



**CITY OF YUBA CITY
PLANNING COMMISSION
STAFF REPORT**

Date: September 28, 2022
To: Chair and Members of the Planning Commission
From: Development Services Department
Presentation By: Ashley Potočnik, Development Liaison

Subject: **Consideration of General Plan Amendment 22-05 and Rezone 22-06 to rezone 467 Gray Avenue from Single Family Residential (R-1) to Neighborhood Commercial (C-1) X₂₈**

Recommendation: A. Conduct a public hearing, and:
B. Adopt a Resolution recommending the City Council of the City of Yuba City adopt an Ordinance to determine the project is Categorical Exempt from CEQA pursuant to CEQA Guidelines Section 15301(n), Existing Facilities, and approve General Plan Amendment 22-05 and Rezone 22-06 to rezone 467 Gray Avenue from One Family Residence (R-1) to Neighborhood Commercial (C-1) X₂₈.

Applicant/Owner: Shamaila Gorski

Project Location: 467 Gray Avenue (APN: 52-122-011)

Project Number: General Plan Amendment 22-05 / Rezone 22-06

General Plan: The site is designated in the General Plan as Low Density Residential, and the proposal is to amend the General Plan to Neighborhood Commercial.

Zoning: The property is within the One Family Residence (R-1) District, and the proposal is to amend the Zoning to Neighborhood Convenience Commercial District (C-1) X₂₈.

Purpose

Consideration of General Plan Amendment 22-05 and Rezone 22-06 to rezone 467 Gray Avenue from Single Family Residential (R-1) to Neighborhood Commercial (C-1) X₂₈.

Project Description

This project is a request to rezone a 0.19-acre parcel from One Family Residence (R-1) to Neighborhood Commercial (C-1) X₂₈ and to convert the existing single-family home to a medical office. Staff proposes to include Overlay Zone District X₂₈.

The X₂₈ Overlay Zone District adds specific criteria for development of the subject parcel including the timing required for a masonry style block wall on the north and east property lines, removal of the existing non-conforming wood fence along Franklin Avenue, and relocation of the existing Yuba-Sutter Transit bus stop located along Gray Avenue adjacent to the property.

Analysis

The project site is located in south central Yuba City in an area of transition that is surrounded by single and multiple-family residences and commercial uses. All City services, including water, sewer, and storm-water drainage are available to this site.

This project request is to amend the General Plan land use designation and Zoning District to Neighborhood Commercial / Neighborhood Convenience Commercial District (C-1) X₂₈. The future conversion of the existing home to a medical office will require a Building Permit, and all C-1 development standards are required to be met consistent with the Yuba City Municipal Code. This includes, but is not limited to, building height, setbacks, lighting, landscaping, parking, signage, trash enclosures, etc.

Environmental Determination

This project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) Guidelines section 15301(n), Existing Facilities, with the basis that this project involves the conversion of a single-family residence to an office use. Furthermore, Staff has determined that none of the exception to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

Recommended Action:

- A. Following a public hearing, the Planning Commission recommends the following findings:

Environmental Finding:

Find that the project is Categorically Exempt from CEQA pursuant to CEQA Guidelines Section 15301(n), Existing Facilities.

General Plan Amendment 22-05 / Rezone 22-06 Findings:

Based upon analysis of the Rezone application, staff recommends the Planning Commission recommend the City Council find that General Plan Amendment 22-05 and Rezoning 22-06 i) are consistent with the General Plan goals and policies; ii) are 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.

- B. Adopt a Resolution recommending the City Council of the City of Yuba City adopt an Ordinance to determine the project is Categorically Exempt from CEQA pursuant to CEQA Guidelines Section 15301(n), Existing Facilities, and approve General Plan Amendment 22-05 and Rezone 22-06 to rezone 467 Gray Avenue from One Family Residence (R-1) to Neighborhood Commercial (C-1) X₂₈.

Attachments:

1. Planning Commission Resolution to approve GPA 22-05
 Exhibit A: General Plan Amendment 22-05 Map
 Exhibit B: Rezone 22-06 Map
2. Location Map
3. X₂₈ Zone District Criteria of Development

ATTACHMENT 1

RESOLUTION NO. PC 22-08

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF YUBA CITY RECOMMENDING THE CITY COUNCIL OF THE CITY OF YUBA CITY ADOPT AN ORDINANCE TO DETERMINE THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15301(N), EXISTING FACILITIES, AND APPROVE GENERAL PLAN AMENDMENT 22-05 AND REZONE 22-06 TO REZONE 467 GRAY AVENUE, APN: 52-122-011

WHEREAS, the applicant has filed an application to amend the General Plan land use designation and Zoning of 467 Gray Avenue that is currently zoned One Family Residential District (R-1); and

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

- General Plan Amendment 22-05
- Rezone 22-06; and

WHEREAS, pursuant to the authority and criteria contained in the California Environmental Quality Act of 1970 (“CEQA”), the City, as the Lead Agency, have performed a preliminary environmental assessment of this project and have determined that it falls within the Categorical Exemption set forth in CEQA Guidelines Section 15301(n), Existing Facilities. Furthermore, Staff has determined that none of the exception to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project; and

WHEREAS, the City on September 17, 2022, published a legal notice and a public hearing notice was mailed to each property owner within at least 350 feet of the project site in compliance with State law concerning the Planning Commission’s consideration on September 28, 2022; and

WHEREAS, on September 28, 2022, the Planning Commission concurrently conducted a duly noticed public hearing on the project, 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 and all of the evidence received by the Planning Commission; and

WHEREAS, after deliberation and consideration of all relevant items, the Planning Commission now desires to recommend the City Council adopt an Ordinance approving General Plan Amendment 22-05 and Rezone 22-06.

NOW, THEREFORE, BE IT RESOLVED the Planning Commission of the City of Yuba City as follows:

1. Recitals. The Planning Commission hereby specifically finds that all of the facts set forth in the recitals above are true and correct and incorporated herein.
2. CEQA Findings: Pursuant to the authority and criteria contained in the California

Environmental Quality Act (CEQA) of 1970, the City, as the Lead Agency, has analyzed the proposed project have determined that it falls within the Categorical Exemption set forth in CEQA Guidelines Section 15301(n), Existing Facilities. Furthermore, Staff has determined that none of the exception to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project; and

3. Project Findings: The Planning Commission finds that that General Plan Amendment 22-05 and Rezoning 22-06 i) are consistent with the General Plan goals and policies; ii) are 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.
4. Recommendation of Approval of General Plan Amendment 22-05: Based on the information provided above, the Planning Commission recommends to the City Council of Yuba City adopt an Ordinance approving General Plan Amendment 22-05 and reclassify the land use for that parcel as depicted in Exhibit "A," as shown on the land use map of the City of Yuba City from Low Density Residential to Neighborhood Commercial.
5. Recommendation of Approval of Rezone 22-06: Based on the information provided above, the Planning Commission recommends to the City Council of Yuba City adopt an Ordinance approving General Plan Amendment 22-05 and Rezone 22-06 and reclassify the zone district for those districts as depicted in Exhibit "B," as shown on the zoning map of the City of Yuba City from One Family Residence (R-1) to Neighborhood Convenience Commercial (C-1) X₂₈.
6. Effective Date of Resolution. This Resolution shall become effective immediately.

The foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Yuba City at a regular meeting thereof held on September 28, 2022 by the following vote:

Ayes:

Noes:

Absent:

Recused:

By order of the Planning Commission of the City of Yuba City.

Michele Blake, Planning Commission Chair

ATTEST:

Benjamin Moody, Secretary to the Planning Commission

Exhibit A: General Plan Amendment 22-05 Map
Exhibit B: Rezone 22-06 Map

EXHIBIT A

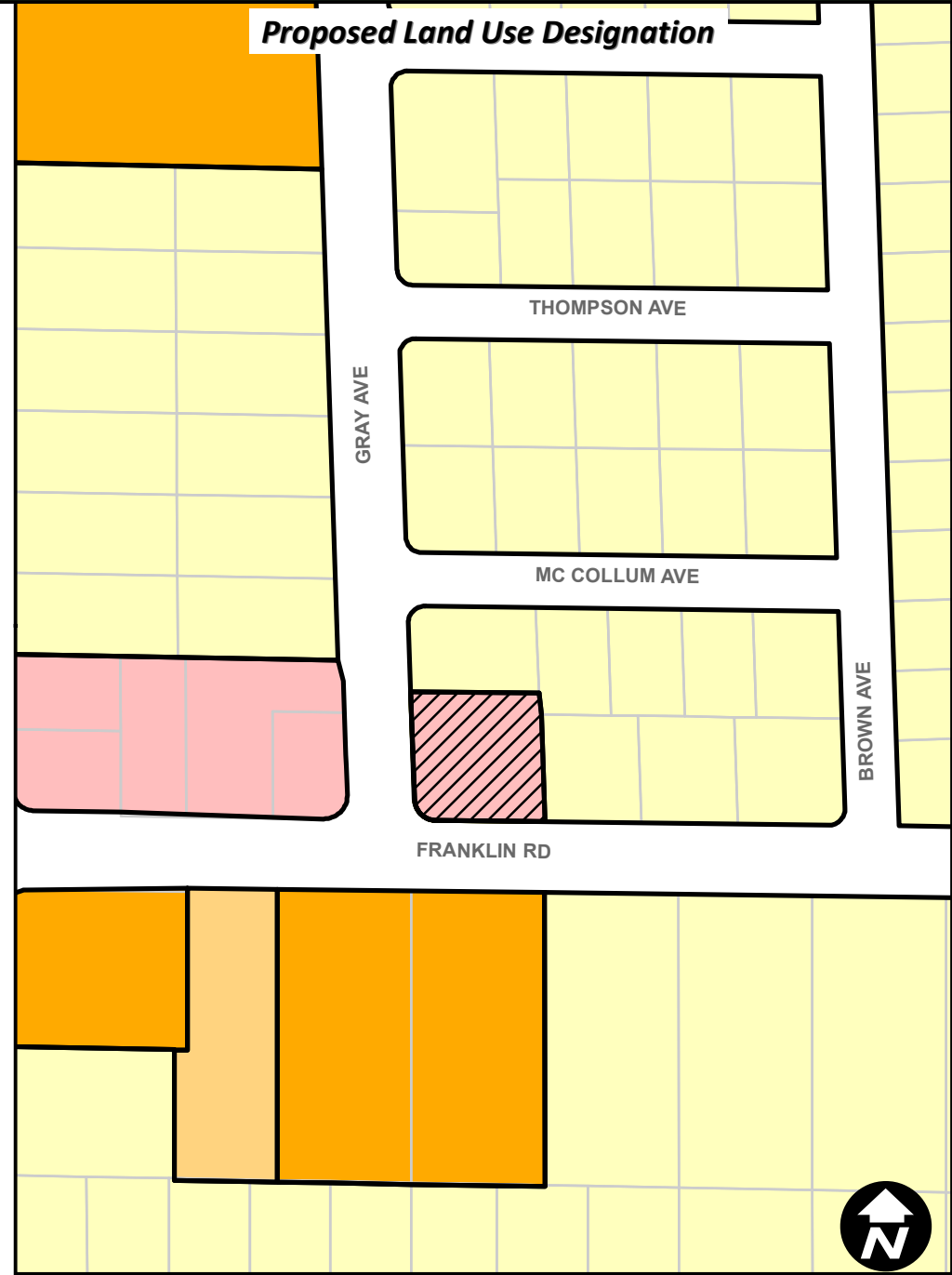
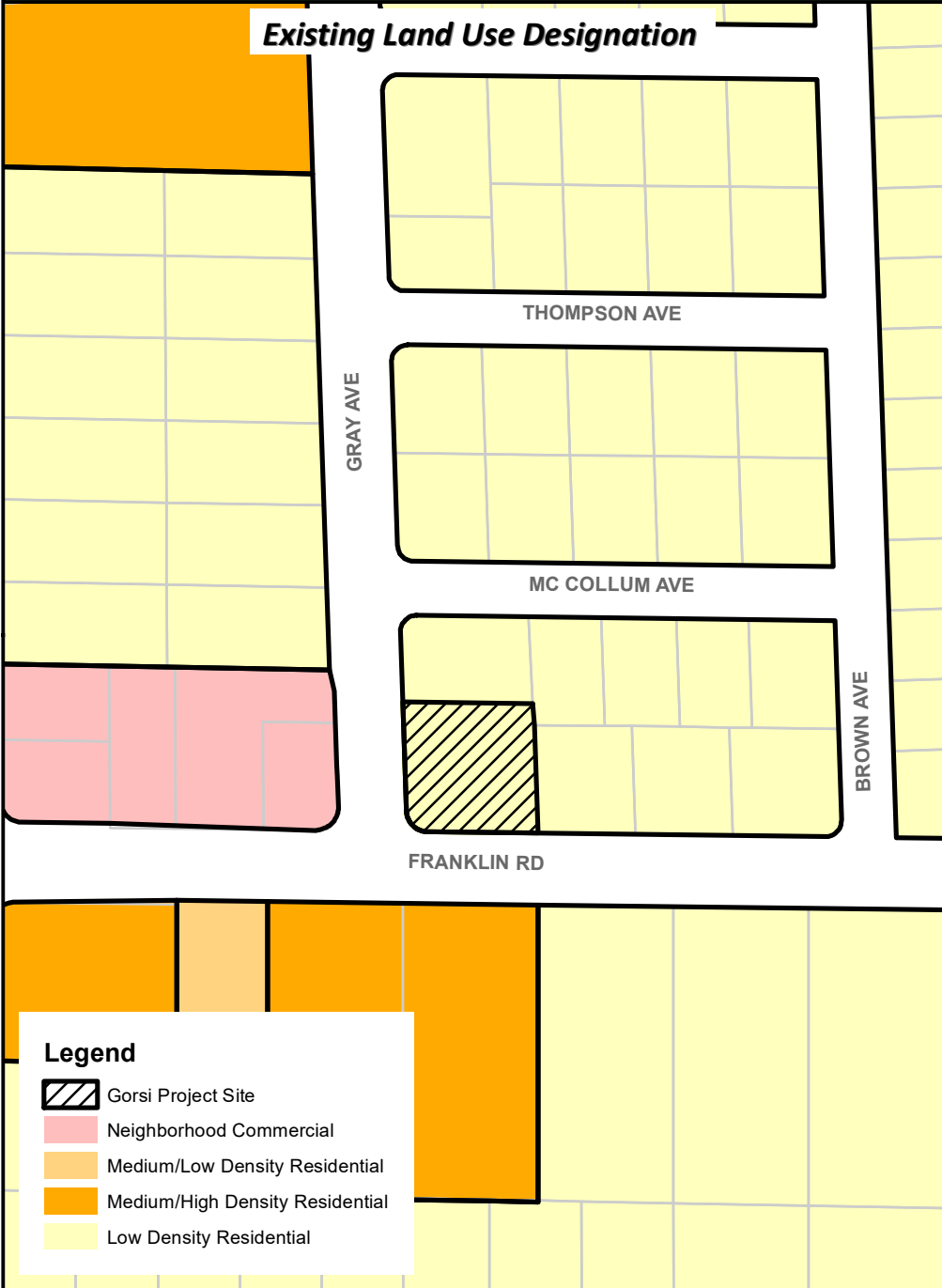
Gorsi Medical (GPA 22-05 and RZ 22-06)

General Plan Land Use Map



Existing Land Use Designation

Proposed Land Use Designation



Legend






-  Gorsi Project Site
-  Neighborhood Commercial
-  Medium/Low Density Residential
-  Medium/High Density Residential
-  Low Density Residential



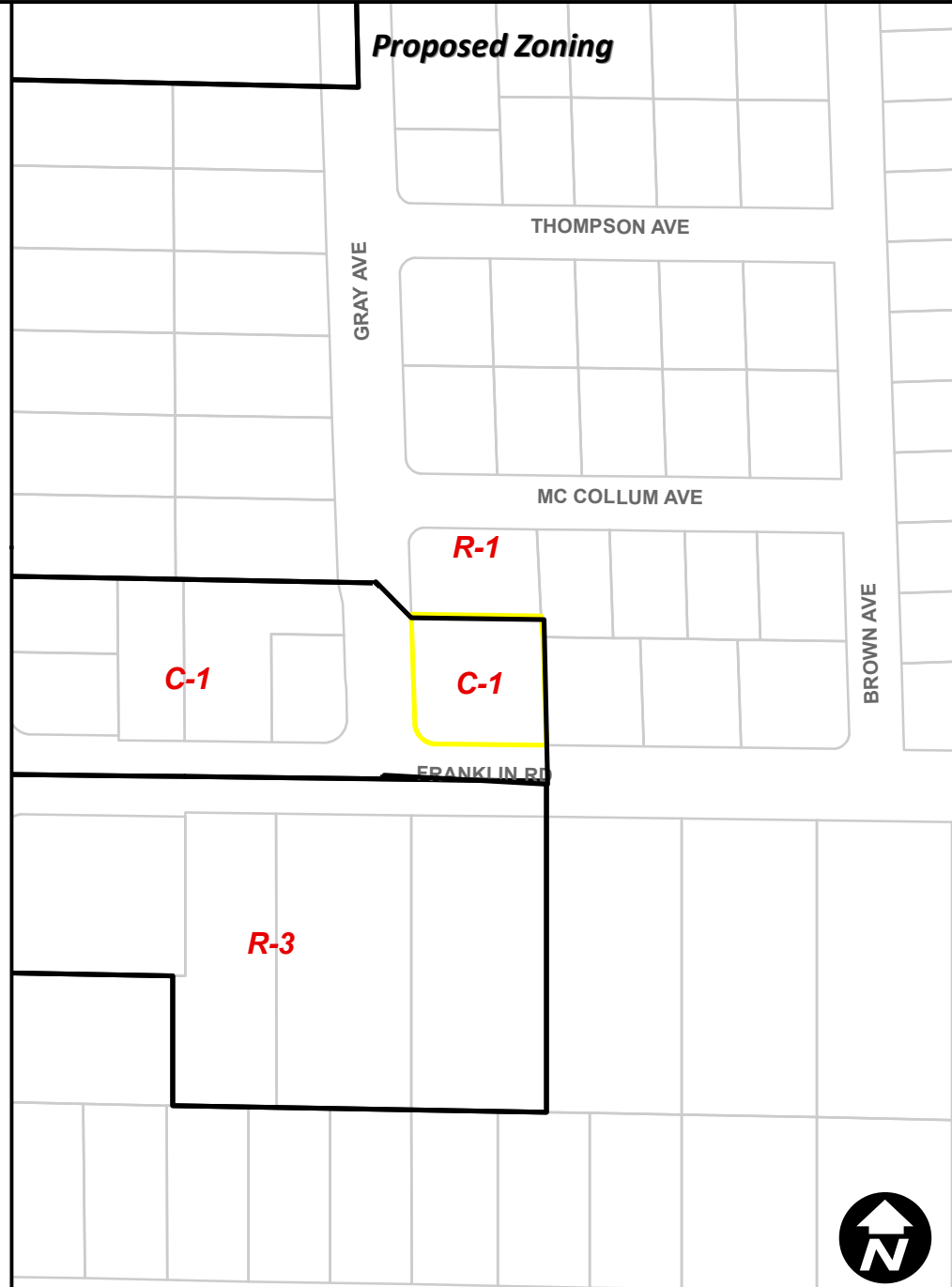
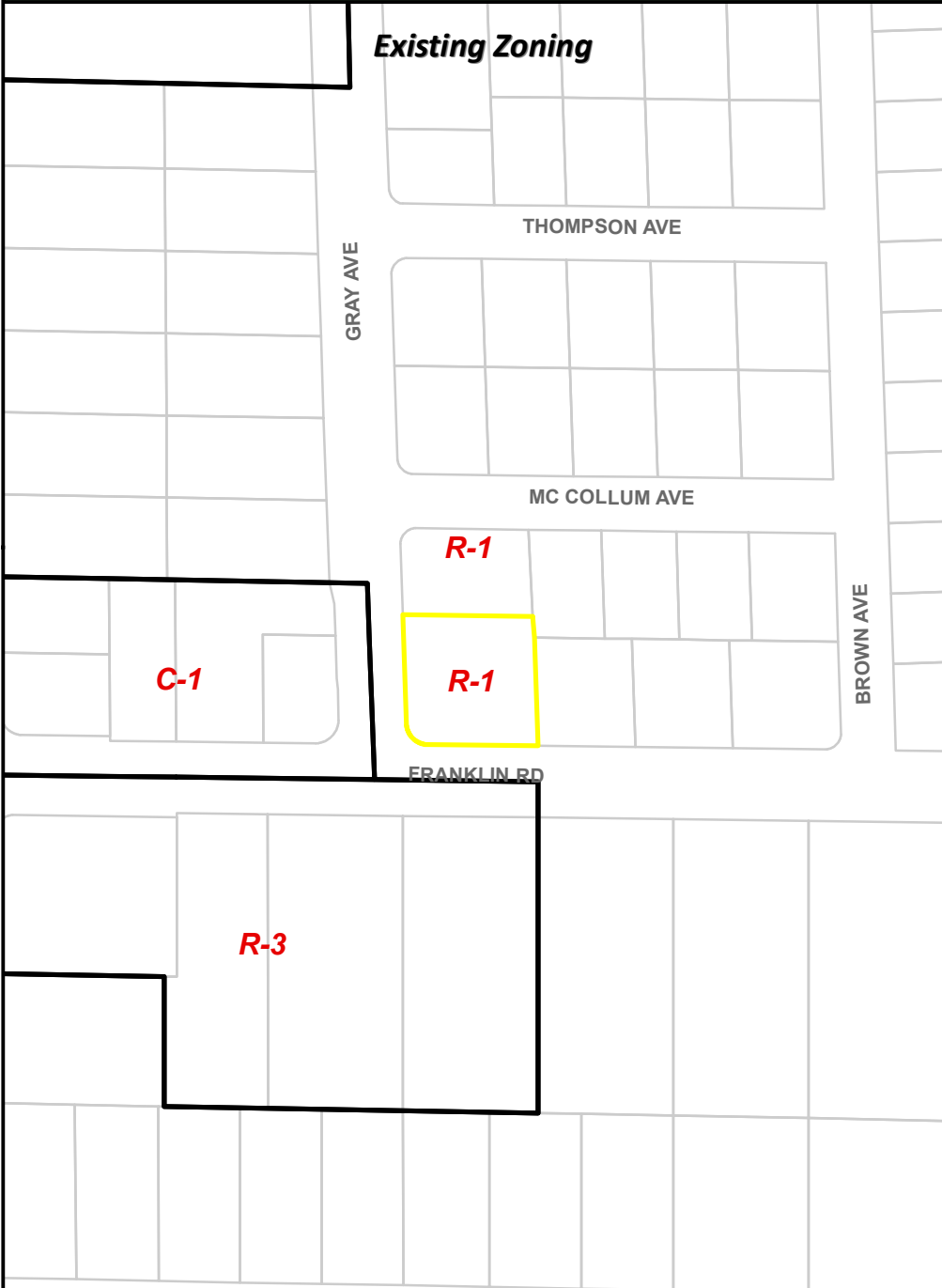
EXHIBIT B

Gorsi Medical (GPA 22-05 and RZ 22-06) Zoning Map



Existing Zoning

Proposed Zoning



ATTACHMENT 2

Gorsi Medical Location Map

General Plan Amendment (GPA) 22-05, Rezone (RZ) 22-06



THOMPSON AVE

GRAY AVE

MC COLLUM AVE

Project Site

FRANKLIN RD



ATTACHMENT 3



YUBA CITY

X₂₈ Overlay District

Gorsi Medical (GPA 22-05, RZ 22-06)

X₂₈ Area: This overlay zone applies to 467 Gray Avenue, Assessor's Parcel Number 52-122-011.

- 1) A 0.19-acre parcel located at the northeast corner of Gray Avenue and Franklin Avenue. The parcel has direct frontage onto Gray Avenue. The site is identified as Assessor's parcel number 52-122-011.

Criteria for Development

1. A masonry wall as outlined in Sec. 8-5.5905 of the Yuba City Municipal Code shall be required when the use is expanded or increased beyond a medical office.
2. The Developer shall coordinate with Public Works to relocate the existing transit sign/speed limit sign. In addition, an easement shall be dedicated to the City of Yuba City for the future construction of a Yuba Sutter Transit bus stop.
3. The existing non-conforming wooden fence along Franklin Avenue shall be removed when the residence is converted to a medical office.
4. Additional environmental review may be required when the use is expanded or increased beyond a medical office.

X₂₈ Overlay District was approved in conjunction with General Plan Amendment (GPA) 22-05 and Rezone (RZ) 22-06, City Council Meeting Month Day, 2022, Ordinance #XXXXX