

CITY OF YUBA CITY
STAFF REPORT

Date: September 20, 2022
To: Honorable Mayor & Members of the City Council;
From: Development Services Department
Presentation By: Ben Moody, Public Works & Development Services Director

Summary

Subject: Rezone 22-01 to remove the X8 District Overlay located East of the Intersection of Sutter and Market Street

Recommendation: Adopt an Ordinance of the City Council rezoning Accessor's Parcel Numbers 51-550-029, -030, -040, -041, -042-and -043, located east of the intersection of Sutter and Market Street to remove the X8 District Overlay, and waive the second reading

Fiscal Impact: The costs for processing the land use entitlements are funded by the project applicant.

Purpose:

To update the Zoning Code to remove the X8 District Overlay on the subject parcels to coincide with current policies.

Council's Strategic Goals:

This item meets the City Council's strategic goal of: business friendly. Removing the X District Overlay removes outdated requirements and aligns with current policies.

Background:

The applicant has filed an application to remove the X8 District Overlay from the existing Ampla Health site located at 935 Market Street. The X8 District Overlay zone required a roundabout at Market Street and Del Norte Ave, however, currently the Public Works Department and the new Traffic Study do not support a roundabout in that location.

The site is designated in the General Plan as Office & Office Park. Medical Offices are consistent with that designation. The property is within the Office Commercial District (C-O) with an X8 Combining District (C-O X8). The proposed zoning change is consistent with the General Plan designation and current use of the site.

The site is surrounded by single and multiple-family residences, an office park, commercial and industrial uses. The proposed removal of the X8 overlay does not negatively affect the neighbors in accordance with the Traffic Study. These lands were evaluated and approved for Office & Office Park

development as part of the adoption of the current General Plan.

On July 27, 2022, the Planning Commission considered the rezone application to remove the X8 District Overlay on the subject parcels and Environmental Assessment 22-02. By a vote of 4 to 0, the Planning Commission recommended that the City Council certify Environmental Assessment 22-02 prepared by adopting a Negative Declaration, and approve Rezone 22-01.

On September 6, 2022 the Ordinance was introduced at the regular City Council meeting, and a Resolution that adopted a Negative Declaration for the project was approved by a vote of 5-0.

Analysis:

The traffic study completed for the project concluded that a roundabout was not necessary at the location established by the overlay zone, and identified several improvements that may be implemented at the time of future development of the site in order to mitigate traffic related concerns. These recommended improvements have been reviewed by the Public Works Director, and will be considered for implementation at the time of future development on the site.

All City services, including water, sewer, and storm-water drainage (a combination of City and Sutter County Water Agency) are available to this site.

Rezone 22-01 Findings:

Based upon analysis of the Rezone application, staff recommends the City Council find that Rezoning 22-01 i) is consistent with the General Plan goals and policies; ii) is consistent with the purpose of the zoning ordinance to promote and protect the public's health, safety, peace, comfort, convenience and general welfare; and iii) the Project would provide open space, light, air, privacy, convenience of access, aesthetic values, protection of environmental values, and protection of public and private improvements. Among others:

- a. The proposed project to remove the X8 Overlay District from the designated APNs in and of itself would not create a significant hazard to the public or the environment.
- b. The site is physically suited for the density of future development as the maximum Floor Area Ratio for Office & Office Park is 1.0.
- c. The site is physically suited for the type of future development as the subject parcels are designated Office & Office Park. This classification includes neighborhood, community, and downtown offices as well as office development in a low-intensity, campus-like setting. Future development will expand the number of office buildings after the removal of the X8 Combining Zone. The alternative site that has been identified for the installation of a single-lane roundabout is suitable for the type of improvements necessary to accommodate traffic demand and vehicular movements associated with the planned expansion of the facility.
- d. The design of any future improvements related to the project is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- e. The removal of the X8 Combining District is not likely to cause serious public health problems. Future development will be connected to City water, wastewater and storm drainage systems.
- f. The removal of the roundabout designated by the X8 Combining District will not conflict with easements acquired by the public at large for access through or use of the intersection of Market Street and Del Norte Avenue.
- g. The Project will allow for the creation of quality balanced neighborhoods that provide employment options for the City.
- h. The Project will continue to provide a framework for maintaining the integrity of surrounding business and residential neighborhoods by providing connections where necessary and continuing development in a visually compatible manner.
- i. The Project is consistent with General Plan goals and policies including: 3.8-I-4, to ensure that

neighborhood retail centers and commercial service buildings are compatible with the surrounding neighborhood and with adjacent travel corridors; 5.2-G-7, to maximize the carrying capacity of arterial roadways by controlling the number of intersections and driveways, prohibiting residential access, and requiring sufficient off-street parking to meet the needs of each project; Chapter 4.4 Connections & Corridors, Neighborhood Connectivity, to connect neighborhoods to local shopping districts and activity centers, and to provide accessibility to major urban amenities, parks, open space, and Downtown, and to the regional highway system in accordance with the new street system and hierarchy discussed in Chapter 5, Transportation.

Fiscal Impact:

The costs for processing the land use entitlements are funded by the project applicant. There are no additional financial impacts on the City in relation to the removal of the X8 District Overlay. Traffic mitigation associated with future development will be required by the developer as determined for future impacts.

Alternatives:

1. Deny the application for Rezone 22-01
2. Provide staff with alternative direction

Recommended Action:

Adopt an Ordinance of the City Council Rezoning 22-01, located east of the intersection of Sutter and Market Street to remove the X8 District Overlay and waive the second reading.

Attachments:

1. Ordinance RZ 22-01

Prepared By:
Jaspreet Kaur
Associate Planner

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY REZONE 22-01 FOR THE AMPLA HEATH SITE (LOCATED NORTH OF STATE ROUTE 20 ON PARCELS EAST OF THE INTERSECTION OF SUTTER STREET AND DEL NORTE AVENUE, APNS: 51-550-029, 51-550-030, 51-550-040, 51-550-041, 51-550-042, and 51-550-043).

WHEREAS, Ampla Health, has filed to Rezone six parcels east of the intersection of Sutter Street and Del Norte Avenue that are zoned Office Commercial District with Combining District X8 to Office Commercial District, removing the Combining District X8; and

WHEREAS, as a result the following entitlement is being considered for approval:

- Rezone 22-01; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 (“CEQA”), the City, as the Lead Agency, has analyzed the proposed Project and has prepared an Initial Study and Negative Declaration (Environmental Assessment 22-02) for the Project; and

WHEREAS, on July 27, 2022, the Planning Commission conducted a duly noticed public hearing on Rezone 22-01, at which time it received input from City Staff, the applicant; public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the Planning Commission, after which public testimony was closed; and

WHEREAS, the Planning Commission has reviewed all associated documents prepared for the project, including that related to Rezone 22-01, and all of the evidence received by the Planning Commission; and

WHEREAS, after deliberation and consideration of all relevant items, the Planning Commission desired to recommend the City Council adopt an ordinance approving Rezone 22-01; and

WHEREAS, on September 6, 2022 the City Council conducted a duly noticed public hearing on the project, at which time it received input from City Staff and the developer; public comment portion was opened, and public testimony and evidence, both written and oral, was considered by the City Council, after which public testimony was closed and this ordinance introduced.

NOW, THEREFORE, the City Council of the City of Yuba City does ordain as follows:

1. Recitals. The City Council hereby specifically finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. CEQA Finding. An initial study was prepared for this project and the City Council approved a negative declaration on September 6, 2022. There have been no material changes in circumstances since that date. As such, this project has been fully assessed under the California Environmental Quality Act (CEQA), and no further analysis is required.

3. Rezoning Findings: The City Council finds that Rezoning 22-01 is consistent with the General Plan. The City Council finds that Rezoning 22-01 i) is consistent with the General Plan goals and policies as both are amended; ii) is consistent with the purpose of the zoning ordinance to promote and protect the public's health, safety, peace, comfort, convenience and general welfare; and iii) the Project would provide open space, light, air, privacy, convenience of access, aesthetic values, protection of environmental values, and protection of public and private improvements. Among others:
 - a. The proposed project to remove the X8 Overlay District from the designated APNs in and of itself would not create a significant hazard to the public or the environment.
 - b. The site is physically suited for the density of future development as the maximum Floor Area Ratio for Office & Office Park is 1.0.
 - c. The site is physically suited for the type of future development as the subject parcels are designated Office & Office Park. This classification includes neighborhood, community, and downtown offices as well as office development in a low-intensity, campus-like setting. Future development will expand the number of office buildings after the removal of the X8 Combining Zone. The alternative site that has been identified for the installation of a single-lane roundabout is suitable for the type of improvements necessary to accommodate traffic demand and vehicular movements associated with the planned expansion of the facility.
 - d. The design of any future improvements related to the project is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
 - e. The removal of the X8 Combining District is not likely to cause serious public health problems. Future development will be connected to City water, wastewater and storm drainage systems.
 - f. The removal of the roundabout designated by the X8 Combining District will not conflict with easements acquired by the public at large for access through or use of the intersection of Market Street and Del Norte Avenue.
 - g. The Project will allow for the creation of quality balanced neighborhoods that provide employment options for the City.
 - h. The Project will continue to provide a framework for maintaining the integrity of surrounding business and residential neighborhoods by providing connections where necessary and continuing development in a visually compatible manner.
 - i. The Project is consistent with General Plan goals and policies including: 3.8-I-4, to ensure that neighborhood retail centers and commercial service buildings are compatible with the surrounding neighborhood and with adjacent travel corridors; 5.2-G-7, to maximize the carrying capacity of arterial roadways by controlling the number of intersections and driveways, prohibiting residential access, and requiring sufficient off-street parking to meet the needs of each project; Chapter 4.4 Connections & Corridors, Neighborhood Connectivity, to connect neighborhoods to local shopping districts and activity centers, and to provide accessibility to major urban amenities, parks, open space, and Downtown, and to the regional highway system in accordance with the new street system and hierarchy discussed in Chapter 5, Transportation.
4. Approval of Rezoning 22-01: Based on the information provided above, the City Council of Yuba City adopts an uncodified ordinance approving Rezoning 22-01 and reclassify the zone district for those districts as depicted in Exhibit "A," as shown on the zoning map of the City of Yuba City from Office Commercial (C-O) with Combining District X8 (C-O X8) to

Office-Commercial (C-O), and associated refinements of existing zoned district map boundaries as depicted in Exhibit "A."

5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof may be declared invalid or unconstitutional.
6. Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it to be published, in accordance with Government Code, Section 36933, or as otherwise required by law.
7. Effective Date of Resolution. This ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage and adoption.

I HEREBY CERTIFY that the foregoing Ordinance was introduced by the City Council after waiving reading, except by Title, at a regular meeting thereof held on the 6th day of September 2022, and adopted the Ordinance after the second reading at a regular meeting held on the 20th day of September 2022, by the following vote:

Ayes:

Noes:

Absent:

Recused:

CITY OF YUBA CITY

Dave Shaw, Mayor

ATTEST:

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM:

Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

Exhibit A: Rezone 22-01

I, _____, Deputy City Clerk of the City of Yuba City, California, DO HEREBY CERTIFY that the foregoing is a true and accurate copy of the Ordinance passed and adopted by the City Council of the City of Yuba City on the date and by the vote indicated herein.

EXHIBIT A



Ampla Health Rezone (RZ) 22-01 Zoning Map

