

ATTACHMENT N
Discussion Regarding General Plan Conformity and Amendments to the Land Use Diagram

City staff has concluded that the Project conforms to all of the relevant policies of the General Plan. Nonetheless, staff recommends that that City amend the Land Use Diagram of the Land Use and Transportation Element of the City's General Plan to better reflect the proposed zoning. As has been acknowledged by the City (and the courts), land use diagrams are intended to be diagrammatic and rarely reflect parcel specific conditions. Here, it has been often acknowledged that the 1998 Land Use Diagram was drawn in a very "broad brush" manner. Fourteen color-coded categories were used, each corresponding to a different land use and density/ intensity. The diagram was designed to be printed and interpreted at a scale of 1" = 1 mile, allowing the entire city to fit on an 11" x 17" sheet which could be folded and inserted in the back of the Plan document. The philosophy was to keep the map conceptual, leaving the more detailed parcel-level mapping to the Zoning Update.

The Land Use and Transportation Element notes:

"The zoning map will refine the boundaries used for the land use classifications as needed to achieve the intent of the General Plan...the zoning map will provide greater specificity and detail in areas of the City too small to be detailed in the General Plan." (Land Use and Transportation Element, p. 144)

Appendix B to the LUTE similarly states, "because the General Plan is both comprehensive and long range, both text and diagrams are necessarily general" (App. B, LUTE, p. 233.). Further, the EIR prepared for the approval of the 1998 General Plan and Land Use Diagram specifically recognized that changes to the land use diagram are anticipated to "facilitate redevelopment of large parts of the City, including military bases." For the NMCO property specifically, the LUTE EIR noted that ultimate land use designations applied to this property are to "match the proposed master plan for this site" (See Director's Determination of Conformity, 12/20/06 Amended General Plan Conformity Determination for Oak Knoll Naval Medical Center (NMCO) Property).

Thus, when the General Plan Land Use Diagram was first approved in 1998, it was approved with the expectation that future zoning efforts would be more specific without being inconsistent with the Plan and that adjustments would be made to the Land Use Diagram to eliminate confusion about how the City has decided to interpret and implement the General Plan.

In 2006, the project sponsor at that time requested a conformity determination for a project involving 960 residential units, 72,000 square feet of commercial development, 53 acres of open space and the rehabilitation of Club Knoll in place, and requested confirmation that a "LUTE Land Use Diagram with Proposed Adjustments to Designation Boundaries" reflected LUTE conformity. In May of 2006, the Director of Planning determined that the project conformed to the General Plan, with an amended Determination rendered on December 20, 2006. The Director's Determination of General Plan Conformance was appealed to the Planning Commission in December, 2006. In March 2007, after a noticed public hearing, the Commission upheld the Director's determination that the 2006 project was consistent with the General Plan.

In 2015,¹ the project sponsor returned to the City with a somewhat revised project, including minor adjustments in lay-out and mix of uses, specifically, a reduction of 25 residential units (from 960 to 935), preservation of the highest portion of the ridgeline in permanent open space (which had previously been proposed for development), 10,000 more square feet of commercial development (from 72,000 to 82,000), 14 more acres of open space (from 53 to 67 acres) and the relocation and rehabilitation of Club Knoll in a more central location (“2017 Oak Knoll Plan.”). As described in the FEIR, the 2017 Oak Knoll Plan “differs slightly from the 2006 Oak Knoll Plan, but remains in substantial conformance with that prior proposal, thereby also meeting the criteria for General Plan consistency previously found by the City based on findings regarding (1) use and facility types, (2) density of development, (3) General Plan conformity guidelines proposed project is similar to the project the Planning Commission found to be in conformance with the General Plan in 2007.” (2017 Final SEIR, p. 4.9-23.) A comprehensive analysis of the project’s conformance with the General Plan is contained in the 2017 FSEIR in Section 4.9 on Land Use and Planning and at pp. 8-10 of the Planned Unit Development (PUD) Plan.

As the City considers approval of permanent zoning and a PUD permit for the development, staff continues to conclude that 2017 Oak Knoll Plan is consistent with the General Plan land use policies but believes it prudent to modify the General Plan Land Use Diagram, as shown in **Exhibit E** to provide better guidance for future planning efforts. The proposed amendments to the boundaries of the existing classifications and the addition of two new land use classifications reflect three main changes to the Plan since 1998 and 2006: the addition of the 15-acre Hardenstine parcel to the project area, the relocation of Club Knoll to the center of the site and the desire by City staff to re-designate areas shown as Community Commercial on the 1998 diagram where townhomes and garden court homes are proposed under the 2017 Plan. These changes are briefly discussed below:

- The addition of the 15-acre Hardenstine parcel to the project site will allow a significant increase in the number of acres to be permanently preserved as open space and allows the adjustment of the site’s Urban Open Space designation to include the Hardenstine parcel, which had previously been designated as Hillside Development. This modification is consistent with OSCAR Policy OS-1.3, which states that “on large sites with subdivision potential, generally conserve ridges, knolls and other visually prominent features as open space. Maintain development regulations which consider environmental and open space factors such as soil stability, plant and animal resources, earthquake and fire hazards, and visual impacts, in the determination of allowable density.” The Hardenstine parcel is a visually prominent, wooded, undisturbed area

¹Due to the economic downturn, the project sponsor withdrew the 2006 Oak Knoll Plan from further review in 2007. In 2011, at its own initiative, the City included the project site its City-wide zoning update effort but expressly recognized that the zoning districts it approved in 2011 (RH-4, with some pockets of RH-3) were intended to be “place-holder” zoning until there was a specific development plan to be implemented. See Draft SEIR at pp. 4.9-16-17.

located along one of the project area's lower ridgelines. It contains a stand of oak woodlands, and provides habitat to common wildlife species. The preservation of these 15 acres as open space better reflects the goals of OSCAR Policy OS-1.3 than providing fewer acres of open space near the corner of Mountain Blvd. and Sequoia Drive. Designating the Hardenstine parcel as open space and redesignating the area near the corner of Mountain and Sequoia for housing also reflects the current project's proposed relocation of Club Knoll, discussed below, from this corner to the center of the site.

- The 2017 project proposes the relocation of Club Knoll from the southwestern corner of the project to a more central location in the development to better serve the new community, to provide an important focal point and visual amenity along the creek and to reduce potential land use conflicts with adjacent neighboring residential uses. This modification is also consistent with the the General Plan Policy LU Policy N.7.1, Ensuring Compatible Development and LU Policy N5.2, Buffering Residential Areas.
- As did the 2006 project, the 2017 project proposes townhomes in the area designated Community Commercial on the 1998 Land Use Diagram. Even though townhomes are allowed in areas designated Community Commercial, planning staff believes it prudent to redesignate these areas with a land use classification that more closely matches the proposed residential zoning for these areas. When Final Development Plan are submitted for these areas in the future, it will be clear that the City's vision for these areas is not commercial but is residential.

Environmental Impacts

The above-described proposed amendments to the Land Use Diagram have no independent environmental impacts. Rather, they mirror "on paper" the project described in the Final EIR, the environmental impacts of which have been analyzed and disclosed in conformance with CEQA.