

ATTACHMENT C: Board Order February 2nd, 2016



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 2, 2016

Subject: Report on 2016 Urban Limit Line Mid-term Review

RECOMMENDATION(S):

1. ACCEPT the report from Department of Conservation and Development (DCD) staff on the proposed approach and schedule for the 2016 Urban Limit Line (ULL) Mid-term Review required under Measure L - 2006.
2. PROVIDE comments on the proposed methodology and any necessary direction to DCD staff.

FISCAL IMPACT:

The 2016 ULL Mid-term Review is being funded 100% from Land Development fund, FY 2015/2016 and FY 2016/2017 budgets. Based on the costs associated with efforts of similar scale, such as ordinance amendments, staff estimates a cost of approximately \$50,000.

BACKGROUND:

On November 6, 1990, Contra Costa County voters approved Measure C – 1990, the Contra Costa County 65/35 Land Preservation Plan Ordinance (“65/35 Ordinance”). The 65/35 Ordinance limited urban development to no more than 35% of the land in the County and required that at least 65% be preserved for agriculture, open space, wetlands, parks, and other non-urban uses (“65/35 standard”). Measure C – 1990 also established the ULL, a boundary beyond which no urban land use could be established. Measure C – 1990 was set to expire on December 31, 2010.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **02/02/2016** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 2, 2016

Contact: Will Nelson (925)
674-7791

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

BACKGROUND: (CONT'D)

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On November 7, 2006, County voters approved Measure L (see Attachment A, current map of the ULL and Attachment B, *Voter Information Pamphlet Containing Measures L and M*), which extended the term of the 65/35 Ordinance (including the ULL) to December 31, 2026. Measure L also included the following requirement for a mid-term (2016) review of the ULL:

“The Board of Supervisors will review the boundary of the ULL in the year 2016. The purpose of the year 2016 review is to determine whether a change to the boundary of the County’s Urban Limit Line Map is warranted, based on facts and circumstances resulting from the County’s participation with the cities in a comprehensive review of the availability of land in Contra Costa County sufficient to satisfy housing and jobs needs for 20 years thereafter. This review of the ULL is in addition to any other reviews of the ULL the Board of Supervisors may conduct.”

It should also be noted that the process for changing the boundary is outlined in Measure L. Expansions exceeding 30 acres require a 4/5 vote of the Board of Supervisors after making at least one of seven specified findings, followed by voter approval. Expansions of 30 acres or fewer may be approved by a 4/5 vote of the Board after making at least one of the seven findings.

Staff proposes the following approach and schedule for completing the ULL review and requests the Board's concurrence.

Work Plan

Concepts that Affect the 2016 ULL Mid-term Review

Measure L requires the County to assess whether there is sufficient land inside the ULL to satisfy housing and jobs needs until 2036. However, two important concepts must be understood prior to answering this question. First, the amount of developable land in Contra Costa County is ultimately limited by the 65/35 standard. The ULL acts to direct urban development into certain areas and away from others and works in concert with the 65/35 standard. Currently, the ULL contains more than 35% of the land in the county, some of which is park or other non-urban land that counts toward the 65% minimum.

Second, answering the question of "whether there is sufficient land" requires a discussion of density, which is the number of housing units or jobs in a given geographic area. Because the County and cities can increase density through land-use regulations such as general plans and zoning ordinances, one can conclude that there is enough land inside the ULL to satisfy housing and jobs needs until 2036 and beyond, contingent on the desire to approve development at the necessary densities and presuming a sufficient quantity of applications. However, it is possible that the densities necessary to accommodate housing and jobs needs within the existing ULL may be higher than the densities that have historically been permitted in Contra Costa County.

Since the end of World War II, most growth in the county has occurred in the low-density suburban development pattern common throughout the United States during the post-war period. The low-density pattern focuses mainly on development of single-family residential neighborhoods and grouping of similar land uses, and results in high automobile dependency. This pattern continued through the housing boom preceding the Great Recession and was the predominant pattern in those parts of the county that were experiencing significant growth when Measure L was adopted.

However, in late September 2006, less than two months prior to Measure L’s adoption, the State took its first major step toward reducing greenhouse gas emissions with the adoption of Assembly Bill 32, the Global Warming Solutions Act. Subsequent legislation, such as Senate Bills 375 and 743, aim at cutting greenhouse gas emissions primarily by changing land use patterns and decreasing the number of vehicle miles traveled. As they relate to land use, the State’s actions are intended to refocus development pressures inward, emphasizing transit-oriented development, mixed-uses, higher densities, and development of vacant and underutilized lots instead of pushing

the suburban footprint farther out. In the unincorporated area, we are seeing projects that embrace these concepts, such as the proposed Saranap Village Mixed-Use Project and the recently-approved doubling of density from 100 to 200 units at the Avalon Bay Block C Project at Pleasant Hill/Contra Costa Centre BART.

Estimating Housing and Jobs Needs in Contra Costa County

To estimate housing and jobs needs in the county over the next 20 years, staff proposes using the Association of Bay Area Governments-Metropolitan Transportation Commission (ABAG-MTC) Year 2040 projections for employment, population, and housing growth in the Bay Area as the primary data set. According to ABAG-MTC, these projections have been validated by the Center for Continuing Study of the California Economy, UC Berkeley, and Strategic Economics, all of which are outside consultants hired by ABAG-MTC. Staff will consult the adopted General Plan Housing Elements for the 19 cities, which demonstrate how housing needs can be met through 2022. Staff will also consider historic development pressures and trends in various sub-areas of the county and the practical effects of State legislation passed since Measure L's adoption.

Survey for Cities

To satisfy the Measure L requirement for participation with the cities, staff proposes one or more meetings with city staff and distribution to each city of a short survey or questionnaire similar to the Measure J Growth Management Compliance Checklist developed by the Contra Costa Transportation Authority, which the County and the cities must respond to every two years in order to receive certain transportation sales tax revenue. While the survey has not yet been developed, staff envisions a series of questions related mostly to the supply of developable land within city limits relative to the ABAG-MTC growth projections and other factors described above.

Public Meetings

While not required under Measure L, staff proposes holding at least three public meetings, one each in West, Central, and East Contra Costa County, to provide opportunities in addition to Board of Supervisor meetings for direct citizen participation in the ULL review process.

General Approach

Factoring in the ABAG-MTC projections, current Housing Element numbers, survey responses from the cities, comments received at the public meetings, and any other relevant information that surfaces during the process, staff would analyze whether anticipated housing and jobs needs could be accommodated within the existing ULL through 2036.

Given the uncertainty of future development patterns, including the density of development proposed and approved, staff proposes analyzing two "bookend" development scenarios. The first, or "lower-density" scenario, assumes that development occurs according to the existing General Plans of the County and the 19 cities. This would be accomplished by analyzing the County's General Plan Land Use Element Map to determine whether the ABAG-MTC projected growth could be accommodated on vacant land inside the existing ULL, including land that is currently designated for non-urban use. Lower-density development would be assumed for agricultural areas inside the ULL that may realistically be converted to an urban use. Staff would analyze the cities' survey responses to help determine whether anticipated growth in incorporated areas could be accommodated.

The second, or "higher-density" scenario, would assume that future development would occur in a manner more in line with current trends in State policy. This scenario anticipates development of existing vacant and underutilized lands that already have urban land use designations, but generally at higher densities. As with the lower-density scenario, this scenario assumes conversion of non-urban lands inside the ULL that may realistically be converted to urban use. However, this scenario assumes that conversion would occur at a higher average density. This scenario will illustrate how much development could realistically occur inside the existing ULL if policies supporting higher density and mixed uses were to be adopted at the local level.

As outlined above, the 2016 review must satisfy the purpose set forth in Measure L: to determine if enough land exists to satisfy housing and jobs needs through 2036. Consequently, staff does not propose to review the location of the ULL boundary as a part of the analysis (i.e., the report to the Board will not include recommendations regarding specific locations where the ULL boundary should be expanded or contracted). If this review indicates that there may be difficulty in accommodating projected jobs and housing needs in the county within the timeframe specified by Measure L, then a detailed land planning process will be necessary to determine how best to address the issue. Options may include increasing existing densities and adjusting the ULL boundary.

Timeline

Upon receiving the Board's approval to proceed, staff intends to develop the ULL survey and distribute it to the cities as soon as possible. Staff's goal is to distribute the survey in February 2016 with a request for responses by the end of June. Staff intends to conduct the public meetings from approximately April through June. Staff's analysis would be conducted from July through September, with a report to the Board of Supervisors in the final quarter of 2016.

CONSEQUENCE OF NEGATIVE ACTION:

None. The purpose of this report is to provide an update to the Board of Supervisors.

ATTACHMENTS

Attachment A - Urban Limit Line Map

Attachment B - Voter Information Pamphlet Containing Measures L and M