



Legislation Text

File #: 07-0960, **Version:** 1

Recommendation to receive and file the supporting documentation; and request City Manager to: (1) prepare the Southeast Area Development and Improvement Plan (SEADIP) Specific Plan and associated environmental document, and (2) conduct public outreach as proposed, once funds in the amount of \$250,000 are identified. (District 3)

The SEADIP Specific Plan for this area is over 35 years old and contains provisions that are no longer legally enforceable. While, the original SEADIP plan was innovative for its time, conditions and regulatory requirements have changed rendering key elements of the existing plan obsolete. Without an updated plan, the City can only react to development proposals as evidenced by the recent Home Depot and Seaport Marina projects. With an updated specific plan, development expectations and related community benefits are predetermined and future development implements the community's vision for the area.

Based on direction from the City Council at the June 5, 2007 meeting, the Department of Planning and Building has prepared an 18-month work program to update SEADIP. The intent of this work program is to create a wide variety of opportunities for citywide public participation in this planning process. The work program includes four main phases: 1) public outreach to solicit input and formulate options; 2) preparation of the Draft Specific Plan and Draft Environmental Impact Report (DEIR); 3) public outreach on the Draft Specific Plan and DEIR; and 4) public hearings for adoption of draft documents. For a full description of the work program phases, please see the attached City Council Memorandum dated August 2, 2007.

This report was reviewed by Assistant City Attorney Michael J. Mais and by Budget and Performance Management Bureau Manager David Wodynski on August 6, 2007.

On June 5, 2007, the City Council directed the Director of Planning and Building to report back to the City Council within 60 days, with the information contained in this report.

The update of SEADIP will involve a significant staff effort that will require City funding. The preliminary estimate for public outreach, document preparation, and the EIR is approximately \$250,000. The costs for this effort are currently neither in reserve nor budgeted and will require future budget appropriations. The source of this funding has not been identified at this time. Until such funding is identified and approved, staff's ability to commence this effort will be limited. If the City Council authorizes this expenditure, all appropriate contracts will be returned to the City Council for approval.

The updated SEADIP Specific Plan could include a requirement that developers reimburse the City for associated costs. California Government Code [65456(a)] offers an avenue for a local government to recover the cost of preparing, adopting, and administering a specific plan. Once the Specific Plan is in place, developers that comply with the Specific Plan could be required to pay a fee to defray the

costs of preparation, adoption and administration of the Specific Plan and EIR. Full reimbursement using this mechanism would occur over time as development occurs.

Approve recommendation.

SUZANNE FRICK
DIRECTOR OF PLANNING AND BUILDING

NAME
TITLE

APPROVED:

ANTHONY W. BATTS
CITY MANAGER