

ORDINANCE NO. 21-16 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, REPEALING THE KNOX/CUTTING BLVD SPECIFIC PLAN,
ADOPTING THE RICHMOND BAY SPECIFIC PLAN, AND REZONING THE
RICHMOND BAY SPECIFIC PLAN AREA, SUBJECT TO CONDITIONS (PLN13-108)**

WHEREAS, in 2013, the City received a Priority Development Area 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;

WHEREAS, the Specific Plan Area ("Plan Area") consists of approximately 358 acres of land surrounding the Richmond Field Station site, owned by the UC Regents. 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;

WHEREAS, 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;

WHEREAS, a Draft EIR was prepared and circulated for the Project (SCH# 2014092082) in accordance with state law and local guidelines. 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;

WHEREAS, on November 17, 2016, the City of Richmond Planning Commission held a public hearing to consider a recommendation to the City Council on the certification of the Final EIR, adoption of a Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program, General Plan Amendment, Adoption of the Richmond Bay Specific Plan, Repeal of the Knox/Cutting Specific Plan, and approval of the Rezoning (collectively referred to as the Project) and voted to recommend approval of the Project;

WHEREAS, on December 6, 2016, the City Council held a public hearing to consider the Project;

WHEREAS, on December 6, 2016, after reviewing all oral and written evidence in the public record, the City Council adopted Resolution No. 105-16 certifying the EIR as adequate, and making certain findings and revisions, adopted a Mitigation Monitoring and Reporting Program (MMRP), and approved a General Plan Amendment, with direction to staff to: (1) remove the Special Planning Area from the Specific Plan, Zoning Map Amendment and General Plan Amendment and revise the Specific Plan accordingly; (2) revise the Specific Plan to remove references to and depictions of a potential vehicle connection through the coastal prairie on the adjacent Richmond Field Station consistent with City Council Resolution 40-14; and (3) revise the Specific Plan Community Benefits section to add a measure regarding the City's desire, to the extent allowed by law, to require that developers hire individuals through the Helmets to

Hard Hats or equivalent program and/or who have successfully completed a labor-approved apprenticeship program.

WHEREAS, on December 6, 2016 meeting, the City Council introduced an Ordinance repealing the Knox/Cutting Specific Plan, adopting the Richmond Bay Specific Plan, and rezoning the Plan Area subject to the same conditions as specified in Resolution No. 105-16; and

WHEREAS, the Project includes a request to change the zoning of the Plan Area to SP-2 Richmond Bay Specific Plan, adopt the Specific Plan, and repeal an outdated Specific Plan that covers part of the Plan Area relative to the proposed Richmond Bay Specific Plan on certain real property located in the South Shoreline area within the City of Richmond.

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

SECTION I. The City Council finds and determines the following in approving the rezone, attached hereto as **Exhibit A**:

- (a) The proposed amendment to the zoning map is consistent with the policies of the Richmond General Plan.

Supporting Statement of Fact: *Satisfied.* The General Plan 2030 specifically 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 Zoning Map amendment will reflect the adoption of the RBSP, as modified by the City Council, since the Specific Plan 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.

- (b) The proposed zoning map amendment is consistent with the purposes of Chapter 15.04 Zoning.

Supporting Statement of Fact: *Satisfied.* The interim zoning map and zoning regulations adopted by the City identifies the Plan Area as a study zone where land use and regulations changes were in progress and 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 Regulations and Map were adopted. The Zoning Map amendment would reflect the adoption of the RBSP, which will serve as the zoning regulations for the Plan Area. Therefore, the proposed amendment is consistent with the purpose of Chapter 15.04, which is to regulate existing and future uses and development (RMC § 15.02.030).

SECTION II. The City Council finds and determines the following in adopting the Richmond Bay Specific Plan (attached as **Exhibit B**):

- (a) The proposed Specific Plan is consistent with General Plan goals.

Supporting Statement of Fact: *Satisfied.* The General Plan 2030 specially called for the creation of a Specific Plan for the Southern Gateway as specified in Action LU.3.E, Southern Gateway Specific Plan. The Plan Area includes two change areas (15 and 16) identified in the General Plan as areas where land use and design changes were anticipated. The Specific Plan articulates a vision for the Plan Area at a level of detail beyond the General Plan and 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. As part of the Project, a new General Plan Land Use Classification is proposed that would guide future development of the Plan Area consistent with the detailed vision of the Specific Plan.

SECTION III. The City Council finds and determines the following in repealing the Knox/Cutting Specific Plan (KCSP), incorporated herein by reference:

Supporting Statement of Fact: The Knox/Cutting Specific Plan (KCSP) is inconsistent with the General Plan 2030. The 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 where changes in land uses and development character are anticipated as part of the General Plan 2030 vision. The KCSP reflects land uses and development character from the former General Plan and are no longer consistent with the General Plan 2030 vision. The General Plan 2030 specially called for the creation of a Specific Plan for the Southern Gateway as specified in Action LU.3.E, Southern Gateway Specific Plan to support the transformation of the area into a mixed-use community including education, research and development, light industrial, and residential, and other sensitive uses. The KCSP did not include residential or other sensitive uses in most areas, and is therefore inconsistent with the General Plan.

SECTION IV. By this ordinance, the City Council repeals the Knox/Cutting Specific Plan, approves the Zoning Map Amendment rezoning the Project Area to SP-2 Richmond Bay Specific Plan as set forth in Exhibit A, (“Rezoning Exhibit”), adopts the Richmond Bay Specific Plan as set forth in Exhibit B (“RBSP”), subject to the following conditions:

- (1) remove the Special Planning Area from the Specific Plan, Zoning Map Amendment and General Plan Amendment and revise the Specific Plan accordingly;
- (2) revise the Specific Plan to remove references to and depictions of a potential vehicle connection through the coastal prairie on the adjacent Richmond Field Station consistent with City Council Resolution 40-14; and
- (3) revise the Specific Plan Community Benefits section to add a measure regarding the City’s desire, to the extent allowed by law, to require that developers hire individuals through the Helmets to Hard Hats or equivalent program and/or who have successfully completed a labor-approved apprenticeship program.

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

Exhibit A: Rezoning Map
Exhibit B: Richmond Bay Specific Plan (December 2016 Draft to be revised per this Ordinance)

First read at a regular meeting of the Council of the City of Richmond held December 6, 2016, and finally passed and adopted at a regular meeting thereof held December 20, 2016, by the following vote:

AYES: Councilmembers Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor Martinez, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmembers Bates.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
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. 21-16 N.S.**, passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 20, 2016.

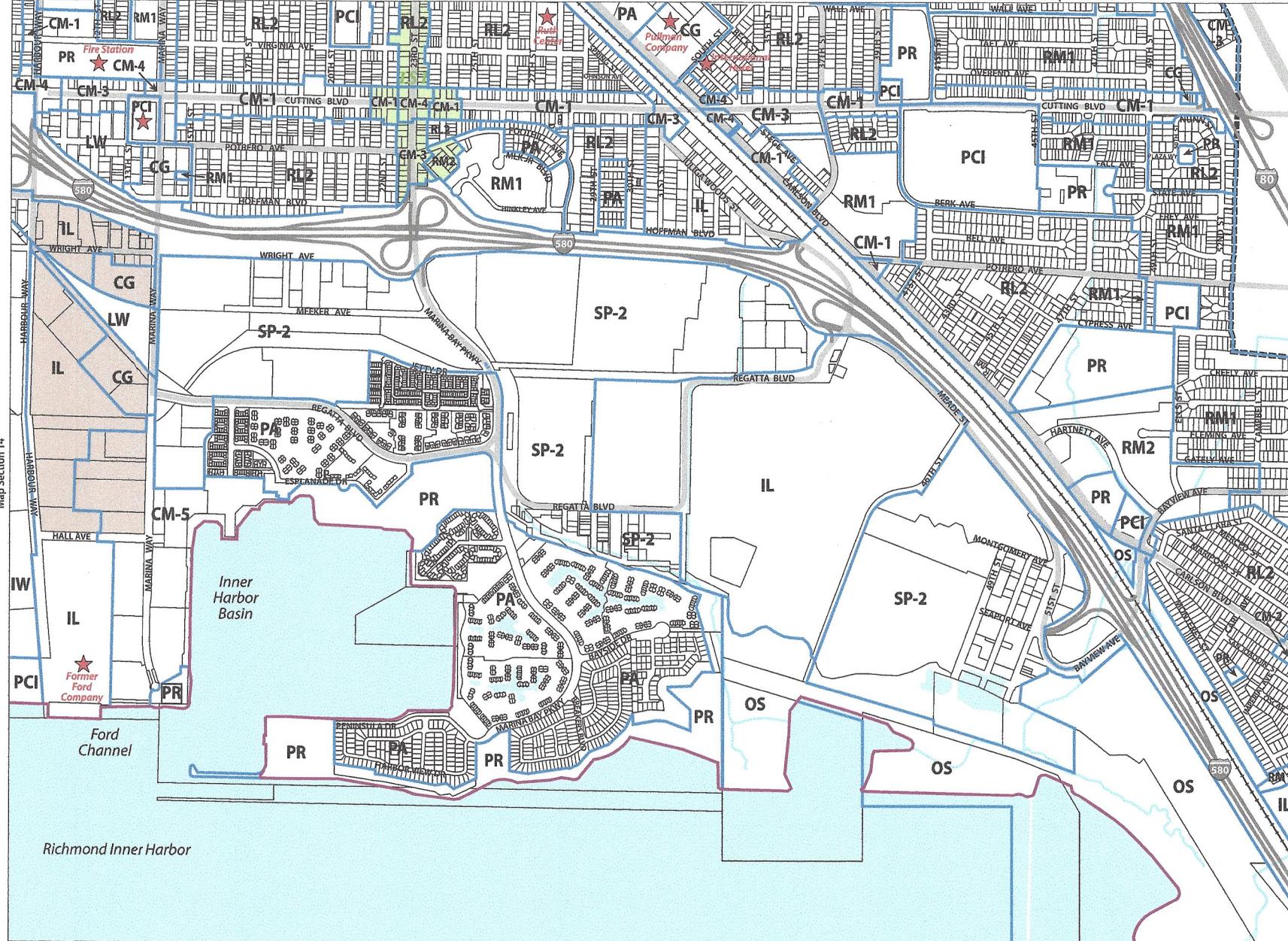


Pamela Christian, City Clerk of the City of Richmond

EXHIBIT A

CITY OF RICHMOND PROPOSED ZONING MAP TO IMPLEMENT RICHMOND BAY SPECIFIC PLAN

Map Section 12



Sectional Map 15

Proposed Zoning Residential Districts

- RF Single-Family Hillside Residential
- RL1 Single-Family Very Low Density Residential
- RL2 Single-Family Low Density Residential
- RM1 Multifamily Residential
- RM2 Multifamily High Density Residential

Mixed-Use Districts

- CM-1 Commercial Mixed-Use, Residential
- CM-2 Commercial Mixed-Use, Neighborhood
- CM-3 Commercial Mixed-Use, Commercial Emphasis
- CM-4 Commercial Mixed-Use, Gateway/Node
- CM-5 Commercial Mixed-Use, Activity Center
- LW Live-Work

Commercial Districts

- CG Commercial, General
- CR Commercial, Regional
- CC Commercial, Coastline

Industrial Districts

- IB Industrial, Business
- ILL Industrial, Limited Light
- IL Industrial, Light
- IG Industrial, General
- IW Industrial, Water-Related

Public and Semi-Public Districts

- PCI Public, Cultural, and Institutional
- PR Parks and Recreation
- OS Open Space

AG Agricultural

Planned Area and Overlay Districts

- PA Planned Area District
- SP-2 Richmond Bay Specific Plan
- IS1 Interim Study Overlay
- Creek Protection Overlay

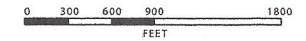
Industrial Buffer Zone

Landmark

Shoreline

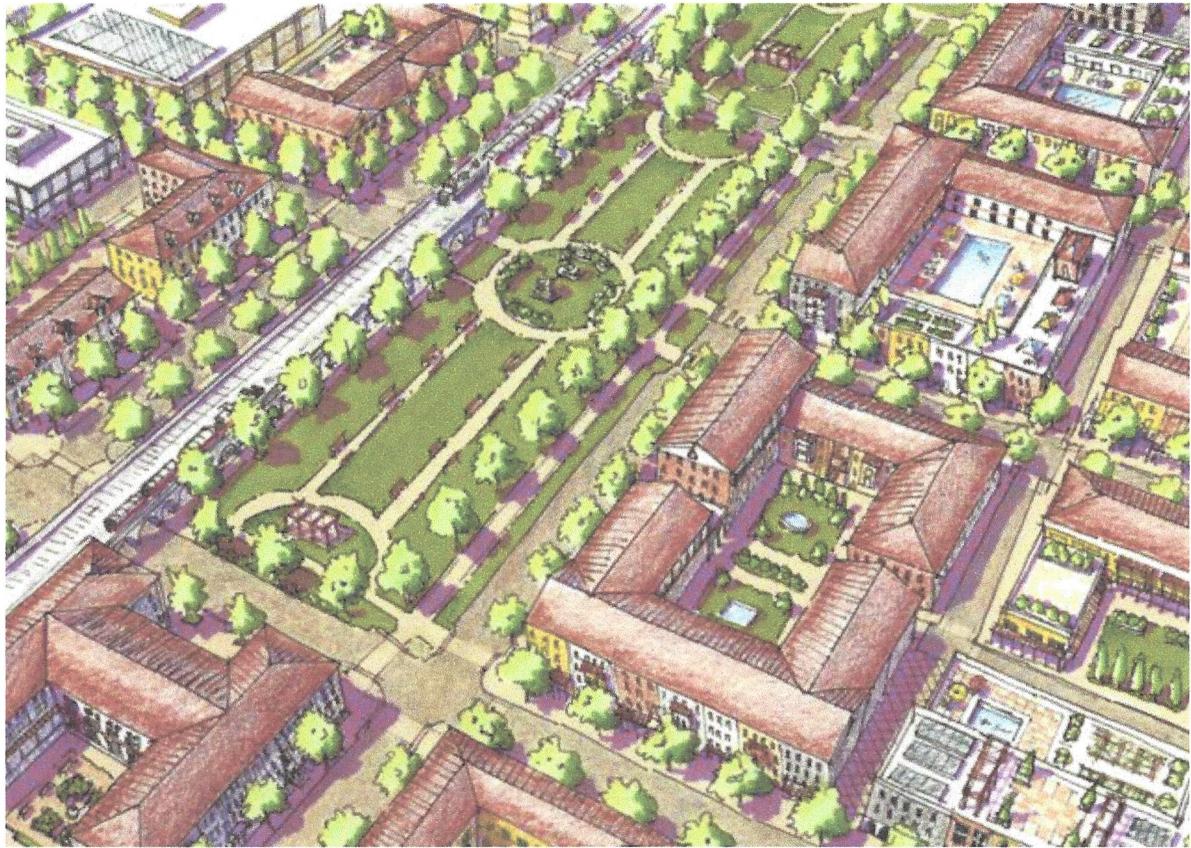
City Limits

Source: City of Richmond, 2016; Contra Costa County GIS, 2016; Metropolitan Transportation Commission (MTC), 2016; Dyett & Bhatia, 2016



13 DECEMBER 2016

EXHIBIT B
THE FULL VERSION OF THIS DOCUMENT IS AVAILABLE UPON REQUEST FROM THE
PLANNING AND BUILDING SERVICES DEPARTMENT



Richmond, California

Richmond Bay Specific Plan

December 2016

