

## Summary of Existing General Plan

The City's current General Plan is discussed in two of the Plan's five elements. In the land use element, the Land Use Plan Map (Figure 5) includes a Park and Recreation designation along the shoreline and Commercial Recreation designation for the remainder of the Golden Gate Fields property. The Land Use Plan Map also indicates a Creek Conservation Zone for Codornices Creek running north-south next to the freeway. The land use element contains the following statements that related to the Commercial Recreation designation:

*"The Golden Gate Fields Racetrack is under a lease agreement with Catellus [the owner of the property at that time] through at least December 31, 2001. This commercial recreation use is consistent with the current Waterfront zoning. A 0.5 FAR standard has been assigned to this area.*

*"The Plan also anticipates development of public parks and public access at the Waterfront. These opportunities are further described in the Conservation, Recreation, and Open Space Element."*

Currently, there are no specific waterfront-related goal or policy statements contained in the land use element. The land use element, however, describes the status of ownership at the time of preparation of the General Plan and contains the following statement that relate specifically to development of the racetrack property.

*"The Waterfront land will continue to be operated as a racetrack at least until 2002. If the owners of the land wish to develop their property in uses other than those allowed by the Waterfront Commercial Recreation use, a series of general plan amendments must be submitted, considered, and approved by the City and the Albany voters prior to final adoption."*

The Conservation, Recreation and Open Space (CROS) element briefly describes the natural environment of the waterfront. It also describes the community amenities and public facilities. The element includes the following policies that relate directly to the Golden Gate Fields property:

*CROS 5.1 – Consider the scenic and visual importance of the waterfront area in any future private and public development.*

*CROS 5.2 – Further preserve the scenic value of the Albany shoreline by prohibiting construction of any building or structure within a 100-foot minimum of the shoreline.*

*CROS 7.1 – Implement the Bay Trail Plan along the Albany shoreline. Work with the landowner, the track operator, appropriate citizen and environmental groups, the State Department of Parks and Recreation, Caltrans, the East Bay Regional Park District, the Coastal Conservancy and ABAG to achieve this goal.*

*CROS 7.2 – Consider the important, surrounding wildlife and vegetation resources that must be adequately protected when developing the alignment of the Bay Trail.*

*CROS 7.3 – Require that public access to the shoreline and to Albany Point be a part of any future waterfront development plans, and that future automobile, pedestrian and bicycle access be consistent with and coordinated with future State and regional park and open space plans at the Waterfront.*

The Conservation, Recreation and Open Space element also contains a Conservation/Open Space Plan Map (Figure 6). For the Golden Gate Fields property, there is “Proposed Parks and Open Space” designation along the shoreline and a Creek Conservation Zone for Codornices Creek running north-south next to the freeway. The remainder of the Golden Gate Fields property is not designated in the Conservation/Open Space Plan Map.

## **Summary of Existing Zoning**

In contrast to the General Plan, the Zoning ordinance presents specific requirements on individual parcels. The Golden Gate Fields property is zoned Waterfront District (Figure 7), which permits the following uses, subject to a conditional use permit. The definitions of the uses are taken verbatim from the text of the City zoning ordinance.

**Park and Recreation Facilities - Noncommercial parks, playgrounds, recreation facilities, and open spaces.** This classification includes community centers, boat launching ramps and marinas.

**Utilities, Major -** Generating plants, electrical substations, electrical transmission lines, switching buildings, refuse collection and transfer stations, processing, recycling or disposal facilities, major flood control or drainage facilities, water or wastewater treatment plants, or transportation, and all similar facilities.

**Utilities, Minor -** New utility facilities that are necessary to support established uses and involve only minor structures such as electrical distribution lines and aboveground cabinets.

**Utilities, Underground -** Public or regulated underground utility that provides water, sewage collection, electricity, natural gas, telephone, cable television or other public service or goods to the public.

**Bars -** An establishment the primary function of which is to prepare and serve alcoholic beverages for onsite consumption. Such establishment is distinguished from an “eating place” for purposes of licensing by the California Department of Alcoholic Beverage Control. Such establishment may or may not provide live entertainment.

Commercial Recreation/Entertainment in the Waterfront District. Includes live horse racing which exceeds one hundred twenty (120) days in any calendar year (irrespective of whether conducted by one or more operators at the facility), golf, tennis, swimming and other commercial or spectator or participatory activities and uses which, in the opinion of the Planning and Zoning Commission, are of a similar nature.

Marinas and boat launching ramps - A facility for storing, servicing, fueling, berthing, and securing and launching of private pleasure craft that may include the sale of fuel and incidental supplies for the boat owners, crews and guests.

Parking facility, nonresidential - Any area or structure, other than within a public street, which is used for the parking of two (2) or more vehicles, but not including the storage of vehicles for sale or repair.

Restaurant - Businesses serving prepared food or beverages for consumption on or off the premises.

#### Waterfront and Waterfront-Sports-related Commercial Sales and Service

In addition to the Waterfront District requirements, the portion of the property adjacent to Codornices Creek is subject to the requirements of the Watercourse Overlay District. This overlay district is intended to promote the preservation and restoration of Albany's creekside areas and protect property from damage due to floodwaters.

In addition to overlay district requirements, the areas adjacent to Codornices Creek are located into the FEMA flood zone, and thus are subject to the City's Flood Damage Prevention section of the zoning ordinance.