



PLANNING COMMISSION REGULAR AGENDA

DATE: Tuesday, January 23, 2024

TIME: 7:00 PM

PLACE: Council Chamber

INFORMATION FOR THE PUBLIC

Information regarding meetings, including agenda materials, schedules and more, please visit the City's Meetings & Agendas webpage: <https://www.cityofmartinez.org/government/meetings-and-agendas>.

REMOTE PARTICIPATION

This meeting will be conducted in-person in the City Hall Council Chamber and shall be aired in real time via Zoom. The City cannot guarantee the public's access to teleconferencing technology, nor guarantee uninterrupted access as technical difficulties may occur from time to time. If attending via Zoom, please join us by choosing any of the following options:

1. Via Mobile Phone or Desktop, using the Zoom App direct link: <https://cityofmartinez-org.zoom.us/j/95400423258>
2. Via Web Browser, from <https://zoom.us/join>
 - a. Webinar ID: 954 0042 3258
 - b. Passcode: 871769
3. Via Phone by calling **(669) 900-6833** and enter the provided meeting details above.

PUBLIC COMMENTS

Public comments can be made in person at the meeting or submitted in writing. Written comments must be received by 12:00 p.m., the day of the meeting. For information on how to submit written comments, please visit the City's Meetings & Agendas webpage linked above.

ADA ACCOMODATIONS

In accordance with the Americans with Disabilities Act and California law, the Council Chamber is wheelchair accessible and disabled parking is available at City Hall. If you are a person with a disability and require modifications or accommodation to attend and/or participate in this meeting, please contact the City Clerk's Office at (925) 372-3512. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

AGENDA CONTINUED TO PAGE 2

CALL TO ORDER - PLEDGE OF ALLEGIANCE

ROLL CALL - Sean Trambley (Chair) -- Tracey Casella (Vice Chair) - Jonathan Bash - Joseph Evans - Susan Gustofson - Rochelle Johnson - Jason Martin - John Klopp (Alternate)

CIVILITY STATEMENT – As your appointed Governing Board, we will treat each other and the public with patience, civility, and courtesy as a model of the same behavior we wish to reflect in Martinez for the conduct of all City business and community participation. This includes respect for everyone’s First Amendment Right to voice their opinion on matters within the City’s subject matter jurisdiction, even if that opinion is different from our own. The decisions made tonight will be for the benefit of the Martinez community and not for personal gain.

AGENDA CHANGES

PUBLIC COMMENT - Reserved for items not listed on the agenda. Non-agenda public comment is limited to matters which are within the subject matter jurisdiction of the Planning Commission, and which are not action items listed elsewhere on the agenda.

CONSENT

1. Approve the Planning Commission Meeting Action Minutes, dated November 14, 2023.
[Action Minutes, dated November 14, 2023](#)

REGULAR

2. Conduct a public hearing and adopt Resolution No. 24-01, recommending the City Council approve a request for the City to vacate and convey a 20-foot-wide access easement, located at 706 Soto Street, Assessor’s Parcel Number (“APN”) 372-252-006, and find the vacation is consistent with the General Plan 2035.
[Staff Report - 706 Soto Street Access Easement Vacation](#)
[Attachment A – Draft Planning Commission Resolution No. 24-01](#)
[Attachment B – City Council Resolution No. 167-85](#)
[Attachment C – City Council Resolution No. 153-87](#)
[Attachment D – General Plan Figure 6-1: Circulation Map](#)
3. Receive report, hold discussion, and provide direction to staff regarding initiatives and prioritization of the proposed 2024 Planning Division Work Plan.
[Staff Report - Proposed 2024 Planning Division Work Plan](#)
[Attachment A – Proposed 2024 Planning Division Work Plan](#)


COMMISSION ITEMS

PLANNING MANAGER UPDATES

COMMUNICATIONS

ADJOURNMENT - *Adjourn to a Planning Commission Regular Meeting on Tuesday, February 13, 2024, at 7:00 p.m.*

On January 18, 2024, a true and correct copy of this agenda was posted on the City Hall Bulletin Board, located at 525 Henrietta Street, Martinez, CA 94553, and on the City website at www.cityofmartinez.org.

 , Administrative Aide III



Action Minutes

Planning Commission Regular Meeting
 Tuesday, November 14, 2023 at 7:00 p.m.
 Via Video/Teleconference

* Full details are available via audio/video recording on our [website](#). *Microsoft Internet Explorer browser is recommended for video-viewing compatibility or enable Adobe Flash on your default browser.*

Commissioners on Video Conference		City Staff on Video Conference
Chair Sean Trambley	Present	Michael P. Cass, Planning Manager
Vice Chair Tracey Casella	Present	Jill Bergman, Community and Economic Development Director
Commissioner Jonathan Bash	Excused	Terri Highsmith, City Attorney
Commissioner Susan Gustofson	Present	Beth Thompson, Consultant
Commissioner Jason Martin	Present	Victoria Walker, Consultant
Commissioner Rochelle Johnson	Present	Brandon Northart, Associate Planner
Commissioner Joseph Evans	Present	Daniel Gordon, Associate Planner
John Klopp (Alternate)	Present	Imanol Tovar, Planning Technician
		Dee Dee Fendley, Administrative Aide III

Call to Order
Meeting called to order at 7:00 p.m. via video conference.

Agenda Changes (02:09 in video)
None

Consent Calendar (02:15 in video)				
1. Approval of the October 24, 2023, Planning Commission Action Minutes				
Speakers:	None			
Public Comment:	None			
Closing Comments:	None			
Motion to:	Approve			
Motion by:	Commissioner Gustofson		Seconded By: Vice-Chair Casella	
Motion passed 7-0	Sean Trambley	Aye	Jason Martin	Aye
	Tracey Casella	Aye	Rochelle Johnson	Aye
	Jonathan Bash	Excused	Joseph Evans	Aye
	Susan Gustofson	Aye	John Klopp (Alternate)	Aye

Regular Items (03:00 in video)
2. Welcome the new Alternate Planning Commissioner John Klopp.

<p>3. Conduct a public hearing and adopt Resolution No. 23-11, approving a Change of Conditions to Planning Application No. 14PLN-0010 to modify Condition of Approval #8 to eliminate the requirement for a vehicular entry gate for the Laurel Knoll subdivision, located at 370 Muir Station Road, APN 162-570-056, subject to modified conditions of approval.</p>	
<p>Speakers:</p>	<ul style="list-style-type: none"> • Brandon Northart, Associate Planner, gave a presentation outlining the project. • Chris Kamerzell, Discovery Builders, gave a presentation outlining the research and outreach completed following a recommendation by Staff and the Planning Commission at the July 25, 2023 Planning Commission meeting. • Danny Hagan from Flock Safety gave an overview of the License Plate reader technology proposed to replace the need for an entry gate at the Laurel Knoll subdivision. • Commissioner Gustofson asked where and how the data would be stored and retrieved. She questioned how long the data would be stored. Commissioner Gustofson asked Chris Kamerzell who would be responsible for maintaining the equipment and what are the ongoing costs. • Vice-Chair Casella asked if there are any developments in this area using Flock Safety technology. • Chair Trambley encouraged the Homeowners Association (“HOA”) to use two-factor authentication to secure the data. • Commissioner Johnson asked for clarification of technology advances in the accuracy of the license plate readers.
<p>Public Comment:</p>	<ul style="list-style-type: none"> • Malia Thompson, resident of the Laurel Knoll subdivision, stated she purchased her home with the promise of certain options, including a park and an entry gate. She believes there is a certain measure of security and comfort with a gated community. She stated the license plate reader does not address the issue of transient people who enter the community on foot. The proposed alternative is not adequate with what the homeowners were promised, or with the issues that could arise from the need for a structural barrier. She opposes the license plate reader alternative and would like Discovery Homes to find an alternative way to install an entry gate. • Carlos Carbajal, resident of the Laurel Knoll subdivision, stated he relied heavily on the promise of a gated community when he purchased his home. He stated there has been no notice given to homeowners regarding any outreach attempts by Discovery Homes. The only reason he was advised of the meeting was because a Planning Commission member canvassed the subdivision a day before the meeting. • Cano Cortez, resident of the Laurel Knoll subdivision, agreed with the comments of the two previous speakers. He also stated there are many young children in this development, and

	<p>cameras will not protect them from being taken by a stranger. When he contacted the HOA, he was told the HOA Board is currently comprised of representatives of the builder, Discovery Homes. He cannot get anyone to return his calls or emails, and there was no vote on using the license plate reader cameras as an alternative to the entry gate.</p> <ul style="list-style-type: none"> • Sarah, resident of the Laurel Knoll subdivision, restated none of the residents were given any notice regarding a meeting of the HOA to discuss the possibility of installing the license plate reader as an alternative to the entry gate. 			
<p>Closing Comments:</p>	<ul style="list-style-type: none"> • Commissioner Martin explained it is difficult for the Planning Commission to re-legislate a condition of approval established prior to their terms on the Commission. He asked the builder if the license plate reader was the only option that was considered. • Commissioner Gustofson stated she had visited the Laurel Knoll community two days prior to this meeting. She walked the site and spoke with some of the residents. Her purpose was to speak with residents to find out if they had been informed of the HOA meeting and the change of conditions in general. • Commissioner Johnson stated the license plate reader is only one option available to the builder. She would like to hear about any research for alternatives to try to meet the needs of the community. She asked if other vendors with varying technology had been considered. • Chair Trambley stated due to the comments from the residents, it appears the builder/HOA did not follow through with the recommendations from the Planning Commission. Chair Trambley asked Chris Kamerzell if he would contact an Engineer to obtain a proposal for a different type of entry gate. • Vice-Chair Casella asked if the builder would still be involved in finding a remedy should the license plate reader be found to be inadequate. She does not feel comfortable with the suggested alternative. She asked where notification signs would be placed regarding the license plate reader. • Commissioner Evans commented that the gate was not a priority in the building and phasing of the project. 			
<p>Motion to:</p>	<p>Adopt Resolution No. 23-11, approving a change of conditions to application number 14PLN-0010 to modify condition of approval number eight to eliminate the requirement for a vehicular entry gate for the Laurel Knoll subdivision, located at 370 Muir Station Road, APN: 162-570-056, subject to modified conditions of approval.</p>			
<p>Motion by:</p>	<p>Vice-Chair Casella</p>		<p>Seconded By: Commissioner Evans</p>	
<p>Motion failed 4-3</p>	<p>Sean Trambley</p>	<p>Aye</p>	<p>Susan Gustofson</p>	<p>Nay</p>
	<p>Tracey Casella</p>	<p>Aye</p>	<p>Rochelle Johnson</p>	<p>Nay</p>
	<p>Jonathan Bash</p>	<p>Excused</p>	<p>Jason Martin</p>	<p>Nay</p>

	Joseph Evans	Aye	John Klopp (Alternate)	Nay
Motion to:	Adopt Resolution No. 23-11, approving the change of conditions to application number 14PLN-0010 to modify condition of approval number eight, to eliminate the requirement for a vehicular entry gate for the Laurel Knoll subdivision, located at 370 Muir Station Road, APN: 162-570-056, subject to modified conditions of approval. The modified conditions of approval would require the Applicant to submit a report prepared by a third-party engineer demonstrating a gate of various designs is not feasible for this development, and that report shall be reviewed by a representative of the Planning Commission, with staff from the Engineering and Planning Divisions. Assuming there is concurrence with that report, the gate may be eliminated. If the gate is eliminated, the modified conditions of approval included in the Staff Report, which include the license plate reader, would need to be implemented. In either scenario, whether the report shows the gate to be feasible or not, the Applicant will also be responsible for some type of security locker for package delivery, which would also be reviewed by the same representatives.			
Motion by:	Chair Trambley		Seconded by: Commissioner Martin	
Motion Passed 7-0	Sean Trambley	Aye	Susan Gustofson	Aye
	Tracey Casella	Aye	Rochelle Johnson	Aye
	Jonathan Bash	Excused	Jason Martin	Aye
	Joseph Evans	Aye	John Klopp (Alternate)	Aye
<p>4. Conduct a public hearing and adopt Resolution No. 23-13, approving a request for: 1) a minor subdivision of a one-acre parcel into four lots, and 2) a variance to increase the permitted height of retaining walls from six to seven feet, located at 5043 Milano Way in the Residential 6.0 zoning district, Assessor's Parcel Number 191-040-010.</p>				
Speakers:	<ul style="list-style-type: none"> Daniel Gordon, Associate Planner, gave a presentation outlining the project. Commissioner Evans asked if the wall height is seven feet at certain points and less than seven feet at others. Scott Busby, Applicant, provided additional hardcopy plans to the Planning Commission, City staff, and the public. He reviewed the changes depicted in the updated plans. 			
Public Comment:	<ul style="list-style-type: none"> John Nevis, resident of Rosemary Court, is concerned about whether Rosemary Court is a public or private street. Kelly Vasgerdsian, resident of Rosemary Court, has concerns regarding safety. When there are large construction vehicles parked on Milano Way, it is impossible for anyone leaving Rosemary Court to see the oncoming traffic. She wants confirmation that the construction crew will not be parking along the side of the street and blocking the view. 			

	<ul style="list-style-type: none"> Greg Kaufman, resident of Rosemary Court, is having a difficult time visualizing with the story poles erected at the site. His biggest concern is the height of the walls. 			
Closing Comments:	None			
Motion to:	Adopt Resolution No. 23-13, approving a request for: 1) a minor subdivision of a one-acre parcel into four lots, and 2) a variance to increase the permitted height of retaining walls from six to seven feet, located at 5043 Milano Way in the Residential 6.0 zoning district, Assessor's Parcel Number 191-040-010.			
Motion by:	Vice-Chair Casella			
	Seconded By: Commissioner Martin			
Motion passed 7-0	Sean Trambley	Aye	Jason Martin	Aye
	Tracey Casella	Aye	Rochelle Johnson	Aye
	Jonathan Bash	Excused	Joseph Evans	Aye
	Susan Gustofson	Aye	John Klopp (Alternate)	Aye
<p>5. Conduct a public hearing, and adopt Resolution No. 23-16, recommending the City Council adopt the Ordinance approving a Municipal Code Amendment and Zoning Text Amendment to amend the Martinez Municipal Code by: 1) merging Martinez Municipal Code Chapter 8.08 (TREES AND SHRUBS – PLANTING AND MAINTENANCE) AND 8.12 (TREES ON PRIVATE PROPERTY PRESERVATION, PROTECTION AND REMOVAL), amending the definition of Protected Tree, establishing a tree replacement ratio, establishing a list of recommended and discouraged trees, and establishing a tree replacement in-lieu fee; 2) amending Chapter 22.04 (DEFINITIONS) to revise and establish new definitions for apiary, chicken, and coop; and 3) adding Chapter 22.58 (SMALL ANIMALS) to establish standards and best practices for bees and chickens.</p>				
Speakers:	<ul style="list-style-type: none"> Imanol Tovar, Planning Technician, gave a presentation outlining the proposed regulations. Vice-Chair Casella asked if the apiaries are permanent structures. Commissioner Evans asked how the proposed regulations would be enforced. Chair Trambley recommended the minimum lot size for keeping chickens be lowered to 4,000 square feet in lieu of the stated 5,000 square feet. Commissioner Gustofson asked if there is a minimum diameter required to eliminate the requirement to replace the removed tree. 			
Public Comment:	None			
Closing Comments:	<ul style="list-style-type: none"> Commissioner Gustofson suggested the Coast Redwood be removed from the suggested replacement trees list. 			
Motion to:	Adopt Resolution No. 23-16, recommending the City Council adopt the Ordinance approving a Municipal Code Amendment and Zoning			

	Text Amendment to amend the Martinez Municipal Code by: 1) merging Martinez Municipal Code Chapter 8.08 (TREES AND SHRUBS – PLANTING AND MAINTENANCE) AND 8.12 (TREES ON PRIVATE PROPERTY PRESERVATION, PROTECTION AND REMOVAL), amending the definition of Protected Tree, establishing a tree replacement ratio, establishing a list of recommended and discouraged trees, and establishing a tree replacement in-lieu fee; 2) amending Chapter 22.04 (DEFINITIONS) to revise and establish new definitions for apiary, chicken, and coop; and 3) adding Chapter 22.58 (SMALL ANIMALS) to establish standards and best practices for bees and chickens, with the modifications of 4,000 square feet for 4 chickens and removal of the Coastal Redwood from the recommended replacement tree list.			
Motion by:	Chair Trambley		Seconded By: Commissioner Gustofson	
Motion passed 7-0	Sean Trambley	Aye	Jason Martin	Aye
	Tracey Casella	Aye	Rochelle Johnson	Aye
	Jonathan Bash	Excused	Joseph Evans	Aye
	Susan Gustofson	Aye	John Klopp (Alternate)	Aye
<p>6. Conduct a public hearing and adopt Resolution No. 23-17, recommending the City Council: 1) approve the Revised 2023 – 2031 Housing Element and direct staff to submit it to the California Department of Housing and Community Development (“HCD”) for certification; 2) adopt a Resolution approving minor amendments to the General Plan 2035, including amending the General Plan land use designation for four parcels on Fig Tree Lane from Residential Low to Residential Medium; 3) adopt Ordinances approving a Zoning Text and Zoning Map Amendment establishing a) the Community Services Overlay and b) the Alhambra Avenue Overlay District; 4) adopt an Ordinance approving a Zoning Map Amendment amending the zoning district for 32 parcels in the downtown for consistency with the General Plan 2035; and 5) approve an Addendum to the General Plan 2035 Environmental Impact Report.</p>				
Speakers:	<ul style="list-style-type: none"> Beth Thompson, Consultant; Victoria Walker, Consultant and Michael P. Cass, Planning Manager gave a presentation outlining the 2023 – 2031 Housing Element Update. Commissioner Evans asked how much research was done into obtaining developers’ interest in the named parcels. Commissioner Klopp asked how many lots are impacted in the proposed Community Service Overlay District. 			
Public Comment:	<ul style="list-style-type: none"> Max Gudino had questions regarding why John Muir Elementary and the adjacent park are labeled “underutilized” when all other city parks are not. He also questioned if the height limit in the downtown area still has a maximum of three stories, or if it has been raised to four stories. 			
Closing Comments:	None			

Motion to:	Adopt Resolution No. 23-17, recommending the City Council: 1) approve the Revised 2023 – 2031 Housing Element and direct staff to submit it to the California Department of Housing and Community Development (“HCD”) for certification; 2) adopt a Resolution approving minor amendments to the General Plan 2035, including amending the General Plan land use designation for four parcels on Fig Tree Lane from Residential Low to Residential Medium; 3) adopt Ordinances approving a Zoning Text and Zoning Map Amendment establishing a) the Community Services Overlay and b) the Alhambra Avenue Overlay District; 4) adopt an Ordinance approving a Zoning Map Amendment amending the zoning district for 32 parcels in the downtown for consistency with the General Plan 2035; and 5) approve an Addendum to the General Plan 2035 Environmental Impact Report.			
Motion by:	Commissioner Martin		Seconded By: Commissioner Johnson	
Motion passed 7-0	Sean Trambley	Aye	Jason Martin	Aye
	Tracey Casella	Aye	Rochelle Johnson	Aye
	Jonathan Bash	Excused	Joseph Evans	Aye
	Susan Gustofson	Aye	John Klopp (Alternate)	Aye

Public Comment (3:09:48 in video)
None

Commission Items (3:10:03 in video)	
Comments/ Updates	

Planning Manager Items (3:10:08 in video)	
Comments/ Updates	<p>Michael P. Cass, Planning Manager, provided the following updates:</p> <ul style="list-style-type: none"> Two notable projects were approved at a recent Zoning Administrator meeting. First was an addition to the Mission Point Church, and second, a triplex with an accessory dwelling unit on a vacant lot on the corner of Green Street and Estudillo Street. There will be no Planning Commission meetings for the rest of the year. The City Council will present a proclamation honoring Kimberley Glover for her service on the Planning Commission for many years at the December 6, 2023 meeting. On December 20, 2023, there will be a study session with the City Council regarding potential amendments to the City’s

	cannabis regulations, specifically targeting safety-related matters.
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Communications (3:12:34 in video)

Comments/ Updates	Discussion regarding the scheduling of a holiday party.
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Adjournment (3:13:32 in video)

Chair Trambley adjourned the meeting at 10:13 p.m.

Sean Trambley, Chair

Dee Dee Fendley, Administrative Aide III



STAFF REPORT

Date: January 23, 2024

To: Planning Commission

From: Michael P. Cass, Planning Manager

Prepared By: Khalil Yowakim, Senior Civil Engineer
Brandon Northart, Associate Planner

Subject: 706 Soto Street Vacation of a 20-Foot-Wide Access Easement
Planning Application No. 23PLN-0062

Recommendation

Conduct a public hearing and adopt Resolution No. 24-01, recommending the City Council approve a request for the City to vacate and convey a 20-foot-wide access easement, located at 706 Soto Street, Assessor's Parcel Number ("APN") 372-252-006 ("the subject site"), and find the vacation is consistent with the General Plan 2035.

Background

On October 30, 1985, the City Council adopted Resolution No. 167-85 (Attachment B), establishing a 20-foot-wide access easement on the subject site to maintain Alhambra Creek when a segment of Estudillo Street, from Soto Street to Alhambra Creek, was vacated. A portion of this easement now rests on the property located at 706 Soto Street. The approximate location of the easement is shown in yellow in Figure 1 below.

On October 14, 1987, approximately two years after the access easement was created, the City Council established a maintenance policy for Alhambra Creek by Resolution No. 153-87 (Attachment C). In general, the policy states all improvements or maintenance for the creek, including the creek bed and banks, shall be the responsibility of the property owner on whose property the creek naturally flows or whose property immediately adjoins the creek banks, except those portions of creek which cross or are adjacent to a public right-of-way which will be maintained by the City. The maintenance includes, but not limited to, clearing of vegetation, debris, or obstruction, and improvement or repair to creek banks.

There is an existing PG&E power pole and guy wire within the access easement, but there are no known easements for these facilities. The access easement also contains no City-owned facilities. Any modifications to the PG&E infrastructure or creation of a utility easement will be the responsibility of the property owner(s).

Figure 1 – Easement Location



Discussion

On November 6, 2023, the City received a request from the property owner of the subject site requesting the vacation of the City’s 20-foot-wide access easement on their property.

The vacation of a public service easement will be in accordance with California Streets and Highways Code Section 8310-8317 “General Provisions”, which requires the Planning Commission to review the proposed vacation, and forward a recommendation to the City Council as to conformance with the City’s General Plan and consistency with applicable Specific Plans in accordance with California Government Code Section 65402. If the easement vacation is approved, the easement will be vacated as required by Chapter 4 “Summary Vacation”, Article 1, Section 8330-8336 of the California Streets and Highway Code. Below is an analysis of the project’s consistency with the applicable policies.

In addition to consistency with the General Plan 2035, staff supports vacating said easement. As stated in the adopted maintenance policy for Alhambra Creek, the maintenance of the creek is the responsibility of the property owner(s); therefore, the City does not need the access easement from this location. The City has not utilized the easement for the last five years, and no public money has been expended on maintaining the easement during this period.

Circulation Element of the General Plan 2035

Soto Street is classified as a “local street” in the General Plan Circulation Element. The General Plan states local streets are intended to provide direct access to abutting properties and allow for localized movement of traffic. Local streets are characterized by low daily traffic volumes and low operating speeds of 25 to 30 mph.

The Circulation Element provides many policies and measures relevant to this project, such as the following goals and policies:

- encourage safe and convenient access (Goal C-G-1);
- consider alternative circulation system improvements (Goal C-G-2);
- consider alternative improvements to traditional streets to make neighborhoods walkable and enhance sense of place within Downtown Martinez (Goal C-G-5);
- promote safe and convenient pedestrian and bicycle circulation (Goal C-G-8);
- promote a well-integrated and coordinated transit network (Goal C-G-10);
- provide adequate public infrastructure and services (Goal C-G-12); and
- meet the needs of existing and future development (Goal PCU-G-15).

The project is consistent with the Circulation Element goals and policies as vacation of this easement would have no impacts to the existing circulation network, affect vehicular or pedestrian access, or result in any safety concerns.

Environmental Review

Action by the City to vacate the easement would be exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061(b)(3), Common Sense Exemption, as the easement is no longer required for its intended purpose and the property owner(s) will still maintain access to the creek for maintenance purposes.

Attachments

- Attachment A – Draft Planning Commission Resolution No. 24-01
- Attachment B – City Council Resolution No. 167-85
- Attachment C – City Council Resolution No. 153-87
- Attachment D – General Plan Figure 6-1: Circulation Map

RESOLUTION NO. 24-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARTINEZ RECOMMENDING THE CITY COUNCIL APPROVE A REQUEST FOR THE CITY TO VACATE AND CONVEY A 20-FOOT-WIDE ACCESS EASEMENT, LOCATED AT 706 SOTO STREET, ASSESSOR'S PARCEL NUMBER 372-252-006, AND FIND THE VACATION IS CONSISTENT WITH THE GENERAL PLAN 2035

WHEREAS, on October 30, 1985, the City Council adopted Resolution No. 167-85, establishing a 20-foot-wide access easement at 706 Soto Street ("the subject site") to maintain Alhambra Creek when a segment of Estudillo Street, from Soto Street to Alhambra Creek was vacated;

WHEREAS, on October 14, 1987, the City Council established a maintenance policy for Alhambra Creek, which is outlined in Resolution No.153-87; and

WHEREAS, on November 6, 2023, the City received a request from the property owner of the subject site requesting the vacation of the City's 20-foot-wide access easement on their property as shown and described in Exhibit B and Exhibit C; and

WHEREAS, vacating the easement will be made under "Summary Vacation" and the requirements in accordance with the Streets and Highways Code Chapter 4, Article 1, Section 8330-8336; and

WHEREAS, said vacation will be subject to City Council review and approval, and the adoption of a resolution approving said vacation; and

WHEREAS, the Planning Commission determined the project is categorically exempt pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15061(b)(3), Common Sense Exemption, as the easement is no longer required for its intended purpose and the property owner(s) will still maintain access to the creek for maintenance purposes; and

WHEREAS, Government Code Section 65402 requires the Planning Commission to make findings listed below that the vacation of the easement located at 706 Soto Street, Assessor's Parcel Number 372-252-006, is in conformance with the General Plan 2035; and

WHEREAS, a Staff Report was submitted to the Planning Commission recommending City Council approval of the proposed easement vacation; and

WHEREAS, the Planning Commission held a public hearing on the proposed roadway vacation on January 23, 2024; and

WHEREAS, proper notice of said hearing was given in all respects as required by law; and

WHEREAS, the Record of Proceedings (“Record”) upon which the Planning Commission bases its decision regarding the conformance of the roadway vacation with the General Plan 2035 includes, but is not limited to: (1) all staff reports, City files and records, and other documents prepared for and/or submitted to the Planning Commission, and the City relating to the vacation; (2) the evidence, facts, findings, and other determinations set forth in this resolution; (3) the General Plan 2035; (4) all applications, designs, plans, studies, data, and correspondence submitted by Contra Costa County in connection with the vacation; (5) all documentary and oral evidence received by or submitted to the City relating to the vacation; and (6) all other matters of common knowledge to the Planning Commission including, but not limited to, City, state, and federal laws, policies, rules, regulations, reports, records, and projections related to development within the City and its surrounding areas; and

WHEREAS, the Planning Commission did hear and consider all said reports, recommendations, and testimony set forth above and used its independent judgement to evaluate the project; and

WHEREAS, the Planning Commission has reviewed the project to determine that the vacation of this access easement is in conformance with the General Plan 2035 in conformance with Government Code Section 65402; and

NOW, THEREFORE, that the Planning Commission of the City of Martinez does hereby recommend that the City Council approve the easement vacation and find as follows:

1. The above recitals are found to be true and constitute part of the findings upon which this resolution is based.
2. The Planning Commission hereby makes the findings in Exhibit A with respect to the easement vacation.

NOW, THEREFORE, BE IT RESOLVED, based on the findings set forth in the Record as a whole, the Planning Commission hereby adopts this Resolution and recommends that the City Council approve the project.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the Planning Commission of the City of Martinez at a Regular Meeting of said Commission held on the 23rd day of January, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sean Trambley, Planning Commission Chair

ATTEST:

Michael P. Cass, Planning Manager

EXHIBIT A

EASEMENT VACATION FINDINGS

The Planning Commission hereby makes the following findings with respect to the vacation of the access easement, located at 706 Soto Street, as required by California Government Code Section 65402:

- A. The proposed vacation of the easement at 706 Soto Street between Soto Street and Alhambra Creek is in substantial conformance with the Circulation Element of the City of Martinez General Plan 2035.**

The Circulation Element of the General Plan was adopted on November 2, 2022 and amended on December 20, 2023. Soto Street is classified as a “local street” in the General Plan Circulation Element. The General Plan states local streets are intended to provide direct access to abutting properties and allow for localized movement of traffic.

The project is consistent with the Circulation Element goals and policies as vacation of this easement would have no impacts to the existing circulation network, affect vehicular or pedestrian access, or result in any safety concerns.

EXHIBIT B

LEGAL DESCRIPTION OF EASEMENT

EXHIBIT B
LEGAL DESCRIPTION

EASEMENT TO BE QUITCLAIMED

That 20'-wide easement and rights reserved for the City of Martinez for access to Alhambra Creek as described in 'Exhibit A-1' of City of Martinez City Council Resolution No. 167-85 (A Resolution Ordering Vacation of Portions of Estudillo Street between Soto Street and Alhambra Creek), recorded on October 30, 1985, in Book 12589 of Official Records at Page 871, Contra Costa County Records.

As shown on Exhibit B attached hereto and by this reference made a part hereof.

Prepared by me or under my direction in conformance with the Professional Land Surveyors Act:

11/27/2023

Date

PRELIMINARY



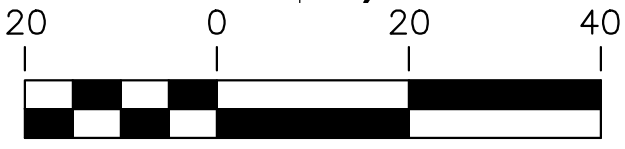
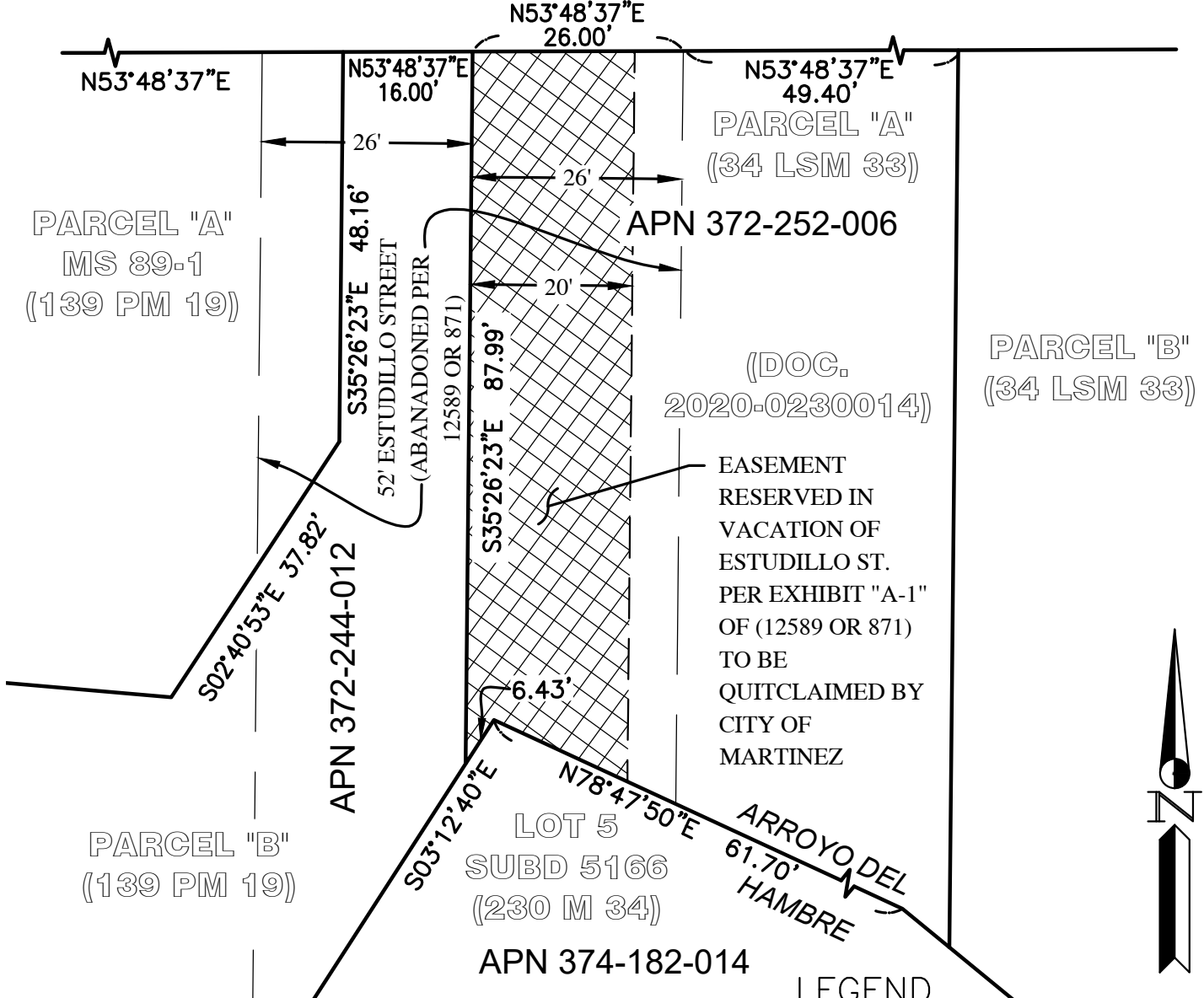
EXHIBIT C

SOTO STREET PLAT MAP

PLAT MAP

PORTION OF
 APN 372-252-006
 706 SOTO STREET
 MARTINEZ, CA

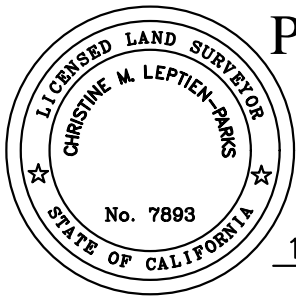
SOTO STREET (52' R.O.W.)



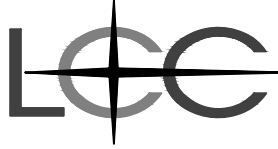
SCALE IN FEET

LEGEND

	Property Line
	Old Lot Line
	Easement to be Quitclaimed by City



PRELIMINARY



ENGINEERING & SURVEYING, INC.
 930 Estudillo Street
 Martinez, California 94553-1620
 (925) 228-4218 Fax (925) 228-4638
 www.lcc-inc.com
 NOVEMBER 2023
 LCC JOB No. 2020.054.00

11/20/2023
 DATE

RD & RETURN TO:

City Office
1st Street
A 24553

RESOLUTION NO. 167-85

85 158150

A RESOLUTION ORDERING VACATION OF PORTIONS OF
ESTUDILLO STREET BETWEEN SOTO STREET
AND ALHAMBRA CREEK

WHEREAS, the City Council of the City of Martinez has heretofore adopted Resolution No. 134-85, being a Resolution of Intention to vacate portions of Estudillo Street between Soto Street and Alhambra Creek; and

WHEREAS, all notices were published and posted in accordance with the requirements of law; and

WHEREAS, the City Council of the City of Martinez finds that the portions of said street proposed to be vacated are unnecessary for present or prospective public street purposes and further finds that public convenience and necessity require the vacation thereof subject to certain reservations hereafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARTINEZ that pursuant to the provisions of the Public Streets, Highways, and Service Easements Vacation Law, Section 8300, et. seq. of the Streets and Highway Code of the State of California, the City Council of the City of Martinez hereby finds and declares that the foregoing recitals are true and correct, that the portions of Estudillo Street proposed to be vacated are unnecessary for present and prospective public street purposes and hereby orders and declares vacated those portions of Estudillo Street, more particularly described in Exhibits "A-1" and "A-2", and delineated in Exhibit "B", attached hereto, hereby referred to and incorporated herein by reference; and

BE IT FURTHER RESOLVED that the City Clerk of the City of Martinez is hereby directed to cause a duly certified copy of this resolution to be filed in the office of the Recorder of Contra Costa County, State of California.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a regular meeting of said Council held on the 23rd day of October, 1985, by the following vote:

AYES: Councilmembers Hernandez, Follacek, Radke, Vice Mayor Langley and Mayor Menesini.

NOES: None

ABSENT: None

RECORDED AT REQUEST OF
GRANTOR

OCT 30 1985
AT 10 O'CLOCK
CONTRACOSTA COUNTY RECORDS
J.R. OLSSON
COUNTY RECORDER

LAWRENCE J. KOHALSKI
City Clerk, City of Martinez

By: Mercedes G. Cabral
Acting Deputy City Clerk

FEES

OFF'L

b1160

125000 871

EXHIBIT "A-1"

The following described parcel is situated in the City of Martinez, County of Contra Costa, State of California, and is to be combined with, as one single parcel, Parcel A as shown on that Record of Survey recorded May 14, 1965 in Book 34 of Land Surveyors Maps, Page 33, Contra Costa County Records, and more particularly described as follows:

The eastern 26 feet, right angle measurement, of the 32-foot wide right-of-way designated as Estudillo Street as shown on the "Original Survey of the City of Martinez", filed in Map Book "D", at Page 53, Contra Costa County Records.

The western line of said 26-foot wide parcel shall terminate at the prolongation of the southern line of Soto Street and at the centerline of Arroyo del Hambre (now referred to as Alhambra Creek), as said Street and "Arroyo" are shown on the aforesaid "Original Survey".

Reserving therefrom the western 20 feet, right angle measurement, an easement for the City of Martinez for vehicles of all kind and employees, agents, officers and contractors of the City of Martinez. The easement shall be for access to Alhambra Creek for the purposes of clearing obstructions or construction of improvements within Alhambra Creek.

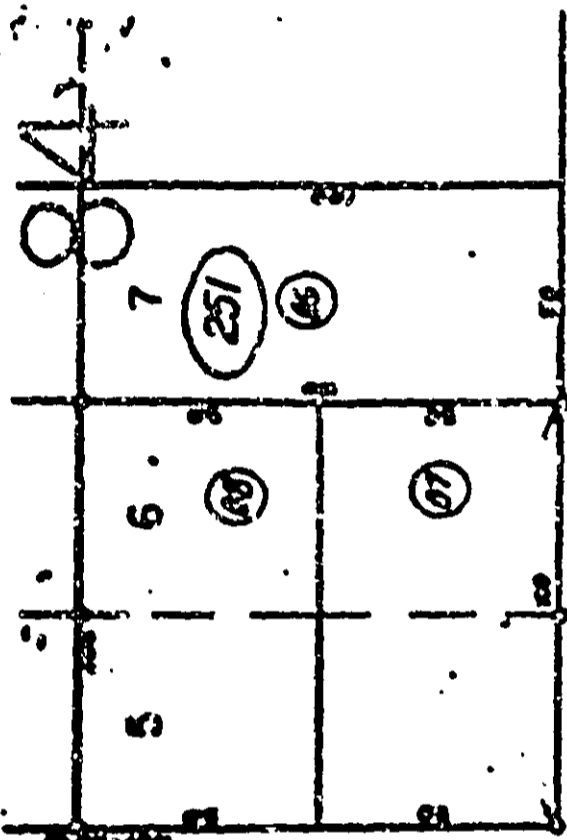
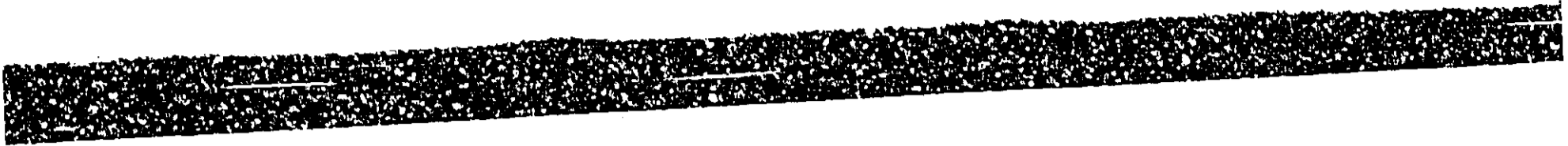
EXHIBIT "A-2"

The following described parcel of land is situated in the City of Martinez, County of Contra Costa, State of California, and is to be combined with, as one single parcel, that parcel of land described in the deed to Virgil and Nancy Stillwell, recorded August 18, 1970 in Book 6170 of Official Records, Page 390, Contra Costa County Records, and more particularly described as follows:

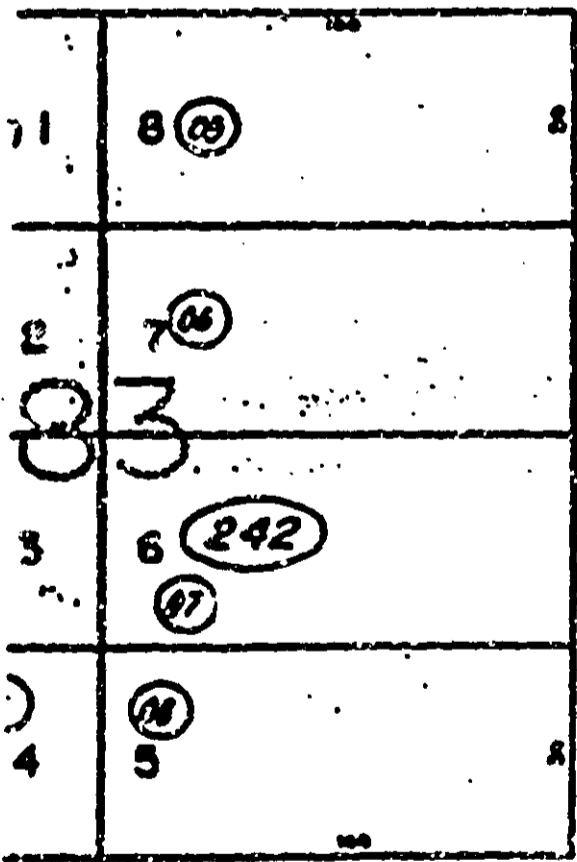
The western 26 feet, right angle measurement, of the 52-foot wide right-of-way designated as Estudillo Street as shown on the "Original Survey of the City of Martinez", filed in Map Book "D" at Page 83, Contra Costa County Records.

The eastern line of said 26-foot wide parcel shall terminate at the prolongation of the southern line of Soto Street and at the centerline of Arroyo del Hambre (now referred to as Alhambra Creek), as said Street and "Arroyo" are shown on the aforesaid "Original Survey".

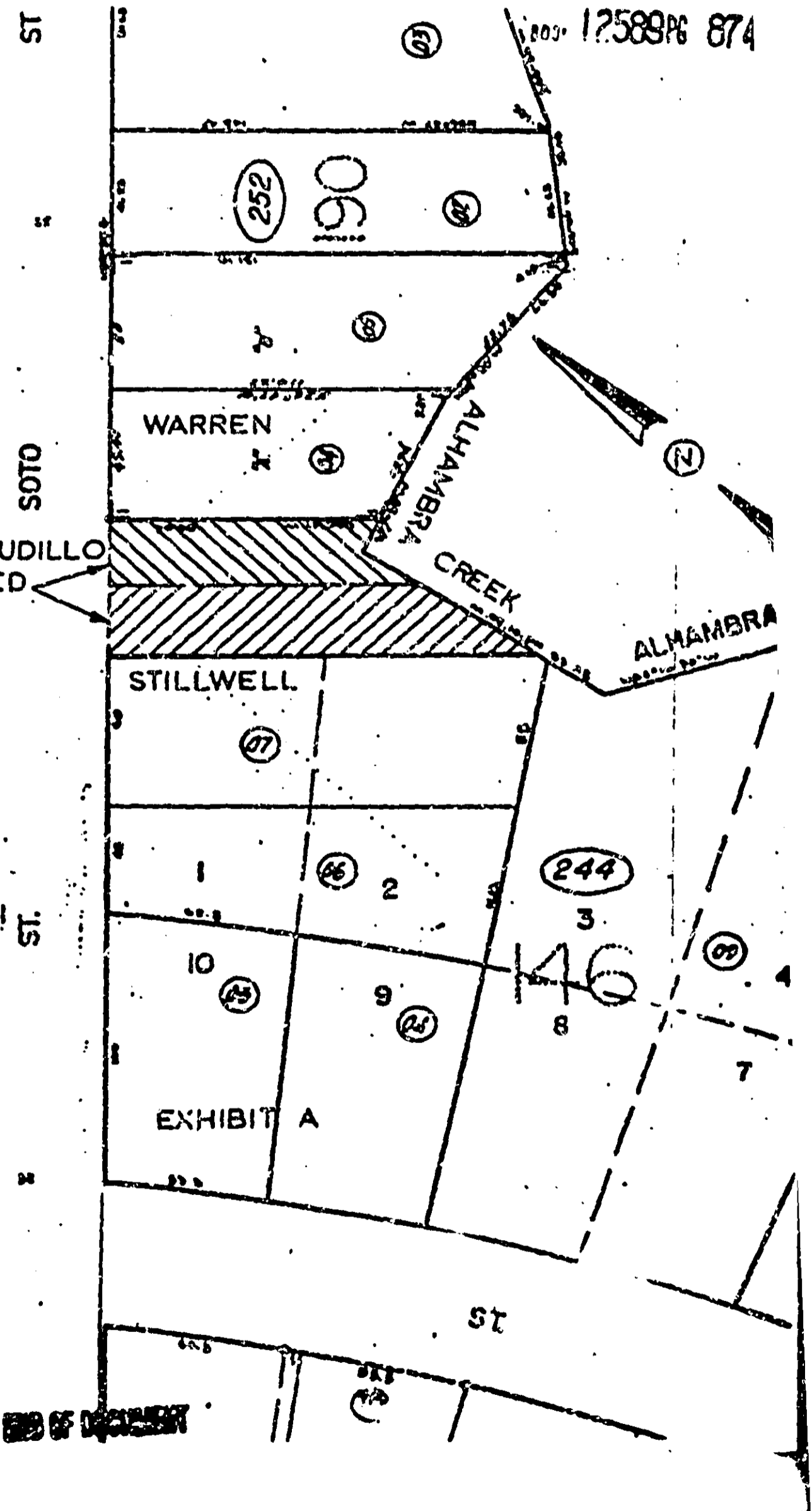
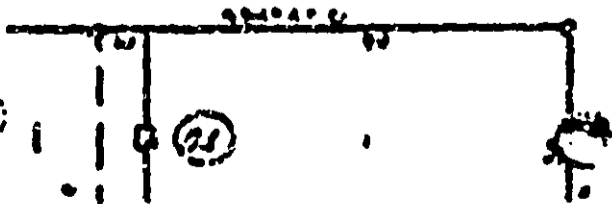
CM 10000



PORTIONS OF ESTUDILLO ST. TO BE VACATED
ESTUDILLO ST.



ASTRO



12589PG 874

END OF DOCUMENT

RESOLUTION NO. 153-87

ADOPTING POLICY FOR THE MAINTENANCE
OF ALHAMBRA CREEK

WHEREAS, the City Council of the City of Martinez deems it to be in the public interest to have the maintenance of Alhambra Creek done in a uniform and comprehensive manner; and

WHEREAS, Alhambra Creek is a natural watercourse and the maintenance performed by the Public Services Department has been restricted to locations where the creek crosses or is adjacent to public rights-of-way; and

WHEREAS, the Public Services Department has determined the need to establish a policy for the maintenance of Alhambra Creek.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Martinez that a City policy for the maintenance of Alhambra Creek is hereby established as defined below:

- A. All improvements or maintenance desired for the Alhambra Creek including the creek bed and banks shall be the responsibility of the property owner on whose property the creek naturally flows or whose property immediately adjoins the creek bank.
- B. Maintenance shall include but is not limited to the clearing of vegetation, debris or obstructions, repairs to the creek banks and improvements to the creek which may include installation of bank protection.
- C. Those portions of the creek which cross or are adjacent to a public rights-of-way will be maintained by the City Public Services Department. This includes bridges, culverts, or box culverts which are within a City maintained street or right-of-way and shall include the portions of the creek bed and creek banks immediately adjacent to said streets or rights-of-way. Maintenance shall include the clearing of obstructions, maintenance or installation of improvements in the creek bed or on the creek banks, street pavement, and structures.
- D. Prior to the performance of any work within the creek, necessary permits from the applicable agencies shall be obtained. Such agencies may include, but not be limited to, City of Martinez, Contra Costa County, California Department of Fish and Game, U.S. Army Corps of Engineers, and/or San Francisco Bay Conservation and Development Commission.
- E. Requests for removal of major obstructions (such as fallen trees) will be reviewed by the Public Services Department. If determined that the obstruction affects public property or right-of-way, then it will be removed by City forces. Otherwise, it will be the responsibility of the owners on whose property the obstruction exists to remove the obstruction.

F. Any decision of the Public Services Director made under this policy may be appealed by written notice to the City Manager as long as said notice is received within five (5) days of the decision. The City Manager's decision shall be final and non-appealable.

BE IT FURTHER RESOLVED, that the Public Services Department is hereby directed to follow this policy on Alhambra Creek maintenance.

* * * * *

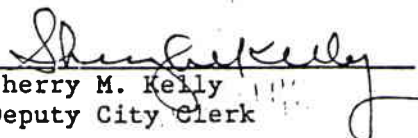
I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a regular meeting of said Council held on the 14th day of October, 1987, by the following vote:

AYES: Councilmembers Hernandez, Langley, Pollacek,
Vice Mayor Radke and Mayor Menesini.

NOES: None.

ABSENT: None.

GUS S. KRAMER
City Clerk

By: 
Sherry M. Kelly
Deputy City Clerk

nb:82

City of Benicia

Carquinez Strait

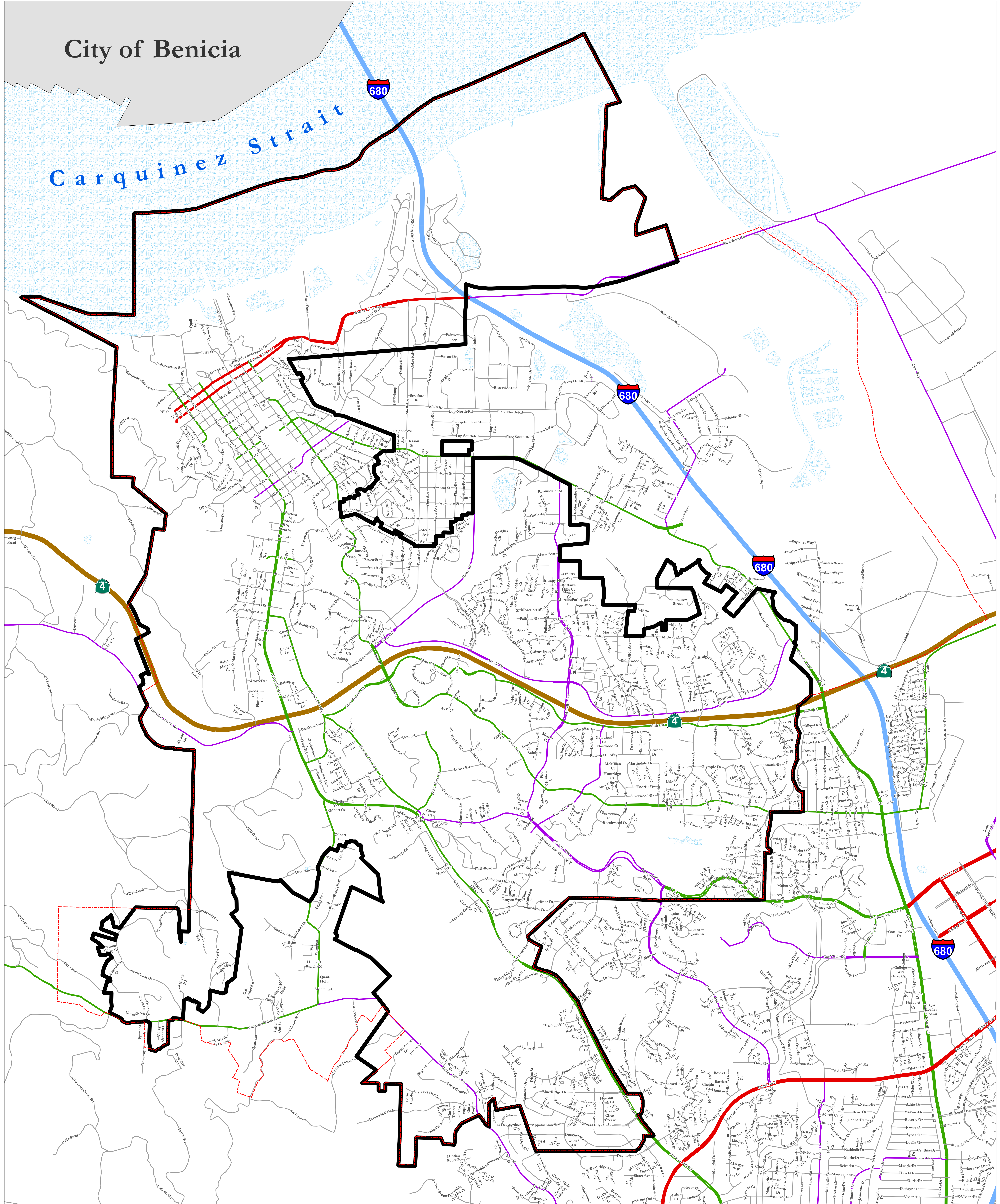
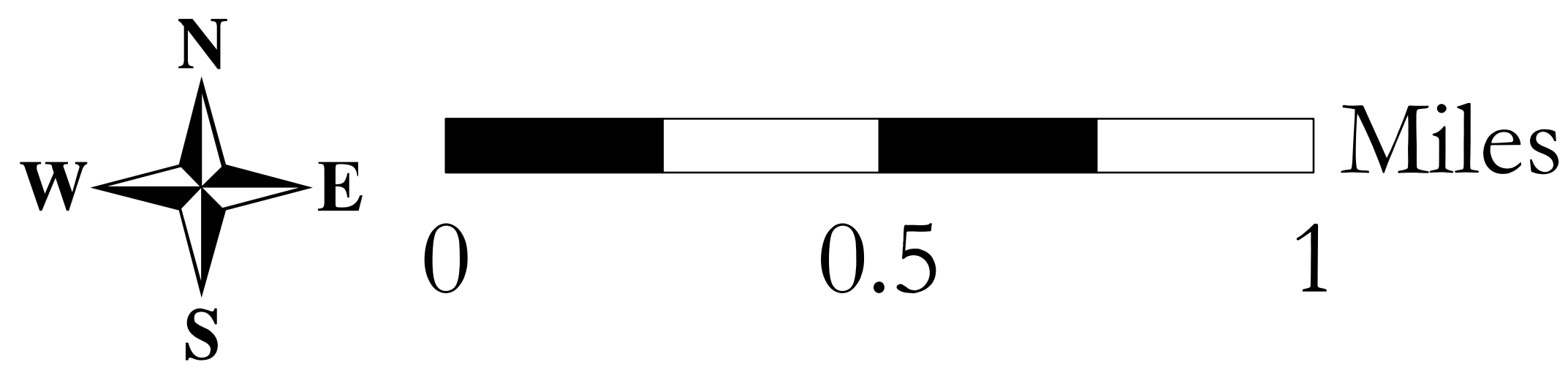


Figure 6-1. Circulation Map
 DISCLAIMER: This map was developed for general planning usage. The City of Martinez is not responsible nor liable for use of this map beyond its intended purpose.

Last Edited: July 25, 2022
 Martinez General Plan 2035
 Map Produced by the City of Martinez
 Community and Economic Development Dept.
 525 Henrietta St. Martinez, CA 94553
 (925) 372-3500



- Local
- Major Collector
- Minor Arterial
- City Limits
- Sphere of Influence
- Principal Arterial
- Other Freeway or Expressway
- Interstate





STAFF REPORT

Planning Commission

Date: January 23, 2024
To: Planning Commission
From: Michael P. Cass, Planning Manager
Prepared By: Michael P. Cass, Planning Manager
Brandon Northart, Associate Planner
Daniel Gordon, Associate Planner
Imanol Tovar, Planning Technician
Dee Dee Fendley, Administrative Aide III
Title: Proposed 2024 Planning Division Work Plan

Recommendation

Receive report, hold discussion, and provide direction to staff regarding initiatives and prioritization of the proposed 2024 Planning Division Work Plan.

Background

The Planning Division provides the following services:

- Current Planning: facilitating and managing development applications, such as design review, hillside development, use permits, sign permits, subdivisions, variances, and exceptions. The Planning Division also works with the Building Division to review building permit applications for conformance with the Zoning Code and recent discretionary project approvals and with the Engineering Division on the design and environmental review of certain Capital Improvement Projects.
- Advance Planning: implementing the General Plan, Downtown Specific Plan, and Downtown Parking Study; managing housing programs; preparing advance planning studies and plans; updating the Municipal Code, meeting state mandates; participating in regional planning; and monitoring development in neighboring jurisdictions.
- Public Assistance: handling inquiries on planning, zoning, and development matters at the counter, via email, by phone, and as needed in the field; and update the City's website to provide tools and resources for the community.

The Planning Division also serves as the staff liaison to the Planning Commission and Zoning Administrator.

In recent years, the Planning Division has not had an identified Work Plan, due to staffing issues. Now that the Community and Economic Development Department has all planner positions filled, the City has the capacity to develop and implement the Planning Division Work Plan.

Discussion

Each year, Planning Division staff will develop a list of advance (long-range) planning tasks/initiatives to be undertaken alongside usual routine business, including current planning and public assistance. The proposed Work Plan is developed through a variety of sources such as state requirements to change current laws, a need for a code or process adjustment identified by staff, or direction from the Planning Commission or City Council. The task list is reviewed and approved by the City Council, with input by the Planning Commission, to ensure these projects align with the City's planning needs as well as the Division's responsibilities and the goals of the City. Refer to Attachment A for the proposed 2024 Planning Division Work Plan.

The proposed 2024 Planning Division Work Plan is an ambitious undertaking with 45 identified initiatives to be completed this year. Each initiative includes the task, source, deadline, tentative timing, assigned planner, and status. Most of the proposed initiatives are state mandates, based upon the adopted 2023 – 2031 Housing Element or based on recent state law, while the remaining are based upon previous direction from the City Council and staff recommendations. Given this significant workload, the Planning Commission and City Council will have limited ability to impact the identified initiatives and timing; however, the Planning Commission and City Council will have the ability to impact individual policies and provide direction as each initiative is considered and implemented. Note the initiatives - particularly the Housing Element programs - may be adjusted and reprioritized if outside funding is identified for staff or consultant time to allow for implementation.

It is important to note the state mandates are based upon the 2023 legislative session. Staff plans to also address previous legislation when associated regulations are updated, similar to how the accessory dwelling unit regulations were updated last year.

Included in the proposed 2024 Planning Division Work Plan are Zoning Code Cleanup items. Refer to Page 6 of Attachment A. Note, not all of these Zoning Code Cleanup efforts are planned to be addressed in the current calendar year. Rather, Planning Division staff intends to gradually address these items concurrent with consideration of other required initiatives. For instance, reorganization of Martinez Municipal Code Chapters will happen gradually to make room for future policy updates, and removal of references to the Board of Adjustments will occur as specific Chapters are updated.

The Planning Division seeks the Planning Commission's feedback regarding initiatives and prioritization of the proposed 2024 Planning Division Work Plan. Recommendations will be provided to the City Council for consideration.

Next Steps

The City Council will conduct a study session regarding the proposed 2024 Planning Division Work Plan on February 7, 2024. Additionally, the City Council will conduct their annual Goal Setting Workshop on Saturday, February 24, 2024.

Environmental Review

The informational report on the proposed 2024 Planning Division Work Plan is exempt from the

requirements of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15378.

Fiscal Impact

The 2023 – 2025 Biennial Budget sufficiently covers the cost of preparing the proposed 2024 Planning Division Work Plan.

Public Noticing and Outreach

The Agenda was posted.

Attachments

- Attachment A – Proposed 2024 Planning Division Work Plan

Proposed 2024 Planning Division Work Plan

Updated January 14, 2024

Every year, Planning Division staff develops a list of advanced (long-range) planning tasks to be undertaken alongside usual routine business, like application review. The list is developed through a variety of sources such as state requirements to change current laws, a need for a code or process adjustment identified by staff, or direction from the City Council. The task list is reviewed and approved by the City Council, with input by the Planning Commission, to ensure these projects align with the City’s planning needs as well as the Division’s responsibilities and the goals of the City. The table below provides an update on the progress made to date.

Proposed 2024 Tasks						
#	Task	Source	Deadline	Tentative Timing	Planner(s)	Status
1.	2023-2031 Housing Element Adoption and Certification	State Law	January 31, 2023	TBD	Cass	Adopted December 20, 2023; Certification by HCD is pending
2.	<p>Offer Financial and Regulatory Incentives. Establish financial and regulatory incentives to private and non-profit developers for the development of affordable housing for families, seniors, and other households and housing for special needs populations.</p> <ul style="list-style-type: none"> ▪ Provide City Staff Assistance ▪ Expedite Permit Processing ▪ Reduce Development Fees ▪ Provide Fee Deferrals ▪ Provide Architectural Design Assistance ▪ Customize Development Standards ▪ Planning Fee Waiver or Fee Reduction Program 	Housing Element (Program 1)	July 2024	Q1-Q2	Cass and Tovar	
3.	<p>Incentivize Units that are Affordable by Design. “Affordable by design” refers to small units, sometimes termed micro-units, that provide entry-level housing opportunities at modest prices. These units can assist in meeting the City’s RHNA and provide for efficient use of a site. Review the City’s Zoning Code and development standards by 2024 to identify reductions that can be made to City requirements to encourage units that are affordable by design and implement an Affordable by Design program by 2026.</p>	Housing Element (Program 1)	December 31, 2024	Q4	Northart and Tovar	
4.	<p>Public Property Conversion to Housing. For Sites 502 and 503 (MUSD Adult Education Center) and Site 507 (MUSD John Muir Elementary School), coordinate with MUSD to develop workforce housing on the sites by a) identifying preferred paths for land development; b) defining target population; c) preparing site design study to determine building layout, heights, units, parking, and amenities; and d) identifying financing strategy.</p>	Housing Element (Program 3A)	December 31, 2024	Q3	Consultant and Cass	
5.	<p>Accessory Dwelling Unit Resources. Provide technical resources online to assist with ADU/JADU development, including an ADU factsheet with a summary of requirements for ADUs/JADUs and permit fees required for ADUs/JADUs, and information regarding CalHFA grants.</p>	Housing Element (Program 4)	December 31, 2024	Q4	Northart	
6.	<p>Accessory Dwelling Units Outreach. Conduct outreach and education on ADU options and requirements to homeowners and Homeowners’ Associations.</p>	Housing Element (Program 4.5)	December 31, 2024	Q4	Northart	
7.	<p>Accessory Dwelling Unit Prototype Plans. Provide downloadable ADU plans on the City’s website. AB 1332 requires local governments create pre-approved plans or provide private entity lists of pre-approved designs for ADUs, replicating a best practice currently employed only in a few California cities and counties.</p>	Housing Element (Program 4.9) and State Law (AB 1332)	December 31, 2024	Q3	Northart	

8.	Housing Rehabilitation and Code Enforcement. Identify concentrations of housing in need of repair and multifamily developments in need of significant repair	Housing Element (Program 9.3)	December 31, 2024	Q3	Tovar	
9.	Application Form and Submittal Requirements. Update the Municipal Code and the City's project application documents to incorporate the requirements of AB 2011 and SB 6.	Housing Element (Program 10)	December 31, 2024	Q3	Northart	
10.	Streamlined and Ministerial Review for Eligible Affordable Housing Projects. The Zoning Ordinance will be updated to process eligible multifamily, mixed-use, and multi-unit projects with streamlined ministerial (by-right) review which shall only be subject to objective design and development standards consistent with relevant provisions of State law, including SB 330 (2019) and SB 9 (2021), as provided by applicable sections of the Government Code, including but not limited to, Sections 65905.5, 65913.4, 65940, 65941.1, 65950, and 66300. State law defines objective design standards as those that "involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and public official prior to submittal."	Housing Element (Program 11.D)	December 31, 2023	Q2		
11.	Design Standards. The City will adopt objective design and development standards for multifamily housing, including ministerial (by-right) residential and mixed-use development, and will make certain that the standards, including floor area ratio, unit size, height, setback, and parking requirements, accommodate the maximum densities permitted, and provide flexibility with the design of building types and units to accommodate irregular lots and steep slopes. These objective standards will replace any subjective standards, including site plan review findings, design review standards, use permit conditions, and other standards required for single-family and multifamily housing with objective standards and definitions and/or illustrations.	Housing Element (Program 11.H)	December 31, 2023	Q2	Consultant and Cass	
12.	Lower-Income Households Policy Establishment. Establish development standards and a formal ongoing procedure that encourages a variety of housing types and affordability levels and includes procedure to evaluate proposals for affordable housing.	Housing Element (Program 13)	December 31, 2024	Q3		
13.	Residential Use By Right. Allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households for: 1) lower-income sites that are vacant and have been included in the inventory from two or more consecutive planning periods; and 2) lower-income sites that are underutilized and have been included in the inventory from a prior planning period consistent with the requirements of Government Code Section 65583.2.	Housing Element (Program 13)	December 31, 2024	Q2	Consultant	
14.	Lot Consolidation and Phasing. Develop and implement strategies to encourage and facilitate (1) lot consolidation and (2) phasing of residential and mixed-use developments on large sites, to make sites more developable for housing. The City will meet with local developers and property owners to discuss development opportunities and incentives for lot consolidation on smaller sites and/or phasing of development on larger sites to accommodate affordable housing units and consider additional incentives brought forth by developers. As developers/owners approach the City with interest in lot consolidation or phased development on larger sites for the development of affordable housing, the City could defer certain fees, allow more height or additional stories, waive lot merger fees for certain small contiguous lots, and provide concurrent/fast tracking of project application reviews to developers who provide affordable housing. The City will also pursue grant funding for parcel assemblage land banking when it is available.	Housing Element (Program 13)	December 31, 2024	Q4	Gordon	

15.	Development Incentives. Evaluate and implement a range of incentive based and regulatory approaches to facilitate and encourage sites to develop at the densities and intended uses as identified in the Sites Inventory, including updates to local implementation of the State Density Bonus program, as well as evaluation of floor-area-ratio-based bonuses, bonuses in exchange for infrastructure, increased opportunities for expedited permit processing, and increased use of ministerial processing for a variety of housing types	Housing Element (Program 13)	December 31, 2024	Q4	Northart	
16.	Density Bonus. Update the Zoning Ordinance to reflect the density bonus provisions of State law and to allow up to one additional incentive for special needs housing that is affordable to very low-, low-, and/or moderate-income households in perpetuity. Promote the use of density bonus incentives and provide technical assistance to developers in utilizing the density bonus to maximize feasibility and meet local housing needs. Additionally, AB 1287 modifies state Density Bonus law to allow developers to apply for a moderate-income density bonus in cases when the developer has already included the maximum number of low- or very-low income units in the proposed development.	Housing Element (Program 15.4) and State Law (AB 1287)	December 31, 2024	Q3	Northart	
17.	Fair Housing Services. Ensure that educational and enforcement assistance is provided to renters, homebuyers, homeowners, and housing providers.	Housing Element (Program 19)	December 31, 2024	Q3	Gordon	
18.	Capital Improvement Projects. Develop a policy for use of City funding and identify focus areas to prioritize capital improvement projects and public investment in lower- and moderate resource areas.	Housing Element (Program 16)	December 31, 2024	Q4	Cass, Tovar, and Hatefi	
19.	Affordable Housing Resources for Renters and Owners. Develop an outreach program to connect lower-income residents and the lower-income workforce in the City with new rental and ownership opportunities, access to resources for home ownership, including counseling for new buyers and existing homeowners, and housing rehabilitation programs as those become available, and access to housing assistance providers, promoting fair housing choice and access to safe and decent housing within the community, and conduct outreach annually, or more frequently, as housing opportunities become available.	Housing Element (Program 20)	June 2024	Q2 (June)	Consultant (De Novo)	
20.	Universal Design and Accessibility. Update the Zoning Ordinance to include objective visitability standards for new residential construction (single-family and multifamily development) and multifamily remodels.	Housing Element (Program 23)	December 31, 2024	Q2 (May)	Cass	Consideration by City Council on February 21, 2024.
21.	Community Education and Outreach. Provide the following information at the public counter, local libraries, and on the website and update information biannually: <ul style="list-style-type: none"> ▪ City regulations regarding ADUs, JADUs, SB 9 units, and streamlined permitting opportunities for eligible housing development projects. ▪ Availability of the Housing Choice Voucher Rental Assistance Program. ▪ Job-training organizations. ▪ Programs that provide or assist homeowners with housing rehabilitation, efficiency programs, weatherization, emergency repair assistance, and free energy audits. ▪ Resource referral information for renters, such as housing discrimination, landlord/tenant relations, access to legal aid services for housing complaints, and information on housing advocacy programs and similar information. 	Housing Element (Program 26)	December 31, 2024	Q4	Northart	
22.	Safety Element Update. Senate Bill (SB) 1035 requires local governments to revise their Safety Element to identify flood hazards and address the risk of fire hazards in certain lands upon each revision to the Housing Element. Additionally, Assembly Bill (AB) 2140 allows	SB 1035 and AB 2140		Q2	Consultant and Cass	

	California cities and counties to adopt local hazard mitigation plans into their Safety Element, making them eligible to be considered for part or all their local-share costs on eligible Public Assistance funding provided by the State through the California Disaster Assistance Act.					
23.	Growth Management Element Update	Measure J		Q2 (April)	Consultant (De Novo) and Cass	
24.	Marina Waterfront Trust Lands Use Plan			Q1 (February)	Consultant and Cass	Consideration by City Council on February 7, 2024
25.	Downtown Parking Study Implementation. Updates include: a) updating the parking rates, b) installing new parking meter/kiosks, c) updating the parking permit program, and d) installing new wayfinding signage.	Downtown Parking Study		Q2 (May)	Consultant (Nelson Nygaard) and Gordon	
26.	Model Water Efficient Landscape Ordinance (WELO) Regulations	State Law	2015	Q2	Cass	
27.	Affordable Housing Streamlining. SB 423 extends and expands the 2017 housing streamlining law, SB 35 .	State Law (SB 423 and SB 35)	Legislation Effective January 1, 2024	Q3		
28.	Accessory Dwelling Unit Regulations. Process a Zoning Text Amendment to permanently eliminate the owner occupancy requirements and allow ADUs to be sold separately from the primary residence.	State Law (AB 976 and AB 1033)	Legislation Effective January 1, 2024	Q2	Northart	
29.	Parking Regulations. AB 894 requires local agencies to allow property owners to share underutilized parking and to count such shared parking toward meeting local parking requirements. AB 1317 requires owners to unbundle parking from the price of rent in certain residential properties.	State Law (AB 894 and AB 1317)	Legislation Effective January 1, 2024	Q4		
30.	Multifamily Subdivisions. SB 684 facilitates the subdivision of multifamily zoned parcels of five acres or less into up to ten for-sale lots, including by relaxing CEQA requirements, expediting permitting timelines, and mandating decision-making within 60 days	State Law (SB 684)	July 1, 2024	Q3		
31.	Faith-Based Organizations Affordable Housing. SB 4 streamlines affordable housing on lands owned by faith-based organizations and non-profit institutions of higher education.	State Law (SB 4)	Legislation Effective January 1, 2024	Q1	Cass	Adopted January 17, 2024
32.	Update Development Impact Fees (Project with Finance Division and Public Works Department)	State Law		Q2	Consultant and Cass	
33.	General Plan and Housing Element Annual Progress Report	State Law	April 1, 2024	Q1 (March)	Northart	
34.	WELO Annual Report	State Law	January 31, 2024	Q2	Gordon	
35.	Flex Space Program Updates	City Council		Q2 (May)	Gordon	
36.	Lunch Wagon Regulations	City Council		Q2 (April)	Gordon	
37.	Alhambra Creek Plaza Design and/or Minor Enhancements (such as landscape improvements, public restroom, and other minor enhancements)	City Council		Q3	Gordon	
38.	Noise Ordinance Updates	Staff Recommendation	March 31, 2025	Q4 - 2025	Consultant	
39.	Industrial Zoned Properties Incentives	Staff Recommendation		Q2	Consultant and Gordon	
40.	Update Permitted and Conditionally-Permitted Uses	Staff Recommendation		Q2 (April)	Gordon	
41.	2024 Zoning Code Cleanup. Miscellaneous code cleanup items to streamline and incentivize development and provide clarification. The intent is for the clean-up items to be identified by staff based on day-to-day operational issues. See list of potential updates to	Staff Recommendation		Q4		

	include on following page. Note, not all of the items identified will be completed in the subject year.					
42.	Update Standard Conditions of Approval	Staff Recommendation		Q3	Northart	
43.	Downtown Outdoor Dining and Retail Program Update	Staff Recommendation		Q1	Gordon and Tovar	
44.	On-Call Consultants. Issue a Request for Proposals and select consultants for on-call services, such as current planning, advanced planning, landscape and architectural review, historic resources evaluation, and environmental review.	Staff Recommendation		Q1	Cass	
45.	Accela Updates. Update the Accela Database to reflect best practices to enhance record keeping, data collection, and optimize efficiency. Improvements are in anticipation of transitioning to fully electronic processing of permits and applications.	Staff Recommendation		Q1	Northart	

Zoning Code Cleanup (Partial List – Not Including Items in Other Adopted Documents with Later Timeframes)

Note, not all clean-up items will be completed in the current year.

- Sign Regulations to comply with Reed v. Town of Gilbert
- Simplify all remaining setback requirements to mirror action done with 2023 Code Cleanup
- Develop Temporary Land Use Permit process
- Require an Exception, rather than a Conditional Use Permit, for certain requests so findings align with the potential impact
- Remove all references to Board of Adjustments
- Update Design Review regulations
- Clarify historic resources evaluation process (concurrent with design review regulations)
- Shift all definitions in Zoning Ordinance to one Chapter and eliminate the specific section number references
- Reorganization of document so Chapters are grouped appropriately, and leave room for future amendments
- Add objective standards for development in the downtown (separate from residential objective standards)
- Flood zone and historic building objective standards (see Mandeville, LA; Norfolk, VA)
- Codify Specific Plan subjective standards as objective standards
- Develop solid waste enclosure standards
- Add objective design standards for wireless facilities
- Shift Certificate of Occupancy Regulations to be with Building Code requirements, not Zoning Ordinance
- Rezone or develop zoning regulations for zoning districts RB, M-29, and R-12
- Clarify floor area ratio (FAR) requirements
- RV Parking



**City of Martinez
Planning Commission
706 Soto Street – Easement Abandonment**

January 23, 2024



Background

- On October 30, 1985, the City Council established a 20-foot-wide access easement on the subject site to maintain Alhambra Creek
- On October 14, 1987, the City Council established a maintenance policy for Alhambra Creek that passed responsibility of maintenance of the creek to adjacent property owners
- Maintenance includes:
 - clearing of vegetation, debris, or obstruction, and
 - improvement or repair to creek banks





Discussion

- Planning Commission is required to forward a recommendation to the City Council as to conformance with the City's General Plan and consistency with applicable Specific Plans.





Circulation Element of the General Plan 2035

- Soto Street is classified as a “local street”
- “Local streets” are intended to provide direct access to abutting properties and allow for localized movement of traffic.
- Characterized by low daily traffic volumes and low operating speeds of 25 to 30 mph.



Circulation Element of the General Plan 2035

- Encourage safe and convenient access (Goal C-G-1);
- Consider alternative circulation system improvements (Goal C-G-2);
- Consider alternative improvements to traditional streets to make neighborhoods walkable and enhance sense of place within Downtown Martinez (Goal C-G-5);
- Promote safe and convenient pedestrian and bicycle circulation (Goal C-G-8);
- Promote a well-integrated and coordinated transit network (Goal C-G-10);
- Provide adequate public infrastructure and services (Goal C-G-12); and
- Meet the needs of existing and future development (Goal PCU-G-15).

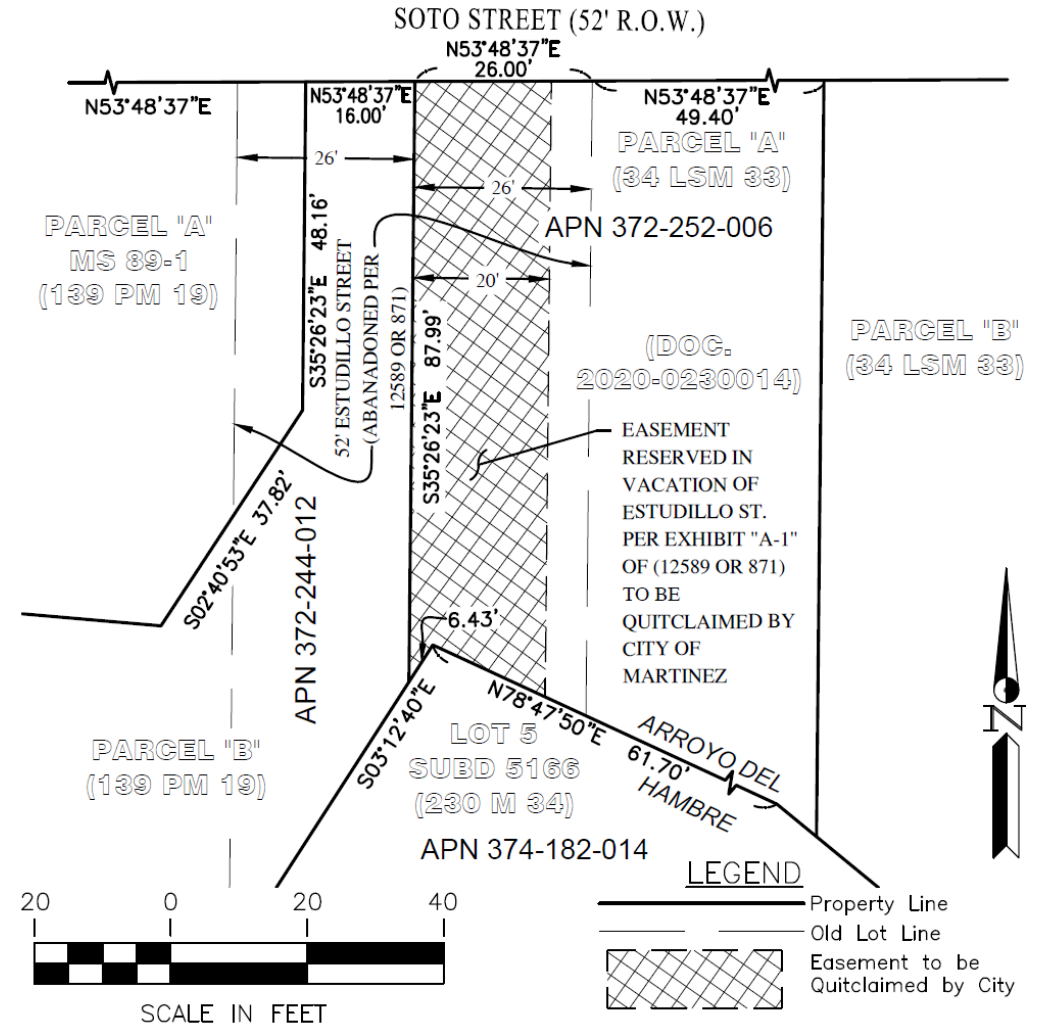
Abandonment of the easement would not alter any circulation networks, patterns, or access points.

706 Soto Street – Easement Abandonment



Discussion

- Staff supports application as easement not needed or used by City
- Allow property owner to enjoy full extent of their property
- No development project proposed at this time





Recommendation

Adopt Resolution No. 24-01, recommending the City Council approve a request for the City to vacate and convey a 20-foot-wide access easement, located at 706 Soto Street, Assessor's Parcel Number 372-252-006, and find the vacation is consistent with the General Plan 2035.

706 Soto Street – Easement Abandonment



Questions?