

RESOLUTION NO. 4-13

A RESOLUTION OF THE RICHMOND CITY COUNCIL ADOPTING THE ADDENDUM TO THE RICHMOND GENERAL PLAN 2030 ENVIRONMENTAL IMPACT REPORT (SCH#2008022018) AND THE RICHMOND GENERAL PLAN HOUSING ELEMENT UPDATE FOR THE CURRENT 2007-2014 PLANNING PERIOD

WHEREAS, California Government Code Section 65300 requires each city and county jurisdiction to adopt a comprehensive, long-term general plan for the physical development of the county and/or city, and any land outside its boundaries which bears relation to its planning; and

WHEREAS, California Government Code Section 65302 lists the housing element as one of the seven general plan elements mandated by the State of California; and

WHEREAS, California Government Code Section 65588 requires city and county jurisdictions to update their general plan housing elements every five years; and

WHEREAS, California Government Code Section 65585 requires the California Department of Housing and Community Development (the “State”) to certify that a city or county jurisdiction’s housing element update complies with detailed statutory requirements; and

WHEREAS, in February 2006, the City Council (the “Council”) of the City of Richmond (the “City”) adopted and the State certified the Richmond Housing Element Update for the previous 2001-2006 planning period; and

WHEREAS, in October 2010, the City began preparing the Richmond Housing Element Update for the current 2007-2014 planning period (the “proposed Richmond Housing Element Update”); and

WHEREAS, in December 2010, the City released the initial draft of the proposed Richmond Housing Element Update for public review and comment and subsequent revised drafts were released in September and October 2012; and

WHEREAS, in accordance with the statutory requirements set forth in California Government Code Section 65583 through 65590, the proposed Richmond Housing Element Update contains an assessment of existing and projected housing needs, an inventory of sites available for housing development, an analysis of constraints to local housing production, and a set of specific housing programs designed to meet identified housing needs; and

WHEREAS, the proposed Richmond Housing Element Update meets all of the applicable guidelines set forth in the State of California General Plan Guidelines published by the Governor’s Office of Planning and Research; and

WHEREAS, the proposed Richmond Housing Element Update is subject to the requirements of the California Environmental Quality Act, as amended (Public Resources Code Sections 21000-21178), and the California Environmental Quality Act Guidelines (California Code of Regulations Title 14, Chapter 3) (collectively, “CEQA”); and

WHEREAS, on April 24, 2012, the Council adopted the CEQA Findings of Fact, Statement of Significance, and Mitigation Monitoring and Reporting Program, and certified the Environmental Impact Report, for the Richmond General Plan 2030 (SCH#2008022018) (the “Richmond General Plan 2030 EIR”); and

WHEREAS, on April 24, 2012, the Council adopted the Richmond General Plan 2030 document; and

WHEREAS, the proposed Richmond Housing Element Update is considered an amendment to the Richmond General Plan 2030; and

WHEREAS, pursuant to CEQA Guidelines Section 15164, the City has prepared a proposed addendum affirming that the analysis contained in the Richmond General Plan 2030 EIR adequately addresses the potential physical impacts associated with implementation of the proposed Richmond Housing Element Update (the “proposed Addendum”); and

WHEREAS, the proposed Addendum demonstrates that none of the conditions described in CEQA Guidelines Section 15162 requiring the preparation of a subsequent EIR or negative declaration have occurred; and

WHEREAS, on November 1, 2012, the Planning Commission (the “Commission”) held a public hearing to consider recommending adoption of the proposed Addendum and the proposed Richmond Housing Element Update; and

WHEREAS, the Commission adopted Planning Commission Resolution No. 12-18 recommending Council adoption of the proposed Addendum and the proposed Richmond Housing Element Update with a number of amendments; and

WHEREAS, on January 15, 2012, the Council held a public hearing to consider adoption of the proposed Addendum and the proposed Richmond Housing Element Update, including the Commission’s recommended amendments.

NOW, THEREFORE, BE IT RESOLVED that the Council does hereby find the above recitals are true and correct and have served, together with the Agenda Report dated January 15, 2013, as the basis for the findings and actions set forth in this Resolution.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council does hereby adopt the proposed Addendum to the Richmond General Plan 2030 EIR attached to the Agenda Report dated January 15, 2013; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council does hereby adopt the proposed Richmond Housing Element Update released for public review in October 2012 and attached to the Agenda Report dated January 15, 2013, with the following amendments (~~striketrough~~ indicates deletion; underline indicates insertion):

Housing Element Program H-1.2.1 (**Minimum Housing Densities**) to be amended as follows:

As part of the comprehensive zoning ordinance update, establish minimum residential housing density requirements for all residential zoning districts and consider establishing floor-to-area ratio and maximum lot coverage provisions for single-family neighborhoods to preserve community character.

Responsible Agency: Planning and Building Services Department

Timeframe: Ongoing

Funding Sources: General Fund

Quantified Objective: Requirements by 8/1/13

Housing Element Program H-1.4.1 (**Variety of Housing Types**) to be amended as follows:

As part of the Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, facilitate and provide incentives for mixed-use housing over retail development and a variety of ~~traditional~~ other housing types and products such as duplexes, triplexes, large apartment buildings ~~and complexes, mixed-use housing over retail~~, second dwelling units, courtyard housing, live-work units, condominiums, cooperative housing, single-room occupancy units (SROs), ~~and~~ retirement/assisted living communities, and manufactured or modular housing. Potential incentives include financial assistance, fee deferrals, density bonuses, reduced parking requirements, and expedited review. The City will ensure that the FBC that is adopted will not result in the loss of capacity of sites identified to meet its Regional Housing Needs Allocation (RHNA) for the current planning period.

Responsible Agency: Planning and Building Services Department

Timeframe: Ongoing

Funding Sources: General Fund

Quantified Objective: a) Draft Form-Based Code by 12/31/12
b) Recommendations by 8/1/13

Housing Element Program H-1.4.3 (**Second Dwelling Unit Production**) to be amended as follows:

Continue to facilitate the production of second dwelling units throughout Richmond's residential neighborhoods and amend the Zoning Ordinance to ensure ~~that proposed projects are processed ministerially in~~ compliance with State Housing law.

Consider the following second dwelling unit initiatives:

- Reducing ~~second dwelling unit~~ requirements such as minimum lot size, minimum open space requirements, and minimum parking requirements for second dwelling units built in Form-Based Code Areas as part of the comprehensive Zoning Ordinance update;
- Developing a set of pre-approved architectural and building plans for detached second dwelling units for use on typical residential lots in Richmond;
- Developing handout materials to explain the benefits of second dwelling units, the City's application review process and requirements, and the average cost of developing a second dwelling unit in Richmond; and
- Granting development impact fee waivers for property owners who contractually agree to restrict their second dwelling unit for extremely low, very low, and low-income ~~low and very low income~~ households.

Responsible Agency: Planning and Building Services Department, Housing and Community Development Department

Timeframe: Ongoing

Funding Source: General Fund

Quantified Objective: Zoning ordinance amendments to comply with State housing law governing second dwelling units by 4/1/13

Housing Element Program H-1.4.4 (**Garage Conversions**) to be amended as follows:

As part of the Form-Based Code (FBC) for Macdonald Avenue, 23rd Street, and portions of San Pablo Avenue and the surrounding areas, consider ~~reduce~~ reducing covered parking requirements and establishing design guidelines to facilitate garage conversions. Ensure that conversions do not deteriorate the architectural character of heritage homes in Richmond’s older residential neighborhoods.

Responsible Agency: Planning and Building Services Department

Timeframe: Ongoing

Funding Source: General Fund

Quantified Objective: a) Draft Form-Based Code by 12/31/12
b) Recommendations by 8/1/13

Housing Element Program H-1.5.2 (**Expanded Ministerial Approvals and Administrative Reviews**) to be amended as follows:

As part of the comprehensive Zoning Ordinance update, consider expanding the types of residential projects eligible for ministerial approval and administrative review.

Responsible Agency: Planning and Building Services Department

Timeframe: Ongoing

Funding Source: General Fund

Quantified Objective: ~~New review~~ Recommended thresholds by 8/1/13

Housing Element Table 5.42 (**Adopted General Plan Residential Land Use Designations and Development Standards**) to be amended as follows:

General Plan Designation	Density	Intensity	Height
Hillside Residential	Up to 5 du/ac	Not applicable	Up to 35 feet
Low-Density Residential	5 to 15 du/ac	Not applicable	Up to 35 feet
Medium-Density Residential	10 to 40 du/ac	Not applicable	Up to 35 feet
Neighborhood Mixed-Use	10 to 30 du/ac	0.25 to 0.5 FAR	Up to 45 feet
Medium-Density Mixed-Use (Residential Emphasis)	15 to 50 du/ac	Up to 0.5 FAR	Up to 45 feet
Medium-Intensity Mixed-Use (Commercial Emphasis)*	Up to 50 du/ac	0.25 to 2.0 FAR	15 to 55 feet
Medium-Intensity Mixed-Use	Up to 75 du/ac	0.5 to 2.0 FAR	15 to 55 feet

(Community Nodes & Gateways)			
High-Intensity Mixed-Use (Major Activity Centers)*	Up to 125 du/ac	1.0 to 5.0 FAR	15 to 135 feet
Regional Commercial Mixed-Use	Up to 50 du/ac	0.5 to 2.0 FAR	15 to 55 feet
Live Work	15 to 50 du/ac	0.25 to 0.5 FAR	Up to 55 feet
Agriculture	Up to 0.20 du/ac	Not applicable	Up to 35 feet

* These General Plan Land Use Designations permit commercial-only development; however, pursuant to Program H-1.2.2, the City will only approve those commercial-only developments that do not result in an overall loss of the City's capacity to meet its Regional Housing Needs Allocation (RHNA) for the current planning period.

Source: Richmond Planning and Building Services Department

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council does hereby direct staff to submit the adopted Richmond Housing Element Update to the State for certification.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on January 15, 2013, by the following vote:

AYES: Councilmembers Bates, Beckles, Butt, Vice Mayor Rogers,
and Mayor McLaughlin.

NOES: Councilmember Boozé.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE GOODMILLER
City Attorney

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

I certify that the foregoing is a true copy of Resolution No. 4-13, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on January 15, 2013.