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ORDINANCE NO. <u>2582</u> (Uncodified)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING THE PREZONING OF PROPERTY WITHIN THE VALLEY'S EDGE SPECIFIC PLAN AREA (Rezone 19-01)

BE IT ORDAINED by the Council of the City of Chico that:

Section 1. The zoning of all that real property identified as Assessor's Parcel Nos. 018-390-005, 018-390-007, 017-210-005, 017-210-006, 017-240-023, and 017-260-119 is amended as depicted on Exhibit I.

Section 2. The City Council finds that:

A. The rezone is consistent with the General Plan, as amended pursuant to General Plan Amendment 22-03 approved by this Council under separate resolution, as it would apply zoning districts that are consistent with the proposed land use designations (LU-2.7). Together, General Plan Amendment 22-03 and Rezone 19-01 would facilitate implementation of the Valley's Edge Specific Plan (VESP), which would implement the Doe Mill/Honey Run Special Planning Area (SPA-5) as set forth by the General Plan. The VESP is consistent with General Plan direction specific to SPA-5, general direction for planning Special Planning Areas (SPAs), and is supportive of and consistent with General Plan policies and objectives pertaining to development projects. The VESP is consistent with General Plan direction for SPA-5 in that both the VESP and General Plan call for: a recreation oriented mixed-use development offering a broad range of housing types and densities; a Village Core and retail along Skyway Road; primary circulation connections to Skyway Road and East 20th Street; incorporating a community park; maintaining open space by clustering development; providing open space buffers along the north, south and easterly boundaries; utilizing visual simulations to ensure that visual impacts are minimized; incorporating special lighting standards to reduce impacts on the nighttime sky; preserving sensitive habitats; and addressing wildland fire considerations (General Plan Action LU-6.2.4 and Written Description for SPA-5 in Appendix C, Page C-6). The VESP, including Rezone 19-01, is consistent with General Plan direction for planning SPAs in that it would help the City meet its future growth needs for housing and jobs (Policy LU-2.1) by supporting up to 2,777 new residential units and approximately 447,155 square feet of new commercial space, with flexibility built into the specific plan's implementation as well as its zoning by designating 100 acres of the site Medium Density Residential, which can support a variety of housing types, and by permitting up to 35 units/acre in the commercial designations. The road and trail system would establish multimodal connections between discrete residential planning areas that would support a mix of housing types and connect new residents to services, employment, and shopping in the Village Core area. Opportunities for affordable housing would be provided on areas designated Medium-High Density Residential, Village Core, and/or Village Commercial. The VESP will complement the City's longstanding efforts to maintain a compact urban form by developing within the City's existing sphere of influence and establishing a long-term growth boundary between urban uses and foothills in the east (VESP Actions LU-2.1 and LU-2.3), consistent with General Plan Policies LU-1.2 and LU-1.3. The VESP reflects clustering development to maintain large amounts of open space, avoiding sensitive natural features and cultural resources, as well as an open space buffer approximately 300 feet wide along its eastern edge to serve as a permanent urban growth boundary, consistent with policies LU-2.5, CD-1.1, OS-1.1, OS-2.5 and OS-3.1. Approximately 286 acres of oak woodlands would be preserved by open space zoning, consistent with Policy OS-2.6. Consistent with General Plan Action LU 6.2.4 and Policies CD-2.4, OS-1.3, and OS-2.4, the VESP project design and policy framework will result in the careful location of buildings and infrastructure, reductions in excessive nighttime lighting and will preserve the foothills as a backdrop to the urban form to the extent feasible. Streets in the VESP will be accompanied by an extensive trail and bike path network that will provide a sense of place by linking future homes and the Village Core area to onsite creeks and other open spaces, consistent with Policies CD-2.1, CD-4.1, CIRC-2.1, OS-2.2. The trail and bike path network will also include northsouth emergency vehicle connections as shown in VESP Section 4.6, and encourage exercise and active modes of transportation, consistent with Action LU-6.2.4 and Policies CIRC-1.2, CD-3.3 and SUS-1.6. By providing a mix of land uses with walkable access between homes, recreational areas, and the commercial Village Core, the VESP is consistent with General Plan Policies LU-2.3 and LU-3.1 which call for sustainable land use patterns with a mix of uses that meet the needs of the community. The VESP will provide an additional inventory of land with capacity for development with a mix of dwelling types and sizes, consistent with Policies H.3.2, H.3.3 and HE 4.2. Development of the VESP will include internal and adjacent roadway circulation improvement as necessary to safely and efficiently accommodate traffic generated by the project, consistent with Policies CIRC-1.1 and CIRC 1.2, and future development will also be required to pay "fair share" development impact fees to help fund citywide circulation improvements beyond the project boundaries, which will assist the City in maintaining acceptable levels of service on City streets consistent with Policies CIRC 1.3 and CIRC 1.4. The EIR evaluated project impacts on circulation in terms of Vehicle Miles Traveled (VMT) using the California Office of Planning & Research's technical advisory and included mitigation requiring future development to employ travel demand management strategies that have been proven to reduce VMT, consistent with Policies CIRC-1.5 and CIRC-9.1. As supported by VESP Section 5.6 and VESP policies C-1.2 and C-1.10, the project would support public transit as called-for by General Plan Policy CIRC-5.3. The VESP has been designed with large amounts of open space and an extensive network of multi-use trails that will encourage recreational activity by future residents, consistent with General Plan policies that promote a healthy and sustainable lifestyle. The project design and policy framework for the VESP reflect a culture of stewardship and resource conservation by protecting most of the sensitive habitats within the site and elevating quality of life for existing and future citizens in the area by providing a community park and elementary school (PROS-2, PROS-3.4, PROS-4, PROS-4.1 and PROS-4.3). The retention and replacement of trees is required pursuant to the Valley's Edge Tree

Preservation Program contained in Appendix E of the VESP, consistent with Policy SUS-6.4 which calls for continued support for the planting and maintenance of trees in the community to increase carbon sequestration and Policy OS-6.1 which promotes a healthy urban forest to also reduce energy consumption and urban heat gain. Policies and Design Guidelines in the VESP promote drought tolerant landscaping (PROS-4.2, DES-2.12 and Sections 6.2.3, A.5.3, A.6.5, A.6.7, and A.6.8), consistent with Policies SUS-4.2 and SUS-4.3. The project also supports providing local foods, including community gardens within Village Core Park (See VESP Sections 3.2.6 and 4.8.2), and in residential and commercial areas, consistent with General Plan Policy SUS-7.2. Consistent with Policy SUS-6.2, which directs implementation of the City's Climate Action Plan (CAP), the VESP would help implement the CAP Measures by avoiding the use of natural gas in all new structures within the project (CAP Measure E-2), installing photovoltaic arrays on all residential and HOA buildings per VESP Policies INFR-4.1, DES-2.2, and DES-2.10 (CAP Measure E-4), developing a multimodal circulation system that supports transit, bicycles, pedestrians, and neighborhood electric vehicles (CAP Measure T-1), improving electric vehicle infrastructure through VESP Actions C-1.5, C-1.7, and C-1.8, in addition to Title 24 building code requirements (CAP Measure T-2), constructing a park-and-ride lot and transit stops near the Village Core per VESP Policies C-1.9 and C-1.10 (CAP Measure T-3), incorporating a Transportation Demand Management (TDM) plan per air quality EIR mitigation, which will support or expand upon other GHG-reducing efforts, establishing a mixed-use development in one of the City's new growth areas to reduce VMT (CAP Measure T-5), and increasing carbon sequestration over time by installing street trees along all new roadways and implementing the Valley's Edge Tree Preservation Program which requires replacement trees for each qualifying tree removed as a part of site development. Therefore, the VESP includes a reasonable range and degree of GHG-reducing measures to be consistent with the CAP and would assist in the attainment of the City's climate action goals by incorporating CAP measures into future development. As directed by Policy SUS-6.3, increases in GHG emissions were analyzed

and mitigated during the EIR process pursuant to the California Environmental Quality Act, though forecasted operational GHG emissions from the project remain significant and unavoidable. The specific plan, as modified by Mitigation Measures AQ-2 through AQ-5 from the EIR, would help the local air basin comply with state and federal ambient air quality standards, consistent with Policy OS-4.1. The VESP will assist in the provision of housing for seniors by reserving approximately one-half of the future units (1,357 homes) for age-restricted households of individuals 55 years and older, consistent with Policies H.4.4 and HE 5.1. It is anticipated that some of the senior housing units, as well as any congregate care homes and assisted living facilities, will be constructed with enhanced accessibility features to accommodate older individuals with limited mobility or other accessibility needs, consistent with Policy H.4.1 and HE 1.5. The VESP plans for a variety of residential densities and unit types that will result in a range of housing options, including smaller workforce/attainable housing (e.g., cottages, courtyard homes and patio homes) to accommodate a range of incomes, consistent with Policies H.6.1 and H.6.2. The development agreement expands upon this by requiring the developer to provide a site at least 4 acres in size within or near the Village Core area for an affordable housing project, consistent with Action LU-6.2.1 and Policies HE 1.6 and HE 3.3. Policies, standards, and design guidelines in the VESP include public safety considerations that deal with crime prevention through environmental design (VESP Policy LU-1.5 and Section A.3.1), flooding concerns (Section 6.4), and wildfire concerns (VESP Policies LU-5.1 through LU-5.7 and Section 4.5), consistent with General Plan Policies CD-3.4, S-2.1, S-4.3, and S-5.5. Flooding concerns and drainage plans to reduce the likelihood of future flooding in the area are addressed in detail in Section 4.9 of the EIR and Appendix H of the EIR. The VESP's firewise policies in Section 4.5 address wildfires from five distinct perspectives: Land Planning, Fire Fighting Capability, Fire Resistant Materials and Building Standards, Fuel Reduction Management, and Emergency Preparedness. The VESP project is designed to be consistent with the General Plan and the VESP would provide a reserve of available land to support the long-term

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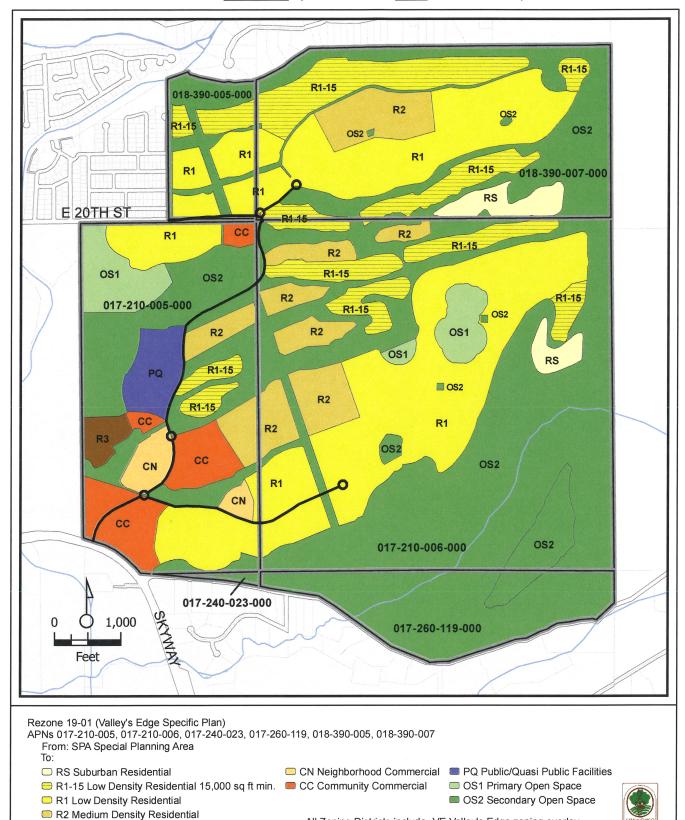
growth needs of the City, consistent with Policy HE-4.1 which directs the City to enable sufficient housing construction to meet future needs; and

B. The site is physically suitable for the pattern of zoning classifications contained in the VESP and Rezone 19-01, and anticipated future development resulting therefrom, including access which will primarily be from Skyway Road and East 20th Street, the provision of utilities which will be extended as necessary to serve the planned future development, compatibility with adjoining land uses through the use of open space buffers, and the purposeful planning of open space areas throughout the VESP site to avoid physical constraints such as steep slopes, wetlands and ephemeral creeks. There are no physical constraints on the VESP site which would prohibit development and use of the site consistent with the proposed land use designations. City design review of future multi-family residential and commercial land development within the VESP site will ensure that specific elements of those sites are completed in a manner that is compatible with individual lots and adjoining land uses. Areas proposed for long-term preservation are appropriate to set aside and protect, and areas proposed for development are physically suitable for development.

Section 3. If any section, subsection, sentence, clause, or phrase of this Ordinance, or the application thereof to any person or circumstances, is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses of this Ordinance or application thereof which can be implemented without the invalid provisions, clause, or application, and to this end such provisions and clauses of the Ordinance are declared to be severable.

Section 4. This ordinance shall become effective 30 days following the date of its adoption. THE FOREGOING ORDINANCE was adopted by the City Council of the City of Chico at its meeting held on January 17, 2023, by the following vote: AYES: Bennett, Morgan, Tandon, Reynolds, Coolidge NOES: Winslow ABSENT: None ABSTAINED: None DISQUALIFIED: van Overbeek APPROVED AS TO FORM: ATTEST: rahl Mussen Vincent C. Ewing, City Attorney* Deborah R. Presson *Pursuant to The Charter of City Clerk the City of Chico, Section 906(E)

R3 Medium-High Density Residential



All Zoning Districts include -VE Valley's Edge zoning overlay