

# REPORT

To The Honorable Mayor and City Council  
From the City Manager

January 26, 2009

## **SUBJECT**

New General Plan

## **RECOMMENDATION**

1. Advise the Planning Commission on desired process for completing the New General Plan and its companion Programmatic Environmental Impact Report, as it relates to the Cargill Saltworks property;
2. Advise the Planning Commission of the City Council's concurrence with the attached draft land use maps dated January 26, 2009 for the following study area corridors:
  - Middlefield Road
  - Woodside Road
  - El Camino Real
  - Veterans/Broadway

These study area land use alternatives, if conceptually approved, will be made part of the complete Draft Land Use Map and will be used for preparing the New General Plan Elements and associated policies. Once all of these study areas are affirmed, the Redwood City Draft Land Use Map will be designated as the "project" in the Programmatic Environmental Impact Report (EIR) for the New General Plan, pursuant to the California Environmental Quality Act (CEQA).

## **BACKGROUND**

In the fall of 2008, staff developed land use options for the New General Plan and presented them at a community workshop to solicit comments on the Bayfront Area (Alternatives 1-5) and street corridors. Of those who commented on the Bayfront Area during the public workshop, approximately fifty percent wanted to restore the Cargill Saltworks property to wetlands and the other fifty percent believed that there should be some type of development on the property.

In December 2008, the Planning Commission reviewed and discussed various land uses for the Bayfront, and the Woodside Road, El Camino Real, and Veterans/Broadway corridors. The Planning Commission conceptually approved the land uses for the corridors, but raised questions and concerns about some of the Bayfront alternatives. Over the course of several meetings, staff also introduced Alternative 6 (Port Expansion across Seaport, Open Space, and a Mixed Use-Waterfront Neighborhood) on a portion of the Cargill Saltworks property. Subsequently, staff also introduced Alternative 7 (Seaport Expansion, Resources, and Public Recreation) which eliminated the residential portion on the Cargill Saltworks property. At this time City Council also asked staff for an explanation of the alternatives selection process including how alternative 7 was developed and eventually recommended by staff as a starting point for the New General Plan. Council expressed a desire to provide process direction to the Planning Commission and staff.

On January 12, 2009, The City Council received a letter from John Bruno, Vice President and General Manager of DMB Redwood City Saltworks (representing the property owner, Cargill). In the letter, Mr. Bruno requested that the City's general plan process retain the existing "Open Space" and "Urban Reserve" land use categories on the Cargill Saltworks property. He also suggested that the City only evaluate the General Plan designations for the property at the time an application is made to develop the property. The stated reasons for this request were to allow for a more comprehensive approach to evaluate alternatives for the property and also to permit the City to complete its general plan update in a more expedited manner. (Please refer to Attachment 1, letter from DMB Redwood City Saltworks dated January 12, 2009).

On January 13, 2009 the Planning Commission further discussed various land use alternatives for three corridor study areas and also a new corridor for consideration, Middlefield Road. It did exclude, however, the Cargill Saltworks property from the discussion because of Council's request through staff to have the Planning Commission wait for their input. At the conclusion of the meeting, the Planning Commission confirmed their preferred land use alternatives for each and all of the corridor study areas.

The purpose of this report is to provide information and options on the New General Plan process going forward, specifically as it relates to the Cargill Saltworks property, and to provide the City Council with an update of the land use alternatives being generally supported by the Planning Commission, and an opportunity to concur with the draft land use maps dated January 26, 2009 for the four study area corridors.

Upon direction by the City Council, and concurrence of the Planning Commission, the New General Plan team will immediately begin the Programmatic EIR and complete the drafting of policies and writing of the New General Plan elements.

### **Cargill Saltworks Property**

Beginning in the fall of 2008, the New General Plan team prepared land use alternatives for the Cargill Saltworks property for the purpose of public outreach and discussion. As of December 16, 2008, seven alternatives were presented to the public and Planning Commission. These alternatives are summarized in Table One below (see also Attachment 2). At the December 9<sup>th</sup> Commission meeting staff also introduced the concept of "Performance Standards" relative to the Cargill Saltworks property, but which could also apply to land use planning throughout the Bayfront Area to some extent. The standards included:

- No net new water use
- Resolve flooding issues and plan for sea level rise
- Accommodate wetlands restoration
- Support mobile home community
- Provide secondary access (e.g. via Marsh Road)
- Roadway performance criteria (e.g. Level of Service)
- Must not exceed specified carbon thresholds
- Provide active park space
- Net positive fiscal impact for City of Redwood City
- Inclusion of affordable housing
- No interference with Port functions
- Transit linkages

Staff and the consultant team prepared and recommended Alternative 7 (Seaport Expansion, Resource, and Public Recreation) as a response to Planning Commission direction and public comments for an alternative including development which could potentially meet the performance standards (e.g. as opposed to an alternative including residential development which cannot be supported absent a verified, new water supply). Many other criteria formed the recommendation, including most significantly, the consideration of the City's housing needs obligation and capacity for housing on infill sites downtown and along primary corridors which were extensively studied as focus areas, and are within the means of the City's projected water supply. As staff summed up to the Commission: The Cargill Saltworks property is not needed to fulfill state housing allocations projected into the future.

**TABLE ONE: Bayfront Land Use Alternatives – Focus on Cargill Saltworks Property**

Alternative (Date Presented)	Description
Existing Land Use (1990 General Plan)	Urban Reserve and Open Space <ul style="list-style-type: none"> <li>• There are two existing land use designations. Urban Reserve is land preserved for future use to expand the limits of the urbanized area of the City. Open Space is land which is essentially unimproved and is devoted to the preservation of natural resources.</li> <li>• These land use categories allow continued salt crystallization and are compatible with Tidal Plain Zoning and existing Williamson Act contracts which acknowledge the land use as related to agriculture and conservation.</li> </ul>
1 (Sept. 27, 2008)	"Resource" – Bair Island Road Neighborhood Expansion and Resource Management <ul style="list-style-type: none"> <li>• Docktown incorporated into Bair Island Neighborhood</li> <li>• Salt crystallizers designated as "resources"</li> <li>• Industrial land uses left intact</li> <li>• Mixed-use ferry and marina planning areas established</li> </ul>
2 (Sept. 27, 2008)	Regional Commercial Recreation Facility <ul style="list-style-type: none"> <li>• Recreational uses such as stadium, golf course, auto racing, etc.</li> </ul>
3 (Sept. 27, 2008)	Seaport Expansion with Office Technology Emphasis <ul style="list-style-type: none"> <li>• Office and technology land uses expanded along Seaport Boulevard</li> </ul>
4 (Sept. 27, 2008)	Seaport Expansion with Port-related Emphasis <ul style="list-style-type: none"> <li>• Port related land uses expanded along Seaport Blvd.</li> <li>• Office and technology land uses expanded along Seaport Blvd.</li> </ul>
5 (Sept. 27, 2008)	New Mixed Use Neighborhood with Optional Seaport Expansion <ul style="list-style-type: none"> <li>• A new "one school" mixed use neighborhood</li> <li>• Majority of salt crystallizers designated as Recourses</li> <li>• Optional business expansion per Alternative 3 or 4</li> </ul>
6 (Dec. 9, 2008)	New Mixed Use Waterfront Neighborhood with Optional Seaport Expansion <ul style="list-style-type: none"> <li>• Port expansion across Seaport Boulevard with some Industrial-Port Related land buffered by Industrial - Light land</li> <li>• Add Mixed Use Waterfront on 21 acres for floating homes and wetland restoration</li> <li>• 60 acres of parkland on Cargill Saltworks property</li> <li>• One "school neighborhood" per Alternative 5, but with stronger waterfront orientation</li> </ul>
7 (Dec. 16, 2008)	Seaport Expansion, Resources, and Public Recreation <ul style="list-style-type: none"> <li>• Parkland with public access to waterfront open space areas buffered from an expansion of Port-related heavy industrial uses by Port-compatible light industrial land uses</li> <li>• Remainder of the property would be designated as Resource, and includes the portions of the salt crystallizers that were previously acknowledged by the 1990 General Plan as most environmentally sensitive</li> <li>• A new Industrial-Light land use designation in this area compensates for loss of this category in other parts of the City</li> <li>• This alternative does not include the "one school neighborhood" or any residential land uses for the Cargill Saltworks property.</li> </ul>

At the General Plan Workshop on September 27, 2008, the public had the opportunity to comment on the Bayfront Area, the existing Cargill Saltworks property use designations, as well as Alternatives 1 - 5. The comments were mixed, with no one clear concept being predominant:

- The number of comments supporting *Alternative 1: Bair Island Road Neighborhood Expansion and Resource Management* and supporting restoration of the wetlands, open space, or resources was roughly equal to the number of comments supporting development proposed under *Alternative 3: Seaport Expansion with Office-Technology Emphasis*, *Alternative 4: Seaport Expansion with Port-Related Industrial Emphasis*, and/or *Alternative 5: New Mixed-Use Neighborhood with Optional Seaport Expansion*.
- There were a number of comments that expressed support for the “50/50 plan” which staff assumes is the concept of a “50-50 balanced approach” put forth by Redwood City Industrial Saltworks. Absent a plan, staff has not been able to determine enough information about any aspect of this concept for the sake of public discussion.

### **Process Options for the Cargill Saltworks Property**

There are two process options for addressing the Bayfront Area – and the Cargill Saltworks property:

1. Continue to include the Cargill Saltworks property in the New General Plan process.
2. Partition the Cargill Saltworks property from the Bayfront study area, leaving the “Urban Reserve Area” and “Open Space” land use designations unchanged for later study, thereby creating a 2-step general plan process. Such a concept is not new as it was previously considered during the initial scoping of the New General Plan and the subsequent Measure W discussion. Ultimately, the decisions reached were to continue a comprehensive general plan process.

Legal counsel for the City has reviewed the proposed 2-step approach and has concluded that it would comply with all applicable law, including the Planning and Zoning Law and the California Environmental Quality Act (“CEQA”). Government Code section 65358 expressly allows cities to prepare general plan amendments that only apply to portions of a city’s jurisdiction. Further, separate processing of general plan amendments for different areas of the city would not violate any prohibition in CEQA against segmentation of projects. Under applicable case law, the City would only have to analyze future land uses of the Cargill Saltworks property if such land uses were a reasonably foreseeable consequence of a general plan amendment. Under the 2-step process, the City would not be making any determinations or commitments as to future land uses of the Bayfront Area as part of the initial general plan amendment, so the initial Programmatic EIR would not be required under CEQA to specifically address any such land use determinations.

However, the initial PEIR would have to address potential cumulative impacts of the initial general plan amendment together with other probable future projects. In preparing the PEIR’s cumulative impact analysis for the initial general plan amendment, the City may face some challenges in determining how to address the Bayfront Area. At present, because the future designation of the Bayfront Area is unknown and subject to much debate, it is legal counsel’s initial opinion that the initial PEIR’s analysis of cumulative impacts would not be obligated to assess any future development of that area. However, if property owners submit formal development applications for that area, it may behoove the City to consider cumulative impacts of such proposed development as part of its cumulative impacts analysis.

**The advantages of the first option are:**

- Staff has already presented the various land use alternatives to the Planning Commission and public, and there have already been numerous public discussions and rigorous debate.
- Including the Cargill Saltworks property in the New General Plan allows for a more comprehensive vision of the entire city and it is easier to see and understand the relationships between current and future land uses in the entire Bayfront Area.

**The disadvantages to the first option are:**

- The Planning Commission has requested more detailed information to understand impacts of any type of development on the Cargill Saltworks property, which is beyond the scope of a Programmatic EIR for a general plan level review;
- The Planning Commission has not yet reached consensus on any of the alternatives thereby possibly leading to an eighth alternative;
- The Council's Fall 2009 completion goal cannot be met, as the New General Plan's critical path to completion is already off by several months, and there is no more "float" time to absorb even small delays. Additional public meeting time will be required to determine a Planning Commission preferred land use alternative for the Cargill Saltworks property. Study of all alternatives for this property to the extent that the Planning Commission may deem necessary will also extend the schedule.
- Whether or not any land use designation change is sought on the Cargill Saltworks property, any land use designation change on the Cargill Saltworks property as a result of the New General Plan process – and absent rigorous analysis of an eventual development application - may create legal vulnerabilities for the entire New General Plan, including the critical Housing Element.

**Advantages to the 2-step approach:**

- As a result of the Measure W ballot initiative in 2008, the community remains divided on the issue of bay front development, and it is foreseeable that the public's attention on the specific 1,400 acre Cargill Saltworks property would continue to overtake the public discussion necessary to formulate a New General Plan for the entire 21,000 acres of Redwood City.
- A 2-step process will allow for more focused public engagement on the Cargill Saltworks property, with the benefits of a New General Plan as a framework, and presumably a specific project proposal from DMB Cargill Saltworks.
- The City will have time later to study a broader range of alternatives that are both more detailed and targeted to the Cargill Saltworks property.
- The City may consider additional land use alternatives for the Cargill Saltworks property.
- There is a reasonable chance of getting the New General Plan and Programmatic EIR approved by late Fall 2009 – but there can be no further delays for this goal to be realized.
- Partitioning of the Cargill Saltworks property from the Bayfront study area would reduce the risk of the entire New General Plan being subject to a legal challenge that would be specifically focused upon the Cargill Saltworks property.

**Some disadvantages of the 2-step approach are:**

- It would result in further delay in determining the ultimate land use designations for the Cargill Saltworks property and thus leave unresolved an issue of significant

- community concern and controversy;
- It could lead to practical difficulties in assessing the cumulative impacts of any future development of the Cargill Saltworks property as part of the PEIR for the initial general plan amendment.

Whichever option is selected, a Programmatic EIR is required. In the first option, the PEIR will be prepared to analyze various alternatives for the Cargill Saltworks property (“no project”, “reduced intensity”, and “alternate growth strategies”. In the second approach, a PEIR will be prepared with respect to the entire City except the Cargill Saltworks property. The City would still need to conduct a “cumulative analysis” in the PEIR with respect to the potential development of the Cargill Saltworks property. The City would need to anticipate a foreseeable project on the property and incorporate it in the PEIR analysis.

Attachments 3 – 5 describe the relationship between the two process options and their associated Programmatic EIRs. This information is conceptual at this time, as the specifics associated with the scope of the PEIR are yet to be determined via the CEQA-mandated public scoping process.

### **Land Use Corridors**

Staff has been working on land use alternatives for significant corridors study areas in Redwood City. Corridors serve as the most visible pathways into and through the City, and provide the most promising and foreseeable land use intensification opportunities (“smart growth”). People compose their impressions of a community’s visual structure and character on the basis of what they see and remember as they move through a community’s major pathways. Corridor planning, along with planning around major transit hubs such as the downtown have determined the most significant land use validations and changes which require consideration in the New General Plan. They include: Middlefield Road, El Camino Real, Veterans and Broadway, and Woodside Road. These corridors are important as they are a major spine for circulation purposes, but also serve as “complete streets” used by pedestrians and adjoining neighborhoods for goods and services.

A description of the corridors and the Planning Commission’s preferred land use alternatives and maps are described in Attachment 6. Also please refer to Attachment 7, the draft land use map for city-wide land uses.

### **Next Steps**

Upon direction by City Council, and concurrence of the Planning Commission, the New General Plan team will immediately begin the Programmatic EIR and complete the drafting of policies and writing of the New General Plan elements. Depending on the process option selected by the City Council, this may or may not include the Cargill Saltworks property.

### **ALTERNATIVES**

1. Direct Planning Commission to select one of the previously reviewed alternatives (Alternatives 1 – 7) for the Cargill Saltworks property.
2. Direct staff to prepare *new* alternatives for Cargill Saltworks property understanding that the schedule will be impacted for Planning Commission consideration by at least three months.
3. Suspend the New General Plan process, however, letting the Housing Element move forward. This alternative will result in a decreased ability for state certification.

**FISCAL IMPACT**

Depending on what process option the City Council selects, there may need to be additional work and time spent on the project than originally anticipated. This may lead to additional costs. Staff will report back to the General Plan Committee in February with an updated schedule and cost implications.



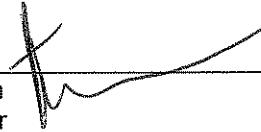
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**ATTACHMENTS**

1. Letter from Redwood City Saltworks dated January 12, 2009
2. Draft Bayfront Study Areas (Existing Alternatives 1 – 7)
3. PEIR Process Summary Table: 1-Step General Plan
4. PEIR Process Summary Table: Step 1 of 2-step General Plan
5. PEIR Process Summary Table: Step 2 of 2-step General Plan
6. Draft Corridor Study Areas Land Use Highlights and Maps
  - a. Woodside road (Alt. 2)
  - b. El Camino Real (Alt. 3)
  - c. Veterans/Broadway (Alt. 4)
  - d. Middlefield Road (Alt. 1)
7. Draft Redwood City Land Use Map