

RESOLUTION NO. 2019-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY ADOPTING TEXT AMENDMENTS TO THE FOSTER CITY GENERAL PLAN TO ENSURE COMPLIANCE WITH THE PROVISIONS OF THE MUNICIPAL REGIONAL STORMWATER NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT (MRP) RELATED TO GREEN INFRASTRUCTURE — CITY OF FOSTER CITY — GP2019-0001

CITY OF FOSTER CITY

WHEREAS, the San Francisco Bay Regional Water Quality Control Board (SFRWQCB) under the MRP regulates discharges of stormwater from municipal storm drain systems to San Francisco Bay; and

WHEREAS, SFRWQCB issued its most recent MRP to 76 municipalities (permittees) located in the San Francisco Bay Region, including the City of Foster City, on November 19, 2015; and

WHEREAS, under the current MRP, each permittee must develop a Green Infrastructure Plan (GI Plan) that demonstrates how permittees will gradually shift from the traditional “gray” storm drain infrastructure, where runoff flows directly into the storm drain and then receiving waters, to “green”—that is, to a more-resilient, sustainable system that slows runoff by dispersing it to vegetated areas, harvests and uses runoff, promotes infiltration and evapotranspiration, and uses bioretention and similar practices to treat stormwater; and

WHEREAS, the MRP also requires that GI Plans be designed to achieve required reductions in wasteload allocations of mercury and polychlorinated biphenyls (PCBs) within specified time horizons; and

WHEREAS, all Permittees of the MRP, including the City of Foster City, are required to approve a Green Infrastructure Plan by September 30, 2019; and

WHEREAS, on June 5, 2017, the City Council of the City of Foster City adopting Resolution No. 2017-37 approving the workplan for developing a Green Infrastructure Plan by; and

WHEREAS, the City of Foster City is proposing amendments to the Land Use and Circulation Element and the Conservation Element of the Foster City General Plan (GP2019-0001) to ensure compliance with requirements of the State Water Resources Control Board regarding Green Infrastructure for consistency with the MRP; and

WHEREAS, the proposal has been determined by the Community Development Director to be exempt from the California Environmental Quality Act (CEQA) pursuant to

the general rule in CEQA Guidelines Section 15061(b)(3), which specifies that CEQA applies only to any project with the potential to cause a significant environmental impact; and

WHEREAS, on July 18, 2019, the Planning Commission reviewed and recommended to the City Council approval of the proposed General Plan text amendments on a vote of 3-0-1-1 by adopting Resolution No. P-14-19; and

WHEREAS, a Notice of Public Hearing was duly posted, published, and mailed for consideration by the City Council of the proposed General Plan text amendments at the City Council hearing of September 3, 2019, and, on said date, the Public Hearing was opened, held, and closed.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Foster City, based on facts and analysis in the staff report, written and oral testimony, exhibits presented, and Planning Commission recommendations, finds that:

1. The proposed amendments are consistent with the Foster City General Plan, specifically Land Use and Circulation Element Goals LUC-A: Preserve the Quality of the City's Residential Neighborhoods; LUC-B: Promote Proper Site Planning, Architectural Design and Property Maintenance; LUC-E: Provide for Diversified Circulation Needs; LUC-F: Maintain Acceptable Operating Conditions on the City's Road Network; LUC-H: Foster a More Sustainable Community; LUC-K: Encourage Redevelopment of Under-utilized Properties; LUC-L: Provide Adequate Services and Facilities; and C-A: Protect and conserve wildlife habitat, energy resources, land resources, air quality, and the quality and quantity of water resources in that the proposed amendments support the integration of Green Infrastructure measures into relevant processes and projects to the extent practicable, furthering the aims of enhanced water and air quality, increased water supply, reduced potential for flooding, decreased traffic volumes, safer pedestrian and bicycle facilities, expanded climate resiliency, improved wildlife habitat, reduced energy use, increased multi-modal travel and safety, expanded community cohesion and sense of place, elevated property values, and a more pleasant urban environment; and
2. The proposed General Plan Amendments (GP2019-0001) are necessary to achieve the purposes of the Land Use and Circulation Element and the Conservation Element of the General Plan; Title 13, Water and Sewers, of the Foster City Municipal Code; and the Green Infrastructure Plan, to ensure conformance with the Municipal Regional Stormwater Permit (MRP) and federal law.

BE IT FURTHER RESOLVED that the City Council of the City of Foster City does hereby adopt the proposed General Plan text amendments (GP2019-0001) set forth in Exhibit A to this Resolution attached hereto and incorporate herein.

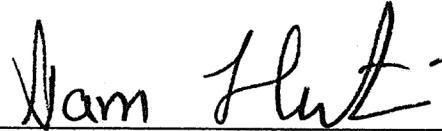
PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on 3rd day of September, 2019, by the following vote:

AYES: Councilmembers Awasthi, Gehani, Mahanpour, Perez, and Mayor Hindi

NOES: None

ABSENT: None

ABSTAIN: None



SAM HINDI, MAYOR

ATTEST:



PRISCILLA TAM, CITY CLERK

EXHIBIT A

LAND USE AND CIRCULATION ELEMENT

<p>LUC-D</p>	<p>Assure Safe Commercial and Industrial Uses</p> <p>Ensure that commercial and industrial uses are safe and strictly control any industrial by-products, odors or emissions which may adversely affect the health or safety of Foster City residents or workers and the overall environment in Foster City, as provided in Chapter 17.68, General Performance Standards of the Foster City Municipal Code.</p>
<p>LUC-D-4</p>	<p>Neighborhood Commercial Centers. Re-evaluate the land use designations for the City's neighborhood centers if, at a future date, any of these neighborhood commercial centers are no longer viable. Because of the desirability of maintaining neighborhood access to basic goods and services, the redevelopment of these neighborhood commercial centers will be encouraged only if neighborhood-oriented businesses cannot effectively compete with the newer commercial centers in Foster City. If mixed use developments including residential uses are considered, criteria for determining the appropriate housing density and types include:</p> <ul style="list-style-type: none"> a. The predominant type and densities of housing on the same block front or on adjacent blocks to the proposed projects. b. The type of street (major, collector, etc.) which would provide access to the site and levels of service on the street in the AM and PM peak hours. c. Availability of public infrastructure, services and facilities. d. The ability of the project to provide landscaping for parking areas, facade modulation, and orientation of buildings which would ensure privacy for, and minimize impacts on, any adjacent single-family homes, and reduce the perception of density in a multifamily project. e. The ability of the project to incorporate Green Infrastructure (including Green Streets) design measures. f. The ability of the project to provide an appropriate transition from the public rights-of-way given the type of street and mass and scale of buildings. g. The ability of the project to provide the appropriate ratio of commercial square footage to housing units to be a viable commercial center. h. Architectural and landscape design.

<p>LUC-D-8</p>	<p>Increases in Intensity of Uses in East Hillsdale Boulevard Corridor. Requests for higher intensity commercial uses to replace existing commercial uses along the north side of East Hillsdale Boulevard, between Shell Boulevard and Werder Park, will be evaluated consistent with traffic, design, and municipal infrastructure and service constraints, including:</p> <ul style="list-style-type: none"> a. Capacity of infrastructure in this area to accommodate increased densities. b. Public transportation improvements. c. Appropriate architectural design, including but not limited to, height and density for new commercial uses. d. The types of appropriate commercial uses. e. Landscaping design. f. Internal circulation and parking. g. Green Infrastructure (including Green Streets) features. h. Setbacks from public rights-of-way.
<p>LUC-E</p>	<p>Provide for Diversified Circulation Needs</p> <p>Develop, improve and maintain a circulation system which provides efficient and safe access for private vehicles, commercial vehicles, public transit, emergency vehicles, bicycles and pedestrians. Incorporate Green Streets features whenever possible.</p>
<p>LUC-E-1</p>	<p>Improvements to Existing Streets. The City will maintain and improve the existing system of major and collector streets and will incorporate Green Streets features to the maximum extent practicable and in conformance with the Municipal Regional Stormwater Permit (MRP), including:</p> <ul style="list-style-type: none"> a. East Hillsdale Boulevard, Edgewater Boulevard, Foster City Boulevard, Beach Park Boulevard, East Third Avenue (within the City limits), Metro Center Boulevard, Shell Boulevard, Chess Drive within the City limits) and Vintage Park shall be maintained as arterial (major) streets. b. Collector streets, currently shown on Map GP-5, Street Network Map, shall be maintained as such. c. Lengthen northbound left-turn lane on Foster City Boulevard at Chess Drive to 650 feet. d. Lengthen westbound left turn lane on Chess Drive at Foster City Boulevard to 300 feet. e. Construct Northbound right-turn lane from Foster City Boulevard to Chess Drive. f. Construct 2nd westbound through lane on Chess Drive east of Foster City Boulevard. <p>In addition, the following improvements are recommended for consideration to improve traffic operations and would be the responsibility of individual development projects to construct them and/or pay for their fair share costs:</p> <ul style="list-style-type: none"> g. Lincoln Centre Drive/East 3rd Avenue – Signalize this intersection and include marked crosswalks with pedestrian signal heads and curb ramps on all approaches. h. Vintage Park Drive/Chess Drive – Restripe northbound Vintage Park Drive to replace the outside through lane with a shared through right-lane. i. Foster City Boulevard/Chess Drive/Metro Center Drive Interchange – Add a second right-turn lane on southbound Foster City Boulevard at Metro Center Drive and retime the traffic signal in the

	<p>PM peak hour at Foster City Boulevard/Chess Drive to provide additional green time to the southbound approach by shifting time from the eastbound through movement. (Improvement subject to Caltrans approval.)</p> <p>j. Close driveway on the north side of Chess Drive/Westbound SR 92 Ramps Intersection.</p>
<p>LUC-E-2</p>	<p>Complete Streets. The City will plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel. The City will be guided by the following Complete Streets Principles:</p> <ol style="list-style-type: none"> 1. Complete Streets Serving All Users. Foster City expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, seniors, children, youth, and families. 2. Context Sensitivity. In planning and implementing street projects, departments and agencies of Foster City shall maintain sensitivity to local conditions in both residential and business districts as well as urban, suburban, and rural areas, and shall work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered include sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit priority signalization, and other features assisting in the provision of safe travel for all users, such as traffic calming circles, transit bulb outs, and road diets, as well as other features such as striping, signage and lighting. 3. Green Streets. In new and redevelopment projects, significant modifications to existing buildings and sites, and in projects which involve right-of-way improvement or dedication, City staff shall encourage, and work to effect the implementation of, Green Streets. Green Streets incorporate features such as trees, rain gardens, infiltration planters, and/or permeable or porous paving for means of reducing pollutant and sediment loads in stormwater prior to entry into groundwater, or bodies of water, including San Francisco Bay. Complete streets necessarily include features of Green Streets. 4. Complete Streets Routinely Addressed by All Departments. All relevant departments and agencies of Foster City shall work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation. The following projects provide opportunities: pavement resurfacing, restriping, accessing above and underground utilities, signalization operations or modifications, and maintenance of

	<p>landscaping/related features.</p> <p>5. All Projects and Phases. Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users shall be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in section C.1 of this policy.</p>
LUC-E-2-a	<p>Plan Consultation and Consistency. Maintenance, planning, and design of projects affecting the transportation system shall be consistent with local bicycle, pedestrian, transit, and multimodal plans, the Green Infrastructure Plan, and other relevant plans, except that where such consistency cannot be achieved without negative consequences, consistency shall not be required if the head of the relevant department provides written approval explaining the basis of such deviation. <i>Responsibility: Community Development Department and Public Works Department</i> <i>Timeframe: Current and Ongoing</i></p>
LUC-E-2-b	<p>Street Network/Connectivity. As feasible, Foster City shall incorporate Complete Streets and Green Streets infrastructure into existing streets to improve the safety and convenience of users and to create employment, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for existing and anticipated future areas of travel origination or destination.</p>
LUC-E-2-d	<p>Evaluation. All relevant agencies or departments shall perform evaluations of how well the streets and transportation network of Foster City are serving each category of users and integrating Green Streets design by collecting baseline data and collecting follow-up data on a regular basis.</p>
LUC-E-2-e	<p>Leadership Approval for Exemptions. Projects that seek Complete Streets and/or Green Streets exemptions must provide written finding of why accommodations for all modes that were not included in the project and signed off by the Public Works Director or equivalent high level staff person. Projects that are granted exceptions must be made publically available for review. Federal guidance on exceptions can be found from the Federal Highway Administration (FHWA) Accommodating Bicycle and Pedestrian Travel http://www.fhwa.dot.gov/environment/bicycle_pedestrian/guidance/design_guidance/design.cfm</p>
LUC-E-3	<p>Streets in Residential Neighborhoods. Residential neighborhoods shall be protected from through traffic by maintaining the system of narrower collector and local streets and minimizing the number of through streets. To accomplish this, the City may consider other traffic calming techniques, including, but not limited to, Green Streets features.</p>
LUC-E-4	<p>Private Streets and Public Loop or Cul-de-Sac Streets. The City will enforce design standards for private streets and public loop or cul-de-sac streets to ensure that they meet minimum requirements for two-way traffic, parking, and emergency access and include Green Streets features. Private streets and public loop or cul-de-sac streets may be approved with narrower than standard widths, provided that</p>

	<p>emergency access and parking can be safely accommodated. They are not intended to provide curb- side parking, and the roads are designed to serve only those residences on that street or within that development.</p>
<p>LUC-E-7</p>	<p>Coordination with Transit Agencies that Serve San Mateo County. The City shall work with SamTrans, Alameda- Contra Costa Transit District (AC Transit), the Peninsula Traffic Congestion Relief Alliance, RIDES and other agencies that serve San Mateo County in defining new transit routes and improving the public transit and transportation system, including incorporation of Green Infrastructure and Green Streets features where possible.</p>
<p>LUC-E-7-a</p>	<p>Transit System Infrastructure. The City will work with transit providers to facilitate the maintenance and upgrade of the transit system infrastructure to enhance public use, including:</p> <ul style="list-style-type: none"> a. Transit stops and bus lanes that are safe, convenient, clean and efficient; b. Accessible transit stops that have clearly marked street-level designation; c. Transit stops that are safe, sheltered, clean, and well lit; d. Transit stops that are located along corridors within mixed-use or transit-oriented development areas; e. Use of Green Infrastructure and Green Streets features where applicable.
<p>LUC-E-8-b</p>	<p>Development Standards for Bicycles. The City will establish standards for new development and redevelopment projects to support bicycle use, including: Develop standards for safe pedestrian and bicyclist accommodations, including:</p> <ul style="list-style-type: none"> i. "Complete Streets" policies that foster equal access by all users in the roadway design; ii. "Green Streets" policies that serve to treat stormwater and include additional environmental benefits; iii. Bicycle and pedestrian access internally and in connection to other areas through easements; iv. Safe access to public transportation and other non-motorized uses through construction of dedicated paths v. Safe road crossings at major intersections.

LUC-F-1-d	Traffic Calming. Develop guidelines for traffic calming techniques, as needed, including incorporation of Green Infrastructure (including Green Streets features).
LUC-H-6	Green Infrastructure Plan. Encourage the incorporation of Green Infrastructure (including Green Streets) to provide sustainable stormwater management and treatment as required by the Municipal Regional Stormwater Permit (MRP) and the Green Infrastructure Plan to be adopted in 2019.
LUC-H-6-a	Use of Green Infrastructure and Green Streets. Ensure that all new and redevelopment projects, significant modifications to existing building and sites, and projects which involve right-of-way improvement or dedication, incorporate Green Infrastructure and Green Streets features to the extent practicable. Green Infrastructure and Green Streets infrastructure may include bioretention, rain gardens, permeable and/or porous paving, trees, infiltration planters, and other measures used in Low-Impact Development.
LUC-K-2	Consistency with City’s Infrastructure. Ensure that all new buildings, whether free-standing or multi-building developments and all expansions of existing buildings demonstrate consistency with the infrastructure of the Estero Municipal Improvement District and the City, including sewer, storm sewer, parks/recreation facilities, and street system capacity. Green Infrastructure (including Green Streets) features shall be included wherever practicable and in conformance with the MRP and any applicable law or policy.
LUC-L-10	Adequacy of Public Infrastructure and Services. New projects which require construction or expansion of public improvements shall pay their pro rata fair share of the costs necessary to improve or expand infrastructure necessary to serve them, including streets and street improvements (including Green Streets features), parks, water storage tanks, sewer and water service, Green Infrastructure whenever feasible, and other public services. The City has established several assessment districts to pay for needed municipal improvements. Facilities benefiting a specific development must be provided by the developer of that project.

CONSERVATION ELEMENT

C-2	Water Quality Monitoring. Continue to monitor the water quality of the lagoon; ensure compliance with all requirements of the Municipal Regional Stormwater Permit (MRP) and associated regulations, including the City’s Green Infrastructure Plan to be adopted in 2019, as may be amended or succeeded.
C-a	Water Saving Landscaping and Irrigation. Promote the use of low-water-use landscaping and irrigation devices in parks, and during review of new projects and modifications to existing developments. Incorporate Green Infrastructure features to maximize water reuse, reduce water consumption, and encourage groundwater recharge, to the maximum extent practicable.

<p>C-b</p>	<p>Property Owner Water Saving Techniques. Encourage all property owners to implement the following conservation techniques: utilize drought tolerant plant materials, limit turf areas to 25% of landscaping, limit hours of the day for watering, retrofit with water-conserving fixtures, retrofit existing bathrooms install new bathrooms with ultra low-flow toilets water-conserving shower heads, and incorporate Green Infrastructure measures and design features in all applicable projects (including modifications to existing facilities) and processes whenever possible.</p>
<p>C-e</p>	<p>Water Quality. Continue existing programs to conserve and protect water quality in accordance with accepted standards and applicable law, permits, policy, and plans (including the Green Infrastructure Plan to be adopted in 2019) including the Municipal Regional Stormwater Permit (MRP) and associated regulations, as may be amended or succeeded. Foster incorporation of Green Infrastructure and Green Streets design and measures whenever possible to maintain and improve water quality.</p>
<p>C-f</p>	<p>Lagoon Water Quality. Continue to implement the Lagoon Management Plan in order to conserve and protect lagoon water quality by exchanging water with the Bay, testing and monitoring the water quality in the lagoon system. Ensure compliance with the Municipal Regional Stormwater Permit (MRP) and associated regulations, as may be amended or succeeded. Incorporate Green Infrastructure measures wherever practicable.</p>
<p>C-i</p>	<p>Water Quality Discharge. Conserve and protect the quality of the water that is discharged into the San Francisco Bay through implementation of the Lagoon Management Plan. Ensure compliance with all requirements of the Municipal Regional Stormwater Permit (MRP) and associated regulations, as may be amended or succeeded. Integrate Green Infrastructure features wherever practicable, consistent with the Green Infrastructure Plan to be adopted in 2019, for treatment of stormwater prior to entry to San Francisco Bay.</p>
<p>C-bb</p>	<p>National Pollution Discharge Elimination System (NPDES) Stormwater Management Plan. Continue working with the county-wide task force to develop and implement a stormwater management plan to satisfy NPDES requirements. Review all new development and redevelopment, significant building and/or site modifications, and any projects which require right-of-way improvement or dedication for opportunity of incorporation of Green Infrastructure (Including Green Streets) design, features, and measures. Green Infrastructure and Green Streets design shall be incorporated to the maximum extent practicable in conformance with the City's Green Infrastructure Plan to be adopted in 2019 and for consistency and compliance with the Municipal Regional Stormwater Permit (MRP) and as directed by the State Water Resources Board; the Regional Water Quality Control Board, San Francisco Bay Region; the San Mateo Countywide Water Pollution Prevention Program; the Flood and Sea Level Rise Resiliency Agency, once formed; and standards of any relevant policymaking organization.</p>