



## Planning Commission Staff Report

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April 29, 2009  
Item 6.a

- SUBJECT:** GPA-15, General Plan Update and corresponding Final Environmental Impact Report
- PURPOSE:** To receive public input on the Draft General Plan, and to recommend approval of the EIR documents and the Draft General Plan to the City Council
- ATTACHMENTS:**
1. Exhibit A: Draft General Plan, dated April 24, 2009 (previously distributed)
  2. Exhibit B: Draft Environmental Impact Report, dated September, 2008 (previously distributed)
  3. Exhibit C: Final Environmental Impact Report, dated April, 2009 (previously distributed)
  4. Exhibit D: California Environmental Quality Act Findings and Statement of Overriding Considerations
  5. Exhibit E: Comments and Responses on the Draft General Plan dated September 19, 2008
  6. Exhibit F: EIR Errata Sheet

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### BACKGROUND

On April 15, 2003, the City Council directed staff to begin preparation of a comprehensive update of the City's General Plan which had been last updated and adopted in 1996. The first two years of this process were spent gathering community input regarding the issues to be discussed and resolved in the General Plan. During 2005 and 2006 numerous workshops with the Planning Commission and City Council were held to discuss background information on land use and circulation issues; in 2007 the City Council reached a consensus on a preferred land use map and a preferred traffic circulation network. From 2005 to 2008, the Planning Commission reviewed and commented on drafts of each General Plan Element.

### PROJECT DESCRIPTION

The proposed Draft General Plan establishes a planning framework and policies to shape future growth and conservation through the 2025 planning horizon. When adopted, it will replace the 1996 General Plan for all elements except the Housing Element which was adopted in 2003. The proposed General Plan includes the 11

elements in the 1996 General Plan as well as two additional elements addressing the topics of water and energy.

### **Comments on the September 2008 Draft General Plan**

Following the release of the Draft General Plan and Draft Environmental Impact Report in September 2008, staff received 33 letters and e-mails from individuals and agencies. Comments on the Draft EIR are addressed in the Final Environmental Impact Report (Attachment 3: previously distributed). Comments on the Draft General Plan are addressed in Attachment 5: Exhibit E: Comments and Responses on the Draft General Plan. As discussed below, consideration of these comment letters has resulted in some recommended changes which are reflected in the April 24, 2009 Draft General Plan.

A comment letter from the State Attorney General Edmund Brown (Letter # 18 in Attachment 5) mainly concerned the issue of greenhouse gas (GHG) emissions and the link between GHG emissions, the City's 29,000 residential unit housing cap, and the anticipated growth in jobs and vehicle miles traveled at build-out of the General Plan. This letter was followed by staff-to-staff communications which resulted in several recommended additions and amendments to the Draft General Plan in an attempt to provide additional information and to strengthen policies and programs as they relate to reducing greenhouse gas emissions. These additions and amendments are discussed below.

### **Changes in the General Plan from the September, 2008 Draft**

The Draft General Plan dated April 24, 2009, includes some changes relative to the previous draft published in September, 2008. These changes are as a result of either staff-initiated revisions because of new information, comments on the Draft EIR or comments on the previous Draft General Plan. Additions and deletions to the Draft General Plan were also made as a result of the passage of *Measure PP* and *Measure QQ* in November 2008. These changes are annotated in the Draft General Plan. The following paragraphs summarize these changes by General Plan element:

#### Land Use:

- Page 2-9: Subheading "Hill Areas": this is a new section which describes *Measures PP and QQ* their impact on hill area development.
- Page 2-11, first paragraph: Zone 7 requested some changes; see Attachment 5, Letter 19 for details.
- Page 2-15: Subheading "Residential Cap": this paragraph was rewritten to include information about *Measure PP* and *Measure QQ* and the residential cap.

- Page 2-17: Right hand column, paragraph starting: “If all commercial, office, industrial, and other...” Because of the use of the wrong employee generation rate for the last Draft General Plan, the number of jobs at buildout has been recalculated. Total jobs including East Pleasanton is now calculated at 97,000 rather than 105,000, and total jobs excluding East Pleasanton is now calculated at 86,000 jobs rather than 88,000.
- Page 2-24 and 2-25: Under Open Space subheading: At the end of the paragraphs describing Agriculture and Grazing and Public Health and Safety, it is noted that these areas are generally privately owned and public access is not allowed. The Water Management and Recreation land use designation is changed to Water Management, Habitat and Recreation, to reflect the habitat values of these areas.
- Page 2-28: added at the end of Program 1.1: “Develop new measures of sustainability based on these factors and adopt minimum sustainability scores for typical projects.” This is one of several additions added as a result of communications with the Attorney General’s Office.
- Program 2.3: Now “Require transit-compatible development...” Previously was “Encourage transit-compatible development...” Changed as a result of communications with the Attorney General’s Office. Similarly, Programs 2.4, 2.6, 2.7, 2.8, 3.1 and 9.1 were amended to make the programs more binding.
- Policy 16 was amended to state that mixed use and residential densities should support affordable housing and transit.
- Program 18.3 was added as a result of comments regarding the potential incompatibility of uses in areas designated Mixed Use on the General Plan.
- Policy 21, Program 21.3, Policy 24, and Program 24.3 were all amended or added as a result of *Measure PP* or *Measure QQ*. The previous Program 21.3 (“Develop a ridgeline preservation ordinance and scenic hillside design guidelines to improve safety and reduce the potential negative visual impact of development in hilly areas”) was deleted. Measure PP adds a program in the General Plan (new Program 21.3) with specific hill area development restrictions. Thus, the previously proposed Program 21.3 has effectively been fulfilled.

#### Land Use Map:

- There are two changes from the land use map in the September, 2008, Draft General Plan: a change in designation for the area to be developed as residential on the Oak Grove (Lin) property, from Rural Density Residential to Low Density Residential to more closely reflect the approved density; and, a change reflecting the acquisition by the East Bay Regional Park District of the Tyler Ranch property near Sunol.

#### Circulation:

- Table 3-1 (p.3-2) was amended to add several roadways previously omitted from the list.
- Table 3-4 (p.3-8) was amended to delete Stoneridge Drive at El Charro Road as a gateway intersection and therefore exempt from the LOS D standard. This was changed because the City had previously entered into a Cooperative Agreement with the City of Livermore for a specific design of this intersection and to maintain this intersection at LOS D or better (see Letter 5 in Attachment 3: Final Environmental Impact Report Response to Comments).
- Table 3-8 (p.3-21) was amended to show the Sycamore Creek Way extension (bypass road) to be built in the 2011-2015 time period rather than in the 2006-2010 time period, and to show the Stoneridge Drive extension built during the 2011-2015 time period. Previously no specific time period was shown for the extension.
- Page 3-30, right-hand column, the second full paragraph was amended as a result of the approval of the Amendment to the Stoneridge Drive Specific Plan which allows construction of the Stoneridge Drive extension.
- Page 3-38, last paragraph on the left-hand side was added as a result of comments from the California Public Utilities Commission (see Letter 24 in Chapter 3 of Attachment 3: Final EIR Response to Comments).
- Page 3-38, under heading of Regional Rail. The information in the first paragraph was amended as a result of comments from the City of Livermore (see Letter 23 in Chapter 3 of Attachment 3: Final EIR Response to Comments).
- Program 1.6 was amended as a result of the approval of the Stoneridge Drive Specific Plan Amendment.
- Program 3.4 was added as a result of further analysis prepared for response to comments to CalTrans (see Letter 22 in Chapter 3 of Attachment 3: Final EIR Response to Comments).
- Program 7.3. The second sentence is an addition to provide some specific details as to the construction of complete streets.
- Program 8.1. The phrase “pedestrian and bicycle projects” was added as a category to receive CIP funds.
- Programs 15.1 and 15.2 were amended to encourage employers to participate and to increase the number of City of Pleasanton employees participating.
- Program 22.5 was changed to “require” appropriate bicycle-related improvements instead of “encourage” them.

#### Public Safety:

- Page 5-2: text under the heading “Landslides” and Figure 5-1: Landslide Zones, have been updated to incorporate recently adopted mapping information from the California Geologic Survey, thus changing some acreage numbers in the last paragraph on that page.

- Page 5-8: text under the heading “Liquefaction” and Figure 5-4: Liquefaction Susceptibility Level have been updated to incorporate recently adopted mapping information from the California Geologic Survey. This information changed the terminology used in the first paragraph under on page 5-8.
- Page 5-19: text under the heading “Flood Protection Efforts” and “Dam Failure Inundation” was amended to use the term “flood protection” rather than “flood control”, at the request of Zone 7 Water Agency (see Letter 19, Attachment 5).
- Page 5-27, second full paragraph in the right-hand column, the last sentence regarding the adoption of a Local Hazard Mitigation Plan was added.

#### Public Facilities and Community Programs:

- Page 6-7, Table 6-1: #51 was formerly named “Hansen Gravel Site, Busch Road” and is now labeled “East Pleasanton (location to be determined)” in recognition that the East Pleasanton Specific Plan will determine the location of that park.
- Page 6-31, Program 21.2: This was changed from “Encourage....” to “Require...” and was one of several amendments throughout the Draft General Plan to address the greenhouse gas issue.
- Page 6-32, Goal 10 was amended as follows: “Strive to meet or exceed State and County standards....”
- Page 6-32: Program 25.2, wording was changed from “Develop...” to “Adopt...”; Program 26.2, wording was changed from “Encourage recycling of...” to “Recycle...”
- Page 6-33, Programs 26.16 and Program 26.17 were added to reflect programs initiated since the last Draft General Plan.

#### Conservation and Open Space:

- Page 7-17: under “Archaeological Resources” additional text was added related to Native American culture, as a result of comments from the Muwekma Ohlone Indian Tribe (see Attachment 3, Final EIR, Chapter 3, Letter #1, and Attachment 5, Comments on the General Plan, Letter #1).
- Page 7-25: under “Farmlands”, at the end of the paragraph information regarding sheep and cattle production was added as a result of comments from the Spotorno family (Attachment 5, Letter 15).
- Page 7-34: Program 1.13 was added as a result of comments from Mr. Tim Belcher, (Attachment 5, Letter #3). Program 2.1, second sentence, the word “Allow...” replaced “The City encourages....”
- Page 7-38: former Program 8.1 was deleted. It read: “Develop a ridgeline preservation ordinance and scenic hillside design guidelines to improve safety and reduce the potential negative vision impacts of development in hilly areas.” Measure PP adds a program in the General Plan (Land Use Element, new

Program 21.3) with specific hill area development restrictions. Thus, the previously proposed Program 8.1 has effectively been fulfilled.

#### Water Element:

- Page 8-5: the text at the top of the right hand column was amended per the request of Zone 7 Water Agency (see Attachment 5: Comments on the Draft General Plan, Letter 19).
- Page 8-31: Program 9.3 was amended to delete “sediment diversion” in the first sentence and to replace it with “water supply”, as requested by Zone 7 Water Agency (see reference to letter, above).

#### Air Quality and Climate Change:

- This Element was previously the “Air Quality Element”. Much of the text starting on p. 9-13 to p. 9-17 (ending with the heading “Future Air Quality”) has been added since the last Draft General Plan. The additions address comments raised by the Attorney General’s letter (see Attachment 5, Letter 18) and discussed in conversations with the Attorney General’s staff.
- Page 9-24, Program 6.1 is amended and Programs 6.2 and 6.3 are added to address the greenhouse gas emission issue.
- Page 9-26, Program 7.1 has been amended to reflect a City policy currently under consideration.
- Page 9-26, Program 7.6 has been amended as follows: “~~Where feasible, consider adopting~~ Adopt a measure requiring large vehicles (gross weight rating of greater than 14,000 pounds) and off-road equipment owned by the City and/or private contractors to restrict engine idling to less than 5 consecutive minutes and to prohibit engine idling in parking lots, where feasible.”

#### Energy Element:

- Page 10-7, the “Retrofit Financing” section is an addition since the last Draft General Plan. It cites legislation that recently went into effect.
- Changes to Program 1.5, 5.1, 6.2, 7.2, 7.4, 7.5, 7.6, 10.3 were amended to make them less discretionary and more mandatory.
- Page 10-13, Program 7.11 was added regarding retrofit financing.

#### Community Character:

- Several minor text changes are shown in response to a letter from the Spotorno family (see Attachment 5, Letter #15).

- Program 15.3, p.12-21 is revised as follows: “~~Encourage~~ Require developers to include the following features, as feasible, in the development of new and the redevelopment of existing commercial areas:”

#### Sub-Regional Planning Element:

- On p.14-9, first full paragraph, the text has been revised to clarify that the City has endorsed the Every1Home Plan although it has not committed to funding.
- Program 5.4 has been revised to include mention of East Bay Regional Park District and Livermore Area Recreation and Park District as regional partners in developing a network of trails for bicycles, pedestrians and equestrians.

#### Appendix A

- Appendix A is a compilation of (using summary titles) of all Goals, Policies and Programs in the Draft General Plan that are related to the reduction of greenhouse gases. Appendix A is referenced in the Air Quality and Climate Change Element on p. 9-16.

### **ENVIRONMENTAL IMPACT REPORT**

The Draft EIR for the Proposed General Plan was completed and released on September 22, 2008. The Planning Commission conducted a public hearing on the Draft on October 15, 2008, and the public comment period (which was extended to 75 days) ended on December 5, 2008. Together, the Draft EIR and the Final EIR comprise the entire EIR document for the project. The CEQA Findings and the Statement of Overriding Considerations is a stand alone document which was derived directly from the EIR. Staff is recommending adoption of these documents.

The Proposed Pleasanton General Plan 2005-2025 EIR identifies potential environmental impacts and mitigation measures. The EIR concludes that, if proposed mitigation measures are adopted, impacts resulting from adopting the Draft General Plan could be reduced to a less than significant level, with the exception of one significant and unavoidable impact as follows:

- Development due to buildout of the proposed General Plan would result in an increase in population lower than that assumed in the newest air quality plan (2005 Ozone Strategy) and an increase in vehicle miles traveled. This would lead to increases in air pollutants due to cumulative development in the Planning Area that could conflict with implementation of the current air quality plan.

The EIR also includes an analysis of alternatives to the Proposed General Plan, including No Project (retaining the 1996 General Plan), Dispersed Growth, and the Concentrated Residential/Mixed Use alternatives.

The preparation of the programmatic level EIR in concert with the Proposed General Plan allowed the incorporation of programs in the Proposed General Plan to mitigate most potential impacts. The only impacts remaining which can be mitigated are related to road improvements at two gateway intersections.

### **CEQA Findings**

CEQA requires the lead agency to adopt findings for each potentially significant environmental impact disclosed in the EIR. Specifically, for each significant impact, the lead agency must make one or more of the following three findings:

- Changes or alterations have been incorporated into the project to avoid or substantially lessen the significant environmental effects identified in the EIR;
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and should be adopted by that agency; or,
- Specific economic, social, legal, technological, or other considerations make the mitigation measures or alternatives identified in the EIR infeasible.

The CEQA findings are in Exhibit D (Attachment 4), for the Planning Commission's review.

### **Statement of Overriding Considerations**

If a lead agency approves a project without mitigating all of the significant impacts, it must prepare a statement of overriding considerations, in which it balances the benefits of the project against the unavoidable environmental risks. The statement of overriding considerations must explain the social, economic, or other reasons for approving the project despite its environmental impacts.

Staff has examined reasonable project alternatives. Staff has found that the Existing General Plan, Dispersed Growth Alternative, and Concentrated Residential/Mixed Use Alternative would not achieve the core project objectives or would not significantly reduce the significant and unavoidable impacts identified from the Project. For this reason, staff recommends that the Proposed (Draft) General Plan be approved. Although implementation of the Proposed General Plan would result in significant and unavoidable impacts related to inconsistencies with the growth assumptions used in the *2005 Ozone Strategy*, and potential traffic congestion at two gateway intersections, staff finds that the benefits of the project to the community are overriding considerations when weighed against the environmental impacts listed above. Although two of the General Plan alternatives (Dispersed Growth and Concentrated Residential/Mixed Use) would satisfy most project objectives, the Proposed General Plan is the only alternative that includes the desired distribution of residential and other development. A detailed discussion is included in the Statement of Overriding Considerations (see Attachment



4). Staff believes the potential benefits outweigh the environmental risks of the Proposed General Plan alternative.

### **PUBLIC NOTICE**

A notice of this public hearing was sent to approximately 480 persons on the General Plan update interest list, as well as those who submitted comments on the Draft Environmental Impact Report or Draft General Plan.

### **STAFF RECOMMENDATION**

Staff recommends that the Commission take the following actions:

1. Receive public input on the Draft General Plan and then close the public hearing;
2. Recommend the City Council approve EIR documents (Draft EIR, Final EIR, EIR Errata, CEQA Findings and Statement of Overriding Considerations); and,
3. Recommend the City Council approve the Draft General Plan (April 24, 2009 revision) with any amendments as proposed by the Planning Commission.

Staff Planner: Janice Stern/Principal Planner; (925) 931.5606.; e-mail: [jstern@ci.pleasanton.ca.us](mailto:jstern@ci.pleasanton.ca.us)