

General Plan Annual Progress Report 2024

City of Hercules



March 2025

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Introduction

California state law requires each city and county to adopt a general plan “for the physical development of the county or city, and any land outside its boundaries which in the planning agency’s judgment bears relation to its planning” (Gov. Code § 65300). The general plan expresses the community’s development goals and embodies public policy relative to the distribution of future public and private land uses. The California Supreme Court has described general plans as the “charter to which [zoning] ordinance[s] must conform.” Still, the general plan extends far beyond zoning and land use (Leshar Communications, Inc. v. City of Walnut Creek (1990) 52 Cal.3d 531, 540). A general plan is more than the legal underpinning for land use decisions; it is a vision of how a community will grow, reflecting community priorities and values while shaping the future.

Government Code Sections 65400 and 65700 mandate that all cities and counties submit an annual report on the status of the General Plan and progress in implementing its Goals, Objectives, and Policies. The General Plan Annual Progress Report (APR) is submitted along with the Housing Element Annual Progress Report (APR) to Housing and Community Development (HCD) and the Governor’s Office of Planning and Research (OPR) by April 1st of each year. The General Plan APR allows OPR to identify statewide trends and how local planning and development activities relating to statewide planning goals and policies. The APR may inform future updates to OPRs General Plan Guidelines and help track local jurisdictions’ progress in updating General Plans.

Effective January 1, 2019, the City of Hercules must submit both the Housing Element APR and a General Plan APR. General Plan APRs from 2022 onward are available on the City of Hercules Planning website.

The City of Hercules has submitted an annual report on the Housing Element of the General Plan each year since 2014. The Housing Element APR was compiled separately and includes more detailed reporting on housing production and Housing Element progress. Housing Element APRs from 2014 through 2024 are on the [City of Hercules Planning website](#).

General Plan Elements

The State of California requires General Plans to include a minimum of seven mandated “Elements”: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. Cities and counties in the San Joaquin Air Pollution Control District must also address air quality in their general plans. Cities and counties that have identified disadvantaged communities must also address environmental justice in their general plans. The City of Hercules is not located in the San Joaquin Air Pollution Control District, nor does it have an identified disadvantaged community.

The City of Hercules last adopted a comprehensive General Plan update in 1998. Since then, elements of the General Plan have been updated on a rotating schedule and per state law. By statute, the General Plan is required to be updated “periodically.” While there is no requirement for how often to update the General Plan, the planning period has traditionally been 15-20 years. The Housing Element is the only element required to be updated regularly. There have been five previous housing element update “cycles” to date. Hercules adopted its [sixth cycle housing element update](#) in December 2024 and the element has been certified.

Table 1 - General Plan Elements

Element	Adopted	Amended	Related Plans
Land Use*	1998	2008	<ul style="list-style-type: none"> • Waterfront District Master Plan • New Pacific Properties Specific Plan • Regulating Code for the Central Hercules Plan
Circulation*	2018		<ul style="list-style-type: none"> • Local Road Safety Plan (2024)
Housing*	2024		
Open Space* & Conservation*	1998	2015 (AB 162)	<ul style="list-style-type: none"> • Parks and Recreation Facilities Master Plan • Refugio Creek Watershed Vision Plan
Safety*	2021		<ul style="list-style-type: none"> • Local Hazard Mitigation Plan (update to be adopted in 2025)
Noise*	1998		
Hazardous Waste Management Plan	1990	2008	
Economic Development	1991		
Growth Management	2013		<ul style="list-style-type: none"> • Contra Costa County Measure J

*Required Element

Amendments to the General Plan

The Hercules General Plan has been amended over time, including amendments made as development projects were approved. The Hercules General Plan was not amended in 2024.

2024 Key Accomplishments

The City's key accomplishment in 2024 was achieving HCD confirmation in October that the 6th Cycle Housing Element, which was under revision in response to HCD comments throughout 2023 and 2024, substantially complied with state law. While working through the review process and ensuing Builder's Remedy applications, the City demonstrated notable advancements in the implementation of objectives outlined in the updated Housing Element and recent legislation. The City website has been updated to include required checklists and applications for ADU preapproval, urban lot splits, and two-unit development, as well as preliminary applications for SB 35 and SB 330 projects, to provide applicants with accessible resources and information pertaining to these housing initiatives. The City also mapped and published its overlay zones for the first time, in order to make all zoning standards for each parcel available on the website, as required by AB 1820.

Building upon this momentum, the City has continued to adapt its Development Code to remain responsive to the dynamic housing landscape, most notably by adopting a comprehensive zoning ordinance amendment in early 2025 to implement Program H3-1 of the 6th Cycle Housing Element and comply with Senate Bills No. 450, 477, 745 and 1211, Assembly Bill No. 2162, and the Religious Land Use and Institutionalized Persons Act (RLUIPA). Two prior zoning code amendments in 2024 included modifications of the City's overlay zoning ordinance to address state laws regarding emergency shelters and low-barrier navigation centers and to remove the requirement for a Planned Development Plan in certain zones and overlay districts, while allowing PDPs to be used on request to provide additional flexibility to developers.

These updates not only reflect the City's commitment to meeting the diverse housing needs of its residents but also signify a proactive approach in aligning local regulations with statewide housing objectives and making the development entitlement process more streamlined and consistent. Through these concerted efforts, the City of Hercules continues to pave the way for inclusive and sustainable housing solutions in the community.

General Plan Update Requirements per State Legislation

The State has adopted several amendments to Government Code §65302 that have added new statutory requirements to the required Elements of the General Plan or in General Plan APRs, as follows:

Senate Bill 535 – adopted 2012

Established initial requirements for minimum funding levels to Disadvantaged Communities. The legislation also gives CalEPA the responsibility for identifying those communities. Disadvantaged communities in California are specifically targeted for the investment of proceeds from the State's greenhouse gas cap-and-trade program. These investments aim to improve public health, quality of life, and economic opportunity in California's most burdened communities while reducing pollution that causes climate change. Hercules does not have disadvantaged communities defined within the city limits and would not qualify for targeted investments.

Senate Bill 379 – adopted 2015

Requires the Safety Element to include a climate change vulnerability assessment, measures to address vulnerability, and comprehensive hazard mitigation and emergency response strategies. Addressing these topics is required upon the next revision of a local hazard mitigation plan on or after January 1, 2017, or, if the local jurisdiction has not adopted a local hazard mitigation plan, beginning on or before January 1, 2022.

Senate Bill 1000 – adopted 2016

Requires either a separate new Environmental Justice Element or related goals, policies, and objectives integrated into other Elements, if the jurisdiction has a disadvantaged community according to the Office of Environmental Health Hazard Assessment's CalEnviroScreen tool. Although the City of Hercules continues to have no designated disadvantaged communities, the City will consider integrating Environmental Justice related goals, policies, and objectives into other Elements as they are updated.

Senate Bill 1425 – adopted 2022

SB 1425 requires the City to update the Open Space Element by Jan. 1, 2026 to include plans and an action program that address specified issues, including climate resilience and other co-benefits of open space, correlated with the Safety Element.

Assembly Bill 1889 – adopted 2022

AB 1889, the "Room to Roam Act," requires cities and counties to consider the effect of development on wildlife movement and habitat connectivity in the adoption or next revision of their general plan conservation element beginning on January 1, 2028.

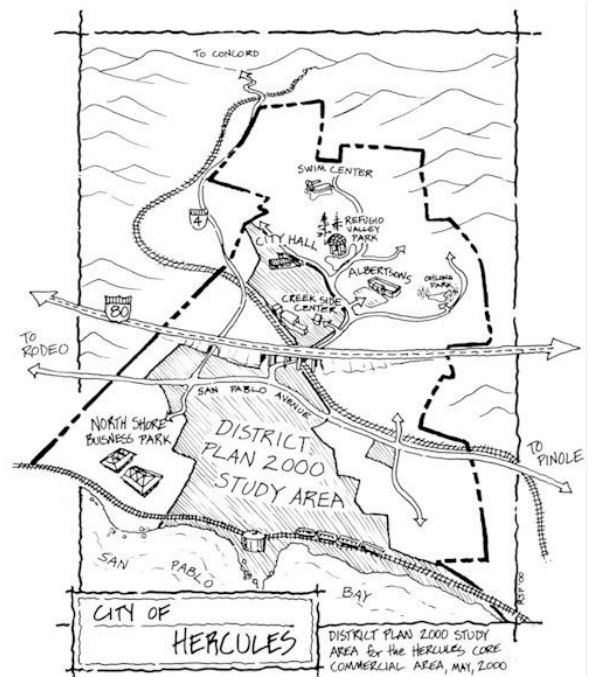
Specific Plans and Planned Developments

New Pacific Properties Specific Plan

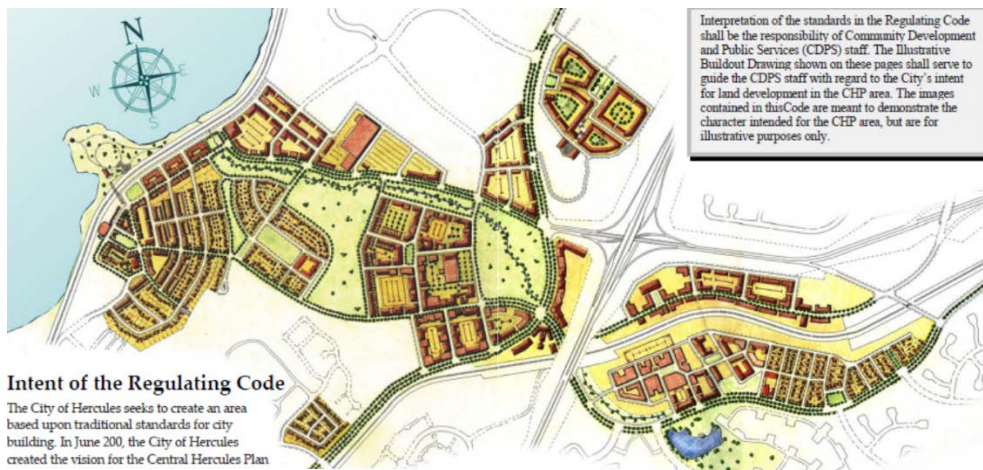
The neighborhood now known as Victoria By the Bay is built on a former refinery site. The Pacific Refinery Company operated in Hercules from 1966 to 1995 and dedicated the land to the City in 2000. In April 2000, the City adopted the New Pacific Properties Specific Plan, which was intended to provide for the orderly and efficient development of the Specific Plan area in accordance with the provisions of the City's General Plan. The plan contains development standards and design guidelines that apply only to properties within the Specific Plan area and are intended to implement the goals, objectives, and policies of the City's General Plan. The plan area included 206.3 acres of land, flanked by San Pablo Bay to the west, the community of Rodeo to the north, Interstate 80 to the east, and North Shore Business Park and the future Hilltown project to the south.

Central Hercules Plan

In July 2001, the City of Hercules created the vision for the Central Hercules Plan (CHP) through a design session involving the community and a team of design professionals. Traditional urban design conventions were applied to create a palette of street types that form the Central Hercules Plan area's four districts: the Waterfront District, the Central Quarter, the Civic Center/Hospitality Corridor, and the Hilltown. The Regulating Code is further divided into eight distinct street types: Four-Lane Avenue; Two-Lane Avenue; Main Street; Town Center Street; Neighborhood Street; Neighborhood Land; Two-Way Edge Drive; and One-Way Edge Drive. The Central Hercules Plan was codified by adopting the New Town Center Zoning district, which still applies to the area between Willow Avenue and State Route 4. Since its adoption, development within the CHP area has been of a conventional suburban character, and portions of the CHP area were rezoned to General Commercial or Community Commercial as shopping centers were developed.



Central Hercules Plan



Intent of the Regulating Code
 The City of Hercules seeks to create an area based upon traditional standards for city building. In June 200, the City of Hercules created the vision for the Central Hercules Plan

Central Hercules Plan Build-Out Scenario

Waterfront District Master Plan

The Hercules Bayfront is envisioned as a transit-oriented, traditional neighborhood mixed-use project within the Hercules Waterfront District. The Hercules Bayfront has been initiated as the final stages of the Hercules Waterfront District Master Plan (HWDMP), a Planned Development plan prepared in 1999-2000 and unanimously adopted on July 25, 2000. To implement the mixed-use district concept called for by the General Plan and Zoning Ordinance, the Waterfront District Master Plan organizes development within its boundaries as a traditional neighborhood and several distinct mixed-use sub-districts.

In 2008, the City amended the Waterfront District Master Plan by a developer-sponsored voter initiative, establishing a form-based code to regulate and provide detailed development and design standards for the undeveloped portions of the Historic Town Center, Transit Village, and Hercules Point sub-districts. The 2008 Initiative facilitated the completion of the Hercules Waterfront as a transit-oriented neighborhood mixed-use project by:

- Amending the General Plan Diagrams, Land Use Element, Open Space/Conservation Element, Growth Management Element and Hazardous Waste Management Element, and the Zoning Ordinance to:
 - designate the Hercules Point as Open Space and allow both active and passive uses subject to any needed remediation;
 - allow mixed-use neighborhood and residential uses within the Historic Town Center area;
 - add the Administration Building of the former Hercules Powder Company to the list of buildings encouraged to be retained, where feasible, for public or private use;



- add marina use, including boat slips and docks, to the permissible uses for submerged and tidal land to the north and south of Hercules Point and permit the inclusion of public restroom facilities within areas designated as Waterfront Commercial (WC);
- increase allowable residential density to 40 units per acre and permissible building height to no more than eight stories within areas designated as Planned Commercial-Residential (PC-R); and
- rezone property within various designated sub-districts, including bringing two properties containing historic buildings into the Central Hercules Plan area.

The current master developer, Leducor, is proposing a hotel, multifamily, and attached housing for the remaining portions of the master plan, as shown in the illustrative drawing below. While the City’s Housing Element update was under review, Leducor took advantage of the Builder’s Remedy and SB 330 processes to propose lower-density ownership housing rather than the previously envisioned rental multifamily.



Current Leducor Proposal

WATERFRONT DISTRICT MASTER PLAN ILLUSTRATIVE

HERCULES, CA

CONCEPTUAL ILLUSTRATIVE
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General Plan Overview

This section provides an overview of the current City of Hercules General Plan and major long-range planning initiatives undertaken by various City departments.

Land Use Element

The Land Use Element’s central role is correlating all land use issues into coherent and consistent development visions and implementing policies. Its goals, objectives, policies, and programs relate directly to all other

Elements. The Land Use Element designates the proposed general distribution, location, and extent of land uses for housing, business, industry, open space, education, public buildings and grounds, waste disposal facilities, and other public and private land uses.

The 1998 Land Use Element was written when Hercules' population was approximately 18,900, residing in 6,345 housing units. By the 2020 Census, Hercules's population had increased to 26,016, living in 9,165 housing units. Census estimates for 2022 showed a population of 26,041 inhabitants living in 9,301 housing units.

The Land Use Element was developed at a time when much of Central Hercules was still awaiting development, and the Hercules Redevelopment Agency had the power to assemble land, use Tax Increment Financing, and generally facilitate project development in ways that are no longer possible, given the dissolution of redevelopment agencies statewide in 2011. While the Land Use Element and corresponding Land Use Map have been amended to change land use designations related to specific projects, a comprehensive update of the Element would provide an opportunity to envision the future of the community's land use in a holistic and internally consistent manner, update goals and objectives as needed to reflect today's situation, identify necessary infrastructure upgrades, and consider updated or additional policies and programs.

FEMA Floodplain Review

California Government Code Section 65302(a) requires the Land Use Element to identify areas covered by the General Plan subject to flooding and mandates that the General Plan shall be reviewed annually concerning those areas.

As development occurred during the proceeding years, flood control improvements were constructed to eliminate flood hazards in each neighborhood and subdivision. The 1998 Land Use Element identified Refugio Creek, which traverses the City from southeast to northwest, as a source of flooding hazards. However, in 1998 the portion of the Refugio Creek basin west of San Pablo Avenue had not been developed. Before approval of the Bayfront development, flood control improvements were made to eliminate flood hazards, which are reflected in Letters of Map Revision from the Federal Emergency Management Agency.

A Letter of Map Revision (LOMR) is the Federal Emergency Management Agency's (FEMA) modification to an effective Flood Insurance Rate Map (FIRM), Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on implementing physical measures that affect a flooding source's hydrologic or hydraulic characteristics.

- In 2005 (FEMA) issued a Letter of Map Revision (LOMR) for the west branch of Refugio Creek from approximately 100 feet downstream of Sycamore Avenue to just downstream of Union Pacific Railroad and Refugio Creek approximately 150 feet downstream of San Pablo Avenue.
- In 2009, FEMA issued a (LOMR) for Refugio Creek just downstream of Coronado Street to approximately 3,500 feet upstream of Refugio Valley Road.

Reasons to Update Land Use Element

- Population/employment based on 1990 Census
- City reached GP's projected 2010 housing units by 2020, but has 5,000 fewer jobs than GP's 2010 projection
- Dissolution of Redevelopment Agency
- Missing subsequent major developments:
 - Safeway
 - Hilltown
 - Central Hercules Plan
 - Waterfront initiative

- In 2011, FEMA issued a LOMR for Refugio Creek just downstream of Coronado Street to just downstream of Refugio Valley Road.
- In 2017, FEMA updated Hercules Flood Insurance Rate Maps to incorporate new information and changed conditions.
- In 2019, FEMA issued a LOMR for the west branch of Refugio Creek from approximately 750 feet downstream of Sycamore Avenue to just downstream of Sycamore Avenue and Refugio Creek upstream of Tsushima Street bridge to just downstream of San Pablo Avenue. This LOMR was to reissue a portion of a previously approved LOMR that was inadvertently not incorporated into the 2017 FIRM panel update.

Circulation Element

On February 27, 2018, the City of Hercules adopted a comprehensive update to the Circulation Element, which updated the City's previous Circulation Element adopted in 1998. The update was needed given the land use and regulatory changes over the last 20 years within Hercules and the region. The updated Circulation Element includes policies that promote the development of "Complete Streets" in accordance with Assembly Bill 1358, the California Complete Streets Act.

The Circulation Element is consistent with and helps to implement other regional plans, including Plan Bay Area, Regional Transportation Improvement Program, Countywide Comprehensive Transportation Plan, Countywide Congestion Management Program, Countywide Bicycle and Pedestrian Plan, and Measure J Transportation and Growth Management Program.

As discussed in the Growth Management Element section, the Measure J Growth Management Program (GMP) requires local jurisdictions within Contra Costa County to adopt a Growth Management Element and participate in a cooperative, multi-jurisdictional planning process, among other requirements. As part of the multi-jurisdictional planning process, jurisdictions work with Regional Transportation Planning Committees (RTPCs) to develop Action Plans for routes of regional significance. The RTPC that Hercules participates in is the West Contra Costa Transportation Commission (WCCTC). The intent is that jurisdictions work together to ensure that the transportation impacts of local land use decisions are planned for and mitigated countywide.

Housing Element

The Housing Element identifies ways in which the housing needs of existing and future residents can be met and responds specifically to conditions and policy directives unique to Hercules. Every eight years, future housing needs are determined for each region of the state, based on growth over a specified period (projection period), through the Regional Housing Needs Allocation (RHNA) process. The RHNA process uses projected population growth to determine housing and affordability needs relative to household incomes and estimates how many new units are needed to meet those needs.

Government Code §65400 requires that each city, county, or city and county, including charter cities, prepare an annual progress report (APR) on the status of the housing element, using forms (Excel tables) and definitions adopted by HCD. The APR is submitted to HCD and the Office of Planning and Research (OPR) by April 1. The Housing Element Annual Progress Report provides a detailed analysis of the progress toward each individual Housing Element program. The City Council approved the City's Housing Element APR for 2023 on March 12, 2024. During 2024, the primary focus of the housing effort was on completing the City's 2023-2031 Housing Element; however, the implementation of the Housing Element did continue during the update.

Housing Unit Production

The 2023-2031 Regional Housing Needs Allocation (RHNA) and Housing Element period is referred to as the “sixth cycle” since it is the sixth required update since the housing element law was revised by the state legislature in 1980. The City’s progress toward its Regional Housing Needs Allocation (RHNA) targets is measured by reporting the total number of units that received a building permit. Table 2 shows the progress made toward the city’s RHNA allocation for the planning period of 2023-2031.

Table 2 - Regional Housing Needs Allocation Progress

Income Level		RHNA Allocation	2024 Progress	Total Progress	Remaining Allocation
Very Low*	Deed Restricted	334	0	0	334
	Non-Deed Restricted		0		
Low	Deed Restricted	198	1	1	197
	Non-Deed Restricted		0		
Moderate	Deed Restricted	126	0	0	126
	Non-Deed Restricted		0		
Above Moderate		347	15	17	330
Total		995	16	18	977

*Units serving extremely low-income households are included in the very low-income RHNA progress and must be reported separately in the extremely low-income category of the Housing Element APR. Extremely low-income housing needs are determined pursuant to Government Code 65583(a)(1) and are accordingly presumed to be half of the very low-income RHNA.

In addition to tracking building permits issued, the City also monitors the number of housing entitlements approved.

Accessory Dwelling Units

In February 2021, the City Council adopted an updated Accessory Dwelling Unit (ADU) ordinance to align with prior changes to state law. State legislation was passed in late 2019 that streamlined and clarified the State’s evolving ADU requirements, expanded opportunities for new ADUs, and limited the applicability of local zoning controls and requirements for certain ADUs. The City approved planning and building permits for two accessory dwelling units in 2024. The City amended its zoning code to reflect changes in state ADU law in January 2023 and again in January 2025 to reflect SB 477 and SB 1211.

Senate Bill 9

Senate Bill (SB) 9 (Atkins) was signed into law by Governor Newsom on September 16, 2021, and became effective January 1, 2022. It allows a single-family zoned parcel (including single-family Planned Unit Developments) to be subdivided into two parcels and two residences to be constructed on each parcel and to be approved ministerially if certain requirements are met. On June 6, 2022, the City Council adopted Ordinance No. 543, implementing SB 9 to provide guidance and procedures for second units and urban lot splits. In January 2023 and again in January 2025, the City Council amended the SB 9 ordinance to be consistent with changes in state law, including SB 450. The City developed objective design standards for SB 9 Two-Unit Developments and Urban Lot Splits and created applications, handouts, and a website to explain the new law. To date, there has been minimal interest in such projects, and staff received no inquiries in 2024.

Open Space & Conservation Element

The Open Space and Conservation Element provides direction for land use decisions regarding recreation, open space, and natural resource-oriented uses, consistent with the goals, objectives, and policies of the Land Use Element. In addition, the element addresses the management of these open space uses and natural resources. The Open Space and Conservation Element was last amended in 2015 with the 5th Cycle Housing Element in accordance with Assembly Bill (AB) 162, which revised California Government Code Section 65302. AB 162 requires Conservation and Safety Elements to consider the extent to which those elements address the flooding and hydrology issues within the jurisdiction.

Hercules is a semi-urban, largely built-out community with several natural resources, including upland open space hills, waterfront, creeks, and wetlands. The city has approximately 800 acres of open space with trails, predominately located along Refugio Creek and the hills on the city’s east side. Sensitive habitats exist in the wetlands along the San Francisco Bay shoreline, along Refugio Creek, and in the open space hills.

The 55-acre Refugio Valley Park includes Lake Refugio, which acts as a water collection and filtering body for the upper watershed of Refugio Creek and adjacent neighborhoods. The 26-acre San Pablo Bay waterfront park is a buffer for sea-level rise, and the East Bay State Regional Park District lands pond acts as a rainwater capture and filter for upland road and property run-off before exiting to the Bay. A 1986 Shoreline Feasibility Study identified future trail alignments for pedestrian, bicycle, and equestrian trails linking the shoreline and Historic Hercules to San Pablo Avenue, many of which have been constructed. Boardwalks are planned over the marsh/wetlands inland and parallel to the shoreline. Hercules participated in the Association of Bay Area Governments’ 2024 “refresh” of the Plan Bay Area Priority Conservation Areas. Hercules has two PCAs within its boundaries: the Central Hercules and Waterfront District PCA and the Pinole Creek Watershed PCA. These conservation areas are important for climate adaptation and urban greening.

Reasons to Update Open Space & Conservation Element

- Reflect 2024 Parks & Recreation Facilities Master Plan
- SB 1425 requires update by January 2026
- AB 1889 requirements
- Based on a 1996 population of 19,400
- Standards for parks and open space acreage may need reconsideration

Parks and Recreation Facilities Master Plan

In 2024, the City of Hercules adopted its first-ever Parks and Recreation Facilities Master Plan to identify needs and priorities for its parks and recreation facilities. The project team identified community needs and desires through open houses, workshops, online surveys, and pop-up events. The Master Plan assessed the existing park system and identified potential new parks and recreation facilities and priorities for improving and enhancing existing parks. The plan will help the City strategically allocate resources and leverage grant opportunities to ensure community needs can be met and will help to inform the planned update of the Open Space and Conservation Element.

Recent Legislation

A 2022 state law, SB 1425, requires the City to update the Open Space Element by Jan. 1, 2026 to include plans and an action program that address specified issues, including climate resilience and other cobenefits of open space, correlated with the Safety Element. Another 2022 state law, AB 1889, the “Room to Roam Act,” requires

cities and counties to consider the effect of development on wildlife movement and habitat connectivity in the adoption or next revision of their general plan conservation element beginning on January 1, 2028.

Conservation Projects

Several existing and proposed open space conservation projects in various stages of development should also be reflected in any future update of the Open Space and Conservation Element. These include the John Muir Land Trust's acquisition of 484 acres of open space, trails, and grazing in Franklin Canyon and the City's November 2022 agreement with the John Muir Land Trust for evaluation of the Refugio Creek Conservation Easement prior to the potential transfer of the easement and its mitigation obligation. The City invested time and resources toward the potential restoration of the 12-acre Chelsea wetlands. The project received nearly \$2 million in grants for planning and environmental work and has a certified Final Initial Study/Mitigated Negative Declaration. However, the withdrawal of the project sponsor has rendered this project inactive. The 2008 "Waterfront Now!" initiative amended the General Plan to designate as open space Hercules Point, a roughly 11-acre peninsula of City-owned land that is currently cut off by railroad tracks from the rest of the waterfront. The planned update of the Open Space and Conservation Element could include goals, objectives, and policies to further the objective of providing safe public access to the Point via a grade-separated crossing of the railroad, which is a key component of the planned Hercules Hub intermodal transit station.

Safety Element

On May 25, 2021, the City of Hercules adopted a comprehensive update to the Safety Element. An update of the Safety Element was needed, given the land use and regulatory changes that took place over the last 20 years and in response to the ongoing technological evolution. The Safety Element is the primary document linking land use and conservation decisions to local safety planning. The goal of the element is to reduce the potential short- and long-term unreasonable risk of death, injuries, property damage, and economic impacts resulting from the effects of natural and non-natural hazards. In addition to legally mandated content, other issues included in the Safety Element are at the discretion of the local government. This element includes general hazard, risk reduction, and avoidance strategies; climate change vulnerability and measures to address those vulnerabilities; emergency response priorities; and comprehensive hazard mitigation to minimize disruption and expedite recovery following disasters.

The Safety Element includes the City of Hercules Local Hazard Mitigation Plan, which was adopted in 2021 and will be updated in mid-2025, as discussed below.

Local Hazard Mitigation Plan

Throughout 2024, the City worked in collaboration with Contra Costa County and participating cities and special districts in the county to prepare an updated countywide Local Hazard Mitigation Plan, with annexes for each of the participating jurisdictions and special districts. Having completed review by CalOES and FEMA, the Hercules annex will be adopted as part of the General Plan's Safety Element in mid-2025.

The Local Hazard Mitigation Plan (LHMP) provides an overview of the regulatory, administrative, technical, financial, educational and outreach capabilities of the Hercules community, confirming the City's ability to reduce long-term vulnerabilities to hazards. A risk assessment included in the LHMP lists 20 hazards, with the top three Hercules hazards shown as earthquake, landslide and heavy rainfall. The hazard ranking process involved an assessment of the likelihood of occurrence for each hazard, along with its potential impacts to people, property, and the economy. It is important to note that the LHMP also includes a rating of the City's Community Resilience, which is rated as Relatively High. The Relatively High rating indicates that our

community has the ability to prepare for anticipated natural hazards, to adapt to changing conditions and to withstand and recover rapidly from disruptions. To address identified risks and vulnerabilities to hazards, the City has prepared 17 mitigation measures. The mitigation measures offer a wide range of solutions from dredging Refugio Lake and replacing the aerator fountains to the creation of a Community Emergency Response Team (CERT).

Independently and in coordination with the County, City staff created and participated in a public outreach strategy to engage stakeholders and the public during the LHMP public comment period. Once adopted, the County and all other participants will revisit the plan to provide an annual progress update.

Noise Element

California Government Code Section 65302(f) requires that general plans contain a Noise Element to identify and quantify potential noise problems and provide effective noise control and mitigation policies. The City's Noise Element, adopted in 1998, remains compliant with OPR's Guidelines for the Preparation and Content of the Noise Element of the General Plan. However, a comprehensive update to the General Plan, including the Noise Element, would likely identify changed noise conditions in the community due to increased development and traffic in Hercules.

To the extent practicable, the element analyzes and quantifies current and projected noise levels in the community. Information provided by noise exposure contours for both near and long-term levels of growth and traffic activity becomes a guideline for use in the development of the Land Use Element to achieve noise-compatible land use. The noise exposure contours also provide baseline noise levels and noise source identification. The Noise Element includes policies that address existing and foreseeable noise problems. The adopted Noise Element is a guideline for compliance with the state's noise insulation standards.

Reasons to Update Noise Element

- Outdated noise contour maps
- New technologies and mitigation measures
- Increased development and changed noise sources

Hazardous Waste Management

In the 1900s, the City of Hercules began as a company town known for producing dynamite and gunpowder. In 1964, the production of fertilizer replaced the production of dynamite and black powder. Hazardous materials, utility production, and distribution have historically existed in the community side-by-side with residential and commercial uses. Pacific Gas and Electric (PG&E) maintains an electric substation along Willow Avenue, east of the I-80 off-ramp. Underground oil and gas pipelines traverse the city, as well as a gas pipeline pumping station in a PG&E easement on City-owned land. In addition, the Union Pacific Railroad distributes goods and hazardous materials through Hercules to the Chevron Richmond Refinery and waterfront shipyards in Richmond.

In September 1986, Assembly Bill 2948 was passed, authorizing counties and cities in California to prepare Hazardous Waste Management Plans (HWMPs). Subsequently, Hercules prepared a plan to conform with federal, state, and county hazardous waste laws, policies, and regulations. The City intended to develop an integrated approach to hazardous waste management at the local level and enhance cooperation between the City and other affected jurisdictions. The Hazardous Waste Management Plan is not a required Element of the General Plan and therefore has not been updated regularly.

The Hazardous Waste Management Plan recognizes that the safe and effective management of hazardous waste will protect public health and the environment in the City of Hercules. The Element focuses on land uses and facility siting criteria, inventory of existing waste facilities, hazardous material transportation, and effective management.

Since 1990, industrial production and storage of hazardous materials have ceased, and large areas of legacy contamination have been cleaned up. A comprehensive update to the Hazardous Waste Management Plan, or review of the continued need for such a plan, would be beneficial in prioritizing the use of City resources.

Economic Development

The Economic Development Element of the General Plan established the policy basis and conceptual framework for pursuing economic development in Hercules in past decades. In August 1989, the City Council initiated a process for establishing an economic development program following a period of rapid growth and anticipated continued growth in residential, retail, commercial, and industrial development. The first step of developing an economic plan was to appoint a twenty-one-member Economic Development Strategy Planning Task Force. The Task Force developed a series of development goals, strategies, and objectives, which the City Council adopted as the Economic Development Strategy Plan (Element).

Since the Economic Development Element was prepared and adopted over 25 years ago, significant developments have significantly altered the City's economic situation. These include external economic cycles such as the 2001 "Dot-Bomb" recession, the 2007-2009 Great Recession, and the 2020 Covid-19 Recession, as well as the state's 2011 elimination of redevelopment agencies and the City's own financial and governance crisis in approximately 2007-2011. The industry-wide contraction in retail space demand due to the rapid growth in online shopping, combined with retail developers' reliance on suburban formats with ample onsite parking, have made it challenging to lease the ground-floor retail spaces in new urban mixed-use developments across the United States, and Hercules is no exception.

Beginning in 2022, Covid-19 relief funding helped the City develop and implement new economic development programs, including a popular "Shop Local" bonus gift card redeemable at local merchants. The City is participating in regional economic development initiatives along Contra Costa County's Northern Waterfront, including the Green Empowerment Zone established in 2022; prepared a community profile and retail "leakage" analysis in 2022; and established a new Business Attraction Grant program in 2023 to help attract new eating and drinking establishments by assisting qualified business owners with move-in costs for vacant retail spaces. Two of these grants have already been awarded and two more are under review.

The City Council's strategic goals include establishing a comprehensive economic development strategy. The General Plan process provides a good opportunity to engage economic development professionals as part of the team, who will assess current economic trends and conditions, update the Economic Development Element

Reasons to Update Economic Development

- References to redevelopment agency should be removed
- Not a required element but related to many required elements and must be consistent
- New mixed-use and commercial developments should be analyzed and included in the element
- Changed economic climate with growth of online shopping and remote work

to reflect current conditions and trends, and recommend policies and programs to guide staff and policy makers following adoption of the updated Element.

Growth Management

The Measure J Growth Management Program, adopted by voters of Contra Costa County in November 2004, requires each local jurisdiction to meet the following six requirements:

- Adopt a development mitigation program;
- Address housing options;
- Participate in an ongoing cooperative, multi-jurisdictional planning process;
- Adopt an Urban Limit Line (ULL);
- Develop a five-year capital improvement program; and
- Adopt a Transportation Systems Management (TSM) Ordinance or Resolution.

The 2013 Growth Management Element was updated to comply with the Measure J Growth Management Program (GMP) requirements. By adopting and implementing this Element, the city intends to establish a comprehensive, long-range program that will match the demands for multi-modal transportation facilities and services generated by new development with plans, capital improvement programs, and development mitigation programs. The Urban Limit Line is intended to promote compact urban development patterns that encourage efficient use of existing and future infrastructure and restrict infrastructure extension into areas where urban development is not planned.

The Measure J GMP, adopted by voters of Contra Costa County in November 2004, is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth Management Program approved by voters in 1988. The program includes a half-cent transportation and retail transactions and use tax intended to address existing major regional transportation problems; Measure J extended the countywide sales tax through the year 2034. Measure J requires that tax revenues be dedicated to transportation projects in Contra Costa County and to implementing a Growth Management Program by all the cities and the County. The Growth Management component is intended to ensure that future residential, business and commercial growth pays for the facilities required to meet the demands resulting from that growth.

General Plan Compliance with OPR’s General Plan Guidelines and State Legislation

The Governor’s Office of Planning and Research (OPR) adopts and periodically revises General Plan Guidelines for the preparation and content of general plans, including detailed information on statutory requirements for the mandated general plan elements. This report found that the City’s General Plan elements generally comply with OPR’s 2017 General Plan Guidelines.

Element	Recommendation	Update Timeline
Land Use* (1998)	<ul style="list-style-type: none"> • Comprehensive update to remain relevant given changed conditions • Reflect on recent plans/projects • Consider development feasibility absent redevelopment power 	As part of comprehensive General Plan update anticipated to begin in 2025
Circulation* (2018)	<ul style="list-style-type: none"> • Element is compliant 	As part of comprehensive General Plan update anticipated to begin in 2025
Housing* (2024)	<ul style="list-style-type: none"> • Certified by HCD; compliant 	7 th Cycle or as needed
Open Space* & Conservation* (1998)	<ul style="list-style-type: none"> • Comprehensive update to remain relevant given changed conditions • Reflect Parks & Recreation Facilities Master Plan recommendations • Climate change policies • Wildlife policies 	As part of comprehensive General Plan update anticipated to begin in 2025
Safety* (2021)	<ul style="list-style-type: none"> • Element is compliant • Correlate with Open Space revisions 	Updated LHMP to be adopted in 2025
Noise* (1998)	<ul style="list-style-type: none"> • Comprehensive update to remain relevant given changed conditions 	Updated LHMP to be adopted in 2025
Hazardous Waste Management Plan (1990)	<ul style="list-style-type: none"> • Comprehensive update to remain relevant given changed conditions 	Evaluate need for element as part of comprehensive General Plan update anticipated to begin in 2025
Economic Development (1991)	<ul style="list-style-type: none"> • Comprehensive update to remain relevant given changed conditions 	Updated LHMP to be adopted in 2025
Growth Management (2013)	<ul style="list-style-type: none"> • Periodic updates in accordance with Measure J 	Not programmed

*Required Element

Comprehensive General Plan Update

The Community Development Department expects to begin a comprehensive update to the current General Plan in 2025. Considerable funding has accumulated from the General Plan Update fee collected on permits, but staffing limitations and competing priorities have limited the Department's ability to take on this work.

Updating the General Plan is necessary to implement the Council's strategic goal of creating a comprehensive land use strategy. Several elements of the City's General Plan have not been comprehensively updated in many years, as shown below. The oldest elements – land use, open space and conservation, and economic development – are highly interrelated and would benefit from a comprehensive look at current development, economic and environmental trends, and initiatives. Also, during outreach and engagement for the Safety Element, there was considerable public advocacy to enhance climate change policies in the General Plan.

Elements anticipated to be comprehensively updated through the forthcoming process are shown below in bold italics. Elements shown with an asterisk are required under state General Plan law, which allows two or more required elements to be combined. Other optional elements will be evaluated as to their continued relevance and need.

- Hazardous Waste Management Plan – adopted 1990
- ***Economic Development*** – adopted 1991
- ***Land Use**** - adopted 1998
- ***Open Space* & Conservation**** – adopted 1998
- ***Noise**** - adopted 1998
- Growth Management – adopted 2013 (required by Measure J)
- ***Circulation**** - adopted 2018
- Safety* - adopted 2021, Local Hazard Mitigation Plan update to be adopted in 2025
- Housing* - 6th cycle Housing Element (2023-31) adopted 2024

The planned comprehensive General Plan update will identify priorities for optimizing City codes and policies to attract the desired types of development on sites that have long remained vacant or underutilized. The update will provide the opportunity to make the entire General Plan current, consistent, and compliant with state laws and guidelines. It will also provide Hercules and the City with a valuable and relevant guiding document for the community's future over the coming decades.