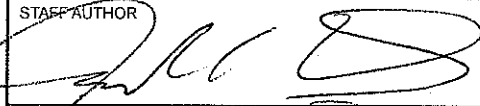
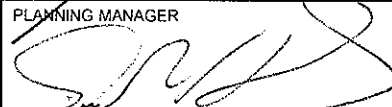


ITEM NO.	4b(5)
MEETING DATE	4-13-10
APPROVED BY	
STAFF AUTHOR	
PLANNING MANAGER	

CITY OF REDDING

REPORT TO THE PLANNING COMMISSION

DATE: March 23, 2010

CODE: L-010-230

FROM: Jim Hamilton, Development Services Director

SUBJECT: Zoning Code Amendment: Chapter 18.36,
"PF" Public Facilities District (RZ-3-10)

RECOMMENDATIONS

At the conclusion of the public hearing, recommend that the City Council adopt:

1. The Addendum to the Zoning Code Mitigated Negative Declaration;
2. Amendments to Chapter 18.36, "PF" Public Facilities District, pertaining to transitional and supportive housing facilities and commercial uses of public property as indicated on Attachment "A."

BACKGROUND

Chapter 18.36, "PF" Public Facilities District ("PF" District), has been applied to a variety of properties owned by governmental agencies, philanthropic organizations, religious institutions, and hospitals around the City. The purpose of the District is to recognize the existing and/or proposed use of those properties that provide governmental services, locations for major utility facilities, services to special population groups (including housing opportunities), or other needed or desired public services.

The Planning Commission (Commission) may recall that the Zoning Code was amended in August of last year to comply with new state requirements pertaining to transitional and supportive housing. This effort was related to the update of the City's Housing Element. The law requires that transitional and supportive housing be treated in the same manner as other residential uses allowed in each zoning district. The regulations of each of the City's residential districts, as well as those commercial districts that allow residential uses, were amended to comply with the law. The "PF" District allows public and not-for-profit residential developments, but does not specifically address transitional and supportive housing and, thus, is at odds with the new requirements.

Given their unique nature, most uses in the "PF" District require a discretionary permit, such as a site development permit or use permit. Unlike other zoning districts, building setbacks, building height limits, and other development criteria are established by those discretionary permits, as opposed to specific standards provided in the "PF" District. Schedule 18.36.030-A (Land Use Regulations), lists the uses that are appropriate in this District, as well as establishes the discretionary permit requirements.

The purpose of the proposed amendments are to update Schedule 18.36.030-A (Land Use Regulations) to:

1. List transitional and supportive housing as allowable uses with a discretionary permit approval in the "PF" District as required by state law.

2. Recognize that commercial uses that are supportive of public uses are appropriate in this District. Examples include Big League Dreams, the use of Redding Municipal Airport properties by FedEx, Peter Chu's Skyroom, and other commercial enterprises. These uses clearly support the primary public activities at these facilities. The *Purpose* Section of the District specifically identifies "related supporting uses" after listing primary facilities. Commercial uses were inadvertently omitted when Schedule 18.36.030-A was adopted in 2002. Under the proposed amendments, supportive commercial uses could only be established on public properties.

Attachment "A" includes the proposed amendments, which are underlined.

ISSUES

The issue is whether the Commission agrees that the proposed amendments are appropriate. In staff's opinion, these items are essentially a "cleanup" measure intended to implement new state law and the Housing Element, as well as to recognize that existing and future commercial uses are appropriate uses in the "PF" District on public property.

ALTERNATIVES

Among the alternatives available to the Commission are the following:

1. Recommend that the City Council adopt the attached Addendum to the Zoning Code Mitigated Negative Declaration and the proposed amendments to Schedule 18.36.030-A. (**Staff Recommendation**)
2. Recommend that other amendments also be made. The Commission should provide specific guidance in this instance.
3. Recommend that no changes to Schedule 18.36.030-A be made. This action would be inconsistent with the City's Housing Element and state law relative to transitional and supportive housing and would not address a class of land uses in this district that have been acceptable for decades.

CONCLUSIONS

In staff's opinion, these proposed amendments are not substantive from a policy or land use perspective and are intended to ensure compliance with current law and long-standing practice.

ATTACHMENTS

- A. Draft amendments
- B. Addendum
- C. Draft new ordinance
- D. Strikeout ordinance

ATTACHMENT "A"
ZONING ORDINANCE CHAPTER 18.36 AND CHAPTER 18.60
DRAFT AMENDMENTS

Chapter 18.36: "PF" Public Facilities District

Sections:

18.36.010	Purpose
18.36.020	Applicability
18.36.030	Land Use Regulations
18.36.040	Site Development Regulations and Performance Standards
18.36.050	Zoning Map Indicator

18.36.010 Purpose

The specific purposes of the "Public Facilities" District are to:

1. Provide areas for public and quasi-public facilities that are appropriate for educational facilities, cultural and institutional uses, health services, specialized housing and care facilities, parks and recreation, general government operations, airports, utility and public service needs, and other similar and related supporting uses.
2. Recognize the unique nature of public and quasi-public uses by requiring site development permits or use permits for most uses and activities within the "Public Facilities" District.
3. Ensure the provision of services and facilities needed to accommodate planned population densities.

18.36.020 Applicability

The "Public Facilities" District applies to a variety of public and semi public properties including those owned by governmental agencies, philanthropic organizations, religious organizations, and non profit corporations. It is utilized where the use of the property is intended to provide a needed public purpose, to provide services to special population groups, or to identify properties that may be utilized for public or semi-public uses in the future.

18.36.030 Land Use Regulations

Schedule 18.36.030-A below prescribes the land use regulations for the "Public Facilities" District. The regulations for this district are established by letter designation as follows:

"P" designates permitted use classifications.

"S" designates use classifications that are permitted after review and approval of a site development permit by the Board of Administrative Review.

"U" designates use classifications that are permitted after review and approval of a use permit by the City Planning Commission.

Use classifications are defined in Chapter 18.60, Use Classifications. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character. Use classifications not listed or not substantially similar to the uses in the schedule below as determined by the Director are prohibited.

Schedule 18.36.030-A Land Use Regulations

Use Classifications	"PF"	Additional Regulations
Public and Semi-Public Uses		
Cemetery	U	
Clubs and Lodges	S	1
Colleges and Trade Schools, Public or Private	S	1
<u>Commercial Support Uses</u>	S	1, 2
Community Social Service Facilities	U	
Cultural Institutions	S	1
Day Care Center (14 or more)	S	1
Government Offices	S	1
Hospitals and Clinics (including emergency care)	S	1
Offices of Philanthropic/Nonprofit Organizations	S	1
Park & Recreation Facilities	S	1
Parking, Public	S	1
Public Maintenance and Service Facilities	U	
Public Safety Facilities	S	1
Religious Facilities	S	1
Residential, Public and Not for Profit	S	1
Residential Care, General	S	1
Residential Care, Senior	S	1
Schools, Public or Private	S	1
<u>Supportive Housing Facilities</u>	S	1
<u>Transitional Housing Facilities</u>	S	1
Transportation, Communication, and Utilities Uses		
Airports and Heliports	U	
Communication Antennae and Transmission Towers	U	
Transportation Passenger Terminals	U	
Utilities, Major	U	
Utilities, Minor	P	
Accessory Uses and Structures	<i>See Section 18.43.020</i>	

¹ Use permit required if facility exceeds 30,000 square feet or 50 dwelling units.

² Publicly owned properties only.

18.60.030 Public and Semipublic Use Classifications

Commercial Support Services. Retail, service, and other for-profit commercial activities that support, enhance, and/or contribute to the basic function and economic success of a public use. Such uses shall be allowed only in conjunction with a public use or facility operated by, or on land owned or controlled by, a public agency. Such uses are not permissible in areas which would otherwise be designated for residential uses.

CITY OF REDDING



DEVELOPMENT SERVICES DEPARTMENT

PLANNING DIVISION

777 Cypress Avenue, Redding, CA 96001-271

P.O. Box 496071, Redding, CA 96049-6071

530.225.4020 FAX 530.225.4495

ADDENDUM TO A MITIGATED NEGATIVE DECLARATION

For Amendment of Chapter 18.36, "PF" Public Facilities District Pertaining to Transitional and Supportive Housing Facilities and Commercial Uses Within the District

SUBJECT

Amend Zoning Code Chapter 18.36 to allow the establishment of transitional and supportive housing facilities in the "PF" Public Facilities District in compliance with state law and the City of Redding Housing Element and to allow commercial uses in the district that are supportive of the ongoing public use of public properties.

PROJECT DESCRIPTION

Chapter 18.36, Public Facilities District zoning has been applied to a variety of properties owned by governmental agencies, philanthropic organizations, religious institutions, and hospitals around the City. The purpose of the district is to recognize the existing and/or proposed use of those properties that provide governmental services, provide services to special population groups (including housing opportunities), or otherwise provide a needed or desired public service.

The Zoning Code was amended in August 2009, to comply with new state requirements pertaining to transitional and supportive housing. The law requires that transitional and supportive housing be treated in the same manner as other residential uses allowed in each zoning district. The regulations of each of the city's residential districts, as well as those commercial districts that allow residential uses, were amended to comply with the law. The "PF" District allows public and not-for-profit residential developments, but does not specifically address transitional and supportive housing and thus is at odds with the new requirements.

The purpose of the proposed amendments are to update Schedule 18.36.030-A (Land Use Regulations) to:

1. List transitional and supportive housing as allowable uses in the "PF" District as required by state law.
2. Establish that commercial uses that are supportive of public uses are appropriate in this district. Examples include the use of City Airport properties by FedEx, Chu's restaurant, and other commercial enterprises. These uses clearly support the primary public activities at the Airport.

ITEM 4b(4)
ATTACHMENT B

ENVIRONMENTAL SETTING

The ordinance pertains to properties Citywide.

DETERMINATION

The City of Redding previously prepared an Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for the adoption of the Zoning Code. These documents were adopted on October 1, 2002. Based upon a review of the current amendments to the project, it has been determined that an addendum is appropriate because the additions are minor, and none of the following conditions (pursuant to CEQA Section 15162) have occurred:

1. Substantial changes are proposed for the project that will require major revision of the previous Mitigated Negative Declaration due to new, significant environmental effects or a substantial increase in the severity of previously identified effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken that involve new, significant environmental effects or a substantial increase in the severity of previously identified effects.
3. New information of substantial importance indicates that:
 - a. The project will have one or more significant effects not discussed in the previous Mitigated Negative Declaration.
 - b. Significant effects previously examined will be substantially more severe than shown in the previous Mitigated Negative Declaration.
 - c. Mitigation measures previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt them.
 - d. Mitigation measures that are considerably different from those analyzed in the previous Mitigated Negative Declaration would substantially reduce one or more significant effects, but the project proponents decline to adopt them.

FINDINGS

1. ***The City of Redding has determined that an addendum is warranted, finding that none of the above conditions are in evidence and that there is no substantial evidence, in light of the whole record before the City, that the amendment proposal will have a significant effect on the environment.***
2. ***The Addendum to the Mitigated Negative Declaration, with its supporting documentation, reflects the independent judgment and analysis of the City of Redding.***

MITIGATION MEASURES

The mitigation measures reflected in the original Mitigation Monitoring Program need not be altered.

PUBLIC REVIEW DISTRIBUTION

Pursuant to Section 15164(c) of CEQA, an addendum does not require circulation for public review.

Copies of the Addendum, the Mitigated Negative Declaration, the original Initial Study, and the Mitigation Monitoring Program may be obtained at the Planning Division of the Development Services Department, City of Redding, 777 Cypress Avenue, Redding, CA 96001. Contact Senior Planner Kent Manuel at (530) 225-4029.

3-25-10
Date

Kent Manuel for
Douglas DeMallie, Planning Manager
Development Services Department

DD:amf
Envirdoc10\MNDadndm-RZ0310-PFDist.wpd

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF REDDING AMENDING TITLE 18 (ZONING), CHAPTER 18.36 (PUBLIC FACILITIES DISTRICT), SECTION 18.36.010, SCHEDULE 18.36.030-A, AND CHAPTER 18.060.030 (PUBLIC AND SEMIPUBLIC USE CLASSIFICATIONS) RELATING TO TRANSITIONAL AND SUPPORTIVE HOUSING FACILITIES AND COMMERCIAL USES

WHEREAS, the Planning Commission held a duly noticed public hearing pertaining to the attached amendments to the Redding Municipal Code Title 18, Zoning Ordinance, on April 13, 2010, and recommended that the City Council adopt said amendments; and

WHEREAS, the City Council held a duly noticed public hearing on this date, prior to the first reading of this ordinance; and

WHEREAS, the Addendum to the Mitigated Negative Declaration (attached to the staff report) prepared for the amendments to Redding Municipal Code Title 18 is appropriate, since there is no substantial evidence, in light of the whole record before the City of Redding, that the proposed amendments will have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF REDDING DOES ORDAIN AS FOLLOWS:

Section 1. The City Council hereby adopts the Addendum to the Mitigated Negative Declaration prepared for the amendments to portions of Redding Municipal Code Title 18, Zoning Ordinance, as indicated in Section 2, below;

Section 2. Title 18 (Zoning), Chapter 18.36 ("PF" Public Facilities District), is hereby amended to read as follows:

18.36.010 Purpose

The specific purposes of the "PF" Public Facilities District are to:

1. Provide areas for public and quasi-public facilities that are appropriate for educational facilities, cultural and institutional uses, health services, specialized housing and care facilities, parks and recreation, general government operations, airports, utility and public service needs, and other similar and related supporting uses.
2. Recognize the unique nature of public and quasi-public uses by requiring site development permits or use permits for most uses and activities within the "Public Facilities" District.
3. Ensure the provision of services and facilities needed to accommodate planned population densities.

[No changes to Section 18.36.020 or Section 18.36.030]

ITEM 46(4)
ATTACHMENT C

Schedule 18.36.030-A is revised to read as follows:

Schedule 18.36.030-A Land Use Regulations

Use Classifications	"PF"	Additional Regulations
Public and Semi-Public Uses		
Cemetery	U	
Clubs and Lodges	S	1
Colleges and Trade Schools, Public or Private	S	1
Commercial Support Uses	S	1, 2
Community Social Service Facilities	U	
Cultural Institutions	S	1
Day Care Center (14 or more)	S	1
Government Offices	S	1
Hospitals and Clinics (including emergency care)	S	1
Offices of Philanthropic/Nonprofit Organizations	S	1
Park & Recreation Facilities	S	1
Parking, Public	S	1
Public Maintenance and Service Facilities	U	
Public Safety Facilities	S	1
Religious Facilities	S	1
Residential, Public and Not for Profit	S	1
Residential Care, General	S	1
Residential Care, Senior	S	1
Schools, Public or Private	S	1
Supportive Housing Facilities	S	1
Transitional Housing Facilities	S	1
Transportation, Communication, and Utilities Uses		
Airports and Heliports	U	
Communication Antennae and Transmission Towers	U	
Transportation Passenger Terminals	U	
Utilities, Major	U	
Utilities, Minor	P	
Accessory Uses and Structures	<i>See Section 18.43.020</i>	

¹ Use permit required if facility exceeds 30,000 square feet or 50 dwelling units.

² Publicly owned properties only.

Section 3. Title 18 (Zoning), Chapter 18.60 (Use Classifications), Section 18.60.030 (Public and Semipublic Use Classifications), is hereby amended by adding the following definition as Subsection C and re-lettering the remaining definitions:

- C. Commercial Support Services.** Retail, service, and other for-profit commercial activities that support, enhance, and/or contribute to the basic function and economic success of a public use. Such uses shall be allowed only in conjunction with a public use or facility operated by, or on land owned or controlled by, a public agency. Such uses are not permissible in areas which would otherwise be designated for residential uses.

[Definitions C through T are to be re-lettered as D through U]

Draft New Ordinance

I HEREBY CERTIFY that the foregoing ordinance was introduced and read by the City Council at a regular meeting on the 4th day of May 2010 and was duly read and adopted at a regular meeting on the ____ day of _____ 2010 by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

PATRICK JONES, Mayor

ATTEST:

FORM APPROVED:

PAMELA MIZE, Deputy City Clerk

RICHARD A. DUVERNAY, City Attorney

3-23-10
ORDZO-Amnd-18.36-PublicFacilities-DraftNew Ord-KM-CC.wpd

STRIKEOUT ORDINANCE

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Underline

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF REDDING AMENDING TITLE 18 (ZONING), CHAPTER 18.36 (PUBLIC FACILITIES DISTRICT), SECTION 18.36.010, SCHEDULE 18.36.030-A, AND CHAPTER 18.060.030 (PUBLIC AND SEMIPUBLIC USE CLASSIFICATIONS) RELATING TO TRANSITIONAL AND SUPPORTIVE HOUSING FACILITIES AND COMMERCIAL USES

18.36.010 Purpose

The specific purposes of the "PF" Public Facilities District are to:

1. Provide areas for public and quasi-public facilities that are appropriate for educational facilities, cultural and institutional uses, health services, specialized housing and care facilities, parks and recreation, general government operations, airports, utility and public service needs, and other similar and related supporting uses.
2. Recognize the unique nature of public and quasi-public uses by requiring site development permits or use permits for most uses and activities within the "Public Facilities" District.
3. Ensure the provision of services and facilities needed to accommodate planned population densities.

STRIKEOUT ORDINANCE

STRIKEOUT ORDINANCE

Schedule 18.36.030-A Land Use Regulations

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<i>Commercial Support Uses</i>	S	1, 2
Community Social Service Facilities	U	
Cultural Institutions	S	1
Day Care Center (14 or more)	S	1
Government Offices	S	1
Hospitals and Clinics (including emergency care)	S	1
Offices of Philanthropic/Nonprofit Organizations	S	1
Park & Recreation Facilities	S	1
Parking, Public	S	1
Public Maintenance and Service Facilities	U	
Public Safety Facilities	S	1
Religious Facilities	S	1
Residential, Public and Not for Profit	S	1
Residential Care, General	S	1
Residential Care, Senior	S	1
Schools, Public or Private	S	1
<i>Supportive Housing Facilities</i>	S	1
<i>Transitional Housing Facilities</i>	S	1
<i>Transportation, Communication, and Utilities Uses</i>		
Airports and Heliports	U	
Communication Antennae and Transmission Towers	U	
Transportation Passenger Terminals	U	
Utilities, Major	U	
Utilities, Minor	P	
<i>Accessory Uses and Structures</i>	<i>See Section 18.43.020</i>	

¹ Use permit required if facility exceeds 30,000 square feet or 50 dwelling units.

² Publicly owned properties only.

Section 3. Title 18 (Zoning), Chapter 18.60 (Use Classifications), Section 18.60.030 (Public and Semipublic Use Classifications), is hereby amended by adding the following definition as Subsection C and re-lettering the remaining definitions:

C. Commercial Support Services. Retail, service, and other for-profit commercial activities that support, enhance, and/or contribute to the basic function and economic success of a public use. Such uses shall be allowed only in conjunction with a public use or facility operated by, or on land owned or controlled by, a public agency. Such uses are not permissible in areas which would otherwise be designated for residential uses.

[Definitions C through T are to be re-lettered as D through U]