

**BAERPLANNING COMMISSION REGULAR MEETING  
COUNCIL CHAMBERS, RICHMOND CITY HALL**  
450 Civic Center Drive, Richmond, CA  
March 19, 2015  
6:30 p.m.

**COMMISSION MEMBERS**

Sheryl Lane, Chair  
Nancy Baer  
Jeffrey Kilbreth  
Roberto Reyes

Ben Choi, Vice Chair  
Andrew Butt  
Marilyn Langlois

The regular meeting was called to order by Chair Lane at 6:33 p.m.

Chair Lane led in the Pledge of Allegiance.

**ROLL CALL**

**Present:** Chair Sheryl Lane; Vice Chair Ben Choi; Secretary Marilyn Langlois, Commissioners Nancy Baer, Andrew Butt and Jeffrey Kilbreth

**Absent:** Commissioner Roberto Reyes

**INTRODUCTIONS**

**Staff Present:** Planning staff: Lina Velasco, Jonelyn Whales, Richard Mitchell, and City Attorney Carlos Privat

**MINUTES** - None

**AGENDA**

Chair Lane provided an overview of meeting procedures for speaker registration, public comment and public hearing functions. She said items approved by the Commission may be appealed in writing to the City Clerk by Monday, March 30, 2015, by 5:00 p.m. and as needed, announced the appeal process after each affected item.

**CONSENT CALENDAR**

Chair Lane stated currently the Consent Calendar consists of Items 1, 2 and 3 and she asked if Commissioners, staff or the audience wished to remove that item. Staff indicated there was a speaker on Item 2, which was removed.

**ACTION: It was M/S/C (Langlois/Butt) to approve Consent Calendar Items 1 and 2; which carried unanimously by the following vote: 5-0-1 (Ayes: Butt, Choi, Langlois, Baer and Lane; Noes: None; Absent: Reyes.**

**Items Approved on the Consent Calendar:**

**CC1. PLN15-014 : Bubbles Car Wash CUP Modification - PUBLIC HEARING to consider a request to modify an existing Conditional Use Permit (CU91-31) for the carwash facility at 4724 Macdonald Avenue (APN: 517-272-025) to change to a self-service facility. C-2, General Commercial District. Trader Trade LLC, owner; Dave Patel, applicant; Planner: Kieron Slaughter; Tentative Recommendation: Conditional Approval**

**CC3. PLN14-115: Nevin Avenue Residential - PUBLIC HEARING to consider adoption of a Mitigated Negative Declaration and approval of a Conditional Use Permit for a Density Bonus with incentives for reduced parking and increased height for construction of a 289-unit affordable housing development on the south side of Nevin Avenue, between 21st and 23rd Streets (APN: 514-080-013 and 514-090-018). MFR-3, Multi-Family High Density Residential and C-2, General Commercial District. Carl Adams TRE, owner; Alexis M. Gevogian, applicant; Planner: Jonelyn Whales; Tentative Recommendation: Hold Over to 4/2/2015**

### **Brown Act – Public Forum**

Mary Selva, RANC President, spoke about the importance of study sessions and the Livable Corridors document. She noted that study sessions and public hearings serve to address any outstanding issues and inform the public; however, a formal public study session did not take place.

Cordell Hindler, Richmond, suggested a night club be located in Richmond to revive the city and keep violence down.

### **Item Removed from the Consent Calendar:**

#### **CC2. PLN15-082: Catalano Second Dwelling Variances**

**PUBLIC HEARING to consider a request for variances for minimum lot size, unit size and off-street parking to permit an internal second dwelling unit at 671 Mesa Way (APN: 518-130-001). SFR-3, Single-Family Residential District. **Monica Catalano, owner/applicant; Planner: Kieron Slaughter; Tentative Recommendation: Conditional Approval****

Associate Planner Kieron Slaughter gave a description of the request for the variance and discussed the project's location, zoning, and indicated the numerous substandard lots in the immediate area which have been developed with single family residences. He said the California State second unit law urges cities to make implementation of second units attainable and staff believes findings have been met for the variance to support the internal second dwelling unit and recommends approval.

Chair Lane confirmed the applicant was not present and she called on the public speakers.

### **Public Comments:**

Jan Mignone, Richmond, said she did not receive notice on the item and while she does not mind the second dwelling unit, she asked to ensure there is a fire stop between each level as well as additional parking. She said it is unsafe to drive on Clinton Hill, was not sure any

neighbors know about the request for the variance and said the North and East neighborhoods have serious issues with parking.

Cordell Hindler, Richmond, echoed the prior speaker comments.

Mr. Slaughter addressed comments, stating he was not aware of fire break requirements for second dwelling units, noting the proposal will basically add a wall in the kitchen. The neighborhood council presidents are copied on all City projects and notified. Staff also encourages applicants to contact neighborhood councils and adjacent neighbors. Regarding parking, he said the project is considered existing habitable space, and there is a lot of on-street parking directly in front of the site which borders two streets.

Secretary Langlois referred to notification to the neighborhood council, and confirmed that staff mailed out notice to those property owners within a 300 foot project radius and also the neighborhood council presidents on Friday.

Secretary Langlois commented that receipt of the staff report on Friday would most likely not allow the project to be heard by the neighborhood council and asked if the list of planning projects was handed out at the RANC every month.

Mr. Slaughter said he believes the application was received over a month ago and it should have gone through at least one cycle of RANC meetings. Staff continues recommendation of approval with conditions.

The public hearing was closed.

**ACTION: It was M/S/C (Butt/Langlois) to approve Consent Calendar Item 2; PLN15-082; which carried unanimously by the following vote: 5-0-1 (Ayes: Butt, Choi, Langlois, Baer and Lane; Noes: None; Absent: Reyes.**

**4. PLN12-248: Form-Based Code Zoning Text Amendment - PUBLIC HEARING** to consider providing a recommendation to the City Council of proposed amendments to the Richmond Municipal Code that would add a new Chapter, 15.05 Form-Based Code (FBC) to Article 15, Zoning and Subdivisions. The FBC would establish new zoning districts compliant with the General Plan, rezone properties within the boundaries of the FBC, and establish new standards and regulations for the new zones. The FBC also includes adoption of Architectural and Sustainability Guidelines. City of Richmond, applicant; Planner: Lina Velasco; Tentative Recommendation: Recommend Approval to City Council.

Senior Planner Lina Velasco gave the staff report, stating the new Form-Based Code (FBC) would establish new transect zones that would comply with land use classifications in the General Plan 2030, rezone certain properties using those zones and establish new standards and regulations. The FBC would replace the City's zoning for subject properties and performance standards for buildings, streets and public spaces that would help transform these corridors into active hubs for businesses, jobs, housing and community services.

The adoption of the FBC is the first phase of the zoning update undertaken to implement the vision adopted in General Plan 2030 as well as adoption of architectural and sustainability guidelines that will be appendices. They will be guidelines but not law and staff is seeking a recommendation from the Planning Commission.

Ms. Velasco introduced Christopher Jansen from Opticos Design, Inc., project manager and consultant who assisted staff in developing the FBC, and he will provide a more detailed presentation.

Christopher Jansen, Opticos Design, Inc., gave a PowerPoint presentation and overview, as well as a progress report on the process, a sample project, and input on revisions since its release. He noted Fehr and Peers were involved in parking and transportation, Sherwood Design was involved in sustainability and infrastructure, Lisa Wise Consulting worked to integrate the FBC into the overall planning and existing zoning code, Urban Advisors provided economic and fiscal analysis, and Contra Costa Health Services provided a Health Impact Assessment and analyzed FBC impacts.

Mr. Jansen presented an aerial view of the project boundary and the 23<sup>rd</sup> Street, Macdonald Avenue and San Pablo Avenue corridors and the larger downtown area and uptown area. They first analyzed existing conditions, worked with the community on a visioning process or charette, reviewed case studies, tested and then drafted the FBC, which he briefly described.

Mr. Jansen identified key items in the process as addressing Richmond's jobs/housing balance, reviewing what the potential of 1,000 new units downtown would mean, what level of densities are helpful for supporting walkable commercial streets and how to work to increase densities to support commercial activities. He then provided an example of a project and how the FBC would be used, discussed sustainability guidelines and standards, the Health Impact Assessment and public draft revisions.

Secretary Langlois asked Mr. Jansen to display the map of the area and said this map is different from the map in the packet which shows areas beyond the boundary, particularly east and west of San Pablo Avenue, as well as a portion in the 23<sup>rd</sup> Street corridor. Mr. Jansen said the map was generated as part of the grant submission, given part of the project is funded by a sustainability community planning grant from the Strategic Growth Council and revised. He said various property owners spoke with the economic consultant and some changes made sense and were added during the charette period and release of the draft document. Mr. Jansen clarified that both maps show properties on both sides of McLaughlin and properties on Wilson Avenue, and those that turned out not working were on McBride and by Clinton Hill.

Commissioner Kilbreth asked if this means that instead of approving the draft, the Commission should ask that actual blocks be identified and brought back. Mr. Jansen noted that the public draft has been out for over a year; however, some public members are just seeing this now. Ms. Velasco clarified that staff is seeking a recommendation to the City Council and suggested that any modifications be documented and forwarded to the City Council.

Commissioner Baer said she is wondering what the approval process would look like for projects that come to the planning staff. She understands one purpose of FBC is a streamlined approval process but she voiced concerns of neighbors who may not be made aware of projects the way they used to be.

Ms. Velasco said as part of the FBC, there is a procedures section and staff provided a table summarizing the types of applications subject to staff review, the Planning Commission or the DRB. Part of the reason to streamline the process is due to the fact that the building types,

frontages, and uses are predicted in the built environment. The expectation is that with selected building and frontage types, neighbors have a strong sense of what will be built near them.

Commissioner Butt confirmed with Ms. Velasco said certain sized projects would still require review by the DRB. He asked how the California density bonus law affects this type of zoning approach. Ms. Velasco said the City has bonus options in the code by providing an extra floor of development. How that translates into units can vary based on the design of the specific units, and this can be clarified. Commissioner Butt noted there is also height, setback and parking and he asked how the FBC approach would affect these.

Mr. Jansen said the intent is that they are trying to address it through the FBC by talking about additional height, reduced parking requirements to promote affordable housing, and it would result in additional density. He said they found density hard to regulate because it gets into unit size, so they focused on a form. Therefore, a 4 unit building with 2,000 square feet per unit has the same form as 8 units at 1,000 square feet. They are adding the additional height and reduced parking requirements to provide incentive that would comply with law.

Secretary Langlois referred to the fold-out map showing the proposed T-4 and T-5 areas, and said the area between Macdonald and Barrett, and the area east of the Civic Center and I-80 it appears to be some form of T-4 under this proposal, which would allow for multi-family dwelling units. Currently that area has both single family and multi-family dwelling units and she asked if there is any significant change in density proposed in this area.

Ms. Velasco said one of the things that will happen as part of rezoning is that some of those multi-family units that are now legal, non-conforming uses will be able to become conforming use again. In terms of vacant lots, there are not many so there may be density changes based on building types and the City may see more in-law units, given restrictions changing on minimum lot size. She said depending on the lot size, duplexes are allowed as are other light commercial uses.

Secretary Langlois said it would be helpful to know which T zones represent any deviation from current zoning. Ms. Velasco said based on the current built environment, there may be some section of street that does not have more than a single family residence, particularly along McLaughlin, but some have second dwelling units in the rear which would be multi-family type. However, as far as 4-plexes or apartment dwelling units, these do not exist as much on that street as the area between Barrett and Macdonald.

Commissioner Baer referred to how residents could expect to see this unfold over time, given the situation where someone lives in a neighborhood whose zoning is changing and different things are allowed and she thinks there is some trepidation associated with these changes. Mr. Jansen said the intent is that they are trying to limit the form of the buildings going in if things were going to identify over time. They would encourage more duplexes, small footprint cottage courts, small apartment buildings of 3-4 units, and similar building types. They are not intending large apartment buildings going in on those lots. They are also having lot minimum standards, and the minimum would be a 64 foot lot, 3 townhomes in a row, with 18 foot widths and 5 foot setbacks on each side. It is not going to be a quick turnover as there are not many vacant sites, and what this code is talking about what could happen and not what will happen.

Secretary Langlois referred to the pace at which this could unfold, stating residents voiced concern that along a quiet street of single family homes could be heavy construction with

everything being different. She asked if there will be a mechanism to pace this or any realistic expectation that it would not happen that quickly so as not to be disruptive to existing residents.

Director of Planning Richard Mitchell said in the 1950's many people had small homes. They tore their homes down and income property was developed. These homes and parcels in neighborhoods are already at very high values now and the idea that someone would come in and bulldoze an existing home to develop something allowed in the corridor does not make financial sense. They must meet design standards of the FBC and developers will not rush to do this. The cost of construction is too high and this is why design guidelines have been put into place. It allows for mansion apartments and other building types that used to be a part of neighborhood fabric to eventually fill back into the community. He said the North and East neighborhoods would continue that evolution which is the objective of what this is.

Secretary Langlois said most areas are built out now and she questioned why the City was going through these changes. Mr. Mitchell said they are trying to accomplish a process by which an evolution can occur that does not shock the City or its residents. There is likely to be changes where there are used car lots, old service station sites, and vacant lots. Core neighborhoods may begin to see some second dwelling units come in, some pairing and sharing of space and homes, and the idea is to figure out how to create a better process for managing the inevitable change.

Chair Lane opened the public comment period and confirmed with staff there were 27 speakers.

Public Comments:

Susan Wehrle, Richmond, spoke about reasons she moved to Richmond, said there are no vacant lots in her neighborhood, and she wants to continue to have a neighborhood where she knows her neighbors, has enough yard and garden space, can see views of the hills, and would hope that the City lets people know about any changes proposed near her property.

Jan Mignone, President of the North and East Neighborhood Council, said people are worried about what these changes will do to their streets and neighborhoods. She voiced concerns about lack of good transit in Richmond for this to work well, and also the fact that sewer systems are 80-100 years old which need to be replaced. She voiced concern over 5 foot setbacks which are extremely close and said the City cannot even implement the fence ordinance or front yard changes.

Cordell Hindler, Park Plaza Neighborhood Council, voiced concern as he has an empty lot near his home, echoed previous speaker comments about the need for transit and said the City needs affordable housing.

Nora Garcia, Richmond, said everybody present are real people who live in houses, and she has lived a majority of her life on McLaughlin Street and is distressed by the economic and emotional impact of the proposed rezoning McLaughlin Street will have on her family and other residents. She does not support the proposed rezoning of McLaughlin Street so that new multi-family housing will be built, as well as allowed heights and setbacks proposed to be built on McLaughlin Street ad Barrett and San Pablo Avenues. She cited the diversity and camaraderie in her neighborhood.

Jan Brown, Richmond, 40 year resident and thanked the Commission and staff for sharing what she thinks is an attempt to be progressive and to create environments which are more sustainable. She concurred; however, with the previous speaker, as she lives one block away from the T-4 zone. Some areas need to be preserved in neighborhoods and what is missing from the report is the broader vision. There is no explanation of the parks, transit areas, what the other T zones are and without understanding the whole and how it relates to all of Richmond, she does not see how the report can be considered. She also said the very best of Richmond is starting to happen with neighbors riding bikes and walking, and said single family neighborhoods are the fabric of the community. The mansion apartments are internally oriented and not oriented to the street, and she asked that the wide avenues be considered as buffers to neighborhoods.

Dorothy Heckman, Richmond, said she and her husband Jack have lived for over 25 years and learned of the proposal yesterday. She did not know of any charettes that occurred, are college-educated people, read two newspapers a day and still did not know anything about the proposal which was apparently from 2009. She thinks if the City wanted more input, the notice would have been less confusing and more interesting. They feel the City is trying to pull a "fast one" and they object. They do not want zoning changed to allow developers or anyone to tear down single family homes and put up mansion apartments. They do not want their setbacks changed and while the neighborhoods along San Pablo Avenue could use some change, she suggested paving streets and planting more trees. Before any decision is made, she asked for more information and understanding.

Mary Selva, RANC President, stated they submitted formal packets to Commissioners and said they found out about the project going before the DRB and Commission a short time ago. She said they have numerous concerns with the document, even though their neighborhood area is not included in the document. She referred to the conditional use process, said the list of conditional uses are being changed to permitted uses or minor use permit requirements and many businesses currently in the CUP process need to be retained because there are interface problems with the abutting residential districts and particular uses. The City needs to conduct public hearings to set conditions, and if there are problems, the City must have the opportunity to revoke their use permit. She asked to retain the 10 foot rear setback; otherwise it is too close. She noted there are long-established single family homes and there is need to be able to respect everybody.

Dave Harris, RANC, said the current Richmond parking ordinance provides appropriate and adequate off-street parking space minimums regardless of size for high volume business uses noted by asterisks under Section 15.04.850. The current zoning works well for all areas of Richmond and they strongly recommend keeping this current ordinance. By contrast, the FBC Livable Corridors' T-4 specifies "No parking space is required for ground floor retail or service use less than 5,000 square feet." For each additional 1,000 square feet above 5,000 square feet, only 2 spaces are required and this is completely insufficient for all high volume businesses listed in the current ordinance. In addition, the FBC allows for required parking to be "provided in off-street parking facilities on another property up to 600 feet from the proposed development." It also allows, "further parking space reductions depending on the number of bicycle parking spaces provided, up to 15%." Commercial parking spaces will be hidden behind the building and accessed by driveways of insufficient width. All of the above will likely result in substantial revenue loss to businesses and increased cost to consumers due to parking deficiencies and inconvenience. Parking spillover onto adjacent residential neighborhoods will exceed capacity and limit customer access including ADA to entire commercial zones. Over-parking adjacent to

intersections will create hazards to vehicles and pedestrians due to reduced visibility for turns and crossings.

Jerry Yoshida, RANC, referred to setbacks and daylight planes, and the concerns about these in the FBC. He strongly urged the Commission to adopt Albany's daylight planes provision which addresses access to direct and indirect light by requiring a commercial developer to provide a 10 foot rear setback. The daylight plane is measured after the 10 foot setback is respected. This greatly improves the privacy for both commercial and residential properties that are located directly behind the commercial development. In most of these areas are single family homes, and unfortunately the FBC measures its daylight planes at the rear property line, giving residents a reduced setback of 5 feet which is too tight and close for comfort. It also most likely interferes with the open space requirements for each resident. There are numerous setbacks that are contrary to the purpose of the formed-based code for health, safety and welfare. Garages are proposed to be a maximum of 12 feet from the front or side setback. For this access and the garage apron, the vehicle parked in the driveway would stick out past the sidewalk and block access. This will be challenging for pedestrians and the disabled.

Garland Ellis said the RANC which is outside of the proposed zone area is against the formed-based codes. Furthermore, if this were ever to come into their area they would expect to have the same consideration in that there would be numerous workshops, charettes, and much more time for input than has been for this group. Therefore, every neighborhood which the code would affect should have the same consideration before it is approved and pushed into the area. Secondly, if there is ever a major earthquake and many homes are damaged beyond 50%, they will all be demolished. When rebuilding, they must rebuild to this new code and most people will not be able to afford it and their insurance will not cover it. In the formed-based code there are traffic lanes down to 9 feet. The state standard is 12 feet. They allow 10 or 11 in some circumstances, but never 9 feet, which is not safe. A fire truck cannot travel down such a street, as well as delivery trucks. Commercial zones will have problems with delivery as well as service vehicles, garbage trucks and others. He said this is almost criminal and insane and this needs an EIR and not a Negative Declaration for reasons of altering traffic throughout the City.

John Wehrle, Richmond, said he and his wife have lived in their home for 27 years and he walks often. He supported the rest of the community and previous speaker comments. The community has developed naturally over time. There are apartment units but he knows no one who lives in them and there is something to be said for maintaining densities. He thinks this is something that needs to be looked at carefully. Richmond has been good to him and allowed him to build a large artistic studio on his property which is a live/work unit, but within the existing code, and he urged the Commission to recognize the people who are here.

Michael Eisenmenger, Richmond, said one of the big issues was public noticing. He received the postcard and neighbors met, but there was never any mention of residential development on their block but only commercial corridors. They never saw a document since until the formed-based code final came out last month. He said in 3 hours last Sunday, they received over 60 signatures and virtually all did not know the FBC affected them. Most knew about Livable Corridors but they did not know it affected their homes. He said most of the heritage home neighborhood homes were built in the 1920's and is well preserved and maintained. On his street in particular, the lots are very small and to see California Bungalows become teardowns to build a duplex that is built in the same style with fewer setbacks, taller shade and light issues is what they want to avoid. They do not want to see this kind of development which is out of character with the neighborhood which blights the street. He also was concerned with

developers in the market driving this and how consistent and even the development will be. He thinks affluent areas do not need it and want it the least rather than serve the under-served communities that need it the most in Richmond.

Linda Moran, Richmond, echoed concerns of neighbors about the short notice and said she does not receiving a postcard but learned of this at her neighborhood meeting last Tuesday. Despite the short notice, the outpouring of people who have shown up should indicate to everybody how important this is and how undermined they feel. She was a new Richmond resident and participated in the charette and was very interested in the goals of the Livable Corridors, particularly in the Macdonald gateway and San Pablo revitalization. She loves Richmond very much and it was a shock to find a T-4 zoning for her immediate neighborhood. It concerns her because she was not aware of it but also because the T-3 could have been used which also has different setbacks. She does not exactly what all of the differences are with these codes, but looking at building samples in the document, it is very concerning that a pock-mark nature will be the way this is going to happen unless there is an earthquake. She wrote the Commission a letter with a graph showing her concern about traffic in particular. The zone she lives in has the on and off-ramp to I-80 right off of the neighborhood and it is a very congested area already. Although there are improvements in the works, with the added density allowed in the FBC with Macdonald gateway and it being a potential dense area as well as the San Pablo corridor, she is concerned that those areas will impact further traffic congestion they are already facing. She urged the Commission to not proceed with the plan as is to eliminate the T-4 and automatic zoning that was included without participation of the community and to also undo the triangle strip at the corner of Barrett Avenue and Dimm Street which shows a beautiful character to the neighborhood.

Rita Barouch, Richmond, said she lives on the McLaughlin block and thanked staff for their efforts in making improvements but many people are trying to say they need to participate in shaping these changes. In addition, over the past 14 ½ years of living there, she has seen a transition to beautiful gardens, well-kept houses, and a stability and diversity with 7 ethnicities on her block alone. It is also home to more hummingbirds and mockingbirds that she can imagine because neighbors have planted all of the trees. She asked the Commission to consider the quality of life that is currently there. If the formed-based code is going to be adopted, they need to have a collaborative working relationship as far as how it will be implemented. In particular, she is concerned about the potential of multiple construction sites on San Pablo Avenue going on at the same time that would have significant noise, air pollution and other impacts. She asked the Commission to look at how it could regulate or stagger them so there is not more than one at a time within a certain block. She asked that approval be postponed and that they continue to process these issues. If at this point the Commission needs to go ahead, she urged them to focus strongly on the commercial corridors where they need increased housing.

Alec Gwinn-Scott, Richmond, referred to the map on-line and said his neighborhood is surrounded by T-4 zoning and if the City quadrupled the density of the Lower Richmond Neighborhood Heights neighborhood, none of the streets will allow for two cars to travel which will increase congestion. He asked about schools and said Wilson is not a very big school and others are limited. He does not understand what the goal is in moving up from San Pablo with this project because the City will completely change the way that neighborhood flows.

Charles T. Smith, Richmond, said when he moved to Dimm Street many years ago, he did not move into a housing development but a neighborhood and this is the way he likes it.

Neighborhoods evolve and he provided an example that should be clear. For some unknown reason, T-4-N was applied to a triangle on Barrett and Dimm. He said 17 years ago, a man named Gil Patchett began working there and turned it into a botanical garden. He has received many awards, has a book on it, and is an 80 year old retiree and has done this on his own. 15 years ago they had a drive-by shooting, they organized the neighborhood and began having their annual picnics right next to that botanical garden. 10 years ago they organized and collected money and some from the neighborhood council to put white lights in the tree which they set up. Every year for the past 10 years they light up the tree from dawn until dusk starting on Thanksgiving Day and shutting it down on New Year's Day. He questioned why the triangle had to be rezoned to T-4-N and he does not agree with Mr. Mitchell. He said all he has to do is read the newspaper and he can see how San Francisco has literally changed over a handful of years and it is going to happen to Richmond if this continues.

Carol Teltschick said she is a Richmond Heights neighbor and is concerned and is here to support neighbors. She feels like everyone has explained over and over to the Commission that the feeling of community in these neighborhoods that are proposed to turn into T-4 zones is the kind of neighborhood everyone wants to live in. She thinks it is clear people feel they did not participate enough, get enough warning, did not receive information, and she does not think the Commission is trying to revitalize areas of Richmond that need it. They all want San Pablo to change because it is blighted. When walking behind it though is a great neighborhood and they want to make improvements in town but not at the expense of communities that are already working and vital. She asked the Commission to move to put off the vote. She said it looks as though there was no study session and it is clear that the T-4 zone was mapped after the charettes were done and she asked to back up and hold a study session and walk in the neighborhood.

Nina Smith, Richmond, said the Livable Corridors makes a lot of sense on major streets but it is hard not to be very suspicious when all of a sudden after the charettes are held the zoning is extended a few blocks into the residential neighborhoods. Frankly, she is suspicious and thinks this will undermine the community's faith in the whole idea of developing the commercial corridors when staff, after the fact, adds on these streets that do not need further development. She questioned the purpose and said it is hard not to suspect that some developer paid someone off or is behind this. She has seen this go on and whether it is true or not, this is what people think. She asked to go back to the original maps, focus on the corridors of Macdonald and San Pablo and to stay off of the nice neighborhoods and do not approve this as written.

W.D. Bristow, Richmond, said one of the problems with this plan is that it appears not to take into account the people who already live here. He and his family purchased a home here as a place to build a life. He is under the impression that whoever is behind this would prefer to sweep them away and build new instead of investing in what is already here. The City is considering investing in big development and there must be a more organic way to better their neighborhood. He is not against the idea of making positive changes but they already have a vibrant neighborhood that will continue to get better with age. If the density needs to increase he asked to let that happen naturally over time. He cannot support changing the zoning so a developer can come in and build mansion apartments that are not for sale. Whoever is behind this plan is counting on people being absent, overworked or too busy with families to read their 300 page proposal and if it passes, he asked who will benefit from the plan, as residents will be stuck to live with it, and said they want to preserve the single family nature of their currently zoned single family residentially zoned district.

Lillian Quave, Richmond, said she and her husband have raised 3 children and live on Garvin Avenue. If anyone has walked around, there are not many empty lots there. It is already a very walkable neighborhood and she walks to BART as well as others. There are people walking and riding bikes and she likes her house. She does not want apartments all over. She asked Lina what would happen if there is a fire and she confirmed that somebody can build an apartment complex, but this is not something neighbors envisioned. She likes progress and likes things that will make the neighborhood better for everyone, but everyone has expressed their concerns. She attended a Council meeting two weeks ago and was surprised that they did not know what T-4 or T-3 is, and all neighbors in her area were not informed.

Linda Lawlor, Richmond, said when she first heard Richmond was developing a comprehensive plan to develop the community she was thrilled but shocked when she found out one week ago that this plan now zoned her neighborhood up Barrett to Dimm as T-4. The lot next to her would be zoned multiple unit residential. The lots are narrow and deep and this would mean there would be one unit in front and one unit in back. If she looked out her windows all she would see is a wall, which would block all of her views. There is also no allowance for parking. The setbacks are way too short and this should be reconsidered, as it would depreciate the values of properties in her neighborhood.

Heather Bristow, Richmond, said she is stressed, tired and upset because she had to read about 500 pages of the proposal in a week and one half. She said her neighborhood east of San Pablo Avenue does not belong in this project as T-4. If the Commission looks at the proposed map which is totally different than what was presented in the PowerPoint tonight which is very misleading, because of their proximity to San Pablo Avenue and the freeway, people are getting sucked up by this project. She thinks that perhaps they look like an easy target and said this development plan puts all the things that are important to her and neighbors at risk. What they are describing is a neighborhood no one recognizes and at the expense of neighbors and not to their benefit. Her quiet neighborhood has easy parking, single family homes, views of the hillside and children running along the streets. The development plans would turn her neighborhood into up to 2 ½ stories of duplexes, mansion apartments, bungalow courts, row houses, multi-plexes, courtyard buildings with small to no side setback, high traffic and diminishing views. To subject such a small neighborhood to much higher density zoning with no compelling rationale makes no sense and was obviously done by someone who was either not looking at the disjointed picture they drew or by someone who has some sort of agenda. The neighborhood does not need to be revitalized, as they are already vibrant.

Kenneth R. Liv said he owns a bakery on First and Nevin and said this is the second time the City has changed the zoning on their industrial property they purchased. When they bought the property they checked in advance of the City and made sure it was zoned right. They bought the property and 30 years later they find out the City wants to rezone it. If people look at the postcard and type in the email address that gets people to the website, it was mis-printed and does not get people to the website. There was no advanced notice given on this. They did not know anything about it until they received the card and this is the second time the City has rezoned an industrial property where they were not given any advanced notice. The addresses are 118 Nevin was done this time, 201 Nevin was done last time, and City staff never talked to anybody. The area needs jobs and said they have seen 5 murders within one block of his business. They employ about 20 people who live and work in Richmond, product bakery equipment, and no one has ever come down to get more jobs. There are vacant lots everywhere, are murders occurring, and he would like to beautify Richmond, but does not see

the emphasis on jobs but many people in despair there, and he sees the City operating in a way of not providing sufficient notice.

Sue Van Hattum, Richmond, said she also did not receive much notice and asked what a mansion apartment is. She said her street is not quiet and her neighborhood does not feel as nice as what she would like it to possibly because she is close to the freeway entrance. She sees the purple coloring going on two streets she believes is Garvin and between Solano and McBride that dead end at the freeway. She asked why this is going to change to high density as she does not see this serving a good purpose in the middle of small neighborhood streets. She is concerned about things she has heard tonight about people not getting enough notice and what is being changed from one zoning to another.

Scott Littlehale, Richmond, said he lives 1 ½ blocks from San Pablo with the T-4 designated area. He is a proponent of smart growth and density is one component of that. Density needs to accompany additional planning such as transportation and identification of environmental impacts on the larger community. Smart growth is about going into something open-eyed. He will assume there will be additional deliberation on the formed based code proposal and that when this time is extended that a couple of questions get addressed. He frankly avoids San Pablo Avenue because the metering of lights is terrible. He drives down Wilson to avoid all of San Pablo for about 6-7 blocks. It is not safe or ideal and is bad for residents, but people do it. What he could not find in any of the General Plan documents which this zoning amendment is intended to implement or in the form based code itself was specific analysis of traffic impacts along San Pablo. For the sake of building support or neutralizing opposition, he would hope the Commission or staff could clarify what the analysis found if there was any conducted as it relates to significance thresholds and whether or not there are mitigation measures included in other transportation plans or not that will address that. If the City wants a livable, workable corridor, this will be integral to the entire process. He also said he endorses Mary Selva's suggestion to retain some discretion through conditional use permits.

Chair Lane asked staff to address the definition of mansion apartments.

Christopher Jansen, Opticos Design, Inc., said this term was used in the charette. In the form based code, they eliminated that terminology because of the obvious confusion being created. The term of mansion apartment refers to a single family house that may have multiple units in it. This term was replaced with a multi-plex small terminology which would be a multi-family unit that they are limiting to 3 to 6 side by side or stacked units.

Mr. Slaughter asked KCRT to show a slide of what the multi-plex building would look like which was displayed for the Commission and the audience.

Chair Lane thanked everybody for their public comments and returned discussion to the Commission.

Vice Chair Choi commented that whoever wrote the Commission an email by which they included the word, "riff raff" he said this does not get any point across.

Commissioner Butt referred to Ken Liv, the bakery owner and asked and confirmed that the business was located at 118 and 120 Nevin Avenue. Commissioner Butt said the map he has does not include that area in the plan.

Mr. Liv said he spoke with Alex, the Mayor's assistant who said it is now T-4. He said they did the same thing to 201 Nevin Avenue. He wanted to get a new bank loan on the building but the bank would not loan him the money because they said it is zoned residential. At that time, he spent a lot of time talking to City staff and told him that they would look into it. They never notified him about it. He has an industrial property that he has paid for 30 years on. Half of the value is the land and half is the building. If the City wants to rezone it, then they should purchase it from him and he will move the business elsewhere. They do a couple of million in sales which the City gets sales and property tax from, employees own property right around the area, but the City has a habit of rezoning and not informing anybody. He said he owns 4 properties in that area; 118 and 201 Nevin Avenue, 334 First Street and 535 Girard, so they are heavily invested there and this is very disappointing.

Ms. Velasco said Mr. Liv has two issues. In 1997 with the last zoning update his property got rezoned SFR-3. She is not sure what it was previously, but that condition already exists and is non-conforming. Following her conversation with him, his current General Plan land use classification is live/work so they now see a gap on the Macdonald Avenue corridor and staff has removed that to try to work with him in the long term for the zoning update. She said they have removed the live/work section out of Macdonald that was included in the General Plan and will try to resolve that for the larger zoning update.

Commissioner Butt said as it applies to the form based code and the Richmond Livable Corridors, he asked if it is included as a T-4 or not. Ms. Velasco said no, it was removed and it is sort of a blank space off of Macdonald. Mr. Liv said if this was done, it was done over the last week. Ms. Velasco said yes, it was corrected as part of the DRB process.

Secretary Langlois referred to the Dim triangle which on the map is colored in purple and said she goes by it a lot. She asked if staff envisioned having something built on that, as it is a small park and she would understand why people would want to preserve it.

Ms. Velasco said the current zoning is probably SFR-3 and they picked it up, but this is something staff can remove.

The public hearing was closed.

Chair Lane said one issue raised was the decrease in traffic lanes to 9 feet and she asked staff to address that. Mr. Jansen said there are areas where they are allowing narrower traffic lanes, but not San Pablo Avenue or the major corridors. They relate the travel zone to the transect size. So in smaller residential areas, they can have smaller lanes and reduced traffic speeds through neighborhoods. They are maintaining larger lanes on the major commercial corridors. The FBC also cannot supersede fire safety requirements for them to bring trucks on the streets.

Chair Lane asked how this would happen off of the main corridor. Mr. Jansen said a lot of this ends up being for where new streets would be plotted, such as the area around Target. If it was broken up into walkable neighborhoods, new streets would be created. These standards are intended to be introduced to update engineering standards and provide options for the narrower streets and those with bike routes and parking on both sides. It would not be an individual property owner's requirement to update a street adjacent to their property. It is intended to allow the City to have these standards. During the charette they looked at what would occur along San Pablo Avenue, did studies with AC Transit, options for bike lanes and super sharrows, road diets, and these are intended to introduce the dimensions required to make those happen. They

ended up not mapping specific road sections to those streets because as the design evolves, there is community input and they did not want to be in a situation where someone would have to request a zoning amendment in order to do a different street. They have a few pre-approved street sections and a series of tables as well that provide street sections, and he displayed a slide of a pre-approved thoroughfare assembly that has two travel lanes, bike lanes and on-street parking. They regulate what transect zones this can go in and this would be a neighborhood street with 10 foot travel lanes. Mr. Jansen then displayed a picture showing an example with a 9 foot travel lane in a residential neighborhood with 20 mph speed limits. He confirmed they would not locate these narrow lanes on any type of thoroughfare.

Chair Lane referred to the setback issues and said there are concerns in the decrease of setbacks. From the City's perspective, she asked what the rationale was for decreasing these. Mr. Jansen said he does not believe it was an intentional decrease of the rear setback, but he thinks it could have been an oversight in going through the zoning update. When looking at the rear setback with some of the more intense zones in a T-5 neighborhood where buildings are closer together in the downtown area, a 5 foot setback might be more appropriate. The issue is that when it is abutting a T-4 zone, a 5 foot setback is narrower than what is currently allowed. They spoke with City staff about going from 5 feet back to 10 feet, and they confirmed this would not have a significant impact on development in those areas.

Commissioner Butt said he cannot help but be swayed by the outpouring of voices tonight. He asked how the City got this far down into the process where there were so many people that feel like they have not had a voice; that this is totally new to them, specifically the neighborhood east of San Pablo on McLaughlin and further east. He said there have been comments that there is some ulterior motive here; that this has been hidden, but he does not think this is the case. In general, he thinks there has been a lot of work in this effort on the City's and consultant's part to include as many people as possible and inform them. He attended one or two of the charettes and missed many of them, but clearly the City should work on its outreach efforts.

Having said this, he personally would like this a little more hashed out with more opportunity to come to some resolution that people can be happy with. When there is an entire neighborhood of very engaged people saying this is horrible, this is not a good thing. He asked if the consultant or City staff can respond as to what potential impact there would be to cut it off at the eastern side of San Pablo Avenue and not include anything on McLaughlin or anywhere east of there.

Mr. Jansen said it was not their intention to get to this point and still have there be this much community questions in the process. He said they want to be sure this is a community-supported plan and this is clearly an issue that is important to the neighborhood. He apologized they were not included in the earlier process, despite intentions to involve them. He said the reason why this corridor was looked at was because they were looking at how to revitalize these corridors. One suggestion was to consolidate the focus into nodes at the major intersections. There are a few locations where there are darker colors near Solano and McBride which they thought could actually be a focus for commercial activity instead of spreading what is coming in across the corridor, and allow there to be flexibility in-between where some additional density could be provided that might be zoned to be commercial.

The second suggestion was to increase the number of units in the project area to help attract retailers who may be more inclined to walkable formats. Often times if there are retailers that

people have to drive to which is very tough. They were looking at how to increase density on the two streets adjacent to the corridor which would help support the walkable commercial along it. Obviously, they had the charette summary report where they talked about this concept and when going from the charette to the form based code, they thought there was more buy-in for this concept and this is where they got to where they are today. Again, this is the reason for the public process for the community to provide their input.

Commissioner Butt said if the City was looking at not including that, he asked if it still works. Mr. Jansen said possibly a T-4 neighborhood is not the correct solution to figure out a way to allow second units, carriage houses, or finding what type of density the neighborhood would support to support a walkable, commercial corridor. He thinks there are areas between Barrett Avenue and Macdonald Avenue east of City Hall where there is already a lot of multi-family units. What they are trying to do with the FBC is establish more of a form requirement for what those multi-family units should be like so the City is not getting massive apartments but those more in scale with the surrounding mix of residential and multi-family. It is also being applied in a single family neighborhood which is what causing the concerns.

Vice Chair Choi said in some ways this is the symptom of going through and presenting a plan like this. In thinking about what is a real neighborhood, they are becoming a victim of dis-connectivity, where everybody is imagining huge development. In considering neighborhoods that fit this type of description, these are like Atlas Point in Oakland, a vast majority of the City of Vancouver and places like this. He thinks the problem stemmed from the fact that because of the fingers that go east of San Pablo Avenue occurred in one phase. In going to the best parts of Portland, people will walk down a mixed use corridor. At every few streets, there will be a different use than just single-family residential and this is how cities actually work look.

However, Vice Chair Choi also referred to conspiracies and thinks the idea of corruption with developers and City staff is far-fetched, and he asked speakers not to jump to that conclusion. He thinks it is impossible to know what could be built on the triangle. He suggested instead bringing ideas into the real world to understand and appreciate what the goals are here.

Secretary Langlois thanked everybody for coming out and participating. To get a sense of the area, she asked and confirmed that speakers are not familiar with the corridors on the map. Most speakers are from the San Pablo corridor to the east and possibly a few to the west of San Pablo Avenue. Other than the speaker from the commercial site at First and Nevin which is not directly affected from tonight's discussion, there is the area between Macdonald and Barrett, between the freeway and Civic Center, the whole 23<sup>rd</sup> Street corridor throughout the City, west of 23<sup>rd</sup> Street in the downtown area and north and south of that. So this covers many areas.

She said she has ridden her bike and has walked on most of these streets and they are all pretty nice neighborhoods and great people live in these areas. She asked for a show of hands of people who live in the area between Barrett and Macdonald Avenues, the 23<sup>rd</sup> Street corridor, west of 23<sup>rd</sup> Street, and she recognized there was representation from these other neighborhoods because they are important as well.

She said another point she wanted to make was that one speaker from McLaughlin Street made a flyer "Did you know your neighborhood is being rezoned? Do you know what this means to you?" She thinks that is what motivated many people to come tonight. She made a suggestion for staff and the consultant that instead of mailing out postcards with tiny print, it would be more helpful to know what is at stake here. She suggested stating the City wants to revitalize the

neighborhood, San Pablo, business corridors, and this could mean rezoning the street on which you live.

Another thing she has heard is that people like the fact that neighborhoods are friendly, quiet, well-tended, ethnically diverse and safe. She reminded everyone that people can have that without single family dwellings and she has seen neighborhoods between Macdonald and Barrett that fit all those categories and have some single family and some apartments. She herself, when her children were young, lived in a small apartment in central Contra Costa County and her neighborhood was all of the above and they knew all of her neighbors. She just does not want people to think that an apartment building will bring less desirable people.

She also thinks everybody needs to be careful about how these changes roll out and thinks the City needs to proceed slowly and cautiously. If the formed based code process affects neighborhoods where proposed zoning is similar to what is there already, she sees that as less of a problem, certainly along business streets. Mr. Mitchell noted that developers will probably not tear down buildings and develop so there is clearly not urgency to this. She thinks second units are important and suggested making those possible. She also asked that people keep in mind the reality, as they would like to see San Pablo Avenue, 23<sup>rd</sup> Street and Macdonald be more vital business areas with great retail, restaurants, cafes and a higher customer base is needed to keep them there. She likes the idea that these areas will be walkable so that people who live around them can walk to them while preserving the character of neighborhoods. Therefore, she asked for more time to hash this out, fine tune it and have a study session or community meeting where the reality is presented.

Vice Chair Choi echoed Secretary Langlois' comments and noted he grew up in a diverse neighborhood of single family homes, but now these homes are all very expensive and he pointed out that every neighborhood in San Francisco did not stay the way it did. Low cost housing is needed in Richmond

Commissioner Baer thanked Secretary Langlois and everybody who spoke. It seems important that the Commission continue this conversation and figure out what can work for this particular neighborhood. She said she visited with some residents in some of the neighborhoods which have a great feel to them. She said she was interested in how can these neighborhoods be preserved while still pursuing goals for more density.

Commissioner Baer said she is also concerned about the downtown. For many years there has been development everywhere else except the downtown and here are some gaping holes there. Everybody believes they want a vibrant downtown and asked if there is a way the plan can be shaped so that becomes a priority. She is somewhat afraid development will occur elsewhere, and again the downtown will be left not having reached the potential that it has.

Ms. Velasco said in terms of the downtown area, the City does own property there and are getting more interest in the downtown. Having regulations in place like this that supports more development without as much off-street parking is going to help support that long-term vision. Finding a developer that will help implement this vision is a key priority along with many transportation grants and infrastructure funding, and this is one of the other benefits that will well position projects within the downtown and the Central Richmond Priority Development Area. From a regional standpoint, these are areas in the region that will be supporting the growth for the region, but also for the City and that was in the General Plan vision which includes a walkable streetscape.

Mr. Mitchell added that developers are generally looking for large, empty parcels or parcels that have very low value buildings they can take down easily. They are not looking to go into existing neighborhoods and attempting to assemble parcel by parcel projects. Also, he heard the term “redevelopment” in the audience, and redevelopment is gone. The entire mechanism of eminent domain, where one used to be used to take a blighted property and turn it into something so someone could develop it, is gone. It was never applied in viable neighborhoods in the later years, but in the earlier years it was.

Chair Lane said she thinks the charge of the Commission was to provide staff with input and recommendations that ultimately is recommended to the City Council. She asked where the Commission was at and she echoed points made by the Commissioners. She understands concerns and said her home is in one of the shaded areas on the map. She actually lives adjacent to one of the “mansion apartments” and what Commissioners added is that multi-family is not bad and there should not be fear. She thinks there is concern about wanting to know what development would look like in a neighborhood. She also echoed the point that she does not think there is an ulterior motive or plan to do damage to a neighborhood by adopting or implementing a form based code. The changes she sees will not be drastic, but they will change the community. Ultimately, she thinks there is a need for the public to understand what that change means and what it will look like over time.

Chair Lane noted that Mr. Jansen said the plan might need to have more understanding to achieve consensus and she asked for the timeline to bring this forward to the City Council. Ms. Velasco said there is no direct deadline. This project has been in the works for several years. The consultant wants to complete their work, and expressed frustration that staff is not implementing the vision of the General Plan and the question about doing the zoning update, this is the first step. Staff is also getting ready to embark in the larger zoning updates. She thinks to begin to address questions and inquiries and to have properties in place along Macdonald Avenue in the downtown area will support development. She said the Nevin and 23<sup>rd</sup> Avenue site is proposed for affordable, multi-family housing and it may be difficult to apply those requirements, require more parking and setbacks than what staff would really like to see in the long-term.

Commissioner Butt said he is definitely torn because he has been a big advocate of zoning implemented to support the General Plan. He thinks generally the document is solid and will be good long-term. As has been mentioned, he thinks some of the concern is mis-placed. If neighborhoods are as cohesive as they appear, they could simply not act to sell their properties. He completely understands where neighbors are coming from and while there is some Nimbyism, he thinks the concern is that overnight values will change and there will be an incentive for developers, and everybody will be building maximum 4-plex developments on their lot. He can also appreciate that clearly this was not very well communicated. Therefore, he would entertain moving this forward as a whole with a recommendation that either there be a reconsideration for the way that the area east of San Pablo Avenue is addressed or totally eliminate that , move this forward, and at some time in the future that can be added back in.

Secretary Langlois said if the Commission were to recommend eliminating the light purple zones east and west of San Pablo Avenue, she asked if there would be a possibility of after workshops or study sessions, coming to grips with those zones and potentially adding some part of them back in at some point in the future. Ms. Velasco said yes, overall as part of the zoning update, the challenge will be that there may not be the change envisioned in here in

terms of infill development until the longer term vision is completed when adjacent neighborhoods are solidified, but it is definitely possible. Once zones are established, they can be used. Their longer intent is around Harbour, Cutting and other locations to get the transect zoning. If this is the recommendation, staff can forward this to the Council. If the Council also agrees, it could be re-introduced at a later time after longer discussions and study.

Secretary Langlois concurred and said she has not heard speakers upset along 23<sup>rd</sup> Street, the Macdonald Avenue, Barrett Avenue, the downtown area around Ohio Avenue, and these are areas with existing mixes of housing, so she does not see there being any change. The reason she thinks the Commission can hold off on east and west of San Pablo Avenue the neighborhoods are more established and likely not much would happen if the Commission did adopt this. She asked if there was a way to make easier the development of second dwelling units. Ms. Velasco said staff cannot do that as part of this. They still have the requirements that SFR-3 standards will continue to apply. If people have conforming lots sizes and accommodate additional parking space, they can develop a second dwelling unit. She thinks the challenge is that not all of the lots are conforming.

Commissioner Butt noted this can still be done through a variance process. What the Commission is looking at is a situation where the vast majority of the City will have to be zoned to comply with the General Plan and the parts they are potentially cutting out need to be specific. He asked that there be opportunities to zone those as much of the rest of Richmond will be zoned to be in conformance with the General Plan or possibly add those to a transect after some study.

Commissioner Baer said she is also wondering about the possibility of pulling back the T-4 neighborhood in that area. She would be interested having a future conversation about this with residents. She also wonders if there are some building types that are more or less palatable. She heard a few comments about row house and mansion apartments, so she wonders if there is a way of limiting development possibilities in that area.

Chair Lane said for that area, she confirmed Commissioner Baer wished to pull back the purple color to San Pablo Avenue and the block that is backed up to San Pablo Avenue, or the east side of Wilson and the west side of McLaughlin. The other possibility is taking a closer look at the housing types and their fit with the neighborhood so if there is some development, people can feel better about how it fits in with the neighborhood.

Vice Chair Choi said he is concerned about trying to change things here and there and was inclined to finding out about what is possible and if there is potential for a strategic workshop to be held with larger maps and more information.

Chair Lane said she is not opposed to this but she would want to ensure the process is moving along with a deadline. To Commissioner Baer's point it would be preferable to have a holistic process and engagement. She thinks Commissioners recognize the form based code as something the City should be doing, but that there are certain components that need to be fine-tuned. Her preference would be to fine-tune it at one time.

Secretary Langlois concurred and said if it is feasible to hold over the item and before it is brought back, hold a community workshop and invite residents and all neighborhoods, and in the publicity state in the flyer that zoning in a neighborhood could change so residents are motivated to attend. One thing they have not talked about tonight is some of the different

architectural styles, amenities and sustainability guidelines. After that, she suggested fine-tuning this and then to return it to the Commission to make a comprehensive recommendation.

Mr. Mitchell said staff can determine how this can be done to schedule a community event. They can make modifications to the map based on comments heard and then bring it back. Chair Lane suggested this be done in a reasonable timeframe so as not to delay this.

Commissioner Butt said his was reluctant, as he does not see anything changing from the point of residents who have spoken. He sees staff as having been through this already and suggested letting residents speak with the City Council on their concerns. He does not like the idea of amending the map within a few minutes, and is prepared to suggest that doing just that and taking Roosevelt Avenue as the cut off and everything north of that, with the exception of the parcels along San Pablo Avenue only be cut out for now. They still have the bulk of the Civic Center and they can see how the plan works over the next decade. If it works well, the City could then add neighborhoods to it. He feels that if they are bogged down, this will never be realized.

Vice Chair Choi said other than having the fingers going into the side streets, another mode that is present in this plan is the nodal model and he asked where they would be on the map. Mr. Jansen displayed the nodes and pointed to the dark T-5 main street.

Commissioner Butt said his recommendation is that the nodes would stay, but he would want to ask staff and the consultant about their thoughts. Recognizing there is resistance and that it would be unfortunate to force this on an engaged neighborhood that feels strongly against, he suggested there could be more information about how it would look like and develop a compromise that makes more sense than cutting everything out.

Mr. Slaughter said staff would concede to reducing the setback from 5 to 10 feet which seemed to be a big concern. Mr. Jansen said one other question is this is a mapping problem; whether they are mapping a transect zone on places where it should not be mapped, or if there is a fault in the transect zone itself. He said if the T-4 neighborhood does not work anywhere in Richmond, it is something they need to address. The building types will still be in the form based code and it could be map revisions at a later date. He suggested being cautious about weakening a transect zone they feel strongly about which could be appropriate in other locations in Richmond to address a situation where it is just being applied where it should not be.

Chair Lane said she thinks T-4's are fine and should be considered in the form based code and should remain. She thinks the issue or concern was specific to certain streets and neighborhoods and not whether it should be a part of this plan.

Vice Chair Choi voiced concern with cutting specific areas because it could result in half measures being worse than no measure with expense involved. He urged the Commission to a compromise for nodes, stating most houses on streets will not have multi-family homes being developed; however, there may be various locations where they will be built at every 5-6 blocks.

Secretary Langlois said what also concerns her is that there are many people around San Pablo Avenue because neighbors got engaged and got the word out. She is hesitant to pare down certain streets just because so many people showed up. There are many other streets and areas that may not know about this, and she asked if further notification could be provided for a

community workshop. At that point some adjustments could be made and brought back to the Commission.

Mr. Mitchell said they heard about the possibility of removing modifications east of San Pablo Avenue, west of San Pablo Avenue, and then after the workshop, staff could return with fine-tuning from the workshop. More than likely, changes east of San Pablo Avenue would in fact be part of that recommendation. In getting west of San Pablo Avenue, staff would need to understand that a bit more before suggesting how the Commission would want to modify it.

Commissioner Butt said it seems this is a mapping issue and the Commission has not talked at all about the meat of the form based code which is extensive. In his evaluation of it, it seems thorough, but he wondered if a recommendation could be entertained to the City Council and made a motion that they do pass the form based code and the Richmond Livable Corridors, but that in the interim, planning staff organizes the outreach meeting and that the map be revisited and a new revised map based on the outreach meeting is recommended to the City Council rather than it returning to the Commission.

Secretary Langlois said she thinks it is the responsibility of the Commission to revise the map and make decisions about zoning and make recommendations to the Council. She asked for a friendly amendment and supported adoption of the components of the code, put off not making any decision on the map, but she would like to have the zoning map return to the Planning Commission to review after the workshop so the Commission can provide a recommendation to the City Council.

Commissioner Baer asked if the maker of the motion and second could agree to set a 10 foot rear setback tonight. Commissioner Butt asked for more specificity as to where this applies. Commissioner Baer said this applies to the T-4 transect.

Mr. Jansen said he believes that the requirement affected is the rear setback, in T-5 main street and when lots are adjacent to T-5, T-4, and T-3 neighborhoods. Therefore, when abutting a residential zone, the 5 feet should be increased to 10 feet. When adjacent to other zones, like T-4 adjacent to T-4 main street or T-4 main street adjacent to a T-5 more intense zone, that this go to a full lot consideration.

Commissioner Butt and Secretary Langlois accepted amendments.

**ACTION: It was M/S/C (Butt/Langlois) to recommend approval of the Richmond Livable Corridors and Form-Based Code, with the condition that there is outreach done by the City and consultant and a community meeting be noticed and held, that the map be revised by staff and the consultant and heard by the Planning Commission prior to it being forwarded to the City Council; and that the setback in the T-4 main street would be extended to 10 feet rather than 5 feet; which was carried unanimously by the following vote: 5-0-1 (Ayes: Butt, Choi, Langlois, Baer and Lane; Noes: None; Absent: Reyes.**

**STUDY SESSION ITEMS**

- 5. PLN15-078: Bicycle, Trail & Pedestrian Standards Zoning Text Amendments - STUDY SESSION to review Zoning Text Amendments to Section 15.04.830 of the Richmond Municipal Code that would set requirements and standards for bicycle, trail and pedestrian improvements for development projects and amendments to Section 15.04.850 adding minimum ratios for bicycle parking and modifying ratios for certain uses.** City of Richmond, applicant; Planner: Kieron Slaughter; Tentative Recommendation: Hold Over to 4/2/2015.

This item was held over to April 2, 2015.

- 6. PLN15-141: Creek Ordinance - STUDY SESSION to review Zoning Text Amendments to Section 15.04 of the Richmond Municipal Code to regulate development adjacent to creeks and establish requirements for creek improvements for new development projects.** City of Richmond, applicant; Planner: Jonelyn Whales; Tentative Recommendation: Hold Over to 4/2/2015.

This item was held over to April 2, 2015.

### **COMMISSION BUSINESS**

#### **7. Reports of Officers, Commissioners and Staff**

Mr. Slaughter said the Commission was interested in projects that move forward and he updated on the City Council's decisions on the sign ordinance, stating they did accept the Planning Commission's recommended sign ordinance which was adopted last Tuesday evening.

- 8. Adjournment** - The meeting was adjourned at 9:30 p.m. to the next regular meeting on April 23, 2015.