

**REPORT TO MAYOR AND CITY COUNCIL****TO THE HONORABLE MAYOR AND CITY COUNCIL:**

DATE: June 24, 2014

**SUBJECT:            ADOPT RESOLUTION NO. 14-4823.1 APPROVING THE ADDENDUM TO THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SEIR) TO THE 2030 CONCORD GENERAL PLAN EIR FOR THE CONCORD DEVELOPMENT CODE PROJECT AND ADOPTING THE DOWNTOWN CONCORD SPECIFIC PLAN GENERAL PLAN AMENDMENT (PL14160-GP) AS VOLUME IV TO THE CONCORD 2030 GENERAL PLAN**

**Report in Brief**

On May 21, 2014, the Planning Commission unanimously (4-0, Obringer recused) recommended that the City Council approve the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the *2030 Concord General Plan* EIR for the Concord Development Code Project and then unanimously recommended that the City Council adopt the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the *Concord 2030 General Plan*.

The City Council is requested to review and adopt Resolution No. 14-4823.1 (Attachment 1) approving the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the *2030 Concord General Plan* EIR for the Concord Development Code Project (“Addendum”) and adopting the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the *Concord 2030 General Plan* (“Downtown Plan”).

**Background**

In January 2013, the development of the Downtown Concord Specific Plan (Downtown Plan) was initiated for the Downtown Concord Priority Development Area (PDA). The Downtown Plan was funded primarily through a \$480,000 grant from the Metropolitan Transportation Commission (MTC), with matching and in-kind funding provided by the City. The Downtown Plan will serve as an economic development tool with the advantage of combining the land use plan, specific zoning, context specific regulations to address unique conditions as well as infrastructure strategies and funding programs into one comprehensive package. Two Council members (Leone and Grayson) served as Chair and Vice-Chair of the 13-member Downtown Steering Committee (DSC) created to guide the effort. The DSC also included representatives from the City’s Planning Commission, Design Review Board, the Concord Chamber of Commerce, Todos Santos Business Association and five (5) at-large members (See Attachment 1A for a listing of names). A Technical Advisory Committee also provided guidance to the effort with local and regional representatives from agencies including BART, Contra Costa Water District, Central Contra Costa Sanitary District, ABAG, Contra Costa Transportation Authority and Central Contra Costa Transit Authority.

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Senate Bill (SB) 375 requires the Bay Area and other California metropolitan areas to develop integrated regional land-use and transportation plans to meet state targets for reducing greenhouse gas emissions from cars and light trucks. It also requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land use policy. Achieving the goals of these laws will require significant increases in the use of public transit, bicycling, and walking. In the Bay Area, a regional Sustainable Communities Strategy (SCS) was developed in conjunction with the Association of Bay Area Governments (ABAG), which is responsible for land use and housing assumptions and synchronizes the Regional Housing Needs Allocation (RHNA) process to be consistent with the development pattern in the SCS. The SCS is used to achieve the required reductions in emissions by promoting compact, mixed-use commercial and residential development that is walkable, bikeable and in close proximity to mass transit, jobs, schools, shopping, and other amenities.

The City has made steady progress toward supporting these regional efforts over the last year through the adoption of a Citywide Climate Action Plan in July 2013, approval of a Complete Streets Amendment to the *2030 General Plan* on December 10, 2013, and embarking on the Downtown Plan process. In early 2012, the Downtown Concord BART Station area was formalized as a PDA making the area eligible to compete for future regional funding. In April 2012, the City was awarded a PDA grant to prepare a Downtown Plan, allowing the City to retain a consultant to conduct the community engagement process and initiate the Downtown Plan.

There are many benefits associated with the PDA Program and the development of a specific plan for the City's Downtown PDA. One of the primary benefits is that it will leverage grant funding, ensuring Concord's eligibility for future state and regional grant opportunities and enabling the City to comply with other State mandates. Areas designated as PDAs are eligible for additional technical assistance and funding for certain types of planning studies and capital projects from regional and state sources.

The Council-appointed Downtown Steering Committee (DSC) has: 1) guided the Specific Plan process; 2) met 11 times to discuss all aspects of the Downtown Specific Plan; and 3) provided regular feedback to the project team. A designated page on the City's website titled the Downtown Concord Specific Plan Project for the Downtown Concord BART Priority Development Area (<http://www.cityofconcord.org/downtownplan/>) has served as the repository of information for the project including agendas, minutes, reports, and updates as the effort proceeded.

As part of the Community Outreach Plan initiated in January 2013, staff has provided regular updates to the Planning Commission and City Council at key junctures in the schedule. The DSC selected a preferred land use strategy during the Summer of 2013 and this land use strategy was supported by the City Council and Planning Commission when they reviewed it on September 24, 2013 and October 16, 2013, respectively. Once the broad outlines of the land use strategy were defined, the project team worked with the DSC to develop the Draft Specific Plan. The Planning Commission reviewed the Draft Specific Plan on May 7, 2014 and May 21, 2014 and is recommending approval to the Council of the Addendum and adoption of the Downtown Plan. If adopted by the City Council, the Downtown Plan will inform the Housing Element Update currently being prepared for the Cycle 5 period 2014-2022. The draft Housing Element Update document is scheduled for review by the City Council on July 8, and then submittal to the State Department of Housing and Community Development for a 60-day review.

**Discussion**

**A. Overview of the Downtown Plan General Plan Amendment**

The Downtown Plan includes the following components: 1) Development of a downtown vision; 2) A community engagement process to further the preparation of the Downtown Plan; 3) Preparation of goals, policies and implementation strategies to promote enhanced pedestrian and bicycle access to and from the BART Station, attractive high-density infill, incentives for affordable housing, and improved transit; and 4) Development of strategies to spur new development and investment in the area.

The Downtown Plan will serve an important role as an economic development tool and will help to focus public and private efforts toward improvements in the downtown. The draft Downtown Plan has already been successfully used to assist the City in obtaining additional MTC grants for the Salvio Street Streetscape project, and staff is considering additional grant submittals in the fall for further implementation of plan elements.

**Land Use Development Strategy**

The Downtown Plan establishes the land use plan, infrastructure plan, development regulations and design guidelines which govern future development. The current zoning for most of the central Downtown includes Downtown Pedestrian (DP) and Downtown Mixed Use (DMX) zoning; both districts encourage intensified and flexible land uses. As a result, no rezoning is necessary through the Downtown Plan. Due to the flexibility of the Development Code (adopted in July 2012 as Chapter 122 of the City of Concord Municipal Code) in terms of the uses currently allowed (general retail, office, restaurants are all allowed uses) and those allowed with a Use Permit (multi-family, mixed use, live work units), the Downtown Plan focused on implementation and phasing strategies to promote specific uses within the downtown, in particular within the City’s transit overlay district adjacent to the BART station.

A summary of the development envisioned for the downtown area over the next 20 to 25 years is shown below in two phases, with information regarding the existing development within the PDA in the top row of the table included for comparison. This level of development is consistent with the land use designations provided for within the General Plan and more recently by the Development Code.

**Summary of Development for  
Downtown PDA  
(Projection to Year 2040)**

|                         | <b>Housing Units<sup>1</sup></b> | <b>Residents</b> | <b>Office</b> | <b>Retail</b> | <b>Jobs</b> |
|-------------------------|----------------------------------|------------------|---------------|---------------|-------------|
| <b>Existing</b>         | 4,429 <sup>2</sup>               | 10,700           | 2,840,000     | 1,500,000     | 9,278       |
| <b>Phase I</b>          | 3,465                            | 8,680            | 586,400       | 281,200       | 2,900       |
| <b>Phase II</b>         | 555                              | 1,420            | 981,500       | 462,000       | 4,820       |
| <b>Phase I+II</b>       | 4,020                            | 10,100           | 1,567,900     | 743,200       | 7,720       |
| <b>Total Projection</b> | 8,449                            | 20,800           | 4,407,900     | 2,243,200     | 16,998      |

<sup>1</sup>. Assumes average 1,000 sq. ft. unit.

<sup>2</sup>. Includes 179 units of approved Renaissance Phase II apartments.

The relevant goals for the Downtown Plan envision the PDA as a bustling, transit-oriented, urban space serving as both a magnet of activity for the City as well as a more regional commuter hub for central Contra Costa County. Specific goals for the Downtown Specific Plan project area include:

- Increasing BART ridership and efficiency of multi-modal connections;
- Intensifying uses and development densities above current levels;
- Promoting mid- and high-density housing;
- Constructing housing projects for a mix of housing types and income levels;
- Increasing job creation;
- Enhancing a strong business climate and expanding the City's economic base; and
- Implementing strategies to foster a vibrant downtown prior to initiation of construction within the Concord Community Reuse Project (Naval Weapons Station).

## Implementation Strategies

The Downtown Plan will provide the City with a mechanism to manage growth in the Downtown area by utilizing an implementation matrix of strategies to regularly revisit and "field truth" goals, objectives, and policies as circumstances change. Periodic reporting via the annual General Plan progress report on the status of performance indicators will provide the information necessary to guide adjustments in the Downtown Plan over time to achieve the desired results.

Based on the DSC meetings and Community Workshops held, the following highlights are included in the Downtown Plan. It is important to note that the Downtown Plan does not propose any rezoning, but rather focuses on implementation strategies to more quickly encourage the full potential of growth possible within the PDA by:

- Providing a stronger connection along Grant Street between Todos Santos Plaza and BART.
- Offering a looping shuttle to easily transport residents and commuters from BART to Todos Santos Plaza and major office and retail uses.
- Providing a greenway (consisting of streetscape/landscape improvements within the current right-of-way) to improve access and walkability while facilitating access to the major destinations within the downtown. This includes a greenway under the BART tracks to connect existing trails/walkways.
- Providing traffic smoothing/management at key locations within the downtown.
- Creating a range of implementation strategies to facilitate growth, economic development and a move toward complete streets at key locations within the downtown.
- Highlighting the City's historic connections and providing an emphasis on Early California architecture through design guidelines without becoming overly prescriptive.

## Urban Land Institute Technical Assistance Panel

Staff received the comments from the Urban Land Institute Technical Assistance Panel (ULI Panel) that was hosted at the Civic Center on April 25<sup>th</sup>. The ULI Panel conducted a 2-day intensive study of the downtown and provided a listing of immediate actions as well as implementation strategies they believed would benefit the City's downtown. The ULI Panel presentation provided confirmation that the Downtown Plan was on the right track in terms of the goals, policies and strategies. The ULI Panel was timely in that it allowed staff to highlight those strategies noted by the Panel as necessary "immediate

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actions” in the Downtown Plan to focus the initial stages. These are included in Chapter 7 of the Plan. Many of the strategies noted by the ULI were already included in the Plan but not necessarily prioritized as “immediate;” staff was able to incorporate one additional strategy (T-1 G regarding re-examining signal timing on through streets especially during mid-day) noted by the ULI, into the Downtown Plan, prior to the Planning Commission review.

## Community Engagement Process

The necessity for a robust community engagement process to develop a vision for the area has been central to discussions since the inception of the plan. The Community Outreach Plan focused on obtaining input from a variety of community members including residents, businesses, local and regional stakeholders and transportation partners. A strong community engagement process remained a focus throughout plan preparation. The planning process included the following meetings:

- Downtown Ideas Fair - To obtain input from residents & stakeholders within the Downtown (Sept. 22, 2012)
- Four (4) Technical Advisory Committee (TAC) meetings (March 13, April 3, June 3, Sept 9 in 2013)
- Eleven (11) Downtown Steering Committee (DSC) meetings (March 13, April 18, June 3, July 1, July 22, August 5, September 9, and October 15 in 2013, January 13, March 31, and April 28, 2014).
- Three (3) Community Workshops (May 6<sup>th</sup> and October 7<sup>th</sup> of 2013, and January 27<sup>th</sup> 2014)
- One developer panel (July 9, 2013) with the additional ULI Panel held on April 25<sup>th</sup>, 2014.
- Stakeholder meetings and individual outreach meetings in 2013 (Feb. 27 – affordable housing interests, and August 27 – Doris Court neighborhood, as well as a variety of one on one meetings)
- Planning Commission and City Council updates – provided on June 19, 2013 (PC), September 24, 2013 (CC), October 16, 2013 (PC), January 15, 2014 (PC) and February 24, 2014 (CC).
- Planning Commission public hearings on May 7, 2014 and May 21, 2014.

These meetings were focused on providing background information, developing the existing conditions report, engaging broader community involvement, discussing and evaluating land use alternatives, obtaining feedback on technical issues, determining a preferred land use strategy, expanding on that strategy, and preparing the Downtown Plan.

## Web Page

Staff implemented a project specific webpage for the Downtown Specific Plan. All of the documents associated with the above tasks can be found on the webpage at [www.cityofconcord.org/downtownplan](http://www.cityofconcord.org/downtownplan). In addition, agendas and meeting minutes for recent and upcoming meetings are frequently uploaded to the site.

## **B. Planning Commission Review**

The Planning Commission met and reviewed the Downtown Plan on May 7<sup>th</sup> and May 21<sup>st</sup>. The minutes from those meetings are included as Attachment 3, the Resolution from the May 21<sup>st</sup> meeting is Attachment 4, and the previous staff reports have been included as Attachments 5 and 6. An Errata sheet of minor changes recommended for the document was maintained during the Planning Commission

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hearings, based upon comments and correspondence received during those meetings. The Errata sheet is brought forward for Council review as Attachment 2. These modifications have now been incorporated into the final copy of the Downtown Plan, dated June 6, 2014, being provided to the City Council.

During the May 7<sup>th</sup> Planning Commission meeting, a member of Greenbelt Alliance recommended that the Plan needed to set forth a clearer vision with respect to bicycles and pedestrians. Staff noted that the framework is outlined within the Downtown Plan and that the specifics were intended to be studied within the Citywide Bicycle and Pedestrian Master Plan, currently being scoped with an RFP process intended to be initiated in the Summer of 2014 on that project. These comments also requested that a stronger vision be included regarding inclusion of affordable housing. Staff notes that the “Downtown Vision” included within the Downtown Plan already includes the expectation of a “diverse mix of ages, incomes and housing types” within the community. In addition, implementation strategies H-1 A-G address affordable housing. Following further discussion of the Downtown Plan, the Commission voted unanimously (3-1 excused absence (Hoag) and 1 recusal Obringer) to continue the item to their next meeting of May 21<sup>st</sup> to allow further review of the plan.

During the May 21st meeting, additional comments were received from representatives from Greenbelt Alliance, Monument Impact and East Bay Housing Organizations (EBHO), regarding the need for affordable housing, good jobs with living wages, increased lighting for safety and the need for better circulation for bicycles.

The Commission voted unanimously (4-0, recusal Obringer) to adopt the updated Resolution 14-14 PC recommending City Council approval of the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the *2030 Concord General Plan* EIR for the Concord Development Code Project, and adoption of the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV of the *Concord 2030 General Plan*, as modified based on the Errata Sheet, dated May 21<sup>st</sup>, benched that evening.

### **C. California Environmental Quality Act (CEQA)**

The City prepared the Downtown Plan to provide broad policy concepts, guidelines, and standards for public and private enhancements to the Downtown Concord PDA. To meet the requirements of CEQA, an Addendum was prepared. Conditions within the Downtown Concord Priority Development Area (PDA) have not changed substantially since the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project was adopted and the Downtown Plan proposes development essentially identical to that envisioned in the General Plan and SEIR. The Addendum (Exhibit A to Attachment 1, incorporated by reference) did not include major revisions to the SEIR and all impacts identified are consistent with those in the SEIR. The Transportation Assessment (Appendix A to the Addendum (Exhibit A) prepared by Fehr and Peers in January 2014 confirmed that implementation of the Downtown Plan (Exhibit B to Attachment 1, incorporated by reference) would not result in traffic impacts not previously identified in the SEIR. The Addendum concludes that no new or substantially more severe significant effects would occur and no additional mitigation measures are required. Consequently, all mitigation measures would continue to be adequate and implementation of these measures would continue as prescribed in the SEIR.

CEQA does not require that an Addendum be circulated to the public or agencies. However, as a courtesy given interest in the project, and in the interest of transparency, an Addendum was made

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available to the public for review on January 27, 2014 and the public was informed that comments would be accepted until February 24, 2014. The document was made available at the Permit Center lobby counter and on the City's webpage. The City received two (2) comment letters or e-mails on the Addendum (Attachment 7). Responses to these comments were addressed within the Planning Commission staff report (Attachment 5). However, in both cases, the correspondence was not found to contain specific comments regarding the SEIR's or the Addendum's analysis of environmental impacts. For these reasons, the Addendum meets the requirements of CEQA and the City of Concord.

In addition, State planning law also requires cities and counties to contact and consult with California Native American Tribes prior to amending or adopting any general plan or specific plan, or designating land as open space. Accordingly, staff obtained a list of tribes from the Native American Heritage Commission and mailed a letter on January 30, 2014, beginning a 45-day review period, per California General Code Section 65352(a)(8). No comments were received during the Tribal consultation process.

### **Fiscal Impact**

The completion and approval of the Downtown Plan will have a beneficial fiscal impact on the City by enabling the City to be eligible for future grants from State and regional agencies and will streamline future development by providing specific policies, and implementation and financing strategies. As an example, the City was recently advised that the Metropolitan Transportation Commission staff would be recommending the City for the award of a Technical Assistance Grant for the Salvio Street Streetscape project, based on a request submitted by staff in April, as a result of the pending Downtown Plan.

### **Public Contact**

Notice of the Public Hearing was published in the Contra Costa Times on June 10, 2014. Notice of this item was also posted at the Concord Civic Center at least 10 days prior to the hearing.

The public outreach for the Specific Plan has been ongoing since January 2013 through the implementation of the Community Outreach Plan for the project, as discussed earlier in this report. Additional public outreach for the project has also been implemented through press releases and the creation of a dedicated page on the City's website (<http://www.cityofconcord.org/downtownplan/>) to provide regular updates, maintain the schedule of meetings, provide key reports, agendas and minutes for regular meetings, and copies of the draft and current Downtown Plan and environmental documents. Staff also utilized social media to provide outreach on the most recent Open House. Power point presentations for each of the meetings have also been uploaded to the site. All property owners and tenants in the project area were sent notices regarding the most recent Open House/Community Workshop details.

### **Recommendation for Action**

Staff recommends that the City Council adopt Resolution No. 14-4823.1, approving the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the *2030 Concord General Plan* EIR for the Concord Development Code Project and adopting the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the *Concord 2030 General Plan*.

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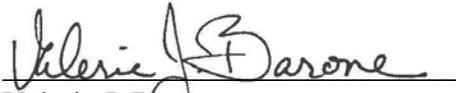
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- Attachment 1: Resolution No. 14-4823.1 Approving the Addendum to the Final Supplemental Environmental Impact Report to the 2030 Concord General Plan EIR for the Concord Development Code Project (Exhibit A - Addendum) and Adopting the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the Concord 2030 General Plan (Exhibit B – Downtown Plan, dated June 6, 2014)
- Attachment 1A: Downtown Steering Committee roster
- Attachment 2: Errata Sheet of Modifications to the Downtown Plan, dated May 21, 2014
- Attachment 3: Final Planning Commission meeting minutes from May 7 and May 21, 2014
- Attachment 4: Resolution No. 14-14 PC (without attachments)
- Attachment 5: Planning Commission staff report dated May 7, 2014 (without attachments and benched items)
- Attachment 6: Planning Commission staff report dated May 21, 2014 (without attachments and benched items)
- Attachment 7: Greenbelt Alliance letter and Adam Foster Email

**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution Approving the Addendum to the Final  
Supplemental Environmental Impact Report (SEIR)  
to the 2030 Concord General Plan EIR for the  
Concord Development Code Project, and Adopting  
the Downtown Concord Specific Plan General Plan  
Amendment (PL14160-GP) as Volume IV of the  
Concord 2030 General Plan**

**Resolution No. 14-4823.1**

**WHEREAS**, the City of Concord adopted the Concord 2030 General Plan on October 2, 2007 (“General Plan”); and

**WHEREAS**, the City of Concord concurrently certified the Final Environmental Impact Report for the Concord 2030 General Plan on October 2, 2007 (“General Plan EIR”); and

**WHEREAS**, the City of Concord adopted Chapter 122 of the Concord Municipal Code (“Development Code”) on July 24, 2012; and

**WHEREAS**, the City of Concord concurrently certified the Supplemental Environmental Impact Report to the 2030 Concord General Plan EIR for the Concord Development Code Project on July 24, 2012 (“SEIR”); and

**WHEREAS**, Plan Bay Area represents the nine-county region’s long-range plan to meet the requirements of the State of California’s *SB 375 Linking Regional Transportation Plans to State Greenhouse Gas Reduction Goals*, and calls on each of the State’s 18 metropolitan areas to develop a Sustainable Communities Strategy (SCS) to accommodate future population growth and reduce greenhouse gas (GHG) emissions from cars and light trucks. Working in collaboration with cities and counties, the Plan advances initiatives to expand housing and transportation choices, create healthier communities, and build a stronger regional economy. The GHG reduction target for the Bay Area is a 15 percent per capita reduction by 2035; and

**WHEREAS**, in the Bay Area, a regional SCS was developed in conjunction with the Association of Bay Area Governments (ABAG), which is responsible for land use and housing assumptions and synchronizes the Regional Housing Needs Allocation process (RHNA) to be consistent with the development pattern in the SCS. The SCS is the mechanism intended for

1 achieving the required reductions in emissions by promoting compact, mixed-use commercial and  
2 residential development that is walkable, bikeable and in close proximity to mass transit, jobs,  
3 schools, shopping. Other positive outcomes of the SCS include more transportation choices for  
4 residents, the creation of more livable communities and a reduction in the pollutants associated with  
5 climate change; and

6 **WHEREAS**, regional agencies including the Metropolitan Transportation Commission (MTC)  
7 work to support local governments' commitment to goals focused on compact, transit-oriented  
8 development by directing existing and future incentives to Priority Development Area (PDAs),  
9 locally-identified as infill development opportunity areas located near transit; and

10 **WHEREAS**, as described in MTC's Transit-Oriented Development Policy, to assist cities in  
11 meeting these goals, MTC launched a Station Area Planning grant program in 2005 to fund city-  
12 sponsored planning efforts for the areas around future stations. These station-area and land-use plans  
13 are intended to address the range of transit-supportive features that are necessary to support high  
14 levels of transit ridership; and

15 **WHEREAS**, the PDA Planning Program funds comprehensive planning in PDAs that will  
16 result in intensified land uses around public transit hubs and bus and rail corridors in the nine-county  
17 San Francisco Bay Area intended to increase the housing supply and jobs within the planning area,  
18 boost transit ridership, promote multi-modal connections, and locate key services and retail within the  
19 planning area; and

20 **WHEREAS**, Government Code section 65358 et seq. provides for the amendment of all or  
21 part of an adopted general plan; and

22 **WHEREAS**, Development Section 122-1099 et seq. sets forth City requirements with respect  
23 to general plan amendments; and

24 **WHEREAS**, the City has complied with the foregoing as well as other applicable  
25 requirements of the Local Planning Law (Government Code section 65100 *et seq.*), and the City's  
26 ordinances and resolutions with respect to general plan amendments; and

27 **WHEREAS**, on January 9, 2013, the City initiated application No. PL14160-GP for the  
28 Downtown Concord Specific Plan General Plan Amendment to add a new Volume IV of the General  
Plan with the goals of 1) increasing BART ridership and efficiency of multi-modal connections; 2)  
jump starting intensification of uses and densities from current built levels; 3) promoting mid and

1 high-density housing; 4) constructing housing projects for a mix of housing types and income levels;  
2 4) increasing job creation; 5) enhancing a strong business climate and expanding the City's economic  
3 base; and 6) implementing strategies to foster a vibrant downtown; and

4 **WHEREAS**, the Downtown Concord Specific Plan ("Downtown Plan," attached hereto as  
5 Exhibit B and incorporated by reference) identifies strategies in the categories of Land Use, Economic  
6 Vitality, Transportation and Circulation, Infrastructure, Design Guidelines and Funding Programs that  
7 will further assist the City in achieving State-recommended GHG emission reductions; the Downtown  
8 Plan is intended to be added to and become part of the General Plan as new Volume IV thereof; and

9 **WHEREAS**, the Downtown Plan identifies goals and policies to complement the City's  
10 Complete Streets policies (incorporated into General Plan as previous Text Amendment through  
11 Resolution No. 13-4823.1 on Dec. 10, 2013) through identifying a street typology overlay,  
12 establishing a pedestrian priority zone, developing a bicycle network to be further refined as part of  
13 the Bicycle and Pedestrian Master Plan, collaborating with transit providers to enhance efficiency, and  
14 other related policies intended to make the most efficient use of urban land and transportation  
15 infrastructure, improve public health by encouraging physical activity, reduce vehicle miles traveled  
16 and increase number of short trips attributed to biking, walking, and use of public transit, and reduce  
17 GHG emissions; and

18 **WHEREAS**, on June 19, 2013 October 16, 2013, and January 15, 2014 the Planning  
19 Commission received staff reports on the Downtown Plan and on September 24, 2013 and February 4,  
20 2014 the City Council received staff reports on the Downtown Plan, and considered evidence  
21 presented by City staff and other interested parties; and

22 **WHEREAS**, the City provided a public review period for the Downtown Plan between  
23 January 27, 2014 and February 24, 2014 and received three comment letters from Transform, Frank J.  
24 Dodd (property owner) and a third joint letter from the Community Coalition for a Sustainable  
25 Concord, Greenbelt Alliance, East Bay Housing Organizations, Monument Community  
26 Partnership/Michael Chavez Center and Bike East Bay; and

27 **WHEREAS**, staff reviewed the letters received from the public comment period, responded to  
28

1 the letters, and incorporated applicable feedback in the Downtown Plan, or in some cases more  
2 appropriately will incorporate comments within the Housing Element Update currently being  
3 prepared, and/or the Citywide Bike and Pedestrian Master Plan (the RFP to be initiated in July 2014);  
4 and

5 **WHEREAS**, staff hosted an Urban Land Institute Technical Advisory Panel on April 25,  
6 2014, that provided input and recommendations based on the review of a panel of development related  
7 specialists regarding their examination of Downtown Concord, the recommendations of which were  
8 included (in the May 7<sup>th</sup> Planning Commission staff report, on file with the Planning Division) and  
9 incorporated as appropriate into the Downtown Plan for adoption by the City Council; and

10 **WHEREAS**, pursuant to the provisions of the California Environmental Quality Act of 1970,  
11 Public Resources Code § 21000, et seq., as amended and implementing State CEQA Guidelines, Title  
12 14, Chapter 3 of the California Code of Regulations (collectively, “CEQA”) the City determined that  
13 preparation of an Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the  
14 2030 Concord General Plan EIR for the Concord Development Code project (“Addendum”, a copy of  
15 which is attached hereto as Exhibit A and incorporated by reference) would be the appropriate  
16 environmental document to determine if the Downtown Plan would have any significant effect on the  
17 environment and meet the requirements of CEQA, due to the fact that: 1) the Preferred Land Use  
18 Strategy associated with the Downtown Plan does not propose any rezoning; 2) no increase in traffic  
19 is planned beyond that anticipated within the General Plan EIR and the Development Code SEIR; and  
20 3) the City has an adopted Citywide Climate Action Plan; and

21 **WHEREAS**, CEQA does not require that addenda to environmental impact reports be  
22 circulated to public agencies, nor are responses to comments required. However, as a courtesy, given  
23 interest in the project, an Addendum was prepared and made available to the public from January 27,  
24 2014 through February 24, 2014; and

25 **WHEREAS**, two comment letters/e-mails were received from the public during that period,  
26 with both received on February 24, 2014, from 1) Greenbelt Alliance, and 2) property owner and  
27 resident Adam Foster (attached to staff report as Att. 7); for which responses were included within the  
28

1 May 7<sup>th</sup> Planning Commission staff report, but in both cases, it was determined the correspondence  
2 did not contain a specific comment regarding the analysis of environmental impacts contained in the  
3 Addendum, and therefore the Addendum meets the requirements of CEQA and the City of Concord  
4 and no further response is required; and

5 **WHEREAS**, the Planning Commission, after giving all public notices required by State law  
6 and the Concord Municipal Code, held a duly noticed public hearing on May 7, 2014 on the proposed  
7 Downtown Plan and the Addendum; and

8 **WHEREAS**, at such public hearing, the Planning Commission considered all oral and written  
9 information, plans, testimony, and comments received during the public review process, including  
10 information received at the public hearing, the oral report from City staff, the written report from City  
11 staff dated May 7, 2014, the Addendum, the General Plan EIR, the SEIR, the General Plan, Municipal  
12 Code, Development Code, applicable laws and regulations, and all associated approved and certified  
13 environmental documents), and all other information contained in the record of proceedings and the  
14 City's files relating to the Downtown Plan, which are maintained at the offices of the City of Concord  
15 Planning Division (collectively, "PC Project Information"), as well as benched items 1-4 (1) e-mail  
16 from Christine Cheung regarding 2400 Willow Pass Road, 2) E-mail from Adam Foster, 3) Errata  
17 Sheet of changes, dated May 7, 2014, and 4) ULI Powerpoint Presentation) brought forward by staff,  
18 in accordance with the applicable law, including the requirements of CEQA and the City of Concord  
19 Municipal Code, and at the conclusion of the meeting, made a motion to continue the meeting to a  
20 date certain, May 21, 2014, to allow further review of the document by the Commission and the  
21 public and then voted (3-0, 1 excused (Hoag), 1 recusal (Obringer)) to continue the item; and

22 **WHEREAS**, the Planning Commission, after giving all public notices required by State law  
23 and the Concord Municipal Code, held the continued public hearing on May 21, 2014 on the proposed  
24 Downtown Plan and the Addendum; and

25 **WHEREAS**, at such public hearing, the Planning Commission considered all oral and written  
26 information, plans, testimony and comments received during the public review process, including  
27 information received at the public hearing, the oral report from City staff, the written report from City  
28

1 staff dated May 7, 2014, and brief subsequent report dated May 21, 2014, the Addendum, the General  
2 Plan EIR, the SEIR, the General Plan, Municipal Code, Development Code, applicable laws and  
3 regulations, and all associated approved and certified environmental documents), and all other  
4 information contained in the record of proceedings and the City's files relating to the Downtown Plan,  
5 which are maintained at the offices of the City of Concord Planning Division, 1950 Parkside Drive,  
6 Bldg. D (all of which are included in the defined term "PC Project Information"), as well as benched  
7 items 1-2 (1) Updated errata sheet, dated May 21, 2014 and 2) Memo to Planning Commission with  
8 attached E-mails dated May 21, 2014) brought forward by staff, in accordance with the applicable  
9 law, including the requirements of CEQA and the City of Concord Municipal Code; and

10 **WHEREAS**, after consideration of all the PC Project Information, the Planning Commission  
11 based upon all pertinent documents and public testimony, passed and adopted Planning Commission  
12 Resolution No. 14-14PC (maintained at the offices of the City of Concord Planning Division)  
13 recommending that the City Council approve the Addendum to the Final Supplemental Environmental  
14 Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code  
15 Project, and adopt the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as  
16 Volume IV of the Concord 2030 General Plan; and

17 **WHEREAS**, the City Council after giving all public notices required by State law and the  
18 Concord Municipal Code, held a duly noticed public hearing on June 24, 2014, to consider the  
19 Addendum and the Downtown Plan; and

20 **WHEREAS**, at such public hearing, the City Council considered all testimony and  
21 information received at the public hearing, the oral report from City staff, the written report from City  
22 staff dated June 24, 2014, exhibits presented, pertinent plans and documents, the Addendum (Exhibit  
23 A), the PC Project Information, and other materials and information contained in the record of  
24 proceedings relating to the Downtown Plan (Exhibit B), which are maintained at the offices of the  
25 City of Concord Planning Division and City Clerk's office at City Hall, 1950 Parkside Drive  
26 (collectively, "Project Information"), and thereafter declared their intent to approve the Addendum  
27 and adopt the Downtown Plan.

1           **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:** that the City Council does  
2 hereby approve the Addendum and adopt the Downtown Plan, as Volume IV to the Concord 2030  
3 General Plan and further makes the following findings:

4 **Section 1. Recitals.** The recitals above are true and correct and are incorporated herein by reference.  
5 The recitals constitute findings in this matter and, together with the Project Information, and serve as  
6 an adequate and appropriate evidentiary basis for the findings and actions set forth in this Resolution.

7 **Section 2. Addendum.**

8           a.       The Addendum is the appropriate environmental document for the Downtown Plan.

9           b.       The environmental documents for the Addendum have been prepared, published,  
10 circulated, and reviewed in accordance with all legal requirements, including CEQA Guidelines  
11 Section 15164.

12           c.       The City Council has reviewed, considered, and evaluated all of the Project  
13 Information prior to acting upon or approving the Specific Plan.

14           d.       The Addendum reflects the independent judgment and analysis of the City as the lead  
15 agency for the Specific Plan.

16           e.       There is no substantial evidence in light of the whole record before the City Council,  
17 that the Specific Plan will have a significant effect on the environment.

18           f.       Based on substantial evidence in the whole record before the City, the Specific Plan  
19 does not make substantial changes to the General Plan or Development Code or substantial changes  
20 with respect to the circumstances under which the General Plan or Development Code would be  
21 implemented which would require revisions to the SEIR due to new significant environmental effects  
22 or a substantial increase in the severity of previously identified significant effects and there is no new  
23 information that would require preparation of a subsequent or supplemental EIR under Public  
24 Resources Code Section 21166 or CEQA Guidelines Section 15162. Therefore, none of the elements  
25 set forth in Public Resources Code Section 21166 or CEQA Guidelines Section 15162 exist and a  
26 subsequent or supplemental EIR or negative declaration is not required.

27           e.       As only minor technical changes or additions were required to the SEIR, the  
28

1 Addendum was prepared in accordance with all legal requirements, including CEQA Guidelines  
2 Section 15164.

3 f. The mitigation measures described in the SEIR are within the jurisdiction of the City to  
4 adopt, and will be implemented.

5 g. All feasible mitigation measures for the Specific Plan identified in the SEIR are hereby  
6 incorporated into this resolution.

7 h. The documents and other materials that constitute the record of proceedings upon  
8 which the City Council has based its recommendations are located in and may be obtained from the  
9 City of Concord Planning Division, 1950 Parkside Drive MS/53, Concord, CA 94519 and the City of  
10 Concord City Clerk's Office, 1950 Parkside Drive MS/03, Concord, CA 94519.

11 i. The City Council hereby approves as the appropriate CEQA document the Addendum  
12 to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan  
13 EIR for the Concord Development Code Project, consistent with Exhibit A hereto.

14 **Section 3.** General Plan Amendment. The City Council does hereby make the following findings:

15 a. The Downtown Plan is internally consistent, is consistent with the policies of the  
16 General Plan, and is consistent with applicable law.

17 b. The Downtown Plan will not be detrimental to the public interest, health, safety,  
18 convenience, or welfare of the City in that the Downtown Plan is a strategic document that proposes  
19 implementation strategies toward land use, economic vitality, transportation and circulation,  
20 infrastructure, design guidelines and funding programs.

21 c. The Downtown Plan is internally consistent, is consistent with the Complete Streets  
22 policies adopted by the Council on December 10, 2013, is consistent with the General Plan in general,  
23 and is consistent with applicable law.

24 d. The Downtown Plan identifies strategies in the categories of Land Use, Economic  
25 Vitality, Transportation and Circulation, Infrastructure, Design Guidelines and Funding Programs that  
26 will further assist the City in achieving State-recommended GHG emission reductions. The  
27 Downtown Plan identifies goals and policies to complement the City's Complete Streets policies by  
28

1 identifying a street typology overlay, establishing a pedestrian priority zone, developing a bicycle  
2 network to be further refined as part of the Bicycle and Pedestrian Master Plan.

3 e. The Downtown Plan has incorporated a comprehensive public participation process  
4 including stakeholder meetings, community workshops and Planning Commission and City Council  
5 status updates.

6 f. After the adoption of the Downtown Plan, the Downtown Plan shall prevail over any  
7 conflicts contained in the existing Development Code and all other adopted planning goals, objectives  
8 and policies of the City. Conflicts shall be resolved by the Planning Manager (or if vacant the  
9 Community and Economic Development Director) whose determination is subject to the appeal  
10 process contained in the Municipal Code.

11 g. The City Council hereby adopts the Downtown Plan as Volume IV to the Concord  
12 2030 General Plan, consistent with Exhibit B hereto.

13 **Section 4.** Effective Date. This resolution shall become effective immediately from the date of  
14 adoption and the Downtown Plan shall become effective in 30 days from the date of adoption.

15 **PASSED AND ADOPTED** by the City Council of the City of Concord on June 24, 2014, by  
16 the following vote:

17  
18 **AYES:**

19  
20 **NOES:**

21 **ABSTAIN:**

22 **ABSENT:**  
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**I HEREBY CERTIFY** that the foregoing Resolution No. 14-4823.1 was duly and regularly adopted at a regular meeting of the City Council of the City of Concord on June 24, 2014.

\_\_\_\_\_  
Mary Rae Lehman, CMC  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Mark S. Coon  
City Attorney

Exhibits:

- A – Addendum
- B – Downtown Plan

Addendum

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**Addendum to the  
Final Supplemental Environmental  
Impact Report (SEIR) to the 2030  
Concord General Plan EIR for the  
Concord Development Code Project**

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City of Concord

January 2014

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### APPENDICES

Appendix A    Transportation Assessment

## SECTION 1.0 PURPOSE OF ADDENDUM

---

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is completed and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; 3) laws, regulations or policies may change in ways that impact the environment; and/or 4) previously unknown information can arise. Before proceeding with a project, CEQA requires the Lead Agency to evaluate these changes to determine whether or not they affect the conclusions in the environmental document.

The CEQA Guidelines Section 15162 states that when an EIR has been certified or a Negative Declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15164 states that the Lead Agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. The CEQA Guidelines also state that an addendum need not be circulated for public review but can be included in or attached to the final EIR prior to making a decision on the project.

The purpose of this Addendum is to update the *Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan Environmental Impact Report for the Concord*

*Development Code Project* certified in July 2012. Updates in this Addendum are based on recent changes to local, state, and federal regulations, changes to environmental data (i.e., federal and state air quality standards, state greenhouse gas inventory data, and county water supply data), and implementation of the City's *Downtown Concord Specific Plan* (Specific Plan). Updates to Section 3.1 *Air Quality*, Section 3.2 *Greenhouse Gas Emissions*, Section 3.4 *Public Services and Utilities*, and Section 3.5 *Transportation/Traffic* of the SEIR are included in this Addendum. Noise was the other environmental issue addressed in the SEIR (Section 3.3); no updates to this section are required. This Addendum does not require major revisions to the SEIR and impacts in this Addendum are consistent with those in the SEIR. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred; therefore, this Addendum to the certified SEIR is consistent with CEQA Guidelines. The Specific Plan will not result in more significant impacts; no changes to and no new mitigation measures are required.

The air quality, greenhouse gas emissions, and public services and utilities sections were updated based on changes to agency regulations and new data. The Transportation/Traffic section was reviewed and updated as appropriate to confirm that no new impacts would occur as a result of implementation of the Specific Plan, as described in this Addendum.

Conditions within the Downtown Concord Priority Development Area (PDA) have not changed substantially since the SEIR was adopted and the Specific Plan proposes development essentially identical to that envisioned in the General Plan and SEIR. The Specific Plan is a refinement of the General Plan to provide more detail and mechanisms to further encourage pedestrian-friendly, business-oriented development in Downtown Concord.

## SECTION 2.0 SEIR AND SPECIFIC PLAN BACKGROUND

---

### 2.1 SEIR BACKGROUND

In October 2007, the Concord City Council adopted the *Concord 2030 Urban Area General Plan* (General Plan), which provides a framework for the urban area and articulates a vision for the City over the next 20 years. The General Plan includes a number of key themes and initiatives, such as the integration of economic development into land use planning, greater support of mixed-use development and transit-supportive land uses around the Downtown Bay Area Rapid Transit (BART) station and transportation corridors, and an emphasis on preserving environmental resources and community assets.

In connection with the City's approval of the General Plan, the City certified the *Final Environmental Impact Report for the Concord 2030 Urban Area General Plan* (General Plan EIR) in 2007, which evaluates at a program level, the environmental consequences of the General Plan and alternatives to the project, and includes mitigation measures to reduce or avoid the General Plan's significant environmental effects. Subsequent projects can then tier from the General Plan EIR.

In July 2012, the City of Concord certified the *Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project*. The Concord Development Code Project includes four major components: 1) amendments to the Concord 2030 General Plan text and General Plan Land Use Map; 2) adoption of the new Development Code (Concord 2012 Development Code); and 3) a new zoning map. The SEIR describes the potential impacts relating to a number of environmental issues associated with adoption of the Concord 2012 Development Code and related General Plan Land Use Map changes, and methods by which these impacts could be mitigated or avoided.

Over the past year (2013), the City has prepared the *City of Concord Downtown Concord Specific Plan* (Specific Plan), utilizing a grant from the Metropolitan Transportation Commission (MTC). The Specific Plan was developed through a public planning process, based on goals and policies of the Concord 2030 General Plan. The proposed Specific Plan outlines policies focused on what is achievable to implement in Downtown Concord over the next 20 to 30 years and sets forth actions and policies to be implemented by the City of Concord focusing on revitalizing the Downtown Concord PDA, accommodating growth in a future population and employment base combined with transportation and urban design implementation strategies (refer to Section 2.2 *Summary of the Downtown Concord Specific Plan* of this Addendum for a more detailed description of the Specific Plan).

## 2.2 SUMMARY OF THE DOWNTOWN CONCORD SPECIFIC PLAN

In general, a Specific Plan is a program-level tool for the systematic implementation of an adopted General Plan. A Specific Plan describes broad policy concepts and provides direction as to various aspects of development including the type, location and intensity of uses, design, and capacity of infrastructure.

The *Downtown Concord Specific Plan* establishes the character of streetscapes, the character and intensity of commercial and residential development, the circulation pattern (vehicular, pedestrian, bicycle and transit), and parking strategies to support businesses and overall vitality, while enhancing access and connectivity. The Specific Plan includes standards and guidelines for public and private enhancements to the Downtown Concord PDA and it offers strategies for financing and implementing public improvements.

More specifically, the purpose of the Specific Plan is to: 1) address the need for a development framework and account for all modes of transportation for the Downtown Concord PDA, 2) ensure that the City of Concord's current planning and economic efforts are reflected, including the goals and desires of the Downtown Concord residents and businesses; 3) plan in a manner that meets projected population and job growth needs; and 4) achieve the jobs/housing balance objectives, increase housing in Downtown Concord, and meet state law requirements for Concord's allocation of regional housing needs.

The proposed Specific Plan land use designations are consistent with General Plan and the Concord Development Code designations. The proposed land uses in the Specific Plan were developed in accordance with the General Plan and the Concord Development Code. Specific Plan implementation would not significantly increase the intensity of land uses, beyond what is already planned for in the General Plan and Concord Development Code, and does not require any changes to land use designations. The Specific Plan recognizes that the allowable densities and floor area ratios (FARs) in the current code are sufficient to achieve the goals of the Specific Plan. The proposed FARs for development in the Specific Plan are within the City's existing density allowances.

The Specific Plan proposes to implement new transportation/circulation policies that would develop a network of pedestrian friendly streets that integrate walking, biking, transit use and green infrastructure while improving access to BART and connecting Downtown Concord to the rest of the region. Transportation/circulation policies, which are consistent with the General Plan and Concord Development Code, are outlined in Section 3.5 *Transportation/Traffic* of this Addendum. The Specific Plan includes transportation/circulation goals and policies consistent with the General Plan.

Adoption of the Specific Plan would only require minor revisions to the SEIR. Additionally, the Specific Plan is consistent with the General Plan and Concord 2012 Development Code goals and will assist in the implementation of these goals. Proposed revisions to the SEIR are included in Section 3.0 *Environmental Checklist and Impacts of Proposed Changes to the SEIR* of this Addendum.

### **SECTION 3.0 ENVIRONMENTAL CHECKLIST AND IMPACTS OF PROPOSED CHANGES TO THE SEIR**

---

This Addendum to the *SEIR to the 2030 Concord General Plan Environmental Impact Report for the Concord Development Code Project* evaluates the environmental impacts that could result from the minor changes in uses within the Downtown Concord PDA that were not addressed in the previously certified EIR. With the exception of the transportation/traffic and public services and utilities sections, all changes to the SEIR are due to changes in regulatory policies and law and resulting changes in data. Because the proposed project is not anticipated to result in new significant impacts and would not require major revisions to the previously prepared SEIR, an Addendum has been prepared for the proposed project (CEQA Guidelines Sections 15162 and 15164), rather than a supplemental or subsequent EIR.

This section describes any changes that have occurred in existing environmental conditions on and near the project area, as well as the environmental impacts associated with the proposed Specific Plan or the changed conditions. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, was used to compare the environmental impacts of the “Proposed Project (Specific Plan)” with those of the “Approved Project (Concord Development Code Project)” and to identify whether the Proposed Project would likely result in new significant environmental impacts not previously evaluated in the EIR. The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified in Section 5.0.

Mitigation measures are identified for all significant project impacts. “Mitigation Measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). This analysis assumes all applicable mitigation measures identified in the previous program SEIR will be implemented by the project.

### 3.1 AIR QUALITY

Changes to air quality standards, laws and regulations have occurred since the adoption of the SEIR. This section also lists air quality standards that were established before the adoption of SEIR but were not included in the SEIR. Additionally, the section describes recent updates to BAAQMD's CEQA Air Quality Guidelines.

#### 3.1.1 Proposed Revisions to SEIR

##### Regulatory Framework

##### Federal and State Air Quality Standards

Federal and state ambient air quality standards are listed in Table 3.1-3 of the SEIR. Updates to the federal and state ambient air quality standards, including annual mean data, have been added to Table 3.1-3. The following Table 3.1-3 (listed below) includes updated data (shown in italics) and supersedes Table 3.1-3 in the SEIR:

| Air Pollutant                                | Averaging Time                 | California Standard   | National Standard            |
|--|--------------------------------|-----------------------|------------------------------|
| <b>Ozone</b>                                 | 1-hour                         | 0.090 ppm             | --                           |
|  | 8-hour                         | 0.070 ppm             | 0.075 ppm                    |
| <b>Particulate Matter (PM<sub>10</sub>)</b>  | 24-hour                        | 50 µg/m <sup>3</sup>  | 150 µg/m <sup>3</sup>        |
|  | Annual Mean                    | 20 µg/m <sup>3</sup>  | --                           |
| <b>Particulate Matter (PM<sub>2.5</sub>)</b> | 24-hour                        | --                    | 35 µg/m <sup>3</sup>         |
|  | Annual Mean                    | 12 µg/m <sup>3</sup>  | 15 µg/m <sup>3</sup>         |
| <b>Carbon Monoxide (CO)</b>                  | 1-hour                         | 20 ppm                | 35 ppm                       |
|  | 8-hour                         | 9.0 ppm               | 9.0 ppm                      |
| <b>Nitrogen Dioxide (NO<sub>2</sub>)</b>     | 1-hour                         | 0.18 ppm              | 0.100 ppm                    |
|  | Annual Mean                    | 0.030 ppm             | 0.053 ppm                    |
| <b>Sulfur Dioxide (SO<sub>2</sub>)</b>       | 1-hour                         | 0.25 ppm              | 0.075 ppm                    |
|  | 24-hour                        | 0.040 ppm             | <i>0.14 ppm<sup>1</sup></i>  |
|  | <i>Annual Mean<sup>2</sup></i> | --                    | <i>0.030 ppm<sup>2</sup></i> |
| <b>Lead</b>                                  | 30-day Average                 | 1.5 µg/m <sup>3</sup> | --                           |
|  | Calendar Quarter               | --                    | 1.5 µg/m <sup>3</sup>        |
|  | Rolling 3-Month Average        | --                    | 0.15 µg/m <sup>3</sup>       |

| <b>Table 3.1-3<br/>Federal and State Ambient Air Quality Standards <i>continued</i></b>  |                       |                            |                          |
|--|-----------------------|----------------------------|--------------------------|
| <b>Air Pollutant</b>   | <b>Averaging Time</b> | <b>California Standard</b> | <b>National Standard</b> |
| <b>Hydrogen Sulfide</b>  | 1-hour                | 0.030 ppm                  | --                       |
| <b>Sulfates</b>  | 24-hour               | 25 µg/m <sup>3</sup>       | --                       |
| <b>Vinyl Chloride</b>  | 24-hour               | 0.010 ppm                  | --                       |
| <p>Notes</p> <p><sup>1</sup> The National Ambient Air Quality Standard (NAAQS) for 24-hour SO<sub>2</sub> data is an addition to the SEIR.</p> <p><sup>2</sup> Annual mean standards for SO<sub>2</sub> is an addition to the SEIR.</p> <p>µg/m<sup>3</sup> = micrograms per cubic meter<br/> ppm = parts per million<br/> -- = Standards not determined</p> <p>Source: BAAQMD. <i>Air Quality Standards and Attainment Status</i>. Available at: <a href="http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm">http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm</a>. Accessed November 26, 2013.</p> |                       |                            |                          |

### Thresholds of Significance

The Bay Area Air Quality Management District (BAAQMD) thresholds of significance are discussed in the SEIR in Section 3.1.6 *Thresholds of Significance, BAAQMD Thresholds*.

The following text is an update to the text in *Section 3.1.6 Thresholds of Significance* of the SEIR under *BAAQMD Thresholds*. This section provides an update to the California Building Industry Association lawsuit and provides a table of emissions thresholds based on *BAAQMD CEQA Air Quality Guidelines*:

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the Lead Agency and must be based to the extent possible on scientific and factual data. The City of Concord and other Lead Agencies in the San Francisco Bay Area Air Basin often utilize the thresholds and methodology for assessing air emissions and/or health effects adopted by BAAQMD based upon the scientific and other factual data prepared by BAAQMD in developing those thresholds.

In December 2010, the California Building Industry Association (BIA) filed a lawsuit in Alameda County Superior Court challenging toxic air contaminants (TACs) and particulate matter with particle sizes that are 2.5 micrometers in diameter and smaller (PM<sub>2.5</sub>) thresholds adopted by BAAQMD in its 2010 CEQA Air Quality Guidelines (*California Building Industry Association v. Bay Area Air Quality Management District*, Alameda County Superior Court Case No. RG10548693). One of the identified concerns was inhibiting infill and smart growth in the urbanized Bay Area. On March 5, 2012, the Superior Court found that the adoption of thresholds by the BAAQMD in its CEQA Air Quality Guidelines is a CEQA project and BAAQMD is not to disseminate officially sanctioned air quality thresholds of significance until BAAQMD fully complies with CEQA.

At the time that the SEIR was adopted, it was unclear if the ruling would be appealed or if BAAQMD would proceed with preparing the appropriate CEQA documentation. The decision was appealed to the California Court of Appeal, First District (case A136212), where it was overturned.

Based on the Court of Appeal's decision, the City has carefully considered the thresholds (established in June 2010 and updated in May 2011) previously prepared by BAAQMD and regards the thresholds listed below to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and PM<sub>2.5</sub>. Evidence supporting these thresholds has been presented in the following documents:

- BAAQMD. *Thresholds Options and Justification Report*. 2009.
- BAAQMD. *CEQA Air Quality Guidelines*. June 2010. Updated May 2011.
- California Air Pollution Control Officers Association (CAPCOA). *Health Risk Assessments for Proposed Land Use Projects*. 2009.
- California Environmental Protection Agency, California Air Resources Board (CARB). *Air Quality and Land Use Handbook: A Community Health Perspective*. 2005.

Based on the above information, the following table (Table 3.1-6) is an addition to the SEIR.

| Pollutant  | Construction                         | Operation-Related  |                                      |
|--|--------------------------------------|--|--------------------------------------|
|  | Average Daily Emissions (pounds/day) | Average Daily Emissions (pounds/day)   | Maximum Annual Emissions (tons/year) |
| Reactive Organic Gases, Nitrogen Oxides                            | 54                                   | 54   | 10                                   |
| PM <sub>10</sub> <sup>1</sup>                                      | 82<br>(exhaust)                      | 82   | 15                                   |
| PM <sub>2.5</sub> <sup>2</sup>                                     | 54<br>(exhaust)                      | 54   | 10                                   |
| Fugitive Dust (PM <sub>10</sub> /PM <sub>2.5</sub> )               | BMPs <sup>3</sup>                    | None   | None                                 |
| <b>Risk and Hazards for New Sources and Receptors (Project)</b>    | Same as Operational Threshold        | <ul style="list-style-type: none"> <li>• Increased cancer risk of &gt;10.0 in one million</li> <li>• Increased non-cancer risk of &gt; 1.0 Hazard Index (chronic or acute)</li> <li>• Ambient PM<sub>2.5</sub> increase: &gt; 0.3 μ/m<sup>3</sup> [Zone of influence: 1,000-foot radius from property line of source or receptor]</li> </ul> |                                      |
| <b>Risk and Hazards for New Sources and Receptors (Cumulative)</b> | Same as Operational Threshold        | <ul style="list-style-type: none"> <li>• Increased cancer risk of &gt;100 in one million</li> <li>• Increased non-cancer risk of &gt; 10.0 Hazard Index (chronic or acute)</li> <li>• Ambient PM<sub>2.5</sub> increase: &gt; 0.8 μ/m<sup>3</sup></li> </ul>   |                                      |

| Table 3.1-6<br>BAAQMD Thresholds of Significance Used in Air Quality Analyses   |                                      |   |                                      |
|---|--------------------------------------|---|--------------------------------------|
| Pollutant   | Construction                         | Operation-Related   |                                      |
|   | Average Daily Emissions (pounds/day) | Average Daily Emissions (pounds/day)  | Maximum Annual Emissions (tons/year) |
|   |                                      | [Zone of influence: 1,000-foot radius from property line of source or receptor] |                                      |
| <b>Odors</b>  |                                      | Five confirmed complaints per year averaged over three years                    |                                      |
| Notes<br><sup>1</sup> Particulate Matter greater than 2.5 micrometers and less than 10 micrometers in diameter<br><sup>2</sup> Particulate Matter greater than 2.5 micrometers or less in diameter<br><sup>3</sup> Best Management Practices<br><sup>4</sup> μ/m <sup>3</sup> = micrometer per cubic meter<br>Sources: <i>BAAQMD Thresholds Options and Justification Report (2009)</i> and <i>BAAQMD CEQA Air Quality Guidelines</i> (dated May 2011). |                                      |   |                                      |

**3.1.2 Environmental Checklist and Discussion of Impacts**

| Would the project:  | New Potentially Significant Impact | New Less Than Significant With Mitigation Incorporated | New Less Than Significant Impact | Same Impact as "Approved Project"   | Less Impact Than "Approved Project" | Checklist Source(s) |
|---|------------------------------------|--|----------------------------------|-------------------------------------|-------------------------------------|---------------------|
| 1. Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1-5                 |
| 2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 6                   |
| 3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors? | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,4,6               |
| 4. Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,4,6               |

Section 3.0 Environmental Checklist and Impacts of Proposed Changes to the SEIR

|   | New Potentially Significant Impact | New Less Than Significant With Mitigation Incorporated | New Less Than Significant Impact | Same Impact as "Approved Project"   | Less Impact Than "Approved Project" | Checklist Source(s) |
|---|------------------------------------|--|----------------------------------|-------------------------------------|-------------------------------------|---------------------|
| Would the project:<br>5. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,6                 |

**3.1.2.1 Air Quality Impacts**

With the implementation of General Plan policies, BAAQMD CEQA Air Quality Guidelines (updated May 2011), and state and federal regulations, the Specific Plan adoption would not result in a significant air quality impact not previously identified. Projects implemented under the Specific Plan would comply with BAAQMD’s thresholds and would be consistent with General Plan goals and policies set forth to reduce air quality impacts. Pollutant emissions resulting from the Specific Plan’s land uses are assumed in the General Plan and would be consistent with state and/or federal ambient air quality standards.

**3.1.3. Conclusion**

The Specific Plan would be in accordance the BAAQMD 2010 Clean Air Plan. The Specific Plan would allow high density office/commercial zoning and housing developments, consistent with the General Plan and Concord Development Code near the Downtown Concord BART station and transit connections with the goal of reducing daily vehicle trips and vehicle miles traveled.

**(Less Than Significant Impact [Same as approved SEIR])**

Implementation of the Specific Plan would not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Projects implemented within the Plan Area would comply with BAAQMD standards and General Plan policies.

**(Less Than Significant Impact [Same as approved SEIR])**

Implementation of the Specific Plan would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors. Projects within the Downtown Concord PDA would be consistent with the BAAQMD 2010 Clean Air Plan and General Plan policies.

**(Less Than Significant Impact [Same as approved SEIR])**

Implementation of the Specific Plan would not expose sensitive receptors to substantial pollutant concentrations. The Specific Plan would not create new sources of toxic air contaminants near or proposed sensitive receptors relative to the existing General Plan.

**(Less Than Significant Impact [Same as approved SEIR])**

Implementation of the Specific Plan would not create objectionable odors affecting a substantial number of people. The Specific Plan would not create new sources of odors near existing or proposed sensitive receptors relative to the existing General Plan.

**(Less Than Significant Impact [Same as approved SEIR])**

## 3.2 GREENHOUSE GASES

Since the adoption of the SEIR to the 2030 General Plan EIR for the Concord Development Code Project, the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) has adopted *Plan Bay Area* and the City of Concord has adopted the *Citywide Climate Action Plan* (Citywide CAP)<sup>1</sup>. New data has been added to the California Air Resources Board's Greenhouse Gas Inventory since the adoption of the SEIR.<sup>2</sup> The section below describes the aforementioned changes.

### 3.2.1 Proposed Revisions to SEIR

#### 3.2.1.1 *Regulatory Framework*

#### **SB 375 and Adopted Plan Bay Area**

Section 3.2.4 - *Regulatory Framework, State, SB 375* of the SEIR describes the sustainable communities strategy (SCS) required by California Metropolitan Planning Organizations (MPOs) under Senate Bill 375. The MTC is the MPO for the San Francisco Bay Area (including Contra Costa County).

Consistent with the requirements of SB 375, the MTC has partnered with ABAG, BAAQMD, and the Bay Conservation and Development Commission (BCDC) to prepare the region's SCS as part of the regional transportation plan (RTP) process.<sup>3</sup> The SCS is referred to as *Plan Bay Area*.

The original projected date for the adoption of the Plan Bay Area was April 2013 (per Section 3.2.4 of the SEIR). MTC and ABAG, however, adopted *Plan Bay Area* in July 2013. The strategies in the plan are intended to promote compact, mixed-use development close to public transit, jobs, schools, shopping, parks, recreation, and other amenities, particularly within PDAs identified by local jurisdictions.

#### **Adopted Climate Action Plan**

Section 3.2.4 - *Regulatory Framework, Regional and Local* of the SEIR describes regional and local climate action plans/programs that have been adopted to reduce local, regional, and statewide GHG emissions. Since the certification of the SEIR, the City of Concord has adopted the Citywide CAP to identify policies that would help reduce GHG emissions and the state (California) reach its GHG emissions reduction goals.

<sup>1</sup> City of Concord. *City of Concord Citywide Climate Action Plan*. July 2013.

<sup>2</sup> California Air Resources Board. *California Greenhouse Gas Inventory for 2000-2011 – by Category as Defined in the 2008 Scoping Plan*. Last Updated August 2013. Available at: <http://www.arb.ca.gov/cc/inventory/data/data.htm>. Accessed November 22, 2013.

<sup>3</sup> ABAG, BAAQMD, BCDC, and MTC. *One Bay Area Frequently Asked Questions*. Available at: [http://onebayarea.org/about/faq.html#.UQceKR2\\_DAk](http://onebayarea.org/about/faq.html#.UQceKR2_DAk). Accessed November 22, 2013.

City of Concord

The following section supplements the discussion of the Citywide CAP in Section 3.2-4 of the SEIR:

***Concord Citywide Climate Action Plan***

The Concord *Citywide Climate Action Plan* (Citywide CAP) was adopted in July 2013 in response to mandates from the State of California intended to reduce the emission of greenhouse gases statewide, because of their contribution to global climate change. The Citywide CAP identifies how the City will take action consistent with the state's goals while supporting the local economy and quality of life. The Citywide CAP is anticipated to bring the amended General Plan into compliance with regional and statewide greenhouse gas emission reduction goals, and incorporate regional reduction targets developed pursuant to SB 375.

**3.2.1.2 Environmental Setting**

Section 3.2.3 *Environmental Setting, Emissions Inventory and Trends* of the SEIR describes greenhouse gas (GHG) emissions and trends by sector in California and the San Francisco Bay Area. Table 3.2-1 *California Greenhouse Gas Inventory 2000-2008* in the SEIR shows the biannual inventory for California's GHG emissions from 2000 to 2008 (i.e., 2002, 2004, 2006, and 2008). Since more recent greenhouse gas inventory data is now available, the following Table 3.2-1 *California Gas Inventory 2001 – 2011* (which shows biannual data for 2001, 2003, etc.) supersedes the existing Table 3.2-1 in the SEIR. Greenhouse gas inventory data for the odd-numbered years (between 2001 and 2011) is included in Table 3.2-1 below.

| <b>Table 3.2-1<br/>California Greenhouse Gas Inventory 2001 -2011 (Biannual)</b>   |   |               |               |               |               |               |
|--|---|---------------|---------------|---------------|---------------|---------------|
| <i>Main Sector</i>   | <i>Emissions MM CO<sub>2</sub><sup>e</sup> per Year</i> |               |               |               |               |               |
|  | <b>2001</b>   | <b>2003</b>   | <b>2005</b>   | <b>2007</b>   | <b>2009</b>   | <b>2011</b>   |
| Agriculture and Forestry   | 29.23   | 32.84         | 32.81         | 32.94         | 31.69         | 32.24         |
| Commercial   | 14.43   | 14.05         | 14.34         | 15.13         | 15.53         | 15.62         |
| Electricity Generation (Imports)   | 59.03   | 64.57         | 62.81         | 59.81         | 48.05         | 46.86         |
| Electricity Generation (In-State)  | 62.98   | 48.05         | 45.05         | 54.12         | 55.52         | 39.71         |
| Industrial   | 93.85   | 93.42         | 94.23         | 88.79         | 84.43         | 93.24         |
| Recycling and Waste  | 6.26  | 6.32          | 6.47          | 6.57          | 6.81          | 7.00          |
| Residential  | 28.72   | 28.41         | 28.18         | 28.69         | 28.65         | 29.85         |
| Transportation   | 176.65  | 183.55        | 188.94        | 188.97        | 171.57        | 168.42        |
| High Global Warming Potential (GWP) <sup>2</sup>   | 7.12  | 7.87          | 9.25          | 10.50         | 12.45         | 15.17         |
| <b>Total</b>   | <b>478.27</b>   | <b>479.08</b> | <b>482.09</b> | <b>485.54</b> | <b>454.69</b> | <b>448.11</b> |
| Notes  |   |               |               |               |               |               |
| <sup>1</sup> Million metric tons of CO <sub>2</sub> equivalent   |   |               |               |               |               |               |
| <sup>2</sup> Includes Ozone depleting substance substitutes, electricity grid losses, and semiconductor manufacturing  |   |               |               |               |               |               |
| Source: California Air Resources Board. <i>California Greenhouse Gas Inventory for 2000-2011 – by Category as Defined in the 2008 Scoping Plan</i> . Last Updated August 2013. Available at: <a href="http://www.arb.ca.gov/cc/inventory/data/data.htm">http://www.arb.ca.gov/cc/inventory/data/data.htm</a> . Accessed November 22, 2013. |   |               |               |               |               |               |

**3.2.2 Environmental Checklist and Discussion of Impacts**

|  | New Potentially Significant Impact | New Less Than Significant With Mitigation Incorporated | New Less Than Significant Impact | Same Impact as "Approved Project"   | Less Impact Than "Approved Project" | Checklist Source(s) |
|--|------------------------------------|--|----------------------------------|-------------------------------------|-------------------------------------|---------------------|
| Would the project:   |                                    |  |                                  |                                     |                                     |                     |
| 1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,4,6               |
| 2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,4,7               |

**3.2.2.1 Greenhouse Gas Impacts**

**Greenhouse Gas Generation Impacts**

Impact Analysis

As a result of the adoption of the Citywide CAP (July 2013), the following paragraph will supersede the second paragraph of Section 3.2.7 *Project Impacts and Mitigation Measures Greenhouse Gas Generation, Impact Analysis* in the SEIR:

As previously stated, the City adopted a Citywide CAP (July 2013). The Citywide CAP includes greenhouse gas emissions data for the City of Concord. The following text supplements the fourth paragraph of Section 3.2.7 *Project Impacts and Mitigation Measures Greenhouse Gas Generation, Impact Analysis* in the SEIR:

Forecasted GHG emissions for the City of Concord in 2035 without mitigation is 1,503,498 MTCO<sub>2e</sub>. Based on the adopted Citywide CAP, the citywide emissions target for 2035 is 959,474 MTCO<sub>2e</sub>. With implementation of the Citywide CAP, the projected emissions for 2035 is 741,271 MTCO<sub>2e</sub>.<sup>4</sup> The Citywide CAP is consistent with the General Plan’s goals and policies that support reductions in GHG emissions, particularly in the Specific Plan area. Because land uses and densities assumed in the General Plan and Concord Development Code are consistent with the Specific Plan, implementation of the Specific Plan would not result in significant GHG emissions impacts.

<sup>4</sup>City of Concord. *Citywide Climate Action Plan. Attachment A: Draft Forecast Calculations*. Adopted July 2013.

Mitigation Measures

The following text supplements Section 3.2.7 *Project Impacts and Mitigation Measures Greenhouse Gas Generation, Mitigation Measures* of the SEIR:

Greenhouse gas reduction goals and targets from the Citywide CAP are listed under mitigation measure (MM) GHG-1 in the SEIR. In the SEIR, the second measure of MM GHG-1 indicates that the citywide CAP shall establish a level below which the contribution to GHG emissions from activities covered by the General Plan would not be cumulatively considerable. The second measure of MM GHG-1 also indicates that the City's carbon dioxide equivalent (CO<sub>2</sub>e) plan-level emissions threshold (an emissions threshold for an adopted plan) could be the BAAQMD 2020 plan-level threshold, which is 6.6 metric tons CO<sub>2</sub>e/person/year, or an emissions reduction level determined in consultation with BAAQMD and ABAG. While the BAAQMD 2020 plan-level threshold is 6.6 metric tons CO<sub>2</sub>e (MTCO<sub>2</sub>e)/person/year, it would be contrary to the purpose of the Citywide CAP to include a target that is higher than the current emissions of 5.0 MTCO<sub>2</sub>e (based on 2005 baseline data provided in the Citywide CAP). Based on BAAQMD's guidance, the City used the baseline figure of 5.0 MTCO<sub>2</sub>e as the Citywide CAP target for 2020, and established greater reductions for 2030 (4.0 MTCO<sub>2</sub>e threshold) and 2035 (3.2 MTCO<sub>2</sub>e threshold).

While Impact GHG-1 of the SEIR continues to be accurate, given that the Citywide CAP was adopted (July 2013) subsequent to the SEIR's certification, the MM GHG-1 has been revised as follows:

**Impact GHG-1:** Implementation of the Specific Plan and General Plan could generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

**Mitigation Measure:** Implementation of the adopted Citywide CAP would reduce impacts from the implementation of the Specific Plan and General Plan to a less than significant level.

**MM GHG-1:** The City has incorporated the following components and performance measures into the citywide Climate Action Plan (adopted July 2013):

- The Citywide CAP quantifies greenhouse gas emissions, both existing and projected to the end date of the General Plan, resulting from activities within the city limits.
- The Citywide CAP establishes a level, based on substantial evidence, below which the contribution to greenhouse gas emissions from activities covered by the General Plan would not be cumulatively considerable. This level is:
  - A citywide demonstration of the 5.0 MTCO<sub>2</sub>e per service population metric, or
- The Citywide CAP identifies and analyzes greenhouse gas emissions resulting from specific actions or categories of actions anticipated to occur within the city limits.

- The Citywide CAP specifies measures, including performance standards, which demonstrate with substantial evidence that if implemented on a project-by project basis, the specified emissions level would be achieved.
- The Citywide CAP establishes a mechanism to monitor the plan's progress toward achieving the level described above (second bullet point of **MM GHG-1** of this Addendum) and requires an amendment if the Citywide CAP is not achieving the specified levels.

**(Less Than Significant Impact with Mitigation [Same as Approved Project])**

### **Consistency with Applicable Plans and Policies**

#### Impact Analysis

Implementation of the Specific Plan, which is consistent with General Plan policies that serve to reduce GHG emissions would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emission of greenhouse gases.

**(Less Than Significant Impact [Same as Approved Project])**

#### **3.2.3**      Conclusion

With the implementation of **MM GHG-1**, Citywide CAP, and local goals and policies, greenhouse gas emissions that are generated as a result of implementation the Specific Plan, would not result in a significant GHG emissions impact.

**(Less Than Significant Impact with Mitigation [Same as Approved Project])**

Implementation of the Specific Plan, consistent with the Citywide CAP, would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases. **(Less Than Significant Impact [Same as Approved Project])**

### **3.4 PUBLIC SERVICES AND UTILITIES**

This section is an update to Section 3.4.3 *Environmental Setting, Potable Water, Reliability* of the SEIR and the City's water supply data. As mentioned in the SEIR, the City's water supplier is Contra Costa Water District (CCWD), which provides water service to the City from the Sacramento/San Joaquin Delta.

This section is also an update to the California Energy Commission's Energy Efficiency Standards listed in Section 3.4.4 *Regulatory Framework, State, Title 24, California's Energy Efficiency Standards for Residential and Non-residential Buildings* of the SEIR. The energy standards established in 2005 were listed in the SEIR; this section includes the standards established in 2008, the most recent standards available.

#### **3.4.1 Environmental Setting**

Tables 3.4.1 through 3.4.5, in Section 3.4.3 *Environmental Setting, Potable Water: Reliability* of the SEIR have been updated in accordance with CCWD's 2011 *Urban Water Management Plan* (UWMP). The 2011 UWMP is an update to the 2005 UWMP. The tables below show the existing and planned sources of water supply for the City and their expected availability under various supply conditions in five year increments through 2035. The updated data is shown in italics in the Tables 3.4.1 through 3.4.5 below.

**Table 3.4-1  
Projected Water Supply (Normal Year)**

| Normal <sup>1</sup><br>Year | CVP <sup>2</sup><br>(af/yr) | Industrial<br>Diversions<br>(af/yr) | Mallard <sup>3</sup><br>Slough<br>(af/yr) | Antioch<br>Diversions <sup>4</sup><br>(af/yr) | Groundwater <sup>5</sup><br>(af/yr) | East Contra<br>Costa County<br>Irrigation<br>Purchases<br>(af/yr) | LV<br>Supply <sup>6</sup> | Recycled<br>Water <sup>7</sup><br>(af/yr) | Planned<br>Purchases<br>(af/yr) | Conservation<br>Savings <sup>8</sup><br>(af/yr) | Total<br>Planned<br>Supply<br>(af/yr) |
|-----------------------------|-----------------------------|-------------------------------------|---|---|-------------------------------------|---|---------------------------|---|---------------------------------|---|---------------------------------------|
| <i>Near-Term</i>            | <i>170,000</i>              | 10,000                              | 3,100                                     | 6,400   | 3,000                               | 6,000   | -                         | 8,500                                     | -                               | 7,900   | 214,900                               |
| 2015                        | 183,000                     | 10,000                              | 3,100                                     | 6,400   | 3,000                               | 7,100   | -                         | 10,500                                    | -                               | 11,000  | 234,100                               |
| 2020                        | 195,000                     | 10,000                              | 3,100                                     | 6,400   | 3,000                               | 8,200   | -                         | 12,500                                    | -                               | 16,200  | 250,900                               |
| 2025                        | 195,000                     | 10,000                              | 3,100                                     | 6,400   | 3,000                               | 8,200   | -                         | 13,300                                    | -                               | 17,000  | 256,000                               |
| 2030                        | 195,000                     | 10,000                              | 3,100                                     | 6,400   | 3,000                               | 8,200   | -                         | 14,100                                    | -                               | 19,200  | 259,000                               |
| 2035                        | 195,000                     | 10,000                              | 3,100                                     | 6,400   | 3,000                               | 8,200   | -                         | 14,800                                    | -                               | 21,200  | 261,700                               |

## Notes:

af/yr = acre-feet per year

1. Basis of water year data is as follows: Normal (Average) represents a below normal or wetter year on the Sacramento River Hydrologic Region 40-30-30 Water Supply Index. Single-Year drought represents 1977 conditions. Multiple-Year drought sequence represents 1987-1992 conditions.
2. The Central Valley Project (CVP) conditions used for supply planning are defined as follows: Normal is Adjusted Historical Use. Single Year Drought supply is 75 percent of Historical Use. Multi-year drought (year 1) supply is 85 percent of Historical Use. Multi-Year Drought (year 2) is 75 percent of Historical Use. Multi-Year Drought (year 3) is 65 percent of Historical Use.
3. Mallard Slough average annual diversion over 15 year period (1995-2009).
4. Antioch Diversions is average annual diversion over 11 year period since pumping plant improvements (1999-2009).
5. Groundwater represents production from Mallard Wells, municipal customer owned wells, and miscellaneous other wells in the District's service area.
6. Anticipated water supply reliability benefit resulting from expansion of Los Vaqueros Reservoir.
7. Recycled water does not include wildlife habitat enhancement and wetlands or plant use.
8. Anticipated conservation savings, including both active and passive conservation.

**Table 3.4-2  
Projected Water Supply (Single-Year Drought)**

| Single-Year Drought <sup>1</sup> | CVP <sup>2</sup><br>(af/yr) | Industrial Diversions<br>(af/yr) | Mallard <sup>3</sup><br>Slough<br>(af/yr) | Antioch<br>Diversions <sup>4</sup><br>(af/yr) | Groundwater <sup>5</sup><br>(af/yr) | East Contra<br>Costa County<br>Irrigation<br>Purchases<br>(af/yr) | LV<br>Supply <sup>6</sup><br>(af/yr) | Recycled<br>Water <sup>7</sup><br>(af/yr) | Planned<br>Purchases<br>(af/yr) | Conservation<br>Savings <sup>8</sup><br>(af/yr) | Total<br>Planned<br>Supply<br>(af/yr) |
|----------------------------------|-----------------------------|----------------------------------|---|---|-------------------------------------|---|--------------------------------------|---|---------------------------------|---|---------------------------------------|
| <i>Near-Term</i>                 | <i>127,500</i>              | <i>0</i>                         | <i>0</i>                                  | <i>0</i>                                      | <i>3,000</i>                        | <i>10,000</i>   | <i>10,000</i>                        | <i>8,500</i>                              | <i>-</i>                        | <i>7,900</i>                                    | <i>166,900</i>                        |
| 2015                             | 137,250                     | 0                                | 0   | 0   | 3,000                               | 11,100  | 10,000                               | 10,500                                    | -                               | 11,000  | 182,900                               |
| 2020                             | 146,250                     | 0                                | 0   | 0   | 3,000                               | 12,200  | 10,000                               | 12,500                                    | -                               | 16,200  | 197,500                               |
| 2025                             | 146,250                     | 0                                | 0   | 0   | 3,000                               | 12,200  | 10,000                               | 13,300                                    | -                               | 17,000  | 201,800                               |
| 2030                             | 146,250                     | 0                                | 0   | 0   | 3,000                               | 12,200  | 10,000                               | 14,100                                    | 3,100                           | 19,200  | 207,900                               |
| 2035                             | 146,250                     | 0                                | 0   | 0   | 3,000                               | 12,200  | 10,000                               | 14,800                                    | 7,200                           | 21,200  | 214,700                               |

## Notes:

af/yr = acre-feet per year

1. Basis of water year data is as follows: Normal (Average) represents a below normal or wetter year on the Sacramento River Hydrologic Region 40-30-30 Water Supply Index. Single-Year drought represents 1977 conditions. Multiple-Year drought sequence represents 1987-1992 conditions.

2. The Central Valley Project (CVP) conditions used for supply planning are defined as follows: Normal is Adjusted Historical Use. Single Year Drought supply is 75 percent of Historical Use. Multi-year drought (year 1) supply is 85 percent of Historical Use. Multi-Year Drought (year 2) is 75 percent of Historical Use. Multi-Year Drought (year 3) is 65 percent of Historical Use.

3. Mallard Slough average annual diversion over 15 year period (1995 - 2009).

4. Antioch Diversions is average annual diversion over 11 year period since pumping plant improvements (1999-2009).

5. Groundwater represents production from Mallard Wells, municipal customer owned wells, and miscellaneous other wells in the District's service area.

6. Anticipated water supply reliability benefit resulting from expansion of Los Vaqueros Reservoir.

7. Recycled water does not include wildlife habitat enhancement and wetlands or plant use.

8. Anticipated conservation savings, including both active and passive conservation.

**Table 3.4-3  
Projected Water Supply (Multi-Year Drought – Year 1)**

| Multi-Year Drought (Year 1) <sup>1</sup> | CVP <sup>2</sup> (af/yr) | Industrial Diversions (af/yr) | Mallard <sup>3</sup> Slough (af/yr) | Antioch Diversions <sup>4</sup> (af/yr) | Groundwater <sup>5</sup> (af/yr) | East Contra Costa County Irrigation Purchases (af/yr) | LV Supply <sup>6</sup> (af/yr) | Recycled Water <sup>7</sup> (af/yr) | Planned Purchases (af/yr) | Conservation Savings <sup>8</sup> (af/yr) | Total Planned Supply (af/yr) |
|--|--------------------------|-------------------------------|-------------------------------------|---|----------------------------------|---|--------------------------------|-------------------------------------|---------------------------|---|------------------------------|
| <i>Near-Term</i>                         | 144,500                  | 0                             | 0                                   | 0                                       | 3,000                            | 10,000  | 10,000                         | 8,500                               | -                         | 7,900                                     | 183,900                      |
| 2015                                     | 155,550                  | 0                             | 0                                   | 0                                       | 3,000                            | 11,100  | 10,000                         | 10,500                              | -                         | 11,000                                    | 201,200                      |
| 2020                                     | 165,750                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 12,500                              | -                         | 16,200                                    | 216,700                      |
| 2025                                     | 165,750                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 13,300                              | -                         | 17,000                                    | 221,300                      |
| 2030                                     | 165,750                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 14,100                              | 3,100                     | 19,200                                    | 227,400                      |
| 2035                                     | 165,750                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 14,800                              | 7,200                     | 21,200                                    | 234,200                      |

## Notes:

af/yr = acre-feet per year

1. Basis of water year data is as follows: Normal (Average) represents a below normal or wetter year on the Sacramento River Hydrologic Region 40-30-30 Water Supply Index. Single-Year drought represents 1977 conditions. Multiple-Year drought sequence represents 1987-1992 conditions.

2. The Central Valley Project (CVP) conditions used for supply planning are defined as follows: Normal is Adjusted Historical Use. Single Year Drought supply is 75 percent of Historical Use. Multi-year drought (year 1) supply is 85 percent of Historical Use. Multi-Year Drought (year 2) is 75 percent of Historical Use. Multi-Year Drought (year 3) is 65 percent of Historical Use.

3. Mallard Slough average annual diversion over 15 year period (1995 - 2009).

4. Antioch Diversions is average annual diversion over 11 year period since pumping plant improvements (1999-2009).

5. Groundwater represents production from Mallard Wells, municipal customer owned wells, and miscellaneous other wells in the District's service area.

6. Anticipated water supply reliability benefit resulting from expansion of Los Vaqueros Reservoir.

7. Recycled water does not include wildlife habitat enhancement and wetlands or plant use.

8. Anticipated conservation savings, including both active and passive conservation.

**Table 3.4-4  
Projected Water Supply (Multi-Year Drought – Year 2)**

| Multi-Year Drought (Year 2) <sup>1</sup> | CVP <sup>2</sup> (af/yr) | Industrial Diversions (af/yr) | Mallard <sup>3</sup> Slough (af/yr) | Antioch Diversions <sup>4</sup> (af/yr) | Groundwater <sup>5</sup> (af/yr) | East Contra Costa County Irrigation Purchases (af/yr) | LV Supply <sup>6</sup> (af/yr) | Recycled Water <sup>7</sup> (af/yr) | Planned Purchases (af/yr) | Conservation Savings <sup>8</sup> (af/yr) | Total Planned Supply (af/yr) |
|--|--------------------------|-------------------------------|-------------------------------------|---|----------------------------------|---|--------------------------------|-------------------------------------|---------------------------|---|------------------------------|
| <i>Near-Term</i>                         | <i>127,500</i>           | <i>0</i>                      | <i>0</i>                            | <i>0</i>                                | <i>3,000</i>                     | <i>10,000</i>   | <i>10,000</i>                  | <i>8,500</i>                        | <i>-</i>                  | <i>7,900</i>                              | <i>166,900</i>               |
| 2015                                     | 137,250                  | 0                             | 0                                   | 0                                       | 3,000                            | 11,100  | 10,000                         | 10,500                              | -                         | 11,000                                    | 182,900                      |
| 2020                                     | 146,250                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 12,500                              | -                         | 16,200                                    | 197,500                      |
| 2025                                     | 146,250                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 13,300                              | -                         | 17,000                                    | 201,800                      |
| 2030                                     | 146,250                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 14,100                              | 3,100                     | 19,200                                    | 207,900                      |
| 2035                                     | 146,250                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 14,800                              | 7,200                     | 21,200                                    | 214,700                      |

## Notes:

af/yr = acre-feet per year

1. Basis of water year data is as follows: Normal (Average) represents a below normal or wetter year on the Sacramento River Hydrologic Region 40-30-30 Water Supply Index. Single-Year drought represents 1977 conditions. Multiple-Year drought sequence represents 1987-1992 conditions.
2. The Central Valley Project (CVP) conditions used for supply planning are defined as follows: Normal is Adjusted Historical Use. Single Year Drought supply is 75 percent of Historical Use. Multi-year drought (year 1) supply is 85 percent of Historical Use. Multi-Year Drought (year 2) is 75 percent of Historical Use. Multi-Year Drought (year 3) is 65 percent of Historical Use.
3. Mallard Slough average annual diversion over 15 year period (1995 - 2009).
4. Antioch Diversions is average annual diversion over 11 year period since pumping plant improvements (1999-2009).
5. Groundwater represents production from Mallard Wells, municipal customer owned wells, and miscellaneous other wells in the District's service area.
6. Anticipated water supply reliability benefit resulting from expansion of Los Vaqueros Reservoir.
7. Recycled water does not include wildlife habitat enhancement and wetlands or plant use.
8. Anticipated conservation savings, including both active and passive conservation.

**Table 3.4-5  
Projected Water Supply (Multi-Year Drought – Year 3)**

| Multi-Year Drought (Year 3) <sup>1</sup> | CVP <sup>2</sup> (af/yr) | Industrial Diversions (af/yr) | Mallard <sup>3</sup> Slough (af/yr) | Antioch Diversions <sup>4</sup> (af/yr) | Groundwater <sup>5</sup> (af/yr) | East Contra Costa County Irrigation Purchases (af/yr) | LV Supply <sup>6</sup> (af/yr) | Recycled Water <sup>7</sup> (af/yr) | Planned Purchases (af/yr) | Conservation Savings <sup>8</sup> (af/yr) | Total Planned Supply (af/yr) |
|--|--------------------------|-------------------------------|-------------------------------------|---|----------------------------------|---|--------------------------------|-------------------------------------|---------------------------|---|------------------------------|
| <i>Near-Term</i>                         | <i>110,500</i>           | <i>0</i>                      | <i>0</i>                            | <i>0</i>                                | <i>3,000</i>                     | <i>10,000</i>   | <i>10,000</i>                  | <i>8,500</i>                        | <i>-</i>                  | <i>7,900</i>                              | <i>149,900</i>               |
| 2015                                     | 118,950                  | 0                             | 0                                   | 0                                       | 3,000                            | 11,100  | 10,000                         | 10,500                              | -                         | 11,000                                    | 164,600                      |
| 2020                                     | 126,750                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 12,500                              | -                         | 16,200                                    | 178,400                      |
| 2025                                     | 126,750                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 13,300                              | -                         | 17,000                                    | 182,300                      |
| 2030                                     | 126,750                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 14,100                              | 3,100                     | 19,200                                    | 188,400                      |
| 2035                                     | 126,750                  | 0                             | 0                                   | 0                                       | 3,000                            | 12,200  | 10,000                         | 14,800                              | 7,200                     | 21,200                                    | 195,200                      |

## Notes:

af/yr = acre-feet per year

1. Basis of water year data is as follows: Normal (Average) represents a below normal or wetter year on the Sacramento River Hydrologic Region 40-30-30 Water Supply Index. Single-Year drought represents 1977 conditions. Multiple-Year drought sequence represents 1987-1992 conditions.

2. The Central Valley Project (CVP) conditions used for supply planning are defined as follows: Normal is Adjusted Historical Use. Single Year Drought supply is 75 percent of Historical Use. Multi-year drought (year 1) supply is 85 percent of Historical Use. Multi-Year Drought (year 2) is 75 percent of Historical Use. Multi-Year Drought (year 3) is 65 percent of Historical Use.

3. Mallard Slough average annual diversion over 15 year period (1995 - 2009).

4. Antioch Diversions is average annual diversion over 11 year period since pumping plant improvements (1999-2009).

5. Groundwater represents production from Mallard Wells, municipal customer owned wells, and miscellaneous other wells in the District's service area.

6. Anticipated water supply reliability benefit resulting from expansion of Los Vaqueros Reservoir.

7. Recycled water does not include wildlife habitat enhancement and wetlands or plant use.

8. Anticipated conservation savings, including both active and passive conservation.

Based on updates to the UWMP, the following paragraph supersedes the paragraph following Tables 3.4-1 through 3.4-5 in Section 3.4.3 of the SEIR:

CCWD's 2011 UWMP included an evaluation of water demand, conservation, and existing and potential sources of supplies including continued use of Central Valley Project (see Tables 3.4-1 through 3.4-5 above) water, groundwater, recycled water desalination, and water transfers. The supply and demand forecasts indicated that near-term demands can be met under all supply conditions, except in the latter years of a multi-year drought where short-term water purchases or voluntary short-term conservation of up to *nine (9) percent* (versus seven percent indicated in the SEIR) would be considered to meet demands. Future water demands will be achieved through implementation of the CCWD's Future Water Supply Study,<sup>5</sup> which identifies alternative ways of meeting future water demand for the next 50 years.

### **3.4.2 Regulatory Framework**

The following paragraph supersedes the paragraph under Section 3.4.4 *Regulatory Framework, State, Title 24, California's Energy Efficiency Standards for Residential and Non-Residential Buildings*. The standards are changed to reflect the current California Energy Commission Building Energy Efficiency Standards (established in 2008). Updated data is shown in italics.

Title 24, Part 6, of the California Code of Regulations establishes California's Energy Efficiency Standards for Residential and Nonresidential Buildings. The standards were updated in *2008* and set a goal of reducing growth in electricity use by *561* gigawatt-hours per year (GWh/y) and growth in natural gas use by *19.0* million therms per year (therms/y). The savings attributable to new nonresidential buildings are *459* GWh/y of electricity savings and *11.5* million therms. For non-residential buildings, the standards establish minimum energy efficiency requirements related to building envelope, mechanical systems (e.g., HVAC and water heating systems), indoor and outdoor lighting, and illuminated signs.

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<sup>5</sup> Contra Costa Water District. *Future Water Supply Study*. August 1996 (updated 2002).

**3.4.3 Environmental Checklist and Discussion Impacts**

|   | New Potentially Significant Impact | New Less Than Significant With Mitigation Incorporated | New Less Than Significant Impact | Same Impact as "Approved Project"   | Less Impact than "Approved Project" | Checklist Source(s) |
|---|------------------------------------|--|----------------------------------|-------------------------------------|-------------------------------------|---------------------|
| Would the project:  |                                    |  |                                  |                                     |                                     |                     |
| 1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?   | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1-4,8               |
| 2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                            | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1-4,8               |
| 3. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                      | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1-4                 |
| 4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1-4,9               |
| 5. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1-4,8               |
| 6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1-3                 |
| 7. Comply with federal, state and local statutes and regulations related to solid waste?  | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1-3                 |

**3.4.3.1 Project Impacts and Mitigation Measures**

Implementation of the Specific Plan, which is consistent with General Plan policies adopted for the purpose of reducing or avoiding impacts associated with public services and utilities, the CCWD's UWMP and Future Water Supply Study, California's energy efficiency standards, and local, state and federal regulations, would not result in a significant impact on public services or utilities. The following discussion supplements Section 3.4.7 of the SEIR. Impacts of public services and utilities in this Addendum are consistent with those of the SEIR.

**Impacts on Water and Wastewater**

Future development in the Concord Downtown PDA would increase the demand for water supply. CCWD's Future Water Supply Study Update (2002) and 2010 UWMP indicate that the City is on target with meeting the future demands of its service areas, while accounting for future growth throughout the area. Development in the Concord Downtown PDA is not anticipated to require any significant upgrades to water supply infrastructure.

Densification of the Downtown Concord PDA and changes in land use will likely increase sewage generation. The current Downtown Concord Sewer and Streetscape Improvements Phase II project (includes replacement of sewer mains and laterals), however, takes into consideration this increased density as projected by the General Plan. Although local lines may need to be upsized or extended to serve redeveloped parcels, no significant infrastructure deficiency mitigation is anticipated in order to serve the Downtown Concord PDA.

As stated in the SEIR, water demand with implementation of the General Plan, would not change substantially. Furthermore, the City's future water conservation measures may reduce future water demand. For these reasons, the proposed Specific Plan would not require water supply in excess of the demand assumed in the General Plan.

**Impacts on Stormwater Drainage**

The Downtown Concord PDA includes primarily developed parcels. Redevelopment of existing parcels would likely decrease stormwater runoff with the anticipated reduction in impervious area, additional greening, and compliance with regional and state stormwater requirements for water quality and quantity reductions. New development that increases stormwater runoff may be subject to Hydrograph Modification requirements to mitigate the additional flow if the increased runoff negatively impacts receiving stormwater facilities.

Local storm drainage infrastructure that collect and convey runoff to the major storm drain systems would likely be reconfigured to allow for redevelopment. New development may require that storm drainage infrastructure be extended to serve parcels if existing improvements are not currently available. Design would be in accordance with City of Concord design standards and specifications and would be coordinated with the City. No significant infrastructure impacts are anticipated in order to serve the Downtown Concord PDA.

State stormwater requirements require that new developments or re-developed areas more than 10,000 square feet (s.f.) maintain post-construction stormwater flows from the site at pre-construction levels; since the implementation of projects under the Specific Plan would comply with this requirement, no significant changes in stormwater flows are anticipated for the Downtown Concord PDA. Private and public projects would mitigate increased stormflows in effort to ensure that flows generated by the development are not increased. New developments would meet regional requirements for stormwater quality prior to being approved. Best Management Practices (BMPs) such as detention basins, bio-filtration basins, flow-through planters, and green roofs would also be implemented to mitigate stormwater runoff.

### **Solid Waste**

Based on the Concord General Plan EIR, the City's solid waste capacity is sufficient to meet the needs of projected growth until 2030. With the implementation of General Plan policies established to reduce waste, solid waste impacts associated with the Specific Plan's new developments would not be significant. Projected population growth under the proposed General Plan is not anticipated to generate significant additional solid waste demand. Furthermore, the Concord Development Code includes development standards relating to solid waste, recycling, and green waste materials storage. Impacts of solid waste, associated with the Specific Plan's implementation, on solid waste landfills would be less than significant. New developments would be required to comply with General Plan policies, federal, state, and local solid waste regulations.

#### **3.4.4 Conclusion**

Development under the Specific Plan would cause sewage treatment plant servicing area to exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board. Wastewater flows associated with development assumed in the General Plan in the Downtown Concord PDA is accounted for in the City's projected wastewater flows.

**(Less Than Significant Impact [Same as Approved Project])**

Implementation of the Specific Plan would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of that could cause significant environmental effects. **(Less Than Significant Impact [Same as Approved Project])**

New development from the implementation of the Specific Plan would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of that could cause significant environmental effects.

**(Less Than Significant Impact [Same as Approved Project])**

With implementation of the City's UWMP and water conservation efforts, new development resulting from the implementation of the Specific Plan would have sufficient water supplies available to serve the Proposed Project from existing entitlements and resources, and would not require new or expanded entitlements. **(Less Than Significant Impact [Same as Approved Project])**

Projects under the Specific Plan would not result in an increase of capacity of the City's wastewater treatment system. The Central Contra Costa Sanitary District is anticipated to have the capacity to

serve developments under the General Plan and Specific Plan in addition to its existing commitments. **(Less Than Significant Impact [Same as Approved Project])**

New developments resulting from implementation of the Specific Plan would be served by a landfill with sufficient permitted capacity to accommodate the projects' solid waste disposal needs. **(Less Than Significant Impact [Same as Approved Project])**

Projects under the Specific Plan would comply with federal, state and local statutes and regulations related to solid waste. **(Less Than Significant Impact [Same as Approved Project])**

### 3.5 TRANSPORTATION/TRAFFIC

The Specific Plan proposes development that would allow for all modes of travel, with an emphasis on pedestrians, bicyclists, and transit users. Focusing new development in and around the BART station and Downtown core with a diversity of uses in proximity to BART, reduces the reliance on private motor vehicles, which helps minimize traffic congestion and the amount of land designated for parking.

The transportation and circulation goals and policies in the Specific Plan are consistent with the General Plan and Concord Development Code. The Specific Plan outlines transportation and circulation goals, policies and objectives planned for implementation and/or development in the Downtown Concord PDA. Transportation and circulation goals and objectives proposed for implementation of the Specific Plan's Downtown Concord PDA are to develop the following:

- A vehicular circulation system that accommodates both local traffic and through traffic with built-in flexibility to allow other modes of travel to take priority on specific streets as defined by this Specific Plan.
- An integrated pedestrian network of expansive sidewalks within the Downtown Concord PDA, with an emphasis on streets within the pedestrian priority zone.
- A bicycle network that builds upon existing plans and integrates more fully with the downtown and proposed public space improvements in the area.
- An integrated circulation plan that supports transit use.
- A public parking strategy and management plan that efficiently accommodates downtown visitors and supports downtown businesses.
- Flexible parking standards for private development based on current industry standards.

The following discussion is based on the *Transportation Assessment* (refer to Appendix A of this Initial Study) prepared by Fehr and Peers in January 2014 to confirm that implementation of the Specific Plan would not result in traffic impacts not previously identified in the SEIR.

#### 3.5.1 Environmental Setting

The following section supplements *Section 3.5.3 Environmental Setting, Study Area, Traffic Operations and Analysis* of the SEIR. The section describes the City of Concord's benchmarks for Levels of Service (LOS) for signalized intersections and roadway segments, specifically for the Central Business District (CBD) in the City of Concord.

The Concord 2030 General Plan established a performance threshold for vehicle operations of LOS E for signalized intersections and roadway segments in the CBD. The CBD is generally defined as the area from Downtown Concord to I-680 including the area from Concord Avenue to Clayton Road. The Downtown Concord PDA is within the CBD. The LOS E benchmark is also applicable to the Downtown Concord BART Station vicinity and the City's transit routes, which are generally defined as roads with two or more bus transit lines.

The *Transportation Assessment* evaluated existing conditions and future conditions (implementation of the Specific Plan) of intersection and roadway segment levels of service. LOS based on the

implementation of the Specific Plan were compared to LOS based on the implementation of the General Plan and Concord Development Code to evaluate traffic impacts.

### **3.5.2 Regional Framework**

#### **3.5.2.1 *Applicable Plans and Policies***

*Section 3.5.4 Regulatory Framework, Local, 2030 Concord General Plan* of the SEIR outlines applicable General Plan policies related to traffic and circulation in the City of Concord. Traffic and circulation Specific Plan goals and policies are consistent with the General Plan. The following paragraphs outline Specific Plan goals and policies for Circulation, Vehicle Circulation, Pedestrian Circulation, Bicycle Circulation, Transit, Accessibility and Parking Strategy

#### **Circulation**

**GOAL C-1:** A system of complete streets that recognizes the modal priorities of each facility.

*Policy C-1.1* (General Plan Policy T-1.1.5): Maintain transportation levels of service benchmarks which consider not only vehicle travel time and intersection delay, but also broader goals relating to environmental quality and community character. Lower levels of service may be acceptable in Downtown Concord, within one half mile of the City's two BART stations, along designated transit routes, and in other locations as deemed appropriate by the City Council.

*Policy C-1.2:* Adopt a street designation overlay for the Specific Plan Area.

#### **Vehicle Circulation**

**GOAL C-2:** Efficient but managed vehicle access in the Specific Plan Area.

*Policy C-2.1:* Continue to evaluate the effects of land use development on the overall circulation system through the preparation of focused transportation impact studies. Guidelines should be developed that identify the analysis procedures for evaluating all modes of travel.

*Policy C-2.2:* Eliminate the level of service benchmark for vehicles within the pedestrian priority zone.

*Policy C-2.3:* Update the City's Transportation Impact Fee to include non-motorized projects within the Specific Plan Area. These improvements would shift existing and future trips to non-auto modes, thereby freeing up capacity for new vehicle trips within the plan area.

*Policy C-2.4:* Evaluate potential improvements on Galindo Street between Salvio Street and Laguna Street to improve vehicle flow within the existing cross-section and facilitate pedestrian, bicycle and transit access.

### **Pedestrian Circulation**

**GOAL C-3:** Quality pedestrian facilities and amenities that create a safe and aesthetically pleasing environment that encourages walking and accommodates increased pedestrian activity.

*Policy C-3.1:* To the extent feasible, eliminate existing and minimize future driveways and curbcuts within the pedestrian priority zone, specifically along Grant Street and Willow Pass Road. Sidewalks across driveways should be set back from the driveway so that they remain level.

*Policy C-3.2:* Widen sidewalks within the pedestrian priority zone and provide landscape buffers on connector and transit streets.

*Policy C-3.3:* Reduce street crossing widths and increase pedestrian visibility by installing curb extensions and crosswalk markings at intersections on key pedestrian streets where feasible.

*Policy C-3.4:* Provide pedestrian scale wayfinding throughout the Specific Plan Area.

*Policy C-3.5:* Provide pedestrian-scale street lighting along all streets in the Specific Plan Area, especially streets with commercial frontage.

*Policy C-3.6:* When traffic signals are upgraded, provide pedestrian countdown timers and audible devices.

### **Bicycle Circulation**

**GOAL C-4:** A bicycle network with safe and efficient connections to major destinations within the Specific Plan Area and throughout the City of Concord and adjacent communities where feasible.

*Policy C-4.1:* Develop the bicycle network as depicted in the Specific Plan and further refined as part of the Bicycle Master Plan process.

*Policy C-4.2:* Enhance bicycle facilities at key intersections with high bicycle and automobile traffic. Potential changes may include facilities such as bicycle detection and extension of green times and bicycle boxes.

*Policy C-4.3:* Increase bicycle parking supply in the public realm.

*Policy C-4.4:* Explore the feasibility of providing a bike share program within the Specific Plan Area.

### **Transit**

*Policy C-5.1:* Collaborate with Contra Costa Transportation Authority (CCTA) to improve bus service in the plan area and support Specific Plan objectives by incorporating the following recommendations into its Transit Performance Initiative.

*Policy C-5.2:* Evaluate and implement a free local circulator shuttle through the creation of a business improvement district.

*Policy C-5.3:* Coordinate enhancements for all modes of travel in the Plan Area with BART to provide seamless connections to and from the BART Station and the rest of the Specific Plan area.

### **Accessibility**

The goals and policies identified within pedestrian, bicycle and transit sections would improve mobility within the study area for all users, including those with physical disabilities. Design of transportation and pedestrian infrastructure within the public right-of-way will meet requirements as set forth by the Americans with Disability Act (ADA).

### **Parking Strategy**

**GOAL C-7:** A parking supply that supports Downtown businesses and stimulates economic growth, while not promoting excessive driving.

*Policy C-7.1:* To the extent feasible, encourage private entities to allow public parking after typical business hours for shared parking use within each development and between different developments.

*Policy C-7.2:* Develop a parking management plan that includes a wayfinding component to encourage a “park once” strategy and a special event parking management strategy.

*Policy C-7.3:* Adjust parking requirements for developments within the Specific Plan Area.

*Policy C-7.4:* Evaluate the potential to provide more flexible parking standards to provide flexibility to developers as minimum parking requirements can reduce the feasibility of in-fill developments on small lots, including a requirement to unbundle parking from the purchase price of residential units.

*Policy C-7.5:* Encourage car sharing to occur throughout the plan area through partnership with zipcar or other car sharing entity.

**3.5.3 Environmental Checklist and Discussion of Impacts**

|   | New Potentially Significant Impact | New Less Than Significant With Mitigation Incorporated | New Less Than Significant Impact | Same Impact as "Approved Project"   | Less Impact Than "Approved Project" | Checklist Source(s) |
|---|------------------------------------|--|----------------------------------|-------------------------------------|-------------------------------------|---------------------|
| Would the project:  |                                    |  |                                  |                                     |                                     |                     |
| 1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,2,4,10            |
| 2. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?  | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,2,4,10            |
| 3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?   | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,3                 |
| 4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?   | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,3,4               |
| 5. Result in inadequate emergency access?   | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,3,4               |
| 6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?  | <input type="checkbox"/>           | <input type="checkbox"/>                               | <input type="checkbox"/>         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 1,2,4,10            |

### 3.5.3.1 *Transportation/Traffic Impacts*

The following assessment of traffic impacts compares the results of the SEIR to those of the *Transportation Assessment* prepared for the Specific Plan. The *Transportation Assessment* utilized updated traffic information, including traffic counts reflective of 2013 conditions, the most current regional modeling tools, and intersection LOS analysis tools that take into account pedestrian and bicycle activity, as well as intersection signal timings. Overall, the updated *Transportation Assessment* has similar conclusions as the General Plan transportation analysis since the Specific Plan would generate essentially the same amount of development (consistent with the Concord Development Code) in the Downtown Concord PDA that is projected in the General Plan.

#### **Impacts Applicable Plans, Policies, or Ordinances**

##### Trip Generation

Implementation of the Specific Plan and the General Plan would increase vehicle traffic that leaves the Downtown Concord PDA by approximately 9,560 trips on a daily basis, including 1,100 morning and 1,370 evening peak hour trips. Adoption of Specific Plan transportation policies that encourage vehicle trip reduction may reduce anticipated vehicle trips assumed in the General Plan. A local circulator shuttle connecting the BART station to various destinations within the Downtown Concord PDA, including transit stop enhancements, would also be further evaluated for its feasibility to encourage greater transit usage throughout the Downtown Concord PDA. Changes in trip generation were taken into account for the preparation of the *Transportation Assessment*.

##### Freeway Impacts

As described in the SEIR, the General Plan would contribute to impaired freeway operations, which would remain at a substandard level of services (i.e., F). No feasible mitigation measures have been identified that would reduce freeway impacts to a less than significant level. Increasing freeway capacity by adding lanes is currently under review by CCTA (Contra Costa County's Congestion Management Agency) and California Department of Transportation (Caltrans). Because the Specific Plan allows essentially the same amount of development within the Downtown Concord PDA as the General Plan, no new significant impacts on freeway traffic would result from the implementation of the Specific Plan.

##### Roadway Impacts

The SEIR and the *Transportation Assessment* prepared for the Specific Plan analyzed roadway segments within the Downtown area. The *Transportation Assessment* was completed with more up to date information; therefore, it has been confirmed that major roadways within the Downtown area would operate within the levels of service identified in the SEIR with Specific Plan implementation.

As stated in the SEIR, several roadway segments could improve with implementation of improvements included in the General Plan. For these reasons, and because additional development is not proposed, roadways within the Downtown Concord PDA would operate at similar unacceptable levels and significant unavoidable impacts identified in the SEIR would still occur.

Vehicle Miles Traveled

Based on the *Transportation Assessment*, vehicle miles traveled (VMT) are expected to increase as the City continues to grow. The level of VMT growth, however, is within the range predicted within the SEIR and the Citywide CAP. Therefore, no new significant impacts would result from the increase of VMT resulting from Specific Plan implementation.

Intersection Levels of Service

Similar to roadway segments, the *Transportation Assessment* was completed to determine if impacts associated with the development envisioned in the Specific Plan would be greater than impacts of General Plan and Concord Development Code Project development. Two intersections were evaluated in the *Transportation Assessment* that were also evaluated in the SEIR (based on development assumed in the General Plan and Concord Development Project). More up to date information was used in the *Transportation Assessment* for the existing and future levels of service at the intersections. For these intersections, impacts associated with Specific Plan implementation would be consistent with the City's LOS E benchmark.

Other intersection LOS impacts were identified in the SEIR that are assumed to continue to be significant and unavoidable. As stated in the SEIR, widening impacted intersections would require acquisition of property and the displacement of businesses and/or residents. Two mitigation measures were identified to reduce potential impacts; however, impacts would not be reduced to a less than significant level. This conclusion is consistent with the conclusions of the SEIR.

Transit System

Transit services in Downtown Concord include BART trains and County Connection buses. Implementation of the Specific Plan has the potential to further increase transit system ridership in the Downtown Concord PDA; however, the increase in ridership is already assumed in the General Plan. The Specific Plan, therefore, would not result in a new significant impact on the City's transit system.

**3.5.4            Conclusion**

The General Plan and Specific Plan propose several goals intended to encourage an efficient land use pattern, manage future traffic congestion, and reduce commute trips and length. Consistent with the SEIR analysis, however, implementation of the Specific Plan would contribute to freeway congestion and would conflict with the City's LOS benchmarks establishing measures of effectiveness for the performance of the circulation system, specifically roadways and intersections. Impacts on roadways and intersections are considered significant and unavoidable since planned mitigation measures for physical improvements do not currently exist that would reduce these impacts to a less than significant level. **(Significant and Unavoidable Impact [Same as Approved Project])**

Implementation of the Specific Plan would not conflict with the standards established by the CCTA, including level of service standards, travel demand measures or other standards established by the CCTA. **(Less Than Significant Impact [Same as Approved Project])**

Implementation of the Specific Plan would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

**(No Impact [Same as Approved Project])**

The Specific Plan's implementation would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses. Projects implemented under the Specific Plan would comply with the City's project design standards and Development Code (that address traffic hazards). **(Less Than Significant Impact [Same as Approved Project])**

Implementation of the Specific Plan would not result in inadequate emergency access. Projects under the Specific Plan would comply with the City's zoning requirements and project design standards intended to address emergency access. The City of Concord Police Department and Contra Costa County Fire Protection District would review individual development proposals to ensure that access needs are met. **(Less Than Significant Impact [Same as Approved Project])**

Implementation of the Specific Plan would be consistent with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. **(No Impact [Same as Approved Project])**

## SECTION 4.0 CONCLUSION

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Based on the above analysis and discussion, no substantive revisions to the SEIR are needed because no new significant impacts or impacts of substantially greater severity would result from the approved Specific Plan. There have been no changes in circumstances in the Downtown Concord Priority Development Area that would result in new significant environmental impacts or substantially more severe impacts and no new information has come to light that would indicate the potential for new significant impacts or substantially more severe impacts than were discussed in the SEIR. For these reasons, no further evaluation is required, and no Subsequent EIR is needed pursuant to State CEQA Guidelines Section 15162, and an SEIR Addendum has therefore appropriately been prepared, pursuant to Section 15164.

Pursuant to CEQA Guidelines §15164(c), this Addendum will be included in the public record file for the *Supplemental Environmental Impact Report to the 2030 Concord General Plan EIR for the Concord Development Code Project*.

The *draft Downtown Concord Specific Plan* is available for public review at the City of Concord Permit Center, located at 1950 Parkside Drive, Building D, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday excluding holidays. The document may also be accessed on the City's website during the public comment period at <http://www.cityofconcord.org/downtownplan/> under "Project Documents". While circulation of the *Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project* (Addendum) is not required, in the interest of transparency, *the Addendum, the SEIR, and the Final Environmental Impact Report for the Concord 2030 Urban Area General Plan (General Plan EIR)*, are available for public inspection as of January 28, 2014 at the City of Concord Permit Center, located at 1950 Parkside Drive, Building D, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday excluding holidays. The document may also be accessed on the City's website during the public comment period at <http://www.cityofconcord.org/citygov/dept/planning/eir.htm>.

By:

Victoria Walker, Director  
Community and Economic Development Department  
City of Concord

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Signature

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Date

**SECTION 5.0 CHECKLIST SOURCES**

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1. CEQA Guidelines - Environmental Thresholds (Professional judgment and expertise and review of project plans).
2. City of Concord. *The Concord 2030 Urban Area General Plan*. Amendments Volume I. July 2012.
3. City of Concord. *Final Supplemental Environmental Impact Report to the 2030 Concord General Plan EIR Concord Development Code Project City of Concord, Contra Costa County, California*. June 2012.
4. City of Concord. *Downtown Concord Specific Plan*. September 2013.
5. BAAQMD. 2010. Clean Air Plan. Adopted September 2010.
6. Bay Area Air Quality Management District (BAAQMD). *California Environmental Quality Act Air Quality Guidelines*. June 2010. Updated May 2011.
7. City of Concord. *Citywide Climate Action Plan*. Adopted July 2013.
8. California Regional Water Quality Control Board, San Francisco Bay Region. *Central Contra Costa Sanitary District Wastewater Treatment Plant and its Associated Wastewater Collection System. Order Number (No.) R2-2012-0016, NPDES No. CA0037648*. Adopted in February 2012.
9. Contra Costa Water District. *Urban Water Management Plan*. June 2011.
10. Fehr and Peers. *Downtown Concord Specific Plan - Transportation Assessment*. December 2013.

## SECTION 6.0 REFERENCES

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Bay Area Air Quality Management District (BAAQMD). *Air Quality Standards and Attainment Status*. Available at: <[http://hank.baaqmd.gov/pln/air\\_quality/ambient\\_air\\_quality.htm](http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm)>. Accessed November 26, 2013.

--. 2011. *California Environmental Quality Act Air Quality Guidelines*. Updated May 2011.

Bureau of Reclamation, Mid-Pacific Region. *Central Valley Project (CVP) Water Contractors*. Revised August 2013.

City of Concord. *Citywide Climate Action Plan*. Adopted July 2013.

--. 2012. *City of Concord 2012 Development Code*. Adopted July 2012 (Effective August 2012).

--. 2013. *Downtown Concord Draft Specific Plan*. September 2013.

--. 2007. *Final Environmental Impact Report: Concord 2030 Urban Area General Plan*. April.

--. 2012. *Final Supplemental Environmental Impact Report to the 2030 Concord General Plan EIR Concord Development Code Project City of Concord, Contra Costa County, California*. State Clearinghouse No. 2006062093. June 2012.

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California Regional Water Quality Control Board, San Francisco Bay Region. *Central Contra Costa Sanitary District Wastewater Treatment Plant and its Associated Wastewater Collection System*. Order Number (No.) R2-2012-0016, NPDES No. CA0037648. Adopted by Regional Water Quality Control Board in February 2012.

Contra Costa Water District. *Future Water Supply Study*. August 1996.

--. 2011. *Urban Water Management Plan*. June 2011.

Fehr and Peers. *Downtown Concord Specific Plan - Transportation Assessment*. January 2014.

Metropolitan Transportation Commission, Association of Bay Area Governments. *Plan Bay Area*. Adopted July 2013.

**SECTION 7.0    AUTHORS AND CONSULTANTS**

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**Lead Agency****City of Concord**

Community and Economic Development Department

Planning Division

Carol Johnson, Planning Manager

Joan Ryan, Senior Planner/Project Manager

**Consultants****Perkins + Will**

Urban Design and Planners

Prakash Pinto, Urban Design Principal

Dennis Dornan, Senior Project Manager

Laura Shifley, Urban Designer

**David J. Powers & Associates, Inc.**

Environmental Consultants and Planners

Jodi Starbird, Principal Project Manager

Amber Sharpe, Assistant Project Manager

**Fehr & Peers**

Transportation Consultants

Kathrin Tellez, AICP, PTP, Senior Associate

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06 June 2014

This document is on file with the City Clerk's office.

It can also be found at <http://www.cityofconcord.org/pdf/projects/downtownPlan/06042014.pdf>



# DOWNTOWN CONCORD SPECIFIC PLAN

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## Attachment 1A

| <b>Downtown Steering Committee Members</b> |                  |                       |
|--|------------------|-----------------------|
| <b>First Name</b>                          | <b>Last Name</b> | <b>Position</b>       |
| Ron  | Leone            | Chair                 |
| Tim  | Grayson          | Vice-Chair            |
|  |                  |                       |
| Ed   | Andrews          | At-large Member       |
| Adam                                       | Foster           | At-large Member       |
| Robert                                     | Hoag             | Planning Commissioner |
| Tim  | McGallian        | Planning Commissioner |
| Amos                                       | Munoz            | Chamber of Commerce   |
| Kathy                                      | Renfro           | At-large Member       |
| Kirk                                       | Shelby           | DRB Member            |
| Virginia                                   | Thomas           | At-large Member       |
| Darrin                                     | Walters          | TSBA                  |
| Ross                                       | Wells            | DRB Member            |
| Jeff                                       | Woods            | At-large Member       |
|  |                  |                       |
| Joan                                       | Ryan             | Staff Liaison         |

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**May 21, 2014**

**Errata Sheet, Downtown Concord Specific Plan**

**Appendix – Section 9 - References**

**Add technical memos**

9.2 Affordable Housing (final)

9.3 Transportation memo

9.4 Existing Conditions Report

**Clarify “write down”** (page 9): Third column, fourth bullet: Examine potential write down of land costs (mark down of price) ....

**Clarify “art interventions”** (page 10): Third column, third bullet: Support more art interventions (art projects, events or activities) in the Downtown.

**Clarify “light synchronization”** (page 11): Second column, last bullet: Review ~~light~~ traffic signal synchronization in the Downtown Core.

**Typo** (page 28): First column, last paragraph: .....which are the mostly likely to be...

**Typo** (page 29): Legend – change color for Concord from purple to blue, consistent with graph.

**Eliminate “where possible”** (page 34): Second column, bottom paragraph, first sentence: ...connecting adjacent open spaces by a greenway trail ~~where possible~~ beneath the BART railway.

**Typo** (page 35): Second column, second paragraph, line 7 – ~~Test~~ Best fit alternatives.....

**Typo** (page 63): Third column, third paragraph, line 4 – ....as parcels develop would improve.....

**Clarify jargon** (page 70): First column, last paragraph, line 8 – .....as well as the creation of a higher-quality pedestrian environment and streetwall aesthetic (streetscape appearance); as podium parking can be located behind active building facades.

**Clarify jargon** (page 83): Third column, last paragraph, line 5 – ...through building vertical modulation and façade articulation to avoid flat, long walls, along the street frontage. Such techniques could include the use of change in façade rhythm, façade recesses, or change in materials or color.

**Clarify** (page 94): First column, first paragraph: Buildings should ~~incorporate narrow floor plates~~ incorporate consideration of floor-to-ceiling height and floor plan depth when designed to allow natural light deeper into the interior.

**Clarify map** (page 100): Bicycle street – Remove arrow head showing north through Mt. Diablo High School on Grant St (stop line at project boundary). Adjust line extending north along Port Chicago Highway to better demonstrate connection through to North Concord BART.

**Typo** (page 102): Second column, third bullet, line 3 – ~~proving~~ providing last mile connections..

**May 21, 2014**

**Errata Sheet, Downtown Concord Specific Plan**

page 2

**Clarify** (page 139): Second column, Under Bike Path heading, line 2 – Contra Costa Canal Trail to ~~Detroit Ave.~~ Clayton Rd. along Detroit Avenue (as shown on Fig. 5.4)

**Clarify** (page 146): Strategy T-4 A: Engage and actively coordinate with BART to streamline development and expedite approval processes for Station and Access Improvements.

**Modify Implementation Strategy ED-2 (C)** (page 142)**to:** Encourage and facilitate a Parking Management Program in the DP zoned area and south to BART by initiating a parking management study for the DP and DMX zoning districts that analyzes the availability of existing parking spaces, determines modifications necessary in order to make private spaces available to the public, examines concepts such as unbundled parking and transfer of parking rights, and actions required to form a parking management district. (1)

**Modify Implementation Strategy T-1 D** (p. 144) **to:** Provide Downtown Concord bike share program and explore the possibility of incorporating electric bikes into the bike share fleet. (2)

**Add Implementation Strategy T-1 H** (p. 144): Strengthen connection between Park and Shop and Todos Santos Plaza via Willow Pass Road and Salvio Street. (3) [Short and mid-term XX]

**Add Policy C-1.3** (p. 98): Evaluate and consider adoption of the NACTO Urban Street Design Guide for use on all streets within the Downtown Specific Plan Area. (4)

**Add Policy C-3.7** (p. 111): Post “Reduced Speed 25 mph” signs on Pedestrian Streets as designated in Figure 5.1 Street Typologies. (5)

**Add Policy C-3.8** (p. 111): When new development is proposed for the south side of Todos Santos Plaza, consider providing a mid-block crossing on Willow Pass Road that mirrors the mid-block crossing on Salvio Street. (6)

**Add Policy C-5.4** (page 124): Evaluate the possibility of designating sufficient dedicated right-of-way to accommodate future light rail or bus rapid transit connecting the Concord Reuse Area to Todos Santos Plaza and Diablo Valley College. Study the potential for installation of raised curbs that would delineate the right-of-way and allow for it to be used as a segregated cycling and pedestrian trail while bus, rapid transit or light rail are being planned. (7)

**Clarify language** (p. 128): third column, last sentence - ....commercial and residential development within the plan area, with proposed modifications for further evaluation for residential developments.

**Clarify Policy C-6.3:** (page 129) ~~Modify~~ Evaluate parking requirements for developments within the Specific Plan area, as shown in Table 5.2.

Project Team page (inside back cover)

Ron Leone, Vice-Mayor ~~Councilmember~~ (Chair)

Tim Grayson, Mayor (Vice-Chair)

REGULAR MEETING OF THE  
CITY OF CONCORD PLANNING COMMISSION  
COUNCIL CHAMBER, 1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA

WEDNESDAY, MAY 7, 2014

A regular meeting of the Planning Commission, City of Concord, was called to order by Chair Carlyn Obringer at 7:00 P.M., Wednesday, May 7, 2014, in the City Council Chamber.

I. ROLL CALL

All were present except Commissioner Hoag, who had an excused absence.

COMMISSIONERS PRESENT:

Chair Carlyn Obringer  
Vice Chair John Mercurio  
Commissioner Ernie Avila  
Commissioner Tim McGallian

STAFF PRESENT:

Carol Johnson, Planning Manager  
Andrew Mogensen, Principal Planner  
Jason Hade, Associate Planner  
Joan Ryan, Senior Planner  
Mark Boehme, Acting Assistant City Attorney

II. PLEDGE TO THE FLAG

Vice Chair Mercurio led the pledge.

III. PUBLIC COMMENT PERIOD

Carol Johnson announced her pending departure from the City and introduced Andrew Mogensen as the interim Planning Manager and Planning Commission Secretary.

IV. ADDITIONS / CONTINUANCES / WITHDRAWALS

Staff reported there were no changes to the agenda.

V. CONSENT CALENDAR

APPROVAL OF MINUTES

Motion was made by Vice Chair Mercurio, and seconded by Commissioner McGallian to approve the meeting minutes of April 16, 2014 with benched corrections. The motion was passed by the following vote:

AYES: Avila, McGallian, Mercurio, Obringer  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Hoag

## VI. PUBLIC HEARINGS

The notice of this public hearing was published in the Contra Costa Times and posted in the City's posting cabinet on May 2, 2014.

### 1. DEVELOPMENT CODE CLEAN-UP TEXT AMENDMENT (PL131356 - DC, MC)

Project Planner Jason Hade presented the staff report. The main focus is primarily on the Food Vendor Group Sites such as micro-brewery/micro-distilleries and tasting rooms as well as mobile food vendors. Miscellaneous other changes are proposed to create processes for emerging new land uses which are not currently included in the Development Code. Staff conducted public outreach to the community and received positive feedback. Micro-breweries and micro distilleries would be permitted within certain areas subject to a Minor Use Permit. The micro-breweries and micro distilleries are limited to no more than 3,000 square feet of floor area for the production and packaging of alcoholic beverages from distribution, retail, or wholesale, on or off premises consistent with ABC regulations. The Text Amendment would permit tasting rooms in zoning districts to be identified via an Administrative Permit. Staff recommended adoption of Resolution No. 14-08PC and Resolution No. 14-09PC.

The following are comments by the Commissioners and clarifications by Project Planner Hade.

Commissioner Avila questioned if staff had received any comments from California Environmental Quality Act (CEQA). Associate Planner Hade responded that there had been no additional comments. Commissioner McGallian asked for clarification on the downtown Pedestrian zoning district usage public versus private property. Ms. Johnson explained the Downtown Pedestrian zoning for private property would not be allowed to have Food Vendor Group Sites. Vice Chair Mercurio inquired about the restroom requirements and the code enforcement. Mr. Hade responded by saying a condition of approval would be requested and the applicant would need to address the restroom situation and perhaps need to provide portable

restrooms. Hade also assured Vice Chair Mercurio that codes violations are being enforced. Vice Chair Mercurio also addressed the condition in regard to paving and Planning Manager Johnson suggested the wording be changed to "dust proof surface." Chair Obringer had a few follow up questions about the construction site and if there would be a special permit granted. Chair Obringer asked when this would go in effect should it be approved by the City Council and the next steps. Planner Hade stated that the owner of the construction site would obtain a permit for Food Vendor Site from the city. Planning Manger Johnson explained the process for adoption and that an effective date would be close to August 1.

#### Public Comment

Hector Barragan, restaurant and commissary owner on Monument addressed the Commission. Mr. Barragan operates a food truck and believes the amendment would bring economic growth. Mr. Barragan stated his support for the amendment. Commissioner McGallian addressed the relationship of food truck to brick and mortar restaurant since Mr. Barragan runs both. Mr. Barragan believes that the food trucks attract people to come into the city.

Erin Schally, Concord resident, stated that she and her partners would like to open up a micro-brewery in Concord Industrial area with tasting room and a brewery.

Ray Barbour, Concord resident, stated support for the amendment.

Motion was made by Commissioner Avila and seconded by Commissioner McGallian to adopt Resolution No. 14-08PC recommending City Council adoption of the Negative Declaration for the Development Code Clean-Up Amendment which was circulated for public review on March 21, 2014 with a review period through April 9, 2014. The motion passed by the following vote:

|          |                                       |
|----------|---------------------------------------|
| AYES:    | Avila, McGallian, Mercurio, Obringer, |
| NOES:    | None                                  |
| ABSTAIN: | None                                  |
| ABSENT:  | Hoag                                  |

Motion was made by Vice Chair Mercurio and seconded by Commissioner Avila to adopt Resolution No. 14-09PC recommending City Council adopt an Ordinance approving the Development Code Clean-Up Amendment with a change to allow vendor trucks to operate on a dust proof surface. The motion passed by the following vote:

|          |                                       |
|----------|---------------------------------------|
| AYES:    | Avila, McGallian, Mercurio, Obringer, |
| NOES:    | None                                  |
| ABSTAIN: | None                                  |
| ABSENT:  | Hoag                                  |

## 2. DOWNTOWN CONCORD SPECIFIC PLAN (PL14160 – GP)

Chair Obringer recused herself from hearing item two due to the potential appearance of a conflict of interest.

Joan Ryan, Senior Planner, presented the staff report. Mrs. Ryan stated the goals were to increase job creation, enhance business climate, expand the economic base, jump start land use, increase BART ridership and efficiency, construct housing projects, and promote mid and high-density housing. Staff has been incorporating changes based on the comments from Transform Summary, Frank J. Dodd Summary, CCSC Summary, and ULI Summary. The staff would also like to include a monitoring plan to demonstrate progress that has been made. The Environmental Addendum to the General Plan states no proposed rezoning, no increase in traffic, climate action plan adopted, improves timing for incorporation with Housing Element. Staff recommended that the Commission approves carrying over the meeting to discussion on May 21, 2014.

Commissioner McGallian requested clarification on resident Adam Foster's comments in the errata sheet. He voiced his concerns with a plan-proposed mid-block crossing on Willow Pass. Commissioner McGallian pointed out strengthening connection between Park N Shop and downtown. He suggested the Park N Shop be renamed and branded as part of the downtown.

Commissioner Avila stated his key focus on two anchors to catalyze the plan and asked if there was much discussion about a sports complex. Mrs. Ryan only remembers discussions about schools and that younger parents needed to get involved. Ryan stated the Open Space was not discussed outside of Todos Santos Plaza. Commissioner Avila asked what we can do to be a sparkplug to make this a reality. Commissioner Avila spoke about a lack of sports facilities, which could be a great benefit to draw people in. The second issue of concern for Commissioner Avila was the integration and the future plan of John Muir and the Concord hospital campus. Planner Ryan confirmed there had been some discussion.

Commissioner McGallian stated he liked the great comments like sports facility. McGallian mentioned there is a piece of Redevelopment land on Concord Ave. that could be used as the entry way to the sports complex and this could possibly be the spark plug referenced by Commissioner Avila.

Vice Chair Mercurio mentioned the Reuse Area has a plan for a tournament facility. Mercurio asked how the development community has reacted to the plan. Planner Ryan stated they are very interested. Ryan noted that perception matters and schools are some potential reasons the developers

are passing on Concord. There have been many developers interested. Vice Chair Mercurio had questions about the bike facilities on Grant Street, the bike route into Mt. Diablo High School, and the gate being closed during a school session. Mercurio wants to see route adjusted and wants to see a continuous network. Vice Chair Mercurio questioned if the separate owners at Park N Shop could possibly be the holdup on development. Planner Ryan confirmed the ownership issues makes development there challenging.

#### Public Comment

Joel Devalcourt, of Greenbelt Alliance states the current plan will move Concord forward. Two recommendations were provided. Mr. Devalcourt stated they were very excited about the upcoming bicycle master plan project. They want the downtown area to set the vision. Devalcourt shared a quote from Mayor Grayson that stated Concord should be a place for all people. Currently there is no vision for all people. The plan should say housing is available at a range of income levels.

#### Comments from the Commissioners

Commissioner McGallian pointed out the ULI presentation has a handout that goes along with the presentation link, which is very useful. Vice Chair Mercurio stated he will be asking about Clay Alley next time.

Motion was made by Commissioner McGallian and seconded by Commissioner Avila to continue this item to May 21, 2014. The motion passed by the following vote:

|          |                             |
|----------|-----------------------------|
| AYES:    | Avila, McGallian, Mercurio, |
| NOES:    | None                        |
| ABSTAIN: | Obringer (recused)          |
| ABSENT:  | Hoag                        |

Chair Obringer rejoined the Commission.

#### VII. COMMISSION CONSIDERATIONS

There were no items to be considered.

#### VIII. STAFF REPORTS / ANNOUNCEMENTS

Ms. Johnson referenced a new process for future use of action minutes and that Andrew Mogensen would be serving as Secretary to the Commission. The Commissioners asked questions regarding the retention schedule for videos.

IX. COMMISSION REPORTS/ANNOUNCEMENTS

Commissioner Avila complemented Joan Ryan and thanked Carol Johnson for her service. Commissioner McGallian thanked Joan Ryan and Carol Johnson. Vice Chair Mercurio thanked Carol Johnson. Chair Obringer thanked Carol Johnson and mentioned the 2<sup>nd</sup> annual Art, Wine and Beer Walk.

X. FUTURE PUBLIC HEARING ITEMS

Planning Manager Carol Johnson announced that Planner Mogensen will be the secretary on May 21, 2014 that there will be a continuance for the Downtown Concord Specific Plan. Also the revised resolution regarding the Fast Auto Loans will be a consent item and on June 4, 2014 HSG Element Review will take place.

XI. ADJOURNMENT

Commissioner McGallian moved to adjourn at 9:03 P.M. Vice Chair Mercurio seconded the motion. Motion to adjourn was passed by unanimous vote of the Commissioners present.

APPROVED:



Andrew J. Mogensen, AICP  
Planning Commission Secretary

Transcribed by Toi Wells

REGULAR MEETING OF THE  
CITY OF CONCORD PLANNING COMMISSION  
COUNCIL CHAMBER, 1950 PARKSIDE DRIVE  
CONCORD, CALIFORNIA

**WEDNESDAY, MAY 21, 2014**

A regular meeting of the Planning Commission, City of Concord, was called to order by Chair Carlyn Obringer at 7:00 P.M., Wednesday, May 7, 2014, in the City Council Chamber.

***I. ROLL CALL***

COMMISSIONERS PRESENT: Chair Carlyn Obringer  
Vice Chair John Mercurio  
Commissioner Ernie Avila  
Commissioner Robert Hoag  
Commissioner Tim McGallian

STAFF PRESENT: Andrew Mogensen, Interim Planning Manager  
Susanne Brown, Senior Assistant City Attorney  
Joan Ryan, Senior Planner  
Robert Ovadia, City Engineer

***II. PLEDGE TO THE FLAG***

Commissioner Hoag led the pledge.

***III. PUBLIC COMMENT PERIOD***

No public comment was heard.

***IV. ADDITIONS / CONTINUANCES / WITHDRAWALS***

Interim Planning Manager Andrew Mogensen introduced a memorandum with changes to the 5/7/14 draft Planning Commission minutes.

***V. CONSENT CALENDAR***

**APPROVAL OF MINUTES**

Motion was made by Commissioner Avila, and seconded by Commissioner McGallian to approve the meeting minutes of May 7, 2014 with benched corrections. The motion was passed by the following vote:

AYES: Avila, McGallian, Mercurio, Obringer  
 NOES: None  
 ABSTAIN: Hoag  
 ABSENT: None

#### **FAST AUTO LOAN APPEAL (PL140098 – AP)**

The Planning Commission approved Resolution 14-11PC modifying the Planning Division's official interpretation regarding the use of property for a "car title loan business" under the Concord Development Code and determining the use is not allowed in any zone. The motion was made by Commissioner Avila and seconded by Commissioner Mercurio. The motion was passed by the following vote:

AYES: Avila, Mercurio, Hoag, McGallian, Obringer  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

#### **VI. PUBLIC HEARINGS**

The notice of this public hearing was published in the Contra Costa Times and posted in the City's posting cabinet on May 16, 2014.

Chair Obringer recused herself from the Downtown Concord Specific Plan public hearing.

**Downtown Concord Specific Plan (PL14160 – GP)** - The City of Concord proposes to adopt the Downtown Concord Specific Plan. The Downtown Plan is a document that includes policies, measures and strategies to develop a defined geographic area. The Downtown Plan will serve as an economic development tool with the advantage of combining land use plan, specific zoning, context specific policies to address unique conditions and financing programs into one comprehensive package. The objectives of the Downtown Plan are to: 1) develop a Downtown vision; 2) provide a community engagement process to further the development of the Plan; 3) prepare goals, policies and implementation strategies to promote enhanced pedestrian and bicycle access to and from the BART Station, attractive high-density infill, incentives for affordable housing, and improved transit opportunities; and 4) develop strategies to spur new development. The Plan will leverage future state and regional grant funding toward the Downtown. Pursuant to the California Environmental Quality Act, an Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code has been prepared for this project and will be considered concurrently. Project Planner: Joan Ryan @ (925) 671-3370. *Continued from 5/7/14 meeting.*

Project Planner Joan Ryan presented the staff report.

#### Public Comment

The following individuals spoke regarding the project: Nati Flores, Lorena Cruz, Francisco Rios, Sweety Sharma, and Ray Barbour.

Motion was made by Commissioner Hoag and seconded by Commissioner McGallian to adopt Resolution No. 14-14PC recommending City Council adoption of the Downtown Concord Specific Plan. The motion passed by the following vote:

AYES: Hoag, McGallian, Avila, Mercurio  
 NOES: None  
 ABSTAIN: Obringer (recused)  
 ABSENT: None

Chair Obringer rejoined the Commission.

### **VII. COMMISSON CONSIDERATIONS**

**CIP and TIP General Plan Consistency** – Review of the proposed 2014-2015 Fiscal Year (FY) Capital Improvement Program (CIP) and Transportation Improvement Program (TIP) for consistency with the adopted General Plan pursuant to Government Code Section 65401. Project Engineer: Robert Ovidia @ (925) 671-3470.

City Engineer Robert Ovidia presented the staff report.

After review, the Planning Commission determined the 2014-2015 Fiscal Year Capital Improvement Program and Transportation Improvement Program are consistent with the General Plan. Motion was made by Commissioner Mercurio and seconded by Commissioner Avila. The motion passed by the following vote:

AYES: Mercurio, Avila, Hoag, McGallian, Obringer  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

### **VIII. STAFF REPORTS / ANNOUNCEMENTS**

Interim Planning Manager Andrew Mogensen announced that the June 18<sup>th</sup> Planning Commission meeting has been cancelled.

**IX. COMMISSION REPORTS/ANNOUNCEMENTS**

Chair Obringer welcomed Andrew Mogensen as the new Planning Commission Secretary.

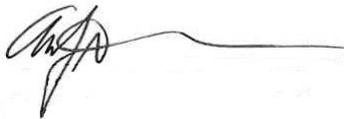
**X. FUTURE PUBLIC HEARING ITEMS**

None were announced.

**XI. ADJOURNMENT**

Commissioner Hoag moved to adjourn at 8:35 P.M. Commissioner McGallian seconded the motion. Motion to adjourn was passed by unanimous vote of the Commissioners present.

APPROVED:



Andrew J. Mogensen, AICP  
Planning Commission Secretary  
Interim Planning Manager



Transcribed by Grant Spilman,  
Administrative Coordinator

**BEFORE THE PLANNING COMMISSION  
OF THE CITY OF CONCORD,  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A RESOLUTION RECOMMENDING CITY  
COUNCIL APPROVAL OF THE ADDENDUM TO  
THE FINAL SUPPLEMENTAL  
ENVIRONMENTAL IMPACT REPORT (SEIR) TO  
THE 2030 CONCORD GENERAL PLAN EIR FOR  
THE CONCORD DEVELOPMENT CODE  
PROJECT, AND ADOPTION OF THE  
DOWNTOWN CONCORD SPECIFIC PLAN  
GENERAL PLAN AMENDMENT (PL14160-GP)  
AS VOLUME IV OF THE CONCORD 2030  
GENERAL PLAN**

**Resolution No. 14-14PC**

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**WHEREAS**, the City of Concord adopted the Concord 2030 General Plan on October 2, 2007 (“General Plan”); and

**WHEREAS**, the City of Concord concurrently certified the Final Environmental Impact Report for the Concord 2030 General Plan on October 2, 2007 (“General Plan EIR”); and

**WHEREAS**, the City of Concord adopted Chapter 122 of the Concord Municipal Code (“Development Code”) on July 24, 2012; and

**WHEREAS**, the City of Concord concurrently certified the Supplemental Environmental Impact Report to the 2030 Concord General Plan EIR for the Concord Development Code Project on July 24, 2012 (“SEIR”); and

**WHEREAS**, Plan Bay Area represents the nine-county region’s long-range plan to meet the requirements of the State of California’s *SB 375 Linking Regional Transportation Plans to State Greenhouse Gas Reduction Goals*, and calls on each of the State’s 18 metropolitan areas to develop a Sustainable Communities Strategy (SCS) to accommodate future population growth and reduce greenhouse gas (GHG) emissions from cars and light trucks. Working in collaboration with cities and counties, the Plan advances initiatives to expand housing and transportation choices, create healthier communities, and build a stronger regional economy. The GHG reduction target for the Bay Area is a 15 percent per capita reduction by 2035; and

**WHEREAS**, in the Bay Area, a regional SCS was developed in conjunction with the Association of Bay Area Governments (ABAG), which is responsible for land use and housing

assumptions and synchronizes the Regional Housing Needs Allocation process (RHNA) to be consistent with the development pattern in the SCS. The SCS is the mechanism intended for achieving the required reductions in emissions by promoting compact, mixed-use commercial and residential development that is walkable, bikeable and in close proximity to mass transit, jobs, schools, shopping. Other positive outcomes of the SCS include more transportation choices for residents, the creation of more livable communities and a reduction in the pollutants associated with climate change; and

**WHEREAS**, regional agencies including the Metropolitan Transportation Commission (MTC) work to support local governments' commitment to goals focused on compact, transit-oriented development by directing existing and future incentives to Priority Development Area (PDAs), locally-identified as infill development opportunity areas located near transit; and

**WHEREAS**, as described in MTC's Transit-Oriented Development Policy, to assist cities in meeting these goals, MTC launched a Station Area Planning grant program in 2005 to fund city-sponsored planning efforts for the areas around future stations. These station-area and land-use plans are intended to address the range of transit-supportive features that are necessary to support high levels of transit ridership; and

**WHEREAS**, the PDA Planning Program funds comprehensive planning in PDAs that will result in intensified land uses around public transit hubs and bus and rail corridors in the nine-county San Francisco Bay Area intended to increase the housing supply and jobs within the planning area, boost transit ridership, promote multi-modal connections, and locate key services and retail within the planning area; and

**WHEREAS**, Government Code section 65358 et seq. provides for the amendment of all or part of an adopted general plan; and

**WHEREAS**, Development Section 122-1099 et seq. sets forth City requirements with respect to general plan amendments; and

**WHEREAS**, the City has complied with the foregoing as well as other applicable requirements of the Local Planning Law (Government Code section 65100 *et seq.*), and the City's ordinances and resolutions with respect to general plan amendments; and

**WHEREAS**, on January 9, 2013, the City initiated application No. PL14160-GP for the Downtown Concord Specific Plan General Plan Amendment to add a new Volume IV of the General Plan with the goals of 1) increasing BART ridership and efficiency of multi-modal connections; 2)

jump starting intensification of uses and densities from current built levels; 3) promoting mid and high-density housing; 4) constructing housing projects for a mix of housing types and income levels; 4) increasing job creation; and 5) enhancing a strong business climate and expanding the City's economic base; and 6) implementing strategies to foster a vibrant downtown; and

**WHEREAS**, the Downtown Concord Specific Plan ("Downtown Plan," attached hereto as Attachment 2 and incorporated by reference) identifies strategies in the categories of Land Use, Economic Vitality, Transportation and Circulation, Infrastructure, Design Guidelines and Funding Programs that will further assist the City in achieving State-recommended GHG emission reductions; the Downtown Plan is intended to be added to and become part of the General Plan as new Volume IV thereof; and

**WHEREAS**, the Downtown Plan identifies goals and policies to complement the City's Complete Streets policies (incorporated into General Plan as previous Text Amendment through Resolution No. 13-4823.1 on Dec. 10, 2013) through identifying a street typology overlay, establishing a pedestrian priority zone, developing a bicycle network to be further refined as part of the Bicycle and Pedestrian Master Plan, collaborating with transit providers to enhance efficiency, and other related policies intended to make the most efficient use of urban land and transportation infrastructure, improve public health by encouraging physical activity, reduce vehicle miles traveled and increase the number of short trips attributed to biking, walking, and use of public transit, and reduce GHG emissions; and

**WHEREAS**, on June 19, 2013; October 16, 2013; and January 15, 2014; the Planning Commission received staff reports on the Downtown Plan, and considered evidence presented by City staff and other interested parties; and

**WHEREAS**, the City provided a public review period for the Downtown Plan between January 27, 2014 and February 24, 2014 and received three comment letters from Transform, Frank J. Dodd (property owner) and a third joint letter from the Community Coalition for a Sustainable Concord, Greenbelt Alliance, East Bay Housing Organizations, Monument Community Partnership/Michael Chavez Center and Bike East Bay; and

**WHEREAS**, staff reviewed the letters received from the public comment period, responded to the letters, and incorporated applicable feedback in the Downtown Plan, or in some cases more appropriately will incorporate comments within the Housing Element Update currently being prepared, and/or the Citywide Bike and Pedestrian Master Plan to be initiated in July 2014; and

## ATTACHMENT 4

**WHEREAS**, staff hosted an Urban Land Institute Technical Advisory Panel providing input and findings based on the review of a panel of development and related specialists regarding their examination of Downtown Concord, the findings of which were included (as Attachment 3 – “ULI Recommendations”) to the staff report; and will be incorporated as appropriate to the Downtown Plan adopted by the City Council; and

**WHEREAS**, pursuant to the provisions of the California Environmental Quality Act of 1970, Public Resources Code § 21000, et seq., as amended and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations (collectively, “CEQA”) the City determined that preparation of an Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code project (“Addendum”, a copy of which is attached hereto as Attachment 1 and incorporated by reference) would be the appropriate environmental document to determine if the Downtown Plan would have any significant effect on the environment and meet the requirements of CEQA, due to the fact that: 1) the Preferred Land Use Strategy associated with the Downtown Plan does not propose any rezoning; 2) no increase in traffic is planned beyond that anticipated within the General Plan EIR and the Development Code SEIR; and 3) the City has an adopted Citywide Climate Action Plan; and

**WHEREAS**, CEQA does not require that addenda to environmental impact reports be circulated to public agencies, nor are responses to comments required. However, as a courtesy, given interest in the project, an Addendum was prepared and made available to the public from January 27, 2014 through February 24, 2014; and

**WHEREAS**, two comment letters/e-mails were received from the public during that period, with both received on February 24, 2014, from 1) Greenbelt Alliance, and 2) property owner and resident Adam Foster (attached to staff report); for which responses were included within the staff report, but in both cases, it was determined the correspondence did not contain a specific comment regarding the analysis of environmental impacts contained in the Addendum, and therefore the Addendum meets the requirements of CEQA and the City of Concord and no further response is required; and

**WHEREAS**, the Planning Commission, after giving all public notices required by State law and the Concord Municipal Code, held a duly noticed public hearing on May 7, 2014 on the proposed

Downtown Plan and the Addendum; and

**WHEREAS**, at such public hearing, the Planning Commission considered all oral and written information, plans, testimony, and comments received during the public review process, including information received at the public hearing, the oral report from City staff, the written report from City staff dated May 7, 2014, the Addendum, the General Plan EIR, the SEIR, the General Plan, Municipal Code, Development Code, applicable laws and regulations, and all associated approved and certified environmental documents), and all other information contained in the record of proceedings and the City's files relating to the Specific Plan, which are maintained at the offices of the City of Concord Planning Division (collectively, "Project Information") in accordance with the applicable law, including the requirements of CEQA and the City of Concord Municipal Code; and

**WHEREAS**, after consideration of all the Project Information, the Planning Commission declared their intent to recommend that the City Council approve Addendum and the Specific Plan.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Planning Commission hereby recommends that the City Council approve the Addendum as part of its consideration and approval of the Downtown Plan, and further makes the following findings:

1. Recitals. The recitals above are true and correct and are incorporated herein by reference. The recitals constitute findings in this matter and, together with the Project Information, and serve as an adequate and appropriate evidentiary basis for the findings and actions set forth in this Resolution.

2. Addendum.

- a. The Addendum is the appropriate environmental document for the Downtown Plan.
- b. The environmental documents for the Addendum have been prepared, published, circulated, and reviewed in accordance with all legal requirements, including CEQA Guidelines Section 15164.
- c. The Planning Commission has reviewed, considered, and evaluated all of the Project Information prior to acting upon or approving the Specific Plan.
- d. The Addendum reflects the independent judgment and analysis of the City as the lead

agency for the Specific Plan.

e. There is no substantial evidence in light of the whole record before the Planning Commission, that the Specific Plan will have a significant effect on the environment.

f. Based on substantial evidence in the whole record before the City, the Specific Plan does not make substantial changes to the General Plan or Development Code or substantial changes with respect to the circumstances under which the General Plan or Development Code would be implemented which would require revisions to the SEIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects and there is no new information that would require preparation of a subsequent or supplemental EIR under Public Resources Code Section 21166 or CEQA Guidelines Section 15162. Therefore, none of the elements set forth in Public Resources Code Section 21166 or CEQA Guidelines Section 15162 exist and a subsequent or supplemental EIR or negative declaration is not required.

e. As only minor technical changes or additions were required to the SEIR, the Addendum was prepared in accordance with all legal requirements, including CEQA Guidelines Section 15164.

f. The mitigation measures described in the SEIR are within the jurisdiction of the City to adopt, and will be implemented.

g. All feasible mitigation measures for the Specific Plan identified in the SEIR are hereby incorporated into this resolution.

h. The documents and other materials that constitute the record of proceedings upon which the Planning Commission has based its recommendations are located in and may be obtained from the City of Concord Planning Division, 1950 Parkside Drive MS/53, Concord, CA 94519.

3. General Plan Amendment. The Planning Commission does hereby make the following findings:

a. The Downtown Plan is internally consistent, is consistent with the policies of the General Plan, and is consistent with applicable law.

b. The Downtown Plan will not be detrimental to the public interest, health, safety,

convenience, or welfare of the City in that the Downtown Plan is a strategic document that proposes implementation strategies toward land use, economic vitality, transportation and circulation, infrastructure, design guidelines and funding programs.

c. The Planning Commission recommends that the City Council determine that the Downtown Plan is internally consistent, is consistent with the Complete Streets policies adopted by the Council on December 10, 2013, is consistent with the General Plan in general, and is consistent with applicable law.

d. The Planning Commission recommends that the City Council determine that after the adoption of the Downtown Plan, the Downtown Plan shall prevail over any conflicts contained in the General Plan, the Development Code, and all other adopted planning goals, objectives and policies of the City. Conflicts shall be resolved by the Planning Manager whose determination is subject to the appeals process contained in the Municipal Code.

This resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED** this 7<sup>th</sup> day of May, 2014, by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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Carol Johnson, AICP  
Secretary to the Planning Commission

Attachment:

- 1 – Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project
- 2 – Downtown Plan
- 3 – ULI Recommendations

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## REPORT TO PLANNING COMMISSION

DATE: May 7, 2014

**SUBJECT: DOWNTOWN CONCORD SPECIFIC PLAN ADOPTION**

**Recommendation:** Adopt Resolution No. 14-14 PC, recommending City Council approval of the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project, and adoption of the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the Concord 2030 General Plan.

**I. Introduction**

The Planning Commission is being asked to review, discuss, and consider adopting Resolution No. 14-14PC (Exhibit A) recommending City Council: a) approval of the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project; and (b) adoption of the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the General Plan. Upon approval of the Addendum and adoption of the Specific Plan, the Specific Plan will be added to and become part of the General Plan as new Volume IV thereof.

**II. Background**

In January 2013, the development of a Downtown Concord Specific Plan (Downtown Plan) was initiated for the Downtown Concord Priority Development Area (PDA), funded primarily through a grant from the Metropolitan Transportation Commission (MTC). A specific plan is a document that includes policies, measures, and strategies to develop a defined geographic area. The Downtown Plan will serve as an economic development tool with the advantage of combining the land use plan, specific zoning, context specific regulations to address unique conditions as well as infrastructure strategies and funding programs into one comprehensive package.

There are many benefits associated with the PDA Program and the development of a specific plan for the City's Downtown PDA. It can serve to leverage grant funding ensuring Concord's eligibility for future state and regional grant funding and enable the City to comply with other State mandates. Areas designated as PDAs are eligible for additional technical assistance and funding for certain types of planning studies and capital projects from regional and state sources.

Senate Bill (SB) 375 requires the Bay Area and other California metro areas to develop integrated regional land-use and transportation plans to meet state targets for reducing greenhouse gas emissions from cars and light trucks. It also requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking.

In the Bay Area, a regional Sustainable Communities Strategy (SCS) was developed in conjunction with the Association of Bay Area Governments (ABAG), which is responsible for land use and housing assumptions

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and synchronizes the Regional Housing Needs Allocation (RHNA) process to be consistent with the development pattern in the SCS. The SCS is the mechanism intended for achieving the required reductions in emissions by promoting compact, mixed-use commercial and residential development that is walkable, bikeable and in close proximity to mass transit, jobs, schools, shopping, and other amenities. Other positive outcomes of the SCS include more transportation choices for residents, the creation of more livable communities, and a reduction in the pollutants associated with climate change.

The City has made steady progress toward supporting in these efforts over the last year through the adoption of a Citywide Climate Action Plan in July 2013, approval of a Complete Streets Amendment to the 2030 General Plan on December 10, 2013, and embarking on the Downtown Plan process. The Downtown Concord BART Station Priority Development Area (PDA) was designated initially as a Growth Opportunity Area in December 2010, as part of ABAG's SCS and development of their Initial Vision Scenario (2010-2035). In March 2012, this area was formalized as a PDA making the area eligible to compete for future regional funding. In April 2012, the City applied for a PDA grant to prepare a Downtown Plan for the Downtown Concord BART Station PDA, and subsequently was awarded the grant which allowed the City to retain a consultant to conduct the community engagement process and prepare the Downtown Plan.

### **III. General Information**

#### **A. General Plan**

The Downtown Plan boundary encompasses approximately 600 acres with a variety of General Plan land use designations including Downtown Pedestrian, Downtown Mixed Use, Residential High, Residential Medium, Low Density Single Family Residential, Community Office, Regional Commercial, Service Commercial, Commercial Mixed Use, North Todos Santos, Public Quasi-Public, Parks and Recreation, and Open Space.

#### **B. Zoning**

The Downtown Plan boundary includes a variety of zoning districts, consistent with the General Plan designations. These zoning districts are represented on a map referred to in Figure 3.1.9 of the Downtown Plan.

#### **C. CEQA<sup>1</sup>**

The CEQA Guidelines Section 15164 state that the Lead Agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR have occurred. One important aspect of the project is that the Downtown Plan does not propose any changes to the General Plan text land use maps or Development Code text or zoning maps as a part of the plan. This consistency with the existing General Plan and Development Code was the primary basis for the project team's determination that the environmental documentation most appropriate for the project was an Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project. An Addendum was prepared and is attached as Attachment

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<sup>1</sup> California Environmental Quality Act of 1970, Public Resources Code § 21000, et seq., as amended and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations (collectively, "CEQA").

1 to Resolution No. 14-14PC (Exhibit A to this Staff Report), and is hereby incorporated by reference. The Addendum discusses the applicable CEQA framework, requirements, and basis for the City's determination in more detail.

The Addendum updates the *Final SEIR to the 2030 Concord General Plan EIR for the Concord Development Code Project*, certified on July 10, 2012. The Addendum addresses recent changes to local, state, and federal regulations, changes to environmental data (i.e., federal and state air quality standards, state greenhouse gas inventory data, and county water supply data), and implementation of the Downtown Plan (the Downtown Plan will comply with all applicable mitigation measures of the SEIR). The Addendum further finds that, notwithstanding the changes in circumstances, the Downtown Plan would not result in new significant or substantially more severe environmental impacts than those identified in the SEIR, no changes to or new mitigation measures are required, and concludes that the analysis and the conclusions of the SEIR remain current and valid. As such, the Addendum does not require major revisions to the SEIR and impacts in this Addendum are consistent with those in the SEIR. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred; therefore, this Addendum to the certified SEIR is consistent with CEQA Guidelines.

The CEQA Guidelines also state that an Addendum need not be circulated for public review, but can be included in or attached to the final EIR prior to making a decision on the project; nor are responses to comments required. However, as a courtesy given interest in the project, and in the interest of transparency, the Addendum was made available to the public for the period starting January 27, 2014 through to February 24, 2014; comments received are discussed below.

#### **IV. Discussion**

The Downtown Plan process has included the following components: 1) Development of a Downtown Vision; 2) A community engagement process to further the preparation of the Downtown Plan; 3) Preparation of goals, policies and implementation strategies to promote enhanced pedestrian and bicycle access to and from the BART Station, attractive high-density infill, incentives for affordable housing, and improved transit opportunities; and 4) Development of strategies to spur new development.

##### Downtown Vision

The Downtown Steering Committee developed the following Downtown Vision through a series of meetings:

*The Downtown is distinguished by its authenticity and historic assets, preserved and strengthened by the strategic infill of new high quality development that links the past with a vibrant future. The origins of Concord, beginning in 1834 as Rancho Monte del Diablo, are evident throughout Downtown. The central plaza, which retains the City's original name of Todos Santos, is a rare example of the 16<sup>th</sup> Century Law of the Indies which once dictated the planning and design of Spanish colonial cities. New buildings demonstrate their respect for the City's heritage through modern interpretations of early California architecture. Thoughtfully blending the old with the new, Downtown Concord is constantly evolving and growing in an organic and sustainable manner.*

*Downtown Concord is dynamic, safe and attractive to families, businesses, and visitors. It supports a thriving local economy by providing a variety of living, employment, and entertainment opportunities for multiple generations. A mix of boutique shops, restaurants, cafes, and cultural destinations are integrated by a lush green network of pedestrian-friendly streets which ensure activity both day and night. Grant Street, anchored by Todos*

*Santos Plaza, connects the Downtown to the rest of the Bay Area via the BART Station. It is just one example of the many distinctive streets that have been designed to integrate walking, biking, transit use, green infrastructure, and active storefronts. The synergy created by the diverse mix of ages, incomes, and housing types promotes healthy, active lifestyles and a prosperous community.*

### Community Outreach

A community engagement process to obtain feedback on the future of Downtown has been at the forefront of discussions since the PDA grant was submitted. Staff has focused on implementing an Outreach Plan that obtains input from a variety of community members including residents, businesses, local and regional stakeholders and transportation partners. A Technical Advisory Committee was assembled including representatives from BART, MTC, Contra Costa Water District, Central Contra Costa Sanitary District, County Health Department and County Connection. In addition, staff expanded the involvement of the Downtown Steering Committee (DSC) from the four meetings initially planned to 11 meetings over the course of the project. The Downtown Steering Committee consists of a 13 member ad-hoc committee appointed by the City Council to guide the Downtown Plan process and includes two members of the City Council, two members of the Planning Commission, two members of the Design Review Board, a representative from the Concord Chamber of Commerce and the Todos Santos Business Association and five at-large members. To date, the following outreach meetings have been held:

#### Community Workshops

- Downtown Ideas Fair - To obtain input from residents & stakeholders in the downtown (Sept. 22, 2012)
- 3 Community Workshops (May 6<sup>th</sup>, October 7<sup>th</sup>, and Jan. 27<sup>th</sup> 2014)

#### Technical Advisory Committee Meetings

- 4 Technical Advisory Committee meetings (March 13<sup>th</sup>, April 3<sup>rd</sup>, June 3<sup>rd</sup>, Sept. 9<sup>th</sup>)

#### Downtown Steering Committee Meetings

- 11 Downtown Steering Committee meetings (March 13<sup>th</sup>, April 18<sup>th</sup>, June 3<sup>rd</sup>, July 1<sup>st</sup>, July 22<sup>nd</sup>, Aug. 5<sup>th</sup>, Sept. 9<sup>th</sup>, Oct. 15<sup>th</sup> in 2013 and Jan. 13<sup>th</sup>, March 31<sup>st</sup>, and April 28<sup>th</sup>, in 2014)

#### Stakeholder Meetings

- Stakeholder meetings and individual outreach meetings (Feb. 27<sup>th</sup> – affordable housing interests, July 5<sup>th</sup> - developer panel, August 27<sup>th</sup> – Doris Court neighborhood, Nov. 20<sup>th</sup>, 2013 and Jan. 28<sup>th</sup>, 2014 - roundtable meetings on housing development); as well as a variety of one on one meetings with developers.

#### Planning Commission and City Council Updates

- 3 Planning Commission Updates on June 19 and October 16, 2013 and January 15, 2014
- 2 City Council Updates on September 24, 2013 and February 4, 2014

These meetings were focused on providing background information; developing the existing conditions report; conducting public outreach; and obtaining feedback from the community, the technical advisory committee and the DSC in order to formulate three preliminary alternatives for study, select an alternative for analysis and further develop the alternative toward meeting the project goals.

In addition, to maintain widespread outreach and transparency, all of the documents associated with the project were maintained on and can be found on the webpage for the Downtown Plan project at [www.cityofconcord.org/downtownplan](http://www.cityofconcord.org/downtownplan) including agendas, meeting minutes and presentation materials for meetings and workshops held throughout the 16-month process.

### Relevant Goals

The overarching goals envision the PDA as a bustling, transit-oriented, urban space serving as both a magnet of activity for the City and a regional commuter hub for the County. The relevant goals for the Downtown Plan discussed within the City's grant application for the PDA Planning Program include:

- Increasing BART ridership and efficiency of multi-modal connections;
- Intensification of uses and densities from current built levels;
- Promoting mid and high-density housing;
- Constructing housing projects for a mix of housing types and income levels;
- Increasing job creation;
- Enhancing a strong business climate and expanding the City's economic base; and
- Implementing strategies to foster a vibrant downtown prior to initiation of construction within the Concord Reuse Plan Area.

### Primary Components of Plan based on Community Feedback

Based on the DSC meetings and Community Workshops that have been held, there are a number of priorities that have been discussed for inclusion in the Downtown Plan (Attachment 2 to Exhibit A). It is important to note that the Downtown Plan does not propose any rezoning, but rather focuses on implementation strategies to encourage the full potential of growth possible within the PDA by:

- Providing a stronger connection along Grant Street between Todos Santos Plaza and BART.
- Providing a greenway (consisting of streetscape/landscape improvements within the current right-of-way) to improve access and walkability while facilitating access to the major destinations within the downtown. This includes a greenway under the BART tracks to connect existing trails/walkways.
- Providing traffic smoothing/management at key locations within the downtown.
- Placing a greater emphasis on biking, walking and the use of mass transit to optimize circulation and reduce congestion.
- Offering a looping shuttle to easily transport residents and commuters from BART to Todos Santos Plaza and major office and retail uses creating a range of implementation strategies to facilitate growth, economic development and a move toward complete streets at key locations within the downtown.
- Highlighting historic connections and providing an emphasis on Early California architecture.
- Developing performance measures for tracking and monitoring to assure implementation of the Plan over time, and checks and balances to provide steady and balanced development into the 2035-2040 horizon.

A summary of the development planned for the downtown over the next 20 to 25 years is summarized below in two phases, with information regarding the existing development within the PDA for comparison. This

level of development is consistent with the land use designations provided for within the General Plan and more recently by the Development Code adopted in July 2012.

**Summary of Development for the Downtown Plan**

|                               | <b>Housing Units</b> | <b>Residents</b> | <b>Office</b> | <b>Retail</b> | <b>Jobs</b> |
|-------------------------------|----------------------|------------------|---------------|---------------|-------------|
| <b>Existing<sup>1</sup></b>   | 4,429 <sup>3</sup>   | 10,700           | 2,840,000     | 1,500,000     | 13,800      |
| <b>Phase I</b>                | 3,465                | 8,680            | 586,400       | 281,200       | 2,900       |
| <b>Phase II</b>               | 555                  | 1,420            | 981,500       | 462,000       | 4,820       |
| <b>Phase I+II<sup>2</sup></b> | 4,020                | 10,100           | 1,567,900     | 743,200       | 7,720       |
| <b>Total Projection</b>       | 8,449                | 20,800           | 4,407,900     | 2,243,200     | 16,998      |

1. All numbers are approximate
2. Housing Units assumes average 1,000 sq. ft. unit
3. Includes 179 units of approved Renaissance Phase II apartments.

The Downtown Plan, once adopted, will be used to inform the Housing Element Update 2014-22, currently under preparation.

Public Comments on the Downtown Plan

The Downtown Plan was made available for public review during the period January 27, 2014 through to February 24, 2014. Three comment letters or e-mails were received commenting on the Plan:

- 1) Transform – Memo received on January 28, 2014 regarding parking and circulation (Exhibit B)
- 2) Frank J. Dodd; E-mail received on February 27, 2014 regarding secondary living units (Exhibit C)
- 3) Community Coalition for a Sustainable Concord, Greenbelt Alliance, East Bay Housing Organizations, Monument Community Partnership/Michael Chavez Center and Bike East Bay; Joint letter received on March 25, 2014 (Exhibit D)

Transform Summary Comments

- Modify Table 5.2 to show current parking requirements for Affordable Housing and TOD
  - Encourage further flexible parking standards
  - Require car sharing parking spaces at new developments
  - Require free memberships for car sharing in new developments
  - Promote goal of ensuring 15% availability of street parking on any given block
  - Decouple bicycle parking from vehicle parking
- Staff response – Project team has incorporated updates in the Final Plan to incorporate suggested changes and/or study further based on existing implementation strategies with modifications to Table 5.2 of the Downtown Plan and addition of strategies T-3 (G), (H) and (I) with modifications to T-3(C) and (E) and the addition of strategy I-2(I).

Frank J. Dodd Summary Comments

- Allow secondary units up to 1,000 sq. ft.
- Eliminate owner occupancy requirement with deed restriction
- Reduce water meter/connection fee
- Provide flexible parking requirements
- Allow PUD for two units on RS-6 zoned lot

- Staff response – Project team included updates to Implementation Strategy LU-3, as items K and L to:
  - Examine updates to Secondary Living Unit ordinance to provide affordability/flexibility in the Transit Overlay.
  - Coordinate meeting with CCWD to explore reductions to fees and requirements by the District

CCSC, et. al. Summary Comments

- Delay adoption at least one month to allow for ULI Technical Advisory Panel to be completed
  - Provide more specific language to advance solutions for safer walking/biking
  - Enhance parking policies for greater demand management and affordable housing
  - Include affordable housing unit target
  - Dedicate two of four city-owned parcels for affordable housing
  - Achieve 25% affordable homes in Downtown Plan Area
  - Include policies to prevent displacement of low-income residents as Plan implementation progresses.
  - Create a mix of good jobs that pay living wages
  - Enhance policies for green development to create jobs
  - Ensure connections to regional open space
- 
- Staff response – Project team has incorporated updates to accommodate some of the comments and/or study further; as noted below:
    - ULI Comments will be incorporated, as appropriate with modifications for Council’s approval with the Downtown Plan.
    - More specific policies will be outlined in the Bicycle and Pedestrian Master Plan, anticipated to be initiated in July/August 2014.
    - The City Council and Planning Commission each recently raised concerns about reducing parking ratios for residential projects when Concord is still largely suburban in character. Other concerns were voiced regarding parking overflow and neighborhood disputes. The Development Code recently reduced ratios for non-residential parking in the TOD area, however the lack of development since that time means that the effectiveness of these reductions in Downtown Concord has not been demonstrated to date. Therefore, there are concerns with expanding these reduced ratios to residential uses, at this time. However, there are other parking strategies for inclusion within Implementation Strategies T-3 G, H and I have been added as discussed earlier.
    - The existing conditions report regarding affordable housing found that 66% of the existing residential units in the Downtown are affordable to families that fall in the low-income category. As a result, the initial phases of the Downtown Plan will be focused on attracting and constructing market rate housing. Through the City’s monitoring efforts, tracking of affordability within the project area will continue and if and when the affordability levels drop substantially, the issue will be revisited during the mid-term phase of the project (2017-2022). The City will be looking at modifications to the Secondary Living Unit Ordinance to provide more flexibility as one mechanism to potentially create some additional affordable housing.
    - There is currently no City Council support for dedicating two of the four Successor Agency sites for affordable housing projects. In addition, the City has not yet received a formal response from the Department of Finance regarding their review of the City’s Long Range Property Management Plan regarding the two sites, and therefore it is uncertain how and when these properties may be developed.

### Urban Land Institute Panel

Downtown Concord was selected as the focus of a 2-day Urban Land Institute (ULI) Technical Advisory Panel (TAP). On April 24<sup>th</sup> and 25<sup>th</sup>, the panel visited Concord for an intensive work session examining Downtown Concord, touring the Downtown PDA area, meeting with staff, meeting with stakeholders, and then participating in a concentrated study session/charette. The panel consisted of seasoned professionals with experience in real estate, commercial brokerage, planning, architecture, and developing financing.

The panel members for Concord included: economist Alan Billingsley; Will Fleissig, President with Communitas Development, Inc.; Chris Haegglund, Principal with BAR Architects; Kathleen Livermore, contract planner with City of Alameda; Cameron Mueller, Urban & Environmental Planner with AECOM; Anu Natarajan, City of Fremont Council Member; Paul Ring, Vice President of Development with Core Companies; and Jeff Tumlin, Principal with Nelson Nygaard Transportation Planners. The ULI presentation held in the Council Chambers was open to the public, and approximately 25 people were in attendance. City staff video-taped the session for future viewing by the public.

The ULI TAP presented their recommendations on April 25<sup>th</sup> (Attachment 3 to Exhibit A). The recommendation as noted during the ULI presentation were those strategies requiring immediate implementation. Staff found the presentation very helpful, in that it provided external confirmation of the need for immediate action on a number of the Downtown Plan's implementation strategies. Staff reviewed the ULI recommendations and determined that almost all of them are findings are currently incorporated within the Downtown Plan (Chapter 7). Attachment 3 (to Exhibit A) lists each of the ULI recommendations in Column 2 and the Downtown implementation strategies that relate to each of the recommendations in Column 1.

During the DSC's April 28<sup>th</sup> meeting, the Committee members expressed excitement and satisfaction that much of the ULI discussion was in agreement with the recent discussions of the DSC. The DSC also noted they were satisfied with the strategies the ULI recommended for "Immediate Implementation". As a result, staff has modified Chapter 7 to highlight the associated Implementation Strategies and note these for priority status. In addition, staff has incorporated one additional implementation strategy for inclusion in the Downtown Plan T-1 G "Re-examine signal timing on through streets, especially during mid-day."

### Environmental Review Process

The City has prepared the Downtown Plan to provide broad policy concepts, guidelines, and standards for public and private enhancements to the Downtown Concord PDA. To meet the requirements of CEQA, an Addendum was prepared. Conditions within the Downtown Concord Priority Development Area (PDA) have not changed substantially since the SEIR was adopted and the Downtown Plan proposes development essentially identical to that envisioned in the General Plan and SEIR. The Addendum did not include major revisions to the SEIR and all impacts identified are consistent with those in the SEIR. The Transportation Assessment (Appendix A to the Addendum) prepared by Fehr and Peers in January 2014 confirmed that implementation of the Downtown Plan would not result in traffic impacts not previously identified in the SEIR. The Addendum concludes that no new or substantially more severe significant effects would occur and no additional mitigation measures are required. Consequently, all mitigation measures would continue to be adequate and implementation of these measures would continue as prescribed in the SEIR.

CEQA does not require that an Addendum be circulated to the public or agencies. However, as a courtesy given interest in the project, and in the interest of transparency, an Addendum was prepared and made available to the public at the Open House held on January 27, 2014, and the public was informed that comments would be accepted until February 24, 2014. The document was made available to the public at the Permit Center lobby counter and on the City's webpage. The City received two (2) comment letters/e-mails on the Addendum, received on February 24, 2014; a letter from the Greenbelt Alliance (Exhibit E) and an email from Adam Foster (Exhibit F).

*Greenbelt Alliance Letter*

The Greenbelt Alliance letter included several requests that additional sections and mitigation measures be included in the Addendum. These recommendations primarily related to including feasible mitigation strategies from the City's new Climate Action Plan (CAP), providing mitigation strategies that coincide with updates to the City's Housing Element, currently underway, as a way to increase the number of homes for low income residents, and additional measures to reduce Greenhouse Gas emissions and Vehicle Miles Traveled.

The Addendum is a program-level document and includes all of the mitigation measure identified in the SEIR. The Addendum thoroughly analyzed the potential environmental effects of the Downtown Plan and found that, notwithstanding the changes in circumstances under which the SEIR was prepared; the Downtown Plan would not result in new significant or substantially more severe environmental impacts than those identified in the SEIR. As actual development projects come forward and the City receives sufficient reliable data to permit preparation of a meaningful and accurate report on their impact, the City will undertake additional project-level review; that project level review may call for the City to impose conditions of approval or require mitigation measures to address project-specific concerns. The recommendations in the Greenbelt Alliance letter do not address specific analysis completed for the preparation of the Addendum, nor do they refute the conclusions of the Addendum. The letter does not contain a specific comment regarding the SEIR's or Addendum's analysis of environmental impacts. For these reasons, the Addendum meets the requirements of CEQA and the City of Concord.

*Adam Foster Email*

The email from Adam Foster states that because the Downtown Plan does not eliminate existing high volume roadways within the Downtown area, noise and safety hazards will continue to occur. CEQA requires an environmental document to evaluate the impacts of proposed development. The conditions described in the letter are existing conditions and were taken into account during the preparation of the Downtown Plan and the SEIR.

Once specific development projects are proposed, existing and future roadway volumes will be determined and measures, as necessary, will be considered by the City to reduce vehicular speeds and improve conditions. All mitigation measures for noise impacts identified in the SEIR will be implemented and additional measures may be identified at the time future development projects are proposed, consistent with City policies, including the General Plan. The letter does not contain a specific comment regarding the SEIR's or Addendum's analysis of environmental impacts. For these reasons, the Addendum meets the requirements of CEQA and the City of Concord.

**V. Fiscal Impact**

The adoption of the Downtown Plan will have a beneficial fiscal impact on the City. The adoption of the Plan will also enable the City to be eligible for future awards from State and regional agencies and will streamline future development by providing specific policies, strategies and an implementation and financing plan.

**VI. Public Contact**

Notification was published in the Contra Costa Times, as required by the Concord Municipal Code. Notice for this item has also been posted at the Civic Center, at least 7 days prior to the public hearing.

**VII. Summary and Recommendations**

Adopt Resolution No. 14-14 PC (Exhibit A) recommending City Council approval of the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project, and adoption of the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the Concord 2030 General Plan.

Prepared by:

  
\_\_\_\_\_  
Joan Ryan, AICP  
Senior Planner  
925-671-3370  
[Joan.Ryan@cityofconcord.org](mailto:Joan.Ryan@cityofconcord.org)

Reviewed by:

  
\_\_\_\_\_  
Carol Johnson, AICP  
Planning Manager  
925-671-3369  
[Carol.Johnson@cityofconcord.org](mailto:Carol.Johnson@cityofconcord.org)

**EXHIBITS**

- Exhibit A: Resolution 14-14PC (Attachment 1: Addendum, Attachment 2: Downtown Concord Specific Plan, Attachment 3: ULI Recommendations)
- Exhibit B: Memo from Transform, dated January 28, 2014
- Exhibit C: E-mail from Frank J. Dodd, dated February 27, 2014
- Exhibit D: Joint letter from Community Coalition for a Sustainable Concord, Greenbelt Alliance, East Bay Housing Organizations, Monument Community Partnership/Michael Chavez Center and Bike East Bay, dated March 25, 2014 (w/appendices A, B, and C)
- Exhibit E: Greenbelt Alliance Letter, dated February 24, 2014
- Exhibit F: Adam Foster e-mail, dated February 24, 2014



DATE: May 21, 2014

**SUBJECT: DOWNTOWN CONCORD SPECIFIC PLAN ADOPTION**

**Recommendation: Adopt Resolution No. 14-14 PC, recommending City Council approval of the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project, and adoption of the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the Concord 2030 General Plan.**

**I. Introduction**

At the conclusion of the May 7, 2014 meeting, the Planning Commission made a motion to continue discussion of the item to the Planning Commission meeting of May 21<sup>st</sup> to allow additional time for their review, after questions, comments and discussion by the Planning Commission and public comment was taken on the project. The Planning Commission is now being asked to review, discuss, and consider adopting Resolution No. 14-14PC (Exhibit A) recommending City Council: a) approval of the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project; and b) adoption of the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the General Plan. Upon approval of the Addendum and adoption of the Specific Plan, the Specific Plan will be added to and become part of the General Plan as the new Volume IV.

**II. Discussion**

On May 7, 2014, a Planning Commission public hearing was held on the Downtown Plan, during which the staff planner provided a presentation on the project, and responded to comments and questions by the Commission. The Commission then discussed the project, and then opened the item up for public comments, during which time one speaker provided comments regarding the project. The Planning Commission then voted (3-0; 1 excused absence, 1 recused) to continue the item to allow the Commission additional time to review the project.

The Commission should reference their materials previously provided for the May 7<sup>th</sup> meeting when reviewing the project. Since the May 7<sup>th</sup> staff report was published, staff received two items of correspondence which were included during the May 7<sup>th</sup> Planning Commission meeting as benched items 1 and 2 that evening, and discussed those with the Commission. Staff also provided benched item #3, an Errata Sheet with proposed modifications/additions to the document for the Commission's consideration.

For this evening's May 21<sup>st</sup> meeting, staff has updated the resolution to reflect the second meeting date, and updated the errata sheet to provide a few additional corrections regarding some minor typographical errors or points of clarification to further improve the document. The document is tentatively planned for City Council review on June 10<sup>th</sup>.

**III. Public Contact**

Notification was published in the Contra Costa Times, as required by the Concord Municipal Code. Notice for this item has also been posted at the Civic Center, at least 7 days prior to the public hearing. Because the Commission continued this item on May 7<sup>th</sup> to a date certain, no further noticing was required.

**IV. Summary and Recommendations**

Adopt Resolution No. 14-14 PC (Exhibit A) recommending City Council approval of the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project, and adoption of the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV to the Concord 2030 General Plan.

**V. Motion**

**CEQA Action**

I (Comm. \_\_\_\_\_) hereby move that the Planning Commission adopt Resolution 14-14PC recommending City Council adoption of the Addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code Project as Attachment 1 to this Resolution, which was made available for public review on January 27, 2014 through February 24, 2014 and is attached as Attachment 1 to this Resolution. (Seconded by Comm. \_\_\_\_\_.)

**Project Approvals**

I (Comm. \_\_\_\_\_) hereby move that the Planning Commission adopt Resolution 14-14PC recommending City Council approval of the Downtown Concord Specific Plan General Plan Amendment (PL14150-GP) as Volume IV to the Concord 2030 General Plan, as set forth in Attachment 2 to this Resolution. (Seconded by Comm. \_\_\_\_\_.)

Prepared by:

  
\_\_\_\_\_  
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Reviewed by:

  
\_\_\_\_\_  
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Principal Planner  
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**EXHIBITS**

Exhibit A: Updated Resolution 14-14PC based on continuance (Attachment 1: Addendum, Attachment 2: Downtown Concord Specific Plan, Attachment 3: ULI Recommendations) *Attachments were included in the May 7<sup>th</sup> packet.*

Exhibit B: Updated Errata Sheet

Responses to Letters, as included in May 7<sup>th</sup> Planning Commission Staff Report

*Greenbelt Alliance Letter (attached)*

The Greenbelt Alliance letter included several requests that additional sections and mitigation measures be included in the Addendum. These recommendations primarily related to including feasible mitigation strategies from the City's new Climate Action Plan (CAP), providing mitigation strategies that coincide with updates to the City's Housing Element, currently underway, as a way to increase the number of homes for low income residents, and additional measures to reduce Greenhouse Gas emissions and Vehicle Miles Traveled.

The Addendum is a program-level document and includes all of the mitigation measure identified in the SEIR. The Addendum thoroughly analyzed the potential environmental effects of the Downtown Plan and found that, notwithstanding the changes in circumstances under which the SEIR was prepared; the Downtown Plan would not result in new significant or substantially more severe environmental impacts than those identified in the SEIR. As actual development projects come forward and the City receives sufficient reliable data to permit preparation of a meaningful and accurate report on their impact, the City will undertake additional project-level review; that project level review may call for the City to impose conditions of approval or require mitigation measures to address project-specific concerns. The recommendations in the Greenbelt Alliance letter do not address specific analysis completed for the preparation of the Addendum, nor do they refute the conclusions of the Addendum. The letter does not contain a specific comment regarding the SEIR's or Addendum's analysis of environmental impacts. For these reasons, the Addendum meets the requirements of CEQA and the City of Concord.

*Adam Foster Email (attached)*

The email from Adam Foster states that because the Downtown Plan does not eliminate existing high volume roadways within the Downtown area, noise and safety hazards will continue to occur. CEQA requires an environmental document to evaluate the impacts of proposed development. The conditions described in the letter are existing conditions and were taken into account during the preparation of the Downtown Plan and the SEIR.

Once specific development projects are proposed, existing and future roadway volumes will be determined and measures, as necessary, will be considered by the City to reduce vehicular speeds and improve conditions. All mitigation measures for noise impacts identified in the SEIR will be implemented and additional measures may be identified at the time future development projects are proposed, consistent with City policies, including the General Plan. The letter does not contain a specific comment regarding the SEIR's or Addendum's analysis of environmental impacts. For these reasons, the Addendum meets the requirements of CEQA and the City of Concord.



February 24, 2014

Joan Ryan  
Senior Planner, City of Concord  
1950 Parkside Dr. MS/53  
Concord, CA 94519  
(925) 671-3370

**Re: Concord Downtown Specific Plan SEIR Addendum**

Dear Joan Ryan,

Greenbelt Alliance appreciates the opportunity to comment on the **Concord Downtown Specific Plan SEIR Addendum (Addendum)**.

Greenbelt Alliance is the champion of the places that make the Bay Area special. We defend the Bay Area's natural and agricultural landscape from development and we help create great cities and neighborhoods – healthy places where people can walk and bike, communities with parks and shops, transportation options, and homes that are affordable. We have been active in Concord for several years, working directly with Concord residents, the Community Coalition for a Sustainable Concord and East Bay Housing Organizations to help create a thriving, livable City of Concord.

We are pleased that the City of Concord allowed the public to review the SEIR Addendum. However, considering the importance of the document for reviewing various new policies for the Downtown Concord Specific Plan (Specific Plan), we are concerned that the Addendum's comment period deadline of February 24 did not allow for adequate public participation. Greenbelt Alliance and East Bay Housing Organizations, along with many of our Concord allies and residents, were not aware of the comment period deadline until after the notes from the 2/4/14 City Council update were posted. There were no public announcements of the comment period to recipients of the City's downtown planning updates or the Downtown Steering Committee itself. We hope that future documents will provide much more clarity on the public review process and that deadlines for review will be clearly posted on the City's website.

**Recommendation: Include a Land Use section of the Addendum to update mitigation strategies included in the Concord 2030 General Plan (2030 Plan) EIR**

Although we recognize that the Specific Plan contains many of the same policies for Downtown Concord as detailed in the 2030 Plan and subsequent updates, the SEIR Addendum should include additional feasible mitigation strategies to address the significant impacts of development over the next several decades. Providing clear description and analysis of these mitigations, especially in light of Concord's new Climate Action Plan (CAP), will help to ensure that the Specific Plan accommodates growth in ways that improve public health, achieve environmental goals, and enhances the vitality of Concord's downtown.

**Recommendation: The Land Use section of the Addendum should consider potential mitigations from policies that are being developed in the City's Housing Element Update, as these planning efforts were intended to work in tandem**

The Housing Element update for the City of Concord is taking place concurrently with the drafting of the Specific Plan. Many of the policies in the Housing Element could greatly benefit very low- to moderate-income residents of Concord as development occurs downtown. The SEIR Addendum should include mitigation strategies that coincide with updates to the Housing Element as a way to increase the supply of homes for low-income residents near transit – thereby reducing single occupancy vehicle trips – and reduce the risk of displacement of current residents.

**Recommendation: The Greenhouse Gas and Transportation/Circulation sections of the Addendum should include enhanced bicycle and pedestrian infrastructure as a mitigation strategy to further reduce harmful effects of GHGs and VMTs**

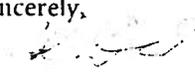
We are pleased that the Specific Plan and Addendum include several policies in support of a downtown that is safe to walk and bike, with less reliance on parking, and connected to regional transportation. In order to achieve the 30-year vision of the Specific Plan, additional measures should be included to reduce GHGs and VMTs.

The Addendum should consider the 30-year potential for enhancements to the bicycle and pedestrian network as a mitigation strategy to reduce greenhouse gases and VMTs. The Specific Plan makes many positive changes to the circulation of traffic downtown, and the forthcoming Bicycle Master Plan will make further changes. The Addendum will be strengthened by clear mitigation strategies that will achieve a thriving, pedestrian-oriented Downtown Concord.

There is also no mention of enhanced bicycle and pedestrian infrastructure having a positive impact on lowering VMTs in the Addendum Appendix A. We encourage the City to use the city's Climate Action Plan and the expertise of Fehr & Peers to create robust mitigation strategies to reduce the significant impacts of development. Long-term infrastructure improvements to the downtown area for pedestrians and bicyclists should be considered an asset and central strategy for reducing the impacts over the lifetime of this Specific Plan.

Thank you again for the opportunity to comment on the Addendum and we look forward to sharing more detailed comments on the Specific Plan in the near future.

Sincerely,

  
Joel Devalcourt  
Regional Representative, East Bay  
Greenbelt Alliance

**Ryan, Joan**

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**From:** Adam Foster <adamwfoster@gmail.com>  
**Sent:** Monday, February 24, 2014 2:07 PM  
**To:** Ryan, Joan  
**Cc:** Johnson, Carol; Concord City Council; Barone, Valerie  
**Subject:** Downtown Specific Plan SEIR Addendum

Hi Joan,

I offer the following comments on the Downtown Specific Plan SEIR:

I do not believe the noise and safety hazards associated with continuing to run high-speed vehicular arterial streets through the downtown has been adequately analyzed or addressed.

I believe the noise and potential for fatal accidents between different users associated with continuing to run high-speed vehicular arterial streets through a residential area, particularly given that the area is planned to accommodate significant residential and pedestrian growth, creates a significant environmental impact.

I live at Willow Pass Road and Port Chicago Highway. Cars racing down Willow Pass Road create an undesirable acoustical environment and threaten the safety of all users of the public right-of-way, detracting from my quality of life. I believe that residential-area roadways that are designed to accommodate vehicular traffic at speeds above 25 MPH -- more than just speed signage, but the actual design (lane width, excess on-street parking, rapid-flow intersections, ect.) -- like Willow Pass Road, Clayton Road, Concord Boulevard, Galindo Street and Port Chicago Highway, take away from the health and welfare of adjacent residents and pedestrians. While I realize that I chose to purchase a home within an area where these conditions already existed, I am not in favor of a long-range document, that addresses these very streets, being adopted without additional measures being taken to reduce the noise, health and safety hazards associated with high-speed vehicular travel occurring within an area where people live, work and play.

These are streets where the elderly, disabled and children travel. Surely there is responsibility to be assumed in creating a safe environment for these an all other users.

Thank you,

Adam Foster