

Chapter 16.68

DISTRICT REZONING

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16.68.010 Purpose.

It is the purpose of this Chapter to provide a method for the reclassification of property from one district to another and rezoning of property before annexation, as established by the California Government Code. (Ord. 606, 1999)

16.68.020 Requirements for Application.

A. Applications for district rezonings or prezonings may be initiated by the property owner(s) or authorized agent, the Planning Commission, or City Council. Applications shall be filed with the Planning Department.

B. A fee, as specified by resolution of the City Council is required with the application.

C. Before application, the applicant should request a preapplication conference with the Planning Department. (Ord. 606, 1999; Ord. 758, §2 (part), 2007)

16.68.030 Review Procedures.

A. District rezonings and prezonings shall be reviewed using the Public Hearing Review Procedure in Section 16.08.040, with modifications as provided in this Section.

B. Planning Commission. At the conclusion of the public hearing, the Planning Commission shall recommend approval/denial of the application by the City Council.

C. City Council. The City Council shall hold a public hearing to review the Planning Commission recommendation and take final action. (Ord. 606, 1999)

16.68.040 Consistent with General Plan.

District rezonings or prezonings shall be consistent with the General Plan. (Ord. 606, 1999)

16.68.050 Conditional District Rezonings.

To reflect local conditions, ensure compatibility of uses, protect the public health and safety, and otherwise implement the General Plan, rezonings may be initiated in which only specified uses of the regulating district are allowed. Such rezonings shall be called Conditional District Rezonings.

A. Process. Conditional District Rezonings are subject to the same application requirements, the same review procedures and the same determinations for approval as conventional rezonings.

B. Designation. Conditional district rezonings shall be shown on the district zoning map by the district designation, followed by the letter "C," followed by a number which references a table. The table may specify what uses or use types are allowed or prohibited and impose a higher level of review on any underlying projects than normally required by the regulating district. The table shall be maintained by the Director.

C. Removal of Conditional Reclassification. Upon completion of terms and conditions of a conditional district reclassification, the Director may deem the terms and conditions of the conditional district reclassification fulfilled, if in the Director's judgment the following are true:

1. The reasons for approving the conditional district no longer exists,
2. The compatibility of uses in the area is ensured,
3. Public health and safety are protected, and
4. The internal consistency of the General Plan is maintained.

If the Director determines the terms and conditions have been satisfied, the conditional district designation shall be removed from the district zoning map and any listing of conditional district rezonings. (Ord. 606, 1999; Ord. 758, §2 (part), 2007)

16.68.060 Approval and Recordation.

A. The approval of a district rezoning shall be subject to the adoption of an ordinance by the City Council. The effective date for any approved district rezoning shall be thirty (30) days after the adoption of the ordinance approving the agreement.

B. Within ten (10) days of the adoption of

the ordinance approving a district rezoning, or any modification or cancellation of it, the City Clerk shall have the agreement, the modification or notice of cancellation recorded with the county recorder. (Ord. 606, 1999; Ord. 758, §2 (part), 2007)