

Union City General Plan Update Comments on Preliminary Public Review Draft Land Use Element

GPAC Member Comments (November 1, 2017):

1. Increase floor area ratio (FAR) minimum in Station Employment Mixed Use designation
 - An FAR of 0.4 is currently allowed in this area. This FAR is flexible enough to accommodate a variety of different building and site configurations. For example, this would accommodate a two-story office/R&D with surface parking. It should be noted that 0.4 is the minimum FAR and that the maximum FAR is 3.0, which could accommodate a much more intensive development. Staff recommends maintaining the minimum FAR of 0.4 to provide future flexibility in building types and uses. The Zoning Ordinance is the appropriate place to regulate appropriate uses.*
2. Policy LU-2.5: Change title to *“Mixed-Use and High Density Development around Transportation Nodes”*
 - Modified policy title*
3. Policy LU-5.2: strengthen to address visual/architectural quality
 - Modified policy*
4. Policy LU-6.3: expand “structured parking” to include underground/on top of buildings
 - Modified policy*
5. Policy LU-6.6: broaden to encourage hotels to collaborate to provide meeting space
 - Modified policy to add “The City shall encourage hotels to collaborate to provide shared meeting space that would attract larger events.”*
6. Policy LU-7.12: add/clarify no churches in industrial areas
 - Modified policy to include “institutional uses”*
7. Policy LU-7.14: add “bicycle” connections as well as pedestrian and roadway connections
 - Modified policy*
8. Add policies to address rebuilding after a disaster
 - Added new policy (LU-4.10) and implementation program (LU-5.c) and a reference to the Health and Safety Element, which will contain additional policies to guide disaster recovery:*

LU-4.10 Disaster Recovery in Existing Neighborhoods. *Following a major disaster, the City shall strive to expedite the permit process, minimize displacement of residents, and improve community resiliency and sustainability. (Source: New Policy)*

LU-5.C Adopt Ordinances for Post-Disaster Recovery. *The City shall prepare and adopt ordinances to guide post-disaster building efforts. (Source: New Program)*

Responsibility: *Economic and Community Development Department, Administrative Services Department*

Timeframe: *FY 21-22*

9. Goal Section 10: add policies to advocate and promote the City’s interests in regional efforts, rather than just “coordinate”

Modified Goal LU-10 and policies LU-10.1, LU 10.3, and LU 10.5

Planning Commission Comments (November 2, 2017):

10. Pg. 1-4, the section on Residential Development shows examples of residential densities from one unit per acre up to 75 units per acre. Do the examples reflect the minimum and maximum building heights? For example, the diagram for six units per acre shows six one-story buildings. Please clarify whether one story is the minimum or maximum building height for this density. The example for 75 units per acre shows mostly five story buildings. Is five stories the minimum or maximum building height for this density?

The diagram on pg. 1-4 is intended to illustrate how density is measured and to help the reader visualize density. The diagram is not intended to illustrate height regulations, and in fact, the General Plan does not regulate height. These standards are contained in the Zoning Ordinance.

11. Pg. 1-5, the section on Commercial and Industrial Development show examples of densities based on floor area ratio (FAR). Does the diagram also show the minimum and maximum building heights? For example, the building heights for FAR 1.0 range from one story to four stories. Is a four-story building the maximum height for commercial and industrial developments at a FAR of 1.0?

Same response as above. The Zoning Ordinance regulates height; not the General Plan.

12. Pg. 1-7, the section on residential land uses lists six types of designations. However, only four of those designations are shown on Attachment 2, Figure LU-1: General Plan Land Use Diagram. Please explain the omission of “30 to 45” and “45 to 60” dwelling units per acre from Attachment 2.

The 2002 General Plan includes a land use designation that addresses the density ranges listed above. We are carrying those forward in the updated General Plan as a placeholder should we get a proposal for development in that density range.

13. Pg. 1-9, the section on commercial land uses lists four types of designations. Two of the designations, “Commercial” and “Regional Retail Commercial”, are not shown on Attachment 2. However, Attachment 2 includes “Retail Commercial” and “Mixed Use Commercial”, which are not listed on page I-9. Please explain these discrepancies.

Staff corrected the Land Use Diagram and redistributed a revised version at the GPAC and Planning Commission meetings.

14. Pg. 1-13, Table LU-1 – can a column be added to this table to show the minimum and maximum building heights or stories for each land use designation?

General Plans do not typically include building height standards. The Zoning Code provides that higher level of specificity.

15. Pg. 1-25, Policy LU-6.4 – please correct the verb tense of the word “configured” (I believe the correct tense is “be configured”).

Modified

16. Pg. 1-26, the section on Business Parks and Job Centers, first para., 3rd line – please correct “provides” to “provide.”
- Duly noted*
17. Pg. 1-30, the Section on Civic and Institutional Uses, Policy LU-8.3, 2nd line – please correct “compatible” to “for compatibility.”
- Changed to “that are compatible”*
18. We have witnessed some of the most devastating disasters throughout the country in the last 90 days and we are seeing all of these families, residents, and homeowners trying to rebuild their lives together. We could make sure that we can have a streamlined system in case there was a disaster and we could get people back in their homes and their lives together without having to stretch it out for two years.
- Added Policy LU-4.10 Disaster Recovery in Existing Neighborhoods.*
19. Chairperson Mann asked if the Station District Mixed Use accommodates hotels.
- Both the Station Mixed Use Commercial and Station Mixed Use Employment designations were intended to allow hotels, but this was not explicitly stated in the designation description. Staff has updated the descriptions for both Station Mixed Use Commercial and Station Mixed Use Employment to make it clear that hotels are allowed (p. 1-8 and 1-9).*

Public Comments:

E. Ames (verbal comments at Planning Commission meeting 11/2/2017):

20. The City is 77 acres short of parkland because Union City is overdeveloped and agricultural parks should be considered for both the Ramirez farm (Caltrans property) and the Flatlands (Masonic Homes Property).
- The 77-acre shortfall is based on a calculation that only includes parklands that are under City ownership. This figure does not reflect the school facilities that provide recreational services to Union City. Nor does the figure reflect agriculture and open space lands that are in public ownership within the City. More than 50 percent of the lands within the city limits are unavailable to development because they are managed by Alameda County Flood Control District, East Bay Regional Parks, and other governmental agencies; or, the lands are protected by the Hillside Area Plan, which discourages development.*
- The Ramirez farm site is owned by Caltrans and has been planned for housing development once the East-West Connector is built. It is in the Housing Element and a park is planned as part of the development of this area. The size, type and exact location have not been determined. The Flatlands are owned by Masonic Homes and the property is subject to the Hillside Area Plan policies.*
- As part of a residential subdivision, the City either requires land to be dedicated as parkland or collects a park-in-lieu fee, depending upon the available land. Given the limited amount of developable land, Union City is now focused on smaller, infill sites to accommodate higher-density residential growth, which do not lend themselves to neighborhood parks. As part of the General Plan Update, the City may target locations for future parks; however, the City would need to: 1) exact the land as part of a residential subdivision (not apartments); 2) acquire the land at market value; or 3) enter into an agreement/partnership with the property owner for a long term share/lease of land for park use.*

21. The Land Use Element should address parks and show parks on the Land Use Diagram.

- In the existing (2002) General Plan, parks are addressed in the Youth, Family, Seniors, and Health Element. City staff plans to retitle this element “Community Health and Quality of Life” and will continue to address parks and recreation in this element. The Land Use Element will be in draft form until approved by the City Council at the end of the process. After the Community Health and Quality of Life Element is updated, staff can re-evaluate whether there needs to be any updates to the Land Use Element with respect to parks and open space.*

22. We don’t need to show high density housing on the Ramirez farm site (Caltrans property).

- The Ramirez farm (Caltrans property) has been designated as housing since the mid-1990s as part of the DIPSA Specific Plan. The site has also been identified in our Housing Element. As part of the most recent Housing Element Update, a portion of the property was rezoned to ensure the City had adequate high density land to meet its Regional Housing Needs Allocation, per State law. This site must be maintained as a high-density designated site to continue to satisfy State law requirements.*

23. We need to look at the bigger picture of financial stability. We have too much residential, and we’re adding mixed-use at the Station District, which is a problem because it mainly ends up being housing.

- As part of the General Plan Update process, the City has strived to provide a balance between jobs and housing. The City is under continuous pressure from the State to construct market rate and affordable housing. Local economic development goals support business and industry to maximize economic return to the City and expand the jobs base. Sometimes the demand for housing and the need for jobs are at odds. The General Plan responds to both.*

24. We don’t have any R&D (research and development) in this plan; is it all industrial, warehouse, or mixed use. Special industrial areas could be designated for R&D. I don’t see how the City is going to get out of their fiscal responsibility and our taxes are going to go up with this kind of a plan.

- The Special Industrial and the Light Industrial designated areas currently allow for and encourage R&D uses. The proposed Mixed Use Employment and Station Mixed Use Employment designations also allow for and encourage R&D.*

M. Ramirez (verbal comments at Planning Commission meeting 11/2/2017):

25. Where is the focus on sustainability, solar, getting away from fossil fuels and gas.

- Sustainability is a major theme of this General Plan and will be addressed throughout the various elements. The Natural and Historical Resources Element and the Public Facilities and Services Element will more directly address energy conservation, greenhouse gas emissions reduction, recycling, water conservation, and other topics related to sustainability.*

26. We could link the training of our high school youth with R&D in say the industrial area by Mexico Lindo that is close enough for the students to get some training and research for jobs that are going to have a sustainable future.

- The Economic Development Element has a section on Workforce Development (ED-8) and policies that include job training, including partnering with the school district.*

27. How are we going to counter gentrification so we can keep the kind of neighborhoods that we have because there is so much displacement going on in our community?

- Gentrification and the displacement of renters is countered with the recently-adopted Just Cause Eviction ordinance and the Rent Mediation ordinance. The City is also subject to State law that mandates cities build more market-rate and affordable housing. The Housing Element is typically the part of the General Plan where housing issues would be addressed.*

28. Where is there space we can house people in open space, tent cities if there is an earthquake or other natural disaster?

- As noted above, staff has added a policy and program language to address rebuilding after a disaster. Additionally, the Health and Safety Element will contain policies to guide disaster recovery.*

V. Cummins (verbal comments at Planning Commission meeting 11/2/2017):

29. You talk about restructuring the impact fees on residential, I really think that we need to restructure them on commercial development as well.

- Impact fees are one-time fees paid at the time of building and grading permit issuance. Commercial developments pay all applicable traffic and fire/life safety impact fees. Commercial development does not pay the park facilities fee and the capital facilities fee, which historically have been assessed on new residential development only. The Council has exempted commercial development from certain fees as an economic development incentive.*

30. There is no place in this land use that says this is going to have 25 acres of open space in this particular area or seven acres here or why can't we have a pocket park or every time you do some land use development policy why can't we say that there is going to be a pocket park there. I really think that there is no place that anybody has talked about how many acres and we are not going to get around to this master plan update by the time you guys finish this land use. I really think that needs to be part of this General Plan update for this land use draft.

- In the existing (2002) General Plan, parks are addressed in the Youth, Family, Seniors, and Health Element. City staff plans to retitle this element "Community Health and Quality of Life" and will continue to address parks and recreation in this element. The General Plan will provide a framework for parks and recreation, and the Parks and Recreation Master Plan will provide more specific details on the amount, location, and type of parks and recreation uses that will be planned. The Land Use Element will be in draft form until approved by the City Council at the end of the process. After the Community Health and Quality of Life Element is updated, staff can re-evaluate whether there needs to be any updates to the Land Use Element with respect to parks and open space.*

L. Gissible (letter sent 11/2/2017):

1. The General Plan 2040 update – Land Use Element draft – Policy LU-1.1 – state that “The City shall promote and support a healthy balance of residential, commercial, open space, institutional and industrial businesses within the city.” This is a worthy goal. However, the detailed Goals & Policies that follows this policy statement do not specifically address Open Spaces & Parks necessary to support a “healthy balance”. Union City needs more parks and open space. This should be clearly identified as a separate Land Use Element to assure continued focus on this important goal. It is the only element of Policy LU1.1 that does not have a specific Goals & Policies statement. I urge the Land Use Element to be expanded to include Goals & Policies related to Open Spaces & Parks. Thank you.

- *In the existing (2002) General Plan, parks are addressed in the Youth, Family, Seniors, and Health Element. City staff plans to retitle this element “Community Health and Quality of Life” and will continue to address parks and recreation in this element. The General Plan will provide a framework for parks and recreation, and the Parks and Recreation Master Plan will provide more specific details on the amount, location, and type of parks and recreation uses that will be planned. The Land Use Element will be in draft form until approved by the City Council at the end of the process. After the Community Health and Quality of Life Element is updated, staff can re-evaluate whether there needs to be any updates to the Land Use Element with respect to parks and open space.*