



Agenda Item

DATE: JUNE 15, 2023

TO: PLANNING COMMISSION

FROM: CARMELA CAMPBELL, ECONOMIC AND COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: 1) AMENDMENTS TO TITLE 18, ZONING, OF THE UNION CITY MUNICIPAL CODE TO UPDATE CHAPTER 18.41, STATION EAST EMPLOYMENT (SEE) DISTRICT TO ADD A NEW ZONING DISTRICT FOR CONSISTENCY WITH THE UNION CITY 2040 GENERAL PLAN DESIGNATION OF MIXED-USE EMPLOYMENT (EMU) REFERRED TO AS “CORRIDOR MIXED USE EMPLOYMENT (CMUE)” AND RENAME THIS CHAPTER “EMPLOYMENT MIXED USE DISTRICTS” (AT-23-002) AND 2) AMENDMENTS TO THE OFFICIAL ZONING MAP OF THE CITY OF UNION CITY TO REZONE PROPERTIES LOCATED ALONG THE UNION CITY BLVD. CORRIDOR, WITH A UNION CITY 2040 GENERAL PLAN DESIGNATION OF MIXED-USE EMPLOYMENT (EMU), FROM SPECIAL INDUSTRIAL (MS) TO CORRIDOR MIXED USE EMPLOYMENT (CMUE) FOR CONSISTENCY WITH THE GENERAL PLAN (A-23-001)

APPLICANT: THE CITY OF UNION CITY

REQUEST: The City of Union City is proposing to amend Title 18 of the Union City Municipal Code, Chapter 18.41, Station East Employment (SEE) District to add a new zoning district for consistency with the Union City 2040 General Plan designation of Mixed-Use Employment (EMU) referred to as “Corridor Mixed Use Employment (CMUE) District” and rename this chapter “Employment Mixed Use

Districts.” Additionally, the amendment would update the SEE District to modify and standardize uses, update development, performance and objective design standards for consistency with the CMUE District and reformat the chapter for ease of use and consistency with other chapters in Title 18. The City of Union City is also proposing to amend the official Zoning Map, to rezone properties located along the Union City Blvd. Corridor, with a Union City 2040 General Plan designation of Mixed-Use Employment (EMU), from Special Industrial (MS) to Corridor Mixed Use Employment (CMUE) for consistency with the General Plan.

LOCATION: Citywide

ENVIRONMENTAL ASSESSMENT:

The amendments are exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the general exemption for projects with no potential for a significant effect on the environment. As a series of text amendments, it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

SUMMARY:

The City of Union City (“City”) is proposing to amend Title 18 of the Union City Municipal Code, Chapter 18.41, Station East Employment (SEE) District to add a new zoning district for consistency with the Union City 2040 General Plan designation of Mixed-Use Employment (EMU) referred to as “Corridor Mixed Use Employment (CMUE)” and rename this chapter “Employment Mixed-Use Districts.” Additionally, the amendment would update the SEE District to modify and standardize uses; update development, performance, and objective design standards for consistency with the proposed regulations associated with the CMUE District; and reformat the chapter for ease of use and consistency with other chapters in Title 18.

The City is also proposing to amend the official Zoning Map, to rezone properties located along a portion of the Union City Boulevard Corridor, with a Union City 2040 General Plan designation of Mixed-Use Employment (EMU), from Special Industrial (MS) to Corridor Mixed Use Employment (CMUE) for consistency with the General Plan. See Exhibit A (Clean) and B (Redlines) for the proposed amendment wording and Exhibit C (Zoning Map) for the proposed zoning map amendment.

I. BACKGROUND

The Union City 2040 General Plan designates some properties along the Union City Blvd. corridor as Mixed-Use Employment. (See Figure 1, Land Use Map). To implement the vision of the General Plan, staff has drafted the new Corridor Mixed Use Employment (CMUE) District. These standards are based on the Station East Employment District (SEE) District which is a Mixed-Use Employment Zoning District within the Station District Specific Plan area and shares similarities with the CMUE District. Both zoning districts provide for mixed use employment centers, which are designed to accommodate a higher density employment district than the City's more traditional industrial areas. The amendments also reflect the design criteria and performance standards proposed as part of the updates to Chapter 18.40, Industrial Districts.

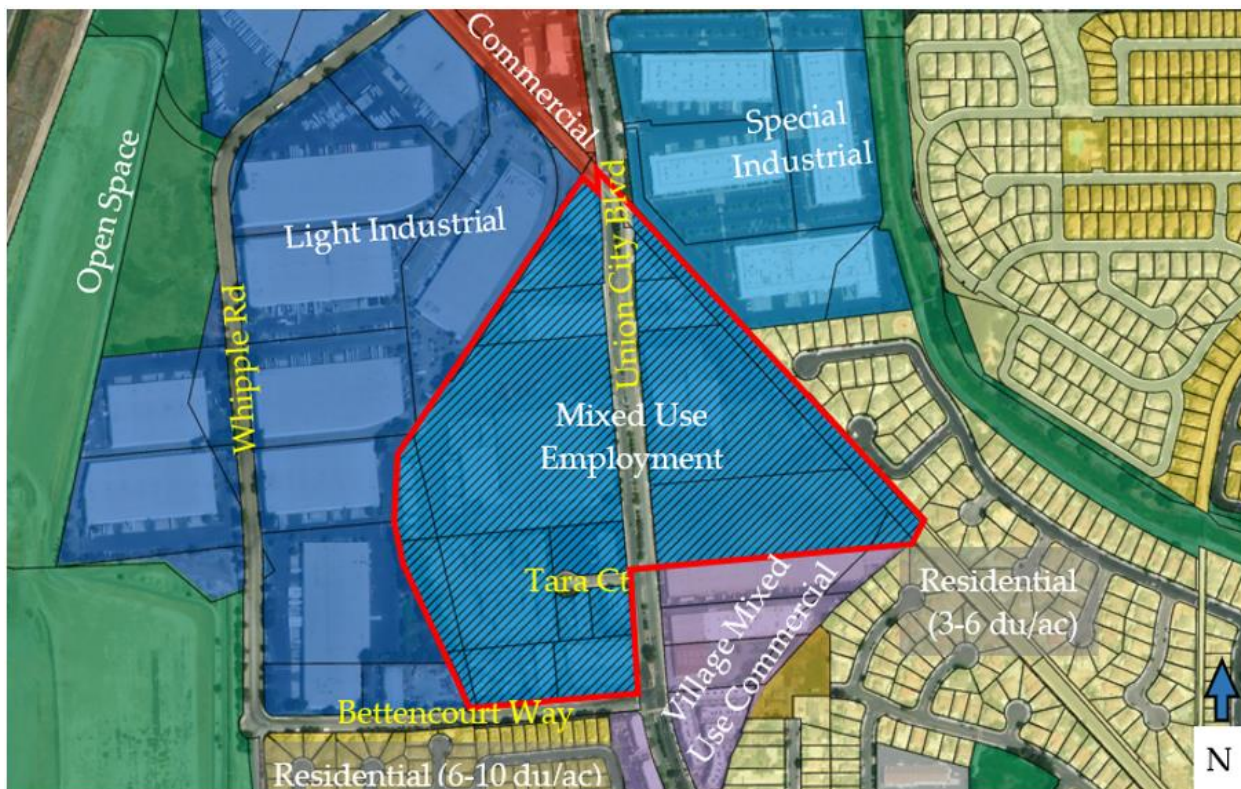


Figure 1: General Plan Land Use Designations

The Zoning Map Amendment proposes to rezone the properties identified to apply the new CMUE zoning designation. The current zoning for the area is Special Industrial (MS). See Exhibit C (Existing Zoning Map) and Exhibit D (Proposed Zoning Map), which details the existing and proposed rezoning for the sites.

II. DISCUSSION

A high-level summary of the amendments are included below. For a more detailed review, see Exhibit A (Clean) and Exhibit B (Redlines).

A. Chapter 18.41, Mixed-Use Employment Districts

The amendments to Chapter 18.41, retitles the chapter to Mixed-Use Employment Districts as the new CMUE District and Station East Employment (SEE) District are combined in one chapter which is focused on higher density employment areas with mixed use zoning. This approach is consistent with the format for the City's industrial areas, which combines similar zoning districts into one chapter for simplicity and ease of review.

Section 18.41.010 Purpose

The amendments incorporate the purpose of each district. The purpose has been aligned to those stated in the 2040 General Plan.

Section 18.41.020 Land use regulations – Mixed-Use Employment.

The amendments modify the existing use categories in the SEE District by clarifying language, combining similar uses, and adding new uses, which better reflect the current market conditions. All uses are combined into a single table for ease of use and to ensure use categories are standardized across all districts.

Included uses for the CMUE District align with the stated purpose by allowing a mix of higher-density employment uses. These uses include light industrial, research and development, office, and flex space, as well as supportive commercial uses that are vertically or horizontally integrated.

Section 18.41.050 Performance standards

The amendments incorporate the existing SEE District performance standards, with minor modifications to ensure constancy with the language of similar standards in the Industrial Zoning District. These performance standards will also apply to the CMUE District. The performance standards include:

1. Limitations on outdoor storage and activities
2. Standards for solid waste, organic waste and recyclable materials enclosures
3. Site maintenance
4. Hazardous materials regulations
5. Limitations on the number of driveways per street frontage

6. Standards for additions and modifications to existing industrial development; and
7. Limitations on nuisance characteristics such as odors, noise, vibrations, etc.

Section 18.41.060 Development standards

The amendments keep all existing SEE District development standards and incorporate the new development standards for the CMUE District. The amendments would include all development standards into a single table for clarity and ease of use.

Section 18.41.070 Supplemental Standards

The amendments incorporate existing SEE District supplemental standards and add some new standards, for consistency, into a single section. Many of these standards will also apply to the CMUE District. If a standard only applies to a specific district it is noted in the section. The supplemental standards include permitted obstructions, signage, walls and fences, landscaping, employee amenity areas, sidewalks and street frontage improvements, equipment screening, and bicycle and pedestrian facilities.

These supplemental standards ensure new development is well-designed and accommodates a variety of flex-industrial uses including office and research and development uses. In addition, including these standards in the chapter ensures applicants are aware of what is expected, which streamlines the approval process by cutting down the back and forth between the applicant and staff.

Section 18.41.080 Off-street parking and loading / Section 18.41.090 Bicycle parking

The amendments keep the parking and loading requirements for the SEE District while also establishing parking and loading requirements for the CMUE District that align with those currently included in Chapter 18.40, Industrial Districts. Additionally, the amendments include parking structures requirements, and clarify parking requirements for flex industrial buildings. If a standard only applies to a specific district it is noted in the section.

The amendments keep the existing SEE District established bicycle parking standards and establish new bicycle parking standards for the CMUE District.

As noted above, the parking requirements are different between the two districts. The existing parking requirements for the SEE District were informed, in part, by the geographical location within the Station District. Related to that, the parking standards are based on what is included in the Station District Specific Plan, which were dictated

by the parameters of the grant the City received from the Metropolitan Transportation Commission, to prepare the Specific Plan.

Section 18.41.100 Design criteria

The amendments incorporate the existing SEE District design standards, with minor modifications to ensure consistency with the language of similar standards in the industrial districts. If a standard only applies to a specific district it is noted in the section. The design standards encourage attractive architectural developments, create a stronger sense of place and a more positive image for the industrial districts. The standards promote the use of a “Modern” building vocabulary, minimize massing and blank walls, require the incorporation of architectural features and detailing as well as high quality materials and the use of color. Similar to the discussion above, there is also the added benefit of including the design criteria in the chapter, which streamlines the approval process by providing clarity and cutting down the back and forth between the applicant and staff.

B. Study Sessions and outreach.

Planning Commission

A Planning Commission study session to review a draft of the amendments was held on March 16, 2023. The Commission provided feedback to staff and reviewed a Desk Item concerning questions and comments from Commissioner Lew regarding the draft amendments. The feedback addressed some clarifying questions, recommendations to address formatting issues, and minor updates. Necessary edits have been incorporated into the proposed amendments. The Planning Commission staff report and Desk Item can be accessed online at the URL below. For a detailed overview of the Planning Commission discussion see Planning Commission Meeting Minutes (Attachment 1).

<https://unioncity.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=1662&MinutesMeetingID=625&doctype=Agenda>

City Council

A City Council study session to review a draft of the amendments was held on April 11, 2023. The Council asked clarifying questions and provided feedback regarding the draft amendments. The City Council staff report can be accessed online at the URL below.

<https://unioncity.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=1623&MinutesMeetingID=631&doctype=Agenda>

Economic Development Advisory Committee (EDAT)

Staff met with the Economic Development Advisory Committee (EDAT) at its March 16, 2023, meeting. Staff presented the amendments. EDAT members asked clarifying questions. No other feedback was received.

Broker Engagement

Staff held a stakeholder meeting with local real estate brokers on May 23, 2023. Staff presented the amendments to the brokers. They asked clarifying questions regarding warehousing and processing timelines for use permits. No other feedback was received.

C. Public Outreach

A newspaper notice for the zoning text amendment and zoning map amendment was published in the Tri-City Voice as required by State Law. To date, staff has not received any public comments.

III. REQUIRED FINDINGS

Section 18.64.060 requires that, when considering zoning text and map amendments, the Planning Commission shall provide a recommendation to the City Council on the following:

1. Recommending that the application be granted or denied or that the proposal be adopted or rejected, including the reasons for the recommendation;
2. The relationship of the application or proposal to the general plan and any applicable specific plans; and
3. Whether the change is necessary or desirable to achieve the purposes of Title 18.

IV. ALTERNATIVES

1. Recommend approval of the proposed Zoning Text Amendments to the City Council as proposed;
2. Recommend approval of the proposed Zoning Text Amendments to the City Council with stated modifications;
3. Recommend denial of the proposed Zoning Text Amendments to the City Council, stating reasons for denial;
4. Continue the matter for further consideration.

V. RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of Zoning Text Amendment (AT-23-002) and Zoning Map Amendment (A-23-001) to the City Council based on the following specific findings:

1. That the Zoning Text Amendments are exempt from environmental review in accordance with the California Environmental Quality (CEQA) Act Guidelines Section 15061(b)(3), the general exemption for projects with no potential for a significant effect on the environment. As a series of text amendments, it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment; and
2. That the proposed Zoning Text Amendments are consistent with the following General Plan goals and policies. There are no applicable specific plans.
 - **Goal LU-7**, seeks to protect the supply of land in Union City's business parks and ensure development and design standards encourage business parks to adapt and transition into vibrant employment centers. The proposed amendments implement this goal by establishing new design standards and implementing new and updated performance and supplemental standards to ensure our business parks adapt and transition to vibrant and attractive employment centers.
 - **Goal SA-7**, seeks to transform the Union City Boulevard District into an innovative, pedestrian-friendly, full-service employment district offering creative spaces and amenities for the new workforce. The proposed amendments implement this goal by creating a new district, with the stated purpose of fostering innovation and emerging technologies; promoting the creation of an employment district with travel patterns that are oriented toward pedestrian, transit, and bicycle use; and provision of amenities for employees as well as surrounding neighborhoods. Further, the Zoning Map Amendment will rezone the identified properties to implement the district standards.
 - **Policy ED-7.3 *Remove Regulatory Barriers***, seeks to have the City to remove any unnecessary regulatory barriers that discourage private-sector investment. The proposed amendments help to remove barriers by streamlining review processes and ensure design, performance and supplemental standards are known upfront and can be planned for early in the process.

3. That the proposed Zoning Text Amendments are necessary and desirable to achieve the purposes of Title 18, which seek to protect the character and maintain the stability of business and industrial areas and conserve the taxable value of land and buildings throughout the City.

It is further recommended that the Planning Commission adopt a Resolution confirming this action.

Prepared by

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Attachments

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| Exhibit A: | Draft Amendments (Clean) |
| Exhibit B: | Draft Amendments (Redlines) |
| Exhibit C: | Existing Zoning Map |
| Exhibit D: | Proposed Zoning Map |
| Attachment 1: | Planning Commission Minutes for March 16 th , 2023 |