

Urban Limit Line (ULL) and the Potential 2016 CCTA Sales Tax Measure

Preliminary Alternatives

- I. Make no changes related to the ULL in the Transportation Expenditure Plan (TEP).
- II. Eliminate the 30-acre exception provision. Under such a scenario, cities/County would not be prevented from approving changes to their ULL at the Council/Board level (consistent with their ordinance code), but if they made such a change they would forego return to source funding from the 2016 tax measure unless the change was approved by the voters.
- III. Adjust one or more provisions in the 2016 TEP related to the allowable circumstances for Board/Council approval of changes to their ULL without foregoing return to source funding from the new measure and without putting the change before the voters. Below are some alternatives, grouped into categories based on the type of approach:

CONSISTENCY

- a) Ensure that the Authority clarifications apply to all jurisdictions for return to source purposes (see 2007 letter from Robert McCleary to Dennis Barry and Brentwood's and Oakley's inclusion of these provisions into their ULL resolutions).
- b) Ensure consistency among jurisdictions on the requirements for approving a minor ULL change and receiving return to source funding (e.g. require all jurisdictions to adopt one or more of seven findings included in Measure L and to approve such changes by a supermajority vote)

CLARIFICATION

- c) Clarify the intent of one or more of the findings and the Authority clarifications. For instance, the TEP could clarify the types of topographic features that could be the basis for making a finding on the basis of topography. Or the TEP could clarify that infill development opportunities are fully considered in a study concluding that a ULL change is needed to provide housing.

FREQUENCY AND MAGNITUDE

- d) Limit the number of modifications to the Urban Limit Line a Board/Council may approve every year or in a five-year period.
- e) Limit the cumulative acreage that a Board/Council may adjust their ULL without voter approval before the next modification is made.
- f) Reduce the size of the exemption from 30 acres down to some smaller number.

MITIGATION

- g) Set mitigation standards/requirements for any change (e.g., permanent protection of a substantial amount of land of the same type being affected to offset the amount added to the ULL)
- h) Add provisions that help ensure that minor changes facilitate establishment of a permanent edge of urban development

PHASE-IN ELIMINATION OF 30-ACRE EXEMPTION

- i) Phase in the elimination of the 30-acre exemption or other change. Measure L expires in 2026. Perhaps use that as the date.

LIMIT THE EXEMPTION TO CERTAIN LAND USES

- j) Limit the types of projects eligible for a 30-acre exception (e.g., allow for “clean-up” or other designated types of development but not for others).