
TO ADDRESS THE COMMISSION
PLEASE STEP TO THE ROSTRUM &
STATE YOUR NAME & ADDRESS

Regular Meeting
March 26, 2008 - 7 p.m.
City Hall Council Chambers
1201 Civic Center Boulevard

YUBA CITY PLANNING COMMISSION
AGENDA

Commissioner Craig Starkey (Chairman)

Commissioner Preet Didbal (Vice Chair)

Commissioner John Sanbrook

Commissioner Satwant Takhar

Commissioner Mike Tomlinson

Commissioner John Dukes

Commissioner Jana Shannon

Roll Call

Pledge of Allegiance

Approval of minutes from meeting held on February 27, 2008

Appearance of Interested Citizens*

Correspondence: - None

Public Hearings:

1. Zoning Code Amendment #ZC 08-01 to repeal the following portion of Sec. 8-5.1302 of the Yuba City Municipal Code which reads as follows: “⁽⁸⁾Until January 1, 2013, new motion picture theaters may only locate within the boundaries of the “Central City Specific Plan and Revitalization Strategy”. . . It is not the intent of this ordinance to make nonconforming any existing motion picture theaters in Yuba City or to limit their potential for expansion.” Applicant, City of Yuba City.

Commission Consideration: - None

Commission Discussion: - None

Other Business: - None

Report on Actions of the City Council

Adjournment

Persons dissatisfied with any decision of the Planning Commission may appeal such action to the City Council. Appeals, accompanied by a fee of \$620, must be filed with the City Clerk, 1201 Civic Center Boulevard, Yuba City, CA 95993 within 10 days of such action. If no appeal is filed within this time limit, the Commission action becomes final. The exception to this is rezonings--please check with the Planning Department, 1201 Civic Center Boulevard, Yuba City for the procedure. Mailed notices of the Council hearings will be accomplished in the same manner as the Planning Commission hearings unless additional notice is deemed necessary.

If you require auxiliary aids or services (e.g., signing services) to make a presentation to the Planning Commission, the City will be glad to assist you. Please contact the City offices (530/822-4601) at least 72 hours in advance so such aids or services can be arranged. City Hall TDD: 530/822-4732.

*Members of the public may address the Planning Commission on items of interest that are within the City's jurisdiction whether or not such items of interest are on the agenda for this meeting. Members of the Commission will respond as best as they can to public comments but cannot take action or enter into a discussion on items not contained on the agenda. Public comment on public hearing agenda items will be permitted during the hearing.



City of Yuba City
Planning Division Agenda Report
Planning Commission Meeting

March 26, 2008

DATE: March 20, 2008
TO: Yuba City Planning Commission
FROM: Community Development Department
SUBJECT: Agenda Report – Meeting of March 26, 2008

PUBLIC HEARINGS

1. **ZONING CODE AMENDMENT ZC 08-01 TO DELETE FOOTNOTE NO. 8 OF SECTION 8-5.1302, WHICH LIMITS THE DEVELOPMENT OF MOVIE THEATERS TO THE CENTRAL CITY SPECIFIC PLAN AREA UNTIL JANUARY 1, 2013. APPLICANT: CITY OF YUBA CITY.**

Background:

In an effort to further promote the rejuvenation of the City's downtown area, the City Council adopted an ordinance on January 7, 2003, which limited the construction of new movie theaters in Yuba City to within the boundaries of the Central City Specific Plan. This restriction was initially intended to expire on January 1, 2008; however, the Council at their August 17, 2004 meeting approved an extension of this restriction until January 1, 2013.

The intent of the ordinance was to attract a movie theater business to the downtown area as a means of creating a thriving and robust downtown. Movie theaters can be a very effective attraction in bringing people into the area at different times of the day, thus improving the revitalization efforts of the downtown area. To further promote the construction of a downtown movie theater, the Redevelopment Agency (RDA) acquired and consolidated a total of 6.5 acres located at the southeast intersection of Bridge and Shasta Streets. The RDA next entered into an agreement with Roxy Partners for the development of a 15-screen multiplex theater on the subject site which was to be under construction by December 31, 2007. As the Commission is aware, construction on the subject theater never began and the City and Roxy Partners recently reached a settlement agreement on the matter.

At the January 15, 2008 City Council meeting, the Council raised the issue about the appropriateness of the existing Downtown Movie Theater Ordinance given the current events associated with the Roxy Partners project. On February 19, 2008, Staff brought the issue back before the Council for consideration and was unanimously directed to process a zoning code amendment to repeal the ordinance.

Discussion:

As directed by the City Council, Staff is bringing this zoning code amendment before the Planning Commission for your consideration and action. Footnote No. 8 is located in Section 8-5.1302 of the Community Commercial (C-2) District of the Zoning Regulations and the current language to be deleted reads as follows (See Attachment 1):

(8) Until January 1, 2013, new motion picture theaters may only locate within the boundaries of the “Central City Specific Plan and Revitalization Strategy” adopted by the City Council on April 17, 1992. It is not the intent of this ordinance to make nonconforming any existing motion picture theaters in Yuba City or to limit their potential for expansion.

Environmental:

This project is statutorily exempt from the California Environmental quality Act (CEQA) under the “General Rule” that CEQA applies only to projects that have the potential of causing no significant environmental effects, as specified in Section 15061 (b) (3) of the State CEQA guidelines.

Recommended Action:

Staff recommends that the Planning Commission take the following actions:

- A. Recommend that the City Council adopt the following finding:
 - 1. It has been determined that no potential adverse environmental impacts will occur as a result of this amendment to the Zoning Regulations. Therefore, this activity is exempt from CEQA pursuant to Section (b) (3) of the State CEQA Guidelines.

- B. Recommend to the City Council adoption of zoning code amendment #08-01 for the deletion of Footnote No. 8 of Section 8-5.1302 of the Zoning Regulations which pertains to the limitation of new motion picture theaters to the boundaries of the Central City Specific Plan and Revitalization Strategy.