

**RESOLUTION NO. 91-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND  
DIRECTING STAFF TO ALIGN AND INCORPORATE PORTIONS OF THE  
RICHMOND LIVABLE CORRIDORS FORM-BASED CODE INTO THE  
ZONING AND SUBDIVISION REGULATIONS UPDATE**

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**WHEREAS**, in 2011 the City received a grant to develop a Form-Based Code (FBC) for portions of San Pablo Avenue, 23<sup>rd</sup> Street, and Macdonald Avenue to create walkable, pedestrian-oriented 'complete neighborhoods' as envisioned by the draft General Plan 2030 and Priority Development Area (PDA) place type designations of these corridors and their surrounding environments; and

**WHEREAS**, in April 2012, the City Council adopted General Plan 2030 that included a development strategy that identified change areas in the City including streets and areas within the Form-Based Code Plan Area including Downtown/Macdonald Avenue (CA-1), San Pablo Avenue Corridor (CA-4), 23<sup>rd</sup> Street Corridor (CA-5), Marina Way Corridor (CA-6), Cutting Blvd Corridor (CA-7) Harbour Way Corridor (CA-8), Ohio Avenue Corridors (CA-9), and also identified as major activity centers, and gateway and/or community nodes; and

**WHEREAS**, the Form-Based Code (FBC) is reasonably related to the public welfare and complies with the General Plan land use classifications and development strategy and visions in the Land Use and Urban Design Element; and

**WHEREAS**, an extensive outreach process was undertaken to gather community input for development of the FBC, and a Charrette Summary Report was prepared that contains a summary of the corridor objectives, design concepts, and design details that reflect community preferences; and

**WHEREAS**, on September 20, 2012, the Planning Commission held a duly noticed public hearing to review and accept the Richmond Livable Corridors Form-Based Code Charrette Summary document; and

**WHEREAS**, on October 9, 2013, the Planning Commission and Design Review Board held a duly noticed study session on the draft Form-Based Code when it was released for public review; and

**WHEREAS**, the final draft FBC was released in November 2014 for public review and comment incorporating feedback received on the October 2013 draft; and

**WHEREAS**, on March 19, 2015, the Planning Commission held a duly noticed public hearing to consider the proposed zoning text amendments and associated zoning map amendments, and heard testimony regarding these proposals; and

**WHEREAS**, the Planning Commission reviewed all oral and written information and testimony presented at the hearing; and

**WHEREAS**, on March 19, 2015, the Planning Commission adopted Resolution No. 15-15 recommending that the City Council adopt the proposed amendments to the Richmond Municipal Code that would add a new Chapter 15.05 Form-Based Code to Article XV Zoning and Subdivisions, as provided in, and incorporated herein by reference, Exhibit A, *Form-Based Code* establishing new transect zones, establishing new standards and regulations for these zones, as modified, and requested that staff host an additional community meeting to discuss the FBC map and return for a recommendation on the map; and

**WHEREAS**, on June 17, 2015, the Planning Division hosted a community meeting to discuss the FBC map; and

**WHEREAS**, on August 20, 2015, the Planning Commission held a duly noticed public hearing to consider the revised FBC map; and

**WHEREAS**, on August 20, 2015, the Planning Commission recommended that the City Council approve the FBC zoning map amendment; and

**WHEREAS**, the Planning Commission reviewed all oral and written information and testimony presented at the hearing, and

**WHEREAS**, the project is Categorically Exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15183 consisting of projects consistent with the development density established by a general plan and which an EIR was certified; and

**WHEREAS**, on September 20, 2016, the Council considered directing staff to integrate the substantive provisions of the FBC into the Zoning Update; and

**WHEREAS**, in August 2015, the City kicked-off the Zoning and Subdivision Regulations Update (Zoning Update); and

**WHEREAS**, a comprehensive draft Zoning Update was issued for public review and comment on August 18, 2016 and is anticipated to go to the Planning Commission for recommendation in October 2016 and City Council in November 2016; and

**WHEREAS**, staff believes that it is most efficient and streamlined for the FBC to be incorporated into the zoning update to avoid duplication in procedures and definitions; and

**WHEREAS**, staff has recommended adopting and integrating the majority of the substantive provisions of the FBC (minus certain procedures and definitions that would result in unnecessary duplication and confusion) into the Zoning Update on or after it is adopted by the City Council.

**NOW, THEREFORE, BE IT RESOLVED** that the Council does hereby find that the above recitals are true and correct and have served, together with the Agenda Report dated September 20, 2016 as the basis for the findings and actions set forth in this Resolution.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Council does hereby direct staff to integrate the substantive provisions of the FBC into the Zoning Update as further described below, as shown in Exhibit A, incorporated herein by reference, Articles 15.05.100 Building Form Standards, 15.05.200 Supplemental Form Standards, 15.05.400 Thoroughfare Standards, 15.05.500 Civic and Open Space Standards, 15.05.600 Application of the Form-based Code to Additional Sites, portions of 15.05.800 Permits and Approval of the FBC; and Appendices to integrate it into the Zoning and Subdivision Regulations Update, at or subsequent to the anticipated adoption of the Zoning Update.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held September 20, 2016, by the following vote:

AYES: Councilmembers Bates, Beckles, McLaughlin, Myrick, Pimplé, and Mayor Butt.  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: Vice Mayor Martinez.

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:  
TOM BUTT  
Mayor

Approved as to form:  
BRUCE GOODMILLER  
City Attorney

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

I certify that the foregoing is a true copy of **Resolution No. 91-16**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on September 20, 2016.

  
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Pamela Christian, Clerk of the City of Richmond