

Subject	Growth Management <i>Implementation Guide</i> for Measure J – Release of “Proposal for Adoption”
<p>Summary of Issues</p> <p>Recommendations</p> <p>Financial Implications</p> <p>Options</p> <p>Attachments (See PC Packet, dated May 7, 2008)</p> <p>Changes from Committee</p>	<p>In October, the Authority released a draft of the <i>Implementation Guide</i> for the Measure J Growth Management Program (GMP). The draft <i>Implementation Guide</i> was developed to address changes made to the GMP by Measure J. The Authority has received comments from TRANSPAC, TRANSPLAN, and SWAT, and staff has made some changes to the document in response to those comments. TCC met twice to review the comments received and the proposed changes to the <i>Implementation Guide</i>. Staff recommends recirculation of the proposed <i>Guide</i> prior to adoption.</p> <p>That the Authority re-release the proposed Measure J Growth Management Program <i>Implementation Guide</i> as a “Proposal for Adoption.”</p> <p>The <i>Implementation Guide</i> outlines the requirements for compliance with the Measure J GMP. Jurisdictions that are found to be in compliance with the GMP receive their share of 18% Local Street & Maintenance Funds, and, under Measure J, also become eligible to receive 5% Transportation for Livable Community funds.</p> <p>n/a</p> <p>A. Draft <i>Implementation Guide</i>, October 18, 2007 (Full document available go to this agenda item at www.ccta.net/Meetings and Agenda)</p> <p>B. Letter from Andy Dillard, SWAT staff, dated January 22, 2008</p> <p>C. Letter from Gayle Uilkema, SWAT dated January 28, 2008</p> <p>D. Letter from Julie Pierce, TRANSPAC dated March 18, 2008 (new)</p> <p>E. Letter from Brad Nix, TRANSPLAN chair, dated January 10, 2008</p> <p>F. Letter from Phillip Woods, City of Concord dated January 25, 2008.</p> <p>Recommendation to send Guide and comments to TCC for review</p>

Background

Measure J updated and modified the requirements of the Authority’s Growth Management Program, first established in 1989 under Measure C. The new measure discontinued some of the Measure C requirements (most notably level-of-service standards for non-regional routes and performance standards for public facilities and services (fire, police, parks, sanitary, flood, and water), added a requirement for participating jurisdiction to have a voter-approved Urban Limit Line (ULL) as a boundary to urban growth, and clarified others.

The proposed *Implementation Guide*, one of the components of the Measure J *Implementation Documents*, updates the current Guide to reflect the provisions of Measure J. It describes how the provisions of Measure J are to be implemented by cities and the County, the four Regional Transportation Planning Committees, and the Authority, with a primary focus on the cooperative planning component of Measure

J. The *Implementation Guide* is intended to serve as a road map to help local jurisdictions and the RTPCs successfully navigate through this changed GMP landscape.

The Authority approved release of the draft Guide in October of 2007 and asked for comments and suggestions by January 25, 2008. In particular, the Authority asked the RTPCs to weigh in the remaining issue of the threshold that the Authority sets for requiring when a traffic study needs to be prepared to analyze its impacts of new development on the regional transportation system. Currently, jurisdictions must analyze General Plan amendments that would generate 500 net peak hour vehicle trips and major development projects that is consistent with the adopted General Plan and would generate 100 net peak hour vehicle trips. The RTPCs can, however, adopt tighter standards, and indeed, most of the RTPCs use a 100 peak hour trip threshold for any project (including one that involves a GPA), while Lamorinda has adopted a still lower threshold. Since Measure J no longer requires LOS standards on non-regional routes, the GMP Task Force suggested raising the Authority's minimum threshold for project development studies to 500 peak hour vehicle trips for any new development project, whether it required a GPA or not. The RTPCs could still adopt a lower threshold.

COMMENTS RECEIVED

The Authority has received comments from three of the four RTPCs: SWAT, TRANSPAC, and TRANSPLAN.

SWAT commented on two of the changes proposed. Its members unanimously supported the use of alternative multimodal transportation service objectives (MTSOs) on Regional Routes and supported a policy of maintaining the threshold standard at 100 peak hour trips.

TRANSPAC supported continuation of the 100 trip threshold for notification, with the clarification that the term "trips" should be clarified as "net new peak hour vehicle trips".

TRANSPLAN also supported monitoring the 100 peak hour trip threshold, and commented on three other elements of the draft Guide: the Development Mitigation Program, the process for circulating and adopting updated Action Plans, and the compliance checklist. The TRANSPLAN comment letter is included as Attachment C.

The **City of Concord** sent a letter indicating that staff had reviewed the draft document and had no comments.

Development Mitigation Programs: Noting that the requirement that local jurisdictions adopt both a local and a regional development mitigation program, TRANSPLAN suggested the following wording changes to the text on page 9 of the draft Guide:

The philosophy of Measure J's requirements for development mitigation programs is that future development should pay the costs of mitigating its impacts each jurisdiction must adopt, or maintain in place, a program to ensure that new growth is paying its share of the costs associated with that growth. The idea is already reflected in local practice, including traffic mitigation fees adopted by most jurisdictions. Other requirements for mitigation are commonly implemented through development agreements, regional fees, community facilities districts, local assessment districts, and conditions of project approval.

The development mitigation programs to be adopted by localities include both a local and a regional component. The project-level traffic impact analysis described in this Guide

provide an opportunity to identify potential impacts, and fund proposed mitigation measures through a fee program or other mitigation alternatives. The multijurisdictional planning process, development and implementation of Action Plans for Routes of Regional Significance and the related review of General Plan Amendments, which are also described in this Guide, provide opportunities to establish mechanisms to fund regional or subregional transportation improvements needed to mitigate the impacts of planned or forecast development.

Authority staff supports this change.

Circulation, Review and Adoption of Updated Action Plans: TRANSPLAN asked that Figure 3, which outlines the process adopting Action Plans, be revised to reflect the statement on page 29 of the draft Guide that, “Since action policies are to be implemented by the local jurisdictions, each locality should review and be in agreement with proposed actions that the RTPCs develop.”

Authority staff notes that, because the sentence highlighted refers to review and agreement with the proposed actions (and not with the plan itself), the suggested change would be more appropriately included in Figure 2, where text would be modified as follows:

After consultation with other regions and local jurisdictions, select actions for inclusion in updated Plan

Raising the Threshold for Notification of Traffic Studies: As noted above, when the draft *Implementation Guide* was distributed for review in November 2007, the Authority asked the RTPCs for their recommendations on whether or not to raise the threshold for RTPC notification of proposed new development projects for which an environmental document (either a Negative Declaration or an EIR/EIS) is being prepared, from 100 to 500 peak hour vehicle trips.

All respondents to this question supported maintaining the 100 peak-hour trip threshold.

In its letter, TRANSPLAN supported continuing under Measure J the current requirement for traffic studies on development projects generating 100 or more peak hour trips, noting that the benefits of the requirements outweigh its disadvantages. TRANSPLAN also recommends that the text on page 37 of the draft Guide be revised to read:

Measure J requires that local jurisdictions work with the Regional Transportation Planning Committees to apply the Authority’s travel demand model and technical procedures to the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds ~~evaluate the impacts of major development projects and General Plan Amendments~~ for their effects on the ~~local and~~ regional transportation system.

Staff agrees that the suggested additional language more fully reflects the requirements of Measure J. The proposed deletion of the phrase “local and”, however, does not. We propose alternative changes, as follows:

Measure J requires that local jurisdictions work with the Regional Transportation Planning Committees to apply the Authority’s travel demand model and technical procedures to the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds ~~evaluate the impacts of major development projects and General Plan Amendments~~ for their effects on the local and regional transportation system, including

on Action Plan MTSOs. Some development projects that exceed the established threshold for project review would not result in an increase in peak hour vehicle trips beyond that assumed in the modeling done to assess MTSO performance in the adopted Action Plans. Where this is the case, the analysis of the transportation impacts of the development project on Routes of Regional Significance need only show that the project is consistent with the land use assumptions used to evaluate the adopted action plan.

The last two sentences in the preceding paragraph represent a significant change in guidance. Measure J require local jurisdictions to assess the impacts of General Plan amendments and projects above specified thresholds on the achievement of the MTSOs established in the Action Plans. The new language allows jurisdictions to use the modeling of the most recently adopted Action Plan to meet the requirement for new development projects when the net new peak-hour vehicle trips generated were accounted for in that modeling.

SWAT sent two letters (Attachments B and C), both supporting retention of the 100-trip threshold.

TRANSPAC supported maintaining the 100 trip threshold for notification, with the clarification that “trips” should be clarified to mean “net new peak hour vehicle trips” (see Attachment D).

Given the consistent support for the 100 trip threshold for notification among the RTPCs, staff proposes to keep the threshold at 100 trips in the *Implementation Guide*, along with the suggested clarification that the threshold applies to project that generate “100 net new peak hour vehicle trips”.

The TCC also requested that Authority staff prepare a table clarifying when the various thresholds for notification, preparation of a traffic study, and review of GPA’s kick in. The following table summarizes the requirements as proposed. Staff notes that the RTPCs may elect to set lower thresholds through the Action Plans for Regional Routes.

Maximum Threshold Project Size – Net New Peak Hour Vehicle Trips –			
	RTPC Notifica- tion ¹	Traffic Study Preparation ²	Authority General Plan Amendment Review Procedure ³
The Project is Consistent with the Adopted General Plan:	100	100	
The Project Requires a General Plan Amendment,	100	100	500
1 Established by Authority Resolution 92-03-G, March 18, 1992. 2 Included in the Authority’s adopted <i>Technical Procedures</i> and <i>Implementation Guide</i> in accordance with standard traffic engineering practice relative to CEQA Guidelines.			

3 Established by Authority Resolution 95-06-G, July 19, 1995.

Compliance Checklist: Finally, TRANSPLAN requests that the *Implementation Guide* include the proposed Compliance Checklist for Measure J. While the draft Guide includes the “basic questions” the Checklist will include, TRANSPLAN believes that they are not sufficiently detailed to “adequately support” the Measure J requirements discussed in this document.

Staff intends to develop a detailed checklist, which we will ask the RTPCs to review, once the Authority decides how the *Implementation Guide* and other Implementation Documents will require. We believe that developing a detailed checklist is premature; it will be prepared as we update the *Technical Procedures* to correspond to the Measure J requirements. (The 2006 update focused almost exclusively on changes needed to reflect the Decennial Model Update, not Measure J.)

TRANSPLAN also commented that the checklist numbering in Section 8 was missing question number 4. Staff notes that this omission was due to the elimination of Question 4 on performance standards (for police, fire, parks, etc.). The numbering will be revised in the final document.

Next Steps

Authority staff proposes to re-circulate the revised *Implementation Guide* as a “Proposal for Adoption,” with a 45-day review period.