



STAFF REPORT

TO: PLANNING COMMISSION

**FROM: Dina Tasini, Contract Planner
Corey Simon, Senior Planner**

DATE: August 13, 2013

SUBJECT: Public hearing to review proposed General Plan Text Amendment, and consideration of resolution to City Council recommending adoption of a revised Growth Management Element, as required by the Contra Costa Transportation Authority's (CCTA) approved Countywide Growth Management Program (GMP).

RECOMMENDATION:

Adopt PC Resolution No. 13-02, recommending to the City Council adoption of a revised Growth Management Element of the General Plan.

BACKGROUND:

The City's current Growth Management Element was adopted in 1992, as a requirement of the first Countywide Growth Management Program (GMP) adopted by the Contra Costa Transportation Authority (CCTA). The CCTA was created in 1988, when Contra Costa County voters passed the *Contra Costa Transportation Improvement and Growth Management Ordinance* in 1988 ("Measure C"). Measure C linked the establishment of a half-cent sales tax for transportation improvements to the countywide GMP, to assure that new growth "pays its own way" and would not burden existing residents with additional traffic impacts. To implement these growth restrictions, the CCTA's GMP mandated that all Cities and Contra Costa County add Growth Management Elements to their General Plans, which generally (a) established minimum "level of service" expectations for local streets and services, and (b) a mitigation fee program that assured developers paid their fair share to maintain these levels of adequate traffic flow.

A Growth Management Element is an optional element of the General Plan under Section 65303 of the Government Code of the State of California which states: "The General Plan may include any other elements or address any other subject which, in the judgment of the legislative body, relate to the physical development of the county or

city.” As mandated by CCTA, the Growth Management Element is adopted to manage and mitigate the impact of future growth within a jurisdiction, especially as it relates to infrastructure such as transportation systems.

The CCTA’s GMP also requires periodic reporting from all cities (and the County) within the Authority to ensure the Program is being followed. Submission and approval of the cities’ “Growth Management Compliance Checklist” allows CCTA to return a portion of the half-cent sales tax to the participating City (“Return-to-Source”). Martinez has been successfully participating in CCTA’s requirements for return to source funding since the establishment of the Measure C programs.

In 2004, the voters of Contra Costa County approved Measure J, which extended CCTA’s sales tax and growth management programs until 2034. In addition, Measure J updated the requirements of CCTA’s GMP, including a requirement that cities and the County adopt new Growth Management Elements. The main focus of the updated Growth Management Elements is the GMP’s requirement for all Growth Management Elements to incorporate the adoption of an Urban Limit Line (ULL) as a growth management tool. The Countywide ULL designates a boundary beyond which no urban land uses may be permitted. The intent of Contra Costa County’s ULL policy is to encourage sustainable infill development and preserve non-urban agricultural lands, open space and environmental resources. The Urban Limit Line must be adopted by the City as part of the City’s General Plan. Martinez is in compliance with the ULL that Countywide voters approved in November 2006, and was adopted by the City Council in May 2007. An updated General Plan Land Use Plan (*Land Use Map 1*) showing the ULL was approved by the City Council in 2010. The City currently is required to update the Growth Management Element to remain in compliance with CCTA’s Measure J’s GMP.

The CCTA’s GMP mandates biannual submittals of the “Growth Management Compliance Checklist” to CCTA in order to verify that all jurisdictions are in compliance with the GMP and then CCTA can authorize distribution of the return-to-source funds. The biannual checklist that is normally due to CCTA on June 30, 2013 requires the submittal of the updated Growth Management Element as adopted by the City Council. Staff had planned to have the City Council act on the updated Growth Management Element at the same time as the comprehensive General Plan update currently being prepared, but funding and staff changes has delayed the completion of draft General Plan. The City Council has requested a short extension from CCTA, and after the Planning Commission review, it can adopt the updated Growth Management Element separately, thus allowing completion of the Growth Management Compliance Checklist and CCTA’s release of Martinez’ return to source funds.

DISCUSSION

Summary of Key Changes from the 1992 Growth Management Element

The current additional requirement for the adoption of the Urban Limit Line (ULL) is the

most significant change from the original Measure C growth management requirements to the new Measure J growth management requirements. In the near 20 years that CCTA has administered the Countywide growth management program, the emphasis has shifted to precluding growth beyond the limits of existing services (with the established and enforcement of the ULL) from Measure C's emphasis on the collection of fees for construction of added transportation and public facilities. To enforce the ULL, it should be noted the Measure J GMP states that should a city apply to the Contra Costa Local Agency Formation Commission (LAFCO) to annex an area beyond the ULL, that City would no longer be eligible to receive CCTA's return-to-source funds.

Other less significant changes to the Growth Management Element now mandated by "Measure J" are clarifications on the requirements for:

- Participation in an ongoing corporative multi-jurisdictional planning process; and
- The addressing of housing options (but no longer requiring a linkage to job opportunities (as had been required by Measure C)

Non-mandatory Polices to be retained from 1992 Growth Management Element

It should be noted that although CCTA's Measure J GMP no longer requires that a City's Growth Management Element establish minimum "level of service" expectations, CCTA and City staff recommend that these components be retained. Therefore the proposed draft Growth Management Elements both retains the "level of service" and "performance standards" for all public services (fire protection, police, parks, water, sanitary sewers, and storm sewer [i.e. flood control]). These policies were the basis for the City's 2004 adoption of an Impact Mitigation Fee Ordinance. These "performance standards" along with the traffic "level of service" requirements need to be retained as part of the General Plan as the authorizing policy for the City's development impact fee requirements.

ATTACHMENT:

- A. Draft Growth Management Element
- B. Draft Resolution, with proposed General Zoning Text Amendment
- C. City's 1992 Growth Management Element
- D. City Council's 2007 Resolution (029-07) establishing Urban Limit Line
- E. Contra Costa Transportation Authority's Model Growth Management Element (2007)
- F. General Plan *Land Use Map 1*, showing ULL as approved by City Council (2010)
- G. *DRAFT* Growth Management Element as reviewed by General Plan Task Force (2011)

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Growth Management Element

CHAPTER 11 - Growth Management Element

Purpose of Growth Management

The purpose of the Growth Management Element of the City of Martinez General Plan is to establish goals, policies and implementation programs that will be used to manage and mitigate the impacts of future growth and development within Martinez, especially as they relate to local, regional and countywide transportation systems. By adopting and implementing an updated Growth Management Element, the City intends to establish a comprehensive, long-range program that will match the demands for multi-modal transportation facilities and services generated by new development with plans, capital improvement programs and development mitigation programs.

The Growth Management Element is an optional element of the General Plan under Section 65303 of the Government Code of the State of California which states: *"The general plan may include any other elements or address any other subject which, in the judgment of the legislative body, relate to the physical development of the county or city."* Growth Management Elements are adopted to manage and mitigate the impacts of future growth within a jurisdiction. When integrated with the policies of the jurisdiction's Land Use and Circulation Element, the policies of the Growth Management Element are intended to avoid the negative impacts "new growth" could otherwise have upon existing public services, such as further congesting roadways and/or taxing public services.

Within Contra Costa County, local agencies are required to adopt a Growth Management Element to comply with the requirements of voter-approved transportation sales tax and growth control Measure C (1988) and Measure J (2004). The 2013 Growth Management Element updates the City's 1992 Growth Management Element, which was adopted as a requirement of Measure C. Measures C and J established and later extended the Countywide Contra Costa Transportation Authority (CCTA) and its Growth Management Program (GMP). And as required by the Countywide (GMP), each jurisdiction must comply with the Countywide voter approved Urban Limit Line (ULL) to be in compliance with Measure J's GMP.

Background on Growth Management

Contra Costa County Measures C and J

Contra Costa County voters passed the Contra Costa *Transportation Improvement and Growth Management* Ordinance in 1988, which established a half-cent sales tax for transportation improvements, and requires all jurisdictions within Contra Costa County to include a Growth Management Element in the General Plan. Measure C also created the Contra Costa Transportation Authority (CCTA) to administer transportation projects, as well as a Growth Management Program (GMP), to be administered by CCTA. The CCTA and GMP were established to encourage cooperative planning within the County and ensure that new growth “pays its own way” without burdening existing residents. CCTA’s original growth management program required all cities to adopt a Growth Management Element that generally (a) established minimum “level of service” expectations for local streets and services, and (b) a mitigation fee program that assured developers paid their fair share to maintain these acceptable levels of adequate traffic flow.

The growth management component is intended to assure that future residential, business and retail growth pays for the facilities required to meet the demands resulting from that growth. The initial Measure C (1988) Growth Management Program (GMP) required local agencies within Contra Costa County to:

- Adopt a Growth Management Element
- Adopt Traffic Level of Service (LOS) standards
- Adopt performance standards for the provision of public service
- Adopt a Development Mitigation Program
- Participate in a co-operative multi-jurisdictional planning process to reduce cumulative regional traffic impacts of development
- Address housing options and job opportunities
- Develop a five-year Capital Improvement Program
- Adopt a Transportation Demand Management (TDM) Ordinance or alternative mitigation

In addition to requiring the initial adoption of a Growth Management Element, CCTA’s GMP requires periodic reporting from all cities (and the County) within the Authority to assure the Program is being followed. Submission and approval of the cities “Growth Management Compliance Checklist” allows CCTA to return a portion of the half-cent sales tax to the participating City (“return-to-source”). Martinez has been successfully

participating in CCTA's requirements for return to source funding since the Measure C programs were established. In 2004, the voters approved Measure J, which extended CCTA's sales tax and growth management programs to 2034.

The main focus of Measure's J's requirement that the Growth Management Element be updated is to document the now required Urban Limit Line (ULL). The ULL that Countywide voters approved in November 2006 is included In the Land Use Element of this General Plan and is shown on Land Use Map 1.

The intent of Contra Costa County's ULL policy is to encourage sustainable infill development and preserve non-urban agricultural lands, open space and environmental resources.

Compliance with the GMP is linked to receipt of CCTA's Local Street Maintenance and Improvement Funds and Transportation for Livable Community Funds.

Regulatory Framework and Definitions

Contra Costa Transportation Authority. The Contra Costa Transportation Authority (CCTA) was created in 1988 to manage funds generated by the voter approved, half cent transportation sales tax, Measure C and its extension Measure J. CCTA oversees planning and construction of capital projects included in Measure C and J Expenditure Plans and implements the County's Growth Management Program. CCTA also serves as Contra Costa's Congestion Management Agency.

Urban Limit Line (ULL). A planning boundary, defined by voters, beyond which no urban uses can be designated during the term of the General Plan. Properties that are located outside the ULL may not obtain General Plan Amendments that would re-designate them for an urban land use. Land inside the ULL is governed by the land use designations contained in the General Plan. However, the fact that a property is located inside the ULL provides no guarantee or implication that it may be developed during the lifetime of the General Plan.

Routes of Regional Significance. Routes of Regional Significance are designated by the CCTA based on recommendations from the regional transportation planning committees such as TRANSPAC and CCTA. In evaluating the appropriateness of the designation, the following criteria are used: 1) connection of two or more "regions" of the County; 2) connection across County boundaries; 3) significant amount of through traffic; and 4) provision of access to a regional highway or transit facility. The designation for regional routes was completed in the 1990's and consists of State Highway 4 and 680. Other roads may be proposed in the future for designation by CCTA.

Action Plan. A document prepared by CCTA that includes: 1) a specific program for each designated Route of Regional Significance, consisting of traffic service objectives

and actions and responsibilities for implementing them; 2) regional actions for reducing congestion such as land use policy changes and demand management strategies; and 3) a process for monitoring and review of activities that might affect the performance of the regional transportation system.

Transportation Demand Management (TDM). A program to increase efficiency of the transportation systems, reduce demand for road capacity during peak hour and otherwise affect travel behavior to minimize the need for capacity increasing capital projects. An adopted TDM program is a requirement for compliance with Measure J.

CCTA is a regional government agency that has specific jurisdiction regarding planning and transportation policies for cities within Contra Costa County. CCTA's primary responsibility is to improve the regional transportation system. Below are definitions of terms from CCTA for the Growth Management Element.

Growth Management Goals and Policies

Goal

GM-G-1 - Manage the City's Growth and Protect Open Space by Establishing and Maintaining an Urban Limit Line (ULL). Apply a voter approved Urban Limit Line (ULL) consistent with the requirements of the Measure J Growth Management Program (GMP), either as mutually voted on Countywide, or relating solely to Martinez. The ULL can only be amended by a subsequent vote of the electorate; minor adjustments of less than 30 acres may be approved by the City Council as provided for by the Measure J GMP.

Policies

GM-P-1 - Maintain Countywide voter approved ULL as adopted by City Council on May 2, 2007 (Resolution No. 029-07), subject to future City and/or Countywide modifications that are consistent with the requirements of the Measure J Growth Management Program (GMP).

GM-P-2 - Alhambra Valley is an established semi rural community of approximately 1000 acres, entirely located within the City of Martinez SOI, with portions pending annexation into the City (2012). The 2007 ULL inadvertently created an "island" (approximately 17 properties, 115 acres) and a "peninsula" (one property, 10 acres) of such rural residential areas outside of the designated urban areas of the ULL. These areas are currently outside City Limits, but are within the City of Martinez Water Service Area and several existing residences receive City water. While LAFCO's 2008 Water and Wastewater Services Municipal Services Review (2008) recommends that these areas be annexed to the City, Measure J's GMP requires that the CCTA withhold it's "Return

to Source Funds” from the City, should the City to make an application to LAFCO to annex any area outside the 2007 ULL. By either future City Council action(s) to individually amend the ULL, and/or through a future Countywide ULL update(s), these areas should be placed inside of the ULL so that the City may apply to annex these areas in a manner consistent with the GMP and thus retain CCTA funding. Such an annexation would be consistent with the intent of the GMP and ULL, as City will adopt the County’s current General Plan and Zoning designations, assuring that new development cannot exceed the level currently permitted under County regulations.

GM-P-3 - Retain a complying ULL that shall be in place through March 31, 2034, which is the end of the Measure J sales tax extension.

Goal

GM-G-2 - Provide adequate infrastructure and facilities, including new and improved pedestrian, bicycle, parking and transit facilities, to meet future demands of new development and population growth.

Policies

GM-P-2-1- Continue to require new development to pay its fair share of needed transportation Improvements. The City has adopted and implemented a development mitigation program requiring developers to either construct facilities or pay the costs necessary to mitigate impacts of their development projects on the local transportation system. In addition to the local transportation impact fee program already in place, require mitigation of the impacts of development projects on the regional transportation system, through the establishment of a regional transportation impact fee or equivalent program. Such a program is being developed by CCTA with the participation of local jurisdictions and should be maintained.

GM-P-2-2 - Review and Update the City’s transportation impact fee schedule to ensure the fees are commensurate with the associated costs of upgrade facilities and infrastructure.

GM-P-2-3 - Approval of development projects are contingent upon the project meeting the following conditions: 1) No revenue from Measure J has been used to replace or provide the developer funding for any mitigation project; 2) the development project will fully fund public facilities and infrastructure necessary for mitigating any impacts from the project; and 3) Full payment of mitigation fees for facilities and improvements in proportion to the project impacts.

GM-P-2-4 - Prepare and Adopt a five year Capital Improvement Program (CIP) that describes City-sponsored capital projects.

GM-P-2-5 - Evaluate and support a regional development mitigation program to establish fees, exactions, assessments or other mitigation measures to fund regional or sub-regional transportation improvements needed to mitigate the impacts of planned or forecast development on the regional transportation system.

Goal

GM-G-3 - Participate in on-going multi-jurisdictional transportation planning programs, such as with other agencies, the Regional Transportation Planning Committee (RTPC) and CCTA that reflect the nature of the County's land use and circulation system by focusing on facilities that serve regional travel demand, in order to create a balanced, safe and efficient transportation system and to manage the impacts of growth.

Policy

GM3-P-1 - Participate with TRANSPAC and CCTA in developing Action Plans to address problems on Routes of Regional Significance that have been designated by the City in cooperation with TRANSPAC and CCTA. In Martinez, these are: I-680, SR 4, Alhambra Avenue and Pacheco/Contra Costa Boulevard.

GM3 P-2 - Participate in multi-jurisdictional transportation planning by participating in TRANSPAC activities including development of Regional Route Action Plans and by cooperating in planning for intersections subject to Findings of Special Circumstances located in other jurisdictions, and CCTA's Countywide Comprehensive Transportation Plan and Planning Process.

GM3 P-3 - Participate in CCTA's conflict resolution process as needed to resolve disputes related to the development and implementation of Action Plans and other programs described in this Element.

GM3 P-4 - Following the adoption of the Regional Route Action Plans by TRANSPAC and CCTA, implement specified local actions in a timely manner, consistent with adopted Action Plans.

GM3 P-5- For the purposes of reporting to CCTA on compliance with the Growth Management Program, bi-annually complete and submit to CCTA a compliance checklist. For monitoring of compliance with adopted standards, a list of Reporting Intersections on Basic Routes will be prepared and maintained by the City.

GM3 P-6 - Apply CCTA's travel demand forecasting model and technical procedures to the analysis of General Plan Amendments and developments exceeding specified thresholds for their effect on the regional transportation system, including the Action Plan Multimodal Transportation Service Objectives

(MTSO).

GM3 P-7 - Assist In the maintenance of CCTA's travel demand modeling system by providing information on proposed land use development and transportation projects, including those projects that the jurisdiction has adopted as part of its five-year CIP.

Goal

GM4 - Make reasonable progress in providing housing opportunities for all income levels and demonstrate to CCTA reasonable progress in meeting housing goals.

Policies

GM4 P-1- Prepare a biennial report on the implementation of actions outlined in the Housing Element, for submittal to CCTA as part of the biennial GMP Compliance Checklist. The report will demonstrate reasonable progress using one of the following three options:

- a. Compare the number of housing units approved, constructed or occupied within the jurisdiction over the preceding five years with the number of units needed on average each year to meet the housing objectives established in the Housing Element; or
- b. Illustrating how the City has adequately planned to met the existing and projected housing needs through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain housing development; or
- c. Illustrating how the City's General Plan and zoning regulations facilitate the improvement and development of sufficient housing to meet those objectives.

Goal

GM5 - Encourage Land Use and Development Policies to minimize the negative impacts that the City's land use development policies could have on the local, regional and countywide transportation system, including the level of transportation capacity that can reasonably be provided, such as mixed use high density infill, support regional approaches to transportation and land use planning and coordinate with adjacent jurisdictions to monitor growth and development.

Policies

GM5 P-5-1 - Continue to participate in on-going regional transportation efforts to reduce cumulative traffic impacts.

Martinez 21st Century

- GM5 P-5-2 - Continue to work with CCTA and surrounding jurisdictions to develop General Plans and Specific Plans that study and take into account the effect of large scale development on the regional transportation system.
- GM5 P-5-3 - Pursue funding from the CCTA for roadway projects intended to maintain levels of service standards that implement the adopted Action Plan.
- GM5 P-5-4 - Provide data to CCTA on planned, proposed and approved development to assist in maintaining an accurate TDM system.
- GM5 P-5-5 - Require traffic impact studies for all developments expected to generate more than 100 net new peak hour vehicle trips. The traffic impact study should include an analysis of project related traffic and roadway improvements on pedestrians, bicycles and transit riders. The traffic study shall be prepared by a professional transportation consultant and hired by the city. Costs for associated studies shall be paid for by the applicant (proponent).
- GM5 P-5-6 - Approval of proposed development projects that generate more than 100 net new peak hour vehicle trips only if findings of consistency with adopted traffic levels of service standards can be made.
- GM5 P-5-7 - Adopt and Implement Transportation Demand Management (TDM), that promotes carpools, vanpools, and park and ride lots, continue to implement the Transportation Demand Management (TDM) ordinance adopted April 1998. Update the TDM ordinance, as needed so that it is fully consistent with the model Transportation Demand Management (TDM) ordinance adopted by CCTA. Work to provide the required level of staffing for implementation of the TDM program.
- GM5 P-5-8 - If attainment of standards is not possible because of a high proportion of through-traffic, excessive cost, or unacceptable impacts to the environment, the City may prepare a request for Findings of Special Circumstances in order to remain in compliance with the Growth Management Program. It will be submitted to CCTA, consistent with the procedure prescribed by CCTA. The request shall identify alternative standards for the intersection, and propose mitigation measures and programs to improve service to the extent possible.

Goal

GM-6 Compliance with applicable levels of service

Policies

GM6 P-6-1 Ensure and require that new development contribute to and maintain adopted an accepted performance standards for police, fire and emergency

Planning Resolution PC-13-02

A RESOLUTION OF THE CITY OF THE MARTINEZ PLANNING COMMISSION
RECOMMENDING ADOPTION OF AN UPDATE TO THE GROWTH MANAGEMENT
ELEMENT OF THE MARTINEZ GENERAL PLAN TO THE CITY COUNCIL

WHEREAS, the City of Martinez General Plan Growth Management Element establishes the goals, policies and implementation programs that are intended to manage and mitigate the impacts of future growth and development with the City of Martinez; and

WHEREAS, in 1998 Contra Costa County voters approved Measure C, a countywide half-cent sales tax designed to require cooperation among the various cities and the county on transportation and growth management issues; and

WHEREAS, Measure C expired on March 31, 2009; and

WHEREAS, Contra Costa County voters subsequently approved Measure J, which extends the half-cent sales tax and growth management requirements of Measure C through 2034; and

WHEREAS, the City is proposing to amend the Growth Management Element to comply with Measure J program managed by Contra Costa Transportation Authority (CCTA) that emphasizes a multi modal approach to transportation planning and project implementation, encouraging infill development, efficient use of existing transportation systems and the importance of having applicants/developers pay their fair share of traffic mitigation costs to manage the growth that may result from development; and

WHEREAS, the City amended its General Plan Use Map to incorporate the adopted Urban Limit Line that was previously adopted by the City Council on May 2, 2007; and

WHEREAS, the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to General Rule Section 15061(3); and

WHEREAS, a public meeting was held on August 13, 2013 at which time all interested parties could appear and be heard.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Martinez, recommends approval of the General Plan Amendment based on the following findings:

1. The proposed amended Growth Management Element would ensure that new development contribute to and maintain adopted an accepted performance standards for police fire and emergency services.
2. The proposed amended is consistent with the requirements of Measure J Growth Management Program.
3. The proposed Growth Management Element includes new policies and encourages the development of transportation networks that accommodates pedestrian, bicycle, parking and transit facilities.
4. The proposed Growth Management Element encourages development policies that minimize the negative impacts by supporting mixed use high density infill, regional approaches to transportation and land use planning and continue coordination with adjacent communities.
5. The proposed Growth Management Element supports the City's participation in CCTA.

ADOPTED by the Planning Commission of the City of Martinez, on the 13th day of August, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Corey Simon
Senior Planner/Clerk Pro Tem