

ORDINANCE NO. 602

AN ORDINANCE OF THE CITY OF LINDSAY AMENDING THE CITY OF LINDSAY ZONING MAP DESIGNATION OF MIXED USE DISTRICT TO LIGHT INDUSTRIAL DISTRICT FOR THE FOLLOWING PROPERTIES: ASSESSOR'S PARCEL NUMBER'S (APN'S); 205-360-011, 205-360-012, 205-036-013, 205-096-003, 205-101-012, 205-101-006, 205-101-007, 205-101-014, 205-101-015, 205-101-017

Section 1. PURPOSE. The provisions of this ordinance are intended to amend the Lindsay Zoning Map designation of Specific Parcels in the Mixed Use District to Light Industrial District to provide additional opportunities for industrial uses and as a mechanism to promote economic development.

Section 2. FINDINGS.

The Lindsay Municipal Code stipulates that Amendments to the zone plan shall be adopted in the manner provided for changing district boundaries as prescribed in Section 18.22.020 and Sections 18.22.040 through 18.22.090 of the code. Section 18.22.020 declares that a change in boundaries of any district, or a change in a district regulation, off-street parking or loading facilities requirement, general provision, exception or other provision may be initiated by action of the city council.

Section 3. AMENDMENT.

In accordance with the Lindsay Municipal Code, the City Council wishes to amend the City of Lindsay Zoning Map following the guidelines set forth below.

- I. Rezone the real properties located in the City of Lindsay and demonstrated within 'Exhibit A' hereto attached to this Ordinance: APN 205-360-011, 205-360-012, 205-036-013, 205-096-003, 205-101-012, 205-101-006, 205-101-007, 205-101-014, 205-101-015, 205-101-017 shall hereby be designated as IL – Light Industrial.
- II. The Director of City Services and Planning of the City of Lindsay is hereby authorized, instructed and directed to make the changes to the official Zoning Map of the City of Lindsay which shall be amended and hereto attached to this Ordinance as 'Exhibit B', reflecting the boundaries of the described parcel of the Zoning Map adopted by Ordinance 437 and amended by this Ordinance 602 of the City of Lindsay.

Section 4. CEQA REVIEW. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to

CEQA Section 15060(c)(2) (The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment).

Section 5. NO LIABILITY. The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability, or responsibility for damage to person or property upon the City of Lindsay, or any official, employee or agent thereof.

Section 6. PENDING ACTIONS. Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

Section 7. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Lindsay hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

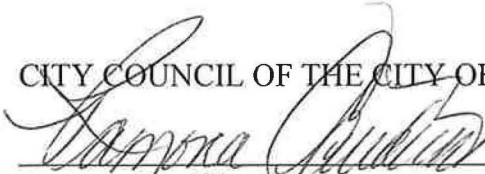
Section 8. CONSTRUCTION. The City Council intends this ordinance to supplement, not to duplicate, contradict or otherwise conflict with, applicable State and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Lindsay Municipal Code as amended by this ordinance are substantially the same as provisions in the Lindsay Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 9. EFFECTIVE DATE. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof. Prior to the expiration of fifteen (15) days from the enactment hereof a certified copy of this ordinance shall be posted in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the Porterville Recorder, a newspaper printed and published in the


City of Porterville, State of California, together with the names of the Council members voting for and against the same.

THE FOREGOING ORDINANCE, read by title only with waiving of the reading in full, was introduced at a regularly scheduled meeting on the 14th day of June 2022.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on the 26th day of July 2022.

CITY COUNCIL OF THE CITY OF LINDSAY


Ramona Caudillo, Mayor

ATTEST:


Francesca Quintana, City Clerk

'Exhibit A'

Property Owner	Property Address	APN	Current Zoning	Proposed Zoning
Romero, Oscar	364 Center St.	205-096-003	MXU (Mixed Use)	IL (Light Industrial)
Anderson, Lloyd and Mary (TRS)	250 Blue Gum	205-101-006	MXU (Mixed Use)	IL (Light Industrial)
Anderson, Lloyd (TRS)	250 Blue Gum	205-101-007	MXU (Mixed Use)	IL (Light Industrial)
Benitez, Enrique	n/a	205-101-012	MXU (Mixed Use)	IL (Light Industrial)
Serna, Arthur	561 N Sweetbriar Ave.	205-101-014	MXU (Mixed Use)	IL (Light Industrial)
California Association of Spanish Churches	565 N Sweetbriar Ave.	205-101-015	MXU (Mixed Use)	IL (Light Industrial)
Padilla, Patricia	n/a	205-101-016	MXU (Mixed Use)	IL (Light Industrial)
Church of God of Prophecy	565 N Sweetbriar Ave.	205-101-017	MXU (Mixed Use)	IL (Light Industrial)
Rowley, Ryan and Deana	310 W Tulare Ave.	205-360-011	MXU (Mixed Use)	IL (Light Industrial)
Orosco, Guadalupe and Maria	n/a	205-360-012	MXU (Mixed Use)	IL (Light Industrial)
Orosco, Guadalupe and Maria	n/a	205-360-013	MXU (Mixed Use)	IL (Light Industrial)
City of Lindsay	365 N Sweetbriar Ave.	205-294-011	MXU (Mixed Use)	IL (Light Industrial)
City of Lindsay	365 N Sweetbriar Ave.	205-294-015	MXU (Mixed Use)	IL (Light Industrial)

