

ORDINANCE NUMBER 820

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY AMENDING THE WHISPERING PINES SPECIFIC PLAN.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRASS VALLEY AS FOLLOWS:

SECTION 1. The Whispering Pines Specific Plan is hereby amended as shown in **Exhibit “A”**. Bold text represents new text of the SP – 1A.1 Zone, which is to be added to the SP – 1A Zone.

SECTION 2. In compliance with Whispering Pines Specific Plan, the City Council adopts the following findings in support of the Whispering Pines Specific Plan Amendments:

1. The proposed amendments are consistent with the General Plan. *Rationale: The 2020 General Plan acknowledges the previously adopted Whispering Pines Specific Plan and identifies policies reflected in the Whispering Pines Specific Plan. The proposed amendments allow for a site-specific use that is compatible with adjoining uses in the SP – 1A Zone.*

2. Changes in the community have occurred since the adoption of the Specific Plan warranting an amendment as requested. *Rationale: The Whispering Pines Specific Plan was adopted in 1984 with a range of uses that were common 40 years ago but are less common today. The proposed amendments would permit a site-specific public assembly use in the existing 41,600 square foot building with approval of a Use Permit by the City Council. The site-specific use is not anticipated to have any negative impacts on adjoining land uses in the Whispering Pines Specific Plan area as outlined in the Initial Study/Mitigated Negative Declaration prepared for the project.*

3. The change will benefit the Whispering Pines Specific Plan area. *Rationale: Occupancy of the existing 41,600 square foot building with a use that primary operates during off hours from adjoining uses will benefit the Specific Plan area. From an Air Quality and Vehicle Miles Traveled standpoint, the site-specific use is anticipated to be less impactful than the current office uses formally occurring in the building.*

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4. The change is in conformance with the adopted Whispering Pines Specific Plan.

Rationale: The Whispering Pines Specific Plan includes policies, goals, and objectives to reduce land use conflicts and environmental impacts. The site-specific use is compatible with adjoining land uses in the Whispering Pines Specific Plan area.

5. The change will not adversely affect adjacent properties and can be properly serviced.

Rationale: The amendments permit use of the existing 41,600 square foot building for public assembly use. The InConcert Sierra public assembly uses have been evaluated and have been determined to be compatible with adjoining uses.

6. The physical constraints of the property are such that the Whispering Pines Specific Plan Amendment is warranted. *Rationale: There are no physical constraints associated with the property. The 41,500 square foot building is appropriate for the contemplated public assembly use and will not have negative impacts on adjoining uses.*

7. The project is consistent with the applicable sections and development standards in the Development Code. *Rationale: The project is consistent with the Development Standards in the Development Code.*

8. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. *Rationale: The proposed amendments and project have been evaluated and do not result in any significant changes that could be detrimental to the public interest, health, safety, convenience, or welfare.*

9. On September 20, 2022, the Grass Valley Planning Commission conducted a public hearing on the proposed Whispering Pines Specific Plan amendments and provided a recommendation of approval of the Whispering Pines Specific Plan Amendments noted in **Exhibit "A"**.

10. The Community Development Department prepared an Initial Study/Mitigated

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Negative Declaration as the appropriate level of environmental review for the project. The environmental review was circulated for public review commencing on August 26, 2022, and ending close of business on September 14, 2022.

11. The City Council concurs with the recommendations of the Planning Commission and determines the Initial Study/Mitigated Negative Declaration is the appropriate level of environmental review for the proposed amendments to the Whispering Pines Specific Plan.

SECTION 3. The City Council amends the Whispering Pines Specific Plan through its approval of this ordinance as referenced and noted in **Exhibit "A"**.

SECTION 4. This ordinance shall take effect thirty (30) days from and after the date of its adoption and a summary of said ordinance shall be published once within fifteen (15) days upon its passage and adoption in The Union, a newspaper of general circulation printed and published in the Grass Valley Area.

INTRODUCED and first read on the 25th day of October 2022

PASSED AND ADOPTED this 8th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ben Aguilar, Mayor

ATTEST:

APPROVED AS TO FORM:

Taylor Day, Deputy City Clerk

Michael Colantuono, City Attorney

PUBLISH DATE: _____