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Staff Report

City of Manhattan Beach

TO: Honorable Mayor Ward and Members of the City Council

THROUGH: Richard Thompson, Interim City Manager

FROM: Laurie Jester, Acting Director of Community Development
Angelica Ochoa, Assistant Planner

DATE: August 3, 2010

SUBJECT: Consideration of a Determination that the City is in Compliance With the Program Requirements of the 2010 Congestion Management Program (CMP) for Los Angeles County as Prepared by the Metropolitan Transportation Authority (MTA).

RECOMMENDATION:

Staff recommends that the City Council **CONDUCT** the public hearing and **ADOPT** Resolution No. 6271 demonstrating the City's compliance with the program requirements of the 2010 Congestion Management Program (CMP).

FISCAL IMPLICATION:

Local jurisdictions are required to meet the program requirements identified in the CMP to continue to be eligible to receive Section 2105 gas tax funding. The City annually receives approximately \$200,000 in Section 2105 Local Gas Tax Subvention funds.

BACKGROUND:

The main goal of the CMP is to mitigate traffic impacts in the county associated with new development. The MTA is the agency responsible for preparing the CMP for Los Angeles County. The CMP is Federally mandated under the provisions of the 1992 Intermodal Surface Transportation Efficiency Act (ISTEA) which requires the development of congestion management programs.

A public hearing notice was published in the Beach Reporter on July 22, 2010 as part of the CMP implementation responsibilities. The local compliance process requires certification through the adoption of a Resolution of Compliance, and submittal of a Local Development Report (LDR). A Resolution of Compliance is attached as Exhibit A, and the LDR is attached as Exhibit B.

DISCUSSION:

Local Responsibility

Each jurisdiction is responsible for monitoring new developments and mitigating impacts on an annual basis. The MTA assigns traffic mitigation measures to individual jurisdictions based upon development activity. The MTA has established a point system which places a specific debit value

(traffic impact) for each type of development and which establishes a mitigation goal for the jurisdiction. This system ensures that jurisdictions responsible for impacts will be assigned mitigation responsibilities for each project.

The CMP includes mitigation strategies which are categorized as land use, transportation demand management, transit, transportation system management, and capital improvement strategies for example, street widening at Sepulveda Boulevard and Rosecrans Avenue, double left turn lanes added at Sepulveda Boulevard and Manhattan Beach Boulevard, and Sepulveda Boulevard and Artesia Boulevard. Implementing these strategies would generate credits to offset debits accrued by new development. The intent of the CMP is to establish credit values through the implementation of mitigation measures and, thus maintain a credit balance. The City currently has a credit balance of 2,008 points toward new development activity for future years. Since 2003, the City of Manhattan Beach has not accrued new credits or debits because the program has been suspended.

2010 Changes

Since 2003, MTA (Metro) has been conducting a Congestion Mitigation Fee Study to determine the feasibility of implementing a countywide impact fee to meet CMP requirements. Until this study is complete, Metro has suspended the credit/debit program and the necessity to mitigate development impacts or generate credits. Metro will continue to work with local jurisdictions towards establishing this new system and will replace the credit/debit system currently in place.

For 2010, the City's credit balance will remain the same. The attached LDR for 2010 reports new development activity and demolitions. MTA staff has indicated that any new development activity reported this year will not be counted retroactively if the MTA decides to continue the credit/debit program at a future date. In order to stay in compliance and preserve the City's eligibility for gas tax funds, the City must continue to report their development activity through the Local Development Report (LDR).

2010 Local Development Report

The reporting period for the current Local Development Report covers June 1, 2009 through May 31, 2010. The City of Manhattan Beach LDR is attached as Exhibit B. The following summarizes the contents of this report.

- 1) Deficiency Plan Status Summary: This item (Section I, pg. 1) provides a summary of the City's CMP compliance for the required reporting period. The summary indicates the total number of units and square footage of new commercial development categories after subtracting demolitions.
- 2) New Development Activity Report: This section (Section I, pg. 2) summarizes the City's development activity for the reporting period. This section is comprised of three reports, these are:
 - a) New Development Activity (Section I, pg. 2) - This section quantifies the total number of building permits issued between June 1, 2009 and May 31, 2010 by land use type.

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- b) New Development Adjustments (Section I, pg. 3) - This section quantifies the total number of demolitions between June 1, 2009 and May 31, 2010 by land use type.
- c) Exempted Development Activity (Section I, pg. 4) – This section quantifies the total number of exemptions between June 1, 2009 and May 31, 2010.

CONCLUSION:

Per the requested Local Development Report, and the adoption of the attached resolution, the City of Manhattan Beach is in compliance with the 2010 Congestion Management Program requirements.

Attachments: Exhibit A Resolution of Compliance No. 6271
Exhibit B Local Development Report 2009-2010
Exhibit C 2009-2010 Non-residential development activity
Exhibit D 2009-2010 Residential development activity

CC: Jim Arndt, Director of Public Works
Steve Finton, City Engineer

RESOLUTION NO. 6271

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

WHEREAS, CMP statute requires the Los Angeles County Metropolitan Transportation Authority ("LACMTA"), acting as the Congestion Management Agency for Los Angeles County, to annually determine that the County and cities within the County are conforming to all CMP requirements; and

WHEREAS, LACMTA requires submittal of the CMP Local Development Report by September 1 of each year; and

WHEREAS, the City Council held a noticed public hearing on August 3, 2010.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City has taken all of the following actions, and that the City is in conformance with all applicable requirements of the 2004 CMP adopted by the LACMTA Board on July 22, 2004.

By June 15, of odd-numbered years, the City will conduct annual traffic counts and calculated levels of service for selected arterial intersections, consistent with the requirements identified in the CMP Highway and Roadway System chapter.

The City has locally adopted and continues to implement a transportation demand management ordinance, consistent with the minimum requirements identified in the CMP Transportation Demand Management chapter.

The City has locally adopted and continues to implement a land use analysis program, consistent with the minimum requirements identified in the CMP Land Use Analysis Program chapter.

The City has adopted a Local Development Report, attached hereto and made a part hereof, consistent with the requirements identified in the 2004 CMP. This report balances traffic congestion impacts due to growth within the City with transportation improvements, and demonstrates that the City is meeting its responsibilities under the Countywide Deficiency Plan consistent with the LACMTA Board adopted 2003 Short Range Transportation Plan.

SECTION 2. That the City Clerk shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the Los Angeles County Metropolitan Transportation Authority.

SECTION 3. The City Clerk shall make this resolution available for public inspection within thirty (30) days of the date this Resolution is adopted.

PASSED, APPROVED AND ADOPTED this 3rd day of August, 2010.

Ayes:
Noes:
Absent:
Abstain:

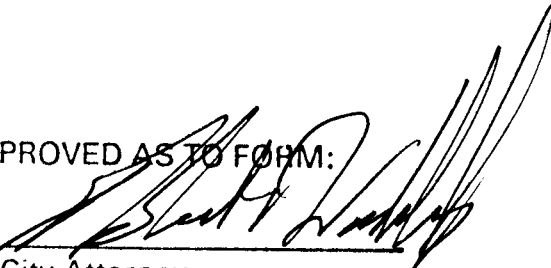
Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

APPROVED AS TO FORM:

By



City Attorney

Contact: Angelica Ochoa, Assistant Planner
 Phone Number: (310) 802-5517

**CONGESTION MANAGEMENT PROGRAM
 FOR LOS ANGELES COUNTY**

2010 DEFICIENCY PLAN SUMMARY¹

*** IMPORTANT: All "#value!" cells on this page are automatically calculated.
 Please do not enter data in these cells.**

DEVELOPMENT TOTALS

RESIDENTIAL DEVELOPMENT ACTIVITY

Dwelling Units

Single Family Residential	(1.00)
Multi-Family Residential	(8.00)
Group Quarters	0.00

COMMERCIAL DEVELOPMENT ACTIVITY

1,000 Net Sq.Ft.²

Commercial (less than 300,000 sq.ft.)	(5.60)
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

NON-RETAIL DEVELOPMENT ACTIVITY

1,000 Net Sq.Ft.²

Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	8.86
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	0.00
Institutional/Educational	0.00
University (# of students)	0.00

OTHER DEVELOPMENT ACTIVITY

Daily Trips

ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

EXEMPTED DEVELOPMENT TOTALS

Exempted Dwelling Units	0
Exempted Non-residential sq. ft. (in 1,000s)	0

1. Note: Please change dates on this form for later years.

2. Net square feet is the difference between new development and adjustments entered on pages 2 and 3.

City of Manhattan Beach
2010 CMP Local Development Report
Reporting Period: JUNE 1, 2009 - MAY 31, 2010

Date Prepared: July 22, 2010

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 1: NEW DEVELOPMENT ACTIVITY

RESIDENTIAL DEVELOPMENT ACTIVITY

Category	Dwelling Units
Single Family Residential	35.00
Multi-Family Residential	3.00
Group Quarters	0.00

COMMERCIAL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Commercial (less than 300,000 sq.ft.)	20.00
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

NON-RETAIL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	8.86
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	0.00
Institutional/Educational	0.00
University (# of students)	0.00

OTHER DEVELOPMENT ACTIVITY

Description (Attach additional sheets if necessary)	Daily Trips (Enter "0" if none)
ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

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Date Prepared: July 22, 2010

Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 2: NEW DEVELOPMENT ADJUSTMENTS

IMPORTANT: Adjustments may be claimed only for 1) development permits that were both issued and revoked, expired or withdrawn during the reporting period, and 2) demolition of any structure with the reporting period.

RESIDENTIAL DEVELOPMENT ADJUSTMENTS

Category	Dwelling Units
Single Family Residential	36.00
Multi-Family Residential	11.00
Group Quarters	0.00

COMMERCIAL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Commercial (less than 300,000 sq.ft.)	25.60
Commercial (300,000 sq.ft. or more)	0.00
Freestanding Eating & Drinking	0.00

NON-RETAIL DEVELOPMENT ACTIVITY

Category	1,000 Gross Square Feet
Lodging	0.00
Industrial	0.00
Office (less than 50,000 sq.ft.)	0.00
Office (50,000-299,999 sq.ft.)	0.00
Office (300,000 sq.ft. or more)	0.00
Medical	0.00
Government	0.00
Institutional/Educational	0.00
University (# of students)	0.00

OTHER DEVELOPMENT ACTIVITY

Description (Attach additional sheets if necessary)	Daily Trips (Enter "0" if none)
ENTER IF APPLICABLE	0.00
ENTER IF APPLICABLE	0.00

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Enter data for all cells labeled "Enter." If there are no data for that category, enter "0."

PART 3: EXEMPTED DEVELOPMENT ACTIVITY
(NOT INCLUDED IN NEW DEVELOPMENT ACTIVITY TOTALS)

Low/Very Low Income Housing	<input type="text" value="0"/>	Dwelling Units
High Density Residential Near Rail Stations	<input type="text" value="0"/>	Dwelling Units
Mixed Use Developments Near Rail Stations	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Development Agreements Entered into Prior to July 10, 1989	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Reconstruction of Buildings Damaged in April 1992 Civil Unrest	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Reconstruction of Buildings Damaged in Jan. 1994 Earthquake	<input type="text" value="0"/>	1,000 Gross Square Feet
	<input type="text" value="0"/>	Dwelling Units
Total Dwelling Units	<input type="text" value="0"/>	
Total Non-residential sq. ft. (in 1,000s)	<input type="text" value="0"/>	

Section I, Page 4

Exempted Development Definitions:

1. Low/Very Low Income Housing: As defined by the California Department of Housing and Community Development as follows:
 - Low-Income: equal to or less than 80% of the County median income, with adjustments for family size.
 - Very Low-Income: equal to or less than 50% of the County median income, with adjustments for family size.
2. High Density Residential Near Rail Stations: Development located within 1/4 mile of a fixed rail passenger station and that is equal to or greater than 120 percent of the maximum residential density allowed under the local general plan and zoning ordinance. A project providing a minimum of 75 dwelling units per acre is automatically considered high density.
3. Mixed Uses Near Rail Stations: Mixed-use development located within 1/4 mile of a fixed rail passenger station, if more than half of the land area, or floor area, of the mixed use development is used for high density residential housing.
4. Development Agreements: Projects that entered into a development agreement (as specified under Section 65864 of the California Government Code) with a local jurisdiction prior to July 10, 1989.
5. Reconstruction or replacement of any residential or non-residential structure which is damaged or destroyed, to the extent of > or = to 50% of its reasonable value, by fire, flood, earthquake or other similar calamity.
6. Any project of a federal, state or county agency that is exempt from local jurisdiction zoning regulations and where the local jurisdiction is precluded from exercising any approval/disapproval authority. These locally precluded projects do not have to be reported in the LDR.

**2009-2010 Congestion Management Program
Non-residential Development Activity**

New Construction			
Month	Address	Description	Square Footage
2009			
July	2617 N Sepulveda Boulevard	Office Building	8,864
October	2400 N Sepulveda Boulevard	Commercial Building	14,820
December	2301 N Aviation Boulevard	Gas Station – Food Mart	3,208
December	2301 N Aviation Boulevard	Gas Station – Car Wash	1,980
Demolition			
Month	Address	Description	Square Footage
2009			
June	2400 N Sepulveda Boulevard	Commercial Building/Market	23,250
November	2301 N Aviation Boulevard	Gas Station	2,350

2009-2010 Congestion Management Program

Residential Development Activity

Months	SFR Demo	SFR New	Multi Demo	Multi New
June	1	6	1	0
July	1	2	0	0
August	2	2	1	0
September	6	2	0	0
October	3	5	2	0
November	1	2	0	0
December	5	1	0	0
January	5	4	0	0
February	2	2	1	0
March	5	8	5	0
April	4	1	1	3
May	1	0	0	0
Totals	36	35	11	3