



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**
Technical Advisory Committee

Meeting Date / Location

**Tuesday, April 6, 2010
9:00 a.m. – 12:00 p.m.
City of Orange
Conference Room C
300 Chapman Avenue
Orange, California**

Agenda Item

Staff

Page

INTRODUCTIONS

(Chair Marika Modugno)

PUBLIC COMMENTS

(Chair Modugno)

At this time members of the public may address the TAC regarding any items within the subject matter jurisdiction, which are not separately listed on this agenda. Members of the public will have an opportunity to speak on agenda items at the time the item is called for discussion. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person and an overall time limit of twenty minutes for the Public Comments portion of the agenda.

Any person wishing to address the TAC on any matter, whether or not it appears on this agenda, is requested to complete a "Request to Speak" form available at the door. The completed form is to be submitted to the TAC Chair prior to an individual being heard. Whenever possible, lengthy testimony should be presented to the TAC in writing and only pertinent points presented orally.

ADMINISTRATION

- | | | |
|-----------|--|--|
| 1. | OCCOG TAC Meeting Minutes
♦ Draft OCCOG TAC minutes for March 2, 2010 meeting

<u>Recommended Action:</u> Approve OCCOG TAC minutes of March 2, 2010, as presented or amended | (Secretary Adrienne Gladson)

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PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS

- | | | |
|-----------|---|--|
| 2. | Orange County Projections (OCP 2010)
♦ Status update on the OCP 2010 control totals
♦ Status on OCP 2010 Draft Data Collection
♦ Best Management Practices list

<u>Recommended Action:</u> Discussion. Receive report. | (Deborah Diep, Center for Demographic Research) – 20 minutes

9 |
| 3. | Housing Element
♦ Housing Element Annual Reporting
♦ Urban Habitat Program v. City of | (Chair Modugno) – 40 minutes

10 |

Agenda Item		Staff	Page
	Pleasanton		
	<u>Recommended Action:</u> Discussion. Receive report.		
4.	2010 State Legislation Session <ul style="list-style-type: none"> ♦ Senate Bill 518 ♦ Other Legislation 	(Chair Modugno) – 20 minutes	21
	<u>Recommended Action:</u> Discussion. Receive report.		
5.	Orange County Sustainable Communities Strategy (SCS) Development <ul style="list-style-type: none"> ♦ MOU Development Status ♦ Orange County SCS Timeline ♦ Orange County SCS Next Steps – Development of a work plan, Board meetings ♦ <i>Developing Options for Orange County's Future</i> – Leadership Roundtable 	(David Simpson, OCCOG Staff) – 30 minutes	42
	<u>Recommended Action:</u> Discussion. Receive report.		
6.	SCAG Meetings <ul style="list-style-type: none"> ♦ Regional Council and Policy Committee Meetings of March 4, 2010 and April 1, 2010 ♦ Plans and Programs TAC Meeting of March 9, 2010 ♦ Subregional Coordinators Meeting of March 30, 2010 	(David Simpson, OCCOG Staff) - 20 minutes	81
	<u>Recommended Action:</u> Discussion. Receive report.		
7.	SCAG 2010 Regional Transportation Plan and Growth Forecast	(Chair Modugno) – 10 minutes	
	<u>Recommended Action:</u> Receive report.		
8.	OCTA's Long Range Transportation Plan	(Greg Nord, OCTA) – 10 minutes	
	<u>Recommended Action:</u> Receive report.		
9.	OCCOG Board Meeting of March 25, 2010	(Simpson, OCCOG Staff) – 10 minutes	82
	<u>Recommended Action:</u> Receive report.		
10.	Update on SCAQMD's Proposed Rule 2301	(Tracy Sato, City of Anaheim) – 5 minutes	
	<u>Recommended Action:</u> Receive report.		
REPORTS FROM THE CHAIR		(Chair Modugno)	

MATTERS FROM OCCOG TAC MEMBERS**OTHER BUSINESS**

(Chair Modugno)

ITEMS FOR NEXT MEETING

(Chair Modugno)

IMPORTANT DATES OR UPCOMING EVENTS

- ◆ April 6, 2010 – How Safe is OC's Safety Net
8:30-11:30 a.m.
Delhi Community Center, 505 East Center Avenue, Santa Ana
<http://www.surveymonkey.com/s/OCSafetyNetRegister>
- ◆ April 7-8, 2010:
California Transportation Commission
Hilton Orange County
3050 Bristol Street
Costa Mesa
<http://www.catc.ca.gov>
- ◆ May 5 -7, 2010:
SCAG General Assembly
La Quinta Resort
- ◆ May 24, 2010:
SCAG/USC Demographic Workshop

ADJOURNMENT

**Adjourn to: May 4, 2010
City of Orange Conference Room C
300 Chapman Avenue
Orange, California**



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS**
Technical Advisory Committee

Draft Summary Discussion and Action Minutes

Meeting of March 2, 2010

The OCCOG Technical Advisory Committee (TAC) meeting of March 2, 2010 was called to order by Chair Marika Modugno, City of Irvine, Orange County Transportation Authority, Board Room, 600 South Main Street, City of Orange at 9:06 A.M. Attendees were invited by the Chair to introduce themselves. The list of meeting attendees is attached.

PUBLIC COMMENT:

There were no public comments.

ADMINISTRATION

1. OCCOG TAC Meeting Minutes

A motion by Dave Simpson, OCCOG/OCTA, was made with a second by Charlie Larwood, OCTA, followed by the TAC unanimously approving the minutes of the February 2, 2010.

PRESENTATIONS, DISCUSSION AND ACTION ITEMS, REPORTS

2. Census 2010

TAC received report from Rosa Rendon, Local Input Coordinator.

A presentation on the efforts to complete the next census was given with a key points covered for TAC consideration. Ms. Rendon covered the arrival dates of census materials and the follow-up for households that don't respond. There are several census counts for special populations like people living in dormitories and homeless for example. She answers several question from TAC members.

3. Southern California Association of Governments SB 375 Outreach

Ms. Melinda Andrade, Curt Pringle and Associates, gave an update on this effort. Curt Pringle and Associates were hired by SCAG to complete the outreach for SCAG's SCS as part of SB 375. The outreach is very broad and focused toward lay stakeholders, special groups, and primarily elected officials. The next outreach date is tentative set for March 31 in a roundtable format. Frank Wen, SCAG, shared the status of the work SCAG is doing on the SCS and its relationship to the recently obtained General Plan-based local input growth forecast. A number of scenarios are being developed with a number of possible models. These options will be shared with SCAG's Plans & Programs Technical Advisory Committee (P&P TAC) on March 9. This data will be shared with local agencies after that time. TAC members discussed the options of listening to the March 9 meeting at OCTA's office.

4. Orange County Projections (OCP 2010)

Ms. Diep shared the county level control totals for 2010 Orange County Projections. This will become the database used for the 2012 Regional Transportation Plan. CDR has developed working control totals with the 2035 horizon year for projected growth for the county. This data set has been approved by the CDR TAC and CDR's management oversight committee. This is now the guiding data for preparing the OCP data set.

The meetings with local jurisdiction are set with about 2/3's of the OC cities already scheduled for their meeting. (The dates are March 8, 10, 11, 15, 16, 17, 18, 22, 23, 24 and 29. The meeting is planned to be approximately 1 hour long at approximately 9am, 11am, 1 or 3pm.) Cities are not expected to have all the answers CDR needs at their meeting and will have at least a month to submit feedback to CDR. A discussion occurred on the homework we could do to prepare for local meetings. Local agency maps will be used. Ms. Diep advised bringing key staff so all is aware of this work in order to better supply CDR with the information they need to complete this growth projection.

The action requiring TAC action is for the membership to consider the control totals for adoption. A motion was given by member Adrienne Gladson, City of Brea, with a second by Doug Reilly, City of Laguna Woods to recommend approval of the control totals to the OCCOG Board at their March 25, 2010 meeting, which was approved unanimously by the TAC membership.

5. Southern California Association of Governments

"Envision Tomorrow" Scenario Planning Tool Presentation and Demonstration

SCAG staff, Frank Wen, Hsi-Hwa Hu, and Jung A Uhm, gave a presentation on this visual tool. It is a sketch tool. Mr. Wen explained the provision of SB 375 that requires MPO's to develop a computer program to show the growth options for growth forecast options in a SCS. This is the tool SCAG developed to meet this requirement. SCAG is providing training sessions for local agencies who want to learn how to use of this tool. March and April will have training dates which OC cities will be invited to. Then, a user group will be set up to make the tool better. Its purpose is to show in real time how a land use changes and related changes may reduce vehicle trips and miles traveled for the SCAG region.

Mr. Hu gave the background of the computer program and the way SCAG developed it. The components of the different modules were covered as well. A PowerPoint show (provided in with the agenda) covered all the points of her presentation.

As general TAC questions were asked of Mr. Wen, he shared more on how the tool will work and what it does. The July 2008 existing land use and general plan data from local jurisdictions are contained in the tool as the reference point. This tool is not yet web based. The expectation is for this to be on SCAG's website by this June when it will be web based. A member observed that this tool would be helpful for a City that is going through a General Plan update. It provides a real time example of how a change in land use could help demonstrate reductions in greenhouse gas (GHG). Chair Modugno shared a list of comments from TAC

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members on this tool that could be of help for SCAG as the base data used in the program has not been fully vetted by all jurisdictions. Caution should be utilized in the assumptions of the land use models. Chair Modugno welcomed TAC comments on this tool and invited members to share with her any further questions or comments on it.

A number of additional technical questions on the data and the model assumptions were asked by TAC members. Mr. Wen stated the data can be updated as necessary. The 2008 land use will be the baseline. He stated that training is tentatively set for March 16, 17, 18, and 19 in the morning and afternoon and early April. All training is in Los Angeles at the SCAG offices. For local agencies to use it in current form you need an ESRI 2.3 license/GIS 9.2. Ms. Diep encouraged SCAG staff to have the P & P TAC of SCAG review the proposed user manual.

6. Orange County Sustainable Communities Strategy (SCS) Development

Chair Modugno gave this report for David Simpson, OCCOG Staff reported:

- ◆ MOU Development Status
 1. This is called a letter of intent (terms are RHNA will not be a part of this).
 2. The issue continues to move forward.
- ◆ SCS Framework and Guidelines
 1. This effort is moving forward at the Orange County level.
- ◆ Orange County SCS Timeline and Next Steps – Development of a work plan, Board meetings.
 2. This effort is moving forward.

7. SCAG Meetings

Chair Modugno gave this report for David Simpson, OCCOG Staff:

- ◆ Regional Council and Policy Committee Meetings of February 4, 2010 and March 4, 2010. (Fiscalization of land use idea was covered and will be sent to City Managers on this topic to the Regional Council)
- ◆ Plans and Programs TAC Meeting of February 10, 2010
Pricing strategy on road usage – pay to use the roads.
- ◆ Subregional Coordinators Group Meetings of February 2, 2010 and March 2, 2010
Today's meeting will be an update of SCS efforts at the SCAG level.

8. SCAG 2010 Regional Transportation Plan and Growth Forecast

Chair Modugno covered that this is a standing item and that she has no update on this item for March.

9. OCTA's Long Range Transportation Plan

Greg Nord, OCTA shared:

The final details of the RTP are being developed. The OCTA Board is expected to take action at their meeting in March.

The goals of the plan will be presented to the Board in April. The goal is to have the draft LRTP by September with adoption by the end of the year. OCTA plans to release the draft Long Range Transportation Plan (LRTP) this summer.

The full transportation project list should be submitted to SCAG by June and will be incorporated in Orange County's SCS.

The discussion of the group was to keep this topic on future agendas.

10. OCCOG Board Meeting of February 25, 2010

Chair Modugno gave this report for Dave Simpson, OCCOG Staff:

She covered a preview of their next agenda.

The MOU discussion was the major item for their discussion.

11. Update on SCAQMD's Proposed Rule 2301

See the staff report by Tracy Sato, City of Anaheim, to the OCCOG Board last month for additional details on this topic. It looks like the stakeholders group may be gathering for a meeting in April.

The status of this item remains the same. The new draft language will have a closer tie to SCAG's Sustainable Communities Strategy (SCS). The key issue AQMD is working on is Best Management Practice's (BMP's) or mitigation for when a project is subject to PR 2301. Ms. Sato is tracking down the various lists which includes the potential BMP's/mitigation (e.g. moving cooler list). The Draft is still being reviewed internally at SCAQMD. She will report more information as it moves forward in the process. The TAC will continue to monitor.

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REPORT FROM THE CHAIR

None

MATTERS FROM OCCOG TAC MEMBERS

None

OTHER BUSINESS

None

ITEMS FOR NEXT MEETING

- ◆ SB 518 (Lowenthal)
- ◆ Housing Reports and HCD

IMPORTANT DATES OR UPCOMING EVENTS

- ◆ March 4, 2010:
SCAG Regional Council and Policy Committee Meetings
- ◆ March 9, 2010:
SCAG Plans and Programs TAC
- ◆ March 25, 2010:
OCCOG Board of Directors Meeting
- ◆ April 1 2010:
National Census Day
- ◆ May 5 -7, 2010:
SCAG General Assembly
La Quinta Resort
- ◆ May 24, 2010:
SCAG/USC Demographic Workshop
Irvine, California

ADJOURNMENT

The meeting was adjourned by Chair Modugno at 11:30 a.m. to Tuesday, April 6, 2010 at 9:00 a.m. at the City of Orange, Conference Room C.

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Submitted by:

Adrienne Gladson, City of Brea
OCCOG-TAC Secretary

Attendees List for March 2, 2010 Meeting

Marika Modugno, TAC Chair, City of Irvine
Adrienne Gladson, City of Brea
Scott Reekstin, City of Tustin
Art Bashmakian, City of Westminster
Anna Pehoushek, City of Orange
Elaine Lister, City of Mission Viejo
Jay Saltzberg, City of Buena Park
Melanie McCann, City of Santa Ana
Fern Nueno, City of Newport Beach
Ron Santos, City of Lake Forest
Christopher Wright, City of San Clemente
Dave Simpson, OCCOG/OCTA
Greg Nord, OCTA
Deborah Diep, CDR/CSUF
Charlie Larwood, OCTA
Pat Dapkus, City of Huntington Beach
Frank Wen, SCAG
JungA Uhm, SCAG
Hsi-Hwa Hu, SCAG
Doug Reilly, City of Laguna Woods
Danny Wu, City of Anaheim
Kori Nevarez, City of Cypress
Carla Walecka, TCA
Bob Matson, RBF Consulting
Paul Martin, RBF Consulting
Linda Smith, County of Orange
Amy Mullay, City of Irvine
Maria Parra, City of Garden Grove
Roy Ramsland, City of La Habra
Scott Martin, CDR
John Douglas, John Douglas and Associates
Todd Priest, Curt Pringle and Associates
Melinda Andrade, Curt Pringle and Associates



**ORANGE COUNTY
COUNCIL OF GOVERNMENTS
Technical Advisory Committee**

Sign-In: Meeting of March 2, 2010

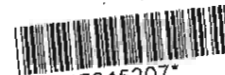
Name	Agency	Phone Number	Email Address
MARIKA MODUGNO	CITY OF IRVINE	949) 721-6456	mmodugno@cityofirvine.org
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Dave Simpson	OCCOG	714-560-5570	DSimpson@octa.net
Charlie Larwood	OCTA	(714) 560-5683	CLarwood@octa.net
LINDA SMITH	County of Orange	(714) 834-5835	linda.smith@rdmd.ocgov.com
PAT DAPKUS	CITY OF HUNT. BEH	714-536-5579	pdapkus@suffcity-hb.ORG
CHRISTOPHER WRIGHT	CITY OF SAN CLEMENTE	949-361-6193	wrightc@san-clemente.org
Frank Wen	SCAG	213-236-1854	wen@scag.ca.gov
JungA Uhm	SCAG	213-236-1939	uhm@scag.ca.gov
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Adrienne Gladson	Brea	714-990-7674	adrienneg@cityofbrea.net
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Elaine Lister	City of Mission Viejo	949 470.3029	elistere@cityofmissionviejo.org
John Douglas	J.H. Douglas & Assoc.	714-628-0464	John@JHDPlanning.net
Jay Saltzberg	City of Buena Park	714 5623615	JSaltzberg@BuenaPark

Name	Agency	Phone Number	Email Address
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VALAKIE McFAU	TCA	949-754-3475	vmcfalle@thetollroads.com
Danny Wu	City of Anaheim	714-765-5054	dww@anaheim.net
BOB MATSON	RBF CONSULTING	949-855-5736	bobmatson@rbf.com
PAUL MARTIN	RBF Consulting	949-855-7805	pmartin@rbf.com
CARLA WALECKA	TCA	323/842-9373	carla@earthlink.net
Ry Ponder	CITY OF LA HABRA	562-205-9724	ROYR@LAHABRACITY.COM
RON SANTOS	CITY OF LAKE FOREST	949-461-3449	rsantos@lakeforestca.gov
Anna Pehoushek	City of Orange	(714) 744-7228	apehoushek@cityoforange.org
Amy Mullay	City of Irvine	949-724-7454	amullay@ci.irvine.ca.us
Todd Pringle	CPTA	(714) 939-9070	todd@curtpringle.com
Melinda Andrade	Curt Pringle & Assoc	(714) 939-9070	melinda@curtpringle.com
Kori Nevarez	City of Cypress	(714) 229-6724	knevarez@ci.cypress.ca.us
MARIA PARRA	City of Garden Grove	(714) 741-5312	mparra@ci.garden-grove.ca.us
Scott Reekstin	City of Tustin	714-573-3016	sreekstin@tustinca.org
Fern Nueno	City of Newport Beach	949-644-3227	fnueno@newportbeach.ca.gov

Inventory of known strategies/best management practices within jurisdiction.
Please enter project name or location. If project has been completed, please annotate as such.

	Jurisdiction Name:	
1	Infill in areas with existing infrastructure	
2	New housing and jobs within 1/2 mile of existing/planned transit stations	
3	Increasing residential/commercial density near transit	
4	Increasing housing densities within/adjacent to employment areas	
5	Locate major regional activity centers near existing development	
6	Horizontal or vertical mixed use	
7	Compact building design (with a mix of uses)	
8	Develop "complete communities"	
9	Plan for a changing demand in types of housing	
10	Local housing for local workforce	
11	Integrate affordable and market rate housing	
12	Locate schools in neighborhoods with student populations	
13	Co-location/on-site facilities e.g. day care, cafeteria...	
14	Ensure adequate access to open space and preservation of habitat	
15	Making developments transit ready	
16	Improving bicycle infrastructure	
17	Improving pedestrian infrastructure e.g. pedestrian bridge	
18	Non-motorized zones	
19	Managed parking	
20	Shared parking	
21	Altering/reducing parking requirements and supply	
22	On-street parking	
23	Alternative fuel infrastructure	
24	Preferential parking for electric/hybrid vehicles	
25	Use of Neighborhood Electric vehicles for circulator transit	
26	Rideshare programs	
27	o Vanpools	
28	o Park-and-ride lots	
29	o Car sharing	
30	o Carpool matching services	
31	o Bike sharing	
32	Online permitting	
33	Webcasts of City Council or Planning Commission meetings	
34	Promotion of alternative modes (Rideshare Week, Dump the Pump, Bike to Work Week, etc...)	
35	Guaranteed ride programs (provides on-call transportation for employees using alternative transportation who miss their ride, need a ride for an emergency, etc...)	
36	Real-time transit information	
37	Employer incentives for alternative modes	
38	Parking cash out programs/policies	
39	Using intelligent transportation system technologies, signal synchronization, prioritization for buses	
40	Expand transit network and improve transit facilities	
41	Improve linkages between travel modes	
42	OCTA Go Local projects	
43	Additional pricing options: congestion pricing, hot lane pricing, etc. on major routes	
44	Cordon pricing (e.g. London, fee for vehicle access to roads within specified area)	
45	Higher tax on free private parking	

You may also add additional strategies which contribute to reductions in vehicle miles traveled (e.g. installation of artificial turf thus reducing VMT for gardeners):



FILED
ALAMEDA COUNTY

MAR 12 2010

CLERK OF THE SUPERIOR COURT

By Vicki Daybell

VP

SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

URBAN HABITAT PROGRAM AND
SANDRA DE GREGORIO,

Petitioners & Plaintiffs,

PEOPLE OF THE STATE OF
CALIFORNIA, ex rel. EDMUND G.
BROWN, JR., ATTORNEY GENERAL,
et al.,

Plaintiff-Intervenor,

v.

CITY OF PLEASANTON, A
MUNICIPAL CORPORATION AND
THE CITY COUNCIL OF
PLEASANTON

Respondents & Defendants.

Case no. RG06-293831

ORDER GRANTING PETITION FOR
WRIT OF MANDATE

The hearing on the First Amended Verified Petition of Petitioners and
Plaintiffs Urban Habitat Program and Sandra De Gregorio (collectively,

“Petitioners”) for Writ of Mandate came regularly before the court on December 18, 2009, Judge Frank Roesch presiding.

Appearing for the Petitioners were Richard Marcantonio, Esq. of Public Advocates, Inc., Michael Rawson, Esq. of California Affordable Housing Project, and Christopher Moody, Esq. of Paul, Hastings, Janofsky & Walker LLP.

Appearing for the Respondents were Thomas Brown, Esq. and Adam Hofmann, Esq. of Hansen Bridgett LLC and Michael Roush, Esq., Interim City Attorney.

Appearing for Intervenor was Clifford Rechtschaffen, Esq. of the Office of the Attorney General.

The matter was argued and submitted.

The court has carefully considered the papers and pleadings filed herein and has considered the argument of counsel. Good cause appearing therefore, the court HEREBY GRANTS the Petition for Writ of Mandate. The reasoning follows.

BACKGROUND

This lawsuit concerns allegations relating to Respondent’s city planning process, and the adequacy or inadequacy of its planning documents.

Policy 15 of the Land Use Element of the City’s 1996 General Plan and Policies 24 et seq. of the Land Use Element of the City’s 2005 general plan codify measure GG, a housing cap. Measure GG was an initiative measure passed by the voters in 1996. It (and the Land Use Element’s policy codifications) restrict and

place limits on the Pleasanton City Council and City government, prohibiting them from permitting the construction of more than 29,000 housing units from 1996 until the end of time. The only exception permitted by the Measure is that it may be amended, but only by a vote of the people.¹ It is the continuing validity of this housing cap that is one of the subjects of this action.

Pleasanton Municipal Code Chapter 17.36, entitled Growth Management Program, includes section 17.36.060, which places annual limits on building permits for the construction of new housing units. This provision of the Pleasanton Municipal Code was modified about a month and a half before the hearing of the present Petition to allow an exception to the maximum number of building permits rule allowing an increase to the maximum amount, but only if the City is obligated to do so in order to meet its Regional Housing Needs Allocation (“RHNA”).

In 2003 the City of Pleasanton adopted its current Housing Element of the General Plan. Within that plan was an acknowledgment that “the amount of units projected from [all of] the City’s residentially owned land would be short of the number required require to meet the city’s aggregate share of regional needs....” (Housing Element, p. 35.) Also in that Housing Element is a plan to study (within

¹ The measure was amended by Measures PP and QQ in 2008 by public vote. Those measures reaffirmed the 29,000 units housing cap, reaffirmed that the City Council had no discretion to allow any waiver to the housing cap, and excluded in-law units and extended-stay motel rooms from the housing cap.

one year of 2003) which other vacant land in this City ought be rezoned to “residential” to accomplish the City’s obligation to accommodate its RHNA.

The City did not conduct its study within that year and has not yet completed a complete land-use change/zoning change necessary for it to accommodate the shortfall of RHNA existing in 2003.

The City Council did, a month and a half before the hearing on the present Petition, pass Pleasanton Ordinance 1998 approving the rezoning of a portion of the land located in the “Hacienda Business Park.” However, a careful reading of the ordinance discloses that the status quo was not changed. The ordinance requires that the approval of any development plan for residential development “shall not be granted until the completion of a PUD Major Modification for the entire Hacienda Business Park.” This is a process that could take up a period of time ranging from one year to forever.

Local governments such as the City of Pleasanton are delegated the authority over land-use decisions and planning within their borders, and “have a responsibility to use the powers vested in them to facilitate” new housing construction that “make(s) adequate provision for the housing needs of all economic segments of the community.” (Govt. Code § 65580, subd. (d).) The scope of that responsibility is spelled out in detail in the Housing Element Law. (Govt. Code §§ 65580-65589.8.) It was the intent of the Legislature by the enactment of the Housing Element Law to assure that counties and cities recognize

their responsibilities in contributing to the attainment of the state housing goal, and to assure that counties and cities will prepare and implement housing elements which, along with federal and state programs, will move toward attainment of the state housing goal. (Govt. Code § 65581.)

In order to attain state housing goals, the Legislature prescribed that cities, including Pleasanton, maintain an inventory of land available for residential development (see Govt. Code § 65583.2), and that cities must make available for residential development sufficient suitable land to accommodate its share of regional housing needs. (See, e.g., Govt. Code § 65584.) Existing and projected regional housing needs are determined in the manner detailed in Government Code sections 65584.01 and 65584.02, and those regional needs are allocated within the various regions of the State by the council of local governments in each respective region. (See Govt. Code §§ 65584.04, 65584.05 and 65584.06.) Here that council of governments is the Association of Bay Area Governments (ABAG).

A city's obligations under the Housing Element Law require it to implement programs to zone or rezone land to establish adequate sites to accommodate its Regional Housing Needs Allocation (RHNA) and must timely adopt a housing element with an inventory of sites which can accommodate a city's share of the regional housing need. (See, e.g., Govt. Code §§ 65583, 65584.09, and 65588.)

The RHNA allocated by ABAG to the City of Pleasanton in 2001 relating to the 1999-2007 planning period is 5,059 units of housing. The RHNA allocated by

ABAG to the city of Pleasanton in 2007 relating to the 2007-2014 planning period is an additional 3277 housing units.

THE HOUSING CAP

There is a difference of opinion regarding the number of housing units built since the imposition of the housing cap, but the difference is not material. The parties do not disagree that the number of units allowable under the Measure GG housing cap is less than the City's RHNA obligation.

It is self-evident that the City cannot comply with the State statute requiring the City to accommodate its RHNA when the city is not permitted by its local law, Measure GG, to allow the number of housing units to be built that would satisfy the RHNA.

The question of which law prevails is elementary. State law preempts whenever local laws contradict state law. (See Cal. Const. article XI, § 7.)

The Supreme Court has stated it succinctly :

"The general principles governing state statutory preemption of local land use regulation are well settled." "The Legislature has specified certain minimum standards for local zoning regulations (Govt. Code §65850 et seq.)" even though it also "has carefully expressed its intent to retain the maximum degree of local control (see, e.g., id., §§ 65800, 65802)." (*IT Corp. v. Solano County Bd. of Supervisors* (1991) 1 Cal.4th 81, 89.) "A county or city may make and enforce within its limits all local police, sanitary, and other ordinances and regulations *not in conflict with general laws*." (Cal. Const., art. XI, § 7, italics added.) "Local legislation in conflict with general law is void. Conflicts exist if the ordinance duplicates [citations], contradicts [citation], or enters in an area fully occupied by general law, either expressly or by legislative implication [citations]. (*People ex rel. Deukmejian v. County of Mendocino* (1986) 36 Cal.3d 476,

484, quoting *Lancaster v. Municipal Court* (1972) 6 Cal.3d 805, 807-808; accord, *Sherman-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, 897.)”

Morehart v County of Santa Barbara (1994) 7 Cal.4th 725, 747.

Here Measure GG, with the passage of time and the promulgation of a RHNA obligation that is contradicted by the provisions of Measured GG, has become pre-empted by the Housing Element Law, rendering it void.² (See also *Building Industry Association of San Diego v. City of Oceanside* (1994) 27 Cal.App.4th 744).

THE GROWTH MANAGEMENT PROGRAM

At the eleventh hour, the city has avoided the invalidation of its annual limitation on new housing units, which conflicts with the RHNA, by promulgating an exception to the program. The change cures the facial invalidity of the program and there is no as-applied challenge presented here.

COMPLIANCE WITH THE 1999-2007 RHNA OBLIGATION

The City is in clear violation of the Housing Element Law, the Least Cost Zoning Law, and its obligations to complete its 2003 Housing Element program designed to satisfy its RHNA for the 1999-2007 planning period.

² This lawsuit is about the City’s obligation to plan and to accommodate its RHNA in its plans. It matters not that the City planners have a belief that the State’s RHNA requirements are unlikely to be satisfied because of the current economic climate. First and foremost, the City does not have the discretion to ignore the specific mandates of State law and second, the City planners’ current beliefs are subject to change based on economic events beyond the control of either the City or the State.

The City still has not accommodated the RHNA allocated to it in 2001.

The City's enactment of Ordinance 1998 a month and a half before the hearing on this petition may start a process to cure the City's failure in this matter, but is wholly inadequate to be considered a cure. Its requirement of further necessary acts before any development plan can be approved vitiates any actual remedial effect of the Ordinance. Moreover, the "good cause" exception in the Ordinance is illusory because it is not defined and because it is an obvious disincentive to developers. The requirement that a developer might have to spend a great deal of money just to reach the point where a discretionary determination of whether "good cause" exists to allow a developer to continue with a project will inhibit any developer from proposing any residential development.

For the above stated reasons, the Writ of Mandate is GRANTED.

Respondents City of Pleasanton and City Council of the City of Pleasanton must cease and desist from the enforcement, administration, and/or implementation of the provisions of Measures GG, PP, and QQ, which limit the number of housing units permitted in Pleasanton, and must remove those provisions from all of Pleasanton's planning documents including the General Plan and any element of the General Plan. This includes Policy 24 and Programs 24.1, 24.2, and 24.3 of the Land Use Element of the General Plan.

Respondents must implement non-illusory zoning changes sufficient to accommodate the unmet RHNA for the 1999-2007 Planning Period. That is, the zoning

and land-use changes need be implemented such that they are without condition or need of future discretionary approval.

Respondents must cease issuing non-residential building permits and all related building permits for any construction or development except as provided in Government Code sections 65755, subdivisions (a)(1) and (b) and 65760 until the City brings its General Plan into compliance with the requirements of State Law.

Petitioners are to prepare a form of Writ returnable in 120 days and a form of judgment for the Courts review and consideration and submit them to the court within ten days.

EVIDENTIARY DETERMINATIONS

1. Petitioners' and Intervenor's Objections filed 12/7/09.

STERN DECLARATION

1. overruled – goes to weight and credibility.
2. sustained on all three grounds asserted.
3. sustained on all three grounds asserted.
4. overruled.
5. sustained – relevance.
6. sustained – legal conclusion.
7. sustained – legal conclusion.
8. sustained – speculation.
9. overruled – goes to weight.

East Bay Express

NEWS » ECO WATCH

March 24, 2010

More Sprawl in Pleasanton?

Although understandable, a recent court ruling could produce more suburban tract developments — unless state law is changed.

By Robert Gammon

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When an Alameda County judge overturned Pleasanton's housing cap earlier this month, social justice activists immediately hailed it as a victory for affordable housing. The ruling by Superior Court Judge Frank Roesch will require Pleasanton to finally allow homes to be built for low-income workers. But Roesch's decision went farther than that. It also will force the leafy town to accommodate more market-rate housing, which could potentially worsen suburban sprawl and hamstring the fight against global warming.

Roesch ruled that a 1996 voter-approved initiative that capped the number of homes in Pleasanton conflicted with state laws requiring communities to accommodate enough housing for future growth. But the ruling, if it withstands a possible appellate challenge, also could provide a legal excuse for other suburban cities to continue to expand and worsen sprawl. And if they do, it will only put more cars on the road, force longer commutes, and increase greenhouse-gas emissions.

The ruling is not the judge's fault. Pleasanton's housing cap was clearly illegal. Cities can't violate state laws that require them to plan for growth. But the problem is that state law doesn't provide enough incentives that housing and jobs be built next to mass transit. Instead, the law is amorphous; it merely requires that communities meet future "housing needs." It does not limit suburban expansion nor spur dense housing and job creation in urban areas where it will have the least impact on climate change. In short, suburbs are free to attract more jobs as long as they build more housing.

Berkeley Mayor Tom Bates, who sits on the Bay Area Air Quality Management District Board and the Metropolitan Transportation Commission, believes California law needs to be changed to encourage strict new smart-growth standards. "What we really need is good transportation planning coupled with housing development planning," he said. "Growth just to have growth is not the answer."

But Richard Marcantonio, an attorney who represented the group Urban Habitat in its defeat of Pleasanton's housing cap, thinks a landmark state environmental law will help slow suburban sprawl. Known as Senate Bill 375, the law was enacted in 2008 and will take effect over the next several years. It requires that the Bay Area and other regions throughout the state adopt a "Sustainable Communities Strategy" that ties population growth targets and future housing needs with mass transit and greenhouse-gas emissions.

The new law could help lessen the impact of Roesch's ruling, because regional planning for future "housing needs" will be connected to transportation planning. Current state law, by contrast, treats these issues as if they were in a vacuum. It requires Pleasanton to accommodate more housing because it has become a job center over the past two decades, but it says nothing about whether the new homes should be built near jobs or mass transit. Senate Bill 375 at least attempts to address this problem.

But even though the new law is an important step forward in the fight against climate change, it doesn't go far enough to spur transit-oriented development.

For example, the law will not prevent suburban communities from building more tract-home developments once the housing crisis is over.

Environmentalists also acknowledge that part of the problem is that the Metropolitan Transportation Commission continues to fund expensive suburban road projects that encourage even more sprawl.

Still, Pleasanton's housing cap had to go. In a brief filed in the case, state Attorney General Jerry Brown, who also sought to overturn the cap, noted that nearly 80 percent of the people who work in Pleasanton commute from elsewhere. That's because the city has bent over backward to attract business and jobs over the years but not housing. The judge's ruling will result in more affordable workforce housing, and more housing overall, but unfortunately, it says nothing about where the new homes will be built. And based on Pleasanton's track record, the city may end up expanding outward rather than building apartments and condos near its BART station.

Ironically, the 1996 law that Roesch overturned was originally supported in part by environmentalists who sought to curb sprawl in Pleasanton and the Tri-Valley area. But the cap, coupled with Pleasanton's job growth, only forced sprawl to move into the Central Valley. And so it took a different environmental/social justice group, Urban Habitat, to recognize that Pleasanton's cap was effectively forcing low-paid workers to commute long distances to their jobs and thus should be overturned.

If California is serious about combating climate change, then it clearly needs some powerful incentives for cities to build housing for people not only near their work, but also next to mass transit. And some strong disincentives to help stop sprawl.

Introduced by Senator Lowenthal

February 26, 2009

An act to amend Section 76360 of the Education Code, and to add Division 19 (commencing with Section 43000) to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 518, as introduced, Lowenthal. Vehicles: parking services and fees.

(1) Existing law regulates the amount of fees that a community college district may charge for parking and authorizes the governing board of a community college district to require payment of a parking fee at a campus in excess of established limits for the purpose of funding the construction of oncampus parking facilities if certain conditions are met.

This bill would delete these provisions and instead require that state funds not be used, directly or indirectly, to subsidize parking services, except as specified, for students, employees, or other persons on district-owned or district-leased property on and after January 1, 2011. The bill also would authorize the governing board of a community college district to exempt specified students who receive financial assistance or who rideshare or carpool from paying parking fees that exceed a specified amount.

(2) Under existing law, the State Building Construction Act, state funds may be used to fund the construction or operations of parking facilities in California. Under existing law, a city, county, or city and county is authorized to provide for the parking of motor vehicles, including the construction and operation of parking facilities, and the

acquisition of land, property, and rights of way necessary or convenient for use as public parking places.

This bill would prohibit, notwithstanding any other provision of law on and after January 1, 2011, the use of state funds to, directly or indirectly, subsidize the construction or operations of parking in California, except as specified, and for this purpose, the bill would define both the construction and operating costs of parking, the full cost of a parking space, transit intensive areas, and specify the exceptions to this requirement. A violation of the Vehicle Code is a crime.

The bill would require, on or before January 1, 2012, a city, county, or city and county to adopt and implement, or have adopted and implemented, measures from a specified menu that achieve a total score of at least 20 points, based on the points associated with that menu to ensure that a city, county, or city and county manages its parking so that the actual cost of a parking space equals its full cost, as specified. By increasing the duties of local public officials, the bill would impose a state-mandated local program.

The bill also would authorize a city, county, or city and county, to request the State Air Resources Board to approve and award points for other alternate measures to reduce or eliminate subsidies that fail to charge users for the full cost of a parking space, as specified. The bill also would provide that if a city, county, or city and county adopts and implements measures to achieve a total score of at least 50 points from the specified menu, the city, county, or city and county, with respect to any application for competitive loan or grant programs funded by a general obligation bond approved by the voters on or after January 1, 2010, would receive bonus points equal to 5% of the total available points.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The transportation sector contributes over 40 percent of the
4 greenhouse gas emissions in the State of California; automobiles
5 and light trucks alone contribute almost 30 percent. The
6 transportation sector is the single largest contributor of greenhouse
7 gases of any sector.

8 (b) In 2006, the Legislature passed and the Governor signed
9 Assembly Bill 32 (Chapter 488 of the Statutes of 2006; hereafter
10 AB 32), which requires the State of California to reduce its
11 greenhouse gas emissions to 1990 levels no later than 2020.
12 According to the State Air Resources Board, in 1990 greenhouse
13 gas emissions from automobiles and light trucks were 108 million
14 metric tons, but by 2004 these emissions had increased to 135
15 million metric tons.

16 (c) Greenhouse gas emissions from automobiles and light trucks
17 can be substantially reduced by new vehicle technology and by
18 the increased use of low carbon fuel. However, even taking these
19 measures into account, it will be necessary to achieve significant
20 additional greenhouse gas reductions by reducing vehicle trips and
21 per capita vehicle miles traveled. Without those reductions,
22 California will not be able to achieve the goals of AB 32.

23 (d) In addition, automobiles and light trucks account for 50
24 percent of air pollution in California and 70 percent of the state's
25 consumption of petroleum. Reducing vehicle trips will provide
26 significant assistance to California's goals to implement the federal
27 and state Clean Air Acts and to reduce the state's dependence on
28 petroleum.

29 (e) The existence of "free" parking is a significant factor that
30 encourages vehicle trips. At employment sites, employer-paid
31 parking increases rates of driving by as much as 22 percent.
32 Conversely, employee-paid parking reduces rates of driving by
33 the same amount. On a congested street, eliminating just 10 percent
34 of vehicles results in freeflowing traffic. Because parking is
35 underpriced, it is overconsumed.

36 (f) Excessive governmental parking requirements greatly expand
37 the built footprint and increase travel distances, thereby increasing
38 per capita measures of vehicle miles traveled and reducing the

1 viability of clean transportation modes that help to achieve the
2 state's global warming targets, including walking, bicycling, and
3 public transportation.

4 (g) Parking is costly to build and maintain. Where land is valued
5 at \$1 million an acre, the land beneath a parking space would rent
6 at approximately \$1,000 a year. Building a structured parking
7 space costs between \$17,000 and \$30,000, with underground spaces
8 costing significantly more. Annual operations and maintenance
9 costs vary from \$100 and \$500 per space per year. When parking
10 is provided free to the user, these costs are hidden elsewhere in
11 the cost of doing business. Free parking at stores is paid for by all
12 customers in higher prices for goods, including those customers
13 who do not drive. Free employer parking is paid for by lower wages
14 for all workers, including those who do not drive. Free onstreet
15 parking is paid for by the entire community in the form of taxes.

16 (h) Eliminating subsidies and revealing the actual cost of parking
17 to drivers has enormous potential to reduce greenhouse gas and
18 other pollution emissions through reducing vehicle trips. In the
19 short term, changes to parking policy can reduce greenhouse gas
20 emissions more than all other strategies combined. Eliminating
21 parking subsidies can also improve social equity by lowering prices
22 for those who choose not to drive, often lower-income households.

23 SEC. 2. Section 76360 of the Education Code is amended to
24 read:

25 ~~76360. (a) (1) The governing board of a community college~~
26 ~~district may require students in attendance and employees of the~~
27 ~~district to pay a fee, in an amount, not to exceed forty dollars (\$40)~~
28 ~~per semester and twenty dollars (\$20) per intersession, to be~~
29 ~~established by the board, for parking services. The fee shall only~~
30 ~~be required of students and employees using parking services and~~
31 ~~shall not exceed the actual cost of providing parking services.~~

32 *76360. (a) Except as provided in subdivision (b), state funds*
33 *shall not be used, directly or indirectly, to subsidize parking*
34 *services for students, employees, or other persons on district-owned*
35 *or district-leased property on and after January 1, 2011. Parking*
36 *services are not subsidized if parking user fees cover land and*
37 *construction costs within no less than 15 years, and operation and*
38 *maintenance costs on an annual basis.*

39 *(b) (1) The governing board of a community college district*
40 *may exempt students who receive financial assistance pursuant to*

1 *any programs described in subdivision (g) of Section 76300 from*
2 *parking fees that exceed twenty dollars (\$20) per semester.*

3 (2) To encourage ridesharing and carpooling, ~~for the governing~~
4 ~~board of a community college district may exempt~~ a student who
5 certifies, in accordance with procedures established by the board,
6 that he or she regularly has two or more passengers commuting to
7 the community college with him or her in the vehicle parked at
8 the community college, ~~the fee shall not from parking fees that~~
9 ~~exceed thirty dollars (\$30) per semester and ten dollars (\$10) per~~
10 ~~intersession.~~

11 (b) ~~(1) The governing board may require payment of a parking~~
12 ~~fee at a campus in excess of the limits set forth in subdivision (a)~~
13 ~~for the purpose of funding the construction of on-campus parking~~
14 ~~facilities if both of the following conditions exist at the campus:~~

15 (A) ~~The full-time equivalent (FTES) per parking space on the~~
16 ~~campus exceeds the statewide average FTES per parking space on~~
17 ~~community college campuses.~~

18 (B) ~~The market price per square foot of land adjacent to the~~
19 ~~campus exceeds the statewide average market price per square~~
20 ~~foot of land adjacent to community college campuses.~~

21 (2) ~~If the governing board requires payment of a parking fee in~~
22 ~~excess of the limits set forth in subdivision (a), the fee may not~~
23 ~~exceed the actual cost of constructing a parking structure.~~

24 (c) ~~Students who receive financial assistance pursuant to any~~
25 ~~programs described in subdivision (g) of Section 76300 shall be~~
26 ~~exempt from parking fees imposed pursuant to this section that~~
27 ~~exceed twenty dollars (\$20) per semester.~~

28 (d) ~~The governing board of a community college district may~~
29 ~~also require the payment of a fee, to be established by the~~
30 ~~governing board, for the use of parking services by persons other~~
31 ~~than students and employees.~~

32 (e)

33 (c) All parking fees collected shall be deposited in the designated
34 fund of the district in accordance with the California Community
35 Colleges Budget and Accounting Manual, and shall be expended
36 only for parking services or for purposes of reducing the costs to
37 students and employees of the college of using public transportation
38 to and from the college.

39 (f)

(d) Fees collected for use of parking services provided for by investment of student body funds under the authority of Section 76064 shall be deposited in a designated fund in accordance with the California Community Colleges Budget and Accounting Manual for repayment to the student organization.

~~(g)~~
(e) “Parking services,” as used in this section, means the purchase, construction, and operation and maintenance of parking facilities for vehicles and motor vehicles as defined by Sections 415 and 670 of the Vehicle Code.

SEC. 3. Division 19 (commencing with Section 43000) is added to the Vehicle Code, to read:

DIVISION 19. PARKING REQUIREMENTS

43000. For the purposes of this division, the following terms have the following meaning:

(a) “Full cost of a parking space” means the sum of all of the following:

(1) Annualized land cost. For above-ground structured parking within a larger building, assume a fractional land cost based upon above-ground volume of the parking facility compared to other occupiable space. For entirely underground parking, assume no land value. To annualize the cost, divide actual or fractional land cost by 10. For leased land, use the annual lease rate.

(2) Annualized construction cost. Include full project cost divided by the useful life of the facility. If actual costs are not available, use a per-space cost from a relevant parking construction cost index, and assume a 40-year useful life.

(3) Annualized operations and maintenance costs. Include lighting, landscape, irrigation, security, insurance, pavement maintenance, collections, enforcement, and related costs.

(b) “Transit intensive area” means central business districts, areas within one-half mile of a major transit stop, as defined in subdivision (b) of Section 21155 of the Public Resources Code, and areas within one-quarter mile of a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code.

43001. (a) Notwithstanding any other provision of law, state funds shall not be used, directly or indirectly, except as provided

in subdivision (b), to subsidize the construction or operations of parking in California on and after January 1, 2011. For the purposes of this section, the construction costs of parking include the land, design, environmental review, permitting, project management, mitigation, and actual construction costs. Operating costs include debt service, maintenance, insurance, enforcement, collections, utilities, security, and other ancillary costs necessary to the operations of the parking facility. The construction or operation of parking is not subsidized if parking user fees cover construction costs within no less than 15 years and operating costs on an annual basis.

(b) All of the following are exceptions to subdivision (a):

(1) Locations where the cost of collecting payment for parking would exceed 75 percent of total revenue collected.

(2) Existing parking facilities at state parks where parking demand does not exceed capacity on more than 10 percent of days.

(3) Existing parking facilities at state-owned or leased employment facilities that employ 25 or fewer state employees or contractors where parking demand does not exceed capacity on more than 10 percent of days during peak hours.

(4) Locations where existing employee collective bargaining agreements forbid payment of parking, until the time that those agreements expire.

(5) Locations where federal rules, prior contracts, or prior funding agreements restrict payment for parking.

43002. (a) On or before January 1, 2012, a city, county, or city and county shall adopt and implement, or have adopted and implemented, measures from the following menu that achieve a total score of at least 20 points, based on the points associated with each menu item:

MEASURE	POINTS
PARKING REQUIREMENTS AND ZONING	
Eliminate minimum parking requirements citywide or within the unincorporated county.	20
Reduce average minimum parking requirements for all general office, general retail, general commercial, and similar development citywide or within the unincorporated county to:	2 5 10
Less than 3 spaces per 1,000 square feet	

1	Less than 2 spaces per 1,000 square feet	
2	Less than 1 space per 1,000 square feet	
3	Eliminate minimum parking requirements for projects in transit	
4	intensive areas.	10
5	Establish maximum parking restrictions for all general office,	
6	general retail, general commercial, and similar development at or	
7	below the following:	
8	3 spaces per 1,000 square feet	10
9	2 spaces per 1,000 square feet	15
10	1 space per 1,000 square feet	20
11	Establish commercial parking maximums of 2 or fewer spaces per	
12	1,000 sq. feet citywide or within the unincorporated county.	10
13	Establish commercial parking maximums of 2 or fewer spaces per	
14	1,000 sq. feet in transit intensive areas.	5
15	Establish residential parking maximums of 1 or fewer spaces per	
16	unit in transit intensive areas.	5
17	Establish design controls requiring parking to be underground or	
18	“wrapped” in active uses on building frontages facing public	
19	streets.	2
20	Remove restrictions against residential tandem parking, including	
21	eliminating requirements that parking must be independently	
22	accessible to count toward minimum residential parking	
23	requirement, if any.	2
24	Remove restrictions against mechanized and mechanical “lift”	
25	parking, including counting mechanized spaces toward minimum	
26	requirement, if any.	2
27	Establish a shared parking ordinance and requirements for	
28	interconnection of parking in all commercial areas.	2
29	Remove or increase allowable density limits and floor area ratios	
30	(FAR), allowing infill development on existing parking lots.	10
31	PARKING AND TRANSPORTATION DEMAND	
32	MANAGEMENT	
33	Adopt an ordinance to require that any lease for a residential	
34	dwelling unit within a housing development of five or more units,	
35	if a parking space or spaces are provided in connection with the	
36	lease, include a separate unbundled charge for the parking space	
37	or spaces that reflects the full cost of the parking space or spaces	
38	but is not less than the number of parking spaces multiplied by the	
39	cost of a monthly transit pass within the city, county, or city and	5

1	county and that the lessee may opt out of the parking charge by	
2	foregoing use of the parking space or spaces.	
3	Adopt an ordinance to require that any lease for commercial space	
4	in a complex of five or more commercial tenants include a separate	
5	unbundled charge for the parking space or spaces that reflects the	
6	full cost of the parking space or spaces but is not less than the	
7	number of parking spaces multiplied by the cost of a monthly	
8	transit pass within the city, county, or city and county and that the	
9	lessee may opt out of the parking charge by foregoing use of the	
10	parking space or spaces.	5
11	Adopt an ordinance to require that any new employment contract	
12	under which the employer provides a parking space within the	
13	city, county, or city and county include a nonreimbursable charge	
14	to the employee that reflects the full cost of the parking space but	
15	is not less than the cost of a monthly transit pass within the city,	
16	county, or city and county and that the employee may opt out of	
17	by foregoing use of the parking space.	5
18	Adopt an ordinance to require employers to offer transit passes to	
19	all employees, including full time, part time, and seasonal	
20	employees, on a pretax basis and certify compliance upon	
21	application for a new or renewal business license.	2
22	PARKING MANAGEMENT	
23	Adopt an ordinance to set on-street parking meter and public	
24	parking lot and garage rates to achieve an 85% target occupancy	
25	rate during hours when adjacent businesses are open or employ	
26	demand-responsive rates that vary throughout the day to achieve	
27	an 85% target occupancy rate.	10
28	Establish a Parking Benefit District, whereby all or a portion of	
29	new public parking revenues are directed toward improvements	
30	within the district where the revenue was raised.	5
31	Establish a Residential Parking Benefit District, whereby a limited	
32	number of commuters may pay to park in an otherwise restricted	
33	Residential Parking Permit area, with the net revenue directed	
34	toward improvements within the district where the revenue was	
35	raised.	5
36	Install parking meters in areas with parking occupancy rates of	
37	greater than 85% and establish meter rates such that parking	
38	availability improves to 85% or better.	2
39	PARKING REVENUE	

1	Adopt an ordinance to direct at least 50% of net public parking	
2	revenues to programs that reduce parking demand, including, but	
3	not limited to, public transit, transportation demand management,	
4	or bicycle and pedestrian infrastructure and promotion.	3
5	Adopt a parking sales tax or use fee upon parkers, with at least	
6	85% of resulting net revenue directed at programs that reduce	
7	parking demand, including, but not limited to, public transit,	
8	transportation demand management, or bicycle and pedestrian	
9	infrastructure and promotion.	5
10	Adopt a parking impact fee or property assessment on parking	
11	owners, with at least 85% of resulting net revenue directed at	
12	programs that reduce parking demand, including, but not limited	
13	to, public transit, transportation demand management, or bicycle	
14	and pedestrian infrastructure and promotion.	5

(b) Upon request by a city, county, or city and county, the State Air Resources Board may approve and award points for other alternate measures to reduce or eliminate subsidies that fail to charge users for the full cost of a parking space, if points are awarded in a manner that is roughly proportionate to the estimated reduction in vehicle trips to be achieved by the alternate measure, in comparison with the measures described in subdivision (a).

(c) If a city, county, or city and county adopts and implements measures to achieve a total score of at least 50 points, with respect to any application submitted by the city, county, or city and county for competitive loan or grant programs funded by a general obligation bond approved by the voters on or after January 1, 2010, the city, county, or city and county shall receive bonus points equal to 5 percent of the total available points.

(d) Cities, counties, and cities and counties are encouraged to address any parking spillover from new development through the use of residential parking permits or other parking management strategies and to provide residents who resided in the parking permit zone prior to adoption of the parking permit zone a parking permit for free.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction,

1 eliminates a crime or infraction, or changes the penalty for a crime
2 or infraction, within the meaning of Section 17556 of the
3 Government Code, or changes the definition of a crime within the
4 meaning of Section 6 of Article XIII B of the California
5 Constitution.

6 However, if the Commission on State Mandates determines that
7 this act contains other costs mandated by the state, reimbursement
8 to local agencies and school districts for those costs shall be made
9 pursuant to Part 7 (commencing with Section 17500) of Division
10 4 of Title 2 of the Government Code.

O



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May 20, 2009

The Honorable Alan Lowenthal
Member, California State Senate
State Capitol, Room 2032
Sacramento, CA 95814

Dear Senator Lowenthal:

The League of Cities respectfully opposes SB 518 (Lowenthal). This letter follows our letter dated April 20 (co-signed by CSAC and APA-CA) that describes why we are opposed to a new mandate that is contrary to the reasons we agreed to support SB 375 (Steinberg) last year.

This letter outlines an additional four fiscally related reasons for our opposition:

- ***New Planning Mandate.*** Section 43002 imposes a new planning mandate. The mandate language in Section 8 needs to acknowledge this fact. SB 518 requires cities to adopt a set of parking policies according to a proscribed menu. This provision will involve planning time and CEQA review and is clearly a new duty on local government.
- ***Fees Cannot Fully Offset Mandate Cost.*** The Leagues believes that fees will not cover everything on the proposed “planning menu.” Cost of implementation includes the design or adaption of polices, public comment, and environmental review. Some parking policies, however, do not provide the opportunity to recover the cost through fees. For example, eliminating parking requirements in transit areas (which provides 10 points) does not provide a way to recover the costs through fees. If the intent of the bill is allow local agencies full discretion selecting from the menu of parking policies, then this bill should acknowledge that some of the menu choices may result in a mandate where fees cannot cover the cost of implementation.
- ***Statewide Cost Estimate Could Exceed \$20 Million.*** Parking is an important issue in most cities. This legislation will require public outreach, staff time to design a set of programs, perhaps a traffic or parking consultant, public hearing, and full environmental review (there is often a “fair argument” that a parking policy will have a “significant” effect on the environment, triggering the need for a full environmental impact report). If one conservatively estimates that it will cost

\$50,000 per agency (including CEQA)¹, and that there are at least 400 cities and counties within the 18 MPOs – the total cost reaches \$20 million.

- **Poor Economy, Bad Timing.** Finally, this planning mandate comes at a time when local agencies are laying off many of their staff in their planning departments, which generally operate from fees imposed on new development. With the development industry stalled, planners are getting pink slips. The City of Petaluma recently disbanded its planning department altogether. Thus, we believe its fair to ask whether this is the appropriate time to impose a new mandate?

In this letter we have outlined some of the practical problems associated with SB 518 that have lead the League to reach an oppose position. Please contact me (916-658-8250; higginsb@cacities.org) if you have any questions.

Best Regards,



Bill Higgins
League of California Cities

CC: Chair and Members, Senate Appropriations Committee
Mark McKenzie, Consultant, Senate Local Government Committee
Lance Christensen, Consultant, Senate Republican Caucus
Cheryl Black, Consultant, Senate Republican Caucus
Cynthia Bryant, Director, Governor's Office of Planning and Research

¹ We use \$50,000 as an average to account for the fact that some agencies will be able to accomplish the environmental review through a negative declaration or a mitigated negative declaration. Those agencies that must do an EIR will have much higher costs.

Orange County Council of Governments
Bills of Interest
2010 State Legislation Session
March 24, 2010

**AGENCY
TIONS**

<p>AB 231 (Huffman – D)</p> <p>Global Warming Solutions Act of 2006: Trust Fund</p>	<p>Requires the State Air Resources Board (ARB) to adopt a schedule of fees to be paid by the sources of greenhouse emissions which would be deposited in the Climate Protection Trust Fund for purposes of carrying out AB 32 - Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006). Requires federal climate change funds to be deposited into the fund.</p>	<p>INTRODUCED: 02/05/2009 LAST AMENDED: 06/26/2009 LOCATION: Senate Environmental Quality Committee</p> <p>STATUS: 06/26/2009 From SENATE Committee on ENVIRONMENTAL QUALITY with author's amendments</p> <p>06/26/2009 In SENATE. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL QUALITY</p>	<p>(partial list)</p> <p>Support: Environmental Defense Fund, The Trust for Public Land, American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), Natural Resources Defense Council (NRDC)</p> <p>Oppose: California Chamber of Commerce, California Taxpayers Association (CalTax), California Retailers Association</p>
<p>AB 987 (Ma – D)</p> <p>Transit Village Development Districts: Financing</p>	<p>Amends the Transit Village Development Planning Act of 1994. Eliminates the requirement of voter approval for the formation of an infrastructure financing district, adoption of an infrastructure financing plan, and an issuance of bonds for the purpose of implementing a transit village plan pursuant to the act. Requires a plan financed by these bonds to include public benefits regarding housing and provisions for the dedicated use of bond proceeds to finance certain types of housing.</p>	<p>INTRODUCED: 02/27/2009 LAST AMENDED: 01/04/2010 LOCATION: Senate Local Government Committee</p> <p>STATUS: 02/11/2010 To SENATE Committee on LOCAL GOVERNMENT</p>	<p>Support: Santa Clara Valley Transportation Authority, San Francisco Bay Area Rapid Transit District</p> <p>Oppose: Howard Jarvis Taxpayers Association</p>

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
AB 1833 (Logue – R) Regulations: Economic Impact Analysis	Requires the Environmental Protection Agency, the Division of Occupational Safety and Health, and the California Air Resources Board, when proposing to adopt, amend, or repeal an administrative regulation, to complete an economic impact analysis of that action prior to the adoption, amendment, or repeal. Requires the economic impact analysis to contain specified information, including the projected cost of the action to the General Fund and the projected total economic impact of the action.	INTRODUCED: 02/12/2010 LOCATION: Assembly Business and Professions Committee STATUS: 02/25/2010 to ASSEMBLY Committees on BUSINESS AND PROFESSIONS and NATURAL RESOURCES. HEARING: 03/23/2010 9:00 am	None Listed
AB 1846 (Perez – D) Environment: Expedited Environmental Review	Requires environmental analysis be performed for a rule or regulation adopted pursuant to AB 32 (Chapter 488, Statutes of 2006). Authorizes the use of the focused environmental impact report for a project that reduces greenhouse gas emissions in compliance with a rule or regulation adopted pursuant to AB 32	INTRODUCED: 02/12/2010 LOCATION: Assembly Natural Resources Committee STATUS: 03/22/2010 In ASSEMBLY Committee on NATURAL RESOURCES. Hearing postponed.	None Listed
AB 1867 (Harkey – R) Land Use: Local Planning: Housing Element Program	Modifies the eligibility requirements for a unit to be considered as substantially rehabilitated by revising the requirement that the unit to be rehabilitated is initially found to be a substandard building due to the existence of various specified conditions. Revises the criterion of being located in a multifamily rental housing complex.	INTRODUCED: 02/12/2010 LOCATION: Assembly Local Government Committee STATUS: 02/25/2010 To ASSEMBLY Committees on LOCAL GOVERNMENT and HOUSING AND COMMUNITY DEVELOPMENT. HEARING: 04/21/2010	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
AB 1949 (Logue – R) Regulations: Five-Year Review and Report	Requires the California Environmental Protection Agency, the Division of Occupational Safety and Health in the Department of Industrial Relations, and the ARB to review and report on regulations that it adopts or amends on and after January 1, 2011, five years after adoption. Provides that if an agency fails to complete and submit the review and report, it would be required to make that regulation be inoperative immediately.	INTRODUCED: 02/17/2010 LOCATION: Assembly Business and Professions Committee STATUS: 03/18/2010 To ASSEMBLY Committee on BUSINESS AND PROFESSIONS.	None Listed
AB 2136 (Caballero – D) Planning: Circulation and Transportation	Amends an existing law that requires each county and city to adopt a general plan that includes a circulation element consisting of the location of existing and proposed major thoroughfares, transportation routes, terminals, military airports and ports, and other local public utilities and facilities. Renames the circulation element as the circulation and transportation element.	INTRODUCED: 02/18/2010 LOCATION: Assembly Local Government Committee STATUS: 03/04/2010 To ASSEMBLY Committee on LOCAL GOVERNMENT.	None Listed
AB 2311 (Mendoza – D) California Global Warming Solutions Act of 2006	Requires ARB to review any regulation adopted by the ARB that establishes greenhouse gas emission standards for transportation fuels and adopt a report relating to this review. Requires the ARB, based on that report, to revise the compliance schedule or schedules in the regulation to avoid impacts on California fuel supplies or prices, competitiveness of California businesses, impacts on the California economy, and impacts on California small businesses.	INTRODUCED: 02/19/2010 LOCATION: Assembly Natural Resources Committee STATUS: 03/11/2010 To ASSEMBLY Committee on NATURAL RESOURCES	None Listed
AB 2534 (Fuentes – D) California Global Warming Solutions Act of 2006	Authorizes the ARB to establish a fund to deposit a portion of revenues from the distribution of allowances received pursuant to market-based compliance mechanisms, for expenditure on communities experiencing exposure to air pollutants to the extent that the state board establishes that the increased exposure to air pollutants is caused by the implementation of the market-based mechanism regulation.	INTRODUCED: 02/19/2010 LOCATION: Assembly Natural Resources Committee STATUS: 03/18/2010 To ASSEMBLY Committee on NATURAL RESOURCES.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
AB 2691 (Hall – D) California Global Warming Solutions Act of 2006	Prohibits a state agency, city, county, city and county, air pollution control or air quality management district from imposing a greenhouse gas emissions fee on a source of greenhouse gas emissions that is included in a market-based compliance mechanism and a fee regulation adopted by the board.	INTRODUCED: 02/19/2010 LOCATION: Assembly STATUS: 03/18/2010 To ASSEMBLY Committee on NATURAL RESOURCES.	None Listed
AJR 26 (Chesbro – D) Climate Change	Requests the Congress to establish a comprehensive framework, including funding, for adapting our nation's wildlife, habitats, coasts, watersheds, rivers, and other natural resources and ecosystems to the impacts of climate change.	INTRODUCED: 09/09/2009 LAST AMENDED: 01/25/2010 LOCATION: Senate Natural Resources and Water Committee STATUS: 02/11/2010 Withdrawn from SENATE Committee on RULES 02/11/2010 To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY	Support: Audubon California, Defenders of Wildlife, Nature Conservancy
SB 518 (Lowenthal – D) Vehicles: Parking Services and Fees	Requires the listing of parking space cost in a contract for the lease of real property by a state entity. Authorizes a city or county to reduce or eliminate subsidies for parking to ensure management of its parking so the actual cost of a parking space equals its full cost. Creates incentives through carbon reduction credits for cities and counties, and related loan or grant programs. Allows revenue from parking to be used for transportation demand management measures.	INTRODUCED: 02/26/2009 LAST AMENDED: 01/21/2010 LOCATION: Assembly STATUS: 01/28/2010 In SENATE. Read third time. Passed SENATE. To ASSEMBLY.	(partial list) Sponsor: NRDC Support: American Lung Association, California League of Conservation Voters, Genentech Oppose: California Building Industry Association, CSAC, League of California Cities

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
SB 901 (Ashburn – R) Transportation: Bond Funded Projects: No Prejudice	Authorizes regional and local agencies to apply for a letter of no prejudice for grade separation and railroad crossing projects funded pursuant to the Proposition 1B Highway-Railroad Crossing Safety Account.	INTRODUCED: 01/26/2010 LOCATION: Senate Transportation and Housing Committee STATUS: 03/19/2010 In SENATE Committee on TRANSPORTATION AND HOUSING HEARING: 04/06/2010	Support: Orange County Transportation Authority (OCTA) - with amendments
SB 960 (Dutton – R) Air Resources: Regulations	Amends existing law that imposes various functions and duties on the ARB. Requires the ARB to submit a major regulation to the Legislative Analyst's Office. Requires the Legislative Analyst's Office to prepare an analysis of such regulation.	INTRODUCED: 03/15/2010 LOCATION: Senate Environmental Quality Committee STATUS: 03/19/2010 To SENATE Committee on ENVIRONMENTAL QUALITY HEARING: 04/05/2010	None Listed
SB 1006 (Pavley – D) Natural Resources: Climate Change	Requires the Natural Resources Agency, in developing and implementing climate change adaptation strategies and activities, to fully consider and undertake initiatives that protect or enhance natural ecosystem functions in relation to wetlands, beaches, flood plains, watersheds, and greenhouse gas emissions.	INTRODUCED: 02/10/2010 LOCATION: Senate Natural Resources and Water Committee STATUS: 02/18/2010 To SENATE Committees on NATURAL RESOURCES AND WATER and ENVIRONMENTAL QUALITY.	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
SB 1010 (Correa – D) Environmental Quality Act (CEQA)	Enacts the California Environmental Quality Act Litigation Protection Pilot Program. Requires the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar year. Exempts from judicial review a lead agency's decision to certify the environmental impact report of, or to adopt a mitigated negative declaration based on an initial study for selected projects.	INTRODUCED: 02/10/2010 LOCATION: Senate Environmental Quality Committee STATUS: 02/18/2010 To SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.	None Listed
SB 1033 (Wright – D) Global Warming Solutions Act of 2006: Allowances	Requires the ARB, if market-based compliance mechanisms are adopted, to sell, trade or otherwise distribute an allowance, defined as an authorization to emit greenhouse gas emissions, only to a person subject to the greenhouse gas emissions limit to which that allowance applies.	INTRODUCED: 02/12/2010 LOCATION: Senate Environmental Quality Committee STATUS: 02/24/2010 To SENATE Committee on ENVIRONMENTAL QUALITY.	None Listed
SB 1114 (Florez – D) Emission Reduction Credits: Private and Public Moneys	Authorizes an air quality management or air pollution control district to create an emission reduction credit (ERC) from a marine vessel or locomotive emission reduction project that is funded by both public and private moneys. An ERC created pursuant to this provision would be created only for the percentage of the emission reduction project that is paid for by private moneys. The bill would provide that the state share of the credit would be 80%, and the Treasurer would be required to sell this ownership share, and deposit the proceeds into the Emission Reduction Credit Sales Fund, which the bill would create.	INTRODUCED: 02/17/2010 LOCATION: Senate Transportation and Housing Committee STATUS: 03/19/2010 In SENATE Committee on TRANSPORTATION AND HOUSING HEARING: 04/06/2010	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
SB 1120 (Dutton – R) Global Warming Solutions Act of 2006	Prohibits the ARB from implementing a market-based compliance mechanism that includes caps on greenhouse gas emissions and trading among participants unless it is part of a legally enforceable regional or federal program.	INTRODUCED: 02/17/2010 LOCATION: Senate Environmental Quality Committee STATUS: 02/24/2010 To SENATE Committee on ENVIRONMENTAL QUALITY HEARING: 04/04/2010	None Listed
SB 1263 (Wyland – R) California Global Warming Solutions Act	Makes the provisions of the state Global Warming Solutions Act of 2006, and any regulation adopted pursuant to the act, inoperative.	INTRODUCED: 02/19/2010 LOCATION: Senate Environmental Quality Committee STATUS: 03/04/2010 To SENATE Committee on ENVIRONMENTAL QUALITY	None Listed
SB 1299 (Lowenthal – D) Vehicles: Vehicle Miles Traveled Fee	Requires the Department of Motor Vehicles to develop and implement a pilot program designed to assess various issues related to implementing a vehicle miles traveled (VMT) fee in the state.	INTRODUCED: 02/19/2010 LOCATION: Senate Transportation and Housing Committee STATUS: 03/04/2010 To SENATE Committees on TRANSPORTATION AND HOUSING	None Listed

BILL NO. / AUTHOR	COMMENTARY	STATUS	OTHER AGENCY POSITIONS
SB 1305 (Pavley – D) Global Warming Solutions Act of 2006	Provides that revenues from fees to fund expenditures beyond the administrative costs of implementing AB 32 - Global Warming Solutions Act of 2006 (Chapter 488, Statutes of 2006) shall be appropriated by the Legislature. This includes revenues generated as a result of the implementation of market based compliance mechanisms, or revenues generated from compliance mechanisms.	INTRODUCED: 02/19/2010 LOCATION: Senate Environmental Quality Committee STATUS: 03/04/2010 To SENATE Committees on ENVIRONMENTAL QUALITY and RULES.	None Listed
SB 1445 (DeSaulnier – D) Planning	Increases the vehicle registration fee by \$1, revenues to be used by regions to create or implement plans developed under SB 375 (Chapter 728, Statutes of 2008) or regional blueprints. Extends deadline for the Strategic Growth Council to report to the Legislature to July 1, 2012. Modifies membership of the Planning Advisory and Assistance Council.	INTRODUCED: 02/19/2010 LOCATION: Senate STATUS: 03/23/2010 In SENATE Committee on LOCAL GOVERNMENT HEARING: 04/07/2010	None Listed
SB 1446 (Correa – D) Endangered and Threatened Species: Incidental Take	Relates to the requirements for incidental take permits under the California Endangered Species Act that the applicant ensure there is adequate funding to implement minimization and mitigation measures. Would require an applicant that is a city, county or other lead agency be deemed to meet this requirement if they comply with specified financial and accounting requirements and certify that it will annually appropriate sufficient money to fund its minimization and mitigation obligations.	INTRODUCED: 02/19/2010 LOCATION: Senate STATUS: 03/11/2010 To SENATE Committee on NATURAL RESOURCES AND WATER	Sponsor: County of Orange Support: OCTA



Item 5: **Orange County Sustainable Communities Strategy (SCS) Development**

Recommended Action: Discussion. Receive report.

Report

Mr. David Simpson, OCCOG Staff, will provide an update to the OCCOG TAC on the development of the Orange County Sustainable Communities Strategy. This update will include discussion of the following:

- ◆ MOU Development Status
 - ◆ Orange County SCS Timeline
 - ◆ Orange County SCS Next Steps – Development of a work plan, Board meetings
 - ◆ *Developing Options for Orange County's Future* – Leadership Roundtable
-

Attachment: 1. Data Gathering Exercise PowerPoint – Orange County Leadership Roundtable

Contact: Ms. Marika Modugno, Chair, OCCOG TAC (City of Irvine)
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Mr. David Simpson, OCCOG Staff
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dsimpson@octa.net

Orange County's SB 375 Leadership Forum

*Sustainable Communities:
How Orange County Will Shape Its Future*



Welcome

Todd Priest, *Vice President,*
Curt Pringle & Associates

**Dr. Wallace Walrod, Vice President of
*Economic Development and Research,
Orange County Business Council***

SB 375 Overview

Hasan Ikhata, *Executive Director,*
Southern California Association of Governments

Local Options for Development of SCS

*Kristine Murray, Executive Director of OCCOG,
Executive Director of OCTA Government Relations*

- » Orange County's Cooperative Agreement
- » Innovative Market Driven Investments

Data Gathering Exercise

Facilitated by: **Mark Butala**, *Comprehensive Planning Manager, Southern California Association of Governments*

Moderated by: **Dr. Wallace Walrod**

Data Gathering Exercise

Facilitated by: **Hasan Ikhata**

Moderated by: **Dr. Wallace Walrod**

Let's Get Started



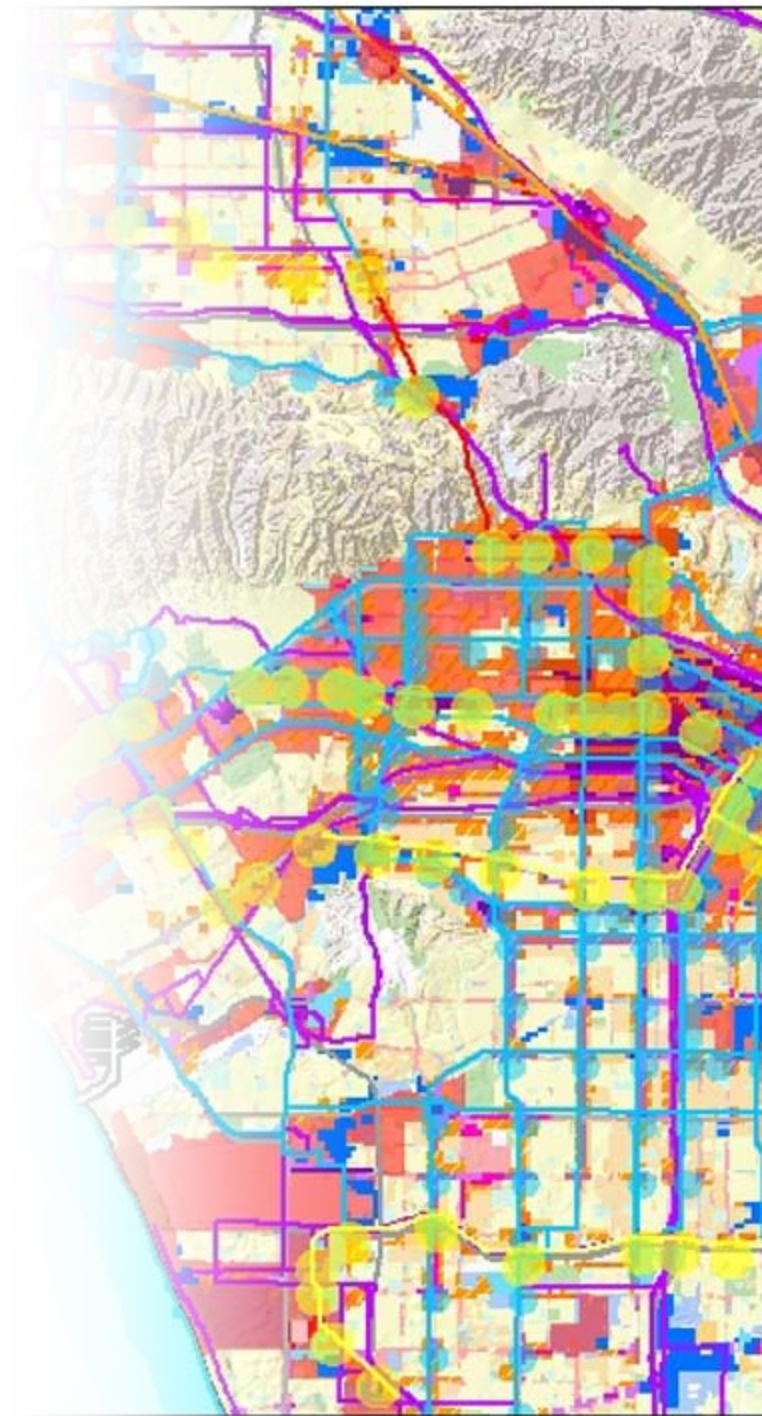
Question #1

- ▶ Should the Angels Baseball team be called the:
“Los Angeles Angels of Anaheim”?



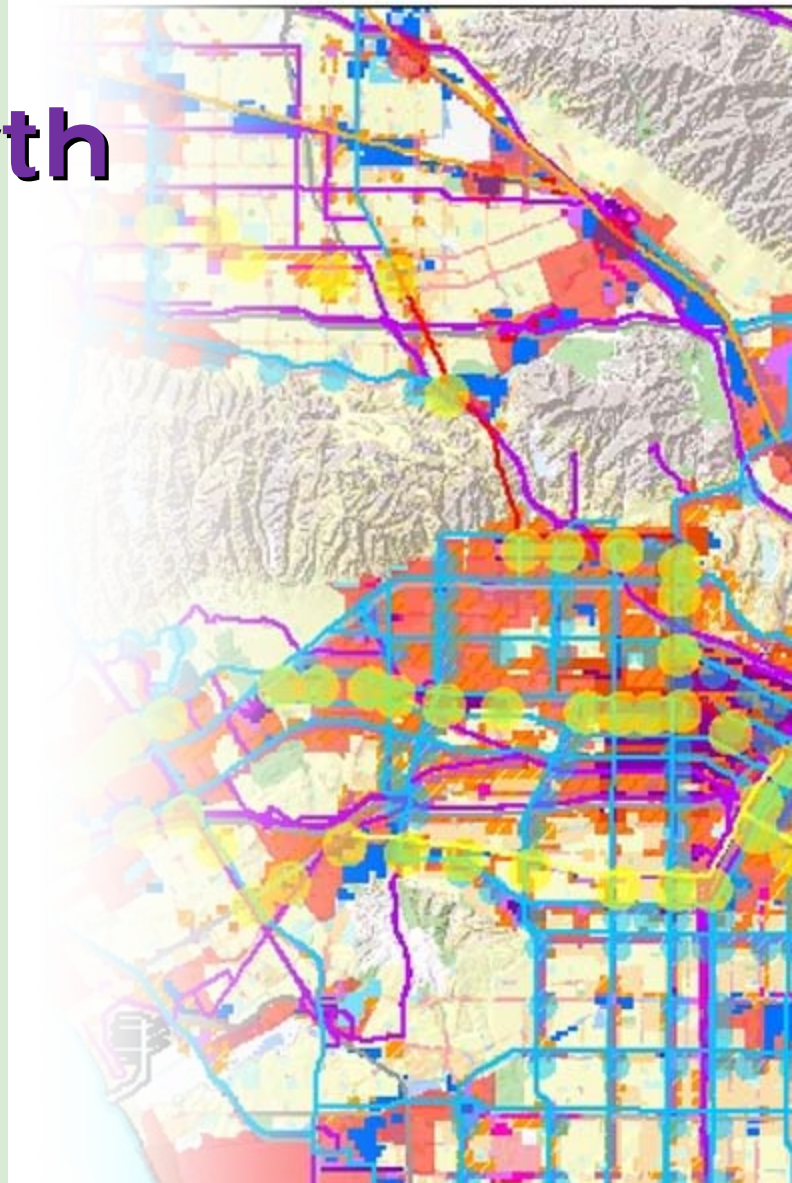
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Land Use and Growth



Land Use and Growth

- ▶ Focus new housing and jobs growth within a ½ mile of existing and planned transit stations



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Land Use and Growth

- ▶ Locate new growth areas close to transit services with vacant or redevelopment land capacity



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Land Use and Growth

- ▶ Increase housing densities near jobs and employment centers



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Land Use and Growth

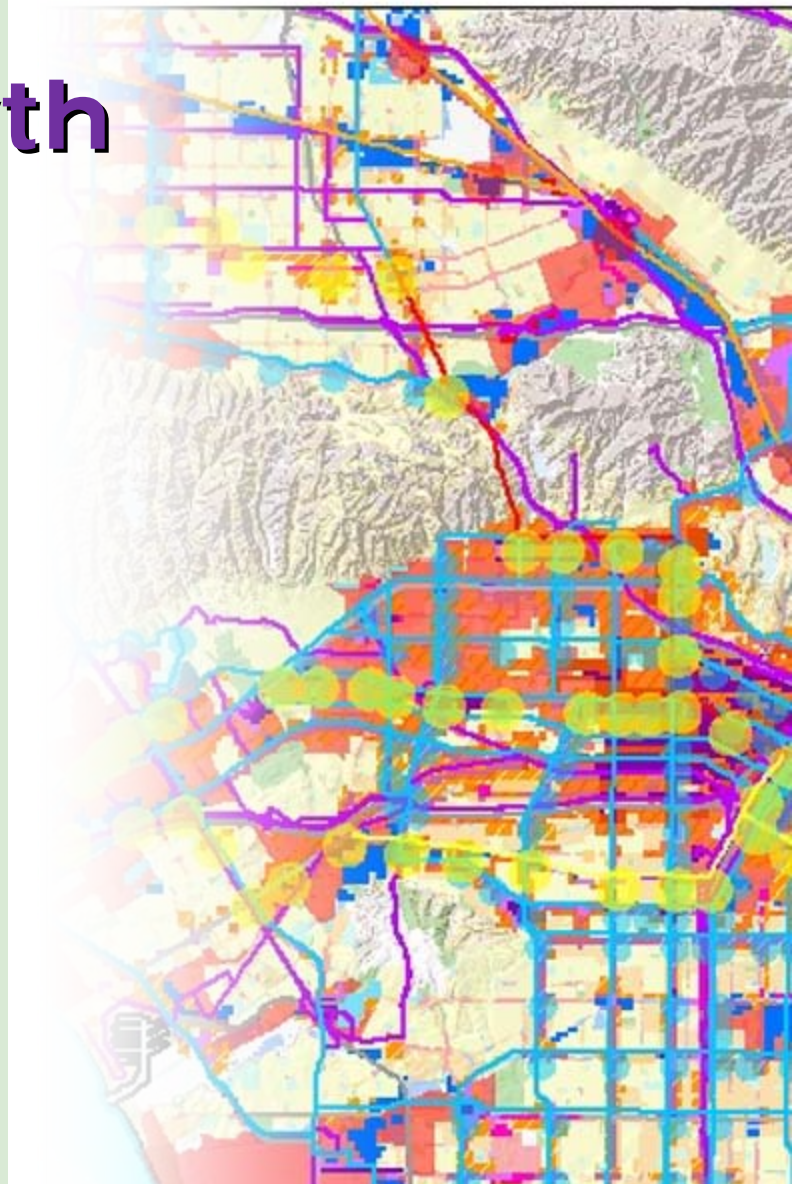
- ▶ Plan mixed use buildings and neighborhoods, i.e. housing, retail, jobs



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Land Use and Growth

- ▶ Strategic Opportunity Areas
- ▶ Identify regional strategic opportunity areas for infill and investment



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Land Use and Growth

- ▶ Foster transportation—efficient land use patterns that
 - reduce the need to make motor vehicle trips and
 - reduce the length of motor vehicle trips that are made.



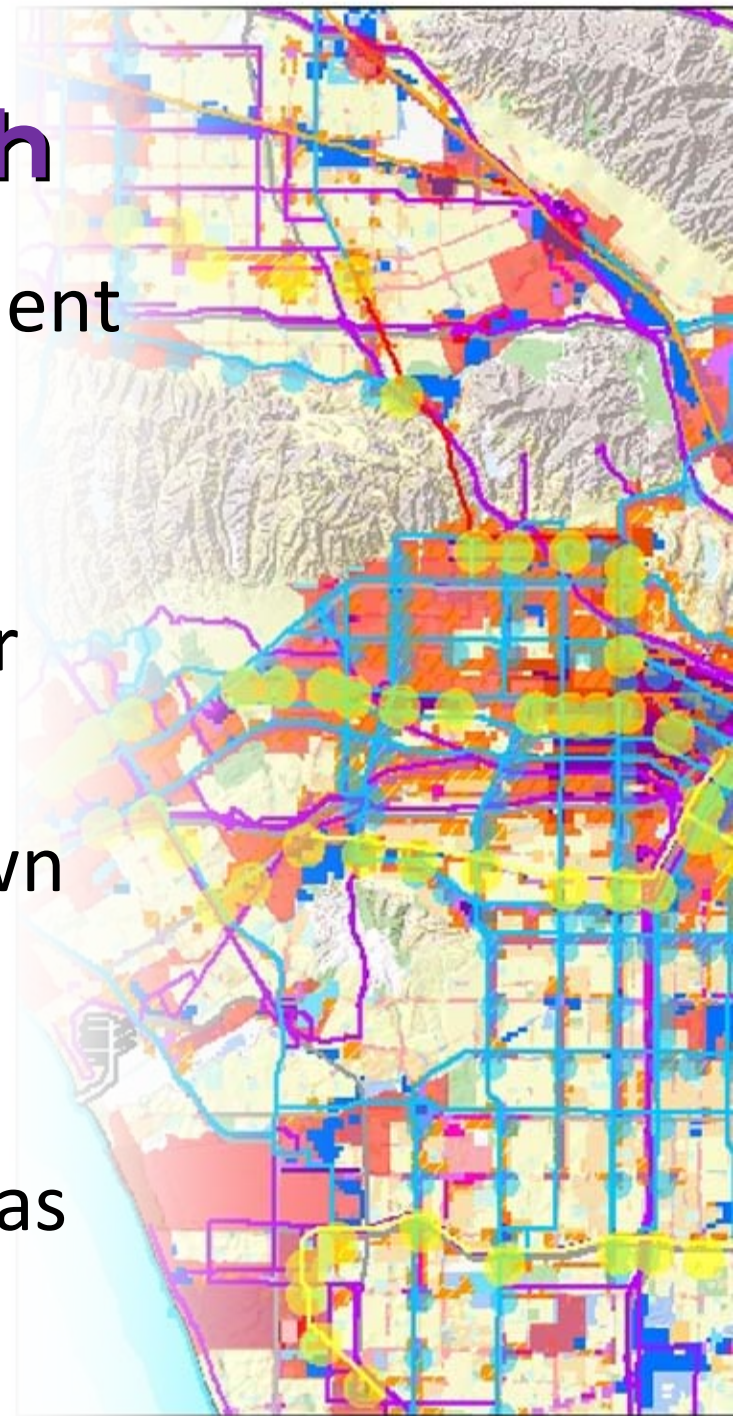
Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Land Use and Growth

- ▶ Higher intensity new development should be located:

(Choose One)

1. Within areas designated for commercial uses
2. Within areas with downtown development
3. Within employment zones
4. Within more urbanized areas
5. Other



Land Use and Growth

- ▶ In order to limit Green House Gas Emissions, local jurisdictions and/or cities should give priority to Transportation Oriented Development over the development of single-family homes.



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

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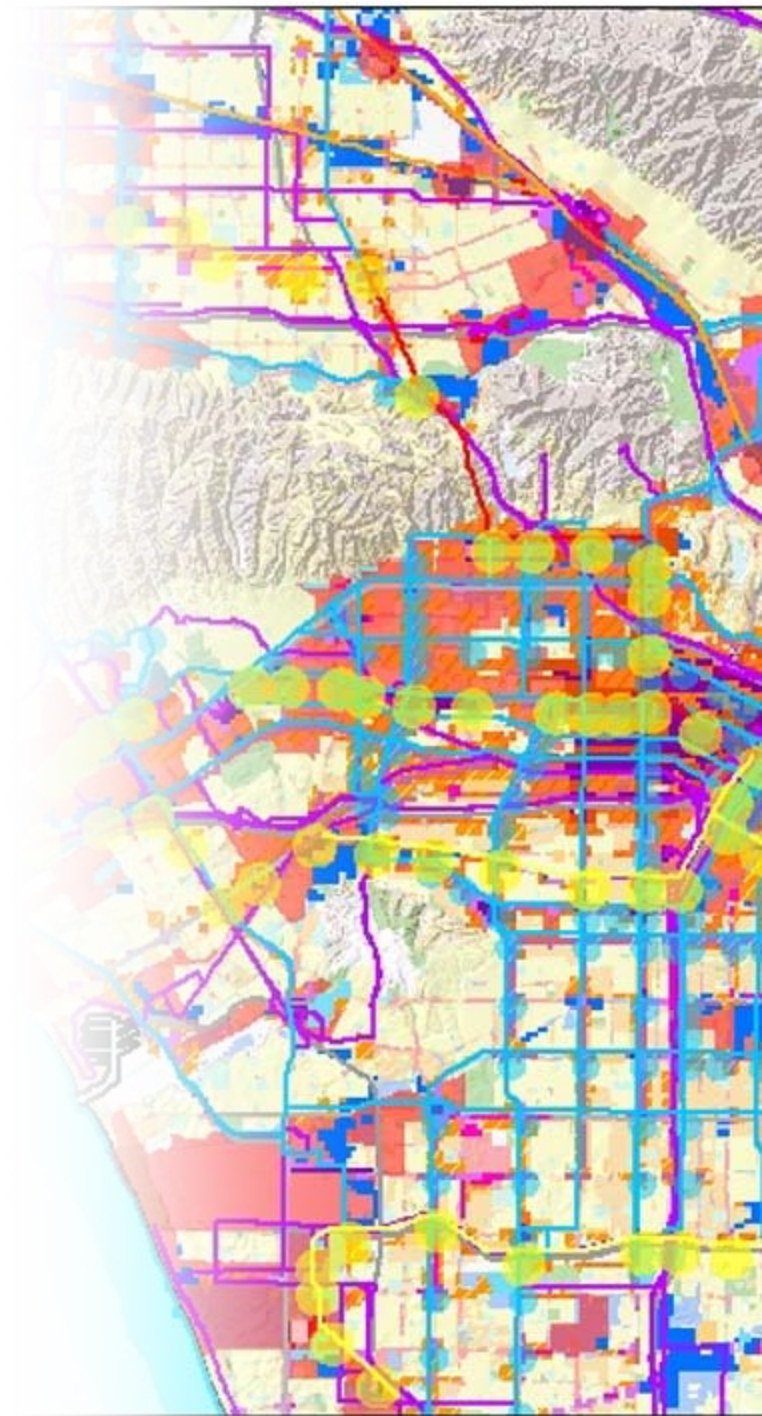
Land Use and Growth

- ▶ Resources
- ▶ Ensure connectivity through open space



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Economic Development Opportunities



Economic Development Opportunities

- ▶ Local jurisdictions, including cities, should offer tax and fee incentives for development around transit areas



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Pricing Strategies



Pricing Strategies

- ▶ Parking
 - ▶ Parking fees to be charged in employment areas and retail centers to promote “park once” behavior or reduce single occupant trips



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Pricing Strategies

- ▶ Congestion Pricing
 - ▶ Tolls would fluctuate in an effort to balance usage
 - ▶ For example:
91 Express Lane



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Pricing Strategies

- ▶ Expand OC's toll network to include High Occupancy Toll lanes (where added capacity can be provided)
 - ▶ For example: I-405



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Public Transportation Strategies



Public Transportation Strategies

- ▶ Which Transportation Investment is the most critical to achieve our goals?

(Choose one)

1. Transit system expansion
2. “Complete” streets
(vehicle/bike/ped access)
3. Traffic calming
4. Safe routes to schools
5. Other



Public Transportation Strategies

- ▶ Which Transportation Demand Management strategy is the most critical to achieve our goals?

(Choose one)

1. Parking management
(maximum/shared parking)
2. Operational improvements to relieve
bottlenecks
3. Ramp metering
4. Speed limit reductions
5. Traffic signal coordination (ITS)
6. Signal prioritization for transit
7. Transit service improvements

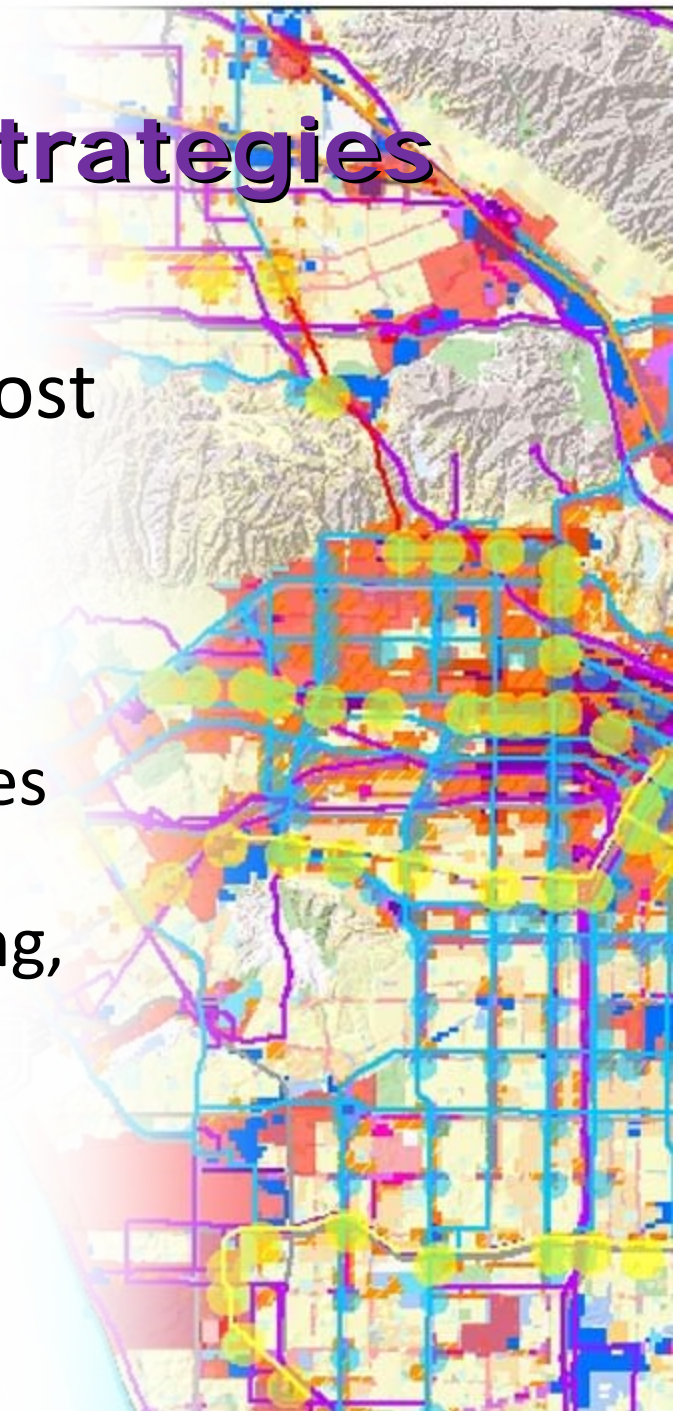


Public Transportation Strategies

- ▶ Which Transportation Systems Management strategy is the most critical to achieve our goals?

(Choose one)

1. Parking pricing management
2. Telecommuting & alt work schedules
3. Vanpooling
4. Vehicle Sharing (e.g. car/bike sharing, park and ride lots)
5. Road pricing measures (HOT lanes, congestion pricing, VMT pricing)
6. Other



Public Transportation Strategies

- ▶ Provide new service through expanded investments in:

(Choose one)

1. Commuter Rail
2. Heavy Rail
3. Light Rail
4. Bus Rapid Transit
5. General Bus Service
6. Demand Response Service
7. Other



Public Transportation Strategies

- ▶ High Speed Passenger Rail
- ▶ Expand existing intercity bus and rail services and addition of new routes, including high-speed rail



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

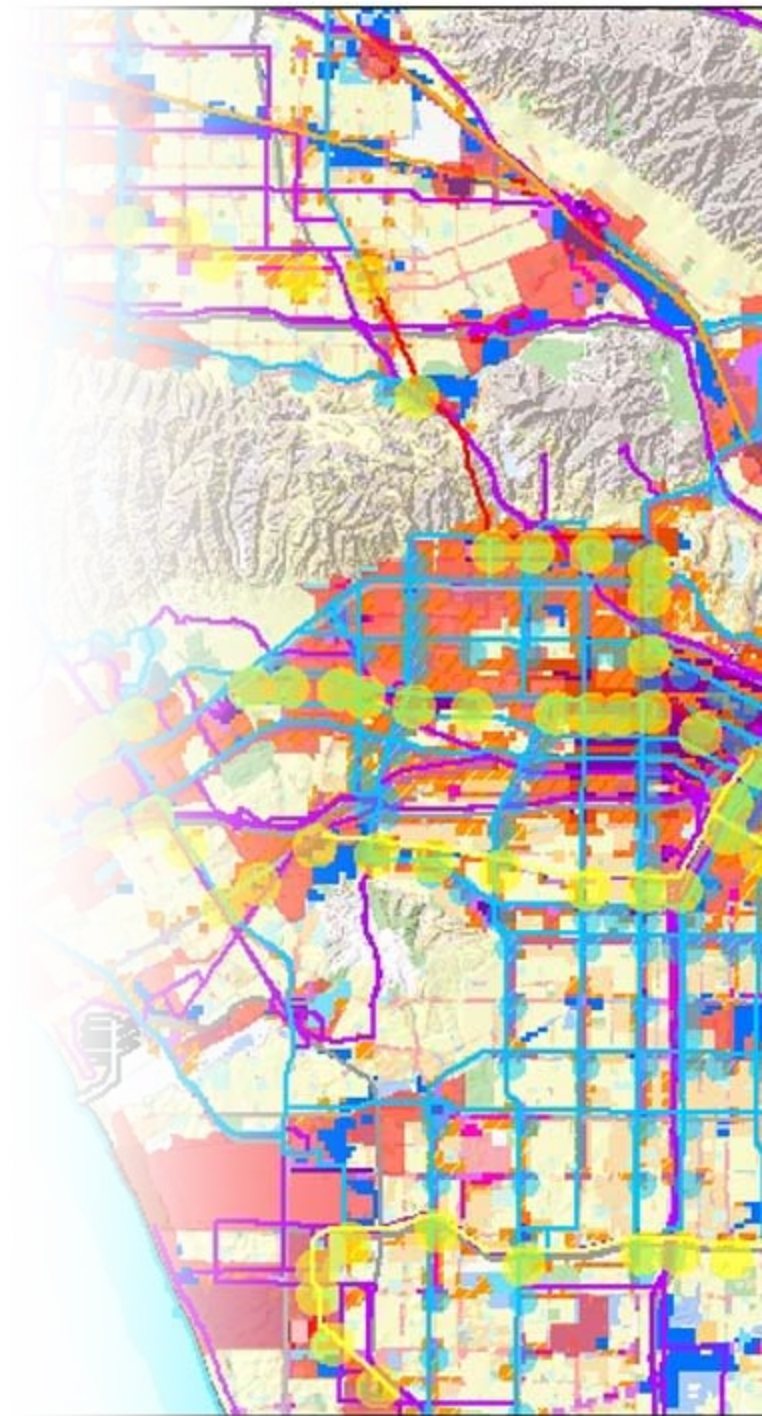
Public Transportation Strategies

- ▶ Encourage bicycle and pedestrian travel
- ▶ Increase bike lanes and walking paths in order to relieve congestion on roadways



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Commuting Strategies



HOT Lanes

- ▶ High Occupancy Toll Lanes (HOT)
 - ▶ Expand HOT lanes
 - ▶ For Example:
 - ▶ 3+ Lane on 91 Express Lanes



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Commuting

- ▶ Employer-Based Commute Measures
 - ▶ Encourage employer telework and compressed work-week programs to reduce the number of days employees commute



Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1	2	3	4	5

Discussion of Survey Results



Next Steps & Conclusions



Report on Survey Findings

OCCOG Meeting

Thursday, April 22

10:30 a.m.

OCTA Boardroom



Item 6: SCAG Meetings

Recommended Action: Receive report.

Report

The following SCAG meetings were conducted before the April 6, 2010 OCCOG TAC meeting:

- ◆ Regional Council and Policy Committee meetings of March 4, 2010 and April 1, 2010;
- ◆ Plans and Programs Technical Advisory Committee Meeting of March 9, 2010; and
- ◆ Subregional Coordinators Group meeting of March 30, 2010.

Mr. David Simpson, OCCOG Staff, will brief the TAC on the key items not related to SB 375 that were covered at the March and April Regional Council and Policy Committee meetings, the Subregional Coordinators Group meeting, and the Plans and Programs TAC. The agendas for the meetings are posted at www.scag.ca.gov and are located on each committee's webpage included below.

- ◆ Regional Council: <http://www.scag.ca.gov/committees/rc.htm>
 - ◆ Energy and Environment Committee: <http://www.scag.ca.gov/committees/eec.htm>
 - ◆ Community, Economic and Human Development:
<http://www.scag.ca.gov/committees/cehd.htm>
 - ◆ Transportation Committee: <http://www.scag.ca.gov/committees/tc.htm>
 - ◆ Plans and Programs TAC: <http://www.scag.ca.gov/pptac/index.htm>
 - ◆ Subregional Coordinators Group: <http://www.scag.ca.gov/agendas.htm>
-

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Item 9: **OCCOG Board Meeting of March 25, 2010**

Recommended Action: Receive report.

Report

Mr. David Simpson, OCCOG Staff, will brief the TAC on the key highlights of the March 25, 2010 meeting of the OCCOG Board. Actions and discussions of the Board related to specific items on the TAC's agenda will be discussed relative to the respective item.

The agenda for the Board meeting is posted at <http://www.octa.net/occog2.aspx>. This link was also provided to the TAC members via e-mail prior to the Board meeting. Please bring your copy of the OCCOG Board agenda packet to the TAC meeting for reference purposes.

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