

RESOLUTION NO. 66-18

A RESOLUTION OF THE CITY COUNCIL, CITY OF PLEASANT HILL, ADOPTING MISCELLANEOUS GENERAL PLAN AMENDMENTS TO VARIOUS PROVISIONS OF THE CITY OF PLEASANT HILL GENERAL PLAN

WHEREAS, the City of Pleasant Hill General Plan to update miscellaneous provisions of the following elements: Community Development, Circulation, Safety and Noise, and update various definitions within the City of Pleasant Hill General Plan. The proposed update includes clarifications of provisions related to: mixed use development, implementation of residential density limitations, provisions related to the development of a City library and related provisions pertaining to flood control & stormwater runoff, including necessary conforming changes to other sections of the General Plan for consistency; and

WHEREAS, to facilitate administration of the provisions of the General Plan, minor clarifications are proposed as set forth in Exhibit A; and

WHEREAS, the City Council finds that this proposed amendment to the General Plan is exempt from the requirements of the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, as further governed by the California Environmental Quality Act Guidelines, 14 California Code of Regulations §§ 15000, *et seq.*, collectively, 'CEQA') pursuant to 14 C.C.R. § 15061(b)(3), because there is no possibility that the proposed amendment to update miscellaneous provisions of the following elements: Community Development, Circulation, Safety and Noise, and update various definitions within the City of Pleasant Hill General Plan. The proposed update includes clarifications of provisions related to: mixed use development, implementation of residential density limitations, provisions related to the development of a City library and related provisions pertaining to flood control & stormwater runoff, including necessary conforming changes to other sections of the General Plan for consistency could have a significant effect on the environment; and

WHEREAS, after notice thereof having been duly, regularly and lawfully given, a public hearing on the proposed General Plan Amendment was held at a meeting of the Planning Commission on August 28, 2018, at which time all interested parties could appear and be heard; and

WHEREAS, after notice thereof having been duly, regularly and lawfully given, a public hearing on the proposed General Plan Amendment was held at a meeting of the City Council on October 15, 2018, at which time all interested parties could appear and be heard.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Pleasant Hill, approves the General Plan Amendment (set forth in Exhibit A) based on the following findings:

1. The proposed General Plan amendment is deemed to be in the public as the proposed amendment does not have negative effects on the public interest. The clarifications

improve implementation of the General Plan and consistency with other State and federal Laws and policy documents allows the City to remain in good legal standing.

2. The proposed General Plan amendment is consistent and compatible with the rest of the General Plan and any implementation programs that may be affected as it would not substantively modify the existing provisions of the General Plan and is intended to improve clarity of various provisions to facilitate administration of the General Plan. More specifically, the proposed amendments would be consistent with the following goals and policies of the General Plan
 - a. *Community Development Goal 1 – Preserve and enhance residential neighborhoods.* The proposed amendments would continue to preserve and enhance residential neighborhoods as the amendments would not change the application of the policies and programs of this goal; the proposed modifications only provide additional clarity in administering the General Plan. In addition, the proposed amendment would remove provisions related to design guidelines, as City-Wide Design Guidelines have already been adopted.
 - b. *Community Development Goal 3 – Generate thriving, attractive and cohesive development at vacant or underutilized sites.* The proposed amendment would remove provisions related to design guidelines, as City-Wide Design Guidelines have already been adopted by the City. In addition, the proposed clarifications would clarify policies applicable to the ongoing Oak Park Boulevard/Monticello project area improvements, which will include the new City library and new recreation fields.
 - c. *Community Development Goal 9 – Maintain and enhance scenic routes and corridors in the city.* The proposed amendment would remove the consideration of an ordinance related to significant vistas and open space, since the City Council previously considered this issue and determined not to move forward with a view ordinance and the City-Wide Design Guidelines include provisions related to preserving open space and provision of light, air and privacy related to new development.
 - d. *Community Development Goal 14 - Work to ensure that a state of the art County Library facility, preferably the central library, remains in Pleasant Hill.* The proposed amendment would facilitate the development of a new Pleasant Hill Library through clarification of programs and policies that apply to future development on the County-owned property planned for future library, residential and park use.
 - e. *Community Development Goal 25 – Preserve historic sites and structures.* The proposed amendment would remove references to the former Molino House which was approved to be demolished after a full historical architectural review occurred for the structure confirming that it was not eligible for listing on the National or California Registers of Historic Structures. In addition, a plan to pursue Certified Local Government Designation under State and federal historical preservation regulations is proposed to be removed per previous direction by the City Council. This would not reduce or limit methods of protecting and

preserving other potential historic sites and structures and would not affect the one site that is currently designated as historically significant and listed on historic preservation registers (Rodgers Ranch).

- f. *Economic Strategy Goal 2 - Create and maintain a dynamic and diverse economic base.* Clarifying that delivery trucks can use non-designated truck routes would confirm that commerce and routine deliveries may take place on public streets outside of designated truck routes.
 - g. *Safety and Noise Goal 1 – Minimize potential for serious flooding and drainage problems.* The proposed amendments would further encourage the potential development of flood detention features in the southern part of the City, and would clarify that new development may not result in increases in stormwater runoff.
3. The potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare since the proposed amendment would not substantively modify the existing provisions of the General Plan and is intended to improve clarity of various provisions of the General Plan and other modifications to be consistent with State and federal provisions and to be consistent with existing policy and municipal code provisions.
 4. The proposed amendment has been processed in accordance with the applicable provisions of the California Environmental Quality Act and is determined exempt from environmental review pursuant to 14 C.C.R. § 15061(b) (3), because the proposed amendments are technical clarifications to various portions of the General Plan with no proposed material or substantive modifications to the current General Plan.

[Signatures on Following Page]

ADOPTED by the City Council of the City of Pleasant Hill at a regular meeting of the City Council held, on the 15th day of October, 2018, by the following vote:

AYES: Carlson, Harris, Noack, Rinn, Flaherty
NOES: None
ABSENT: None
ABSTAIN: None



TIMOTHY M. FLAHERTY, Mayor

ATTEST:



CAROL W. WU, City Clerk

APPROVED AS TO FORM;



JANET E. COLESON, City Attorney

Exhibit A

Proposed Draft – City of Pleasant Hill General Plan Amendments

General Plan Definitions

Acres, Gross: ~~The entire acreage of a site. Most communities calculate gross acreage to the centerline of proposed bounding streets and to the edge of the right-of-way of existing or dedicated streets. A measure of total land area of any lot including future streets, parks, and other land dedications.~~

Acres, Net: ~~The portion of a site that can actually be built upon. The following generally are not included in the net acreage of a site: public or private road rights-of-way, public open space, and flood ways. The gross area of a site excluding:~~

- ~~1. Land to be dedicated for required easements for vehicles and rights-of-way, either public or private;~~
- ~~2. Land determined to be hazardous and unbuildable;~~
- ~~3. Land to be dedicated for schools and parks or other facilities dedicated for public use.~~

Bed and Breakfast: ~~Usually a dwelling unit, but sometimes a small hotel, which provides lodging and breakfast for temporary overnight occupants, for compensation. An establishment offering lodging (with or without incidental meal and/or beverage service) in a single-family residential building and in conjunction with a single-family residential use, for short-term stays of less than 30 consecutive days.~~

Building: ~~Any structure used or intended for supporting or sheltering any use or occupancy. Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattel, or property of any kind.~~

Building Height: ~~The vertical distance from the average contact ground level of a building to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge for a gable, hip, or gambrel roof. The exact definition varies by community. For example, in some communities building height is measured to the highest point of the roof, not including elevator and cooling towers. The vertical distance from the finished grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or from average grade to the highest gable of a pitch or hip roof.~~

Community Care Facility: ~~Elderly housing licensed by the State Health and Welfare Agency, Department of Social Services, typically for residents who are frail and need supervision. Services normally include three meals daily, housekeeping, security and emergency response, a full activities program, supervision in the dispensing of medicine, personal services such as assistance in grooming and bathing, but no nursing care. Sometimes referred to as residential care or personal care. (See “Congregate Care.”) As~~

defined at Health and Safety Code section 1502, including: residential facility; adult day program; therapeutic day services facility; foster family agency; foster family home; small family home; social rehabilitation facility; community treatment facility; full-service adoption agency; noncustodial adoption agency.

Condominium: A structure of two or more units, the interior spaces of which are individually owned; the balance of the property (both land and building) is owned in common by the owners of the individual units. (See "Townhouse.") A housing development of two or more units, the interior space of which are individually owned, with the balance of the property owned by the owners of the individual units. See also Civil Code section 1351(f). (Gov't Code § 65915(b)(4).)

Dwelling Unit: A room or group of rooms (including sleeping, eating, cooking, and sanitation facilities, but not more than one kitchen), which constitutes an independent housekeeping unit, occupied or intended for occupancy by one household on a long term basis. One or more habitable rooms designed for occupancy by only one family for living and sleeping purposes, and having a kitchen.

Homeless Shelter: A facility that provides immediate and short term housing and supplemental services for the homeless. Shelters come in many sizes, but an optimum size is considered to be 20 to 40 beds. Supplemental services may include food, counseling, and access to other social programs. (See "Homeless" and "Transitional Housing.") Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (Health and Saf. Code § 50801(e)).

Family: (1) Two or more persons related by birth, marriage, or adoption [U.S. Bureau of the Census]. (2) An individual or a group of persons living together who constitute a bona fide single family housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house or institution of any kind [California]. One or more persons occupying premises and living as a single nonprofit housekeeping unit, as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use. A family shall not include a fraternal, religious, social, or business group. A family shall be deemed to include domestic employees

Floor Area Ratio (FAR): The gross floor area permitted on a site divided by the total net area of the site, expressed in percent. For example, on a site with 10,000 net sq. ft. of land area, a Floor Area Ratio of 100 percent will allow a maximum of 10,000 gross sq. ft. of building floor area to be built. On the same site, an FAR of 150 percent would allow 15,000 sq. ft. of floor area; an FAR of 200 percent would allow 20,000 sq. ft.; and an FAR of 50 percent would allow only 5,000 sq. ft. Also commonly used in zoning, FARs typically are applied on a parcel by parcel basis as opposed to an average FAR for an entire land use or zoning district. The gross floor area of a building or buildings on a lot divided by the net lot area or site area.

Lot: (See "Site.") A site or parcel of land.

Low-income Household: ~~A household with an annual income usually no greater than 80 percent of the area median income for a household of four persons and based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 Housing Program. (See "Area.") A household whose income does not exceed the low-income limits applicable to Contra Costa County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Health and Safety Code section 50079.5.~~

Mixed-use: ~~Properties on which various uses, such as office, commercial, institutional, residential, and/or public, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties. Allows residential, retail, commercial, office and/or public uses with flexible parking and setback requirements. Individual Mixed Use projects are not expected to contain any specific combination of these uses, and the development potential of each Mixed Use site shall be determined through project review under the provisions of the Planned Unit Development (PUD) Zoning District, or other discretionary land use entitlement process as determined by the City. In addition, this definition will apply throughout the General Plan and all Elements.~~

Moderate-income Household: ~~A household with an annual income between the lower income eligibility limits (usually 80 percent of the area median family income) and 120 percent of the area median family income, usually as established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program. (See "Area" and "Low income Household.") A household with an annual income between the lower income eligibility limit (usually 80% of the area median family income) and 120% of area median income limits applicable to Contra Costa County, as published and periodically updated by the State Department of Housing and Community Development pursuant to section 50079.5 of the California Health and Safety Code. (Gov't Code § 65915(c)(2), Health and Saf. Code § 50093.)~~

Research and Development: ~~A use engaged in study, testing, design, analysis, and experimental development of products, processes, or services. in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale.~~

Residential, Multifamily: ~~Usually three or more dwelling units on a single site, which may be in the same or separate buildings. A building used and designed as a residence for two or more families living independently of each other with individual entrances, bathrooms, kitchens and living areas.~~

Residential, Single-family: ~~A single dwelling unit on a building site. A building designed exclusively for occupancy by one family.~~

Accessory Dwelling Unit ~~Second Unit:~~ ~~A Self-contained living unit, either attached to or detached from, and in addition to, the primary residential unit on a single lot. Sometimes called "Granny Flat." An attached or detached dwelling unit that is located on a single lot with another, primary dwelling unit and provides complete facilities for independent living for~~

one or more persons. These facilities include permanent provisions for living, sleeping, cooking and sanitation

Senior Citizen Housing: (See “Elderly Housing.”) A housing development as defined in California Civil Code section 51.3(b)(4). (Gov’t Code § 65915(b)(3).)

Shopping Center: A group of commercial establishments, planned, developed, owned, or managed as a unit, with common off-street parking provided on the site. A unified group of retail businesses and service uses on a single site with common parking facilities. A shopping center may include pads for future buildings.

Single-family Dwelling, Attached: A dwelling unit occupied or intended for occupancy by only one household that is structurally connected with at least one other such dwelling unit. (See “Townhouse.”) A dwelling unit on an individual lot that has at least one common wall with one or more other dwelling units on separate lots.

Single-family Dwelling, Detached: A dwelling unit occupied or intended for occupancy by only one household that is structurally independent from any other such dwelling unit or structure intended for residential or other use. (See “Family.”) A dwelling unit on an individual lot.

Site: A parcel of land used or intended for one use or a group of uses and having frontage on a public or an approved private street. A lot. A lot, or group of contiguous lots not divided by a street, other right-of-way, or city limit, and under single ownership or unified control.

Specific Plan: Under Article 8 of the Government Code (Section 65450 et seq.), a legal tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation that may be necessary or convenient for the systematic implementation of any General Plan element(s). A plan for a defined area that is consistent with the general plan and with the provisions of the California Government Code authorizing specific plans.

Structure: Anything constructed or erected that requires location on the ground (excluding swimming pools, fences, and walls used as fences). Anything constructed or erected that requires a location on the ground, including a building, a deck, or a swimming pool, but not including a fence or a wall used as a fence, if the height does not exceed eight feet, or access drives or walks.

Transitional Housing: Shelter provided to the homeless for an extended period, often as long as 18 months, and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing. (See “Homeless” and “Emergency Shelter.”) Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. Transitional housing is a residential use subject only to the same requirements as apply to other residential dwellings of the same type in the same zone.

Very Low-income Household: ~~A household with an annual income usually no greater than 50 percent of the area median family income, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 Housing Program. (See "Area.")~~ A household whose income does not exceed the very low-income limits applicable to Contra Costa County, as published and periodically updated by the State Department of Housing and Community Development pursuant to California Health and Safety Code section 50105. (Gov't Code §§ 65915(b)(2) and (c)(1).

General Plan Text

1. P. 9, Footnote 1, Table CD 1 "Development Potential": "Units/acre for residential uses; Floor Area Ratio for nonresidential uses; both are applicable for vertical Mixed Use developments that combine residential and non-residential uses. The allowed density noted in the land use designations subject to floor area ratio requirements is applied on a City-Wide basis within the area designated for such uses and not to any one specific parcel"

2. Pp. 11-12, Community Development Policy 1A. "Encourage aesthetic enhancement of residential areas, while retaining the charm and character of individual neighborhoods."

~~"Community Development Program 1.1. Amend the Zoning Ordinance to include design guidelines for future residential development, redevelopment, and renovation."~~

"Community Development Program 1.2. Continue to allow land use redesignations that increase residential density only when 75 percent of the boundary of the area to be redesignated (excluding boundaries of lands designated exclusively for non-residential use) is adjacent to land with the same or higher-density land use designation."

~~"Exempt from the Community Development Program 1.2 75 percent rule are properties deemed by the City Council, following a hearing and recommendation from the Planning Commission, as unsuitable for single family residential use by virtue of noise, traffic, and proximity to nonresidential uses. Lack of profitability from lower density development of a property (as opposed to higher density) shall not be a factor in deeming properties unsuitable for single family residential use: considering 'profitability' as a criterion is inappropriate in any and all land use decisions. Development of the area or property to be redesignated shall not have significant growth inducing impacts or significant traffic or noise impacts on existing residential neighborhoods. Intensification of land use on residentially designated properties larger than 40,000 square feet and not on Table H22 is presumed to have significant growth inducing impacts unless it is shown that appropriate design and mitigations will minimize impacts on schools, traffic and residential neighborhoods."~~

3. P. 12 Community Development Program 2.3. Allow residential densities above the minimum established for a specific land use designation only when the granting of a residential density above the minimum for the density range established by the General Plan for that land use category can be reasonably expected by the City Council to result in (a) effective mitigation of environmental constraints, noise, traffic, and other hazards; (b) excellence of design; (c) compatibility with adjacent development; and (d) at least one of the following: provision of affordable housing pursuant to the policies in the City's Housing Element; provision of parkland or recreation facilities consistent with Community Development Goals 14, 17, 18, and 19.

4. P. 13 "Community Development Policy 3B. Require new development to adhere to high standards of quality in design."

~~"Community Development Program 3.1. Amend the Zoning Ordinance to include design guidelines for future non-residential development, redevelopment, and renovation that promote variety in building design, including (a) effective mitigation of environmental constraints, noise, traffic, and other hazards; (b) excellence of design; (c) compatibility with adjacent development; (d) provision of affordable housing pursuant to the policies in the City's Housing Element; and (e) provision of parkland or recreation facilities consistent with Community Development Goals 17, 18, and 19."~~

5. P. 16, "Community Development Goal 5. Create an attractive, integrated design theme along Contra Costa Boulevard."

"Community Development Policy 5A. Require commercial uses on Contra Costa Boulevard to relate to and reflect uses adjacent to and behind those uses, with careful attention to design themes common to specific blocks along the boulevard."

"Community Development Program 5.1. Install streetscape features in the public right-of-way that call attention to consistent design themes and promote pedestrian friendliness."

"Community Development Program 5.2. Develop specific Zoning Ordinance criteria and design guidelines for portions or all of Contra Costa Boulevard."

~~"Community Development Program 5.3. Encourage incorporating Contra Costa Boulevard nonresidential properties between Downtown and Ellinwood Drive in a redevelopment project area within 10 years."~~

6. P. 18, ~~Community Development Program 9.5. Consider an ordinance to identify and protect significant views of vistas and open space.~~

7. P. 18, "CIP funding sources include revenues from State gasoline taxes, return-to-source revenues from the Contra Costa Transportation Authority (CCTA), City General Fund and Recreation and Park Fund allocations, City fees and taxes (including traffic mitigation fees, bedroom taxes, and storm water discharge and other development fees), sales tax revenue generated as a result of voter approval of Measure K, and grants from

County, State and Federal programs. Grant funding requires the City to compete with other agencies, and return-to-source revenues (which supplement City transportation improvements and programs) require the City to fund road projects at levels set by CCTA.”

8. P. 25, “Community Development Goal 14. Work to ensure that a state of the art County Library facility, ~~preferably the central library,~~ remains in Pleasant Hill.”

“Community Development Policy 14A. Acknowledge that access to an excellent library with standard hours of operation is a key component of quality of life in the city.”

“Community Development Program 14.1. Work with the County Library Commission to assure the long-term residency of the County ~~Central~~ Library in the city, and to site and plan a new state-of-the-art facility in Pleasant Hill.”

9. P. 28, “Community Development Goal 18. Provide new sports fields and recreation facilities.”

“Community Development Policy 18A. Designate appropriate sites for new playing fields, tennis courts and other facilities.”

“Community Development Program 18.1. Work with the Recreation and Park District to facilitate development and expansion of recreation and park facilities.”

“Community Development Program 18.2. Consider recreation-related development at the former Oak Park Elementary School site or other sites south of Gregory Lane in a manner that accommodates flood control and, where feasible, provides for additional on-site flood control facilities.”

10. P. 29, “The City Zoning Ordinance protects trees, as measured ~~24~~ 54 inches above the ground, as follows: (1) native oaks and other indigenous trees ~~one foot nine inches~~ or more in diameter, and (2) non-native trees (~~primarily eucalyptus and redwood~~) ~~two feet eighteen inches~~ or more in diameter.”

11. P. 31, “~~Pleasant Hill Bayshore Disposal Republic Services~~ Pleasant Hill Bayshore Disposal Republic Services provides recycling containers and service to residences and business in the city as part of regular trash pick-up service.”

12. Pp. 31-32, “Community Development Goal 23. Conserve natural resources.”

“~~Community Development Program 23.4. Develop architectural review guidelines that include the latest and best available energy efficiency techniques and technology.~~”

- ~~“Community Development Program 23.6. Work with Pleasant Hill Bayshore Disposal Republic Services to continue to improve citywide recycling programs, with the goal of attaining the mandated 50 percent diversion rate.”~~
13. P. 33, Table CD 4, “Structures of Potential Historic Significance,” ~~“Molino House, 2150 PH Road Italian style house with kitchen in basement and adjacent tank house.”~~
14. P. 33 ~~Community Development Program 25.3. Apply for the Certified Local Government designation necessary to receive technical assistance and grant funding from the National Park Service.~~
15. Page 6 – Circulation Element - “Commercial vehicles with gross weight over 6,000 pounds are allowed only on certain streets designated as Truck Routes, except routine deliveries associated with properties designated for commercial and industrial uses are permitted as determined by the City Engineer (see the Circulation System map which also shows signalized and all-way-stop intersections).”
16. P. 57, “The City Capital Improvement Program (CIP) calls for \$900,000 (in 1999 dollars) in storm drain system improvements, primarily to address localized deficiencies. ~~The CIP also includes construction of a detention basin to contain runoff from up to a 100-year event (which has a one percent chance of occurring any year). City staff is working with County and Federal agencies to obtain funding for the project, which is hoped to eliminate the 100-year floodplain designation in Pleasant Hill.~~”
17. P. 58, “Safety and Noise Program 1.4. Use part of the former Oak Park Elementary School property or other sites south of Gregory Lane, where feasible, for flood detention, or allow uses that include flood detention features.”
18. P. 58. Safety and Noise Program 1.7. Adopt a no-net-fill policy or limit on impervious surface as a percentage of lot size and require new development to not have any increase in stormwater runoff.