

REPORT TO THE SHASTA COUNTY PLANNING COMMISSION

<u>PROJECT IDENTIFICATION:</u>	<u>REGULAR AGENDA</u>	MEETING DATE	AGENDA ITEM #
GENERAL PLAN AMENDMENT GPA18-0001 AND ZONE AMENDMENT ZA18-0002 AREA 1 - EAST REDDING: HIGHWAY 299E & OLD OREGON TRAIL CONTINUED FROM AUGUST 9, 2018		08/23/18	R1

RECOMMENDATION: That the Planning Commission:

1. Conduct a public hearing.
2. Close the public hearing.
3. Adopt a resolution recommending that the Board of Supervisors: a) find GPA18-0001 and ZA18-0002 are not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code Section 65759, (CEQA does not apply to any proposed action necessary to comply with court order or judgement to bring an agency's general plan or relevant mandatory elements of the plan into compliance with State Law); b) adopt a resolution approving General Plan Map Amendment GPA18-0001; and c) introduce, waive the reading of and enact an ordinance amending the Zoning Plan maps pursuant to ZA18-0002.

PROJECT SUMMARY: The project is a County initiated application to amend the Shasta County General Plan Land Use Maps and the County Zoning Maps as necessary actions to bring the County's General Plan into compliance with State Housing Law and a judgement by the Shasta County Superior Court (see Environmental Determination section under Background and Discussion below). The proposed General Plan and Zoning Plan Map amendments are not associated with any proposal for the on-site development of any of the sites.

The project site (Area 1) is one of four separate applications in four separate geographical areas of the unincorporated County totaling 13 sites, within designated Town Centers, or adjoining designated Urban Centers, all of which are served by, or have access to, urban services including community water and sewer. Collectively, these four projects will change the General Plan land use designation on 61.5 acres to Urban Residential-25 dwelling units per acre (UR(25)), and rezone the same 61.5 acres to Multiple-Family Residential-25 dwelling units per acre (R-3-25).

Area 1 is located in unincorporated Shasta County, east of and adjoining the City of Redding in the northwest quadrant of the State Route 299 (SR-299)/Old Oregon Trail interchange area. Six sites on five separate parcels are included in the Area 1 amendment/rezone project (Table 1), which include a total of 33.3 acres of primarily undeveloped land currently designated Commercial (C) and Suburban Residential (SR) on the General Plan Land Use Maps, and zoned as Community Commercial (C-2), Commercial Light Industrial (C-M), and Interim Residential (IR) on the Zoning Maps. As proposed, Area 1 will be designated UR(25) and rezoned to R-3-25 (33.3 acres), with an additional 14.6 acres zoned Open Space. (Assessor's Parcel Numbers: 076-070-012; 076-070-016; 076-100-018; 076-060-018 (portion) and 076-100-011).

Table 1. Area 1 Project Information

Site #	Assessor's Parcel #	Current GP/Zoning	Proposed GP/Zoning	Acres
1	076-070-012	C/IR	UR(25)/R-3-25	3.5
2	076-070-016	C/IR	UR(25)/R-3-25	1.9
3	076-100-018	C/C-M	UR(25)/R-3-25	7.3
4	076-060-018*	SR, C/IR	UR(25)/R-3-25	9.4 (portion of parcel)
5	076-060-018*	SR, C/IR	UR(25)/R-3-25	9.4 (portion of parcel)
6	076-100-011	C/C-2	UR(25)/R-3-25	1.8

BACKGROUND AND DISCUSSION: The Area 1 sites are in close proximity to, and immediately west of Shasta College, east of the future Bethel Church campus, and northeast of Simpson University. Area 1 adjoins the City of Redding's jurisdictional boundary and is within its designated Sphere of Influence (SOI). The area has been pre-zoned by the City of Redding to Residential Multiple-Family-10 to 20 units per acre (RM 10-20) which indicates the area is planned and zoned for high density residential development. The County's proposed land use designation and zoning are consistent with the City's anticipated build out of the area.

Access & Services – Access to Area 1 sites are from Collyer Drive (Sites 1-5) and Old Oregon Trail (Site 6). Bella Vista Water District provides water to the area. The Area 1 project sites adjoin the City of Redding's sewer main system along Collyer Drive and Old Oregon Trail. Electricity and natural gas service in the area is provided by Pacific Gas and Electric Company and Waste Management provides solid waste disposal services.

The designs and locations of future developments within the rezone sites are unknown at this time. The purpose of this project is to rezone sufficient land to meet the County's Regional Housing Needs Allocation (RHNA). While future housing development may occur as a result of the proposed General Plan Land Use Map and Zoning Map Amendments, no specific development proposals are associated with this project. Future multiple-family housing development would be subject to review and compliance with all site development procedures and standards contained in Shasta County Code Section 17.36.060, and would be undertaken in coordination with the City of Redding.

An area of approximately one acre was identified on site 5 as having slopes exceeding 30%. This area is not suitable for multiple-housing development and has been excluded from the total acreage for the purpose of accounting for potential housing units to meet the Regional Housing Needs Allocation (RHNA). Sites 1 and 3 are currently developed with non-conforming single-family residences and both parcels have recently transferred ownership to a common owner whose express intent is to relocate or remove the residences and develop the sites as high density residential.

Environmental Determination – This project is not subject to the California Environmental Quality Act (CEQA) in accordance with the provisions of Government Code section 65759, which establish, in relevant part, that CEQA does not apply to any action necessary to bring an agency's general plan or relevant mandatory elements of the plan into compliance with any court order or judgement.

In January 2018, Legal Services of Northern California and The Public Interest Law Project jointly filed a lawsuit to compel the County to bring its Housing Element into compliance with State Law and meet the unaccommodated Regional Housing Allocation Need (RHNA) assigned by the Department of Housing and Community Development. A judgement was rendered by the Shasta County Superior Court for a Stipulation for Judgement in accordance with the terms of a settlement agreement that includes actions that must be completed by the County within a defined timeline. As a result of this judgement, in accordance with Government Code section 65759, CEQA does not apply to GPA18-0001 and Zone Amendment ZA18-0002.

However, the County is required to prepare an initial study to determine the environmental effects of the proposed project and to prepare an environmental assessment if as a result of the initial study the County determines that the project may have a significant effect on the environment. The environmental assessment must substantially conform to the required content of a draft environmental impact report (Government Code section 65759).

The Planning Division has prepared an initial study in accordance with Government Section 65759, and determined that the project may have a significant effect on the environment. Therefore, an Environmental

Assessment (EA) has been prepared, the content of which substantially conforms to the required content for a draft Environmental Impact Report (EIR). The initial study is attached here for reference. The EA is available for review at the Planning Division Permit Center or at the link provided as an attachment to this report.

Based on the Initial Study, no impacts of less than significant impacts related to Aesthetics, Agricultural Resources, Geology and Soils, Hazards and Hazardous Materials, Mineral Resources, and Recreation are anticipated as a result of the proposed project. As such, these resources are not evaluated as part of the EA (refer to EA Section 9.0, EFFECTS FOUND NOT TO BE SIGNIFICANT and Appendix A, INITIAL STUDY).

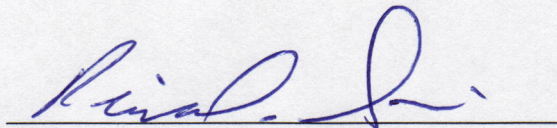
The EA identifies potential impacts that may occur from future development of the rezone sites as a result of approval of GPA18-0001 and ZA18-0002, and provides measures to avoid potentially significant impacts. This EA addresses impacts in the following areas: Air Quality, Biological Resources, Cultural Resources, Greenhouse Gas Emissions, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Transportation and Traffic, Tribal Cultural Resources, and Utilities and Service Systems. The EA serves as the primary reference document in formulating the recommended conditions of rezone approval.

ALTERNATIVES: This proposed General Plan and Zoning Plan amendment is required to bring the County General Plan into compliance with State housing law and to meet the terms of the court ordered settlement agreement. Therefore, as explained below, the alternatives to the proposed action are limited:

1. Modify the General Plan Map and Zoning Map amendment boundaries.
2. Continue the public hearing to request additional information.
3. Recommend that Board of Supervisors deny the project.

None of these alternatives are recommended. The boundaries and resulting acreage of each rezone area has been carefully identified by staff and agreed upon by the respective property owners, and are necessary for the County to meet its obligations. The settlement agreement includes specific timelines for the County to fulfill its obligation to rezone property and any delay could put the timeline at risk. As indicated throughout the staff report, this General Plan and Zoning Plan amendment is necessary for the County to meet its obligations in a timely manner. Denial of the rezone would require the County to find other properties to rezone within an extremely limited pool of options, and would put the settlement agreement and the success of the County's Housing Element update program at risk.

CONCLUSION: Based on the information collected and the analysis completed for this project, staff is of the opinion that the proposed Area 1 Project is consistent with the General Plan policies and zoning standards for the area.



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Copies: Legal Services of Northern California
Jubilee Management Company LLC
Project File

- Attach:
1. Draft Resolution
 2. Vicinity Map
 3. Site Map
 4. General Plan Map
 5. Zone District Map
 6. Proposed General Plan Map
 7. Proposed Zone District Map
 8. Initial Study
 9. EA link: https://www.co.shasta.ca.us/index/drm_index/planning_index.aspx