

# Agenda Report

**TO:** CITY COUNCIL                      **DATE:** NOVEMBER 25, 2002  
**FROM:** CITY MANAGER  
**SUBJECT:** DRAFT LAND USE ELEMENT UPDATE, CONCEPTUAL APPROVAL

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## **RECOMMENDATION**

It is recommended that the City Council, following a public hearing, approve conceptually the Draft Land Use Element update (Attachment A) and initiate an environmental impact report on the Draft Land Use Element update.

## **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission on November 13, 2002, following a public hearing, unanimously recommended that the City Council approve conceptually the Draft Land Use Element update and initiate an environmental impact report on the Draft Land Use Element update.

## **BACKGROUND**

The Land Use Element of the General Plan was adopted in 1994, along with the General Plan Mobility Element. The Draft Land Use Element update (Attachment A, with updated text in italics) revises the 1994 Element to reflect changing conditions and experience in implementing the Element during the past eight years. Changes to the text of the Element are intended to be minor and to be consistent with the intent of the 1994 Element.

After the Draft Land Use Element receives conceptual approval by the City Council, staff will begin preparation of an environmental impact report (EIR) to analyze the impacts of the Element, as well as those of the updated Mobility Element, the Central District Specific Plan, and the revised Zoning Code. Additional revisions may be introduced as a result of comments received during the environmental review. The Draft Land Use Element will be presented to the

City Council for adoption in later-2003, after a public hearing by the Planning Commission to consider both the environmental impact report and the Element itself.

The Draft Land Use Element update includes revisions to certain goals and policies and to some procedures, as well as changes to the implementing programs and updated intensity standards, which reflect new development since adoption of the 1994 Element

**Objectives and Policies:** The General Plan Land Use Element establishes objectives and policies for planning and development in the city, and also procedures for the Element's implementation (Attachment A, pages 10-31). Proposed revisions and additions concern the following issues: whether affordable housing units may be included in the intensity standards for a specific plan area; land use planning provisions for city priorities including industrial-type uses; impaction and concentration of institutional uses; annual reporting; biological, paleontological, and archaeological resources; water quality and pollution; and recycling of construction materials. The following goals and policies are revisions or additions: 3.1 – Exemption for Affordable Housing; 4.2 – City Priorities; 10.5 – Industrial Businesses; 11.3 – Priority Opportunities; 14.5 - Impaction; 14.6 – Institutional Uses; 18.4 Water Quality; 18.5 – Water Pollution Prevention; 18.6 – Construction Materials Recycling; 19.1 Special Status Species Surveys; 19.2 Wetlands and Riparian Habitat Surveys; 19.3 Paleontological/Archaeological Resources Survey; and 27.2 – Annual Report. The Council conceptually approved the revisions to the objectives and policies on August 5, 2002.

**Procedures:** Proposed modifications to Land Use Element procedures would affect (1) annual reporting (Attachment A, page 57), (2) allowing interchangeability under the intensity standards for residential and nonresidential development (Attachment A, page 43), and (3) the initiation of amendments (Attachment A, page 58). The Council conceptually approved the revisions to the procedures on August 5, 2002.

**Interpretation of Land Use Diagram:** The Land Use Element includes directions for interpreting the Land Use Diagram, or map (Attachment A, pages 32-36). The 1994 Element provides alternate land use policies, which “specify conditions under which an alternative to uses allowed in a particular Land Use category may be determined to be consistent with the General Plan.”

The alternate land use policies have not been applied since adoption of the 1994 Element. Because the provision is no longer necessary for implementation of the policies of the General Plan but could be interpreted more broadly than was intended, it is deleted in the updated Element.

In a separate section for interpreting the Diagram, the Element allows uses other than those designated on the Diagram in order to preserve historic structures. By specifying that the provision apply only to sites with an historic designation, thus changing the existing language, the revised text will become consistent with the Cultural Heritage Ordinance (Attachment A, page 35).

The 1994 Element describes efforts to allow artist lofts “in order to facilitate the adaptive reuse of other obsolete structures and to promote the growth of the arts in the community.” Work/live spaces, however, include a variety of artist lofts but also other more common activities for working and living in a single space. The text is revised to accommodate the greater flexibility of work/live uses (Attachment A, page 35).

**Intensity Standards:** The Land Use Element includes intensity standards, which describe the level of new development, whether residential or nonresidential, that is authorized in the Element. The updated Element revises those standards by subtracting development that has occurred since adoption of the 1994 Element (Attachment A, pages 37-41).

**Implementation:** The updated Element highlights a program for planning around the light rail stations, that is, Transit-Oriented Development (Attachment A, pages 48-50), and describes Elements for Art and Culture, Economic Development and Employment, and Green Space (Attachment A, pages 50-51).

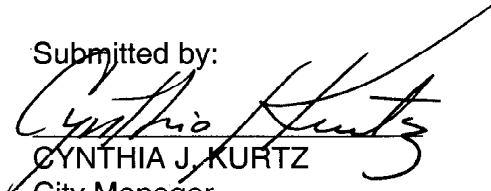
## **ENVIRONMENTAL REVIEW**

Staff will initiate preparation of the environmental impact report (EIR) when the City Council approves conceptually the Draft Land Use Element. The EIR will provide the necessary environmental review for adoption of the Element, as well as the Mobility Element, the Central District Specific Plan, and the revised Zoning Code in later 2003.

## **FISCAL IMPACT**

Completion of the Land Use Element and preparation of the Environmental Impact Report are both included in the work program and General Fund budget of the Planning and Development Department.

Submitted by:

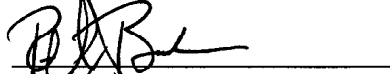
  
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Attachment:

A. Draft Land Use Element