ALHAMBRA VALLEY IMPROVEMENT ASSOCIATION

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COMMUNITY DEV. DEPT.

Terry Blount
Planning Director
City of Martinez
525 Henrietta Street
Martinez, CA 94553

RE: Alhambra Valley proposed annexation

Dear Mr. Blount:

It is clear that the Planning Commision is supposed to make a recommendation on the proposed annexation. The Initial Study on p. 5 states, "Approve a City-initiated LAFCO application." Also, the Staff Report for the May 25 P.C. meeting states under Conclusions on page 12, "Staff recommends that the Planning Commission ... PROCEED WITH THE LAFCO ANNEXATION PROCESS."

It is not clear to me that the commissioners will actually be asked to make recommendations, even though both documents call for them.

I have several concerns about the proposed annexation.

First, the annexation is not revenue producing. According to the Fiscal Impact Report by Economic and Planning Systems, Inc. of Berkeley, the city will be $1,015 in arrears at build out. This was the forecast when the proposed annexation included all of Area A (everything west of Reliez Valley Road and Alhambra Valley Road to Stonehurst). Now the proposed annexation has eliminated everything south of AV Road except Valley Orchard, so the Fiscal Impact Report is further in question.

Second, the Staff Report for the May 25 P.C. meeting states on page 8 under Governmental Jurisdiction Policies "20.41 - All developed ... unincorporated areas within the sphere of influence should be annexed to the City of Martinez to ensure an equitable tax distribution and cohesive neighborhood units for public service purposes." Here the city's annexation proposal will create a cookie cutter designed non-cohesive neighborhood unit. This means that there will be two jurisdictions in the Valley, exactly what the present "Policy" is trying to avoid.

Third, the proposed annexation map looks more like a maze than a unified neighborhood. LAFCO always asks that boundary lines be cleared up and islands be avoided. This proposal does the opposite. This proposal creates an obvious island by omitting the Millthwait/Gordon area. It creates an intrusion into Area C of three properties (east of Alhambra Valley Road). It also intrudes south across Alhambra Valley Road into the ten properties on Valley Orchard Court. This annexation map clearly violates the basic policies of LAFCO. Obviously the city has little or no concern for the cohesiveness of Alhambra Valley.

Fourth, the three parcels in Alhambra Valley Ranch that are adjacent to the city line are extremely high in the hills. The property on the city side of the line is Mt. Wanda which is a park. There is no road there connecting to the city, nor will there be.

There are no city roads leading to the proposed annexation area. It is one mile from the city line near John Swett School to the "T" at Reliez Valley Road and Alhambra Valley Road. It is one mile from that "T" to Stonehurst. How are the roads going to be annexed and how are they going to be maintained? Which jurisdiction maintains which road?

Fifth, the county does an excellent job of maintaining roads. Reliez Valley Road from Tavan Estates to the city line near Alhambra Valley is maintained by the city and it is a shambles the entire distance. The road is immediately in good shape again as soon as one leaves the city boundary going west.

Sixth, I am not denigrating the Martinez Police Department. The County Sheriff's Department is far larger and has greater resources. For example, the Sheriff has a large complement of reserve deputies and a highly expert search and rescue unit, as well as a helicopter unit available to Alhambra Valley.

The Sheriff has individual units in intelligence, crime prevention, crime analysis, narcotics, and vice. The Sheriff's Office also runs the local Law Enforcement Academy and has its own communications center.

The Sheriff has a Sworn Manager on duty 24/7, if needed.

If Alhambra Valley is annexed, it would lose the services of the California Highway Patrol which is responsible for traffic.

The city is not proposing to add any police manpower to service the Valley.

The problem here is that the Valley will be under two jurisdictions for police service. For example, Pyrmont Court is adjacent to the homes on Valley Orchard. If a problem occurs near these streets, which department is going to respond, the city or the county sheriff? The residents on Quail Hollow are adjacent to the three homes on Alhambra Valley Road. Who will respond there? This is a problem that repeats itself all along Alhambra Valley Road from the city line to Stonehurst and presumably along Reliez Valley Road as well.

Seventh, it is unfair to annex residents and make them pay taxes for which they had no vote (Measure H, the 30 million dollar bond issue for library, pool, and park). Realistically people in the Valley will not be using these services. They go to the county library, use their own pools, and use Briones Park directly across Alhambra Valley Road.

Eighth, there are thirty-four properties in the proposed area whose owners have not signed Deferred Annexation Agreements. Most of these people are opposed to the takeover by the city. Once the city heard that AVIA was gathering signatures from those opposed in the entire Area A, the city changed course and eliminated the properties on the south side of AV Road thereby decreasing the opposition.

The most important point here is that the city is not "clearing up boundary lines," but but drawing lines where there are fewer registered voters. Look at the map that you were given the first time the P.C. learned about the annexation. You will see that the city has imprinted the number of registered voters who occupy each of those thirty-four properties. The city literally announced to one and all that boundary lines had nothing to do with the annexation, rather registered voters had everything to do with the newly conceived annexation area.

Ninth, the Valley is one serene, environmental and unified entity under one jurisdiction. It is completely separate from the city and should remain so.

I would hope that the Planning Commission will see the validity of these arguments and recommend against the proposed annexation.

Sincerely,

Hal Olson

Hal Olson

cc: Corey Simon
Planning Commissioners

STAFF REPORT

TO: **PLANNING COMMISSION**

MEETING DATE: **May 25, 2010**

PREPARED BY: **Karen L. Majors, Assistant City Manager, Community and Economic Development**
Terry Blount AICP, Planning Manager
Corey Simon, Senior Planner
Anjana Mepani, Associate Planner

RE: **Creation of Land Use Regulations to Implement Proposed Annexation of a Portion of the Alhambra Valley into the City of Martinez**

GENERAL INFORMATION:

Applicant: City of Martinez

Location: The Alhambra Valley annexation and related Planning actions will impact an area located directly outside the current southwest jurisdictional boundary of the City of Martinez, but within the City's Sphere of Influence and the County Urban Limit Line. The proposed annexation area is comprised of approximately 155 parcels covering approximately 400 acres. It is generally bounded by the City's current jurisdictional boundary to the north; detached single family homes and undeveloped hills to the east; Alhambra Valley Road and Briones Regional Park to the south; and undeveloped hills and rangeland to the west. Please refer to Attachments A and B.

Existing Land Use Designations:

General Plan: Contra Costa County Alhambra Valley Specific Plan: AL (Agricultural Lands); OS (Open Space); SV (Single-Family Residential – Very Low); and SL (Single-Family Residential – Low). Please refer to Attachment C.

Zoning: Contra Costa County: A-2 General Agricultural District; R-20 Single-Family Residential District; R-40 Single-Family Residential District; and P-1 Planned Unit District. Please refer to Attachment E.

Proposed Land Use Designations:

General Plan: The City of Martinez proposes to amend the Martinez General Plan to create four new land use designations: Estate Residential – Very Low; Estate Residential – Low; Agricultural Land; and Open Space consistent with current Contra Costa County land use designations for the annexation area and to amend the General Plan Land Use map to

apply those designations to properties within the proposed annexation area as set forth in Attachment D.

Zoning: The City of Martinez proposes to amend the City's Zoning Ordinance to include a new Chapter 22.29, the Alhambra Valley Districts: AV/R-20 Single Family District; AV/R-40 Single Family District; AV/A-5 Agriculture District; and AV/PD Planned Development District to create new zoning districts consistent with current Contra Costa County zoning designations and to pre-zone property within the proposed annexation area to these districts as set forth in Attachment F.

ACTIONS FOR CONSIDERATION:

The City of Martinez proposes the creation of new land use regulations to accommodate the proposed annexation of a portion of the Alhambra Valley (unincorporated Contra Costa County) in a manner that is generally consistent with the Contra Costa County Alhambra Valley Specific Plan (AVSP). The Planning Commission will consider General Plan Consistency findings and adoption recommendations to the Martinez City Council relating to the following actions:

- Adoption of the Draft Negative Declaration pursuant to CEQA,
- Adoption of an amendment to the Martinez General Plan Land Use Element and Land Use Map to incorporate four new land use designations; Estate Residential-Low, Estate Residential Very Low, Agricultural Lands and Open Space,
- Adoption of an amendment to the Martinez General Plan Scenic Roadways Element, Parks and Recreation Element, and Transportation Element to incorporate policies related to the annexation area,
- Adoption of an amendment to the Martinez Zoning Ordinance to include a new chapter (Chapter 22.29): the Alhambra Valley Districts which will contain four new zoning districts (AV/R-20 Single Family District; AV/R-40 Single Family District; AV/A-5 Agriculture District; and AV/PD Planned Development District),
- Adoption of an amendment to the Martinez Zoning Map to include the annexation area within the City limits and the new Zoning Districts for the annexation area should LAFCO approve the annexation,
- Adoption of the Pre-Zonings and General Plan Land Use designations for the properties in the proposed annexation area, and
- Adoption of the Alhambra Valley Design Guidelines for the proposed annexation area.

BACKGROUND:

As the Planning Commission is aware, the City Council has been discussing and analyzing the feasibility of annexing portions of Alhambra Valley for the last two years from both a land use and fiscal perspective. The Contra Costa Local Area Formation Commission (LAFCO) completed the State mandated municipal service review (MSR) for Martinez in 2006. In the section of the report that addressed agencies in Central Contra Costa County that provide water and wastewater services, the report discussed

the number of water service accounts outside the City's current boundaries. Most of the service accounts were set up pursuant to City of Martinez Resolution No. 169-87, adopted in 1987, which required a deferred annexation agreement and were entered into prior to 2001. A few have been processed since 2001. LAFCO has asked the City of Martinez to annex the properties now contiguous to the City pursuant to the outstanding deferred annexation agreements.

Resolution No. 169-87 set forth regulations pertaining to the provision of city services (water) outside the City's boundaries. Properties outside but contiguous to a city boundary are required to annex to the City of Martinez prior to receiving water service. Any annexation requires approval by LAFCO. This resolution allows water service to be provided to properties outside the city limits (but within the City's Sphere of Influence and City water service boundary) that are not contiguous to a city boundary with the execution of a deferred annexation agreement. Prior to 2001, this type of agreement did not require LAFCO approval. Since 2001 all new deferred annexation agreements/out of area service agreements require LAFCO approval.

In response to LAFCO's request, the City retained the services of CH2MHill and EPS to provide staff with additional expertise to determine the financial and land use feasibility of annexing the identified Alhambra Valley as well as the annexation process. From this process the City of Martinez now understands the following:

- Development in the Alhambra Valley is subject to the Contra Costa County Alhambra Valley Specific Plan (AVSP) currently which was adopted in 1992. The AVSP is well supported by the current residents in the Alhambra Valley as it continues the current semi–rural, large lot configuration, preserves existing open space, and allows for some new development in keeping with the existing character of the area.

- In previous public discussions regarding annexations in the Alhambra Valley, the City Council has stated that any such annexations would be consistent with the AVSP.

- The City of Martinez has not undertaken any pre-zoning in the Alhambra Valley since the 1980s and much of the recently developed areas of the Alhambra Valley have no pre-zoning. Prior to submitting an application for annexation to LAFCO, the City of Martinez must pre-zone and/or change the pre-zoning on existing properties so that all properties being considered for annexation are consistent with the AVSP. LAFCO legislation prohibits zoning changes for 2 years after an area is annexed.

- In 1995, the City of Martinez began a process to annex most of the Alhambra Valley area, however the application for annexation was never formally made to LAFCO and the process to create new pre-zonings or modify existing pre-zonings was never initiated.

The LAFCO process is a fairly arduous one. After the City of Martinez formerly applies to LAFCO, all property owners as well as registered voters are notified of the annexation application. If more than 25% of either property owners and/or registered voters "protest" the proposed annexation, the annexation goes to a vote. If more than

50% "protest" the annexation application cannot move forward. Attachment A and B identifies the proposed annexation area.

Without the proposed annexation it will become exceedingly difficult for new residential development outside the City's boundaries receive water services from the City of Martinez as LAFCO is becoming much more critical of "out of area" service agreements.

Given the City's commitment to annex portions of the Alhambra Valley consistent with the County's Alhambra Valley Specific Plan (AVSP), city staff with consultant assistance has developed new land use regulations to implement this commitment. These new land use regulations are accomplished thru changes/additions to the City's General Plan, Zoning Ordinance, applicable maps, and adoption of the AVSP Design Guidelines. The proposed changes are discussed below:

DISCUSSION:

Existing Alhambra Valley Land Use Regulation Documents

Land use and development in the Alhambra Valley is currently controlled by the following three regulatory documents: the Contra Costa County General Plan, the Alhambra Valley Specific Plan (AVSP), and the Contra Costa County Zoning regulations. Since all General Plans are broad policy documents used to frame specific land use regulations, it is the AVSP and Contra Costa County Zoning regulations that address land use and development in the Alhambra Valley. The AVSP is not a "stand alone" document. The details of the AVSP contains land use and development restrictions that along with the underlying Contra Costa County Zoning regulations control land use. The AVSP contains land use rules unique to the Alhambra Valley, and states that "land uses in the unincorporated part of the AVSP area shall be restricted to the uses allowed in the (applicable Contra Costa County Zoning District), except where those uses conflict with the provisions (of the AVSP)." The Alhambra Valley contains areas within four County Zoning Districts: R-20 Single-Family District (20,000 square foot minimum lot size), R-40 Single-Family District (40,000 minimum square foot lot size), A-2 General Agricultural District (5 acre minimum lot size) and P-1 (the Stonehurst Planned Development District). In all cases, the AVSP is more restrictive than the underlying County Zoning regulations, prohibiting certain uses (e.g. churches and private schools) that otherwise would be conditionally permitted with use permit approval, in the County's R-20, R-40 and A-2 Districts.

New City General Plan Land Use Designations

As part of the proposed annexation, the City's General Plan land use designations for the Alhambra Valley will replace those of the County. Since the Alhambra Valley is within the City's sphere of influence, the City assigned land use designations to many properties in Alhambra Valley when it did its last comprehensive General Plan in the 1970's. However the City's current designations do not match either the existing land uses present in the Alhambra Valley, or the subsequent General Plan and AVSP adopted by the County. The City is therefore proposing a General Plan amendment that creates four new land use designations to match those of the County's existing

AVSP and General Plan. These four new land use designations (please refer to Attachment D) will be unique to the Alhambra Valley, and will be applied to generally match the existing County land use designations and maps applicable under the AVSP (please refer to Attachment C):

- ESTATE RESIDENTIAL – LOW (equivalent of the AVSP's Single Family Residential – Low designation). This designation allows a range of 1 to 2 single family units per gross acre. The primary land use envisioned in this designation is detached single-family homes on lots typically one-half acre or larger.

- ESTATE RESIDENTIAL – VERY LOW (equivalent of the AVSP's Single Family Residential – Very Low designation). This designation allows a maximum of 1 single family unit per gross acre. The primary land use envisioned in this designation is detached single-family homes on lots typically one acre or larger, with the keeping of a limited number of livestock, consistent with a rural or semi-rural lifestyle.

- AGRICULTURAL LANDS (Same as used in the AVSP). This land use designation includes privately owned rural lands, generally in hilly areas that are used for grazing livestock or dry grain farming. The primary purposes of the Agricultural Lands designation is to: a) preserve and protect lands capable of and generally used for the production of food, fiber and plant materials; and b) provide opportunities for rural residential single family homes, at a maximum density of 1 dwelling unit per 5 gross acres.

- OPEN SPACE (equivalent of the AVSP's Restricted Open Space designation). This General Plan designation includes publicly owned open space lands and includes, without limitation, areas of significant ecological resources or geologic hazards. The Open Space designation also includes privately owned properties for which future development rights have been deeded to a public or private agency. For example, significant open space areas within planned developments identified as being owned and maintained by a homeowners association fall under this designation. Also included are the steep, unbuildable portions of approved subdivisions which may be deeded to agencies such as the East Bay Regional Park District but which have not been developed as park facilities.

Additional General Plan Amendments to Retain Specific Plan's Policies

The AVSP's policies for the preservation of Alhambra Valley and Reliez Valley Roads as rural and scenic will be incorporated into the City's General Plan. Likewise, the AVSP's recommendations for the extension of new trails and the preservation of the Altamarino Adobe will be incorporated into the City's General Plan as articulated Attachment H (Proposed General Plan Amendments and Maps).

New City Zoning Districts vs. New Specific Plan

In the earliest discussions regarding the annexation of a portion of the Alhambra Valley, the City proposed to adopt the County's 1992 AVSP as a means of maintaining all of the Alhambra Valley's existing land use and development regulations. However, since the AVSP is not a "stand alone" document, it would be both in conflict with the City's

existing zoning regulations and would not retain the AVSP compatible zoning existent in the County Zoning Ordinance. Therefore, the creation of new City Zoning Districts, ones that would contain the County's current land use and development regulations were determined to be the best way to preserve the goals and intent of the AVSP for areas to be annexed by the City of Martinez. The following three new Alhambra Valley Zoning Districts are proposed. Please refer to Attachment F (maps) and Attachment I (text). The Stonehurst's P-1 District is proposed to be added as is and would remain unchanged:

- AV/R-20 Single Family District. The purpose of the district is to reserve land for the construction, use and occupancy of detached single-family development. Minimum lot size is 20,000 square feet.

- AV/R-40 Single Family District. The purpose of the district is to reserve land for the construction, use and occupancy of detached single-family development. Minimum lot size is 40,000 square feet.

- AV/A-5 Agriculture District. The purpose of the district is to reserve land for agricultural uses and supporting operations, including detached single-family residential uses. Minimum lot size is 5 acres.

Since these three Districts will be unique to the Alhambra Valley (instead of being County-wide), staff proposes that the restrictions found in the AVSP be incorporated into these new Zoning Districts. Rather than adopt the 1992 AVSP, its policies and regulations have been incorporated into the City of Martinez General Plan and Zoning Text amendments now being proposed for the Alhambra Valley. Pragmatically, this consolidation will allow the land use regulations of the new Alhambra Valley Districts to stand alone, eliminating the need to check both the City's Zoning regulations and a Specific Plan to determine permitted uses and development regulations in the Alhambra Valley.

Overview of Proposed Modifications to Alhambra Valley Specific Plan Land Use Regulations

- List of Prohibited Uses unchanged: The new Alhambra Valley (AV) Districts prohibit the following uses, as does the AVSP:

    1. Commercial radio and television receiving and transmitting facilities other than broadcasting studios and business offices.

    2. Hospitals, philanthropic institutions and convalescent homes.

    3. Churches and religious institutions and parochial and private schools.

    4. Medical and dental offices and medical clinics.

    5. Commercial nurseries, except for Christmas tree farms.

- Minor changes to use regulations, to be consistent with current State law and City regulations: Since the adoption of the 1992 AVSP, the State has mandated that all local agencies allow the following permitted uses:

  1. Secondary housing units (commonly called "in-law" units). It should be noted that the Specific Plan prohibits units over 1,000 sq. ft. as does the City, but unlike the Specific Plan, the City would allow units over 1,000 sq. ft. with use permit approval.

  2. Foster family home.

  3. Residential congregate care home (maximum of 6 residents).

- Removal of Heavy Agricultural Uses in the list of conditionally permitted uses in the AV/A-5 District: Given that the County's A-2 District covers larger and more intense agricultural regions than the Alhambra Valley, this County Zoning District conditionally permits a range of agricultural activities that are not consistent with the AVSP. While the AVSP is silent on these uses, they were omitted from the City's proposed AV/A-5 District.

  1. Canneries and commercial kitchens.

  2. Cold storage plant.

  3. Dude ranches.

  4. Farm market and farm worker housing.

  5. Slaughterhouses, stockyards and livestock sales yards.

  6. Other uses, such as boat storage, fertilizer plants, and agriculture supply sales.

  At the request and recommendation of the Alhambra Valley Improvement Association, the list of uses below would no longer to be permitted or conditionally permitted in the AV/A-5 District:

  1. Agricultural (commercial) greenhouses.

  2. Animal hospitals.

  3. Seasonal grower/farm stands.

  4. Retail fire wood sales.

  5. Wineries.

  Staff has no objection to the Alhambra Valley Improvement Association's request, although other Alhambra Valley residents may have differing opinions.

- Recommended changes to the list of permitted and conditionally permitted uses in the AV/A-5 District: At the request of the Alhambra Valley Improvement Association, the following two uses should not be permitted in the proposed AV/A-5 District, although they are now conditionally permitted uses in the County's A-2 District. (Staff's original proposal to make them permitted was in error).

  1. Dog kennels (In AV/A-5 District, recommendation is to make use conditionally permitted, with use permit approval required. Note: this use is not permitted in either current or proposed R-20 and R-40 Districts.)

  2. Horse riding academies and horse riding instruction (In AV/A-5 District, recommendation is to make use conditionally permitted, with use permit approval required. Note: this use requires use permit approval in both current and proposed R-20 and R-40 Districts.)

Hillside Development and City's Slope Density Provisions

The City's existing Hillside Development Regulations are more restrictive than the AVSP and the current County Zoning Ordinance. The City's Hillside Development Regulations prohibits the development of new lots on slopes of over 30%. Unlike the current County regulations, the City's hillside ordinance includes slope density provisions, where the maximum allowed residential density is reduced in inverse proportion to the steepness of a property's natural slope. Such slope density provisions limit the potential of new subdivisions creating additional hillside lots, but do not impose limitations on the development of a single family home on an existing lot.

Unchanged Development Standards

By adopting the new proposed Zoning Districts for the Alhambra Valley, the development standards of the County's R-20, R-40 and A-2 (e.g. minimum yard setbacks and lot size requirements) will be unchanged within the proposed annexation area. In practice, it will be as if the City is using the current County regulations. The AVSP's more unique requirements for creek setbacks and creek preservation are however incorporated into the new Zoning Districts proposed for Alhambra Valley. As per the current regulations, areas within the creek setback area are excluded from minimum lot size calculations, and Creek Preservation and Enhancement Plans will be required for all development applications for creekside properties (please refer to Attachment H).

General Plan Consistency Determination:

The City's annexation and proposed related actions (General Plan and Zoning Ordinance amendments) are consistent with the General Plan's policies regarding governmental jurisdiction within its Sphere of Influence, as well as the City's broad objectives of preserving the open space and rural character of the Alhambra Valley:

1. GOVERNMENTAL JURISDICTION POLICIES

   - 20.41 - **All developed, but presently unincorporated areas within the sphere of influence should be annexed to the City of Martinez to**

ensure an equitable tax distribution and cohesive neighborhood units for public service purposes.

- 20.42 - **All new development within the sphere of influence should be required to annex to the City of Martinez prior to development and development allowed only where provision of necessary public services can be provided without adverse fiscal effects on the City... In outlying areas whose existing levels of public facilities are inadequate, new development should be permitted only at a scale sufficient to economically support major extensions or expansions of public service and facilities.**

- 20.45 - **Water service shall not be extended to out-of-City properties unless the environmental and land use impacts of the provision of that water and or the development to be served on the City and its residents are adequately mitigated through conditions imposed by the jurisdiction having land use control over said properties...**

The above policies have and are implemented by the requirements for Deferred Annexation Agreements prior to the provision of City of Martinez water service within the Alhambra Valley, and the proposed annexation.

2. LAND USE ELEMENT POLICIES

- 21.23 - **Dedication shall be required for open spaces having scenic, recreation or habitat value where natural and man-made conditions permit economic use of a sufficient portion of the land holding with lower open space values. The balance shall be developed in accordance with other general plan policies.**

- 21 .321 - **All land designated for residential use with slopes in excess of ten percent shall be developed in a manner which respects the site's natural features and protects against natural hazards common to most hill area sites in Martinez. Allowable residential density shall be governed by the City's slope density ordinance. Use of the planned unit development approach is made mandatory in order that conditions unique to each site can be considered**.

By extending its land use authority to the proposed the Annexation area, the City implements the above policies by continuing the balance of low intensity residential uses in low lying areas and preserving as open space, the more visually prominent hillsides. The annexation will extend the City's Hillside Development Regulations to areas over 10% slope within the annexation area, providing a greater level of review for hillside subdivisions than does the County's current regulations.

3. OPEN SPACE ELEMENT POLICIES

- 22.21 - **The Alhambra Valley Conservation Zone should remain essentially devoted to open space land use. Agriculture, especially rangeland, recreation and low density residential uses subordinate to the landscape**

are appropriate. This area is potentially hazardous with respect to landslides, earthquakes and fires. It is important to watershed conservation and the control of flooding along the Alhambra Creek and possesses natural vegetation and wildlife habitat resources, valuable scenic amenity and agricultural land value.

- 22.47 - **The riparian vegetation of the Alhambra Creek is an important community as set and must be preserved and enhanced.**

- 22.51 - **Hill areas greater than 30% slope shall not be developed... except on an existing lot of record where only one single family house is proposed and there is no building site under 30% slope.**

The above policies are to be implemented by adoption of the propose Land Use Designations for the annexation area, of which a majority are either open space, agricultural, or low density residential. The City's current Hillside Development Regulations, and the creek preservation and enhancement requirements of the proposed, new Alhambra Valley Zoning Districts further implement these open space policies.

4. PARKS AND RECREATION ELEMENT

- 23.21 - **Recreation-park sites should be multiple use facilities which provide educational, recreational and park opportunities for all residents.**

- 23.30 - **It is the policy of the City of Martinez to provide a variety of parks and recreational facilities to meet the recreational needs of the community through the development of a well-balanced park and trail system.**

The proposed General Plan amendments will incorporate the AVSP's policies of extending recreational trails and preserving the Altamarino Adobe as a Historic Site.

5. TRANSPORTATION ELEMENT

- Chapter 4; Proposed Street Plan, *Rural Streets*: **Martinez has some streets that are rural in character. These provide two-travel lanes, no parking and bike lanes where indicated in the bikeway plan. The main distinguishing feature between rural streets and local streets is that the rural streets tend to be narrow, winding, hilly and without curbs and gutters. The proposed rural streets are as follows:**

  Carquinez Scenic Drive
  Waterfront Road
  Franklin Canyon Road
  Alhambra Valley Road
  Reliez Valley Road
  Pleasant Hill Road East
  Vine Hill Road
  Streets within the Muir Oaks subdivision

The proposed General Plan amendments will incorporate the AVSP's policies of

assuring future roadway improvements will maintain the rural residential quality of Alhambra Valley Road, and the incorporation of a bike path to link the Reliez Valley Road path westward to Bear Creek Road.

CEQA Considerations:

The environmental analysis for the Alhambra Valley annexation project is a series of actions to be undertaken by the City of Martinez and LAFCO and was undertaken pursuant to CEQA. The majority of the annexation area is built out, and is characterized as a low-density, large-lot residential area. The proposed Alhambra Valley annexation project would not increase or significantly change the allowed use, density or scale of development when compared to existing conditions or existing County policies and regulations. The primary difference is that the City proposed to include language in the Alhambra Valley Districts that would be slightly more restrictive than current County regulations for the annexation area relative to hillside development, as well as the types of structures and some uses allowed in agricultural zones.

The southern portion of the annexation area (parcels along Reliez Valley Road and Valley Orchard Court) is proposed to be zoned AV/R-40. Parcels within the annexation area that are north of Alhambra Valley Road and east of Vaca Creek Road are proposed to be zoned AV/A-5 and the parcels in the eastern most portion of the annexation area would be zoned AV/A-20. The existing PD District would continue to apply to the existing residential development in the western portion of the annexation area and the Planned District regulations applicable thereto would remain applicable after annexation.

The proposed annexation area includes 155 existing parcels. Nine of the existing parcels have approved and valid subdivision maps that have not yet been constructed. These 3 projects were approved by Contra Costa County pursuant to the AVSP. Build out of these existing and approved subdivisions would increase the number of lots within the annexation area from 155 to 183 parcels. Additionally, there are nine parcels that could potentially be further subdivided resulting in a maximum of ten new parcels (please refer to Attachment G).

Consultants, UP Partners, prepared the Initial Study on behalf of the City of Martinez and determined that the proposed annexation project would not increase or substantially change the allowed density or scale of development when compared to existing conditions or existing County policies and regulations. In addition, the annexation project would not result in the expansion of utilities and infrastructure, and as a result the project would not induce new urban development in the area (see discussion in Section Q, Utilities). Neither existing County regulations nor the City's proposed regulations for the proposed annexation area would allow for more than ten new parcels (that could be subdivided from existing lots in the annexation area) to be established. In addition, existing policies in the AVSP intended to avoid or mitigate environmental effects would continue to apply to the annexation area, as the City would carry those policies over to the proposed Alhambra Valley Zoning Districts and General Plan Amendments and designations as a component of the project. In this sense, the contents of the proposed zoning regulations and General Plan amendments would be consistent with current AVSP goals and policies intended to avoid or mitigate

environmental effects. Future development that could occur would be of a small scale (on a maximum of ten new parcels), and would occur within an already developed residential neighborhood. As described throughout the document, impacts that could occur as a result of this development would be individually negligible, and thus would not contribute to a cumulatively considerable impact.

Based upon the findings in the Initial Study, staff has determined that the proposed annexation project will not have a significant impact on the environment and that a Negative Declaration is the appropriate document to complete the CEQA process.

FISCAL CONSIDERATIONS:

Several property owners have inquired if they would be subject to any additional taxes if the annexation is approved by LAFCO. The only tax increase that Alhambra Valley property owners would be subject to is the City's Measure H Park Bond. This is an existing bond to support the construction of a new aquatic facility, expansion of the existing library and renovation of all 16 city parks that was approved by Martinez voters in November, 2008. Each property owner is charged $34.79 per $100,000 of assessed value and the measure is in effect for approximately 30 years or less.

CONCLUSIONS:

City staff, based upon direction from the City Council, has developed a new land use framework that will implement the Council's commitment to annex a portion of the Alhambra Valley consistent with the County's adopted AVSP. The Initial Study provides the documentation, pursuant to CEQA, that there is no significant environmental impact created by the implementation of the new land use regulations and the ultimate annexation of a portion of the Alhambra Valley. Staff recommends that the Planning Commission recommend to the City Council the adoption of the proposed land use and regulatory changes listed at the beginning of the staff report and to proceed with the LAFCO annexation process.

ATTACHMENTS:

Attachment A- Area Location Map
Attachment B - Map of Proposed Alhambra Valley Annexation Area
Attachment C- Contra Costa County Existing Land Use Map (General Plan)
Attachment D- Proposed City of Martinez Land Use Map for annexation area
Attachment E- Contra Costa County Existing Zoning Map
Attachment F- Proposed City of Martinez AV Zoning Map for annexation area
Attachment G- Map of Potentially Subdividable Lots
Attachment H- Proposed General Plan Amendments and Maps
Attachment I – Proposed Zoning Ordinance Amendments