



STAFF REPORT – PLANNING COMMISSION MEETING

TO: Honorable Mayor and Councilmembers

FROM: David Loya, Director of Community Development

PREPARER: David Loya, Director of Community Development

DATE: September 17, 2025

TITLE: **Adopt Resolution No. 256-11 Establishing the Community Benefits Program;
Action Not Subject to Additional California Environmental Quality Act (CEQA)
Review.**

RECOMMENDATION:

Staff recommends the Council adopt Resolution No. 256-11 establishing the community benefits program.

INTRODUCTION:

The Planning Commission worked on the community benefits program associated with the Gateway Area Plan in late 2022 and through 2023. The Council ultimately moved the community benefit program out of the Gateway Area Plan and into the General Plan so it could be applied in other areas where zoning specifically authorized the program. The Council decided to adopt the program by resolution instead of imbedding it in zoning ordinance so it could more readily respond to community need. The Planning Commission adopted Resolution PC-25-06 recommending the program to the City Council. This action will establish the program to be implemented where authorized by the zoning ordinance.

BACKGROUND:

The community benefits program is intended to continue to provide amenities typically provided through discretionary review conditions of approval. They were intended to have nexus and proportionality consistent with case law, while also applying to ministerial approvals, which do not generally allow for “conditions”.

Community benefits are required in the Gateway Area Plan (Chapter 2). But they will be implemented through the combination of the Gateway Code, the Gateway Plan, and Resolution 256-06, which identifies the specific community benefits. Future ordinances may also reference this resolution, or separate community benefits may be developed for other areas that apply the program.

The Planning Commission made a recommendation to Council based on previous community conversations and several public meetings on August 12, 2025.

DISCUSSION:

The Commission made one recommendation that is not reflected in Resolution 256-11. After some deliberations, the Commission decided to collapse 1, 8, and 22 into one item. Staff does not recommend this because of the structure of the program. The program requires that community benefits be selected in different categories. The benefits the Commission recommended collapsing are in different categories. Collapsing them would complicate the program.

In addition, there are no economies of scale to be achieved by collapsing benefits. In fact, the opposite may be true. Since the program requires developers to select a number of benefits based on the scope and scale of development, collapsing the benefits yields fewer options to select. In addition, combining unlike benefits would preclude two or more of the combined benefits being selected since they would be combined as options under a single benefit. The developer would only get credit once for selecting the line item. Then the line would be excluded from subsequent draws.

To simplify the program, staff has prepared a benefits resolution with each in its own category. If Council wishes to follow the Commissions recommendation and combine line items, staff recommends the Council pull the item from consent for discussion.

Staff also removed reference to the Gateway Area Plan in the community benefits program. The Planning Commission had previously recommended removing the reference. However, it was still in the Resolution PC-25-06.

In addition to the specific benefits and their point values, the Commission recommended that the program operate based on a points and categories system. The proposal requires an increasing number of points as building height increases. The points are the totals of each benefit selected using the assigned point value for that benefit. In addition, a greater number of individual benefits will be required as building height increases. Lastly, the number of categories increases with building height as well. The intention is to disburse the number and types of benefits across categories with larger scale impact. The table below summarizes the proposal.

Stories	Points	Benefits Min	Categories Min
4	3	1	1
5	4	2	1
6	5	3	2
7	6	4	2

It is important to keep the context of the permitting process in mind. The form-based codes that will use the Community Benefits program will also have several design standards in addition to the community benefits. Many of these design standards are also similar to conditions of approval. For example, many of the street frontages require private property be integrated as an extension of the sidewalk, providing better public access and a more dynamic pedestrian environment.

If there are benefits Councilmembers feel should be added, the item should be pulled for discussion.

POLICY IMPLICATIONS:

This proposal retains the policy intent to achieve off-site investment in the community to offset the impacts of higher-density projects that do not require discretionary review.

COMMITTEE/COMMISSION REVIEW:

This item had extensive Committee and Commission review and recommendation.

ENVIRONMENTAL REVIEW (CEQA):

This action will be covered under the General Plan EIR.

RECOMMENDED COUNCIL ACTION:

Motion to adopt Resolution No. 256-11 establishing the community benefits program. Consent Calendar vote.

ATTACHMENTS:

A. Resolution 256-11