



# AGENDA REPORT

## PLANNING AND BUILDING SERVICES DEPARTMENT

**DATE:** December 6, 2016

**TO:** Mayor Butt and Members of the City Council

**FROM:** Richard Mitchell, Director of Planning and Building Services  
Lina Velasco, Project Manager

**SUBJECT:** RICHMOND BAY SPECIFIC PLAN (PLN13-108)

### STATEMENT OF THE ISSUE:

In January 2013, the City of Richmond was awarded a Priority Development Area (PDA) Planning Grant from the Metropolitan Transportation Commission and Association of Bay Area Governments to develop the Richmond Bay Specific Plan to facilitate the transformation of a portion of the South Richmond PDA into a complete waterfront community that is complimentary to future development of the Richmond Field Station and characterized by mixed-use commercial and medium- to high density residential development near transit, jobs, shopping, parks, recreation, and other amenities, consistent with the goals and policies in Richmond's General Plan 2030. The Specific Plan contains planning polices, zoning regulations, and urban design standards to help realize the Plan Area's transformation over the next 35-40 years.

### RECOMMENDED ACTIONS:

HOLD a Public Hearing, ADOPT a resolution certifying the Richmond Bay Specific Plan Environmental Impact Report (EIR) (State Clearinghouse #2014092082), adopting a Statement of Overriding Consideration, Mitigation Monitoring and Reporting Program and approving a General Plan Amendment and INTRODUCE an Ordinance repealing the Knox-Cutting Specific Plan, adopting the Richmond Bay Specific Plan, and approving a Zoning Map Amendment.

### FINANCIAL IMPACTS:

There is no cost to the General Fund associated with adopting this Ordinance and Resolution. This project was partially funded by a PDA Planning Grant received from ABAG and MTC. The remainder was funded by the General Fund; however, a fair share

program will be established for future development to recover the costs for the Specific Plan not funded by grants.

## **BACKGROUND:**

### **Purpose of the Specific Plan**

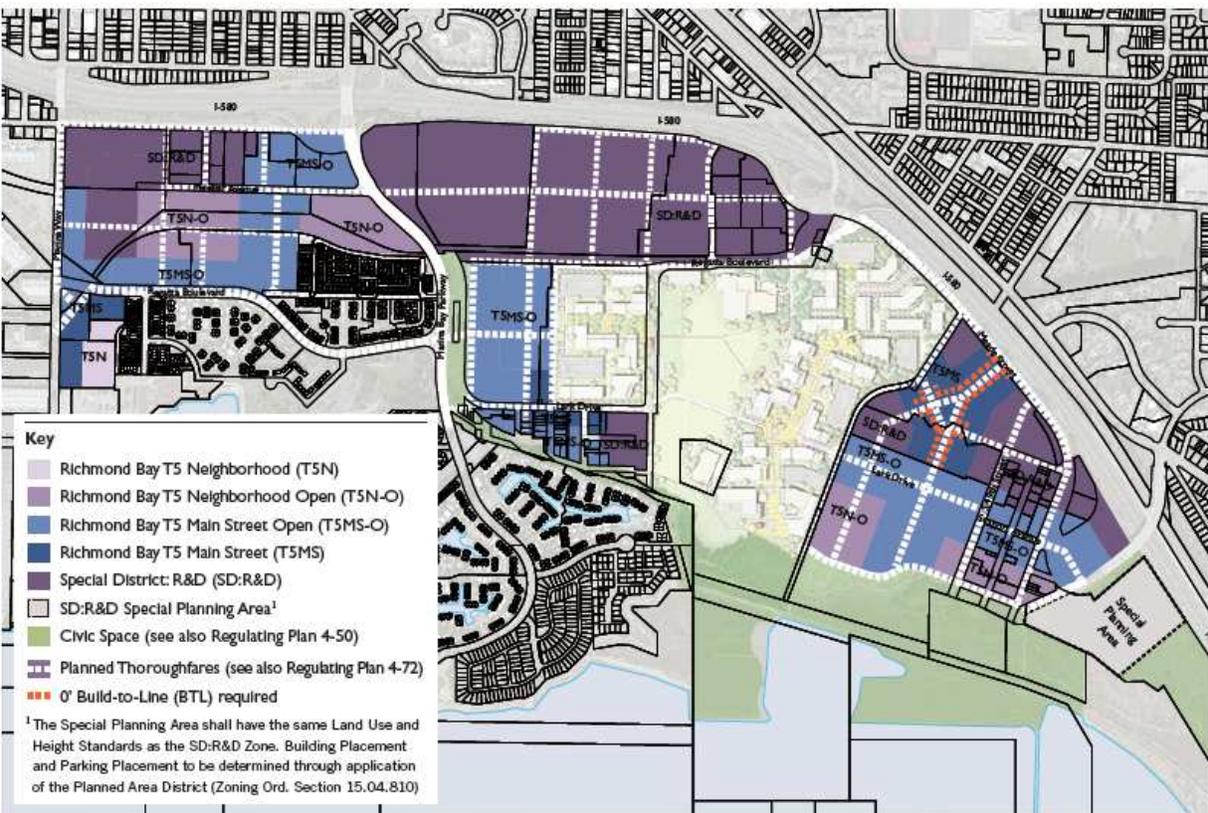
In January 2013, the City of Richmond was awarded a Priority Development Area (PDA) Planning Grant from the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) to develop the Specific Plan. The purpose of the Specific Plan is to facilitate the transformation of the Specific Plan Area into a complete waterfront community that is complimentary to future development of the Richmond Field Station and characterized by mixed-use commercial and medium-to high density residential development near transit, jobs, shopping, parks, recreation, and other amenities, consistent with the goals and policies in Richmond's General Plan 2030. The Specific Plan contains planning polices, zoning regulations, and urban design guidelines to help realize the Plan Area's transformation over the next 35-40 years.

General Plan Action LU3.E calls for the development of a Southern Gateway Specific Plan to "guide improvements in the Southern Gateway Change Area." The realization of the Specific Plan vision is independent and not predicated on development of the Berkeley Global Campus. Rather, the vision would be complimentary to and could support development of the Richmond Bay Campus Long Range Development Plan (LRDP). The Specific Plan also provides a vision for build-out of portions of the South Richmond PDA that would support the future Richmond Ferry Terminal.

### **Specific Plan Area**

The Specific Plan Area ("Plan Area") consists of approximately 358 acres of land surrounding the Richmond Field Station site. The RFS site includes the properties at 1301 South 46<sup>th</sup> Street and 3300 Regatta Boulevard (the Richmond Field Station and Regatta Properties) that are owned by the University of California, Berkeley (UC Berkeley) and total approximately 134 acres (see Attachment 1). Note however that the Richmond Field Station site is not part of the Specific Plan Area. The Specific Plan Area's rough boundaries are Interstate 580 on the north, the San Francisco Bay Trail and Regatta Boulevard on the south, Marina Way South on the west, and the Bayview/I-580 off-ramp on the east. A map of the Specific Plan Area is shown below and on page 4-7 of the Specific Plan.

## Transect Zone Regulating Plan



## DISCUSSION:

### Community Workshops

The City of Richmond Planning and Building Services Department and consultant team initiated the community planning process for the Specific Plan in June 2013. Three community workshops were held to inform Development Alternatives for the City Council's consideration. These included a Community Visioning Workshop on June 24, 2013, an Initial Concepts Workshop on July 24, 2013, and a Preferred Development Alternatives Workshop on August 28, 2013. Feedback from these workshops provided guidance with regards to the intensity and organization of new development within the Plan Area and formed the basis for a Recommended Land Use Map presented in April 2014 to the Planning Commission and adopted by the City Council in May 2014.

### Recommended Land Use Map

The Recommended Land Use Map was approved by the City Council in May 2014. Under the Land Use Map, the Specific Plan Area would be divided into four subareas or neighborhoods that could accommodate up to 5.69 million square feet of space for R&D/business/service uses; 720,000 square feet of ground floor retail use; 13,000 jobs;

4,080 housing units; and approximately 145 acres of open space. The table on page 3-54 of the Specific Plan breaks these numbers down by subarea.

The recommended land use map was used to guide development of the Specific Plan. The draft Specific Plan was released for public review in October 2015. A revised Final Draft Specific Plan was released in September 2016.

## **Specific Plan Overview**

The RBSP is organized into seven sections that address the topics required by the California Government Code Section 65450 et seq. for Specific Plans.

### Chapter 1: Introduction

Chapter 1 provides an overview of the Specific Plan, a summary of the project objectives, the planning process and information regarding the Specific Plan's relationship to other local and regional planning initiatives.

### Chapter 2: Background and Setting

Chapter 2 gives historic context for the Plan Area, and categorizes the unique challenges and opportunities presented by the existing conditions.

### Chapter 3: Plan Area Vision

Chapter 3 documents the vision for the Plan Area created through the community participation process. It includes a discussion of the framework and open space principles guiding the design, descriptions of the planned neighborhoods, and details of the Recommended Land Use Map with the development program and a phasing strategy.

### Chapter 4: Development Standards

Chapter 4 contains the governing development and design standards that future development will be subject to. These standards include the physical design parameters guiding future development within the Plan Area, including the layout and design of streets and public spaces, the development standards shaping new blocks and buildings, and the location and extent of land uses. As a Form-Based Code, standards are organized to reinforce the development of the Plan Area as a walkable, sustainable, mixed-use environment. The form-based code standards emphasize the physical form and character of spaces, with a lesser emphasis on discrete land uses, while providing guidance for the mixing of potentially incompatible land uses. This section includes performance and supplemental standards. This section also includes special procedures and requirements that would be unique to the implementation of the Specific Plan. The RBSP would supersede the City's Zoning Map and Zoning Ordinance for the Plan Area, except where specifically referenced.

### Chapter 5: Infrastructure

Chapter 5 provides a summary of infrastructure systems and public services necessary to support the development described in the Specific Plan in various phases of

implementation, including water supply and distribution, wastewater collection and treatment, storm drainage, telecommunications, solid waste disposal, energy, and shoreline protection, as well as estimated costs for such improvements.

#### Chapter 6: Implementation and Financing

Chapter 6 provides guidance on the implementation of the Plan, with financing strategies and potential funding sources identified for infrastructure improvements described in Chapter 5.

#### Chapter 7: Appendices

Chapter 7 includes background documents, definitions, implementation summary table, General Plan Amendment, Mitigation Monitoring and Reporting Program, and documents referenced in the Specific Plan.

### **General Plan Amendment**

The Specific Plan articulates a vision for the Plan Area at a level of detail beyond the General Plan adopted in 2012. The proposed General Plan amendment proposes to create a new General Plan land use category to be applied to the entire Plan Area to describe the intent and vision of the Plan Area and adopt development standards that accommodate the detailed Specific Plan vision. The Richmond Bay Specific Plan furthers General Plan policies that promote the establishment of complete, pedestrian-oriented, mixed-use neighborhoods; access to open space; improved and efficient multi-modal connectivity; increased economic development opportunities; increased housing opportunities; and redevelopment of brownfield sites.

The current General Plan land use classifications for the Plan Area include: 1) Medium Intensity Mixed-Use (Commercial Emphasis); 2) Business/Light Industrial; 3) High-Intensity Mixed-use (Major Activity Center), and 4) Open Space. The new General Plan land use category would be titled Richmond Bay Specific Plan and includes a new description of uses/intent, density range, intensity range, and building height range (see Exhibit C of Attachment 1).

### **Zoning Map Amendment**

The interim zoning map adopted by the City Council on June 21, 2016 identifies the Plan Area as having base zoning designations of IL, Industrial Light; OS, Open Space, CM-5, Commercial Mixed-Use, Activity Center, and CM-3, Commercial Mixed-Use, Commercial Emphasis with an S, study zone overlay, indicating where land use and development standards changes were in progress. The zoning map is being amended to remove the base zoning and study zone overlay that were placed on the Plan Area when the Interim Zoning Map was adopted. The Zoning Map amendment would reflect the adoption of the RBSP, which will effectively become the set of zoning regulations that provide specific direction to the type and intensity of uses permitted and defines other types of design criteria including building form, height, and parking standards for the Plan Area. The new zoning would be SP-2 Richmond Bay Specific Plan (see

Exhibit A in Attachment 2). This zoning amendment would also replace the zoning that was contemplated in the Zoning Map approved as part of the Zoning and Subdivision Regulations Update adopted by the City Council on November 15, 2016, which designated the area with an Interim Study Overlay.

### **General Plan Consistency and Repeal of Knox/Cutting Specific Plan**

The General Plan 2030 called for the creation of a Specific Plan for the Southern Gateway as specified in Action LU.3.E, Southern Gateway Specific Plan. The Richmond Bay Specific Plan furthers General Plan policies that promote the establishment of complete, pedestrian-oriented, mixed-use neighborhoods; access to open space; improved and efficient multi-modal connectivity, increased economic development opportunities, increased housing opportunities, and redevelopment of brownfield sites. The Specific Plan, once adopted, will effectively become the set of zoning regulations that provide specific direction to the type and intensity of uses permitted and defines other types of design criteria including building form, height, and parking standards for the Plan Area.

The Knox/Cutting Specific Plan (KCSP) was adopted in 1991, and later amended in 1999. The General Plan 2030 was adopted in 2012 and identified areas covered by the KCSP as change areas (Change Areas 15 and 16) where changes in land uses and development character are anticipated as part of the General Plan 2030 vision. The KCSP reflects land use and development character from the former General Plan and is no longer consistent with the General Plan 2030 vision, and shall therefore be repealed. The Richmond Bay Specific Plan reflects the General Plan 2030 vision of the Plan Area and should replace the KCSP outdated vision, policies and regulations.

### **Planning Commission Recommendation**

The Planning Commission considered the requested Project Approvals (EIR, General Plan Amendment, Rezone, Specific Plan Adoption, KCSP Repeal) at their November 17, 2016 meeting and adopted Resolution No. 16-31 recommending that the City Council certify the Richmond Bay Specific Plan Environmental Impact Report (State Clearinghouse #2014092082), adopt a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program, approve a General Plan Amendment, adopt the Richmond Bay Specific Plan with minor edits, approve a Zoning Map Amendment, and repeal the Knox-Cutting Specific Plan. Specifically, the Planning Commission recommended that the visioning illustrations in the Specific Plan for Sub-Area 4 Special Planning Area be revised to conform to the parcel lines shown in the Transect Map, text be added to the Specific Plan that would note that development of the Special Planning Area would require additional CEQA review, and that staff continue to work with Allied Propane to develop new text within the Specific Plan that would allow certain existing nonconforming uses to remain conditionally allowed for a 10-year interim period. The Commission's recommended text edits are reflected in Exhibit B to Attachment 2. The Commission's changes to the illustrative drawings to align the Special Area Plan

boundaries with the transect map are a condition of approval.

Two additional edits are proposed by staff to page 4-10 of the Plan to add footnote 6 to the College and Trade School use, and modify the second sentence of footnote 6 to read as “Restriction applies to stand-alone day cares centers only, not day care facilities ~~adjunct~~-accessory to another use such as an office use.” The Planning Commission did not consider these changes; however, they are considered minor.

### **Public Comments at Planning Commission Hearing:**

The majority of the comments received at the Planning Commission hearing were focused on development within the Sub-Area 4 Special Planning Area, this is land that is adjacent to Hoffman Marsh. Many of the comments focused on the sensitive nature of this adjacent land and the potential adverse impacts development could have on the marsh and other biological resources. Additional comments were provided by Allied Propane acknowledging that they are still working with staff on language that could be added to the Plan that would allow certain uses that would become nonconforming unpermitted uses to remain nonconforming conditional uses for an interim period after Plan adoption. No additional comments have been received since the Planning Commission hearing.

### **ENVIRONMENTAL REVIEW:**

In accordance with the requirements of California Environmental Quality Act ("CEQA") Sections 21000 through 21177 of the California Public Resources Code, and Sections 15000 through 15387 of the California Code of Regulations Title 14 ("CEQA Guidelines"), a Notice of Preparation ("NOP") of a Draft Environmental Impact Report ("Draft EIR") was filed for the Project with the State Clearinghouse ("SCH") Office of Planning and Research ("OPR") on September 30, 2014 (State Clearinghouse No. 2014092082). The NOP was distributed to public agencies and interested parties for a 30-day public review period, which ended on October 30, 2014. In addition, the City held a public scoping meeting on October 16, 2014, to obtain public input on the proposed scope and content of the Draft EIR. In accordance with CEQA requirements, a Notice of Availability ("NOA") of the Draft EIR was filed with the SCH OPR on September 2, 2016. The Draft EIR was circulated for a 52-day public review period, which ended on October 24, 2016. During this public review period, the City held a duly noticed public hearing on October 6, 2016 to receive verbal comments on the Draft EIR, and received written comments on the Draft EIR. Section 15088 of the State CEQA Guidelines requires that the Lead Agency responsible for the preparation of an EIR evaluate comments on environmental issues received from parties who reviewed the Draft EIR and prepare a written response addressing each of the comments. A Final EIR was prepared for the Project and circulated to commenting agencies on November 7, 2016. The Final EIR assembles in one document all of the environmental information and analysis prepared for the Project, including comments on the information and analysis contained in the Draft EIR and responses by the City to those comments. Revisions made to the Draft EIR are summarized in Chapter 2 of the Response to

Comments document prepared. In total 31 letters were received containing approximately 250 comments on the draft EIR.

The Draft EIR analyzes the potential significant environmental effects caused by implementation of the Specific Plan. The EIR analyzes development of a foreseeable maximum theoretic build out scenario that contains: up to 5.7 million square feet (msf) of uses described as Research and Development (R&D)/Business/Service use; up to 720,000 square feet of retail use; up to 5,700 residences; and approximately 32.7 acres of open space uses.

This EIR also analyzes the potential significant environmental impacts caused by development of the Sub-Area 4 Project, which represents a likely future scenario for redevelopment of currently vacant and/or underutilized properties within this part of the Specific Plan. The Sub-Area 4 Project would develop up to 1.27 msf of R&D/Business/Service uses; up to 190,000 square feet of retail use, up to 1,520 residences, and approximately 6.5 acres of new open space uses within a portion of Sub-Area 4. The area encompassed by the Specific Plan is referred to as the Plan Area. The area encompassed by the Sub-Area 4 Project is referred to as the Sub-Area 4 Project site. Both proposals are described in more detail in Chapter 3, Project Description of the Draft EIR. The potential effects of the Specific Plan and the Sub-Area 4 Project are evaluated separately as well as combined throughout the EIR.

The EIR provides detailed information regarding potential impacts. Mitigation measures in the EIR will reduce most, but not all, of those effects to less-than- significant levels.

The EIR identified potentially significant effects that could result from Project (Specific Plan and Sub-Area 4 project) implementation. Specifically, the Specific Plan would result in significant and unavoidable impacts on air quality, cultural resources, GHG, noise, and traffic. The Sub-Area 4 Project would result in significant and unavoidable impacts on air quality and traffic. Those impacts that are not reduced to less-than-significant levels are unavoidable even after incorporation of all feasible mitigation measures. As part of the certification of the EIR, the Council will be required to adopt a Statement of Overriding Consideration that would provide the specific reasons for considering a project acceptable when significant impacts are not avoided or substantially lessened. The required CEQA findings, Statement of Overriding Considerations, and Mitigations Monitoring and Reporting Program are included in the Resolution attached as Attachment 2.

## **GENERAL PLAN AMENDMENT, ZONING MAP AMENDMENT, SPECIFIC PLAN ADOPTION, AND SPECIFIC PLAN REPEAL FINDINGS**

The City Council must adopt certain findings in certifying the EIR, approving the General Plan Amendment, Zoning Map Amendment, adoption of the Specific Plan and repeal of the Knox/Cutting Specific Plan. Statements of fact for supporting the required findings are contained in the draft Resolution in Attachment 1 and draft Ordinance in Attachment 2.

## **CONCLUSION:**

The proposed General Plan Amendment, Zoning Map Amendment, Specific Plan adoption, and repeal of the Knox/Cutting Specific Plan are necessary to implement the vision of the General Plan 2030 to facilitate the transformation of the Plan Area into a complete waterfront community that is complimentary to future development of the Richmond Field Station and characterized by mixed-use commercial and medium- to high density residential development near transit, jobs, shopping, parks, recreation, and other amenities. The Specific Plan contains planning polices, zoning regulations, and urban design guidelines to help realize the Plan Area's transformation over the next 35-40 years.

## **DOCUMENTS ATTACHED:**

ATTACHMENT 1: Draft CC Resolution

Exhibit A: Environmental Impacts Summary

Exhibit B: Mitigation Monitoring and Reporting Program

Exhibit C: General Plan Amendment

ATTACHMENT 2: Draft CC Ordinance

Exhibit A: Zoning Map Amendment

Exhibit B: Richmond Bay Specific Plan with Errata Pages (provided under separate cover to City Council and available online at [www.ci.richmond.ca.us/rbsp](http://www.ci.richmond.ca.us/rbsp))