

GROWTH MANAGEMENT

Adopted in entirety by Resolution 2009-021 on May 11, 2009

SECTION I: INTRODUCTION

PURPOSE

Growth Management is a concept that allows for a rate of growth that can be supported by the City's infrastructure and does not diminish the community's quality of life and identity. . The function of the Growth Management Element is to define the geographical extent of urban growth and manage the impacts of that growth by virtue of the Urban Limit Line. This element of the General Plan establishes policies and standards for traffic levels of service and performance standards for fire, police, parks, sanitary facilities, water and flood control that provides a long-range method of matching the demand for public facilities generated by new development with plans, capital improvements and development mitigation programs.

The goals, policies and programs in this section are consistent with the requirements of Contra Costa's Transportation Sales Tax Expenditure Plan ("Measure J") approved by Contra Costa County Voters in 2004 and with Government Code §65303.

BACKGROUND

The Measure J Growth Management Program, adopted by voters of Contra Costa County in November 2004, requires each local jurisdiction to meet the following six requirements:

- Adopt a development mitigation program;
- Address Housing Options;
- Participate in an Ongoing Cooperative, Multi-Jurisdictional Planning Process;
- Adopt an Urban Limit Line (ULL);
- Develop a five-year capital improvement program; and
- Adopt a Transportation Systems Management (TSM) Ordinance or Resolution.

Measure J (2004) is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth Management Program approved by the voters in 1988.

Both programs include a ½ percent tax on transportation use and retail transactions intended to address existing major regional transportation problems. The Growth Management component is

intended to assure that future residential business and commercial growth pays for the facilities required to meet the demands resulting from that growth.

Compliance with the Growth Management Program is linked to receipt of Local Street Maintenance and Improvement funds and Transportation for Livable Community funds from the Transportation Authority. The Growth Management Program defined by the original Ordinance 88-01 continues in effect along with its linkage to Local Street maintenance and improvement funds through March 31, 2009. Beginning on April 1, 2009, the Measure J Growth Management Program requirements take effect.

Measure J eliminates the previous Measure C mandate for local performance standards and level-of-service standards for non-regional routes. Lafayette elects to maintain these standards as part of this Element. Measure J also adds the requirement for adoption of a voter-approved Urban Limit Line.

INTENT

By updating this Element, Lafayette 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 Urban Limit Line is intended to promote compact urban development patterns and limits the extension of infrastructure into areas where urban development is not planned.

RELATION TO OTHER ELEMENTS

Managing growth is integral to preserving all aspects of Lafayette's unique character; therefore, policies and programs appear throughout the Plan. Each area of *Growth Management* is addressed in its respective General Plan chapter, e.g. the *Circulation Chapter* contains goals, policies and programs dealing with traffic congestion and intersection levels of service; the *Safety Chapter* addresses fire and police protection and emergency services; and the *Land Use Chapter* sets forth goals, policies and programs on public facilities, schools and telecommunications. By design, the *Growth Management Chapter* brings together topics covered in other areas of the Plan. The goals, policies and programs needed to support the land uses identified in this General Plan are restated in this chapter in order to provide a comprehensive look at growth management in one location in the Plan.

ORGANIZATION OF ELEMENT

The Growth Management Element establishes goals and polices, and sets forth corresponding implementation programs, in the following section. The goals, policies, and programs are separated into three categories: Public Facilities and Capital Improvements, Demand for Public Services and Performance Standards, and Other Performance Standards.

SECTION II: GOALS, POLICIES, AND PROGRAMS

INTRODUCTION

Growth Management is a concept that allows for a rate of growth that can be supported by the City's infrastructure and does not diminish the community's quality of life and identity. This vision is outlined in the goals and policies of the Circulation and Land Use Elements of the Lafayette General Plan some of which are reproduced in this section.

Lafayette has several constraints to meeting adopted service standards. As Lafayette's street system provides access to and from other jurisdictions, the most significant constraint is the large volumes of through-traffic on Lafayette's streets, especially Mt. Diablo Boulevard, Moraga Road, and Pleasant Hill Road north of Highway 24. Another significant constraint is that the City provides a limited range of services. Lafayette depends on separate agencies for most of its essential services including: potable water supply from the East Bay Municipal Utility District; wastewater treatment from the Contra Costa Central Sanitary District; and fire protection from the Contra Costa County Fire Protection District. The City contracts with the Contra Costa County Sheriff for police services. The City maintains ongoing communication with provider agencies for all services.

PUBLIC FACILITIES AND CAPITAL IMPROVEMENTS

Adequate public facilities and services should be provided for new development, either through a development agreement or payment of a "fair share" of providing such facilities. In order to make reasonable provision for new facilities, the City of Lafayette shall establish public facility impact fees in cooperation with applicable districts. Impact fees may vary by location, according to the cost of improvements needed in the vicinity and the proportional share of the cost to be applied to the development.

Such fees will be established consistent with State law to implement the goals and policies of the General Plan, and may include charges for drainage improvements, traffic and roadway improvements and other capital improvements such as parks, trails and public facilities.

Excepting transportation improvements, the City requires that the approval body make one of the following findings before approving a development project: (1) performance standards will be maintained following the project, (2) specific mitigations are required of the project developer to ensure maintenance of adopted standards, or (3) capital projects planned by the City or special district will result in maintenance of adopted standards. Such findings, mitigations, and capital projects must be consistent with approved action plans.

Goal LU-19 Maintain the existing infrastructure essential to the public health and safety of the community.

Policy LU-19.1¹ Capital Improvement Program: Maintain and update the five-year Capital Improvement Program (CIP).

Program LU-19.1.1: Implement the five-year Capital Improvement Program.

¹ Fulfills Measure J requirement to develop a five-year capital improvement program.

Program LU-19.1.2: Conduct Planning Commission review of CIP annually to ensure consistency with the General Plan.

Program LU-19.1.3: Continue the practice of including in the CIP a multi-year budget for projects including specific pavement management projects, an annual allowance for discretionary projects, and a fund for emergencies.

Program LU-19.1.4: Evaluate projects for the CIP using the following criteria: compliance with the General Plan; potential threat to health and safety; financial liability; protection of investment; cost of future maintenance; and visual impacts on the surrounding area. Other criteria may be added as needed to prioritize projects.

Program LU-19.1.5: Coordinate the timing of City capital improvement projects and those of other agencies (e.g. CALTRANS, the East Bay Municipal Utility District, the Central Contra Costa Sanitary District, and the Contra Costa County Fire Protection District) to optimize resources and minimize the impacts on residents.

Program: LU-19.1.6: Plan for adequate staff to implement the program.

Policy LU-20.13 Capital Improvement Program: Ensure that the Capital Improvement Program identifies capital projects necessary to maintain levels of performance as well as funding sources for all phases of intended projects.

Policy LU-19.2 Finance Capital Improvements: Provide public facilities to meet the needs generated by new development within Lafayette through continued planning and budgeting for public facilities and coordination with other agencies for public services the City does not provide.

Program LU-19.2.1: Evaluate the operating and maintenance costs of infrastructure improvements needed to support development.

Program LU-19.2.2: Provide information on development applications to other service-providing agencies, to enable them to assess the appropriate fair share impact fees. Request that the County require proof of payment of these fees before issuing a building permit.

Program LU-19.2.3: Implement the City's pavement management program to maintain Lafayette's roadways.

Program LU-19.2.4: Require new developments to pay their "fair share" of capital improvements and the cost of public services to maintain adequate levels of service. New development that creates incremental demand that exceeds the capacity of existing infrastructure shall be considered only through the development agreement process.

Program LU-19.2.5²: Maintain development and mitigation fees at a level adequate to finance infrastructure costs. Periodically review the City's fee structure to determine that it accurately reflects the actual cost of providing

² Fulfills Measure J requirement to adopt a development mitigation program.

services, and recommend the appropriate revisions to the City Council.

DEMAND FOR PUBLIC SERVICES AND PERFORMANCE STANDARDS

Goal LU-20 Match the demand for public facilities and infrastructure generated by new development with the capacity of existing facilities, capital improvement programs and development mitigation programs.

Traffic Performance Standards

Policy LU-20.1 Traffic Service Standards: Consider the level of service (“LOS”) goals and standards set forth in Policy C-1.2 of the *Circulation Chapter* when evaluating development proposals.

Refer to the Circulation Chapter for additional policies and programs regarding traffic LOS standards, goals, and mitigation programs.

For projects expected to generate between 10-50 net new peak-hour trips, the Lamorinda Program Management Committee (“LPMC”) requires supplemental notification of Lamorinda jurisdictions, SWAT jurisdictions and other CCTA regional transportation planning committees as required in the Lamorinda Action Plan Update. In addition, the CCTA requires that projects estimated to generate over 100 peak-hour vehicle trips to conduct a traffic impact study.

Policy C-1.2 Level of Service Standards and Goals: Establish the following level of service (LOS) standards and goals. Transportation improvements must be consistent with the community's strong desire to preserve Lafayette's unique identity and quality of life.

Level of Service Standards and Goals

	LOS Standard ³	Standard V/C Ratio ⁴	HCM Goal Stopped Delay At Peak Hours
Signalized Intersections			
Downtown Intersections	Poor D	0.85 to 0.89	33 to 40 Sec.
Intersections Outside Downtown	Good D	0.80 to 0.84	25 to 33 Sec.

These intersections correspond to CCTA’s descriptions of “suburban” and “urban” intersections.

³ The level of service standard established by the *Draft General Plan* uses the CCTA methodology to calculate level of service standards. The HCM method is used to calculate level of service goals. Under the CCTA *Growth Management Plan* service level grades, such as LOS "A" or "B", are divided into high or low categories. A "High D". for example, means a higher volume to capacity ratio than does a "Low D". This definition has caused confusion since the *Growth Management Plan* definition states that a "high" letter grade means a worse level of service than does a "low" grade of the same letter. In order to clarify these definitions the LOS letter grades in the *Draft General Plan* are divided by categories defined as "Good" or "Poor". For example, a "Good D" in the Draft General Plan is equivalent to a "Low D" in the CCTA's *Growth Management Plan*.

⁴ As defined in the CCTA Technical Procedures.

The standards shown above apply to all signalized intersections on non-regional routes. The City considers Level of Service standards to be met if (1) measurement of actual conditions at the intersection indicates equal or better operation, or (2) capital improvements in its five-year Capital Improvement Plan will result in operations equal to or better than the standard.

If any signalized intersection along a non-regional route will not meet adopted standards, the City will first review the General Plan, Zoning Ordinance, and Capital Improvement Plan and consider amendments aimed at meeting the standard.

When reporting to the CCTA, Lafayette will complete and submit the required Growth Management Program Compliance Checklist.

The following is a discussion regarding the conditions, challenges, and solutions related to Lafayette's regional and non-regional routes.

Pleasant Hill Road Corridor. Pleasant Hill Road north of State Route 24 carries the highest traffic volume of any Lafayette street. This street functions to connect Lafayette, the Lafayette BART station and State Route 24 with the cities of Walnut Creek, Pleasant Hill and Martinez. Designated as Lafayette's only Route of Regional Significance, it is not subject to the adopted Level of Service Standards for non-regional routes. Instead, an Action Plan has been prepared that establishes Multi-Modal Transportation Service Objectives (MTSO's).

The majority of traffic on Lafayette's arterial roadways like Moraga Road and Pleasant Hill Road has its origin and destination outside the City limits. Residents of Moraga, Pleasant Hill and other areas use Lafayette's roadways to travel to and from Highway 24. As the population in neighboring communities continues to grow, so will automobile travel, congestion and delays. To address increasing demand, some jurisdictions have chosen to increase capacity. That alternative inevitably leads to competing goals within a jurisdiction and between jurisdictions as the community addresses the amount of increased demand capacity it is willing to develop. The CCTA has adopted a conflict resolution process for such disputes.

An alternative to increasing roadway capacity to accommodate increased demand, is to reduce travel demand in a number of ways. To this end, Lafayette has adopted a Transportation Systems Management (TSM) Ordinance. The following related policies and programs appear in the Circulation Chapter.

Policy C-10.3 Multi-Modal Transportation Service Objectives (MTSO's): Work toward achieving Lafayette-approved multi-modal transportation service objectives on roads such as Highway 24 and Lafayette's portion of Pleasant Hill Road.

Lafayette is committed to implementing specified local actions in a timely manner, consistent with the adopted Pleasant Hill Road Action Plan, a component of LPMC's Lamorinda Action Plan. This Action Plan, as adopted by the City Council, has been included by the CCTA in the Countywide

Comprehensive Transportation Plan. Designated as Lafayette’s only Route of Regional Significance, it is not subject to the adopted Level of Service Standards for non-regional routes. Instead, an Action Plan has been prepared that establishes Multi-modal Traffic Service Objectives (MTSO’s).

The City of Lafayette uses the CCTA’s travel demand model for analysis of General Plan amendments affecting land use or circulation and development projects that generate more than the threshold number of peak hour trips in order to determine the effects on the regional transportation system and compliance with the MTSOs established in the Lamorinda Action Plan.

- Policy C-7.1 Automobile Travel Demand: Seek to reduce vehicle trips by promoting alternatives to the single-occupant automobile.
Program C-7.1.1⁵: Continue to implement the City’s *Transportation Systems Management (TSM) Ordinance*.

OTHER PERFORMANCE STANDARDS

Goal LU 17 Establish and maintain clear limits to the future growth of Lafayette.

- Policy LU-17.1 Boundaries of the Sphere of Influence⁶: Maintain Lafayette’s Sphere of Influence boundaries as shown on Map I-7.

Goal LU-18 Coordinate with other jurisdictions to protect and restore environmental resources and to provide public services.

- Policy LU-18.1⁷ Interjurisdictional Participation: Participate in interjurisdictional planning.
Program LU-18.1.1: Consider the regional implications of land use decisions when reviewing development proposals and revisions to the Zoning Ordinance or the Lafayette General Plan.

Program LU-18.1.2: Work with other public entities to ensure that development in their jurisdictions does not adversely impact Lafayette’s ability to achieve its General Plan goals.

- Policy LU-18.2 Coordination of Public Services: Coordinate water supply, flood control, wastewater and solid waste disposal, soil conservation, and open space

⁵ Fulfills Measure J requirement to adopt a Transportation Systems Management Ordinance or Resolution.

⁶ The City’s Sphere of Influence is consistent with the Urban Limit Line defined in the Contra Costa County General Plan. The City formally adopted the voter approved County Urban Limit Line via Resolution 2008-39. Fulfills Measure J requirement to adopt an Urban Limit Line.

⁷ Fulfills Measure J requirement to participate in on-going cooperative, multi-jurisdictional planning process.

preservation with other jurisdictions to create the greatest public benefit and the least degree of environmental impact.

Program LU-18.2.1: Periodically review level of service standards with the districts providing water supply, flood control, wastewater and solid waste disposal, soil conservation, and open space preservation.

Refer to the Growth Management and Infrastructure Section for a discussion of levels of service for public services.

Program LU-18.2.2: Monitor growth and infrastructure capacity through project review under CEQA and through coordination with provider agencies.

Program LU-18.2.3: Consider infrastructure and service capacity when reviewing development proposals.

Policy LU-18.3 Regional Transportation Efforts: Participate in regional transportation planning efforts.

Refer to the Circulation Chapter for policies and programs related to the City's participation in regional transportation planning. Refer to the Growth Management and Infrastructure section regarding specific policies and programs of the Growth Management Plan.

Policy LU-20.2 Schools: Coordinate planning with the Lafayette School District and the Acalanes Union High School District so that Lafayette's school-aged children are well-served by the school system.

Program LU-20.2.1: Maintain close communications with the school district on development review and land use issues.

Policy LU-20.3 Child and Family Day Care: Work with public and private day care providers to provide programs for child care and family day care.

Program LU-20.3.1: Revise the Zoning Ordinance to permit day care facilities, subject to a conditional use permit with findings that address issues such as neighborhood compatibility, traffic, safety, and noise.

Policy LU-20.4 Fire: Review all development projects for their impacts on standards for fire service specified in the General Plan: fire stations three miles apart in urban areas, six miles apart in rural areas, with a five-minute response time. Require fair share payments and/or mitigation measures to ensure that these standards or their equivalent are maintained.

Program LU-20.4.1: Work with the Contra Costa County Fire Protection District to improve fire prevention and protection services.

Program S-4.1.3: Encourage the Contra Costa County Fire Protection District including paramedic services to improve its response time for Lafayette, particularly in the urban wildland fire interface zones. The location of fire stations should strive for a five-minute response time.

Program S-4.2.7: Enforce the Fire Safety Ordinance requiring sprinkler systems for new residential development more than 1.5 miles from a fire station, or beyond the 3-minute response time, and other applicable triggers.

Refer to the Safety Chapter for additional policies and programs on Fire Services.

Program LU-20.4.3: Consider alternatives and efficiency measures to the public safety delivery system so that response times meet service level standards.

Policy S-7.1 Police Services: Review development proposals for their demand on police services and require mitigating measures, if necessary, to maintain the community's standard for police services. Levy police impact fees for capital facilities and equipment, if warranted.

Policy S-7.2 Interjurisdictional Cooperation: Work with the Contra Costa County Sheriff's Department and neighboring jurisdictions to improve police service in Lafayette.

Policy S-7.3 Response Time Standards: Strive to maintain a three-minute response time for all life-threatening calls and those involving criminal misconduct, and a seven-minute response time for the majority of non-emergency calls.

Policy LU-20.6 Sewage Treatment and Disposal: Coordinate planning with the Central Contra Costa Sanitary District to ensure the continued availability of adequate sewage collection, treatment, and disposal facilities to meet the needs of future development. The standard for review shall be the capability to transport and treat to standards of the Regional Water Quality Control Board average daily effluent for all residential and nonresidential projects.

Policy LU-20.7 Water: Coordinate planning with the East Bay Municipal Utility District (EBMUD) to ensure the availability of an adequate potable water supply to meet the needs of the future population. The standard for development review shall be the capacity to provide sufficient water to all residents and businesses in the City, as indicated by EBMUD.

Program LU-20.7.1: Ensure that service agreements for new development are in place that establish a level of service in accordance with this Plan and the EBMUD.

Program LU-20.7.2: Require developers to enter into agreements in accordance with the regulations and ordinances of the EBMUD and pay for the cost of potable and appropriate non-potable water infrastructure required for each project.

Program LU-20.7.3: Require fair share payments and/or mitigation measures to ensure that these standards or their equivalent are maintained.

Program LU-20.7.4: Do not approve new development if EBMUD cannot assure an adequate supply of water.

Program LU-20.7.5: Request EBMUD to complete a water supply assessment when required by Sections 10910 through 10914 of the California Water Code and Section 15155 of the California Environmental Quality Act Guidelines.

Program LU-20.7.6: Require that proposed developments located outside of EBMUD's current service area contact the Contra Costa County Local Agency Formation Commission to apply for annexation. In addition, areas outside of EBMUD's current annexed service area require approval by the U.S. Bureau of Reclamation prior to providing water service to any development.

Program LU-20.7.7: Where a new main is necessary, require project sponsors to submit copies of all known information regarding soil and groundwater quality within or adjacent to the proposed project boundaries. When contamination exists, require a specific written remediation plan establishing the methodology, planning, and design of all necessary systems for the removal, treatment, and disposal of contaminated soil and groundwater within a construction area for pipelines and services.

Program LU-20.7.8: Make project sponsors aware of the water efficiency requirements of the EBMUD Water Service Regulations and local codes early in the design development process. Request that project applicants meet with EBMUD staff to discuss water efficient technology and best management practice applicable to their project.

Program LU-20.7.9: Require project sponsors of new or redevelopment projects within the City, where a new main is required, to coordinate and consult with EBMUD regarding the feasibility of providing recycled water for appropriate non-potable purposes per EBMUD's policy 8.01.

EBMUD adopted a Water Supply Management Program in 1993. This program recognized that there may be supply limitations to the future expansion of EBMUD's service area. In the event of a threatened or actual water shortage, the District will give first priority to existing water customers within its existing service area.

Several of the District's supply lines need to be rebuilt and seismically strengthened. The rehabilitation of EBMUD's delivery system is being addressed by the District's Capital Improvement Program.

EBMUD has developed an extensive recycled water and water conservation program. The District recommends certain types of landscaping for new and existing development, which require minimal water. It is up to local jurisdictions, however, to implement water conservation regulations. Refer to the Open Space and Conservation Chapter for policies regarding water conservation.

Policy LU-20.8 Parks: Apply the maximum standard for parks to new development.

Program. P-1.3.1: Use the standard of up to five acres of parkland per 1,000 residents for the dedication, acquisition, and improvement of parkland pursuant to the provisions of the Quimby Act. (Government Code §66477)

Refer to the Parks, Trails and Recreation Chapter for policies and programs regarding parks, trails and recreational facilities.

- Policy LU-20.9 Solid Waste: Review all development projects for their impacts on the City's goals contained in the *Source Reduction and Recycling Element and Household Hazardous Waste Element*⁸. Require fair share payments and/or mitigation measures to ensure that these standards are not jeopardized.
- Program LU-20.9.1: Require that appropriate solid waste disposal and recycling facilities are provided for all development projects.
- Program LU-20.9.2: Require new development to show how it can meet state mandated recycling goals.
- Policy LU-20.10 Build out Projections: Use the build out projections for Lafayette and the region to establish goals for environmental protection and community character and to provide the basis for all public facilities planning.
- Refer to Table 6 in the Land Use Chapter for build out data.*
- Policy LU-20.11 City Administrative Services: Provide general government administration services as comprehensively and efficiently as possible. Consider environmental impacts in selecting locations for City services.
- Policy LU-20.12 Growth Management Implementation: Review development projects for conformance with adopted performance standards. Require mitigation measures where necessary to maintain adopted standards. Capital improvements shall be in place at the time of project implementation when necessary to maintain adopted performance standards.
- Policy LU-20.14 Storm Drainage: Require new development to mitigate its impact on the storm drainage system.
- Policy S-3.2 Flood Protection Standard: In the review of flood control for proposed new development, establish as a standard the flood recurrence intervals used by the Contra Costa County Flood Control District (e.g. the 100-year flood event).
- Program S-3.2.1: Utilize the Federal Emergency Management Agency's Flood Insurance Rate Map (FIRM) to reduce risk of flooding, identify 100 Year Flood Events, to calculate flow rates within identified stream channels, and to review development proposals.
- Program S-3.2.2: Participate in the National Flood Insurance program.
- Refer to the Safety Chapter for additional policies and programs regarding flood control.*
- Goal C-4** **Coordinate land use and circulation planning.**
- Program C-4.1.2: Consider transit-oriented developments which are consistent with the goals and policies of the General Plan.
- Program C-4.2.2: Ensure that new developments provide adequate on-site improvements, such as delivery access, on-site vehicle, bicycle and pedestrian

⁸ This element is not a part of the General Plan but a separately adopted plan.

circulation amenities, public transit facilities, and off-street parking, as appropriate.

Policy LU-8.3 **Mixed Uses:** Support mixed-use developments in the Downtown that do not conflict with the primarily retail focus of this area.

Program LU-8.3.1: Develop incentives to promote retention and development of residential units in buildings Downtown.

Goal H-2⁹ **Facilitate and encourage the development of diverse housing types and additional affordable housing units to accommodate a diversity of Lafayette citizens in terms of age and socio-economic background and to meet regional housing needs to be specified in the Housing Element.**

Policy H-2.1 **Mixed Use:** Encourage the rehabilitation and development of residential uses in commercial areas where the viability of the commercial activities would not be adversely affected.

Program H-2.1.1: Housing Rehabilitation in Non-Residential Areas: Continue to permit housing rehabilitation in commercial zoning districts.

Policy H-2.7 **Infill Housing:** Encourage private housing development on existing infill sites in order to efficiently utilize existing infrastructure.

Refer to the Housing Chapter for additional housing implementation programs.

Goal LU-21 **Encourage the availability of high-quality telecommunications services to Lafayette’s citizens, schools, government and businesses.**

Policy LU-21.1 **Telecommunications:** Provide improved telecommunications infrastructure.

Program LU-21.1.1: Develop a plan for improving the telecommunications infrastructure linking the community together.

Program LU-21.1.2: Encourage and facilitate public/private partnerships and networks to improve the City’s telecommunications infrastructure.

Program LU-21.1.3: Establish standards for telecommunications infrastructure in the public right-of-way and for private development.

⁹ Fulfills Measure J requirement to address housing options.