

AGENDA
REGULAR MEETING OF THE CITY OF SUISUN CITY
PLANNING COMMISSION
7:00 P.M., DECEMBER 13, 2016

COUNCIL CHAMBERS
701 CIVIC CENTER BOULEVARD
SUISUN CITY, CALIFORNIA 94585

Next Resolution No. PC16-10

1. ROLL CALL:

Chairperson Pal
Vice-Chair Osborne
Commissioner Clemente
Commissioner Holzwarth
Commissioner Ramos
Commissioner Thomas

Pledge of Allegiance
Invocation

2. ANNOUNCEMENTS:

None

3. MINUTES:

Approval of Planning Commission minutes of November 15, 2016.

4. AUDIENCE COMMUNICATIONS:

This is a time for public comments for items that are not listed on this agenda. Comments should be brief. If you have an item that will require extended discussion, please request the item be scheduled on a future agenda.

CONFLICT OF INTEREST NOTIFICATION

(Any items on this agenda that might be a conflict of interest to any Commissioner should be identified at this time.)

5. PUBLIC HEARINGS:

For each of the following items, the public will be given an opportunity to speak. After a Staff Report, the Chair will open the Public Hearing. At that time, the applicant will be allowed to make a presentation. Members of the public will then be allowed to speak. After all have spoken, the applicant is allowed to respond to issues raised by the public, after which the Public Hearing is normally closed. Comments should be brief and to the point. The Chair reserves the right to limit repetitious or non-related comments. The public is reminded that all decisions of the Planning Commission are appealable to the City Council by filing a written Notice of Appeal with the City Clerk within ten (10) calendar days.

- A. **A Resolution of the Suisun City Planning Commission Recommending City Council Adoption of Comprehensive Amendments to Title 18 “Zoning” of the Suisun City Municipal Code and Recommendation of a Finding of Consistency with the Approved 2035 General Plan and its Certified Environmental Impact Report (EIR).**
 - **Adoption of Resolution No. PC16-___-.**

7. COMMUNICATION:

A. Staff

B. Commission

C. Agenda Forecast

8. ADJOURN.

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MINUTES
SPECIAL MEETING OF THE CITY OF SUISUN CITY
PLANNING COMMISSION
7:00 P.M., NOVEMBER 15, 2016

COUNCIL CHAMBERS
701 CIVIC CENTER BOULEVARD
SUISUN CITY, CALIFORNIA 94585

Next Resolution No. PC16-08

1. ROLL CALL:

Present:

Vice-Chair Osborne
Commissioner Clemente
Commissioner Holzwarth
Commissioner Ramos
Commissioner Smith
Commissioner Thomas

Absent:

Chairperson Pal

Pledge of Allegiance
Invocation

2. ANNOUNCEMENTS:

None

3. MINUTES:

Commissioner Clemente moved to approve Planning Commission minutes of September 27, 2016. Commissioner Smith seconded the motion. Motion passed 6-0.

4. AUDIENCE COMMUNICATIONS:

None

CONFLICT OF INTEREST NOTIFICATION

None

5. PUBLIC HEARINGS:

A. Request for Exterior Improvements to the Village Green Apartments at the Southeast Corner of Pintail Drive and Sunset Avenue (APN 173-010-450).

Vice Chair Osborne opened the Public Hearing. John Kearns presented the staff report. Mr. Kearns explained that on October 23, 2015 one of the buildings at the Village Green Apartment complex experienced a fire damaging a majority of the 12 units in the building. He further explained that during the process of rebuilding the owner decided to consider some exterior improvements which needed Commission approval.

Mr. Kearns explained that along with the rebuild three proposed color schemes would be utilized throughout the complex.

Albert Enault, 528 Wood Duck Drive, stated he was thrilled to see renovations being done throughout the complex. He voiced concerns regarding the existing trees on the property and asked the Commission to consider

a condition of approval that no trees be removed unless replaced with trees of the same size and that any trimming be done properly.

Commissioner Smith asked about the number of buildings in the complex and the length of time until completion.

Connie Simvoulakis, Architectural Designer for the project stated that there were no plans to remove any trees or landscaping. She stated that, if anything, it would be enhanced. Ron Singh, Project Manager, stated that aside from the burned unit the timeline would be one year from start.

Commissioner Osborne asked about the tenants and Mr. Singh stated they have been relocated.

Commissioner Holzwarth asked if renovations were going to be done on the remaining buildings. Ms. Simvoulakis stated the remaining buildings would be renovated to be consistent with the new construction.

Commissioner Ramos voiced concerns about the landscaping and felt an additional condition of approval should be added.

Commissioner Clemente asked if they would be voting on all three of the exterior concepts or one just one.

Commissioner Smith asked if the plan was for a mix of the three with Ms. Simvoulakis stating they would like a choice of two concepts, but getting approval for all three would be preferred.

Vice-Chair Osborne closed the Public Hearing.

Mr. Kearns clarified that it was not the intent of the applicant to disturb the trees therefore it should be just for protection to have a condition if there is removal of the trees or damage to trees that they be replaced.

Commissioner Ramos moved to include the landscape criteria into the conditions.

Commissioner Clemente seconded the motion. Motion passed 6-0 by roll call vote with Chairperson Pal absent.

After a brief discussion Commissioner Ramos withdrew his motion and Commissioner Clemente withdrew his second.

The Commission had a brief discussion on the three exterior design concepts. The consensus was to allow the Village Green Apartments to use all three concepts.

Commissioner Clemente moved to approve Resolution No. PC16-08, approving the exterior improvements and add the landscape condition regarding the trees. Commissioner Ramos seconded the motion. Motion passed 6-0 by roll call vote with Chair Pal absent.

B. A Request for an Establishment of a Child Daycare Center at 1241 Anderson Drive.

John Kearns presented the staff report. Mr. Kearns explained that the project had two applicants. One was for the building and the other for the operation of the daycare center. Mr. Kearns gave a brief background explaining that the public hearing was opened and continued at the September 13 Planning Commission meeting due to some conflicts between the plans and the applicants use permit description. He further explained that the item

was again continued on September 27 before a decision to re-notice the public hearing was made due to too much time elapsing. A complete project application was subsequently received and the item was noticed for a new public hearing.

The proposed project is for a 4,700 square foot building with a 2,900 square foot playground. There will be at least six (6) employees on site at all times and no more than seventy (70) children at any time ranging in age from six (6) weeks to twelve (12) years of age.

Vice-Chair Osborne opened the Public Hearing.

Latasha Curtis, daycare center applicant, and David Sowels, property owner and property developer spoke in favor of the project.

Commissioner Smith asked how children would be transported to and from the daycare center to school. Ms. Curtis stated they have a 15 passenger van.

Commissioner Ramos asked if there would be a nurse or CPR certified staff member on site and how the class sizes were configured. Ms. Curtis stated there would be personnel with CPR certification as it is a State requirement. Ms. Curtis also explained that each age group and class had its own ratio of staff/children.

Commissioner Holzwarth clarified that Mr. Sowels was the property owner and developer and that Ms. Curtis would be leasing from him.

Commissioner Clemente asked if the property would be fenced. Mr. Sowels stated that only the playground would be fenced. He also stated that it would be a 6' metal fence. Commissioner Clemente also stated he did not see comments from the Police Department. Mr. Kearns stated that there were specific conditions of approval and that the Police Department would be working directly with the applicant.

Vice-chair Osborne asked about the project completion date. Mr. Sowels stated that he hoped to have design and construction drawings within the next 60 days.

Mr. Enault, 528 Wood Duck Drive, stated that the Lawler Ranch Commercial area had its own guidelines and wanted to encourage the Commission to look closely at those guidelines when approving projects. He also suggested that maybe some benches be placed out front and recommended that a chain link fence not be used. He also suggested that downcast lighting be used on the building.

There being no further comments Vice-chair Osborne closed the Public Hearing.

Commissioner Smith asked if the van occupying a parking space still meet the parking requirements. Mr. Kearns stated that it did.

Commissioner Ramos stated that he also liked the idea of downcast lighting and would like to see a wrought iron fence instead of the proposed metal fence.

Commissioner Ramos moved to approve Resolution No. PC16-09 adding that the fence be changed to wrought iron and downcast lighting on the around building. Commissioner Smith seconded the motion. Motion passed 6-0 by roll call vote with Chairperson Pal absent.

7. COMMUNICATION:

A. Staff

Mr. Kearns stated that the Specific Plan Update had been approved by the City Council on November 1 and would become effective December 1, 2016.

Mr. Kearns stated that the Solano Transportation Agency held its project awards and the Specific Plan Update had been nominated but did not win.

B. Commission

Commissioner Clemente thanked the Commission and staff for the flowers sent for the passing of his wife, Diana.

Commissioner Smith stated that with her recent election to the School Board she would be stepping down from the Planning Commission soon.

C. Agenda Forecast

Mr. Kearns stated there would be no meeting on November 21 but a meeting on December 13 for the Zoning Ordinance Update was tentatively scheduled.

Mr. Kearns stated that the Suisun 355 project, east of Walters Road, was moving forward and the Crystal Middle School site was waiting resubmittal.

Commissioner Clemente reminded the Commission that some of them were up for reappointment and to submit their paperwork.

8. ADJOURN.

There being no further business the meeting was adjourned at 8:15pm.

Anita Skinner, Commission Secretary

AGENDA TRANSMITTAL

MEETING DATE: December 13, 2016

PLANNING COMMISSION AGENDA ITEM: PUBLIC HEARING: Title 18 “Zoning” of the Suisun City Municipal Code.

Adoption of Resolution No. PC-_____; A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adoption of Comprehensive Amendments to Title 18 “Zoning” of the Suisun City Municipal Code and Recommendation of a Finding of Consistency with the Approved 2035 General Plan and its Certified Environmental Impact Report (EIR).

ENVIRONMENTAL REVIEW: The City previously prepared and certified an Environmental Impact Report (EIR) for the 2035 General Plan, which was adopted in 2015, and analyzed the impacts of development anticipated under the proposed amendments of the Zoning Ordinance. The 2035 General Plan and its EIR specifically contemplated the Zoning Ordinance would be subject to streamlining under CEQA based on consistency with those documents. The impacts associated with the types of development proposed in the Zoning Ordinance, development density, and the locations where citywide development would occur, were previously analyzed in the 2035 General Plan EIR. After conducting a review and assessment, the Development Services Department of the City of Suisun City finds the proposed project is consistent with the adopted 2035 General Plan and its EIR.

After conducting a review and environmental assessment, the Development Services Department also finds no substantial new evidence in the record that this project may have additional significant impacts that were not analyzed as significant adverse effects in the EIR prepared for the 2035 General Plan. Additionally, there is no substantial new evidence of potentially significant off-site impacts or cumulative impacts that were not discussed in the EIR prepared for the 2035 General Plan, and no potentially significant adverse effects peculiar to the project. Finally, there are no previously identified significant effects, which as a result of substantial new information that was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the EIR for the 2035 General Plan.

Therefore, pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, the City, as the lead agency, intends to find that the proposed amendments are consistent with the 2035 General Plan and the EIR certified for the 2035 General Plan, and that no additional environmental review is required by CEQA.

BACKGROUND: The contents of Title 18 “Zoning” was last comprehensively amended over 30 years ago with many references dating back to 1974. Since that time, several isolated amendments have been completed. The update of the Zoning Ordinance began as a part of the City’s contract with AECOM to complete the 2035 General Plan which was completed in May 2015. Subsequently, AECOM recently completed an update of the Waterfront District Specific Plan which was adopted by the City Council in November of this year.

PREPARED BY:

John Kearns, Associate Planner

REVIEWED/APPROVED BY:

Jason Garben, Development Services Director

In 2015, the City adopted a comprehensively revised General Plan. The 2035 General Plan provides an updated set of policy guidelines for the overall amount, character, and location of urban development, as well as preservation and natural resource conservation, economic development, transportation, safety, public facilities and services, and housing. The proposed comprehensive amendments are necessary to implement the policies of the General Plan.

By way of reference, staff is providing some definition material relative to a zoning ordinance:

A zoning ordinance consists of two parts: a map (or series of maps) and text. The zoning map shows how the community is divided into different use districts or zones. Zoning districts common to most ordinances include residential, commercial, industrial, and agricultural. The zoning map must show precise boundaries for each district. Consequently, most zoning maps rely on street or property lines as district boundaries.

The zoning text serves two important functions. First, it explains the zoning rules that apply in each zoning district. These rules typically establish a list of land uses permitted in each district plus a series of specific standards governing lot size, building height, and required yard and setback provisions. Second, the text sets forth a series of procedures for administering and applying the zoning ordinance. In most cases, the text is divided according to "sections" (or "articles") for ease of reference. (<http://plannersweb.com/2001/04/zoning-basics/>)

Since the inception of the General Plan/Zoning Ordinance Update projects, staff has checked in with both Planning Commission and City Council to assure staff was moving in the right direction. Specific examples of dates in which the Planning Commission and City Council provided input include:

Planning Commission

- April 14, 2015
- November 10, 2015; and
- February 9 of 2016

City Council

- April 7, 2015
- December 15, 2015; and
- January 15 of 2016

This is in addition to the direction provided by both bodies throughout the updates of the General Plan and Waterfront District Specific Plan which also shaped the Zoning amendments. Topics where specific direction was sought included:

- Front yard design standards (i.e. maximum impervious surfaces and front yard landscaping standards);
- Sign code revisions; and
- Community Health Policies.

The consultant and staff have taken all the input and direction gathered and proposed amendments to the zoning regulations that are believed to be consistent with the direction received.

STAFF REPORT: The proposed zoning ordinance provides a precise plan for residential, commercial, industrial, agricultural, public, and other land uses in the City. Title 18 ultimately preserves the desirable characteristics of each type of setting through establishing zone classifications and land usage regulations for properties in specified areas. The City is proposing a comprehensive update and reorganization of Title 18 Zoning of the Suisun City Municipal Code. This effort includes revisions of the text and the City's Zoning Map to insure consistency with the General Plan. The goal is to facilitate the City's overall growth and development and enhance the community's overall appearance, access to services, and economic health. Title 18 addresses such issues as, including but not limited to, allowed land uses in each zoning district, development standards (setbacks, minimum lot sizes, maximum heights of buildings and fences, etc.), procedures for land use permits and definitions.

The draft zoning ordinance is set up to include five articles consisting of General Provisions, Zoning Districts, General Development Regulations, Special Use and Special Area Regulations, and Administration. Within each of these articles are affiliated sections. By grouping or reorganizing the document, the reader will likely find the information quicker and easier. In addition to reorganization and modernization of the draft zoning ordinance, the resulting document is a lot more user-friendly with many more exhibits and figures provided. This includes pictures, schematics and tables. One section that has taken particular advantage of more visuals is the sign code (Section 18.44) which is commonly an area in which staff receives many inquiries. From tables providing maximum square footage of signage to figures illustrating the appropriate location of a sign, there are many examples of the draft zoning ordinance being more informative and user-friendly.

Lastly, the draft ordinance also provides a new draft zoning map. The Zoning Map (**see Section 18.06.050 of the draft Zoning Ordinance**) identifies zones that govern future development. Each zone has different allowable land uses, development standards, and other guidelines. These zones include:

► **Low-Density Residential (RL).**

The Low-Density Residential (RL) zoning district is applicable to parcels, where dwellings developed in the four (4) to ten (10) dwelling units per gross acre range, are the primary land use. Residential dwelling types in the RL district may include single-family detached dwellings on smaller standard lots, two-family dwellings (duplexes or duets, townhomes (attached and detached), and other dwellings within the specified density and intensity range. The RL zone is consistent with the Low-Density Residential land use designation in the General Plan.

► **Medium-Density Residential (RM).**

The Medium-Density Residential (RM) zoning district is applicable to parcels, where dwellings developed in the 10.1 to 20 dwelling units per gross acre range, are the primary land use. Residential dwelling types in the RM district may include single-family detached dwellings on small lots, two-family dwellings (duplexes or duets), townhomes (attached and

detached), multi-family apartments and condominiums, and other dwellings within the specified density and intensity range. The RM zone is consistent with the Medium Density Residential land use designation in the General Plan.

▶ **High-Density Residential 1 (RH1).**

The High-Density Residential 1 (RH1) zoning district is applicable to parcels, where dwellings developed in the 20.1 to 30 dwelling units per gross acre range, are the primary land use. Dwelling types in the RH district may include multi-family dwellings in a variety of formats, including attached townhomes and garden court formats, and representing surface and tuck-under parking arrangements. The RH1 zone is consistent with the High-Density Residential land use designation in the General Plan.

▶ **High-Density Residential 2 (RH2).**

The High-Density Residential 2 (RH2) zoning district is applicable to parcels, where dwellings developed in the 20 to 45 dwelling units per gross acre range, are the primary land use. Dwelling types in the RH2 district may include multi-family dwellings in a variety of formats, including townhomes and garden court apartments, with surface, tuck under, and podium parking arrangements. The RH 2 zone is consistent with the High Density Residential land use designation in the General Plan.

▶ **Residential Mixed Use (RMU)**

The Residential Mixed Use (RMU) zoning district is applicable to parcels, where a variety of residential dwelling types and complementary nonresidential uses are desired in proximity. Dwellings in the RMU zone will be developed in the 10 to 45 dwelling units per gross acre range and nonresidential intensities within the 0.3 to 1.0 floor area ratio range, with residential uses as the primary use and nonresidential as a secondary use. The RMU zone is consistent with the Mixed Use land use designation in the General Plan.

▶ **Commercial Retail (CR).**

The Commercial Retail (CR) zoning district is applicable to parcels where the sale of goods and services is the primary intended use. This includes large format retail establishments, as well as smaller commercial businesses scaled to neighborhood-serving goods and services meeting the density and intensity standards defined in Section 18.20.060. The CR zone is consistent with the Commercial land use designation in the General Plan.

▶ **Commercial Services and Fabricating (CSF).**

The Commercial Services and Fabricating (CSF) zoning district is applicable to parcels where a mix of retail, services, wholesale, warehousing, light assembly, and manufacturing uses are desirable. Uses in this zone are subject to the density and intensity standards identified in Section 18.20.060 and the development standards defined in Section 18.32. The CSF zone is consistent with the Commercial land use designation in the General Plan.

▶ **Commercial Mixed Use (CMU).**

The Commercial Mixed Use (CMU) zoning district is applicable to parcels where a variety of commercial uses are desired as the primary use, with residential uses permitted as a secondary use. Commercial and other

nonresidential uses in this zone may be within the 0.25 – 1.0 floor area ratio range, with residential uses to be developed within the 10-40 dwelling units per acre range.

Residential uses are not required on any given parcel, but if included, must be above or behind ground floor commercial uses in this zone. All uses must meet development standards, as defined in Section 18.32. The CMU zone is consistent with the Mixed Use land use designation in the General Plan.

► **Business and Professional Office (O).**

The Business and Professional Office (O) zoning district is applicable to parcels where professional office is the primary intended use, with complementary services and retail permitted as secondary uses. The O zone is consistent with the Commercial land use designation in the General Plan.

► **Waterfront District Specific Plan (DWSP).**

The Waterfront District Specific Plan (DWSP) zoning district encompasses the zoning districts in the Downtown, as defined by the latest *City of Suisun City Waterfront District Specific Plan*.

► **Agricultural Production and Sales (APS).**

The Agricultural Production and Sales (APS) zoning district is intended to preserve agricultural lands in Suisun City, while permitting compatible uses such as, the processing and packaging of agricultural products, recreation, the sales and marketing of agricultural products, and commercial uses, such as restaurants and bed and breakfast establishments. The APS zone is consistent with the Agriculture and Open Space land use designation in the General Plan.

► **Park (P).**

The Park (P) zoning district is the primary park and recreation zone in Suisun City allowing for a variety of permitted active and passive outdoor recreational uses. The zone also allows for compatible public facilities that may benefit from proximity to a park such as, community centers and libraries. The P zone is consistent with the Park land use designation in the General Plan.

Open Space (OS).

The Open Space (OS) zoning district is intended for the preservation and restoration of open space areas for which the primary use is the retention of these lands in their natural state. Secondary or complementary uses may include trails, accessory buildings (such as maintenance structures) and passive power generation, where these do not impinge on the functionality of the open space areas to be preserved. The OS zone is consistent with the Agriculture and Opens Space land use designation in the General Plan.

► **Public/Quasi-Public (PQP).**

The Public/Quasi-Public (PQP) zoning district is intended to accommodate governmental, educational, community service (such as fire or law enforcement), religious, child care, or

cultural facilities (galleries, art, and dance schools) that are complementary to community life. The PQP zone is consistent with the Civic land use designation in the General Plan.

► **Planned Unit Development (PUD).**

The Planned Unit Development (PUD) permit is designed and intended to provide for the orderly development of land in conformance with the General Plan and applicable Specific Plan. The permit would allow a flexible design approach to the establishment of a community environment equal to or better than that resulting from the application of the minimum standards of this Title. The permit is designed and intended to accommodate various types of development such as neighborhood and district shopping centers, professional and administrative office areas, multi-family housing developments, single-family residential developments, commercial service centers, or light industrial parks, or any other use or combination of uses, which can be made appropriately a part of a planned development. This land use is not found on the proposed zoning map as it is reserved for unique situations and acts as an overlay zoning. The underlying zoning districts and General Plan land use designations will vary.

Edits/Additions

Following the release of the draft zoning ordinance, staff made some edits and additions to the documents which are largely related to formatting and internal consistency. Below is a listing of proposed changes:

- Areas where there was a large amount of sub-sections were made consistent with a focus on the bulleting and numbering.
- Referencing of tables and figures was updated to follow the proper format of the document. This was mainly specific to the signage section of the code.
- The definitions for the RH1 and RH2 zones were modified to be consistent with other city policy documents including the 2015-2023 Housing Element.
- Mapping changes (to provide consistency with other city policy document) included property at the southeast corner of Marina Boulevard and Buena Vista Avenue and the southeast corner of East Tabor Avenue and Walters Road as well as some slight modifications to the maps legend.
- Lastly, the page numbering of the document was updated. The most updated version of the draft is available at <http://www.suisun.com/zoning-ordinance-update/>.

Planning Commission Action

The Planning Commission is being asked to consider making recommendations to the City Council regarding the CEQA determination (see CEQA analysis under “Environmental Review”) and adoption of the draft Zoning Ordinance (Title 18 “Zoning” of the Suisun City Municipal Code). The Commission’s recommendations will be forwarded to the City Council when they hold their public hearing.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission:

1. Open the Public Hearing;
2. Take Public Comment;

3. Close Public Hearing; and
4. Adopt Resolution No. PC-____; A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adoption of Comprehensive Amendments to Title 18 “Zoning” of the Suisun City Municipal Code and Recommendation of a Finding of Consistency with the Approved 2035 General Plan and its Certified Environmental Impact Report (EIR).

ATTACHMENTS:

1. Draft Zoning Ordinance (submitted under separate cover)
2. Resolution No. PC-____; A Resolution of the Planning Commission of the City of Suisun City Recommending City Council Adoption of Comprehensive Amendments to Title 18 “Zoning” of the Suisun City Municipal Code and Recommendation of a Finding of Consistency with the Approved 2035 General Plan and its Certified Environmental Impact Report (EIR).
3. CEQA Exemption: Finding of Consistency Zoning Ordinance Update.
4. Draft Zoning Map

**Draft Zoning Ordinance – Title 18 “Zoning” of Suisun City Municipal Code
(Submitted Under Separate Cover)**

RESOLUTION NO. PC16-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SUISUN CITY RECOMMENDING CITY COUNCIL ADOPTION OF COMPREHENSIVE AMENDMENTS TO TITLE 18 “ZONING” OF THE SUISUN CITY MUNICIPAL CODE AND RECOMMENDATION OF A FINDING OF CONSISTENCY WITH THE APPROVED 2035 GENERAL PLAN AND ITS CERTIFIED ENVIRONMENTAL IMPACT REPORT (EIR).

WHEREAS, the City of Suisun City, Development Services Department initiated a Zoning Text Amendment to comprehensively amending Title 18 “Zoning” of the Suisun City Municipal Code; and

WHEREAS, Title 18 “Zoning” of the Suisun City Municipal Code (hereinafter “Zoning Ordinance”) is proposing to amend and update the existing Title 18 “Zoning”; and

WHEREAS, the proposed Zoning regulations includes a greater level of development potential than does the previous Zoning regulations; and

WHEREAS, the resulting Zoning Ordinance amendments will act as the primary regulating document relative to zoning citywide; and

WHEREAS, the City of Suisun City previously adopted the 2035 General Plan (SCH # 2011102046) and certified an Environmental Impact Report (EIR) (SCH # 2011102046) for the 2035 General Plan in 2015; and

WHEREAS, the EIR certified for the 2035 General Plan analyzed the impacts of development anticipated under the proposed zoning ordinance; and

WHEREAS, these impacts included those associated with the types of development proposed in the zoning ordinance, development density, and the locations where development would occur citywide, all of which were previously analyzed in the 2035 General Plan EIR; and

WHEREAS, the 2035 General Plan and its EIR specifically contemplated the update to the Zoning Ordinance would be subject to streamlining under the California Environmental Quality Act (CEQA) based on consistency with those documents; and

WHEREAS, the City of Suisun City has conducted an environmental analysis of the amendments to the Zoning Ordinance, which analysis has determined it to be a project consistent with the 2035 General Plan and EIR certified by the City for the General Plan; and

WHEREAS, the Planning Commission intends to recommend the adoption of a Finding of Consistency that the Zoning Ordinance is consistent with the 2035 General Plan and the EIR certified for the 2035 General Plan, and that no additional environmental review is required by CEQA pursuant to Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183; and

WHEREAS, on December 13, 2016, the Planning Commission conducted a public hearing, received testimony and documents from staff and the City’s consultant, provided an opportunity for public comment, closed public comment, and considered all documents including the Finding of

Consistency (“CEQA Exemption: Finding of Consistency, Zoning Ordinance Update,”) as well as the “Draft Zoning Ordinance” and other materials; and

WHEREAS, after due consideration of all materials and testimony, and using its independent judgment, the Planning Commission desires to recommended that the City Council adopt the Finding of Consistency and approve the comprehensive zoning amendments.

NOW, THEREFORE, BE IT RESOLVED by the City of Suisun City Planning Commission, exercising its independent judgment as follows:

1. The above recitals are true and correct and incorporated herein by reference.
2. The Planning Commission recommends the City Council adopt a Finding of Consistency for the Zoning Ordinance as:
 - a. The project is consistent with the 2035 General Plan and with the EIR certified for the 2035 General Plan. The 2035 General Plan and its EIR specifically contemplated the Zoning Ordinance Update would be subject to streamlining under CEQA based on consistency with those documents. The impacts associated with the types of development proposed in the Zoning Ordinance, proposed zoning districts, development density, and the locations where development would occur citywide, were previously analyzed in the 2035 General Plan EIR. Mitigation in the certified EIR applicable to the Zoning Ordinance Update has been incorporated into the project. As such, the proposed project is consistent with the adopted 2035 General Plan and its EIR.
 - b. There is no substantial new evidence in the record that this project may have additional significant impacts that were not analyzed as significant adverse effects in the EIR prepared for the 2035 General Plan.
 - c. There is no substantial new evidence of potentially significant off-site impacts and cumulative impacts that were not discussed in the EIR certified for the 2035 General Plan, and no potentially significant adverse effects peculiar to the project.
 - d. There are no previously identified significant effects, which as a result of substantial new information which was not known at the time the EIR was certified, determined to have a more severe adverse impact than discussed in the EIR for the 2035 General Plan.
3. The Planning Commission further recommend the City Council make a finding that all feasible mitigation measures in the certified EIR for the 2035 General Plan applicable to the WDSP will be undertaken and are applicable to the project.
4. The Planning Commission recommends the City Council adopt the comprehensive zoning amendments provided as the Zoning Ordinance Update as:
 - a. The proposed amendments are consistent with and achieve the objectives prescribed in Suisun City Municipal Code; and
 - b. The proposed amendments are consistent with applicable government code as they relate to the updating of zoning regulations for a local government.
5. The Planning Commission recommends to the City Council of the City of Suisun City, the adoption of the proposed Zoning map.

6. This resolution is effective immediately upon adoption.

This foregoing resolution is hereby approved and adopted this 13th day of December, 2016, by the following vote:

AYES: Commissioners:
NOES: Commissioners:
ABSTAIN: Commissioners:
ABSENT: Commissioners:

Anita Skinner, Commission Secretary

**CEQA Exemption: Finding of Consistency
City of Suisun City
Zoning Ordinance Update**

PROJECT DESCRIPTION

The City of Suisun City (City) is proposing to comprehensively amend Title 18 “Zoning” of the Suisun City Municipal Code. The City previously prepared and certified an Environmental Impact Report (EIR) for the 2035 General Plan, which was adopted in 2015, and which analyzed the impacts of development. The impacts associated with the types of development proposed citywide including land use designations, development density, and the locations where development would occur, were previously analyzed in the 2035 General Plan EIR. Therefore, pursuant to CEQA and the CEQA Guidelines, the City, as the lead agency, intends to use the 2035 General Plan EIR as the CEQA document for the environmental impacts associated with the updated WDSP. The 2035 General Plan EIR is available for review from the City’s website: <http://www.suisun.com/departments/development-services/planning/general-plan/>. The 2035 General Plan EIR may also reviewed in person at the City Development Services Department offices, located at 701 Civic Center Boulevard, Suisun City, CA.

1.1 IMPLEMENT THE 2035 GENERAL PLAN

In 2015, the City adopted a comprehensively revised General Plan. The 2035 General Plan provides an updated set of policy guidance for the overall amount, character, and location of urban development, as well as preservation and natural resource conservation, economic development, transportation, safety, public facilities and services, and housing.

For developed uses within the Zoning Ordinance Update, the allowable floor area ratio (FAR) is 0.25 to 1.0 and for residential only developments, the allowable density is between 4 and 45 units per gross acre. As a part of preparation of the Zoning Ordinance Update, the minimum allowable FAR and the upper end of the FAR range for non-residential and mixed-development within the Zoning Ordinance Update are consistent with the General Plan land use designations. The assumed location, type, and density/intensity of development under the WDSP and the General Plan are the same.

As well as the determined consistency above, the General Plan also includes policy guidance for public facilities, bicycle and pedestrian access and mobility, and open space for recreational and natural resources. The General Plan Open Space Diagram illustrates the City’s intent for preserving important open spaces (Exhibit 7-3 of the General Plan). Priority conservation and recreational areas are highlighted in this Diagram, which shows areas and other locations for open space.

The updated Zoning Ordinance implements the General Plan’s policy direction. In addition, the proposed update incorporates changes that are necessary to address current market conditions and the current regulatory environment.

1.2 ALLOWABLE LAND USE

The Zoning Map (see **Section 18.06.050 of the draft Zoning Ordinance**) identifies zones that govern future development. Each zone has different allowable land uses, development standards, and other guidelines. These zones include:

► **Low-Density Residential (RL).**

The Low-Density Residential (RL) zoning district is applicable to parcels, where dwellings developed in the four (4) to ten (10) dwelling units per gross acre range, are the primary land use. Residential

dwelling types in the RL district may include single-family detached dwellings on smaller standard lots, two-family dwellings (duplexes or duets, townhomes (attached and detached), and other dwellings within the specified density and intensity range. The RL zone is consistent with the Low-Density Residential land use designation in the General Plan.

▶ **Medium-Density Residential (RM).**

The Medium-Density Residential(RM) zoning district is applicable to parcels, where dwellings developed in the 10.1 to 20 dwelling units per gross acre range, are the primary land use. Residential dwelling types in the RM district may include single-family detached dwellings on small lots, two-family dwellings (duplexes or duets), townhomes (attached and detached), multi-family apartments and condominiums, and other dwellings within the specified density and intensity range. The RM zone is consistent with the Medium Density Residential land use designation in the General Plan.

▶ **High-Density Residential 1 (RH1).**

The High-Density Residential 1 (RH1) zoning district is applicable to parcels, where dwellings developed in the 20.1 to 30 dwelling units per gross acre range, are the primary land use. Dwelling types in the RH district may include multi-family dwellings in a variety of formats, including attached townhomes and garden court formats, and representing surface and tuck-under parking arrangements. The RH1 zone is consistent with the High-Density Residential land use designation in the General Plan.

▶ **High-Density Residential 2 (RH2).**

The High-Density Residential 2 (RH2) zoning district is applicable to parcels, where dwellings developed in the 20 to 45 dwelling units per gross acre range, are the primary land use. Dwelling types in the RH2 district may include multi-family dwellings in a variety of formats, including townhomes and garden court apartments, with surface, tuck under, and podium parking arrangements. The RH 2 zone is consistent with the High Density Residential land use designation in the General Plan.

▶ **Residential Mixed Use (RMU)**

The Residential Mixed Use (RMU) zoning district is applicable to parcels, where a variety of residential dwelling types and complementary nonresidential uses are desired in proximity. Dwellings in the RMU zone will be developed in the 10 to 45 dwelling units per gross acre range and nonresidential intensities within the 0.3 to 1.0 floor area ratio range, with residential uses as the primary use and nonresidential as a secondary use. The RMU zone is consistent with the Mixed Use land use designation in the General Plan.

▶ **Commercial Retail (CR).**

The Commercial Retail (CR) zoning district is applicable to parcels where the sale of goods and services is the primary intended use. This includes large format retail establishments, as well as smaller commercial businesses scaled to neighborhood-serving goods and services meeting the density and intensity standards defined in Section 18.20.060. The CR zone is consistent with the Commercial land use designation in the General Plan.

▶ **Commercial Services and Fabricating (CSF).**

The Commercial Services and Fabricating (CSF) zoning district is applicable to parcels where a mix of retail, services, wholesale, warehousing, light assembly, and manufacturing uses are desirable. Uses in this zone are subject to the density and intensity standards identified in Section 18.20.060 and the

development standards defined in Section 18.32. The CSF zone is consistent with the Commercial land use designation in the General Plan.

▶ **Commercial Mixed Use (CMU).**

The Commercial Mixed Use (CMU) zoning district is applicable to parcels where a variety of commercial uses are desired as the primary use, with residential uses permitted as a secondary use. Commercial and other nonresidential uses in this zone may be within the 0.25 – 1.0 floor area ratio range, with residential uses to be developed within the 10-40 dwelling units per acre range.

Residential uses are not required on any given parcel, but if included, must be above or behind ground floor commercial uses in this zone. All uses must meet development standards, as defined in Section 18.32. The CMU zone is consistent with the Mixed Use land use designation in the General Plan.

▶ **Business and Professional Office (O).**

The Business and Professional Office (O) zoning district is applicable to parcels where professional office is the primary intended use, with complementary services and retail permitted as secondary uses. The O zone is consistent with the Commercial land use designation in the General Plan.

▶ **Waterfront District Specific Plan (DWSP).**

The Waterfront District Specific Plan (DWSP) zoning district encompasses the zoning districts in the Downtown, as defined by the latest *City of Suisun City Waterfront District Specific Plan*.

▶ **Agricultural Production and Sales (APS).**

The Agricultural Production and Sales (APS) zoning district is intended to preserve agricultural lands in Suisun City, while permitting compatible uses such as, the processing and packaging of agricultural products, recreation, the sales and marketing of agricultural products, and commercial uses, such as restaurants and bed and breakfast establishments. The APS zone is consistent with the Agriculture and Open Space land use designation in the General Plan.

▶ **Park (P).**

The Park (P) zoning district is the primary park and recreation zone in Suisun City allowing for a variety of permitted active and passive outdoor recreational uses. The zone also allows for compatible public facilities that may benefit from proximity to a park such as, community centers and libraries. The P zone is consistent with the Park land use designation in the General Plan.

▶ **Public/Quasi-Public (PQP).**

The Open Space (OS) zoning district is intended for the preservation and restoration of open space areas for which the primary use is the retention of these lands in their natural state. Secondary or complementary uses may include trails, accessory buildings (such as maintenance structures) and passive power generation, where these do not impinge on the functionality of the open space areas to be preserved. The OS zone is consistent with the Agriculture and Open Space land use designation in the General Plan.

▶ **Public/Quasi-Public (PQP).**

The Public/Quasi-Public (PQP) zoning district is intended to accommodate governmental, educational, community service (such as fire or law enforcement), religious, child care, or cultural

facilities (galleries, art, and dance schools) that are complementary to community life. The PQP zone is consistent with the Civic land use designation in the General Plan.

► **Planned Unit Development (PUD).**

The Planned Unit Development (PUD) permit is designed and intended to provide for the orderly development of land in conformance with the General Plan and applicable Specific Plan. The permit would allow a flexible design approach to the establishment of a community environment equal to or better than that resulting from the application of the minimum standards of this Title. The permit is designed and intended to accommodate various types of development such as neighborhood and district shopping centers, professional and administrative office areas, multi-family housing developments, single-family residential developments, commercial service centers, or light industrial parks, or any other use or combination of uses, which can be made appropriately a part of a planned development. This land use is not found on the proposed zoning map as it is reserved for unique situations and acts as an overlay zoning. The underlying zoning districts and General Plan land use designations will vary.

2 CEQA REVIEW AND FINDINGS

The City of Suisun City (“City”) is the lead agency for purposes of compliance with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.). Pursuant to CEQA Guidelines section 15060, the City has performed a preliminary review and determined that the Zoning Ordinance Update (also known as “the project”) is subject to CEQA.

2.1 THE SPECIFIC PLAN IS EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21083.3.

Public Resources Code section 21083.3 provides a limited statutory exemption from CEQA (the “Statutory Exemption”) pursuant to which projects may proceed without additional CEQA analysis.

Public Resources Code Section 21083.3 (b) provides that, where a development project is consistent with the general plan of a local agency, and an environmental impact report was certified for the zoning or planning action or the general plan, the examination of environmental effects shall be limited to those that:

“...are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.”

Public Resources Code Section 21083.3(d) further defines that an effect of a project upon the environment shall not be considered peculiar to project if uniformly applied development policies or standards have been previously adopted, with a finding based upon substantial evidence that the development policies or standards will substantially mitigate the environmental effect when applied to future projects.

2.2 ADOPTION OF GENERAL PLAN AND CERTIFICATION OF GENERAL PLAN EIR

The Planning Commission hereby finds and determines that on May 5, 2015, the City Council of the City of Suisun City certified the City of Suisun City 2035 General Plan Final Environmental Impact Report (General Plan EIR, State Clearinghouse Number #2011102046, consisting of the Draft Environmental

Impact Report (DEIR), revisions to the DEIR, comments on the DEIR, and responses to comments, and subsequently adopted the City of Suisun City 2035 General Plan (General Plan).

The General Plan EIR declared the City’s intent to make use of the limited statutory exemption from CEQA described in Public Resources Code Section 21083.3:¹

“The City intends to use the 2035 General Plan EIR to streamline environmental review and approval of private and public projects that are consistent with the 2035 General Plan. The City will make full use of existing streamlining provided by CEQA ...The material provided under Public Resources Code 21083.3 and CEQA Guidelines 15183 is sometimes called the ‘partial exemption.’ Under this provision, CEQA only applies to issues ‘peculiar to the site.’...CEQA Guidelines Section 15183 (f) establishes that impacts are not peculiar to the project if uniformly applied development policies or standards substantially mitigate that environmental effect. The determination of whether or not uniformly applied development policies or standards would substantially mitigate each environmental effect shall be based on substantial evidence, but not necessarily presented in an EIR... In order to maximize the value of the General Plan EIR to future projects that promote the 2035 General Plan’s objectives, the City has strategically integrated the General Plan and the environmental review. The policy development process has been used to vet potential mitigation strategies. The General Plan Update process was used to investigate policies and programs that can serve as uniformly applied standards and substantially limit the scope of analysis for projects consistent with the 2035 General Plan.”

The Planning Commission finds and determines, for the reasons set out below, that the Statutory Exemption applies to the Zoning Ordinance Update and that no further environmental analysis is required since all of the effects on the environment caused by the Zoning Ordinance Update were adequately analyzed and mitigation measures provided for in the General Plan EIR; there are no significant effects on the environment that are peculiar to the Zoning Ordinance Update not addressed and mitigated in the General Plan EIR; and there is no new information showing that any of the effects shall be more significant than described in the General Plan EIR.

The Planning Commission hereby makes the following findings and determinations relative to the Zoning Ordinance Update and the Statutory Exemption:

2.3 THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN

The Statutory Exemption applies to a project if the following conditions are met:

- ▶ the project is consistent with the General Plan of a local agency and
- ▶ an EIR was certified by the lead agency for the General Plan (14 Cal. Code Regs. Section 15183[d]).

The General Plan identifies a series of Land Use Designations, which are tied to allowable land use and standards of density and building intensity for areas where development is allowed. The Zoning Ordinance is identified with a zoning map that is consistent with the General Plan land use map.

For developed uses within the Zoning Ordinance Update, the allowable floor area ratio (FAR) is 0.25 to 1.0 and for residential only developments, the allowable density is between 4 and 45 units per gross acre.

¹ City of Suisun City. 2035 General Plan EIR, page 1-2.

As a part of preparation of the Zoning Ordinance Update, the minimum allowable FAR and the upper end of the FAR range for non-residential and mixed-development within the Zoning Ordinance Update are consistent with the General Plan land use designations. The assumed location, type, and density/intensity of development under the Zoning Ordinance and the General Plan are the same.

As well as the determined consistency above, the General Plan also includes policy guidance for public facilities, bicycle and pedestrian access and mobility, and open space for recreational and natural resources. The General Plan Open Space Diagram illustrates the City's intent for preserving important open spaces (Exhibit 7-3 of the General Plan). Priority conservation and recreational areas are highlighted in this Diagram, which shows areas and other locations for open space.

The Planning Commission finds and determines that the Zoning Ordinance Update is consistent with the General Plan, which was approved by the City Council and for which the General Plan EIR was certified.

2.3.1 GENERAL PLAN LAND USE DESIGNATIONS AND ZONING DISTRICTS

- ▶ Allowable land uses: Provides for a wide range of uses allowed by the Zoning Ordinance, including “horizontal” (same site) and “vertical” (same building) mixed retail, commercial service, professional office, public services and facilities; research, assembly, fabrication; low-, medium-, and higher-density dwelling units; and other compatible uses.
- ▶ Allowable density: 4 to 45 units per gross acre
- ▶ Allowable intensity: 0.25 to 1.0 FAR
- ▶ Guidance for mixed-use projects: Mixed-use projects may use FAR to regulate intensity of combined residential and nonresidential sites or may use the FAR and density (units per acre) separately for the nonresidential and residential portions of the project.

The Zoning Ordinance also describes allowable land use, density, and development intensity. However, instead of broad policy guidance provided in the General Plan, the Zoning Ordinance provides more detailed development standards and regulations. Below is a list of Zoning Districts being proposed.

- ▶ RL – Low Density Residential
- ▶ RM – Medium Density Residential
- ▶ RH 1 – High Density Residential 1
- ▶ RH 2 - High Density Residential 2
- ▶ RMU - Residential Mixed Use
- ▶ CR - Commercial Retail
- ▶ CSF – Commercial Service and Fabricating
- ▶ CMU - Commercial Mixed Use
- ▶ O - Business and Professional Office

- ▶ DWSP – Waterfront District Specific Plan
- ▶ APS – Agricultural Production and Sales
- ▶ P - Park
- ▶ OS – Open Space
- ▶ PQP - Public/Quasi-Public
- ▶ PUD – Planned Unit Development

The Planning Commission finds and determines that the proposed building intensity of the Zoning Ordinance Update is consistent with the allowable uses, density, and development intensity in the General Plan.

2.4 FINDINGS RELATIVE TO EFFECTS ON THE ENVIRONMENT PECULIAR TO THE PROJECT

Public Resources Code section 21083.3 provides that since the project is consistent with the General Plan and the General Plan EIR was certified with respect to the General Plan, the application of CEQA to the approval of the project shall be limited to significant effects on the environment which are peculiar to the project (in this case the Zoning Ordinance Update) and which were not addressed as significant effects in the prior General Plan EIR, or which substantial new information shows will be more significant than described in that environmental impact report.

The General Plan EIR analyzed the impacts of development anticipated under the Zoning Ordinance Update. The impacts associated with the types of development proposed in the Zoning Ordinance Update, proposed zoning, development density, and the locations where development would occur citywide, were previously analyzed in the General Plan EIR.

2.5 FINDINGS RELATING TO UNIFORMLY APPLIED DEVELOPMENT POLICIES

The Planning Commission finds and determines that the development standards and guidelines contained in the Zoning Ordinance Update, along with the uniformly applied development policies will serve to substantially mitigate impacts of the Zoning Ordinance Update and, thus, the effects of the Zoning Ordinance upon the environment shall not be considered peculiar.

2.6 FINDINGS RELATING TO ENVIRONMENTAL EFFECTS

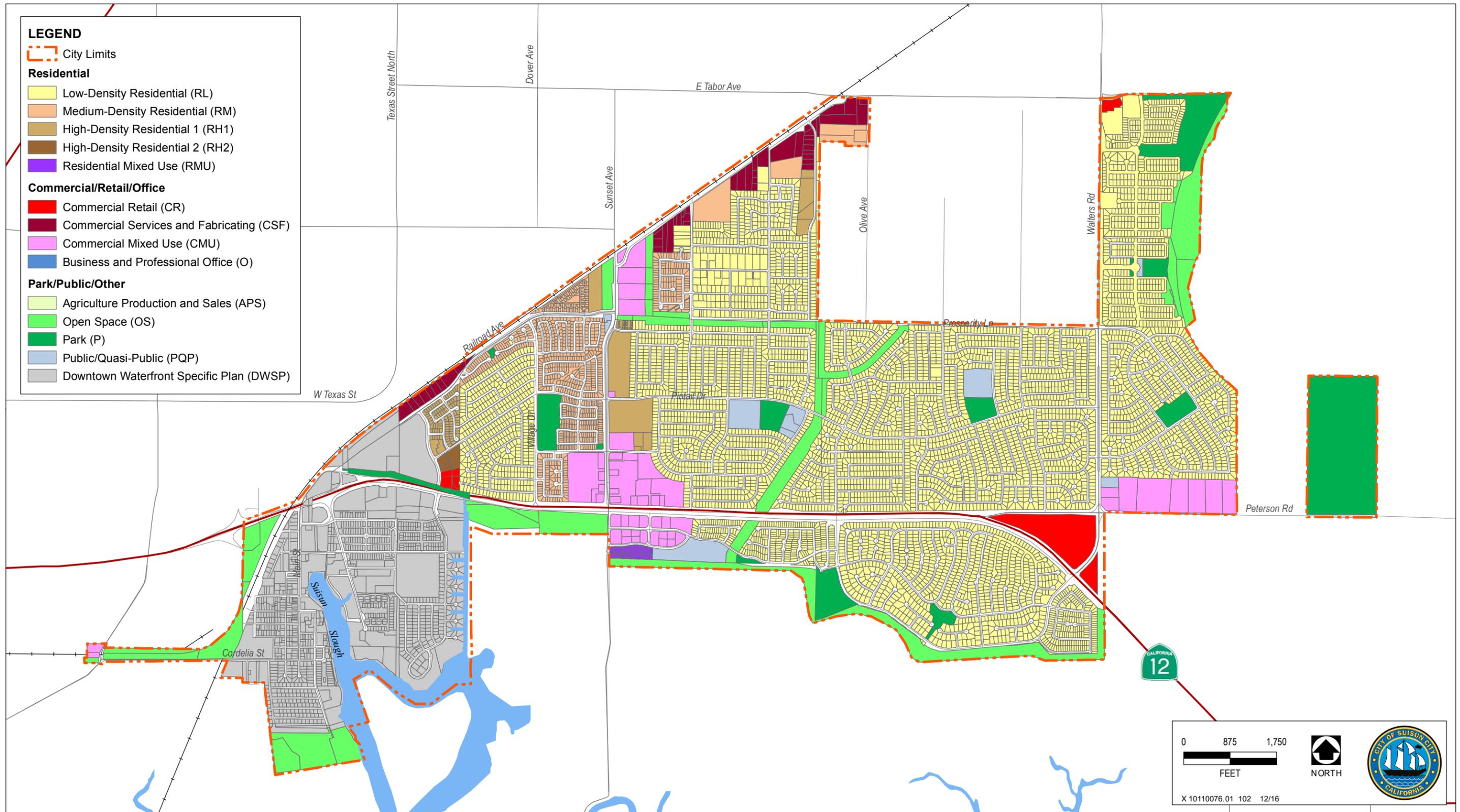
The Planning Commission hereby finds and determines, based upon substantial evidence, including the studies and uniformly applicable development policies and standards set out above, that:

- (1) there are no environmental effects peculiar to the Zoning Ordinance Update that warrant further environmental examination and analysis;
- (2) there are no environmental effects of the Zoning Ordinance Update were not analyzed as significant effects in the General Plan EIR;

- (3) there are no potentially significant off-site impacts and cumulative impacts that were not discussed in the General Plan EIR that may be caused by the Zoning Ordinance Update; and
- (4) there are no previously identified significant effects that could have a more severe adverse impact than discussed in the General Plan EIR. (14 Cal. Code Regs. Section 15183[b])

2.7 FINDINGS UNDER SECTION 21083.3(C) OF THE PUBLIC RESOURCES CODE

As required by section 21083.3(c) of the Public Resources Code, the Planning Commission, following a public hearing, finds that all mitigation measures included in the General Plan EIR that are relevant to the Zoning Ordinance Update (as set forth in more detail above) shall be undertaken.



Source: AECOM 2016

Zoning Map