



Agenda Item: 7.B
Date of Meeting: April 9, 2024
Department: Planning

STAFF REPORT

To: Planning Commission
From: Ana Budnyk
Subject: **Amend Chapter 17.46. MUO_DT Mixed Use Downtown Overlay Zone
Section 17.46.120. Building Placement**
Prepared On: March 28, 2024
Attachments: PC RESOLUTION TO AMEND CHAPTER 17.46. MUO_DT

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.

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.

Legal Review:

City attorney Russell A. Hildebrand has reviewed and approved this item.

Environmental Review:

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.

Notifications:

A public hearing to consider the application for this rezoning was noticed in the Inyo Register on March 28, 2024, and sent to the property owners within 300 feet of the project, ten days before the Planning Commission Hearing.

Recommended Action:

The Planning Commission to approve the Resolution and recommend City Council approval of an ordinance for a change to the Chapter 17.46. MUO-DT Mixed Use Downtown Overlay Zone, Section 17.46.120. Building Placement in substantially the form shown on Attachment 1, attached hereto and incorporated by reference herein.

Approved By: 3/28/2024

Approved By:

Approved By:

Approved By: