

## **ERRATA — Modifications to the December 22, 2009 City of Martinez Draft Housing Element**

*Based on HCD Technical Assistance of February 4, 2010 (See “Responses to HCD Technical Assistance”) and Responses to the HCD Review Letter Dated February 18, 2010 (See “Summary, Responses/Modifications to the Draft Housing Element Based on HCD Comments”), and additional modifications based on discussions with HCD staff.*

*ERRATA Prepared August 24, 2010*

### **Page 30**

Modify Housing Element Program 1 on page 30, as follows:

**1 Review the Housing Element Annually.** As required by State law, the City will review the status of Housing Element programs by April of each year, beginning April 2011. The review would cover the status of implementing actions, accomplishments, and a review of housing sites identified in the Housing Element. In particular, the annual review will cover development assumptions and actual development activity on sites by assessing projected development potential compared to actual development approval and construction. This will also include residential units anticipated on mixed use zoned sites. The intent of the annual review is to maintain adequate sites during the Housing Element planning period.

*Responsibility:* Community and Economic Development Department; Planning  
*Commission:* City Council  
*Timing:* Annual review  
*Funding:* General Fund  
*Target:* Review and monitoring of Housing Element implementation; submittal to HCD.

### **Page 39**

Modify Housing Element Program 15 on page 39, as follows:

**“15 Continue to Implement the Downtown Specific Plan.** Continue to implement the programs, policies and development standards ~~for the Downtown~~ to facilitate and encourage residential development in the downtown area. This would include the implementing actions contained in the Downtown Specific Plan, such as actions to promote walk-ability, development incentives, financing and funding mechanisms, and other policies and actions contained in the Downtown Specific Plan to encourage infill, higher density, and mixed-use development. The Downtown Specific Plan identifies “priority catalyst projects” to help achieve the goals and policies of the Specific Plan. Specific incentives contained in the Downtown Specific Plan and identified as catalyst projects include:

- (1) Zoning changes as a result of the Downtown Specific Plan adoption encourage development of townhomes and condominiums, which were not allowed under previous Zoning regulations;

- (2) Improvements to infrastructure, including the utility grid; and,
- (3) Evaluation of financing and funding mechanisms to implement the Downtown Specific Plan, including Housing Element Program 9 to “Consider Establishment of a Redevelopment Area.”

Further, to promote residential development affordable to lower income households in the Downtown Specific Plan, the City will target a variety of support, including expediting and prioritizing review, coordinating applications with the project review committee, consider waivers or reductions of fees, or grant concessions and incentives beyond density bonus law and specifically meet with developers including non-profit to identify and implement target sites and strategies at least twice in the planning period. As part of this effort, the City will apply or support applications for funding at least twice in the planning period, annually monitor the effectiveness of the strategy and add or revise programs as necessary to promote affordability in the Downtown Specific Plan.

**Page 40**

Add the following to Program 18 on page 40 of the December, 2009 Draft Housing Element:

**“18 Provide Expedited Review, and Fee Reductions, and Other Support for Affordable Housing.** Continue to provide expedited review of affordable housing developments through the coordinating activities of the Project Review Committee, and give priority to such projects in scheduling meetings of the Design Review Committee, Zoning Administrator, and Planning Commission to maintain a shortened review period and evaluate recommendations to avoid constraints on production of affordable housing. The City will also consider waivers or reductions of development fees where feasible as a means of promoting the development of housing affordable to extremely low, very low, and low income households. In addition, the City will review funding options as part of the annual Housing Element review as described in Program 1, and will apply for funding or support funding applications as opportunities are available, and will undertake other actions (such as modifications to parking requirements and granting concessions and incentives) to assist in the development of housing for extremely low income households.

*Responsibility:* Community and Economic Development Department; City Council  
*Timing:* ~~Ongoing~~ Annual Review as part of Housing Element Program 1 and apply for funding at least twice in the planning period  
*Funding:* General Fund  
*Target:* Incentives for affordable housing.”

**Page 41**

Modify Program 22 as follows:

“22 **Enact Zoning for Emergency Shelter for the Homeless.** The City will establish zoning to allow emergency shelters for the homeless as a permitted use within the NC (Neighborhood Commercial), CC (Central Commercial), and R-1.5 (High-density residential) zoning districts, excluding the Downtown Specific Plan area, where the property is located within one-quarter mile of a transit stop. Zoning will also be established to allow religious facilities to open a permanent, year-round shelter with a use permit. In addition, the City will establish development standards that encourage and facilitate the use and only subject shelters to the same development and management standards that apply to other allowed uses within the identified zones above. The City will also establish written and objective standards, as allowed in State law, for the following:

- (1) Maximum number of beds;
- (2) Off-street parking based upon demonstrated need;
- (3) Size and location of on-site waiting and intake areas;
- (4) Provision of on-site management;
- (5) Proximity to other shelters;
- (6) Length of stay;
- (7) Lighting; and,
- (8) Security during hours when the shelter is open.”

*Responsibility:* Community and Economic Development Department; City Attorney; Planning Commission; City Council

*Timing:* 2010

*Funding:* General Fund

*Target:* Zoning Ordinance amendment.”

**Page 41**

Modify Program 23 on page 41 of the December, 2009 Draft Housing Element as follows:

“23 **Enact Zoning for Transitional, Supportive and Special Needs Housing.** Amend residential zones to specifically allow transitional and supportive housing, as required by State law, so they are treated as a residential use that will be subject only to the same restrictions that apply to other residential uses of the same type in the same zone. In addition, remove or revise the definition of family contained in the City of Martinez Municipal Code, which appears not to be in compliance with California Fair Housing Law and may pose a constraint to providing housing for people with disabilities. To be compliant, the definition of family cannot distinguish between related and unrelated persons, and should not impose numerical limitations on the number of persons that may constitute a family.”

*Responsibility:* Community and Economic Development Department; City Attorney; Planning Commission; City Council

*Timing:* 2010  
*Funding:* General Fund  
*Target:* Zoning Ordinance amendment.”

**Page 42**

Add the following new program after Program 25 on page 42 to address multi-family parking requirements:

**“26 Revise Multi-Family Parking Requirements.** Simplify and consolidate the City’s requirements for Off-Street Parking for multi-family housing for both City-wide and the Downtown Overlay District to be more in sync with actual demand and current best practices. This would include reductions in requirements for the number of covered and non-covered spaces for one-bedroom units in multi-family housing projects.”

*Responsibility:* Community and Economic Development Department; City Attorney; Planning Commission; City Council  
*Timing:* 2010  
*Funding:* General Fund  
*Target:* Zoning Ordinance amendment.”

**Page 42**

Add the following new program after Program 25 (and new 26) on page 42 to address zoning for group homes for seven or more persons:

**“27 Modify Requirements for Group Homes for Seven or More Persons.** Amend the Zoning Ordinance to allow group homes for seven or more persons with a Conditional Use Permit in additional residential zones.”

*Responsibility:* Community and Economic Development Department; City Attorney; Planning Commission; City Council  
*Timing:* 2011  
*Funding:* General Fund  
*Target:* Zoning Ordinance amendment.”

**Page 75**

Modify page 75 of the December 22, 2009 Draft Housing Element as follows:

“The approach recommended in the Housing Element is for the City to designate locations within the NC (Neighborhood Commercial), CC (Central Commercial), and R-1.5 (High-density residential) zoning districts, exclusive of the Downtown Specific Plan area, where emergency shelters for the homeless are allowed “by right.” It is also recommended that any property must be located within a one-quarter mile of a transit stop, since this could be considered a reasonable distance for a person to walk to/from a transit stop to/from a facility. In addition, the Housing Element recommends that if a property containing a

religious facility wants to open a permanent, year-round shelter that a use permit be required.

Under the proposed zoning designation under the criteria described above, a total of 274 acres of land in the City of Martinez would qualify as allowing an emergency shelter for the homeless as a use allowed “by right,” and not subject to discretionary review. Parcel sizes ranges from smaller parcels (generally 0.25 – 0.70 acres in size) to larger parcels (up to 13.0 acres in size). The area designated provides sufficient opportunity for a facility for the homeless to be built in compliance with SB2 requirements.

The map below shows potential locations within one-quarter mile of a transit stop where an emergency shelter could be allowed without a conditional use permit or other discretionary action. The identified locations have a realistic potential for redevelopment or reuse, and have access to transportation and services. As part of the rezoning action, the City will establish written and objective standards, as allowed in State law, covering:

- Maximum number of beds
- Off-street parking based upon demonstrated need
- Size and location of on-site waiting and intake areas
- Provision of on-site management
- Proximity to other shelters
- Length of stay
- Lighting
- Security during hours when the shelter is open”

*Replace the map on page 76 with map below which shows potential homeless facility sites — in green — in compliance with SB2 requirements.*



**Page 82**

Modifications to Appendix A, pages 1-12, which are attached, include General Plan land use and Zoning designations, and a legend for the Zoning categories. In addition, modify the last paragraph and table on page 82 as follows:

“Since Martinez has adequate sites currently zoned at 30 units/acre no further analysis is required to establish the adequacy of the density standard for lower income sites, and this standard is used in this Housing Element. In addition, there must be adequate sites to address the City’s total housing need for the 2007-2014 planning period of 1,060 units. Based on the review of realistic development capacity of potential housing sites (see Appendix A), the City has sufficient sites currently planned and zoned at adequate densities to meet its total RHNA for the 2007-2014 planning period, and the need for lower income housing. This is shown in the table below.

**Summary of Residential Development Capacity in Martinez (2007-2014)  
On Sites Currently Zoned for Residential Use**

<b>Site Conditions</b>	<b>Sites Greater than 30 Units/Acre</b>	<b>Sites Less than 30 Units/Acre</b>	<b>Total Units</b>
Vacant Residential	60	538	598
Vacant Mixed Use	95	427	522
Underutilized Sites	284	86	370
<b>Total</b>	<b>439</b>	<b>1,051</b>	<b>1,490</b>

*Note: The realistic development capacity on specific housing sites is shown on the tables in Appendix A under “Potential Units — Maximum.” The projected residential development capacity of mixed use sites assumes a mixture of residential and non-residential development.*

Source: City of Martinez, 2009

**Page 90**

Add the following as a new sub-section before the section entitled “Recent Approvals Under the Downtown Specific Plan” on page 90:

**“Downtown Specific Plan Implementation Actions**

Implementation of the Downtown Specific Plan (adopted July 2006) is a very high priority for the City. Chapter 16 of the DSP contains a number of implementing actions to facilitate and encourage residential development in the downtown area. Actions cover “priority catalyst projects” (such as changes to land use regulations), and financing and funding mechanisms. In addition, the Downtown Specific Plan contains a number of supporting policies to encourage infill, higher density, and mixed-use development, including density bonuses, financing incentives, lot consolidation incentives, etc. The success of the Downtown Specific Plan is underscored by recent City approvals, is described below.

The Downtown Specific Plan focuses on 32 opportunity sites in the downtown. The proposed new uses include single family housing, townhouses, multifamily housing, live-work lofts, additional retail space, and additional office space. The firm of Strategic Economics conducted a market feasibility of downtown uses and development potential under the Downtown Specific Plan in 2004. While market conditions have changed since then, the conclusions of the market analysis remain the same. The sites identified in the Housing Element reflect that “. . . land prices for this type of development (multi-family, townhomes, and live-work units) provide incentives for owners and developers to revitalize opportunity sites.” Based on market conditions, and regulatory incentives, potential redevelopment of sites in the downtown are realistic assumptions during the planning period of the Housing Element (2007-2014).”

**Page 92**

Modify page 92 of the December, 2009 Draft Housing Element as follows:

**“Environmental and Infrastructure Conditions**

The recent EIR prepared for the Downtown Specific Plan thoroughly examined development potential, capacity and impacts associated with the Downtown Specific Plan, and the potential cumulative impacts that could happen under build-out of the General Plan. The examination covered such issues as land use, population, transportation, air quality, biological resources, cultural resources, geology, soils, seismicity, hydrology, water quality, hazards, visual resources, etc.

Projections for provision of public and community services in the EIR took into account citywide growth scenarios that could occur under build-out of the General Plan. The conclusion is that no citywide cumulative impacts are anticipated. The same is true of utilities capacity, including water and sewer capacity, which is adequate to address the City’s RHNA during the Housing Element planning period (2007-2014).”

**Page 96-98**

Modify the December 22, 2009 Draft Housing Element beginning on page 96 and through page 98 as follows:

**“Setbacks.** Setback regulations prescribed by City zoning allow for greater flexibility and responsiveness to varying lot sizes and existing neighborhood development. Front yard setbacks range from ten to 50 feet depending on the zoning district. The variable side yard and front yard requirements provide relief for narrow lots and properties located in neighborhoods with physical and topographical features that limit site development to front yard areas. Additionally, certain exceptions to setback requirements are permitted to allow for even greater design flexibility. For example, a reduced rear yard of five feet is allowed for detached accessory structures- such as second dwelling units - which are less than 15 feet

in height.

Summary of Martinez Residential Development Standards (2009)

Zoning District	Lot Coverage	Building Height (feet)	Minimum Yard Setback			Minimum Lot Area (square feet)	Units per Acre
			Frontyard (feet)	Sideyard with two story (feet)	Rearyard (feet)		
R-1.5	40%	30	10	5 (10)	20 (may be reduced to 10 depending on lot)	10,000	29 Units/ac
R-2.5	35%	25	20	5 (10)	25 (may be reduced to 15 depending on lot)	3,500	17 Units/ac
R-3.5	40%	25	20	5 (10)	25	4,000	12 Units/ac
R-6.0	40%	25	20	5 (10)	25	6,000	7 Units/ac
R-7.0		35	20	5 (15)	15	7,000	6 Units/ac
R-7.5	35%	25	20	5 (10)	25	7,500	5 Units/ac
R-10	30%	25	25	5 (12)	25	10,000	4 Units/ac
R-12		35	20	10 (25)	15	12,000	3 Units/ac
R-20	25%	25	25	10 (15)	25	20,000	2 Units/ac
R-40	20%	25	25	15 (25)	25	40,000	1 Unit/ac
R-80	10%	25	50	25 (35)	25	80,000	0.5 Units/ac
R-100	5%	25	50	30 (40)	25	100,000	0.4 Units/ac
RR	5-25%	25	25-50	10-30 (15-40)	25	20,000-100,000	2-0.4 Units/ac

Source: Martinez Zoning Ordinance (available online at [http://www.cityofmartinez.org/depts/planning/rec\\_and\\_app.asp](http://www.cityofmartinez.org/depts/planning/rec_and_app.asp))

Note: Standards of Planned Unit Development district are flexible and can change.

**“Structure Height.** In most zoning districts no residential structure can have more than two stories or exceed 25 feet in height as measured from natural grade. An exception to this 25-foot height maximum allows three stories for multi-family structures up to 30-feet in the R-1.5 district, if designed with two floors over ground level or submerged parking.

Within the Downtown Core Area the Downtown Specific Plan provides for a height limit of 40’, or three stories, and higher with a use permit. The maximum building height in the Downtown Shoreline area is 40 feet, or three stories, for development approved at an R-1.25 density, and 30’ or two stories, for development approved at an R-2.5 density. In some areas, such as transition areas near existing single family residential areas, a two-story maximum height may be determined to be appropriate by the Planning Commission. The Planning Commission may approve taller buildings by use permit.

**Lot Coverage and Floor Area Ratios.** Structure size is mainly regulated by lot coverage maximums specific to each residential zoning district as shown above. The City also imposes a maximum floor area ratio (FAR) of 0.30 for homes located on substandard hillside lots (i.e., lots that are non-conforming to either the base zoning or slope-density standards for minimum site area required) and where the natural slope of the site under the proposed home exceeds 20 percent. No other FAR standards are applied in the City. Lot coverage

permitted by the City could constitute a constraint on small lots to the development of affordable housing. This potential constraint is addressed through the City’s Downtown Overlay District regulations (see below), which allows 45% lot coverage.

**Residential Uses Allowed Under Current Zoning**

P = Permitted Use  
C = Conditional Use

Zoning District	Single Family Detached	Single Family Attached	Multi-family	Residential Care Fewer than 6 people	Residential Care More than 6 people	Emergency Shelter	Single-Room Occupancy	Manufactured Homes	Mobile Homes	Transitional Housing	Second Units
R-1.5	P	P	P	P	C			P	C		P
R-2.5	P	P	P	P	C			P			P
R-3.5	P	P	P	P				P			P
R-6.0	P			P				P			P
R-7.0	P			P				P			P
R-7.5	P			P				P			P
R-10	P			P				P			P
R-12	P			P				P			P
R-20	P			P				P			P
R-40	P			P				P			P
R-80	P			P				P			P
R-100	P			P				P			P
RR	P			P				P			P
DS	P	P	P	P				P			P
P-1	P	P	P	P				P			P
M-29	P	P	P	P	C			P			P

Source: Martinez Zoning Ordinance (available online at [http://www.cityofmartinez.org/depts/planning/rec\\_and\\_app.asp](http://www.cityofmartinez.org/depts/planning/rec_and_app.asp))

**“Parking.** All single-family housing units are required to provide two off-street parking spaces. Two covered spots are required for single-family homes on lots zoned R-6.0 through RR-100, and one covered, one uncovered are required for single-family homes zoned R-1.5 through R-3.5. Multi-family developments are required to provide parking at 2.25 spaces per unit, except that multi-family developments located in the Downtown Overlay District have less restrictive parking obligations with a use permit. Also, in the Downtown Overlay District, parking requirements are based on the specific number of bedrooms, ranging from 1 space for each studio unit, to 2 spaces for a two-bedroom or larger unit. A further reduction in the number of parking spaces required in the DO zone, down to 1 space per unit of any size, may be approved with a use permit. Current parking standards for residential uses are as follows:

**Current City of Martinez Residential Parking Standards**

<u>Dwelling Type</u>	<u>Zoning Districts</u>	<u>Required Parking Spaces Per Dwelling Unit**</u>	
		<u>Covered</u>	<u>Open</u>
<u>Single family</u>	<u>All districts except R-1.5, R-2.5 and R-3.5</u>	<u>2</u>	<u>0</u>
<u>Single family</u>	<u>R--1.5, R--2.5 and R--3.5</u>	<u>1</u>	<u>1</u>
<u>Multiple family*</u>	<u>All districts except sites included in the Downtown Overlay District</u>	<u>1</u>	<u>1 1/4</u>
<u>Multiple family*</u>	<u>Downtown Overlay District (except projects on streets where bike lanes are proposed)</u>	<u>1</u>	
<u>studio</u>		<u>1</u>	
<u>1 bedroom</u>		<u>1</u>	<u>1/2</u>
<u>2+ bedrooms</u>		<u>1</u>	<u>1</u>

Guest Parking: Additional required guest parking spaces shall be 1/4 space if there are over 4 units. The required guest spaces shall be additive and rounded off to the higher number. The Planning commission may approve tandem guest spaces if it can be found that residents will not be inconvenienced by this arrangement.

Source: City of Martinez Municipal Code

The City is currently considering modifications to the requirements for Off-Street Parking for multi-family housing outside the Downtown Overlay District. The proposed changes would simplify, reduce and consolidate multi-family parking requirements City-wide and within the Downtown Overlay District in line with actual demand and current best practices.

In addition, Policy P-1-5 in the adopted Downtown Specific Plan states that ‘in order to encourage residential uses in the Downtown Core, (the City will) develop an ordinance to allow payment of a fee towards construction of a parking structure, in lieu of providing the normally-required onsite parking spaces.’

**Page 100**

Modify page 100 of the December, 2009 Draft Housing Element under mixed uses as follows:

**“Mixed Use (M) Combining District.** The Mixed Use Combining District allows the City to join two or more use districts under the umbrella of a mixed use zone, thereby permitting properties to contain combinations of uses that are permitted individually in each of the underlying zones. The permitted and conditional uses in the Mixed Use District are those allowed in each individual zoning district that has been combined under the Mixed Use

District. Regulations pertaining to density, lot coverage, height and spacing of buildings, yard spaces, open spaces, parking and loading facilities, and other requirements are based on the most restrictive standards of the zoning district included in the combined Mixed Use District. The mixed use area within the Downtown Specific Plan (Downtown Core) allows office, commercial or residential uses with a base allowable maximum “by-right” residential density of 29 units per acre. The Planning Commission may approve densities up to a maximum density of 43 units/acre with a use permit.

While residential use is not a required use, the “by-right” zoning and additional incentives for residential development create significant opportunities for residential development over 30 units per acre. Recent City approvals demonstrate the feasibility and realistic capacity of development under the policies of the Downtown Specific Plan. Included are the recently approved RCD (Resources for Community Development) project, a 49-unit apartment project for low income seniors and the three-unit complex at 231 Main Street (Aiello), which was allowed a density increase subject to the findings of the Downtown Overlay District. An eight-unit complex at 500-528 Berrellesa Street (Villa del Sol) also required a use permit for the density increase above 30 units/acre. It was not subject to the Downtown Specific Plan as the Downtown Specific Plan had not yet been adopted. The 500-529 Berrellesa project required a two-step process to get to the higher density (from 29 units/acre to 35 units/acre) — (1) a zoning district change (to a higher density category), and then, (2) granting of the use permit required in the Downtown Overlay District. With the Downtown Specific Plan in place, that process has been simplified.

All of these projects were found to be superior projects that received approval to exceed the basic allowable densities applicable to their subject Residential Zoning District so they could be built at more than 30 units/acre. The design and appearance aspects of these projects were found to be superior additions to their context because of extensive landscaping, architecture rooted in local styles, and their high level of detailing, building articulation and materials. Superior design, along with the findings described above would be expected of all future projects as well.”

**Page 100**

Modify page 100 of the December, 2009 Draft Housing Element as follows:

**“Housing for Special Needs Populations**

The City permits small group and foster care homes (six or fewer persons) by right according to State laws. The City allows large group homes (7 to 15 persons) subject to a use permit in the R-1.5 and R-2.5 zones. There are no specific development standards required for group homes, other than compliance with zoning, building, and other local health and safety codes and compliance with State licensing requirements. There are over 700 parcels comprising over 600 acres of land in the City that are zoned R-1.5 and R-2.5. More than 50 of these parcels are 1.0 acre in size or more. Most sites are located within

one-third to one-half mile of transit, shopping and recreational services and facilities. It is the City's intent to provide options for the location of large group homes while at the same time assuring the proximity of these homes to needed services and facilities. The location, variety and number of potential sites for large groups homes provides an adequate choice for locating large group homes and is not considered a limiting constraint. Meetings with service providers also supported the location of care facilities near services.

The City does not specifically list homeless shelters, transitional housing, or farmworker housing as permitted or not permitted. With respect to farmworker housing, the City has determined that no significant farmworker housing need exists in Martinez as there are no nearby agricultural-zoned lands that would attract farmworkers.

The City's definition of "family" is contained in Section 22.04.170 (Definition of Family) in the City of Martinez Municipal Code. The current definition is as follows:

*"Family" means an individual or two or more persons related by blood or marriage, or a group of not more than 6 persons, not including servants, who need not be related by blood or marriage, living as a single housekeeping unit. The limitation of a family to 6 persons who need not be related by blood or marriage shall not be applied to a family, otherwise complying with this chapter, with adoptive or foster children."*

According to the HCD website, a legal definition of "family" should not distinguish between related and unrelated persons and should not impose numerical limitations on the number of persons that may constitute a family. The current Municipal Code definition should be reviewed and amended so it is consistent with State and Federal laws and does not preclude special needs housing. The City does not have any spacing or concentration requirements related to group homes for more than 7 persons, so as a result, the issue of concentration poses no constraint to the development of this type of housing."

### **Page 101**

The City recognizes that the time required to process a development proposal can be a barrier to housing production if it is lengthy. The City has streamlined its development review process over the years to make it more efficient, while still providing adequate opportunity for public review and input. Based on experience with recent projects, design review is considered an important step in simplifying and expediting project review, and in achieving community acceptance of higher density and affordable development proposals. The following are modifications to the Housing Element text, beginning on page 101:

#### **"Design Review Process**

The City recognizes that the time required to process a development proposal can be a

barrier to housing production if it is lengthy. Based on experience with recent projects, design review is considered an important step in simplifying and expediting project review, and in achieving community acceptance of higher density and affordable development proposals.

The design review process is set-up to streamline the review of projects. Full staff reports with complete analysis and recommendations are prepared and distributed prior to each meeting of the Design Review Committee. At the meeting, the process involves the refinement of directions and consensus of Committee members regarding project design and any outstanding issues. The intent is to provide clear feedback for the applicant based on objective criteria and the explicit findings that must be made as part of design review. All factors are covered in the staff report prepared for the meeting, along with a staff recommendation. The entire process narrows the focus of controversy and improves community acceptance for projects. Further, it provides clarity for the applicant so that approval takes less time. As a result of recent improvements in design review procedures, projects take significantly less time to process and approve.

Under the current zoning ordinance residential design review is required for various projects. On average the design review process takes about four to six weeks to complete from the date the application is deemed complete. Specific applications requiring design review include:

- Structures proposed on sites with natural slopes greater than 10 percent.
- Visually significant areas.
- Sites adjoining one or more undeveloped parcel under the same ownership.
- Multifamily projects.

Two committees have been established to review project proposals to provide guidance to the applicants in the early stages of development. The Project Review Committee (PRC), composed of representatives from Planning, Building, Engineering and Police staff, usually meets on a weekly basis to review development proposals. The PRC analyzes proposals for compliance with City requirements and provides preliminary feedback on site planning, architecture and public improvements conforming to City standards. This process does not act as a constraint on project development, but rather gives applicants the opportunity to submit projects that are more likely to receive a favorable decision by the Planning Commission or Zoning Administrator, and serves as a tool to expedite the development process.

The Design Review Committee is composed of volunteer design professionals who review the project's architecture, landscape design, and site plan. The Committee usually meets twice per month, and is advisory to the Planning Commission, Zoning Administrator, and Planning Staff. The design review process ensures greater community acceptance of proposed projects by reviewing them against community-accepted standards and assuring

they fit in with the area.

The City's design review standards require projects to be compatible with the surrounding neighborhood in terms of height, bulk, massing and overall design. They require the use of appropriate materials and colors, appropriately designed lighting and landscaping, and parking layout and circulation that maximizes safety and convenience and minimizes negative impacts to the surrounding streets. Finally, they require that new development preserve views from nearby properties where this can be done without severe or undue restrictions on the use of the site, balancing the property rights of the applicant and the surrounding property owners. These standards are detailed and relatively straightforward thus providing applicants clear direction on what is expected of their projects in terms of design.

Below is a listing of the design standards and criteria applied to new development. The standards are intended, as much as possible, to be objective and provide a high level of clarity, direction and certainty for the applicant.

- a. Complying with all other applicable provisions of the Martinez Municipal Code involving the physical development of buildings, structures and property, including use restrictions;
- b. Providing desirable surroundings for occupants as well as for neighbors. Emphasis is placed upon exterior design with regard to height, bulk, and area openings; breaks in the facade facing on a public or private street; line and pitch of the roof; and arrangement of structures on the parcel;
- c. Having a harmonious relationship with existing and proposed neighboring developments avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted;
- d. Using a limited palette of exterior colors; those colors must be harmonious and architecturally compatible with their surrounding environment;
- e. Using a limited number of materials on the exterior face of the building or structure. In addition, all interior surfaces normally visible from public property shall be finished;
- f. Having exterior lighting appropriately designed with respect to convenience, safety, and effect on occupants as well as neighbors;
- g. Effectively concealing work areas, both inside and outside of buildings, in the case of non-residential facilities;
- h. Undergrounding all utility boxes unless it can be shown that they can be effectively screened from the view of the general public.
- i. Designing the type and location of planting with respect to the preservation of specimen and landmark trees, water conservation as set forth in Chapter 22.35, and maintenance of all planting;
- j. Establishing a circulation pattern, parking layout and points of ingress and egress (both vehicular and pedestrian), designed to maximize pedestrian safety and

- convenience and to minimize traffic congestion resulting from the impediment of vehicular movement. When applicable, access for handicapped individuals should be considered;
- k. Ensuring that all signs be designed so that they are in scale with the subject development, and will not create a traffic hazard. Emphasis is placed upon the identification of the use or building rather than the advertising of same;
  - l. Substantially preserving views from nearby properties where this can be done without severe or undue restrictions on the use of the site, balancing the property rights of the applicant and the affected property owner(s).

### **Page 103**

Add the following under “Planning Fees and Permit Procedures” on page 103:

#### **“Planning Fees and Permit Procedures**

Planning fees are charged to cover the cost of processing development proposals. The fee for processing planning applications is \$130.00 per hour of staff time worked on the application. Costs of planning permit processing vary greatly, depending on site constraints, applicable specific plans, and environmental impacts.

Most residential projects in Martinez require the following sequence of review/approvals:

- Staff review of site plans.
- Design Review Committee review of proposals subject to design review.
- Zoning Administrator and Planning Commission review and public hearing for projects involving subdivisions, use permits, conditional use permits, variances, and design review.
- Planning fees and typical timeframes for permit approval.

The City recognizes that the time required to process a development proposal can be a barrier to housing production if it is lengthy. The City has streamlined its development review process over the years to make it more efficient, while still providing adequate opportunity for public review and input. In addition, much of the permit processing time frame is dictated by state-mandated noticing and processing procedures which help assure community review of projects. Processing times for projects in Martinez are similar to, if not faster than, other jurisdictions in Contra Costa County.

The City has a maximum of 30 days to conduct an initial review of the project and determine whether it is “complete,” or whether additional information is needed to evaluate the project. While this may seem like a long time, it includes time to refer the application to different departments and outside agencies involved in development review; and to receive and consolidate these comments. Staff tries to anticipate analyses that will be needed for environmental review or during the public hearing process (such as any special studies). If the project does not meet various City standards, it may also need to be revised. In the past

several years, the City has improved submittal checklists and handouts to identify what information is required for an applicant to be deemed “complete.”

Within 30 days of receiving a complete application, the City must determine whether the project requires a Negative Declaration, Environmental Impact Report or can be categorically exempt. If not categorically exempt, staff prepares an “Initial study”. If a Negative Declaration is prepared, the state-required public review period is 20 to 30 days, depending on whether a state agency is involved in the review. If an Environmental Impact Report (EIR) is required it can add an additional 120 to 180 days for preparation and review of the Draft EIR, responses to comments, and preparation of the Final EIR.

In general, the design review process takes about 45 days to complete for both single family and multiple family projects. Generally, a conditional use permit will require an additional 45 days, a Planned Unit Development 90-120 days, Rezoning 90-120 days, and a Variance 30 days. A Minor Subdivision takes about 60 days and a Major Subdivision varies depending on the complexity of the issues.

Additional staff to process building permits and subdivision plans could shorten the review time; both building and engineering staff state that there have been shorter turnaround time frames in the past due either to lower building activity levels or additional staff. Reviews are completed on a first come, first served basis; no uniform priority has been given for affordable projects at the engineering review stage to date.”

### **Page 107**

Modify and add to the following discussion of on-and off-site improvements standards on page 107:

#### **“On-and Off-Site Improvement Standards**

The City requires developers to provide all on-site utility connections and meet City standards for curbs, gutters, and sidewalks. The City requires developers to pay impact fees to contribute to off-site drainage, water, sewer, and street improvements. Street and infrastructure standards also have a direct impact on housing construction costs, as well as on subdivision design. Under State law, all requirements related to off-site improvements must establish a nexus between the project’s impact and the specific requirement (fee or improvement). In addition, exceptions to the subdivision regulations which are necessary to make the planned unit development practicable may be authorized by the City.

Because Martinez is nearly built out, street widths are established by the existing street system. It is unlikely that a new development would be of a size requiring significant new streets. Street design criteria are the same for both public and private streets in Martinez, and requires all work to conform to the latest revisions of the Standard Specifications for Public Works Construction prepared by the Southern California Chapter of the APWA and

Associated General Contractors of America. Street widths are similar to other jurisdictions in Contra Costa County and other communities in the suburban Bay Area. They are 80-feet for an arterial street, 40-feet for a collector street, 36-feet for a local street, and 28-feet for a hillside street. Any internal streets required to serve a development would be improved for strictly local use by project users. The City's site improvement standards, while contributing to the cost of housing, are not unreasonable in relation to the health and safety goals they seek to achieve."

**Appendix A**

See modifications to Appendix A, pages 1-26, which are attached.