



Agenda Item: 11.B
Date of Meeting: April 22, 2024
Department: Planning

STAFF REPORT

To: City Council
From: Ana Budnyk
Subject: **PUBLIC HEARING - First Reading and Introduction of an Ordinance of the City Council of the City Of Bishop, State of California, to Amend Chapter 17.46. MUO-DT Mixed Use Downtown Overlay Zone, Section 17.46.120. Building Placement and Finding the Action Exempt From CEQA.**
Prepared On: April 18, 2024
Attachments: Ordinance to Amend Chapter 17.46. MUO-DT Mixed Use Downtown Overlay Zone_Section 17.46.120
PC 2024-02
2024-04-11_Public Hearing Notice

Background/History:

Resolution No. 2022-38, adopted by the City Council, introduced the Downtown Specific Plan and Mixed Use Overlay Zone (MUO), which comprises two zones: the Mixed Use Downtown Overlay Zone (MUO-DT) and the Mixed Use Neighborhood Transition Overlay Zone (MUO-NT). Section 17.47.120. - Building Placement stipulates zero-foot setbacks for MUO-DT, a decision made based on best practices or form-based code principles.

A duly-noticed public hearing has been conducted by the Planning Commission to consider the Amendment to Chapter 17.46. MUO-DT Mixed Use Downtown Overlay Zone, Section 17.46.120. Building Placement.

Analysis/Discussion:

While zero-foot setbacks align with the majority of underlying General Commercial and Retail Zones (C1) and existing structures, MUO-DT also encompasses developed and vacant residential parcels with underlying zoning of R-3-P and R-2000 zones. As MUO-DT functions as an overlay, less restrictive standards, including zero-foot setbacks, would apply.

The staff recommends maintaining the existing setbacks of base zoning to mitigate the potential impact of multifamily developments permitted by MUO-DT on adjacent residential properties. This entails retaining zero-foot setbacks for parcels with a base zoning of C1, while parcels with a base zoning of P-3-P and R-2000 would adhere to setbacks of ten feet for front

and rear yards, and five feet for side yards.

The staff believes that imposing more restrictive setback requirements would not have a negative impact on density of the future developments.

Adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines [14 CCR § 15061(b)(3)] because this ordinance does not have the potential to cause a significant effect on the environment.

Public hearing notice was published in the local newspaper on April 11th, 2024.

Economic Impacts:

None

Budget Impacts:

None

Legal Review:

Deputy City Attorney Russell Hildebrand review this item and finds that the recommended action complies with the law.

Recommended Action:

Council will hold a public hearing and consider approving the first reading and introduction of the proposed ordinance (by title only).

Approved By: Robin Picken 4/18/2024

Approved By: Deston Dishion 4/18/2024

Approved By: Dean Pucci 4/19/2024

Approved By: