



# AGENDA REPORT

## PLANNING AND BUILDING SERVICES DEPARTMENT

**DATE:** September 20, 2016

**TO:** Mayor Butt and Members of the City Council

**FROM:** Richard Mitchell, Director of Planning and Building Services  
Lina Velasco, Project Manager II

**SUBJECT:** RESOLUTION DIRECTING STAFF TO REVISE AND INTEGRATE PORTIONS OF THE DRAFT LIVABLE CORRIDORS FORM-BASED CODE INTO ZONING AND SUBDIVISION REGULATIONS UPDATE

### STATEMENT OF THE ISSUE:

The City's zoning and subdivision regulations (Zoning Update) are presently under comprehensive review and revision in order to ensure consistency with the General Plan. Prior to the Zoning Update process getting started, the City, through a Prop 84 Planning Grant, developed a draft *Form-Based Code* (FBC) for several of its commercial corridors and surrounding areas to implement the mixed-use vision established in the General Plan. Since these two regulatory documents are converging, staff is seeking Council approval to integrate the FBC into the Zoning Update to create a consolidated series of land use regulations.

### RECOMMENDED ACTIONS:

ADOPT a Resolution directing staff to integrate portions of the draft *Form-Based Code* into the Zoning and Subdivisions Regulations Update.

### FINANCIAL IMPACTS:

There is no cost to the general fund associated with adopting this Resolution. The scope of work for the Zoning Update, funded by the 'Modernization Project Environmental and Community Investment Agreement', included integrating the FBC into the Zoning Update.

## BACKGROUND

The FBC served as the first phase of the Zoning Update which implements the vision in the General Plan. Work began on development of the FBC prior to the start of the Zoning Update since funding had not been identified. The draft FBC was grant funded and included development of Architectural and Sustainability Guidelines, which the Design Review Board (DRB) recommended for approval. The Planning Commission (“Commission”) reviewed the draft FBC and related zoning map at their March 19, 2015 and August 20, 2015 meetings and voted to recommend approval to the City Council with minor edits, including a revised map that was reflective of additional input received from the community.

## DISCUSSION:

In 2009, the City submitted a grant application, to expand the 23rd Street FBC then under development using funds from the Richmond Community Redevelopment Agency. The project boundaries were expanded to include other commercial corridors in the City. In 2010, the City was awarded a Sustainable Communities Planning Grant from the California Strategic Growth Council to expand the Form-Based Code boundaries to include San Pablo and Macdonald Avenues, and their surrounding neighborhoods. The FBC, once adopted, would replace the existing zoning and associated standards and regulation to support a more walkable urban environment and create ‘complete neighborhoods’ as envisioned by the General Plan 2030.

The City opted to prepare and implement a FBC because it offers an alternative approach to zoning that reinforces walkable, sustainable, mixed-use neighborhoods, and builds upon the ‘character of a place’. Form-Based Codes, unlike Euclidean Zoning, emphasizes building form over use. As noted by the Form-Based Codes Institute,

*“form-based codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. They are regulations, not mere guidelines, adopted into city or county law. Form-based codes offer a powerful alternative to conventional zoning.”*

As part of the development of the FBC, an extensive outreach process was undertaken to gather community input, and a ‘Richmond Livable Corridors’ Charrette Summary Report (2012) (Charrette Report) was prepared to supplement the 23rd Street Corridor Charrette Summary Report (2009) that summarized the corridor objectives, design concepts, and design details. The Charrette Report also provided additional information related to the implementation of key design concepts. The Charrette Report was presented to the Planning Commission on September 20, 2012. The consultant team worked to capture the community’s visions for these corridors in the Charrette Report and developed the regulations proposed in the Draft Form-Based Code (FBC) (released in October 2013 for public

comment). As part of the public release of the Draft FBC, a study session was held at the October 9, 2013 Planning Commission meeting.

### Charrette Summary Report

The Charrette Report documented the vision for the project area from community input received over the course of the three multi-day community charrettes. The Charrette Report contains a summary of the community objectives learned through the community participation process, design concepts reflective of the community objectives, and design details providing additional information related to the implementation of key design concepts. For each of the project sub areas – West Macdonald Avenue, Downtown, East Macdonald Avenue, Macdonald/San Pablo Gateway, San Pablo Avenue, and South 23rd Street – the design concepts are organized into a series of “Think Big...” and “Think Small...” vision statements that provide bigger, longer term strategies as well as smaller, simpler strategies that could be implemented in the near term.

### Development of FBC

The vision contained in the Charrette Report guided the consultant team’s development of the FBC. The FBC covers the corridors and the surrounding areas (see regulating plan below).

The graphically oriented illustrative vision contained in the Charrette Report was translated into technical regulations in Building Form Standards, Frontage Type Standards, Use Tables, Civic Space Standards, Thoroughfare Standards, and Signage Standards. The FBC will provide regulations to ensure that future development is consistent with and implements the community’s vision in the Charrette Report and the General Plan 2030.

Prior to start of the Zoning Update, the FBC was anticipated to be a new chapter in the existing Zoning Ordinance. However, City staff believes it would be better to integrate the FBC into the Zoning Update to ensure consistency in terms, procedures, and format. Therefore, staff is seeking Council approval to integrate the substantive provisions of the FBC into the Zoning Update as further described below.

The FBC sections that staff is proposing to integrate into the Zoning Update are:

1. The ‘Building Form Standards’ Article which includes information and standards for the transect zones. It organizes dimensional standards for each zone (building placement, building form, parking placement and ratios, allowed frontages, and encroachments) with the allowed uses in each zone, in order to maximize usability and provide a simple user interface.
2. The ‘Supplemental Form Standards’ Article which provides form standards that supplement the standards found in the Building Form Standards. It includes standards for building types and frontage types.

3. The 'Thoroughfares Standards' Article which provides standards for the creation or retrofitting of thoroughfares to allow for the development of walkable places.
4. The 'Civic and Open Space Standards' Article which provides standards and guidelines for the development and location of civic and open spaces.
5. The 'Application of this Form-Based Code to Additional Sites' Article which includes standards and regulations for applicants proposing large infill and community- scaled plans, including standards for thoroughfare networks, connectivity, and the design of blocks and lots. The standards are based on a pedestrian shed and a mix of transect zones. The mix of transect zones may vary based on the location and intended intensity of the community.
6. The 'Permits and Approvals' Article which designates what approval are need for certain project with the overall goal of providing a streamlined process for new development that adheres to the Form-Based Code standards.
7. The 'Appendix' containing Design Guidelines for Architecture and Sustainability.

Other sections of the FBC not proposed to be integrated would be duplicative of text already proposed in the draft Zoning Update or would thwart the City's desire to have one citywide set of procedure and definitions.

### **Planning Commission Recommendation**

The Planning Commission ("Commission") reviewed the draft FBC and related zoning map at their March 19, 2015 and August 20, 2015 meetings and voted to recommended approval to the City Council with minor edits, including a revised map that was reflective of additional input received from the community.

### **Design Review Board Recommendation**

The 'Architectural and Sustainability Guidelines' were reviewed by the Design Review Board at their March 11, 2015 and were recommended for approval.

**ENVIRONMENTAL REVIEW:** The subject project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15183 consisting of projects that are consistent with the development density established by a general plan for which an EIR was certified. The General Plan 2030 and associated EIR were certified in April 2012 by the City Council. The proposed Form-Based Code (proposed Chapter 15.05 of the Richmond Municipal Code) is consistent with the development density of the General Plan and would not result in any additional project-specific significant effects that weren't already considered or analyzed in the General Plan EIR.

**DOCUMENTS ATTACHED:**

1. Draft Resolution

A: Draft FBC

B: Architectural Guidelines

C: Sustainability Guidelines

D. Zoning Map Amendment

(Exhibits A-D are available online at [www.ci.richmond.ca.us/livablecorridors](http://www.ci.richmond.ca.us/livablecorridors))