



CHAPTER 8

POLICY AND CODE AMENDMENTS

The Valley Link project and Isabel Neighborhood Specific Plan present opportunities to advance the Livermore General Plan goals. The Plan's vision, driven by a broad range of community members, is to create a vibrant neighborhood that complements the Valley Link station and provides a variety of housing, job, shopping, and transportation choices. Achieving this vision requires amending the regulatory framework that guides land use development in the Planning Area.

Upon adoption of the Isabel Neighborhood Specific Plan, the land use designations identified in Section 2.1 will also become the land use designations of the General Plan, and the zoning designations described in Section 2.2 will become the zoning designations under the Livermore Development Code. It will also result in changes to General Plan policies, Development Code standards, and Airport Land Use Compatibility Plan (ALUCP) policy.

Additionally, the design standards and guidelines in Chapter 5, Urban Design, will supplement and, in some cases, supersede, the City of Livermore Design Standards and Guidelines. All development standards, policies, design standards, and design guidelines of the Isabel Neighborhood Specific Plan will apply throughout the Isabel Neighborhood; however, for any topic on which the Plan is silent, the General Plan,

Livermore Development Code and the Livermore Design Standards and Guidelines will continue to apply.

The following sections provide descriptions of the amendments to the regulatory documents. The Draft EIR prepared for the Isabel Neighborhood Specific Plan analyzes the potential environmental effects of the proposed policy amendments. It includes a full analysis of compatibility with airport operations and consistency with the ALUCP, building upon the preliminary compatibility analysis completed in April 2016.

8.1 GENERAL PLAN

LAND USE ELEMENT

Upon adoption of the Plan, the Planning Area will have the new General Plan designation “Isabel Neighborhood,” replacing the land use designations that currently apply and will be reflected in the General Plan Land Use map, together with text changes.

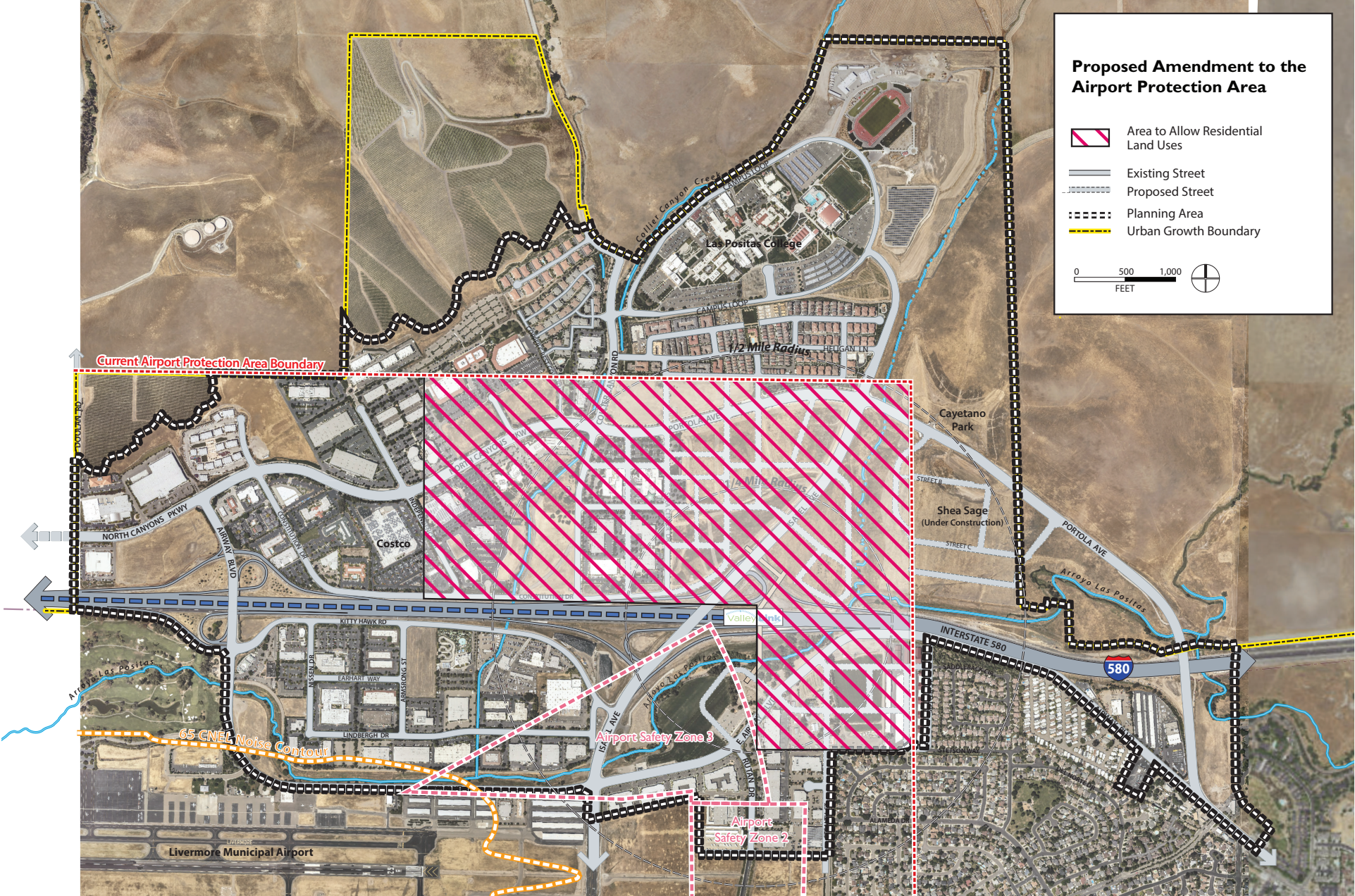
Airport Protection Area

As described in Chapter 6, Environmental Resources, the City of Livermore designated the Airport Protection Area (APA) to encourage noise-compatible land uses around the airport, specifically by restricting new residential development within the APA boundaries. The APA is a rectangular area that covers about 65 percent of the Planning Area and extends from the airport runways 5,000 feet to the north, south, and east towards Livermore and 7,100 feet to the west towards Pleasanton. As residential uses are prohibited within the APA, an amendment to the Land Use element of the General Plan will therefore be required to allow for buildout of the Isabel Neighborhood Specific Plan.

The Isabel Neighborhood Specific Plan retains the boundaries of the APA but proposes an overlay in the northeast corner of the APA to cover the area where the land use diagram shows new residential uses (see Figure 8-1). In this overlay area, the City would only allow residential uses with conditions aimed at increasing resident awareness of the airport proximity to their neighborhood (see Policy P-ENV-8 in Chapter 6, Environmental Resources).

The proposed amendment to the APA complies with state guidance on land use compatibility with airports, which is intended to protect public health and safety. The proposed change to the APA would be a targeted exception allowing only new transit-oriented residential development within the Isabel Neighborhood, but would otherwise leave the APA boundary and policy intact.

FIGURE 8-1: PROPOSED AMENDMENT TO THE AIRPORT PROTECTION AREA



COMMUNITY CHARACTER ELEMENT

Amendments to the Scenic Corridor Policy

As described in Chapter 2, Land Use, this Plan adds three amendment areas to the Scenic Corridor policies, and modifies the height limits in the southeastern portion of the Planning Area (within Subpart 6C). Development in these exception areas would be subject to height limits, rather than view angles. The amendment areas apply to the view angles only, as existing limits on ground contour changes under the Scenic Corridor will still apply. All other parts of the Isabel Neighborhood remain subject to the existing height limits in Section IV.C of the Community Character Element of the General Plan. The new and modified exception areas are shown on Figure 2-4 and include the following:

- Core (expanded)
- East Airway (new)
- Portola (new)

Residential development within Subpart 6C (Portola) and within the Planning Area will continue to be subject to a flat height limit, but the new height limits would allow buildings farther from the freeway to reach 35 or 40 feet in height (see “Portola” area on Figure 2-4).

Refer to the City’s General Plan Community Character Element for additional information.

8.2 AIRPORT LAND USE COMPATIBILITY PLAN

The Airport Land Use Compatibility Plan (ALUCP), adopted by the City and Alameda County in 2012, is the primary document used by the Airport Land Use Commission and the City of Livermore to help promote compatibility between the Livermore Municipal Airport and its surroundings. The City has incorporated most of the ALUCP policies into the General Plan (e.g., Objective LU 4-4). Section 3.3.2.6 of the ALUCP identifies the Airport Protection Area (APA) and prohibits new residential uses and intensification of existing residential uses. However, the ALUCP includes the provision that the County would amend this policy should the City amend the APA policy in the General Plan. Specifically, the ALUCP states: “Should the City of Livermore, after adoption of this ALUCP, modify City of Livermore Resolution 192-91, which establishes the APA, or adopt a new Resolution, the Alameda County Airport Land Use Commission (ALUC) shall acknowledge the modification of the APA for purposes of transit-oriented residential development around the future Isabel/I-580 BART station in subsequent land use reviews, and shall revise this policy at the earliest possible date as provided by state law.” While BART was not extended to Livermore, the Valley Link rail station meets the intent of a BART station by providing regional transit service that will connect with BART and match BART headways.

8.3 LIVERMORE DEVELOPMENT CODE

Implementation of the Isabel Neighborhood Specific Plan will require amendments to various parts of the Livermore Development Code (LDC), including rezoning. Summaries of the various changes are listed below.

PART 3: SPECIFIC TO ZONES AND PART 12: ZONING MAP

Upon adoption of the Plan, the entire Planning Area will have the new zoning designation “Isabel Neighborhood Specific Plan,” replacing the various zoning districts that currently apply. Development will be subject to the zoning provisions of this Plan, including the land use designations and development standards in Chapter 2, Land Use. A zoning map amendment will be necessary to show this new zone.

PART 4: GENERAL TO ZONES

Amendments to the LDC Part 4 include the removal of a building height restriction that applies to development near the airport and the addition of references to the Isabel Neighborhood Specific Plan for standards related to required parking and signage within the Planning Area.

Height Limits on Structures in Proximity to the Airport

The Livermore Development Code states that no structures within 5,000 feet of an airport runway shall exceed 40 feet in height. Some of the envisioned building heights under the Isabel Neighborhood Specific Plan exceed this height limit. Therefore, implementation of the Plan requires an amendment stating that building height limits are determined by Figure 2-4 and the Neighborhood’s development standards. As described in Chapter 2, Land Use, the new height limits are based on several factors, including compatibility with airport operations and surrounding uses. The increase in allowable heights would not result in a significant hazard because heights around the airport will remain compliant with FAR Part 77 and the Airport Land Use Compatibility Plan height policies.

ADDITIONAL LIVERMORE DEVELOPMENT CODE AMENDMENTS

Additional sections in the Livermore Development Code may require amendments to acknowledge and incorporate the Isabel Neighborhood Specific Plan standards, such as affordable housing.

8.4 PRE-ZONE AND ANNEXATION

GANDOLFO PROPERTY

The Gandolfo property is a historic resource located south of I-580, west of Sutter Street. This property was identified as eligible for listing in the National Register of Historic Properties. The Plan proposes to pre-zone this property to “Isabel Neighborhood Specific Plan”. Although the pre-zoning would be approved with adoption of Plan, the actual annexation of the property will likely occur in the future when the landowner initiates annexation as part of new residential development consistent with Plan. Subdividing this property into separate lots and roads would affect the integrity of the resource as it could result in the demolition, destruction, relocation, and/or alteration of the historical resource such that the significance of the resource would be materially impaired. As described in Chapter 3.13, Cultural Resources, of the EIR, this implementation of the proposed Plan would result in significant and unavoidable impacts with mitigation.

8.5 OTHER AMENDMENTS

REZONING AND AMENDMENTS TO EXISTING PLANNED DEVELOPMENT DISTRICTS

There are numerous existing Planned Development (PD or PUD) District that will be eliminated or amended with Plan adoption. Instead of their previous PD or PUD permitted uses and development standards, property owners will be subject to the Isabel Neighborhood Specific Plan permitted uses and development standards.

AMENDMENTS TO EXISTING DEVELOPMENT AGREEMENTS

There are existing Development Agreements in the Planning Area (e.g. amended and re-stated Shea Center Development Agreement 114-97) that may need to be amended to reflect inclusion in the Planning Area, assuming the landowners want to amend their Agreements with the City to incorporate all the INSP land designations and development standards.