

**ORDINANCE NO. 32-20 N.S.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND,  
CALIFORNIA, REZONING TO SINGLE FAMILY LOW DENSITY  
RESIDENTIAL (RL2) AND OPEN SPACE (OS) DISTRICTS THE RICHMOND  
COUNTRY CLUB RESIDENTIAL PROJECT SITE LOCATED AT  
MARKOVICH LANE, APNS: 405-050-006 AND 405-050-019. (PLN19-264)**

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WHEREAS, MLC Holdings, LLC (the applicant), on behalf of the Richmond Country Club (the property owner), filed planning application PLN19-264 with the City of Richmond requesting a General Plan Amendment to modify the land use classification from Parks and Recreation to Low Density Residential and Open Space, rezone to RL2 and OS, Open Space from PR, Parks and Recreation, a Vesting Tentative Map, and Design Review, to construct 94 residential units and related site and infrastructure improvements (the project) at Markovich Lane (APNS: 405-050-006 and 405-050-019) (the "subject site" or "premises"); and

WHEREAS, pursuant to the responsibility given to the Community Development Director of the City of Richmond by City Council Resolution 125-03 for the general administration of the California Environmental Quality Act (CEQA), and the State CEQA Guidelines, and in accordance with CEQA of 1970 as amended, an Initial Study and Mitigated Negative Declaration (MND) was prepared by First Carbon Solutions in August 2020 for the project, for which a Notice of Availability was published on August 10, 2020 announcing a 30-day public comment period; and

WHEREAS, during the IS/MND comment period which ended on September 21, 2020, two comment letters were received; and

WHEREAS, following the public comment period, a final Mitigated Negative Declaration was prepared. The final MND includes minor edits to the text and responses to the comment letters received. As required by CEQA, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared to report and monitor the measures required to mitigate or avoid potentially significant environmental effects; and

WHEREAS, on November 18, 2020, the Design Review Board held a duly noticed public hearing to consider a recommendation to the Planning Commission regarding the Design Review Permit for the Project;

WHEREAS, on November 18, 2030, the DRB closed the public hearing and recommended approval of the Design Review Permit, subject to conditions;

WHEREAS, on December 3, 2020, the City of Richmond Planning Commission held a duly noticed public hearing to consider a recommendation to the City Council regarding the adoption of the Final IS/MND, adoption of the MMRP, and approval of the General Plan Amendment, Rezoning, Vesting Tentative Map, and Design Review Permit for the Project;

WHEREAS, on December 3, 2020, the Planning Commission voted unanimously to recommend adoption of the Final IS/MND, adoption of a Mitigation Monitoring and Reporting Program, and that the City Council approve the General Plan Amendment, Zoning Amendment, Vesting Tentative Map, and Design Review (PLN 19-264), subject to conditions;

WHEREAS, on December 15, 2020, the City Council held a duly noticed public hearing to consider adoption of the Final IS/MND, adoption of the Mitigation Monitoring and Reporting Program, and approval of a General Plan Amendment, Zoning Amendment, Vesting Tentative Map, and Design Review Permit for the Project;

WHEREAS, on December 15, 2020, after reviewing all oral and written evidence in the public record, the City Council adopted Resolution No. 143-20, adopting the Final IS/MND as adequate, adopt a Mitigation Monitoring and Reporting Program (MMRP) for the Project, and approve a General Plan Amendment, Vesting Tentative Map, and

Design Review for the Project conditioned upon City Council's subsequent approval of the Zoning Amendment for the Project; and

WHEREAS, the Project application includes a request to change the zoning of the Project Site from PR, Parks and Recreation to Single Family Low Density Residential (RL2) and Open Space (OS) Districts, substantially in the form on file with the Community Development Department, relative to the proposed development of the Richmond Country Club Residential project on certain real property consisting of approximately 25.5-acres located in the City of Richmond, as more particularly described in the attached **Exhibit A** ("Rezoning Exhibit"), incorporated herein and made part hereof.

NOW, THEREFORE, the City Council of the City of Richmond does ordain as follows:

**SECTION I.** The City Council finds and determines the following:

**A. The proposed amendment is consistent with the General Plan.**

Statement of Fact: *Conditionally satisfied.* The proposed Project includes development of 94 single family homes and amenities, all uses that are consistent with the requested Low Density Residential land use classification in the General Plan. The Project would accomplish numerous General Plan goals and policies, as discussed in findings with statements of fact required by Section 15.04.813 of the Richmond Zoning Ordinance for a recommendation to approve a General Plan Amendment (above). The proposed RL2, Single Family Low Density Residential and Open Space District designations are consistent with the Low Density Residential General Plan designation.

**B. The proposed amendment is necessary for public health, safety, and general welfare or will be of benefit to the public.**

Statement of Fact: *Conditionally satisfied.* The proposed residences are suitable for the site based on the surrounding residential types and intensity of development. The subdivision will be constructed to meet all applicable building and safety codes. The proposed subdivision would result in the redevelopment of the site from a golf course to a low density residential development, including improvements in common areas and enhanced pedestrian access to the San Francisco Bay Trail and Point Pinole Regional Shoreline located along Giant Highway. In addition, the Project will implement mitigation measures designed to reduce potentially significant impacts to less-than-significant levels. The project will also provide much needed housing for the City and Bay Area Region, while creating new open space opportunities for the public

**C. The proposed amendment has been reviewed in compliance with the requirements of the California Environmental Quality Act.**

Statement of Fact: *Criterion Satisfied.* As required by the California Environmental Quality Act (CEQA) Guidelines, a Draft IS/MND was prepared and, consistent with the CEQA Guidelines, a minimum 30-day public review period was established for comments on the Draft IS/MND. Following closure of the public review period on the Draft IS/MND, the City responded to comments on the Draft IS/MND received during the review period. In response to comments, the City incorporated some minor textual clarifications and revisions into the Richmond Country Club Residential Project Final IS/MND. The Final IS/MND is accompanied by a MMRP.

**D. For a change to the Zoning Maps, the subject site for the use is suitable for the uses permitted in the proposed zone in terms of access, size of parcel, relationship to similar or related uses, and other relevant considerations, and the proposed change of zoning district is not detrimental to the use of adjacent properties.**

Statement of Fact: *Conditionally satisfied.* The subject site is located in an area already served by community facilities, utilities and transportation systems. The site is near low-

density residential neighborhoods. The project site is greater than 25 acres and changing the zoning facilitates orderly development of larger site in the City.

**SECTION II.** By this ordinance, the City Council approves the Zoning Amendment to rezone the Project Site to Open Space, OS and Single Family Low Density Residential, RL2 districts as set forth in Exhibit A, (“Rezoning Exhibit”) incorporated herein and made part hereof.

**SECTION III.** Any provisions of the Richmond Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

**SECTION IV. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid, the remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed each section, subsection, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, paragraph, sentence, clause or phrase.

**SECTION V. Effective Date.** This Ordinance becomes effective thirty (30) days after its final passage and adoption.

Exhibit A: Rezoning Map

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First introduced at a regular meeting of the City Council of the City of Richmond held December 15, 2020, and finally passed and adopted at a regular meeting held December 22, 2020, by the following vote:

AYES:	Councilmembers Choi, Johnson III, Martinez, Myrick, Willis, Vice Mayor Bates, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	None.

**PAMELA CHRISTIAN**  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

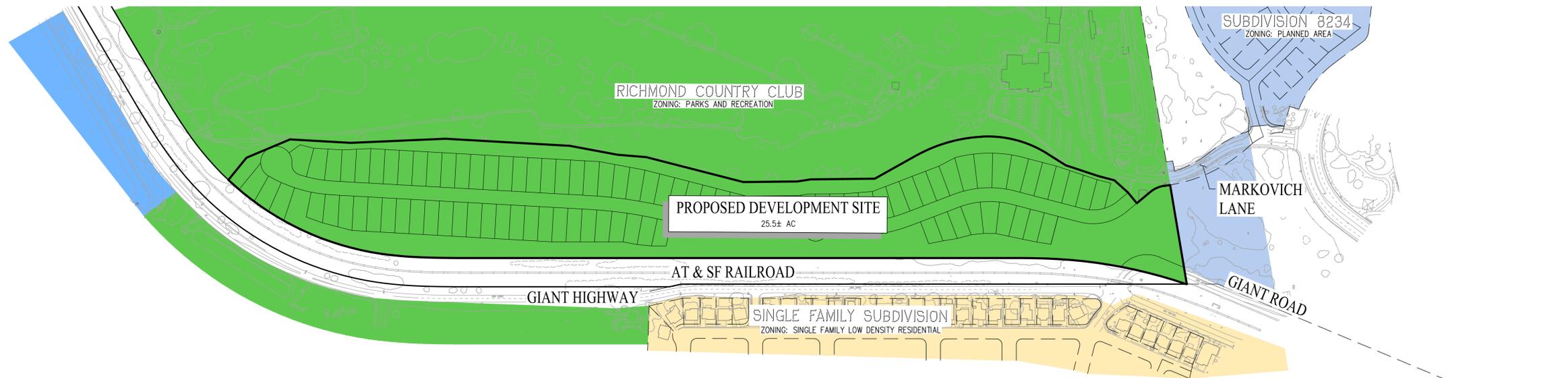
Approved:  
**TOM BUTT**  
Mayor

Approved as to form:  
**TERESA STRICKER**  
City Attorney

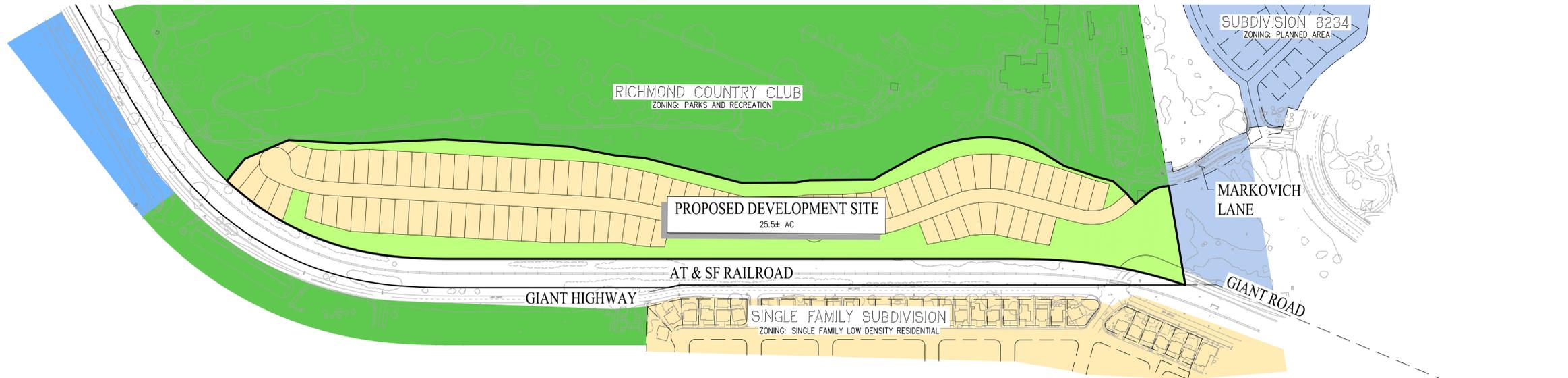
State of California            }  
County of Contra Costa        }       : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Ordinance No. 32-20 N.S.** passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 22, 2020.

  
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Pamela Christian, City Clerk of the City of Richmond



**EXISTING ZONING MAP**  
NOT TO SCALE



**PROPOSED ZONING MAP**  
NOT TO SCALE

PROPOSED DEVELOPMENT SITE SUMMARY		
ZONING DESIGNATION	EXISTING AREA (AC)	PROPOSED AREA (AC)
PR: PARKS AND RECREATION	25.5	-
OS: OPEN SPACE	-	9.5
RL2: LOW DENSITY RESIDENTIAL	-	16.0

**LEGEND**

- PARKS AND RECREATION
- OPEN SPACE
- SINGLE FAMILY/LOW DENSITY RESIDENTIAL (RL2)
- PUBLIC, CULTURAL, AND INSTITUTIONAL
- PLANNED AREA

**ZONING CHANGE**  
**RICHMOND COUNTRY CLUB**  
**SUBDIVISION 9528**

CITY OF RICHMOND    CONTRA COSTA COUNTY    CALIFORNIA  
DATE: NOVEMBER 2020



SAN RAMON    (925) 866-0322  
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**P2.2**  
OF 15 SHEETS