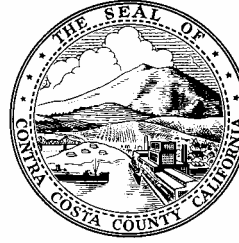


TO: BOARD OF SUPERVISORS  
FROM: DENNIS M. BARRY, AICP  
COMMUNITY DEVELOPMENT DIRECTOR  
DATE: JULY 28, 2005



# Contra Costa County

SUBJECT: Rodeo P-1 Rezoning (RZ043152) and Development Plan (DP043101), Rodeo Waterfront/Downtown Specific Plan Amendments (SP020001 & SP040002)

## SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

### RECOMMENDATION:

1. OPEN the public hearing and receive testimony on the Rodeo Downtown/Waterfront Specific Plan (the "Specific Plan") Amendments (SP020001 and SP040002) and the rezoning (RZ043152) for the Rodeo Redevelopment Area from 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) to Planned Unit Development (P-1);
2. CLOSE the public hearing;

CONTINUED ON ATTACHMENT:  YES

SIGNATURE: \_\_\_\_\_

RECOMMENDATION OF COUNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE  
 APPROVE  OTHER

SIGNATURE(S): \_\_\_\_\_

ACTION OF BOARD ON \_\_\_\_\_

APPROVED AS RECOMMENDED  OTHER   
VOTE OF SUPERVISORS:

\_\_\_ UNANIMOUS (ABSENT \_\_\_\_\_)

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

Contact:

cc: CAO  
County Counsel  
Community Development

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND ENTERED ON THE MINUTES OF THE BOARD OF SUPERVISORS ON THE DATE SHOWN.

ATTESTED

\_\_\_\_\_  
JOHN SWEETEN, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR

By: \_\_\_\_\_ Deputy

RECOMMENDATION (con't):

4. FIND the Addendum to the Rodeo Downtown/Waterfront Specific Plan Final Environmental Impact Report (FEIR) prepared for the Specific Plan boundary change amendment (SP020001) as adequate and in compliance with the California Environmental Quality Act (CEQA);
5. APPROVE the Addendum to the FEIR for the Rodeo Waterfront/Downtown Specific Plan (SP020001);
6. FIND the Negative Declaration for the Rezoning (RZ043152), Final Development Plan (DP043101), and Specific Plan Amendment (SP040002) as adequate and in compliance with CEQA;
7. ADOPT the Negative Declaration for the Rezoning (RZ043152), Final Development Plan (DP043101), and Specific Plan Amendment SP040002;
8. CONSIDER the County Planning Commission's recommendation regarding the proposed Specific Plan Amendment (SP020001) to change the boundary of the Specific Plan and APPROVE the Specific Plan Amendment;
9. CONSIDER the County Planning Commission's recommendation regarding the proposed Specific Plan Amendment (SP040002) to make minor modification to the development standards outlined in the Rodeo Waterfront/Downtown Specific Plan and APPROVE the Specific Plan Amendment;
10. CONSIDER the County Planning Commission's recommendation regarding the proposed P-1 Rezoning (RZ043152) and Final Development Plan (DP043101) application, subject to modifications recommended by staff, and APPROVE the P-1 Rezoning and Final Development Plan application subject to the proposed modified Condition of Approvals;
11. ADOPT the ordinance giving effect to the aforementioned rezoning.
12. DIRECT the Community Development Department to file the Notice of Determination and pay the filing fees to the County Clerk.

FINANCIAL IMPACT:

No impact on the General Fund. Staff time and materials spent on the application are paid for through Rodeo Redevelopment funds.

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.

The proposal also includes two amendments to the Rodeo Downtown/Waterfront Specific Plan. The first amendment involves a change to the development standards outlined in the Specific Plan. The proposed changes will rectify internal inconsistency between the current development standards and Specific Plan objectives.

The second Specific Plan Amendment involves a change to the boundary of the Rodeo Waterfront/Downtown Specific Plan. The boundary change removes fourteen parcels with a Single-Family High-Density General Plan designation from the Specific Plan area. This is a request of the property owners in the area to be removed. The proposed boundary change will not impact the implementation of the Specific Plan policies or change the underlying land use designation.

The attached staff report to the County Planning Commission provides additional information regarding the rezoning and Specific Plan amendments, including community outreach efforts, background information, overview of the elements of the Rodeo P-1, and discussion regarding the proposed Specific Plan amendments. A copy of the proposed Rodeo P-1 and the adopted Specific Plan are also attached for review.

The Planning Commission's recommendation includes strong language to the Board of Supervisors to increase the flexibility for allowable land uses and design guidelines related the Rodeo Waterfront area. The recommendation is in response to a letter received by Peter Hass, attorney representing Rodeo Marina, LLC. The following outlines the major issues discussed in the letter and provide staff responses and proposed recommendations in *italics*:

- **Land Use Matrix:** The letter outlines a number of uses that do not appear to be allowed under the existing land use matrix, including a marina 'hardware' or a marine 'electronics' store.

*The land use matrix includes a number of footnotes indicating certain uses are allowed but "Must be related to Marina Use." Staff recommends the Board of Supervisors add a new footnote that expands the definition of commercial recreation beyond marina use to include additional uses consistent with the General Plan designation. The proposed revised footnote reads:*

*"Uses must be consistent with an active waterfront district use. The waterfront district may include uses such as retail, boat repair, waterfront related sales and services, waterfront crafts (i.e. boat building/sail making), marine technology and research, limited office, and other uses with zoning administrator approval."*

*This footnote will provide a greater range of allowable uses and will be referenced next to marina, commercial, retail, office, and light industrial land use categories in the land use matrix, per the Planning Commission's recommendation.*

- **Residential Uses:** Residential uses may provide benefits for live/work opportunities, allow for mixed use buildings, and provide additional eyes in the area for security.

*The General Plan/Specific Plan designates the waterfront area as Commercial-Recreation and does not allow residential uses outboard of San Pablo Avenue. This Specific Plan policy is a derivative of community concerns that residential development may eliminate public access to the waterfront. The Agency has recognized the potential importance residential uses may serve in the viability of a revitalized waterfront. Residential uses are currently in the process of being explored through the current 'predevelopment assessment' consisting of an environmental assessment, a marina study, and an economic analysis. Residential uses are part of the uses being included in the economic analysis and preliminary reports indicate residential uses can benefit the waterfront project. A final recommendation on the inclusion of residential uses will be considered through a community planning process based on the results of the predevelopment assessment. An additional Specific Plan amendment will be required if residential uses are planned for the site.*

*To address the more immediate concern of security on the site, staff recommends to the Board to allow a caretaker unit with the approval of an administrative permit where a land use permit is currently required.*

- **Design Guidelines:** The Design Guidelines will result in a 'seaport village' type of development rather than a historical bay area waterfront district.

*The Design Guidelines are currently adopted as a component of the Rodeo Waterfront/Downtown Specific Plan (1997). Staff agrees the design guidelines may need to be updated and recommends the changes should occur after the predevelopment assessment is complete, followed by an amendment to the Specific Plan. To document the intent to revisit the design guidelines, staff recommends the following language, based on an existing General Plan policy, be added at the beginning of the marina section of the Design Guidelines.*

*"The following Design Guidelines are preliminary and a large scale development in the Commercial Recreation area must be predicated upon a thorough study of the waterfront. Comprehensive development policies incorporated into a specific plan or waterfront development plan and implementation program must be in place before such development can proceed."*

Based on the concerns outlined above, Rodeo Marina, LLC requested the adoption of portions of the document related to the Commercial Recreation properties be delayed to a future date. Staff recommends adopting the proposed Rodeo P-1 zoning code and associated development plan, with the recommended changes above. The current Heavy-Industrial zoning code is not consistent with either the General Plan or the Specific Plan. The proposed Rodeo P-1 provides a consistent zoning code until the recommendations from the predevelopment assessment are developed and any required Specific Plan amendments are complete.

RZ023119 and DP023066  
SP020002 and SP040001  
July 28, 2005

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 framework for future 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 provides a code to encourage more private investment and a higher standard for development in the Rodeo community.