

A. COMMERCIAL AND INDUSTRIAL LAND USE DESIGNATIONS

All of the Land Use Categories below use FAR (Floor Area Ratio) ranges, as well as a typical FAR.

Historic Town Center: (HTC) - The former administrative center, and some residences of the Hercules Powder Company, may be an important historical asset of Hercules. The Historic Town Center designation is to allow the reuse of existing structures, where appropriate, and the addition of new buildings, while maintaining the architectural character of the area and incorporating into the design the visual and physical access to the adjoining San Pablo Bay Shoreline. View corridors and vista points will be established to protect and promote the views to the Bay. Uses within this land use designation shall include professional, administrative, and personal service offices (e.g., real estate, travel agent, etc.), as well as retail businesses. Retail and other commercial uses shall include business support service, restaurants and coffee shops, specialty shops and other businesses that support the professional and administrative offices, as well as uses that provide goods and services to visitors of the adjoining waterfront area. The predominance of these uses shall be located in close proximity to Railroad Avenue which is intended to be the "Main Street" of this area.

Areas separated from Railroad Avenue by existing or planned buildings shall be developed with either uses described above or with multi-family dwellings. This residential development will be allowed so long as the existing or planned non-residential uses would be compatible with the residential living environment.

The design and character of uses and buildings in this land use category is critical. The Historic Clubhouse is to be retained for public use or access. Existing buildings should be retained, where feasible, and may be expanded as long as the existing character is maintained.

The FAR for the non-residential category shall range from 0.15 to 0.40, with a typical FAR of 0.20 for the land use designation area. The density for residential shall be 17 units per acre, with no more than 40 units to be developed in total (about 50 persons per acre; up to approximately 115 persons).

A planned development process will be used to refine the intensity of commercial development and density of residential development, as well as location of such development. Development guidelines will be prepared.

Waterfront Commercial: (WC) - This land use category encompasses a portion of the Hercules Point that may allow private development. Hercules Point is approximately 15 acres. State and Federal agencies will likely require much of this area to be set aside for public access or to preserve wetlands adjacent to San Pablo Bay. However, a portion of this area may be developed. The commercial uses allowed shall provide goods and services for visitors to the public access areas. Typical uses would include restaurants, bait-and-tackle shops, and other visitor-oriented uses. Other uses may include:

- Recreational boat yard, maintenance and launching facilities
- Water oriented recreational instruction facilities
- Administrative offices, and other appurtenant uses
- Food, beverage, sundries, and recreational equipment sales
- Public transportation facility (ferry and charter boat service)
- Fishing Pier

The open character and the views of the Bay are a very important asset of this portion of the community, and the design of any structures must preserve and enhance the enjoyment of the meeting of land and water. Most of this area is within the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC) which has permit jurisdiction for development within and 100 feet inland of the San Francisco Bay as defined by the McAteer-Petris Act. (See section B.6.) The amount of development shall be limited. Substantial public access to the shoreline shall be provided. The FAR for this category shall range from 0.15 to 0.30, with a typical FAR of 0.20.

General Commercial: (GC) - This land use category is a non-specialized commercial designation that is intended to permit a wide variety of commercial uses. Businesses locating within this district will attract clientele from both Hercules and the adjacent communities, as well as those using I-80 and Highway 4. Uses allowed within this designation include retail, wholesale (open to the public), offices (business, professional and service), and other business serving the clientele described above. Uses in this designation may also include automobile service stations, restaurants, and automobile repair services, provided that the location and design of these uses effectively mitigate any potential off-site impacts.

The character of buildings within this land use category will typically be suburban in nature, one to two stories in height. More intense development may be allowed, provided that it conforms to the overall character of the development and does not adversely impact the surrounding development. The FAR for this category shall range from 0.20 to 1.00. A typical FAR for this category is 0.30.

Community Commercial: (CC) - This land use category is intended to accommodate commercial development, including retail, office, and service uses that would serve residents and employees within the City. Generally, the location of these properties and the resulting lack of direct access and visibility from regional routes effectively excludes businesses that require patronage from a regional market area. The FAR in this category shall range from 0.20 to 1.00, with a typical FAR of 0.25.

Recreational Commercial: (RC) - This land use category is intended to allow properties to be developed and used for recreational activities that are conducted as a business. Examples of such uses include a golf course, driving range, batting cages, athletic clubs and amusement centers. Development of these properties may also include sporting retail uses, such as sporting good stores, restaurants, cafes, bars, that contribute to creating a full-service commercial recreational facility. Parcel sizes shall vary from less than one acre (batting cages) to more than 100 acres (golf course). Building intensity shall also vary widely, according to the need for interior space as part of the activity. The FAR in this category shall range from 0.20 to 0.40, with a typical FAR of 0.30.

Commercial/Public: (CP) - This land use category allows transit related uses. Over time, property within this land use designation has the potential to combine transit uses with commercial development, consistent with the "General Commercial" designation, described above. The FAR for this land use category shall not exceed the FAR allowed in "General Commercial."

Planned Office/R&D: (PO/RD) - This land use category is intended to provide areas of adequate size and access to support development of a wide variety of employment-oriented business and enterprise complexes. Development of properties in these areas shall be governed by Planned Development Plans. Subdivisions or other entitlements shall not be approved unless and until a PUD Plan for the property has been approved. The Planned Development Plans shall include provisions for sewer capacity and other infrastructure, access to public streets, adequate parking, architectural guidelines or controls, and landscaping. The predominate uses in these areas shall include research and development uses, administrative offices, and manufacturing. Offices and retail service establishments serving nearby businesses and their employees shall also be allowed in this designation. Warehouse, distribution, or wholesale uses may be appropriate in these areas, if they serve or are essential to businesses in Hercules. The FAR for this category shall range from 0.25 to 1.00, with a typical FAR of 0.30.

Planned Commercial - Industrial: (PC-I) - Properties with this land use category are intended to accommodate commercial or industrial uses. They are located along I-80 and SR-4 and are visible from these routes, but have limited access. The visibility from the freeways is critical and must be preserved for these properties to be developed as commercial uses. Allowable commercial uses shall include retail, administrative office, service office, and similar uses. Allowable industrial uses shall include research and development, light manufacturing, and business industrial services. Warehouse, distribution, or wholesale uses may be allowed in this area, if they directly serve or are essential to businesses in Hercules. Development of properties with this designation shall be governed by planned development plans, and subdivisions or other entitlements shall not be approved unless and until a planned development plan for the property has been approved. The planned development plan shall include provisions for sewer capacity and other infrastructure, access to public streets, adequate parking, architectural guidelines or controls, and landscaping. The FAR for this category shall range from 0.25 to 0.50, with a typical FAR of 0.30.

Planned Commercial-Residential: (PC-R) - This land use category is designed to provide the potential to accommodate either residential or commercial or both residential and commercial uses in a well-planned, mixed-use development. Commercial structures and uses shall be developed according to a planned development plan and shall be arranged as a unified development, which may resemble a shopping center, a shopping mall, or a traditional downtown shopping street ("Main Street"). Appropriate commercial uses shall include retail businesses, professional service offices, and other customer-oriented businesses.

The residential density in this category shall not exceed 30 units per acre (approximately up to 85 persons per acre); structures within this land use designation shall have a maximum height of three stories. The FAR for non-residential use within this category shall range from 0.20 to 0.40 with a typical FAR of 0.30.

Development of these properties shall be carefully planned to insure that the benefits of mixed use development are fully realized, and the potential negative impacts of one use or another are minimized. Subdivision or partial development of any properties with this category shall not be approved until a planned development plan for full development of the property has been reviewed and approved. Planned Development plans and subdivision maps may be processed concurrently.

A 12 acre area fronting San Pablo Avenue within the Gelsar property is designated on the Land Use Diagram as "Committed to Commercial Development." This specific area shall be developed with exclusively commercial uses.

Industrial-Residential: (I-R) - This category is intended to be developed with both work-space and residential space in the same structure. The work-space will provide lower-cost, leasable space for start-up companies, craft workshops, or other businesses that require less support services or amenities than R&D or office uses. The FAR for the work-space portion of structures shall not exceed 0.50. The residential space will provide living area for persons employed in the work-space, and will generally be located above the work-space (e.g. lofts). The residential density shall not exceed 25 units/acre (approximately 75 persons per acre). Structures in these areas shall not exceed 40 feet in height. Parking requirements for proposed projects shall take into account the different peak-parking demand periods of residential and employment activity.

Industrial: (I) - This category is intended to accommodate heavy industrial uses, refineries, and storage facilities along with light manufacturing uses and other light industrial uses related to evolving technologies, research & development, communications, and information processing. The designation is to provide an opportunity for industrial uses to concentrate for the efficiency of larger industries and to allow for buffers from sensitive residential and public uses in a manner that does not expose residents to significant environmental risk. The FAR range shall be from 0.3 to 0.5, with a typical FAR of 0.40.

B. RESIDENTIAL LAND USE DESIGNATIONS:

These categories reserve property for single family (estate), single family and multi-family residential uses and structures. They may also be developed with uses and structures that support residential uses (e.g. churches, schools, day care homes and centers) and secondary units (pursuant to State law), provided that such will not cause a substantial adverse impact on nearby residences. Potential adverse impacts could include, but need not be limited to, traffic congestion, increased noise, (ambient or episodic) or expected full use of available on-street parking. Residential development on individual properties may be clustered on portions of the property so as to create a mixture of densities or housing types on the property. These "sub-area" densities may exceed the maximum density or may be less than the minimum density stated in these definitions, provided that the overall density is within the limits stated in these designations.

Single Family - Estate: (SFE) - This land use category is intended to provide sites for "estate" homes on larger lots, and shall be developed with custom-built and individually-designed homes. Secondary units, and uses that support residential uses may be allowed in this area, provided that

the adjoining neighborhood shall not be substantially impacted by traffic, noise, or other off-site effects.

- Allowable Density: 1-2 units/acre (resulting in an approximate population of 3 to 6 persons per acre)
- Maximum Building Height: 35 feet
- Minimum Parcel Size: 0.5 acre

Single Family - Low Density: (SFL) - This land use category is intended to provide areas for suburban single-family subdivisions. These lots will generally be developed as part of multi-lot "production" subdivisions, where a limited number of models (with two or three different exterior designs) are built on individual lots in a random pattern. Secondary units and uses that support residential uses may be allowed in this area, provided that the adjoining neighborhood shall not be substantially impacted by traffic, noise, or other off-site effects.

- Allowable Density: 2-7 units/acre (resulting in an approximate population of 6 to 20 persons per acre)
- Maximum Building Height: 35 feet
- Minimum Parcel Size: 6,000 sq. ft., unless a smaller lot size is allowed by an approved planned development plan.

Multi-Family - Low Density: (ML) - This land use category is mainly intended to provide sites for low-density multi-family housing. They may be developed with townhouses, condominiums or apartments. Single family homes on lots that are smaller than a "typical" suburban lot may be developed with either single family residences or duets. The size of each development shall be sufficient to allow for good design and incorporation of amenities. Uses that support residential uses may be allowed in this area, provided that the adjoining neighborhood shall not be substantially impacted by traffic, noise, or other off-site effects.

- Allowable Density: not to exceed 12 units/acre (resulting in an approximate population of up to 35 persons per acre)
- Mid-Range Density: 9 units/acre
- Maximum Building Height: 45 feet/35 feet for single family homes and duets
- Minimum Site Size: 3 acres
- Minimum Parcel Size: 3,000 sq. ft./4,000 sq. ft. for single family homes.

Multi-Family - Medium Density: (MM) - This land use category is intended to provide areas for multi-family residences (primarily condominiums, apartments, and townhouses). The size of each development shall be sufficient to allow for good design and incorporation of amenities. Uses that support residential uses may be allowed in this area, provided that the adjoining neighborhood shall not be substantially impacted by traffic, noise or other off-site effects. The higher density in these areas is expected to enable the development of additional affordable housing.

- Allowable Density: 12-30 units/acre (resulting in an approximate population of 35 to 85 persons per acre)

- Mid-Range Density: 20 units/acre
- Maximum Building Height: 60 feet
- Minimum Site Size: 5 acres

Multi-Family - High Density: (MH) - This land use category is intended to provide higher density housing, typically near public transit centers, shopping centers, or other "high activity" areas. The size of each development shall be sufficient to allow for good design and incorporation of amenities. Appropriate areas may be designated for MH use upon application where public facilities are adequate to serve the site, and the high density of use is either compatible with adjacent uses, or can be buffered from incompatible or lower density uses such that the high density will not adversely affect the adjacent use. Uses that support residential uses may be allowed in this area, provided that the adjoining neighborhood shall not be substantially impacted by traffic, noise, or other off-site effects.

- Allowable Density: 30-55 units/acre (resulting in an approximate population of 85 to 160 persons per acre)
- Maximum Building Height: 90 feet
- Minimum Site Size: 15 acres
- Mid-Range Density: 42 units/acre

C. PUBLIC/SEMI-PUBLIC LAND USE DESIGNATIONS

Designations for public and semi-public land uses are intended to allow for public and semi-public uses in the Public designations for parks, open space, city facilities, and school facilities. The land use designations are intended primarily for public uses, but private uses that are of a semi-public nature and serve the public such as utilities, private schools and transportation facilities may also be allowed.

Public/Semi-Public - City: (P/SP-C) - This land use category is intended to permit an appropriate range of local governmental and quasi public land uses and services within the City, and to reserve sites for future development and expansion of municipal facilities. City of Hercules governmental offices, public safety facilities and infrastructure/utility facilities are expected to be the main uses. Senior housing may also be allowed on an appropriate publicly owned site such as the City Hall site. New development is typically to be one to two stories in height. Building intensity may vary widely according to the nature of the public facilities. The FAR in this category shall range from 0.30 to 1.00 with a typical FAR of 0.40.

Public/Semi-Public - School: (P/SP-S) - This land use category is intended to designate and reserve sites for schools within the City. The designated school sites include existing and proposed public and private schools. School land uses include school buildings, "portables", athletic facilities and associated utilities. Other public and semi-public uses associated and compatible with school operations may be allowed by use permit. New school facility development is typically to be one to two stories in height. The FAR in this category shall range from 0.30 to 1.00 with a typical FAR of 0.40.

Public/Semi-Public - Park: (P/SP-P) - This land use category is intended to designate existing park areas, to reserve sites and expansion areas for future parks and public recreation areas designate, and to reserve appropriate park sites adjacent to school sites. The parks are improved and natural areas with full public access and facilities for active and passive recreation use. Other public and semi-public uses associated and compatible with recreational use of a park may be allowed by use permit. New park facility development is typically to be one to two stories in height. The FAR in this category shall range from 0.10 to 0.40 with a typical FAR of 0.25.

Public/Semi-Public - Open Space: (P/SP-OS) - This land use category is intended to designate and preserve public open spaces within the City; and to develop and maintain trail systems, open space, and other public amenities that benefit the quality of life in the community. Most of the larger open spaces east of Highway 80 have been dedicated to open space use as a result of past residential development. This designation is also appropriate for future open space dedications within the hills, along the San Pablo Bay, within and adjacent to sensitive habitat areas such as wetlands, and along the Refugio Creek corridor. Development would not typically be allowed within this area except for recreation facilities, caretaker housing and accessory structures directly related to the use and maintenance of an open space area. Such development shall be sited and designed to be small scale and unobtrusive.

An open space corridor along Refugio Creek within the Gelsar property is shown in the Land Use Diagram. Since the current creek location is in a meandering pattern, and may be relocated in the future, the Refugio Creek open space corridor is shown wider than existing width of the creek to acknowledge construction could not occur within 50 feet of the top of the creek's bank, except that a setback of 35 feet may be allowed on the west branch of the creek.

D. STUDY AREAS AND OVERLAYS

The Land Use Diagram designates a few study areas and overlay districts. These designations along with appropriate zoning ordinance overlay districts are intended to implement the corresponding policies of the Land Use Element.

Special Study Areas 1 & 2

The Land Use Diagram designates the Hercules Properties, Inc. parcels as a "special study area" which requires separate or combined planned development plans for each Special Study Area No. 1 and Special Study Area No. 2. These plans are intended to provide for specific, coordinated planning addressing the following characteristics:

- Historic significance and existing historic buildings.
- Opportunities for commuter rail station and transportation facilities such as other rail oriented transit, water taxi/ferry station and marina.
- Drainage, hydrology and wetland issues.
- Bay frontage location.
- Diversity of land uses.

Cooperation and joint planning by and among owners of parcels within each Special Study Area Overlay District during the land use planning and entitlement process is strongly encouraged. This effort should include such items as master hydrology and circulation plans, joint studies and cooperative infrastructure development.

School Park Overlay District

The School Park Overlay District consists of contiguous undeveloped parcels west of San Pablo Avenue which are designated for the purpose of developing a centrally located elementary school/neighborhood park site. The intent of the School-Park Overlay District is to ensure that adequate school capacity is available to serve the demand generated by new development within the overlay district. Adequate school capacity to serve a proposed project within the School Park Overlay District must either be available as certified by the school district, or improvements that provide adequate capacity as certified by the school district must be completed prior to issuance of a certificate of occupancy. If adequate school capacity is not available, the project applicant may undertake appropriate actions acceptable to the City and School District to assist in the development of adequate school capacity to serve the project:

In addition, new development within the School Park Overlay District is to fund its share of costs associated with the provision of park facilities to serve the development.

Franklin Canyon Golf Course Area

The Franklin Canyon Golf Course area is located in the City of Hercules, consists of 633 acres with a public golf course, parking and clubhouse facilities. The Franklin Canyon Golf Course was not included in the General Plan revision process. The golf course property has a settlement agreement approved by the Contra Costa County Board of Supervisors, City of Hercules and the property owner. The settlement agreement conditions the golf course property to postpone residential development until Highway 4 is improved

The development applications and process for the Franklin Canyon Golf Course property will require:

- a. A specific plan with design guidelines.
- b. A Planned Development Plan.
- c. A design review permit.
- d. An EIR analyzing the impacts of the proposed development.
- e. A subdivision tract map.

Sphere of Influence Area

The Hercules Sphere of Influence area consists of 13 separate parcels which total approximately 850 acres. Neighboring jurisdictions adjacent to the Sphere include:

- a. The unincorporated town of Rodeo west of Sphere.
- b. Contra Costa County to the north and east of the Sphere.

c. City of Hercules south of the Sphere.

Existing land uses and structures range from ranch house complex, agricultural, animal grazing, single family residential, to heavy industrial businesses including manufacturing, truck freight operations, machine shop, and a coke refinery plant. There are also electrical transmission lines and oil and gas pipeline easements throughout the Sphere area.

The Sphere of Influence is a valley containing rolling, moderate and steep hillsides (20-60%), alluvial plains, hilltops and ridgelines, elevations ranging from 60 to 580 feet above sea level, and a flowing creek with tributaries, the Rodeo Creek. Significant vegetation includes clusters of oak trees on hillsides, creek associated vegetation and wetlands, and an endangered fauna, the Contra Costa Gold Field.

The Sphere of Influence area's northern limits are defined by the Burlington Northern and Santa Fe railroad tracks and right-of-way. Approximately 20-25 trains per day pass along the railroad, creating noise and safety considerations.

Local circulation consists of Sycamore Road, Violet Road, Willow Avenue, Bayberry and Palm Avenue, and Highway 4. Regional circulation consists of the Highway 4 freeway improvement project.

The Sphere has desirable views of San Pablo Bay and is within the Highway 4 freeway scenic corridor. Future development within the Sphere of Influence area include opportunities for a diverse mix of housing, good visibility and marketing windows from Highway 4 for regional serving retail and commercial uses, integration of City's Highway 4 Scenic Highway program to create entry gateways to the City, preservation of scenic amenities and visual enhancement of the City's image.

Several of the property owners within the Sphere of Influence area, have expressed a desire to be incorporated into the City of Hercules. This will require annexation approvals from the Local Agency Formation Commission, pre-zoning approvals, and an EIR analyzing the impacts of the proposed land uses.