

CONTRA COSTA COUNTY PLANNING COMMISSION
TUESDAY, MAY 10, 2005 - 7:00 P.M.

I. INTRODUCTION

RODEO REDEVELOPMENT AREA PLANNED UNIT DISTRICT REZONING, FINAL DEVELOPMENT PLAN, AND SPECIFIC PLAN AMENDMENT

County File #RZ043152, County File #DP043101, and County File #SP040002: This is a County-initiated proposal to rezone the Rodeo Redevelopment Project Area to Planned Unit Development (P-1). The current zoning designations include Single-Family Residential (R-6 and R-7), Two-Family Residential (D-1), Multiple-Family Residential (M-17 and M-29), Retail Business (R-B), Neighborhood Business (N-B), Light Industrial (L-I), and Planned Unit District (P-1). The proposed Rodeo P-1 codifies the policies and objectives of the County General Plan, the Rodeo Downtown/Waterfront Specific Plan (the “Specific Plan”), and the Rodeo Redevelopment Plan. The proposed P-1 applies to the approximately 640-acre Rodeo Redevelopment Project Area and includes a Preliminary and Final Development Plan to guide future development. The proposal also includes minor amendments to the Specific Plan’s development standards to better implement its goals and policies. The amendment includes increasing the allowable density on smaller lots and reducing the allowable setback in the downtown mixed-use area. The project is located in the Rodeo area of west Contra Costa County. (ZA: D7 and E7) (CT: 3580) (APN: various parcels within book 357)

II. RECOMMENDATIONS

Staff recommends the Contra Costa County Planning Commission find that the Negative Declaration is adequate for consideration of this project and adopt a motion recommending that the Board of Supervisors:

- Adopt Specific Plan Amendment #SP040001 making recommended changes to the Rodeo Downtown/Waterfront Specific Plan,
- Approve Rezoning #RZ0431527 rezoning the Rodeo Redevelopment Project Area to Planned Unit District (P-1) as shown on the attached Rodeo P-1 Zoning District map (Attachment A), and
- Approve Final Development Plan #DP043101, subject to the attached conditions of approval and design guidelines.

III. GENERAL INFORMATION

A. GENERAL PLAN AND ZONING: General Plan designations for the Redevelopment Area include: Commercial (CO); Mixed Use (MU); Light-Industrial (LI); Single-Family High Density (SH); Multiple-Family Residential-Low Density (ML); Multiple-Family Residential-Medium Density (MM); Multiple-Family Residential-Very High Density (MV); Public/Semi-Public (PS); and Parks and Recreation (PR). The General Plan land use designations for the area are shown on the attached Rodeo Plan Map. The Zoning designations for the Redevelopment Area include, Single-Family

Residential (R-6 and R-7); Two-Family Residential (D-1); Multiple-Family Residential (M-17 and M-29); Retail Business (R-B); Neighborhood Business (N-B); Light Industrial (L-1); and Planned Unit District (P-1). The proposed P-1 will not change the General Plan land use designations, but will remove existing inconsistencies between the General Plan land use designations and zoning districts.

- B. RODEO DOWNTOWN/WATERFRONT SPECIFIC PLAN: A portion of the P-1 rezoning area is located in the approximately 90 acre Rodeo Downtown/Waterfront Specific Plan (the “Specific Plan”) area. The attached Rodeo Plan Map delineates the Specific Plan area. The Specific Plan provides strategies for the revitalization of the downtown and waterfront area including:
- Enhance and create visitor serving attractions;
 - Restore downtown and refocus commercial activities on 1st Street;
 - Create a catalyst community center and commercial development on the waterfront; and
 - Enhance the artist/bungalow character of Rodeo.

The Specific Plan includes land use policy and development standards to implement its revitalization strategies, which designate the downtown area as mixed-use and the waterfront as commercial-recreation. The area also includes public/semi-public, park and recreation, and open space land use designations. The first task of the Specific Plan’s implementation program is the rezoning of the area to Planned Unit Development to provide a zoning code that supports the goals and strategies of the Specific Plan.

The proposed project includes an amendment to Specific Plan development standards including reducing the allowable setbacks and changing the density range in the downtown mixed-use area. These changes will address internal inconsistencies in the Specific Plan and are discussed in more detail in the Staff Discussion portion of this report (Section VII-C).

- C. CEQA STATUS: An initial study was completed for the proposed project based on the EIRs prepared for the General Plan (adopted July 1996) and the Specific Plan (adopted August 1997) the County GIS mapping system, and other County resources. Based on the initial study, staff found the project would not have any significant effect on the environment and a negative declaration was prepared for the project, pursuant to CEQA Guideline Section 15153 (c). A Notice of Intent to adopt a Negative Declaration was posted for the project on Thursday, March 17, 2005. The end of the public review period was Tuesday, April 12, 2005.
- D. PERMIT STREAMLINING STRATEGIES: This proposal implements some of the recommended programs of the State Office of Permit Assistance adopted strategies for streamlining the permit process. The Board of Supervisors also approved improvements to the permit process on August 6, 1996. The proposed Rodeo P-1 implements these policy goals by providing:
- A clear definition of required entitlement for various uses;
 - Categorize permitting process as either permitted, administrative permit, or discretionary permit to allow for adequate reviews and simplified land use entitlements; and
 - Upfront and easy to understand presentation of development standards, design criteria, public improvements, and environmental protection considerations.

IV. AREA AND SITE DESCRIPTION

The project site consists of the approximately 640-acre Rodeo Redevelopment Project Area, in the Rodeo area of west Contra Costa County. The project area is the more historic area of Rodeo west of Interstate 80 and is bordered by the City of Hercules, San Pablo Bay, and the unincorporated area of Tormey and Conoco Phillips petroleum refinery. Rodeo is primarily a residential community with a commercial core along Parker Avenue. A mixed-use downtown area and commercial-recreation waterfront comprise the centerpiece of Rodeo's revitalization effort. There are also various public/semi-public, park and recreation, and open space land use designations throughout the project area.

V. AGENCY COMMENTS

The following outlines the comments from Agencies notified about the Rodeo P-1 Rezoning. Responses to the comments are provided in *italic and* copies of agency comments are provided in Attachment D.

- A. PUBLIC WORKS – FLOOD CONTROL: The Community Development Department received comments on December 22 outlining condition of approval related to flood control. A follow-up letter dated March 15, 2005 was received modifying the requirement for a 100-foot setback from Rodeo Creek.
- B. PUBLIC WORKS – ENGINEERING SERVICES: Public Works provided comments related to street standards, drainage conditions, clean water requirements, driver and pedestrian safety, parking requirements, trails, and general conditions of approval. *Public Works recommendations were taken into consideration and incorporated into the conditions of approval.*
- C. COMPREHENSIVE PLANNING: The Comprehensive Planning division of the Community Development Department has been involved in the development of the Rodeo P-1 Rezoning and provided editorial comments on the draft.
- D. REDEVELOPMENT AGENCY: The Redevelopment Agency has been involved in the development of the Rodeo P-1 Rezoning and provided editorial comments on the draft.
- E. CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEMS (CHRIS): CHRIS indicated the Rodeo P-1 Rezoning area may contain archaeological sites and historic structures. It was recommended local Native American Tribes be contacted and projects are reviewed on a project-by-project basis. *Staff contacted the local Native American tribes and identified listed historic sites on the "Community Features" map in the Rodeo P-1 document. Conditions of approval related to the preservation of archaeological and historic resources are included in the proposed Rodeo P-1.*
- F. CALIFORNIA DEPARTMENT OF FISH AND GAME (DFG): The DFG recommended completing a full assessment of flora and fauna within and adjacent to the project area, with an emphasis on endangered, threatened, and locally unique species. *An assessment was completed for the Specific Plan DEIR process, which was used as a resource in completing the CEQA evaluation for the Rodeo P-1 Rezoning.*
- G. RODEO/HERCULES FIRE DISTRICT: The Rodeo/Hercules Fire Protection District commented that streets, parking, and accessibility must be consistent with the Uniform Fire Code and the Fire District shall be consulted for new projects and streets.
- H. RODEO SANITARY DISTRICT: The Rodeo Sanitary District provided comments related to fees for plan review, sanitary connection, and annexation into the Rodeo Sanitary District.
- I. EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD): EBMUD provided the District's requirements for new development projects in Rodeo related to water service.
- J. RODEO MUNICIPAL ADVISORY COUNCIL (RMAC): The RMAC determined that the Planned-Unit District rezoning would be one of their top priorities. The Redevelopment subcommittee of the

RMAC worked with staff in establishing the Land Use Matrix and Design Guidelines prior to the public planning process. Two open houses on October 7 and October 9, 2004 were held to provide the community with an opportunity to learn about the proposed P-1 rezoning and provide input to be incorporated into the final document. Attachment B provides a summary of the outcomes and photos of open house. The MAC recommended the outcome of the Open House be incorporated into the final P-1 Rezoning at their October 27, 2004 meeting. On December 8, 2004 the RMAC recommended approval of the Rezoning proposal and reaffirmed their support on February 23, 2005.

- K. NO COMMENT: The following Agencies were notified and had no comment: Sheriff's Office and Health Service Department/Hazardous Materials. *The Rodeo P-1 includes Conditions of Approval to implement the Sheriff's Crime Prevention through Environmental Design standards.*
- L. NO RESPONSE: The following Agencies were notified and did not respond: Building Inspection Department, Rodeo Chamber of Commerce, HSD/Environmental Health, PW/Traffic, Comprehensive Planning, California Native American Heritage Commission, City of Hercules, John Swett Unified School District

VI. PUBLIC COMMENTS

- A. OLD TOWN RESIDENTS ASSOCIATION: Staff received a letter dated December 20, 2004 from the Old Town Residents Association (OTRA) on January 26, 2005. The letter was accompanied with a petition signed by 50 residents agreeing with their position. The letter outlines three major concerns as described below, with staff's response provided in *italics*.

- 1. **Duplexes:** There is concern that duplexes are allowed as permitted in the Single Family High Density (SH) areas, especially since the existing R-6 zoning district does not allow new duplexes. The concern is duplexes will increase the density and alter the character of Rodeo's single-family neighborhood. *Staff changed the proposed land use matrix so attached units (duplexes and duets) are not allowed. A footnote was added to the matrix that indicates existing units may be extended with the approval of a land use permit;*
- 2. **Gas Station:** There is community concern about the potential for a gas station to be allowed at the corner of Willow and Hawthorne Avenues. The OTRA and the petition signers do not want a gas station to be built at Rodeo's gateway. *Staff is not recommending any changes to the land use matrix because the use is consistent with the General Plan policy that states "The property along both sides of Willow Avenue up to I-80, which designated for Commercial, shall be highway-orientated. . ." The purpose of the Rodeo P-1 is to implement the County General Plan and therefore it is not the appropriate mechanism to prohibit the development of a gas station. Staff has worked to address some of the community concern by proposing site-specific design guidelines, which require any new development on the site to:*
 - o *Reflect the character of the Rodeo community;*
 - o *Be designed to serve as a gateway to the community;*
 - o *Integrate the linear park along the creek into the site plan; and*
 - o *Integrate environmental protection measures in the development plan.*

A gas station requires an approved land use permit, providing additional opportunity for public input through the public hearing process.

3. **Retail Chains:** There is concern about potential for the P-1 to encourage fast food and chain stores in the Rodeo community. *The Rodeo P-1 cannot prohibit certain businesses from operating in the Rodeo community, if the use is consistent with the land use matrix. However, the design guidelines include provisions so all development, including chain stores and fast food restaurants, must meet the development standards and design to enhance Rodeo's character. Additionally, take-out food establishments are allowed only with approval of a land use permit, providing additional opportunity for public input through the public hearing process.*
- B. LETTER FROM JOAN SAUSEDO: Staff received a letter on January 26, 2005 from a community member regarding the potential conflict between the Rodeo Highlands Covenants, Conditions, & Restrictions (CC&Rs) and the proposed zoning code. *The CC&Rs are a private contract between the homeowners and the Rodeo Highlands Company and the County does not have jurisdiction to enforce the CC&Rs. However, staff reviewed the CC&Rs and incorporated some its development standards into the Rodeo P-1 Development Standard matrix under a special SH "Highlands District" land use designation. The zoning code will not prevent the homeowners association from enforcing the Rodeo Highlands CC&Rs and does not contain inconsistencies with the CC&Rs.*

VII. STAFF DISCUSSION

- A. BACKGROUND: The rezoning of the Rodeo Redevelopment Project Area to Planned Unit District (P-1) is recommended in the implementation section of the Rodeo Waterfront/Downtown Specific Plan (the "Specific Plan") and the final report for the Rodeo Downtown/Waterfront Strategic Planning Process (accepted by Board of Supervisors/Redevelopment Agency in 2001). The proposed Rodeo P-1 codifies the revitalization strategies outlined in these plans and the Rodeo Redevelopment Plan, provides consistency with the General Plan, integrates community input and goals, and streamlines the entitlement process.

1. Consistency with adopted plans - The County Zoning code is currently inconsistent with the County General Plan. If adopted, the Rodeo P-1 will provide consistency and ensure the code remains current through provisions that incorporate future General Plan Amendments and Countywide ordinance as part of the P-1 document by reference.

2. Community input - The community has been instrumental in shaping the development policy in the Rodeo community by providing input in the Specific Planning process and throughout the development of the Rodeo P-1 rezoning process. The development standards and design guidelines reflects the community's desire to highlight the unique character of Rodeo, create community gathering places, and enhance its environmental surroundings.

3. Streamlined entitlements - The proposed Rodeo P-1 provides requirements for future development and land uses upfront in an easy to understand format such as intuitive matrixes and user-friendly design guidelines. The Rodeo P-1 also allows some smaller projects to be allowed with the approval of an administrative permit, eliminating the public hearing requirement. Streamlining and increasing certainty in the entitlement process will encourage investment in the Rodeo community and further the revitalization of the community.

- B. **ELEMENTS OF THE RODEO P-1:** The Rodeo P-1 code is presented in an easy to read format that includes the preliminary and final development plans, conditions of approval, and additional resources related to development in Rodeo. The Rodeo P-1 document consists of eight sections as described and discussed below.

1. Introduction: The introduction provides an overview of the Rodeo P-1 goals and objectives, defines the applicability of the code, and outlines the entitlement process.

2. Community Context: The community context section outlines Rodeo’s historical, geographic and community context, including key community features and design principles identified through the open house public meeting. Information about the geographic and cultural assets in Rodeo can guide future development to enhance the positive aspects of the Rodeo community and highlight its unique character.

2. Maps: Three maps are included in the P-1 program. The maps may be updated as information is refined or policies changes.

- **Rodeo General Plan Map** – The General Plan Map serves as the preliminary development plan for the Rodeo Planned Unit District. It delineates the Rodeo P-1 rezoning boundaries, identifies the General Plan land use designation, and outlines the Specific Plan boundary.
- **Physical Constraints Map** - The Physical Constraints map is part of the preliminary and final development plan and identifies potential constraints to development on one map including wetland areas, noise levels, steep slopes, areas subject to 100-year flood hazard requirements, fault lines, and high liquefaction areas.
- **Community Features Map**– The Community Features map is part of the preliminary and final development plan and provides a color ortho photo of the Rodeo community. It also identifies key community features, historic landmarks, existing and proposed roads and trails, together with necessary rights of way, and physical improvement criteria.

3. Land Use Matrix: The land use matrix is part of the final development plan and defines allowable uses, entitlement requirements, and additional conditions based on the General Plan land use designation. The matrix is coded to identify the permitting requirements as one of the following:

- **Permitted (P)** – No additional planning review needed
- **Administrative Permit (A)** – Staff review required, but no public hearing unless recommended by staff or subject to appeal.
- **Land Use Permit (L)** – Required public hearing and notification of property owners within 300 feet of the site
- **Not Permitted (n)** – Not permitted at all

In addition to the entitlements listed in the Land Use Matrix, a Development Permit is required for the following:

- Multiple-family residential buildings with three or more units;
- New non-residential or mixed-use buildings; and
- Additions to non-residential or mixed-use building over 10,000 square feet or with an increase of 50% of the gross floor area, whichever is less.

Development permits require notification to all property owners within 300 feet radius and a public hearing before the Zoning Administrator. If a project requires a land use permit, the development permit can be processed concurrent with the land use permit.

In the event there is a request for a use that is not specifically listed in the Land Use Matrix, the Zoning Administrator will determine which category is most similar. The Zoning Administrator's determination will be used as a policy guide until such time that this P-1 is amended for any reason. Any clarification or policy guides established by the Zoning Administrator will be included in the next P-1 amendment. Any decision of the Zoning Administrator may be reconsidered or appealed to the Planning Commission in accordance with Article 26-2.24 of the County Ordinance Code.

Existing legal uses that do not conform to the land use matrix will become legal non-conforming uses upon the adoption of this Planned Unit District and will be subject to a land use permit for any expansion, pursuant to Chapter 82-8 of the County Zoning Ordinance. Subdivision applications will be processed in accordance with Title 9 of the County Ordinance Code and this Planned Unit District does not affect applicable County codes. Entitlements for development within a subdivision will be subject to this Planned Unit District.

4. **Development Standards:** The development standards are part of the final development plan and outline the development requirements contained in the County General Plan, the Rodeo Specific Plan, adopted policies, County Code, and California State law. The development standards are outlined in an easy to read matrix and include setbacks, building heights and other key factors in designing a project. The matrix is organized with the General Plan land use designations along the top and development standard topics along the left side. More complex standards are provided in short narrative sections and include the following.
 - **Parking and Landscaping Standards:** Standards for parking including required auto parking spaces, parking related incentives, required parking space dimensions, bicycle parking standards, and landscaping requirements. The intent of the parking and landscaping standards is to create policies that encourage a walkable downtown while ensuring there is adequate parking. The Rodeo parking standards promote shared parking facilities, consistent with the Rodeo Specific Plan. The recommended parking for commercial and mixed-use projects in Rodeo is less than the County requirements and is outlined as follows.

Table – Parking Requirements

Use Category	Space per unit or sq ft	Additional info	
Mixed Use	1.25 per unit	<ul style="list-style-type: none"> • Plus retail, office, or studio requirements • Studio requirements same as warehouse with 1 spc/1,000 sq. ft 	
Commercial	1 per 400 sq. ft.		
Commercial Rec.	Subject to review and approval of a development plan		
Office	1 per 300 sq. ft.		
Light Industrial	1 per 300 sq. ft.	Light Industrial – Office use	
	1 per 400 sq. ft.	Light Industrial – Retail use	
	1 per 1,000 sq. ft.	Light Industrial – Warehouse use	
Single Family	2 per unit	<ul style="list-style-type: none"> • 50% covered • Single-family homes with four or more bedrooms must provide a min. of 3 spaces (2 covered) 	
Multiple Family	1.25 per unit	Studio	Required parking include an additional 0.25 spc/unit for guest parking
	1.75 per unit	1 bedroom	
	2.25 per unit	2 bedroom	

These recommended parking requirements are based on an analysis of parking requirements in the County and neighboring communities, a survey of existing parking facilities in the downtown area, and Specific Plan goals. The proposed standards also include parking incentives for locating in a shared parking facility and providing pedestrian and bike amenities. The standards allow for tandem parking, compact parking, and some on-street parking to count towards parking requirements.

- **Live/Work Standards:** Live/work units are encouraged in the Specific Plan to enhance the local artist community in Rodeo. Given live/work units are a fairly new development product, general standards are presented to provide a framework for future live work development.
- **Second Unit Standards:** In 2002, the State passed legislation requiring second-unit entitlements are processed as a ministerial permits based on clear and concise development standards. The County adopted revised second unit ordinance consistent with State law in 2003, which includes development standards for second units. The County’s urban form varies substantially and given Rodeo’s more historic urban form, the new standards make second unit approval difficult. In many cases, existing second units do not meet the new standards and are now considered legal non-conforming uses. The County’s Second Unit Ordinance allows P-1 districts to establish some development standards for setbacks, building height, and lot coverage. The Rodeo P-1 proposes second unit standards that are more consistent with Rodeo’s the long narrow lots. These standards include a reduced front, side, and rear yard setbacks for second units in Rodeo.

- **Public Art Development Standards:** The Rodeo Specific Plan recommends capitalizing on the local artist population as a revitalization strategy. Public art standards are proposed to ensure public art proposals conform to health and safety requirements. The standards are based on maintaining visibility for pedestrians and drivers, ensuring ongoing maintenance can be achieved, and the scale is consistent with the Rodeo community. The process for approving public art project will include a specified community input process to ensure all artists are treated equitably.
 - **Newspaper Rack Standards:** The Parker Avenue improvement project design includes a recommendation for newspaper rack standards to ensure newspaper racks contribute to the new improvements. The standards outline basic standards related to design and placement of newspaper racks in downtown Rodeo.
5. **Conditions of Approval:** The Conditions of Approval include standard conditions for development in the Rodeo area. The conditions are based on existing State Law, County Code, the General Plan, and the Specific Plan. The conditions also outline the process and procedure for obtaining entitlements in more detail.
6. **Design Guidelines:** The design guidelines provide additional design recommendations to implement the goals and objectives of the General Plan, Specific Plan, and Rodeo P-1 Zoning Code. Design guidelines differ from the development standard because the guidelines provide a 'how to guide' to achieving the revitalization goals and development standards at a project level. For example, the development standards require single-family residential units have a minimum 10 foot front yard set back. This standard is required so new units are developed consistent with the historic development patterns in Rodeo. The design guidelines provide additional recommendations and tools to guide new development so it enhances the unique character of the residential areas including;
- Encouraging front porches;
 - Highlighting characteristics of historic architecture found in Rodeo and recommending way to include some historic elements in new units;
 - Landscaping recommendations that enhance the architecture façade of a home; and
 - Guidelines to reduce the impact of garages on the street frontage.

The guidelines are written in easy to understand objectives with recommended implementation steps associated with each objective. The guidelines also use numerous images, diagrams, and illustrations to provide additional guidance.

7. **Appendixes:** The Appendixes provide additional information and resources developers and property owners may find helpful. The appendixes are informational only and will be updated as policies and procedures change. The P-1 will include the following appendixes:
- **Definitions** – A list of terms and their definition for this P-1 are provided to ensure clear and concise understanding of the policies presented;
 - **Permit Application** – A tear-out planning application will be provided in each document;
 - **Public Art Application** – A tear-out application for public art projects in the Rodeo P-1 area;
 - **Additional Permitting Information** – A summary of additional permitting agencies will be provided so applicants understand they also have a responsibility to agencies such as the

Building Inspection Department, Public Works Department, and Flood Control Districts to obtain project specific permits.

- **Website Resource List** – A list of websites that may assist developers including, but not limited to, the County Green Building Guidelines, Title 8 and Title 9 of the County Zoning Code, Rodeo Waterfront/Downtown Specific Plan, Rodeo’s community website, and other sites as identified.

C. **SPECIFIC PLAN AMENDMENT:** The proposal includes minor changes to the development standards outlined in the Rodeo Waterfront/ Downtown Specific Plan (the “Specific Plan”). The proposed changes will rectify internal inconsistency between the current development standards and Specific Plan objectives. The Specific Plan provides for the potential for changes in development standards and reads, *“These development standards are intended to provide general framework within which to review future development proposals...these standards are also intended to provide for the flexibility necessary to allow for responsiveness to changing economic and demographic trends.”* The proposed amendment will provide for better implementation of the Specific Plan objective to provide “urban streetwalls of continuous, uniform storefronts” to create a compact shopping area and to “increase the number of residential units near the downtown area.” The proposed changes to the Specific Plan area listed and discussed below.

1. **Required Setbacks:** The amendment proposes the following changes to Section 3-10 of Specific Plan related to mixed-use setback requirements.
 - No front yard setbacks should be required for commercial **or mixed-use** projects. Residential **only** uses should provide a ~~20-foot front yard~~ **a front yard setback of 10 feet from the street.**
 - ~~Side yards should be 20 feet, rear yards 15 feet.~~ **Commercial or mixed-use project may have a zero foot rear and side yard setback. Residential only uses may have a side yard setback consistent with the County’s sliding scale setbacks for small lots.**

The Specific Plan currently implements the County Zoning requirements for residential properties in the Specific Plan area, including a 20-foot front and side yard setback. Given the long and narrow lots in the Rodeo community, these development standards do not allow new residential properties to be designed to fit in with the existing neighborhood. The proposed Specific Plan amendment will change the policy to be more consistent with the Rodeo urban form.

2. **Density Range:** The amendment proposes altering the allowable density in the mixed-use area as follows:

Lot Size (square feet)	Maximum Density (dwelling unit per acre)
Under 12,000	6 16
12,000 – 18,000	16 21
18,000 – 24,000	20 25
Over 24,000	30

The current mixed-use density range was developed to provide an incentive for developers to assemble sites and initiate larger projects. However, real world applications have shown the allowable density on smaller lots make mixed-use development challenging, if not prohibitive.

This has resulted in a disincentive for smaller property owners to invest in the Rodeo community if either the ability or desire to assemble parcels does not exist. Additionally, the large disparity between the allowable densities on the smallest lots (6 units per acre) and the largest sites (30 units per acre) will not result in a consistent development pattern as recommended by the Specific Plan. The current density allowed on a lot less than 12,000 square feet in downtown mixed-use area is less than the allowable density in the single-family area. The requirement is not conducive to creating a vital downtown area or encouraging alternative transportation. The proposed density range will not change the maximum allowable density for the area and continues to provide an incentive to assemble property. The change will provide the flexibility needed for smaller property owners to develop a quality product consistent with Rodeo's character and revitalization strategy.

VII. CONCLUSION

The Rodeo Planned-Unit District uses an innovative approach to guide future development to be consistent with the County General Plan, the Rodeo Waterfront Specific Plan, the Rodeo Redevelopment Plan, and the goals of the Rodeo community. By recognizing the unique features and assets of the community, the Rodeo P-1 provides a development to enhance and revitalize the community. The permitting process is more efficient by providing entitlement requirements upfront and in an easy to understand document. Projects consistent with community goals and do not require further CEQA review may be considered administratively, reducing the time to secure planning permits. Continued opportunity for public input is provided for proposals requiring either land use and development permits through RMAC meetings and the public hearing process. The Rodeo P-1 will result in more investment and a high standard for development in the Rodeo community.

FINDINGS AND CONDITIONS OF APPROVAL FOR DEVELOPMENT PLAN# DP043101 AND
REZONING APPLICATION #RZ043152

A. P-1 REZONING FINDINGS:

1. **The applicant intends to start construction within two and one half years from effective date of zoning change and plan approval.**

The Rodeo P-1 code will be in effect once the appeal period is over and new development applications will be reviewed according to the policies and procedures of the new P-1 code. (Evidence: pages 1-10 of the staff report and conditions of approval)

2. **Consistency with the General Plan.**

The P-1 Rezoning brings the zoning code in compliance with the General Plan and the Rodeo Downtown/Waterfront Specific Plan. The Land Use Matrix, Development Standards, Development Plan Map, and Conditions of Approval are based on the General Plan. (Evidence: pages 1-10 of the staff report and conditions of approval)

3. **Sustained desirability, stability, and harmony with surrounding neighborhood.**

The P-1 rezoning is based on the County General Plan, the Rodeo Waterfront/Downtown Specific Plan, the Rodeo urban form, and significant community input to ensure it enhances the Rodeo community. The General Plan Land Use designations are compatible with surrounding areas. (Evidence: pages 1-10 of the staff report and conditions of approval)

4. **The development of a harmonious, integrated plan justifies exception from the normal application of the County code.**

The P-1 Rezoning is an implementation measure identified in the Rodeo Downtown/Waterfront Specific Plan and the Rodeo Downtown/Waterfront Strategic Plan to facilitate development that enhances Rodeo's unique character. Since Rodeo developed gradually since the late 1800's, strict application of the County code does not result in development consistent with Rodeo's urban form and Specific Plan objective. The P-1 provides a harmonious and integrated plan that is based on the existing structure and facilitates development consistent with the Specific Plan policies. (Evidence: pages 1-10 of the staff report and conditions of approval)

B. DEVELOPMENT PLAN FINDINGS

1. **The proposed development is consistent with the purpose of this district.**

The project includes rezoning the Rodeo Redevelopment Project Area to P-1, which requires approval of a development plan to ensure consistency with the General Plan. The proposed development plan furthers the General Plan and Specific Plan policies, enhances the Rodeo community, and is consistent with surrounding uses. (Evidence: pages 1-10 of the staff report and conditions of approval)

2. **The proposed development is consistent with other uses in the vicinity; both inside and outside the district.**

The proposed development plan is compatible with the Rodeo community and enhances its unique character. The P-1 is also compatible with surrounding uses. (Evidence: pages 1-10 of the staff report and conditions of approval)

C. SPECIFIC PLAN FINDINGS

1. **Specific Plan Amendments must be consistent with the General Plan.**

The Proposed Specific Plan Amendment is consistent with the General Plan, including the policies for the Rodeo area.

D. GROWTH MANAGEMENT ELEMENT PERFORMANCE STANDARDS FINDINGS:

1. **Traffic**

Rezoning the area and adopting a final development plan will not result in any traffic increase, but merely sets forth a streamlined process for permitting. The Growth Management findings related to traffic would be required for future development within the project area. The Specific Plan amendment will not increase traffic. The maximum density currently allowed in the mixed-use area will remain the same.

2. **Water**

The Rodeo Redevelopment Area is within the service area boundaries of East Bay Municipal Utility District. Rezoning the area and adopting a final developments plan will not result in demands for water service, but merely sets forth a streamlined process for permitting. The Growth Management findings related to water service will be required for future development within the project area.

3. **Sanitary Sewer**

The site lies within Rodeo Sanitation District's service area. Rezoning the area and adopting a final developments plan will not result in demands for service, but merely sets forth a streamlined process for permitting. The Growth Management findings related to sewer service will be required for future development within the project area.

4. **Fire Protection**

The Rodeo-Hercules Fire District at 326 3rd Street, Rodeo, CA 94553, is within the Rodeo Redevelopment Area. The fire station is no more than two miles from any site within the Redevelopment area. The Growth Management findings related to fire protection would be required for future development within the project area.

5. **Public Protection**

The Growth Management Element standard is 155 square feet of Sheriff facility station area per 1,000 populations. Rezoning the area and adopting a final developments plan will not result in demands for service will not generate a population increase. Growth Management findings related to public protection will be required for future development within the project area.

6. **Parks and Recreation**

Rezoning the area and adopting a final developments plan will not result in demands for parks and recreation, but merely sets forth a streamlined process for permitting. The Growth Management findings related to parks and recreation, as well as the payment of park dedication fees (per the ordinance), will be required for future development within the project area.

7. **Flood Control and Drainage**

Rezoning the area and adopting a final development plan will not result in impacts to flood control and drainage systems, but merely sets forth a streamlined process for permitting. The Growth Management findings related to flood control and drainage will be required for future development under the project area. In addition, future projects will be required to collect and convey all runoff to an adequate natural or manmade drainage facility.

(Ref. the Growth Management Element, Chapter 4, of the General Plan)