

RESOLUTION NO.-10

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARTINEZ
AMENDING THE MARTINEZ GENERAL PLAN TO ADOPT POLICIES AND
LAND USE DESIGNATIONS APPLICABLE TO THE ALHAMBRA VALLEY
ANNEXATION AREA AND TO AMEND THE GENERAL PLAN LAND USE MAP
TO APPLY SAID LAND USE DESIGNATIONS TO THE ANNEXATION AREA
GPA #10-01**

WHEREAS, the City of Martinez has initiated the process to annex a portion of Contra Costa County that is subject to the Alhambra Valley Specific Plan. The process is collectively known as the Alhambra Valley Annexation Project and includes an area located in the central portion of Contra Costa County, 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 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; and

WHEREAS, in order for the City of Martinez to annex the area into the City, it will need to take the planning and policy actions listed below that collectively make up the Alhambra Valley Annexation Project ("Project"):

- Adopt a Negative Declaration pursuant to the California Environmental Quality Act (CEQA);
- Amend the Martinez General Plan Land Use Element and Land Use Map to incorporate four new land use designations;
- Amend the Martinez General Plan Land Use Element, Scenic Roadways Element, Parks and Recreation Element and Transportation Element to add new policies relating to the Alhambra Valley annexation area;
- Amend the Martinez Zoning Ordinance to include a new chapter: the Alhambra Valley Districts which will contain four new zoning districts and regulations applicable thereto;

- Amend the Martinez Zoning Map to show the annexation area and the new Zoning Districts for the annexation area;
- Approve Pre-Zonings and General Plan Land Use designations for the properties to be annexed;
- Amend the Zoning Ordinance to incorporate approval of and approve the Alhambra Valley Design Guidelines;
- Approve a City-Initiated Contra Costa Local Agency Formation Commission (LAFCO) application; and

WHEREAS, in addition, in order to complete the annexation of the area into the City of Martinez, LAFCO will need to take the planning and policy actions listed below:

- LAFCO processing and approval of City's annexation application; and

WHEREAS, pursuant to CEQA the City has conducted an Initial Study to evaluate the Project's potential impacts on the environment; and

WHEREAS, on the basis of said Initial Study, a Negative Declaration has been prepared; and

WHEREAS, on April 16, 2010 the City provided a Notice of Intent to adopt a Negative Declaration to the public, responsible agencies, trustee agencies, and the county clerk in which the Project is located as well as all persons requesting notice, and published said notice in a newspaper of general circulation as required by law; and

WHEREAS, the Planning Commission of the City of Martinez held a duly noticed public hearing on May 25, 2010, listened to testimony from the public, and continued the item to a date uncertain; and

WHEREAS, the Planning Commission held the continued duly noticed public hearing on June 29, 2010 and considered all oral and written comments received at or prior to the public hearings on the matter and directed staff to return with a resolution; and

WHEREAS, the Planning Commission held a continued duly noticed public hearing on August 10, 2010 to consider draft resolutions, and considered all oral and written comments

received at or prior to the public hearings on the matter and recommended denial of the proposed project; and

WHEREAS, by the adoption of Resolution _____, the City Council has adopted the Negative Declaration prepared for the proposed Project; and

WHEREAS, the Record of Proceedings ("Record") upon which the City Council bases its decision herein, includes, but is not limited to: (1) the Initial Study and Negative Declaration, and the technical reports cited in and/or relied upon in preparing the Initial Study and Negative Declaration, (2) all staff reports, City files and records and other documents prepared for and/or submitted to the City relating to the Initial Study and Negative Declaration, (3) the City of Martinez General Plan, its related EIR and the Martinez Municipal Code, (4) all documents, designs, plans, studies, data and correspondence submitted in connection with the Initial Study, Negative Declaration or the Project, (5) all documentary and oral evidence received at public hearings or submitted to the City during the comment period relating to the Initial Study, Negative Declaration or the Project, (6) prior CEQA documents prepared relating to the Project site, and (7) all other matters of common knowledge to the City, including, but not limited to, City, State and Federal laws, policies, rules, regulations, reports, records and projections related to development within the City and its surrounding areas. The location and custodian of the Record is the City of Martinez Planning Manager, 525 Henrietta Street, Martinez, CA.

NOW, THEREFORE, the City Council of the City of Martinez finds and resolves as follows:

1. That the above recitals are found to be true and constitute part of the findings upon which this resolution is based.
2. That the City Council has considered the Initial Study and adopted Negative Declaration before making its decision on the Project as set forth herein.
3. That the Project and each and every action which is a part thereof is consistent with the Martinez General Plan and that the General Plan Amendments which are a part of the Project are internally consistent with the remaining

portion of the General Plan and adopts the findings relating thereto as set forth in Exhibit A, attached hereto and incorporated herein by reference.

4. Based on the Record and the findings set forth herein, the City Council hereby amends the Martinez General Plan Land Use Element to incorporate the four new land use designations by adding the language attached hereto as Exhibit B and incorporated herein by reference.

5. Based on the Record and the findings set forth herein, the City Council hereby amends the Martinez General Plan Land Use Element, Scenic Roadways Element, Parks and Recreation Element and Transportation Element to add the new policies relating to the Alhambra Valley as set forth in Exhibit C, attached hereto and incorporated herein by reference.

6. Based on the Record and the findings set forth herein, the City Council hereby amends the Martinez General Plan Land Use Map to incorporate the four new General Plan land use designations and apply those designations to the properties to be annexed as set forth in Exhibit D, attached hereto and incorporated herein by reference.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of December, 2010 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

EXHIBIT A

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:

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.

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 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.

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 asset 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 proposed 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.

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.

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 Alhambra Valley Specific Plan's policies of assuring that 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.

EXHIBIT B

LAND USE ELEMENT (1973)

21.7 ALHAMBRA VALLEY

21.71 LAND USE DESIGNATIONS

Four types of land use designations are established for the Alhambra Valley Annexation, as shown in Figure F 21.7, *Land Use Policy*.)

21.711 Estate Residential – Very Low: 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.

21.712 Estate Residential – Low: 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.

21.713 Agricultural Lands: 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.

21.714 Open Space: 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.

EXHIBIT C

LAND USE ELEMENT (1973)

21.7 ALHAMBRA VALLEY

21.72 AGRICULTURAL LAND USE INTERFACE POLICES

The City acknowledges the rural residential character of Alhambra Valley and actively supports the continuation of agricultural activities within the portion of the Valley within the City's jurisdiction. The City fully encourages the retention and maintenance of existing agricultural uses as long as they prove to be viable economic pursuits, while acknowledging potential land use conflicts with nearby or adjacent urban uses. The following goals and policies are indented to minimize and resolve conflicts between agricultural and urban uses.

GOAL – Encourage the preservation of existing agricultural businesses and minimize and resolve conflicts between agricultural and urban uses.

21.721 Agriculture shall be protected to maintain the semi-rural atmosphere and to retain a balance of land uses in Alhambra Valley.

22.722 Adopt and maintain regulations for new development that ensure its compatibility with agricultural uses.

21.723 Allow only development that is compatible with existing agricultural, residential and open spaces uses.

21.724 Require adequate (such as a minimum 60 foot) setback for structures located within or adjacent to cultivated agricultural areas.

21.725 Inform and educate perspective home buyers in or near agricultural areas regarding the nuisance and hazards associated with nearby agricultural practices.

21.726 Agriculture shall be protected from nuisance complaints from non-agricultural land uses.

21.73 RESOURCE PRESERVATION AND NEW DEVELOPMENT

Alhambra Valley is characterized by its natural creeks and hillsides, and the perception of the many scenic vistas and areas of significant topographic variation of the landscape seen throughout the Valley. Views of ridgelines and hills form the backdrop for most of the Valley. These views help reinforce the rural residential feeling of Alhambra Valley and provide an important balance between the rural atmosphere and low-density residential areas within and just outside the valley.

21.731 – GOAL: Preserve and enhance both the natural and man-made environmental in Alhambra Valley.

21.7311 Structures shall be designed to blend into, rather than dominate the natural setting, especially on ridgelines. The massing of new dwellings should be compatible with the natural setting.

21.7312 Only allow development which is sensitive to available natural resources and features. New development shall generally conform with natural contours and avoid excessive grading.

21.7313 Hilltop ridges, rock outcroppings, mature stands of trees and other natural features shall be preserved to the greatest extent possible in the design of new projects.

21.7314 Require development proposals to include an environmentally-superior design alternative as part of the environmental review process.

21.732 – GOAL: Restrict development in environmentally sensitive areas.

22.7321 Adopt and maintain flood safety regulations to protect floodplain environments and restrict development in flood area.

22.7322 Adopt and maintain hillside development regulations that reduce the environmental risks associated with the grading of steep slopes by reducing the maximum permitted density of sloping sites, and generally prohibiting new development on very steep sites, such those over 30%.

22.7323 Slope stability shall be a primary consideration in the ability of land to be developed. Allow no development in landslide areas unless the area is stabilized through high-quality engineering design and construction as approved by the City.

21.733 – GOAL: Enhance watercourses and associated riparian habitat to their natural state to restore water quality, wildlife diversity, aesthetic values and recreation opportunities.

22.7331 Require a creek setback for any development proposal along a creek or natural watercourse.

22.7332 Require new development proposed along a creek or natural watercourse to prepare and implement a creek preservation plan.

21.734 – GOAL: Minimize air, water noise and soil pollution in Alhambra Valley.

22.7341 Protect perennial and intermittent streams from pollution caused by dumping, sewage seepage, laundry water or siltation.

22.7342 Encourage the energy efficient features in new development.

21.735 – GOAL: Ensure that new public service facilities, which are needed to provide adequate levels of service within Alhambra Valley, are sensitive to the natural setting.

22.7351 Dedication of public roads in unstable hillside areas shall not be accepted by the City.

22.7351 Require new development to provide on-site storm eater and drainage facilities which accommodate full buildout and consider a range of design alternatives.

22.7352 Control erosion in natural watercourses where creek capacity and bank stability necessitate, as per applicable creek preservation and improvement plan.

21.736 – GOAL: Preserve areas of high scenic value and the rural-residential atmosphere in the area.

22.7361 Adopt and maintain regulations and design standards for new residential development and which maintain the rural residential atmosphere in Alhambra Valley

21.7362 To the extent feasible, scenic features should be protected or maintained, either through land dedication to a public agency or through the granting of scenic or conservation easements.

21.7363 High quality engineering of slopes shall be required to avoid soil erosion, downstream flooding, slope failure, loss of vegetative cover, high maintenance costs, property damage and damage to visual quality.

21.7364 In order to conserve the scenic beauty of Alhambra Valley, developers shall generally be required to restore the natural contours and vegetation of the land after grading and other land disturbances. Public and private projects shall be designed to minimize damage to significant trees and other visual landmarks.

21.7365 Extreme topographic modification, such as filling in canyons or removing hilltops shall be avoided. Clustering and planned development approaches to development shall be encouraged. All future development plans, whether large-scale or small-scale, shall be based on identifying safe and suitable sites for buildings, roads and driveways.

21.7366 The construction of new structures on the top of scenic ridges or within 50 feet of the ridgeline shall be discouraged.

21.7367 Enhance and protect access to established scenic routes through the development of trails and other facilities.

New projects shall be designed to blend in with the rural setting of Alhambra Valley as much as possible. The use of fire resistant materials shall be encouraged.

21.7369 New buildings which are proposed in highly visible areas, such as on hillsides, shall be sited, designed and landscaped so that supporting columns, piers and building undersides are not visually dominant.

21.73610 The use of scenic easements shall be encouraged to protect agricultural and park lands which abut land with urban land use designations.

22.73611 Preserve the visually open character of Alhambra Valley and Reliez Valley Roads by adopting and maintaining regulations that restrict the use of solid fencing and encourage the use of low, open rail type fencing.

22.73612 New development should complement the existing environment in terms of form, scale and physical appearance. Structures should complement the existing topography to the greatest extent possible while reducing visual impacts of such development through the use of landscaping and siting techniques.

SCENIC ROADWAYS ELEMENT (1973)

27.2 SCENIC ROADWAYS

(27.21-27.25 unchanged, with Alhambra Valley and Reliez Valley Roads currently listed as Scenic Roadways)

27.26 As shown in Figure F 27.1, *Scenic Roadways and Valley Gateways*, additional scenic roadways in Alhambra Valley include: Vaca Creek Road from its junction with Alhambra Valley Road through its junction with Stonehurst Drive and a portion of Stonehurst Drive from its junction with Vaca Creek Road westward. The visual quality of these roadways should be preserved with special regard to the scenic unity of the Alhambra Valley.

27.28 Two intersections in Alhambra Valley are designated as Valley Gateways and the existing views from these gateways should be preserved. As shown in Figure F 27.1, *Scenic Roadways and Valley Gateways*, these gateway intersections are Alhambra Valley Road at Reliez Valley Road and Alhambra Valley Road at Vaca Creek Road.

27.3 POLICIES - GENERAL

(27.31-27.36 unchanged)

27.4 POLICIES – ALHAMBRA VALLEY

27.41 To the extent possible, improve and maintain the aesthetic views from and natural features which occur along scenic corridors.

27.42 To the extent practical, enhance public access from scenic routes to parks, trails and other public attractions.

27.43 Enhance views from designated Alhambra Valley Gateways, which include Alhambra Avenue at Alhambra Valley Road; Alhambra Valley Road at Reliez Valley Road; and Alhambra Valley Road at Vaca Creek Crossing.

27.44 Acknowledge that the existing trees along Alhambra Valley and Reliez Valley Roads significantly contribute to these scenic corridors and all efforts shall be made to preserve them.

27.45 For that portion of Alhambra Valley Road which is between Reliez Valley Road and Alhambra Creek Road, and which is under the City's jurisdiction, prior to the construction of any major City funded improvements, a scenic corridor improvement plan shall be developed by the City. The improvement plan shall conform to the General Plan's Transportation Element and will:

- provide an inventory identifying mature trees and other significant vegetation which could be affected by future road improvements. This inventory should be used to develop the overall scenic corridor improvement plan.
- provide a plan to underground aerial transmission lines.
- provide an opportunity for neighborhood groups and Contra Costa County to comment on the proposal prior to the commencement of construction activity)

PARKS AND RECREATION ELEMENT (1973)

23.2 POLICIES

(23.21-23.30 unchanged)

23.31 Trails in Alhambra Valley. A public trail system which ties into proposed trails should be developed and maintained, as shown in Figure F 23.1, *Public Trails and Historic Sites*. Trails provide a linear corridor that is primarily intended for pedestrian, equestrian and bicycle use.

23.32 Historic structures in Alhambra Valley should be protected. These structures include the Altamarino Adobe, as shown in Figure F 23.1, *Public Trails and Historic Sites*. Any development proposals which are processed adjacent to this facility shall be designed to provide for the enhancement and preservation of this resource.

TRANSPORTATION ELEMENT (1992)

Amending CHAPTER 3, BIKEWAYS, Bikeway Plan, Connections to Regional System with addition of the following:

Alhambra Valley Road: This proposed Class III bike path will connect with the Reliez Valley Road bike path westward to Bear Creek Road and Castro Ranch Road, as shown in Figure F 23.1, *Public Trails and Historic Sites*.

Amending CHAPTER 4, PROPOSED STREET PLAN, Street Locations and Cross-Sections with addition of the following:

Alhambra Valley Annexation Area

Alhambra Valley Road Improvements. The road width for the northern leg of Alhambra Valley Road and Reliez Road shall generally be 32 feet in width. Road improvement priority should be given to the continuous segment of Alhambra Valley Road and Alhambra Avenue from the Reliez Valley Road intersection to the Santa Fe Railroad Trestle. In areas which were already developed, it may not be feasible to acquire an 80 foot right-of-way. In these instances, the right-of-way may be as narrow as 60 feet and provide those improvements which are shown in Figure 4-3, Road Improvements, Alhambra Valley Annexation Area.

The improvements include travel lanes and shoulders, trails and drainage facilities. The right-of-way for Alhambra Valley Road (both north and west legs) shall generally be 80 feet in width. Right-of-way shall be preserved and acquired as necessary. There are many heritage quality trees along Alhambra Valley Road. All road improvements shall attempt to preserve these resources.

Reliez Valley Road Improvements. Reliez Valley Road represents the eastern section of the primary travel corridor through the planning area. The right-of-way width for the segment of Reliez Valley Road within Alhambra Valley Annexation shall be approximately 84 feet. Safety and related improvements to these roadways shall be made which preserve the rural-residential character of the corridor. Proposed improvements include construction of drainage; road shoulders; separated trail improvements; turning lanes; repaving/reconstruction of the existing roadbed as necessary; and landscape improvements. Like Alhambra Valley Road, Reliez Valley Road contains many heritage quality trees. All efforts shall be made to preserve them.

In these instances, the right-of-way may be as narrow as 60 feet and provide those improvements which are shown in Figure 4-3, Road Improvements, Alhambra Valley Annexation Area. The improvements include travel lane and shoulders, trails and drainage facilities.

Alhambra Valley and Reliez Valley Roads – Safety

Limitations on Number of Access Points. Access points and driveways onto Alhambra Valley and Reliez Valley Roads shall be minimized.

Limitations and Restrictions on Construction Traffic. Construction activity associated with development projects shall be regulated as follows:

Use of Alhambra Valley and Reliez Valley Roads by load-bearing construction trucks shall be minimized;

Damage to Alhambra Valley and Reliez Valley Roads which is caused by construction activity shall be mitigated; and

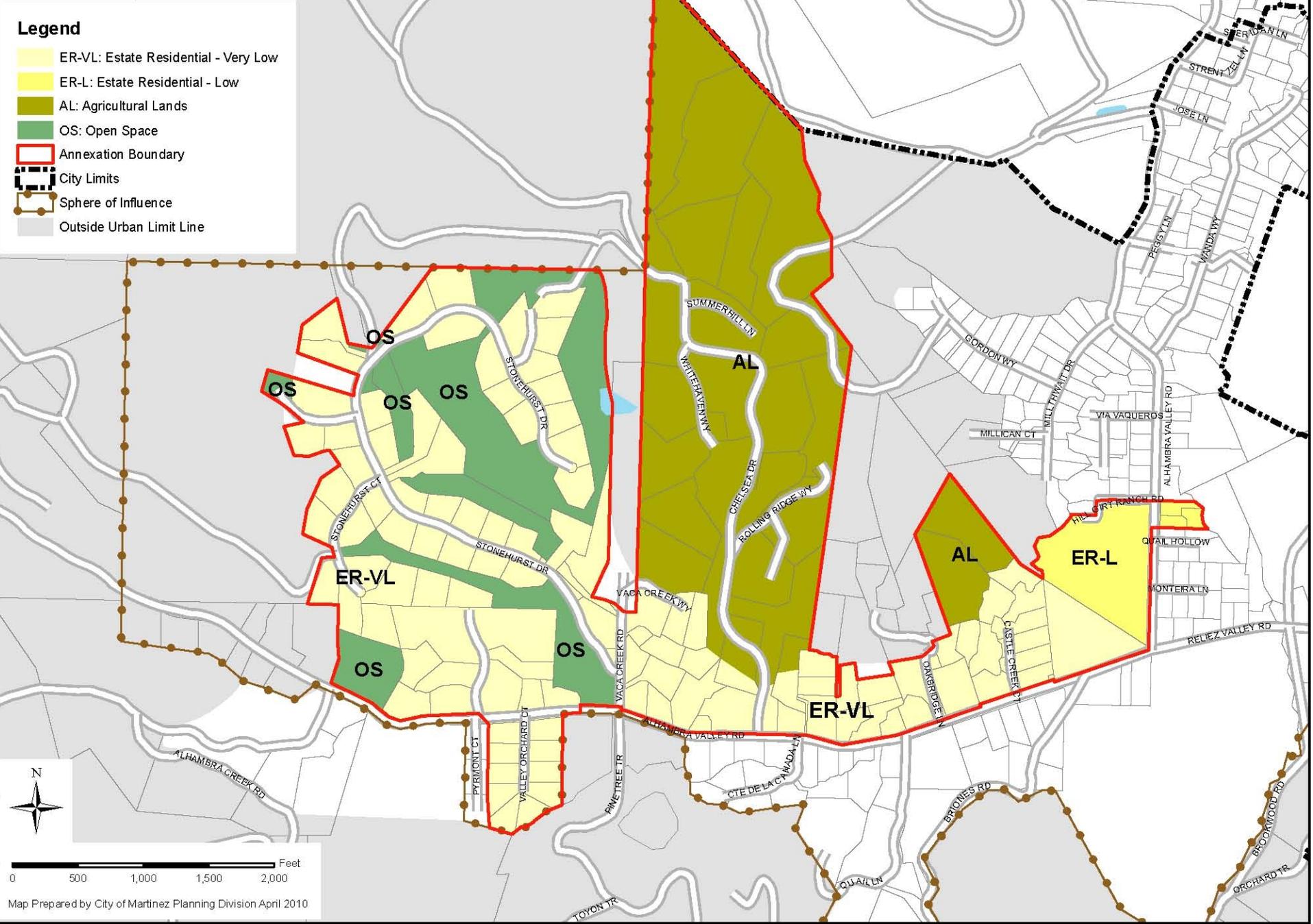
Noise and dust impacts generated by construction activity shall be mitigated.

Limitations on Travel Speeds. Road signs shall maintain safe travel speeds and discourage through traffic from using the local streets adjacent to Alhambra Valley and Reliez Valley Roads.

Alhambra Valley and Reliez Valley Roads – Scenic Corridor Improvement Plan.

Prior to construction of any major City funded improvement, a scenic corridor improvement plan shall be developed by the City. Neighborhood groups and the County of Contra Costa shall be provided an opportunity to comment on the proposed improvement plan prior to the commencement of any construction activity. Development proposals within the Alhambra Valley Annexation Area may be required to pay a fee which would be used to develop and implement the scenic corridor improvement plan.

**Figure F 21.2 Land Use Policy
Alhambra Valley Annexation**

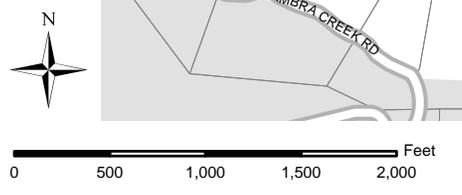
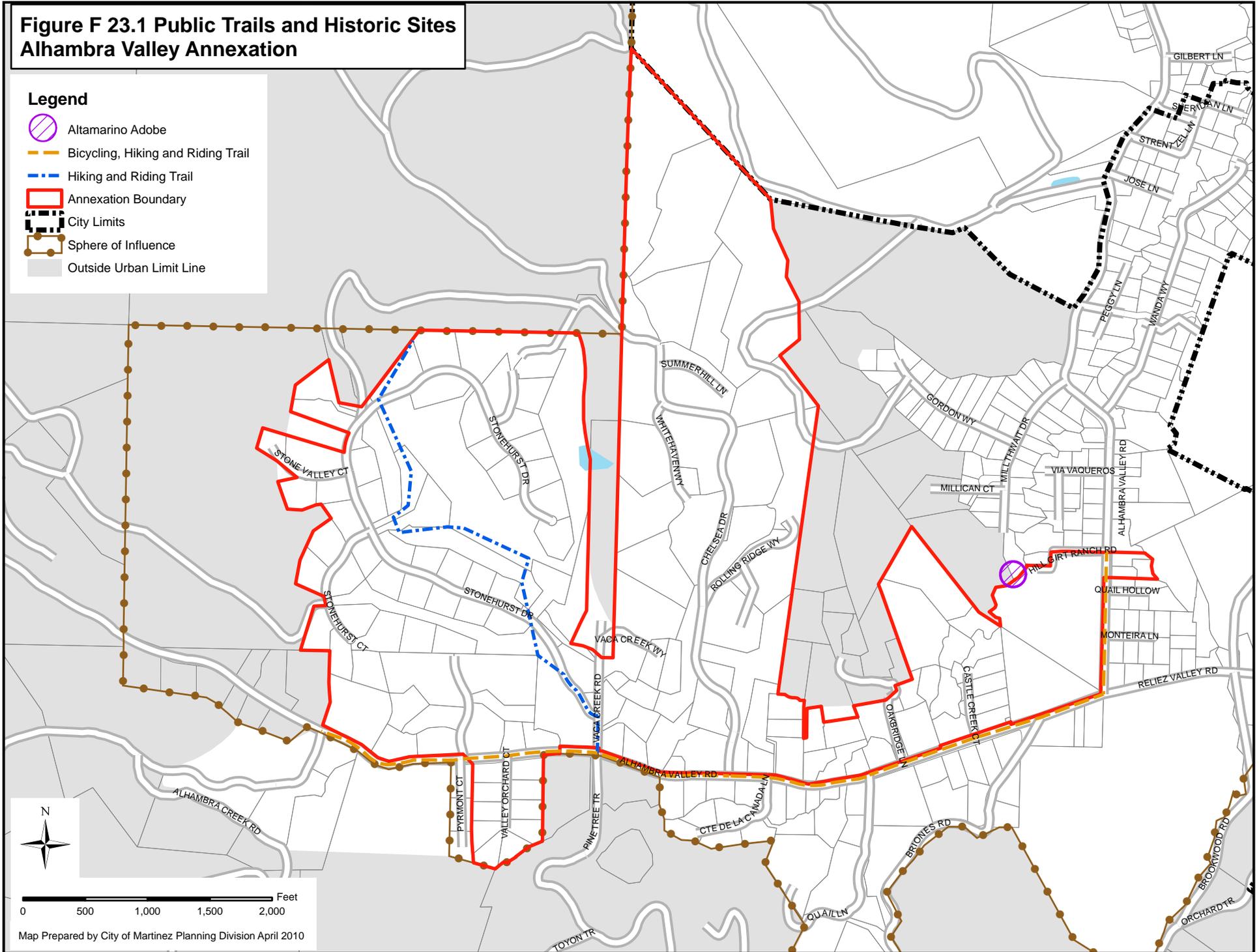


Map Prepared by City of Martinez Planning Division April 2010

**Figure F 23.1 Public Trails and Historic Sites
Alhambra Valley Annexation**

Legend

-  Altamarino Adobe
-  Bicycling, Hiking and Riding Trail
-  Hiking and Riding Trail
-  Annexation Boundary
-  City Limits
-  Sphere of Influence
-  Outside Urban Limit Line



Map Prepared by City of Martinez Planning Division April 2010