



Planning Commission Staff Report

TO: Planning Commission Members
FROM: Winston Rhodes, AICP, Planning Manager
SUBJECT: General Plan Update Project (GPA 09-01 and Rezone 10-01)
DATE: September 27, 2010

Recommendation

Staff recommends that the Planning Commission take the following actions after holding a public hearing:

1. Pass Resolution No. 10-18 recommending that the City Council certify the Final Environmental Impact Report (SCH#2009022057) which includes a mitigation monitoring and reporting program and adopt the findings of fact concerning significant environmental impacts and mitigation measures, findings concerning alternatives; and a Statement of Overriding Considerations for significant impacts that cannot be mitigated to a less than significant; and
2. Pass Resolution No. 10-19 recommending that the City Council approve the Draft General Plan Update including attached addendum of changes; and
3. Pass Resolution No. 10-20 recommending the City Council approve the draft Three Corridors Specific Plan with the accompanying addendum of changes and the Zoning Code Update with the accompanying addendum of changes.

Project Background

The City initiated the General Plan Update project in 2006. The project includes three components: 1) a comprehensive update of the General Plan that applies throughout City as well as the City's Sphere of Influence; 2) the Three Corridors Specific Plan that applies to portions of San Pablo Avenue, Pinole Valley Road, and Appian Way within Pinole; and 3) a comprehensive update to the Zoning Code of the City which applies throughout the City.

Public outreach for the General Plan Update began in 2006 and staff and our consultant team met with stakeholder groups and held workshops to identify existing community concerns and formulate the community's vision for how development should proceed in the future. The vision is included on page 1.0-5 of the General Plan Update document. Five key topics emerged early in the planning process:

- 1) Sustainability (economic, social, as well as environmental);
- 2) Priority Development Areas along San Pablo Avenue, Pinole Valley Road, and Appian Way;
- 3) Economic Development especially the importance of job creation

- 4) Recreation and Resources and protecting and improving access to open space areas including the San Pablo Bay waterfront; and
- 5) Housing to accommodate an increasingly diverse population with changing needs.

As part of the public outreach process the City has sent periodic emails to interested parties about the General Plan Update progress and has prepared articles in the City's Community Guide about the General Plan Update project to invite public participation and build community awareness about the project.

The June 2010 Draft General Plan Update document has been publicly available since July 7. The document provides broad citywide policy direction to guide future development through 2030. The General Plan Update document includes eight elements: 1) Community Character, 2) Growth Management, 3) Land Use and Economic Development, 4) Circulation, 5) Community Services and Facilities, 6) Health and Safety, 7) Natural Resources and Open Space, and 8) Sustainability. A placeholder section is included for the Housing Element that was approved earlier this year. Additionally, the document includes an Implementation Chapter that summarizes all General Plan actions and includes the implementation timing as well as the responsible department(s). The draft document reflects considerable prior feedback from the Steering Committee on each element as well as other stakeholder groups and interested parties.

Specific Plan

In January of 2009 an early draft of the Three Corridors Specific Plan was prepared based on early public input. The Specific Plan objectives included revitalizing the City's major commercial corridors by encouraging future development along these corridors and encouraging multiple travel modes over time. The Specific Plan identifies underutilized "opportunity sites" that are well served by public services and are in close proximity to established neighborhoods within the City but for various reasons are either vacant or include older construction on sites that could support other uses over the next 20 years. In 2010 after preliminary review of all draft General Plan elements was conducted, the Specific Plan was revised to address prior feedback received in 2009 and to provide consistency with the draft General Plan elements .

Zoning Code Update

In 2009 the Steering Committee reviewed a preliminary list of topics to be addressed through the Zoning Code. The list was developed based on prior use of the existing development regulations and Steering Committee confirmed the list of broad topics that the update should focus on to provide a more user-friendly set of day-to-day development regulations that reflects community sentiments and recent changes in State Law. The Zoning Code Update is also necessary to address current inconsistencies between the General Plan and Zoning Ordinance. Some of the inconsistencies are illustrated in Attachment J relating to Old Town development standards. A complete preliminary Zoning Code was drafted earlier this year and discussed in detail by a four person Zoning Code Steering Committee Subcommittee that included Councilmember Banuelos. The draft Zoning Code was subsequently discussed with the full Steering Committee to get input and confirm direction on development review processing procedures and allowable uses keeping in mind the need for consistency with the General Plan as well as the Specific Plan. The July 2010 Draft Zoning Code Update includes changes resulting from the Steering Committee's prior input as well as extensive input from the City Attorney staff.

Environmental Review

A Program Environmental Impact Report (EIR) has been prepared to help inform the public and decision-makers about the environmental impacts of the project. The City is not currently proposing a specific development request as part of this project. The Program EIR is intended to provide a broad analysis of how the policy changes and development standards will impact the environment if adopted. Future site-specific development project will require further environmental review.

A Draft EIR was prepared and circulated for 45 days to more than 25 responsible and trustee agencies for review and comment as required by the California Environmental Quality Act (CEQA). The EIR analyzed 80 impacts (see Table 2.0-1) of the proposed project with respect to 13 environmental topics (see page 1.0-5 of the Draft EIR). Most identified environmental impacts were less than significant or could be reduced to a less than significant level with mitigation measures. Eight significant project impacts that were identified and could not be mitigated occurred in the following environmental areas: Air Quality (Impact 4.3.1., 4.3.3, 4.3.5, 4.3.7), Traffic and Circulation (Impact 4.4.1, 4.4.3, 4.4.8), and Noise (Impact 4.5.7). The City has prepared a mitigation monitoring and reporting program (MMRP) to describe mitigation measures and needed policy changes to reduce impacts. The City of Pinole Community Development Department staff will be responsible for monitoring the identified mitigation measures as part of the implementation of the General Plan Update project, if approved.

As required by CEQA, the EIR included analysis of reasonable range of alternatives to the project. The variables to differentiate the alternatives from the proposed project were discussed with the Planning Commission prior to completion of the EIR. The alternatives include a No Project alternative, a Commercial Focus/Expanded Roadways Alternative, and a Residential Focus/Expanded Transit Alternative. The EIR includes a comparison between the proposed project and the project alternatives. The City has prepared findings for your consideration that describe why the project alternatives are less desirable than the proposed project. These findings are provided within Exhibit A of the Attached Resolution 01-18.

The City received comments from 11 agencies and individuals. The response to the comments submitted on the Draft EIR are included in the Final EIR dated September 2010. None of the comment letters received resulted in any changes to the environmental impact analysis conclusions. Resolution 01-18 incorporates the Final EIR information by reference which contains responses to the comments received.

Prior to taking any action on the proposed project the Planning Commission must consider the adequacy of the Final EIR. Staff recommends the Planning Commission find that that Final EIR is adequate and complete and represents a good faith effort at disclosing the environmental consequences of the project.

General Plan Update Discussion

The General Plan Update includes a wide breadth of topics to guide the City's development over the coming decades. The plan communicates future expectations and includes dozens of policy considerations and actions that will need to be regularly reviewed and prioritized in an era of limited financial resources and high expectations. The General Plan includes three new optional elements that are not included within the current General Plan. The optional General Plan elements include

Community Character, Community Services and Facilities, and Sustainability to address important community concerns expressed over the past four years.

Community Character

The draft Community Character Element was prepared based on strong and consistent feedback about protecting the unique atmosphere of Pinole that distinguishes it from neighboring communities. Ensuring that new development and redevelopment contribute to and strengthen Pinole's sense of place over time is a major objective of the Community Character Element. Five goals to pursue over the next twenty years include:

- 1) To preserve the established historic and small-town character of the city;
- 2) To emphasize and enhance the visual and physical connection between Pinole's natural environment and the community's quality of life;
- 3) To support the development and retention of local-oriented services in the Old Town and other commercial areas within the City;
- 4) To promote greater awareness of and sensitivity towards Pinole's historical heritage; and
- 5) To enhance the quality of life by acknowledging the cultural diversity that exists and by promoting, preserving and sustaining cultural and performing arts.

Community Services and Facilities

The draft Community Services and Facilities element is included to address how new development will affect the City's ability to provide adequate community services and facilities now and in the future. There are eleven goals that address public safety, recreational opportunities, educational facilities, water and wastewater, solid waste management, roadways for multiple transportation modes, and communication and information management to provide easily accessible information. With respect to all of these service topics the new element emphasizes provision of services that are economical, dependable, reliable, and efficient.

Sustainability

The draft Sustainability Element provides policy direction about how social, economic, and environmental systems within Pinole coexist and function in the future. This Element includes policies pursuing provision of equal access to services for all ages, supporting the creation of a positive business environment with a diverse mix of business services, and operating in an environmentally responsible manner. The nine goals within the Sustainability Element include ongoing pursuit of sustainable practices, reducing the factors responsible for climate change and adapting to the consequences of climate change, optimizing energy efficiency; integrating green building standards into to new and rehabilitated development; air quality protection; reducing single-occupancy vehicle use; and protecting, preserving, and enhancing natural resources over the next twenty years.

Three Corridors Specific Plan Discussion

The Specific Plan was drafted in late 2008 and reviewed by the Steering Committee during the first half of 2009. The document has evolved based on ongoing stakeholder input and direction from the

Steering Committee as different General Plan Elements were drafted and reviewed in 2009 and earlier this year.

The Specific Plan is intended to provide a targeted approach to revitalization of the city's three major transportation corridors: San Pablo Avenue, Pinole Valley Road, and Appian Way. The Plan focuses future development along these corridors in an effort to protect the existing undeveloped open space and sensitive natural resources within the City and encourage investment in areas where service delivery is more efficient, where job creation is desired, and infrastructure upgrades are needed, and where transit service currently exists. If adopted, the Specific Plan would prioritize development along these existing travel routes and would be the primary mechanism to implement the General Plan in the areas it includes. The Specific Plan was drafted in late 2008 and reviewed by the Steering Committee during the first half of 2009. The document has evolved based on ongoing stakeholder input and direction from the Steering Committee as different General Plan Elements were drafted and reviewed in 2009 and earlier this year.

During the preparation of the Specific Plan the City has received several requests from affected property owners. Most recently, the Steering Committee reviewed several specific requests for changes affecting the Specific Plan San Pablo Avenue corridor and provided direction for certain changes at the September 13, 2010 workshop. This direction is reflected in Exhibit A of Attachment H.

During the Specific Plan workshop there was renewed concern about ensuring compatibility between existing and future development within the Old Town generally and the Quinan Street neighborhood in particular. Attachment J is a summary of the current, often conflicting, General Plan and Zoning development requirements in place regulating height and setbacks. Twelve sample sites were evaluated in or near the Old Town Sub-area of the San Pablo Avenue and Pinole Valle Road corridors, including locations identified as Specific Plan opportunity sites. The General Plan now allows a 50' maximum height for four of the twelve sites and a maximum height of 40' for two of the sites. Staff also visited the Quinan Street neighborhood and surrounding Old Town area to look more closely at existing height and setbacks patterns. Front yard setbacks of several buildings on the street do not meet the current 15' minimum zoning requirement. There is a mix of one and two story designs with several buildings at heights of approximately 30'. The current side yard setback requirements are similar to what is proposed in the Specific Plan. We received a letter from Ms. Hair who owns one of the properties on Quinan Street (see Attachment K1). She is requesting that the 50' maximum Specific Plan height be retained. Staff and the consultant team recommend setting a default maximum height of 40' with criteria that could allow up to 10' additional feet if certain findings are made. Exhibit A of Attachment H includes this Specific Plan change for Commission consideration. Staff has also reflected the requested planned land use change for Quinan Street from Medium Density Residential (MDR) to Residential Mixed Use (RMU) in order to recognize the existing mixed use character of the neighborhood.

In the course of researching the Old Town setbacks, Staff found a cross-reference to the Old Town Design Guidelines, retrieved a copy, and confirmed that the guidelines were previously adopted by the City Council in February of 1997 and are still in effect (see Attachment I). The Guidelines define a larger area as the Old Town than more recent documents (e.g. the Old Town parking availability studies) and include development standards. Staff recommends that the Old Town Guidelines be retained but revised to be consistent with the Specific Plan and utilized to provide further guidance to protect the character of the Old Town when future development is proposed.

Staff received a letter (see Attachment K2) from Ms. Lundegaard, a San Pablo Avenue property owner, detailing requested changes to Table 6.2 of the Specific Plan as well as a change to the San Pablo Avenue Land Use Plan (Figure 6.2). The Table 6.2 changes involving the treatment of the Minor Manufacturing and Cottage Industry uses within the RMU and CMU zones as well as the request that first floor space be available for bed and breakfast uses support the objective of attracting a wide range of uses and services to the Old Town Area. Consequently, staff has included these changes within Exhibit A of Attachment H for Commission consideration. Staff also recommends that Figure 6.2 be modified to designate the three properties southeast of the intersection of San Pablo Avenue and Pinole Valley Road as CMU rather than RMU. This change would reflect the existing uses and recognize the pattern of former residences converting to commercial uses along this portion of the San Pablo Avenue corridor. Staff has included this change within Exhibit A of Attachment H for Commission consideration.

In addition to the changes mentioned above, staff is recommending that the Specific Plan land use designation for the non-residential portion of the Heritage Park site west of the Quinan Street neighborhood be changed from MDR to CMU. This change would allow for a much wider range of future uses of the relocated historic Faria house without the need for a future Specific Plan Amendment.

At the September 13, 2010 Steering Committee workshop the narrowing of San Pablo Avenue from four through lanes to three lanes (two through lanes and one turn lanes) was discussed. Community members who addressed the issue were in support of the narrowing concept to address community safety concerns as well as make the Old Town more attractive for local pedestrians and bicyclists rather than regional auto travelers wishing to bypass the Interstate 80 corridor. This potential change that includes the turn lane to the City's roadway would alter regional transportation patterns but provides greater flexibility for Old Town property owners and visitors who desire to make turning movements. City Police and Fire staff has not objected to this planned reconfiguration. On August 18, 2010 the Traffic and Pedestrian Safety Committee voted to support the reconfiguration of the public right-of way. On September 14, 2010 the Economic Development and Housing Advisory Committee also confirmed its long-standing support for this component of the Specific Plan.

Zoning Code Update Discussion

The Zoning Code Update was prepared earlier this year and reflects input from the City Attorney, a four person Subcommittee, and past Steering Committee review. The existing Zoning Code is referred to on a daily basis and has been developed in an iterative fashion over several decades. Both the draft Specific Plan and Zoning Code are required to be consistent with the General Plan. Currently, there are numerous inconsistencies between the General Plan Land Use Map and Zoning Map as well as development standards. These inconsistencies would be eliminated with the adoption of the revised Zoning Map.

Changes directed by the Steering Committee at the September 13 meeting have been included in Exhibit B of Attachment H. In order to ensure that the recently adopted residential design guidelines are retained, additional text has been added to cross-reference these guidelines within the Zoning Code Update.

Further direction on the administrative issue of appeal procedures is requested to clarify whether appeals must focus on specific issues to narrow discussion on future land use matters that are appealed or retain the current "de novo" appeal practice of allowing appeals to address a wider range

of issues. The current practice allows greater appellant flexibility and creates more uncertainty for project proponents. The “de novo” practice is the default practice unless the Zoning Code specifies a different practice.

Conclusion

The General Plan Update project including the comprehensive update of the General Plan elements, the adoption of the Three Corridors Specific Plan, and a comprehensive Zoning Code Update is an unprecedented planning effort for the City to guide development in the future. Extensive opportunities for public outreach have been provided at public meetings and workshops over the past four years. In addition, the Planning Commission serving as the Steering Committee has invested substantial time in this planning effort by participating in Subcommittee meetings to provide detailed review of draft information prior to full Steering Committee review. The General Plan Update provides greater clarity about community sentiments and reflects legal changes that have occurred during the past decade. Staff recommends that the Planning Commission pass the attached resolutions recommended certification of the Program EIR, the approval of the General Plan Update, the approval of the Specific Plan, and the comprehensive revision of the Zoning Code.

Attachments:

- A. Final Environmental Impact Report (previously provided)
http://www.ci.pinole.ca.us/planning/genplan09/documents/Pinole%20GP%20FEIR_Final%20PDF.pdf
- B. Draft Environmental Impact Report (previously provided)
http://www.ci.pinole.ca.us/planning/genplan09/documents/Public_Documents/Combined_Final_Pinole%20GP%20DEIR_Complete.pdf
- C. June 2010 Draft General Plan Update (previously provided)
http://www.ci.pinole.ca.us/planning/genplan09/documents/Public_Documents/Combined_Final_Pinole%20GPU_Draft_Cover_June2010.pdf
- D. May 2010 Draft Three Corridors Specific Plan (previously provided)
http://www.ci.pinole.ca.us/planning/genplan09/documents/Specific%20Plan/Pinole_SpecificPlan_Three%20Corridors_Combined_FINAL_05.12.10.pdf
- E. July 2010 Draft Zoning Code Update (previously provided)
http://www.ci.pinole.ca.us/planning/genplan09/documents/Public_Documents/Pinole%20Zoning%20Code%20Update%20%20Public%20Hearing%20Draft_Clean%20Version.pdf
- F. Resolution No. 10-18 relating to the EIR
- G. Resolution No. 10-19 relating to the General Plan
- H. Resolution No. 10-20 relating to the Specific Plan and Zoning Code Update
- I. Existing Old Town Design Guidelines (adopted February 4, 1997)
- J. Existing Old Town Area Development Standards Information
- K. Correspondence received on Draft Specific Plan and Zoning Code Update September 14, 2010 to Present

Item E1

1. September 20, 2010 Deborah Hair Letter
2. September 21, 2010 Inge Lundegaard Letter
3. September 23, 2010 Nyle Seabright