 Washington Street, 261-110-02/444 Frontage Road, 261-110-03/424 Frontage Road, 261-110-27/304 Frontage Road, 261-110-28/304 Frontage Road, 261-120-23/258 Frontage Road, 261-140-08/210 Frontage Road, 261-140-10/164 Frontage Road, 261-140-11/142 Frontage Road, 261-

140-12/140 Frontage Road, 261-140-13/166 Frontage Road, 261-300-21/113 Gilbert Drive, 261-300-22/126 Gilbert Drive, and 261-300-23/154 Gilbert Drive.

Attachments:

- A. Current and Proposed Land Use Maps for each affected District
- B. May 8, 2007 Planning Commission Minutes
- C. Copies of letter sent to Native American Tribes for our area

NORTH POINTE PLANNING DISTRICT

CURRENT LAND USE

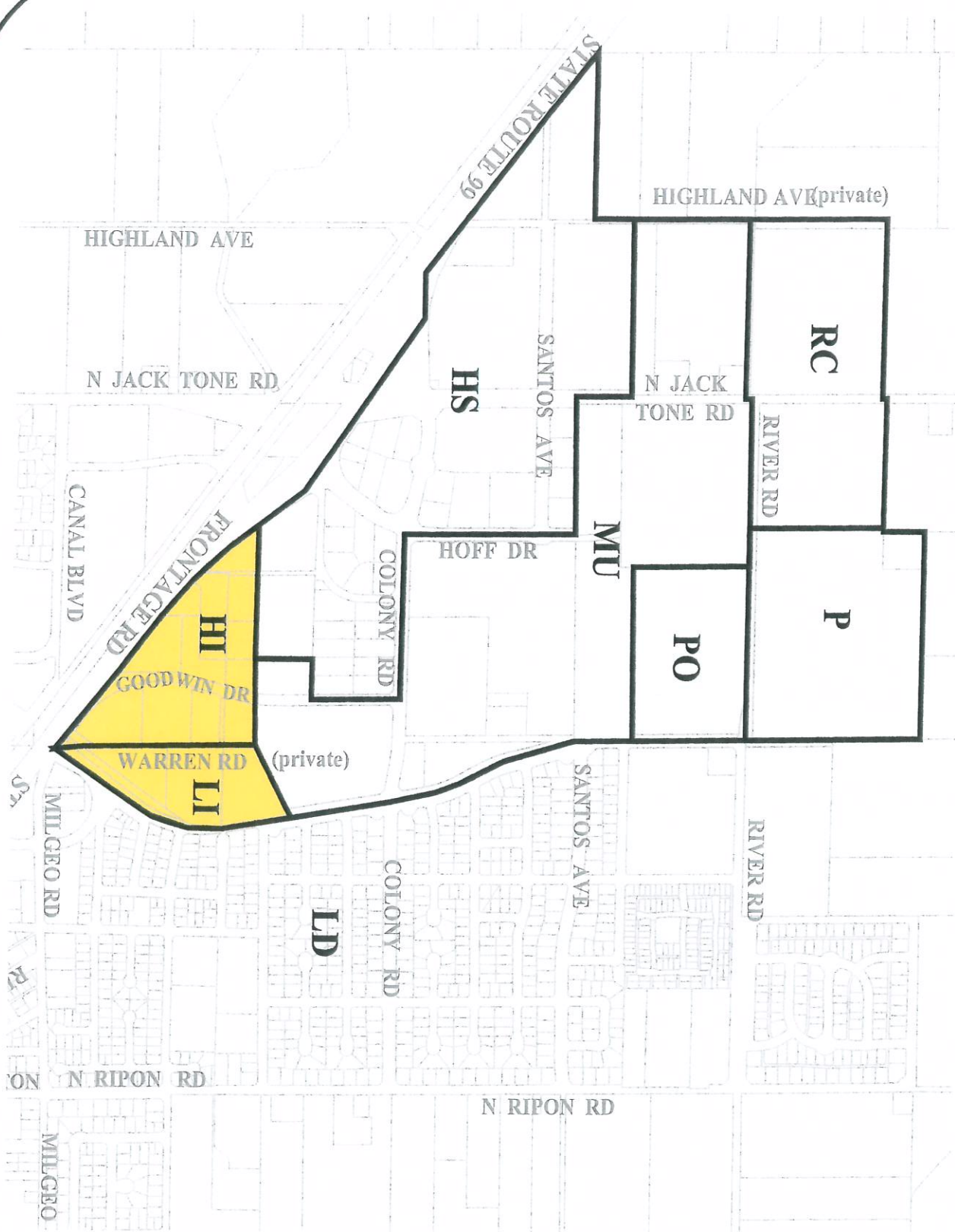


Exhibit 2.3.1

NORTH POINTE PLANNING DISTRICT

PROPOSED LAND USE

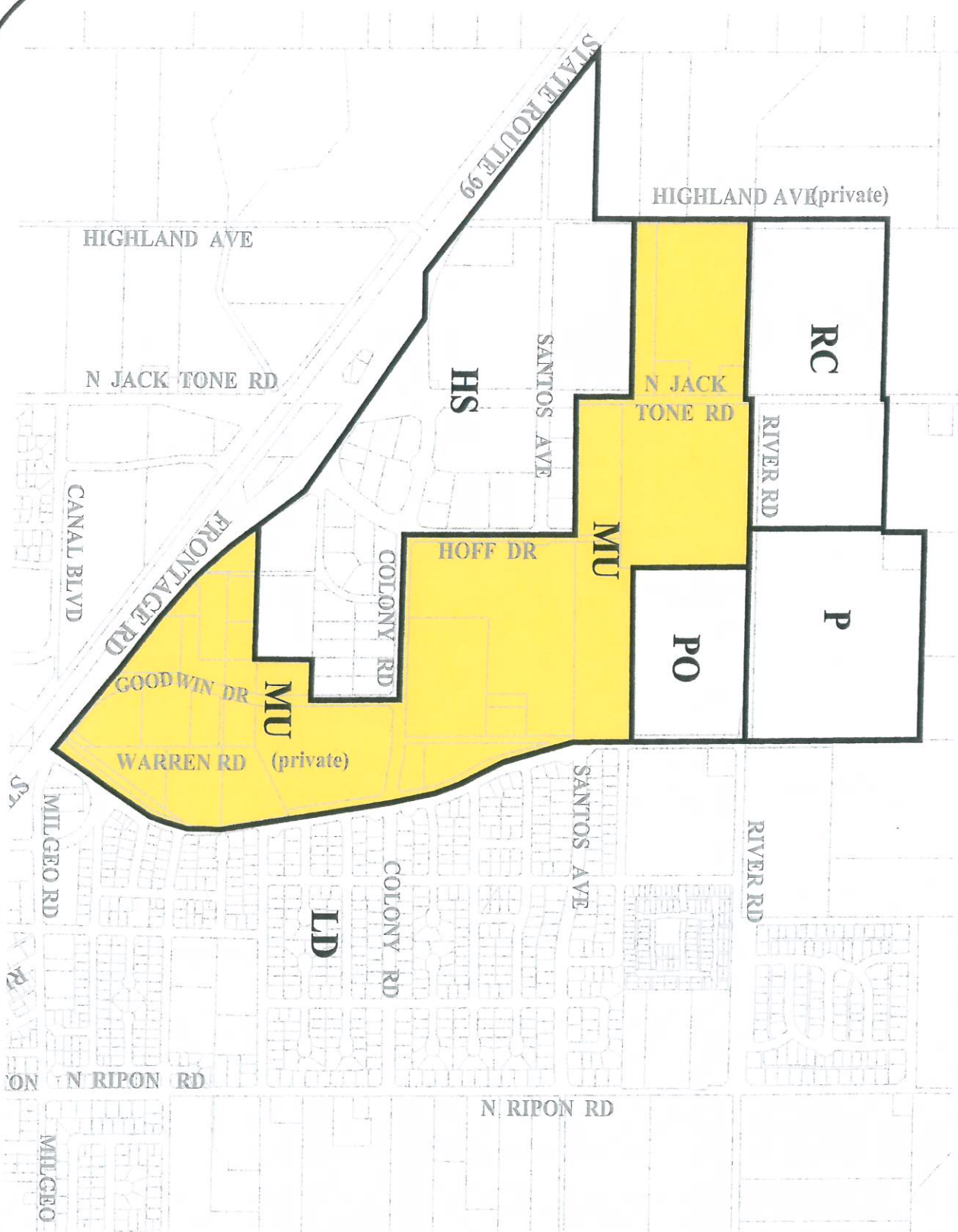
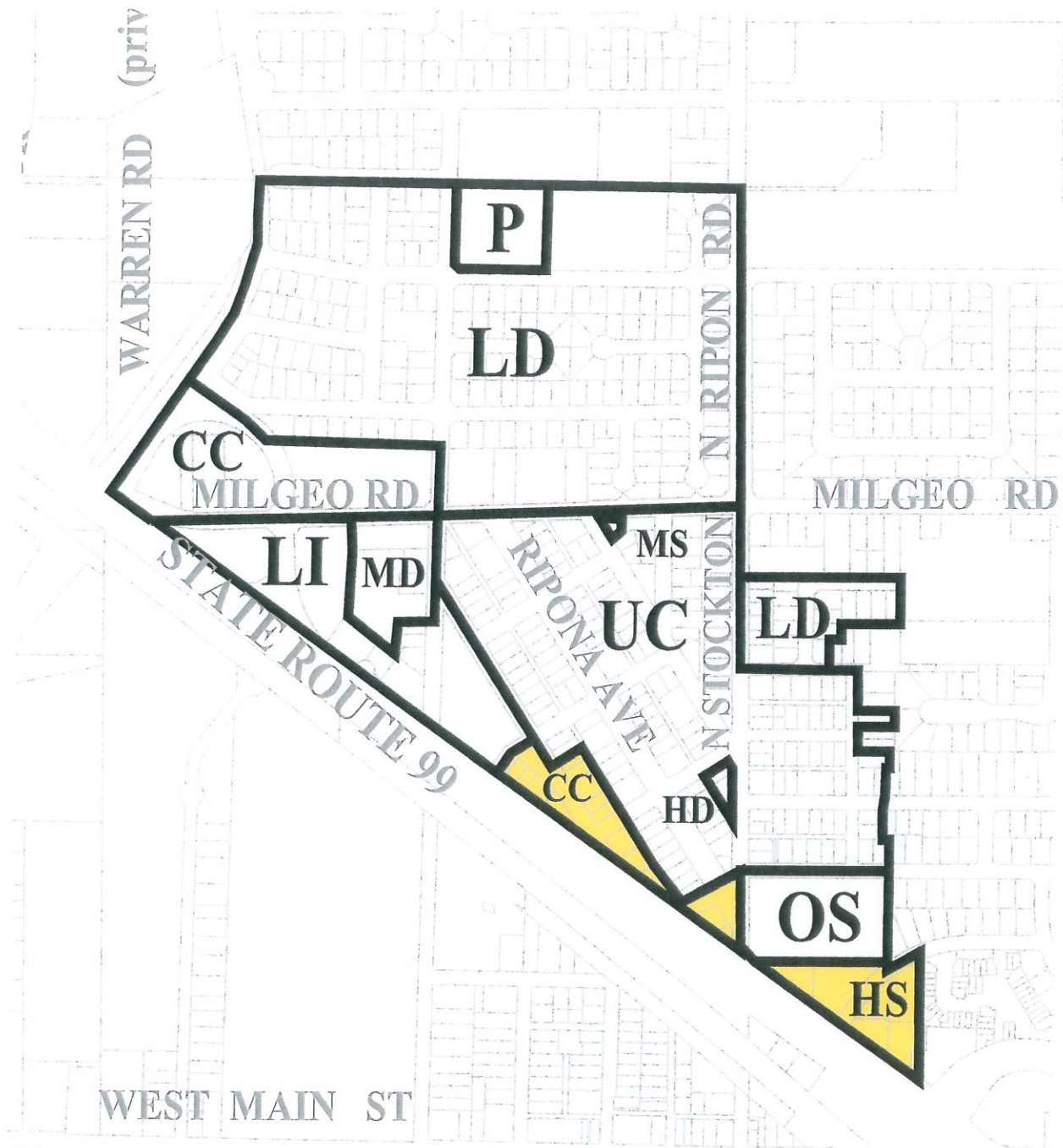


Exhibit 2.3.1

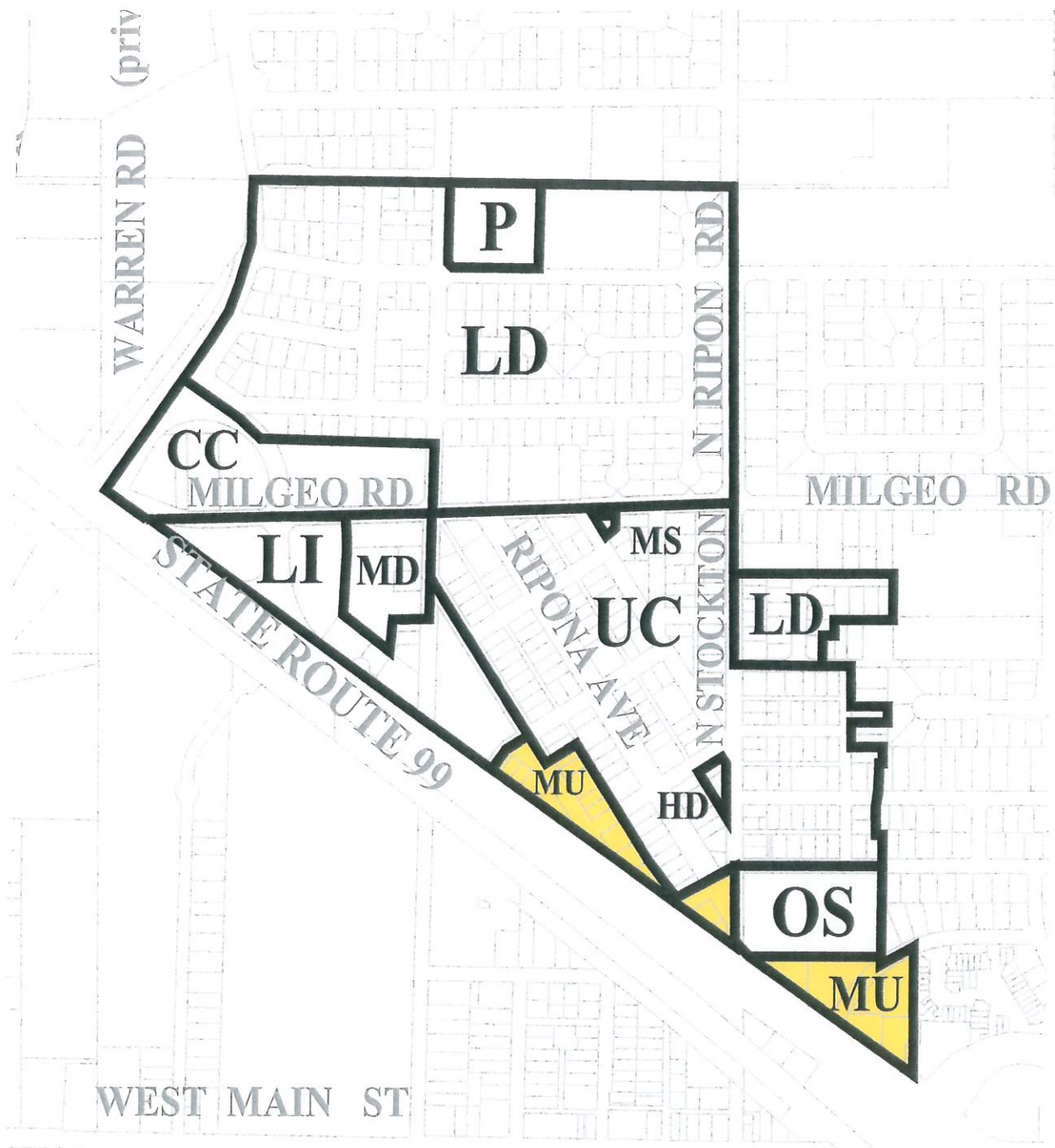
RIPONA PLANNING DISTRICT



CURRENT LAND USE

Exhibit 2.3.2

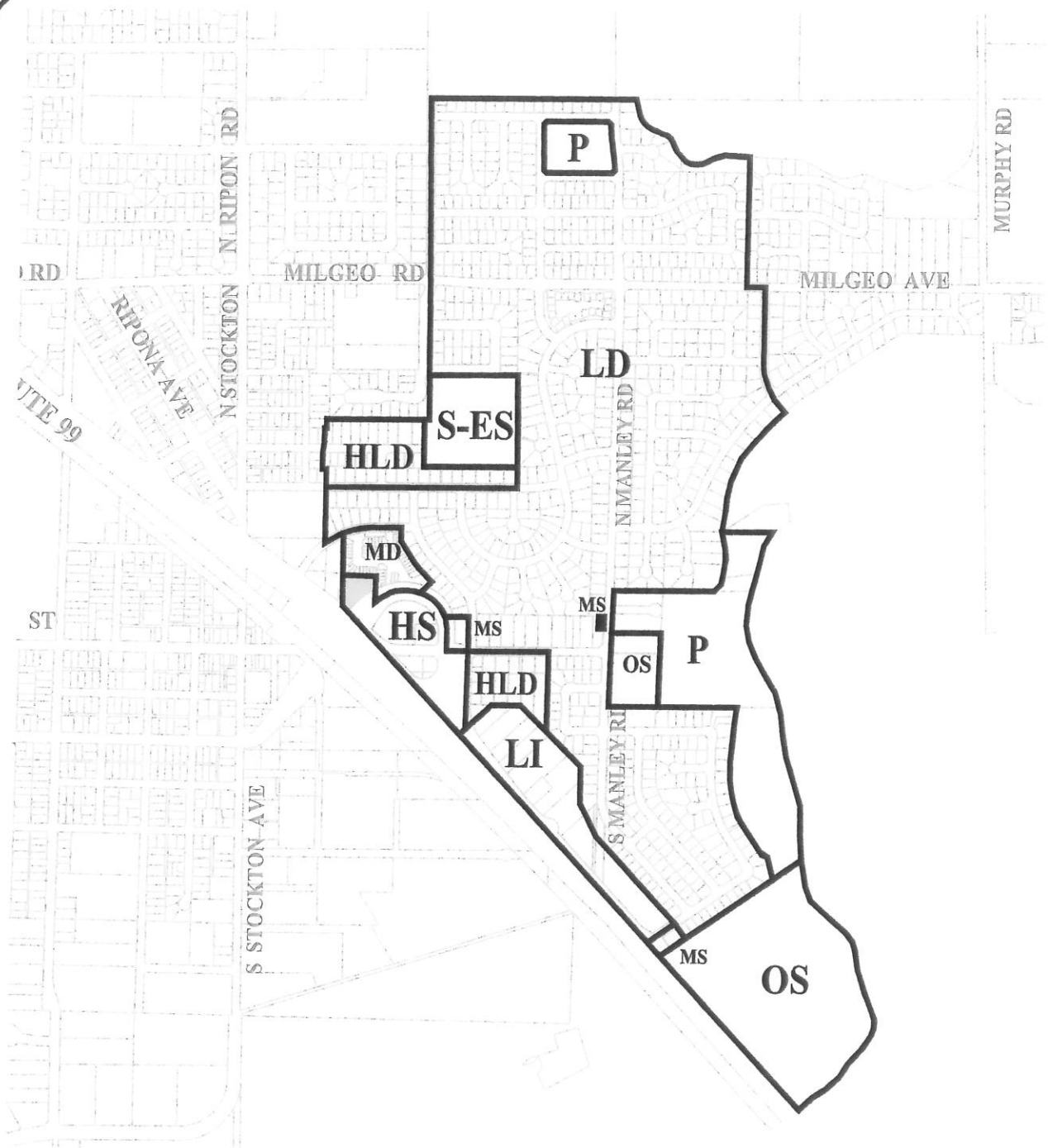
RIPONA PLANNING DISTRICT



PROPOSED LAND USE

Exhibit 2.3.2

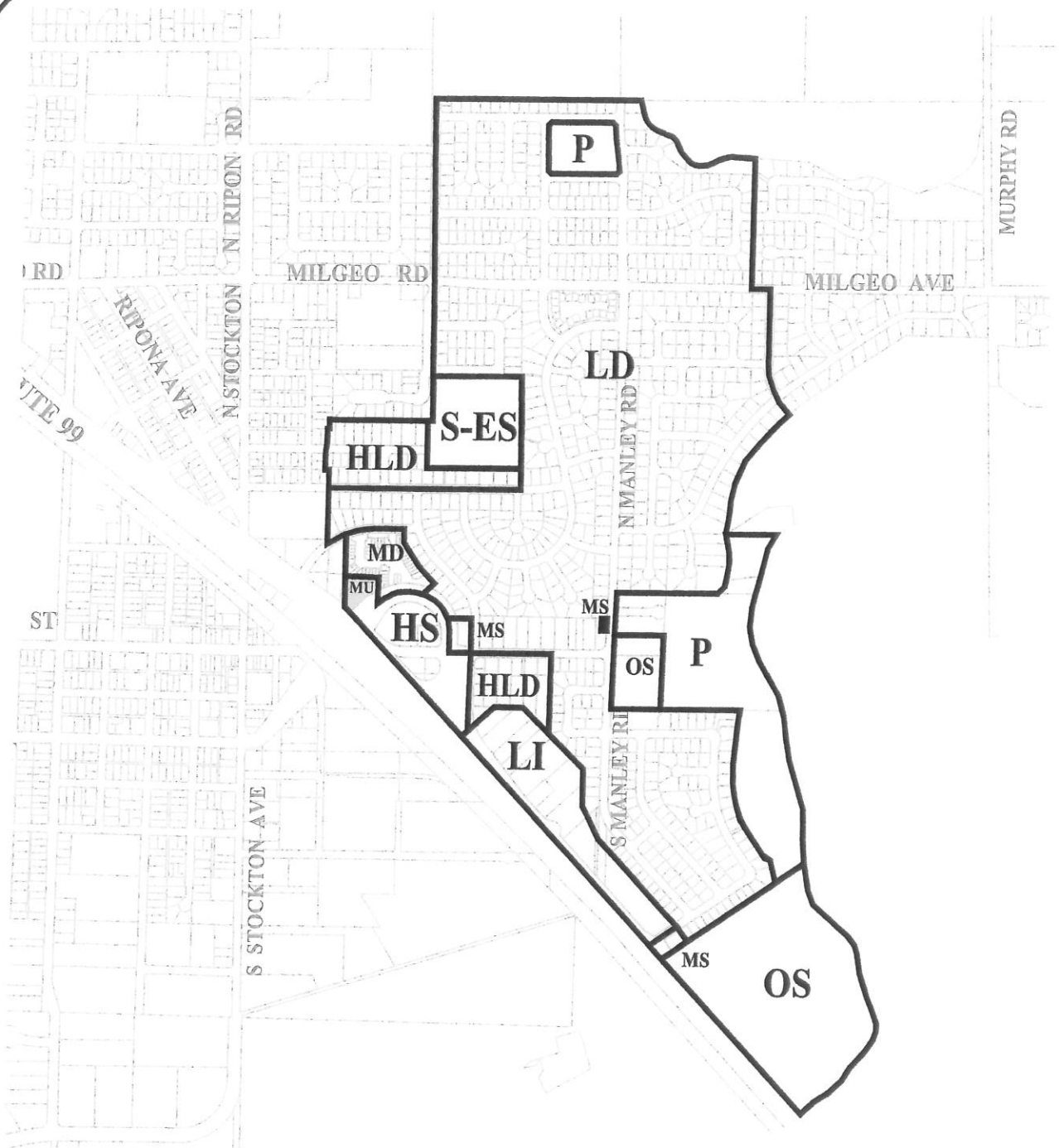
MANLEY PLANNING DISTRICT



CURRENT  LAND USE

Exhibit 2.3.3

MANLEY PLANNING DISTRICT



PROPOSED LAND USE

Exhibit 2.3.3