

Chapter 18.22: Adequate Public Facilities

Sections:

- 18.22.010 Purposes
- 18.22.020 Applicability
- 18.22.030 Adequate Public Facilities Review
- 18.22.040 Public Facility Requirements

18.22.010 Purposes

The specific purposes of this chapter are:

- A. To ensure that adequate right-of-way is available for existing and planned streets and utilities and that streets and other public facilities needed to support new development meet or exceed the level-of-service thresholds and engineering standards established by the General Plan or as subsequently adopted by resolution of the City Council.
- B. To ensure that new development is not approved that would cause a reduction in the levels of service for any public facilities below the adopted level-of-service thresholds.
- C. To ensure that adequate public facilities needed to support new development are available concurrent with the impacts of such development.

18.22.020 Applicability

- A. **Public Facilities.** For purposes of this chapter, "public facilities" includes, but is not limited to, the following: streets and street rights-of-way, water and sewer conveyance facilities and easements, water and sewer pump and lift stations and electric transmission and distribution lines and easements, public safety facilities and services, and park facilities and services.
- B. **General Applicability.** The provisions of this part shall apply to all applications for a zoning clearance, site development permit, or use permit, within the City, except:
 - 1. Minor alterations and additions to existing structures of less than 15 percent of their gross floor area.
 - 2. Single-family dwellings on existing parcels.

18.22.030 Adequate Public Facilities Review

- A. **Determination of Adequacy.** Once an application for a site development permit, use permit, or subdivision approval has been filed, the Director, in consultation with other City departments, shall evaluate the proposed project for compliance with service thresholds

contained in the General Plan, the adopted resolution of the City Council, this chapter, adopted engineering standards, and the facilities needs as determined by appropriate master utility or service plans adopted or otherwise accepted by the City. The project applicant may be required to provide engineering or other pertinent data which will assist the Director in evaluating project impacts. In each case, project impacts shall be based on impacts anticipated at the time occupancy is expected to occur. Based on his/her evaluation, the Director shall determine whether public facilities are, or will be, adequate to serve the proposed development and whether the development will reduce service levels below adopted standards.

B. Project Approval. An application shall not be approved if it is shown that levels of service will be reduced below adopted thresholds unless the reduction will be mitigated to the satisfaction of the City or a "deficiency plan" is prepared by the applicant and approved in accordance with Section 18.22.030(C). If the nature of improvements required or the proposed timing of the development are such that a deficiency plan is not practicable, the developer may choose to do any of the following subject to approval of the approving authority:

1. Delay the development until necessary improvements are constructed by the City or other entity.
2. Construct the necessary improvements subject to a reimbursement agreement, where allowed by law and approved by the City, which will specify what the applicant's proportional share of costs is based on project impacts. The amount to be reimbursed is the amount of the improvement costs paid by the applicant that exceed the proportional costs.
3. Enter into an agreement with the City to participate financially in the cost of the improvements in order to accelerate their construction.
4. Scale down the project or modify the phasing, so that the standards required by this chapter are met.
5. Any other reasonable actions to ensure that all public facilities and services will be adequate and available concurrent with the impacts of the proposed development and that service levels are not reduced below adopted standards.

C. Deficiency Plan. The approving body may approve a development that will result in a reduction of service levels below adopted standards if a deficiency plan is adopted by the approving authority. The plan must clearly establish the:

1. Measures that will be taken to address the deficiency.
2. Funding mechanism to be utilized.
3. Approximate timing of construction.

4. Party responsible for undertaking improvements.
The deficiency plan may be tied to the adopted Capital Improvement Plan (CIP) of the City provided that necessary improvements are explicitly included in the 10-year CIP and funds are identified and committed for the improvements. The deficiency plan may also be tied to a Development Agreement between the City and the project applicant that ensures completion of identified improvements.

18.22.040 Public Facility Requirements

- A. **Streets.** All new development subject to the provisions of this chapter shall demonstrate that the level-of-service thresholds contained in the General Plan will not be degraded by project development. Those thresholds are:
 - 1) LOS "C" for most arterial streets and their intersections.
 - 2) LOS "D" for the Downtown area.
 - 3) LOS "D" for streets and interchanges within the State highway system.
 - 4) LOS "D" for river-crossing corridors whose capacity is affected by adjacent intersections.

All proposed developments that would create more than 250 average daily vehicle trips shall be required to demonstrate the adequacy of the street system to accommodate traffic from the proposed development consistent with the above thresholds unless the Director determines that such information is not needed to determine compliance with the applicable level-of-service standard. That determination may be based on recent area traffic studies, projections of the City's Master Street Plan, or similar information.

Developments with less than 250 average daily vehicle trips shall be presumed to have an insignificant impact on the street system and shall be exempt from the requirements for a traffic impact analysis unless the Director determines that the existing street conditions are such that any additional traffic may further reduce service levels below adopted standards.

Right-of-way dedication may be required as a condition of development approval if the adjacent street does not meet the City's right-of-way standard for that class of street.

1. **Traffic Impact Analysis Submittal Requirements.** The applicant shall submit sufficient information to allow the City to determine whether the street cross-section and level-of-service standards will be met for the proposed development. A traffic impact analysis shall be prepared by a qualified traffic engineer who is a licensed engineer in the State of California, and shall contain the following information for the traffic-impact area. All assumptions and data sources shall be clearly explained and fully documented:

- a. A location map showing the development site, adjacent streets, and the access route to the nearest State highway or Interstate highway and all bridges along the access route.
 - b. Identification of the precise boundaries of the traffic impact area, which shall be approved in advance by the City.
 - c. A detailed description of the street network within the traffic impact area, including all major intersections, proposed and existing ingress and egress locations (single-family residential driveways excepted), all existing street widths and rights-of-way, all existing traffic signals and traffic-control devices, and all existing and proposed public-transportation services and facilities serving the traffic-impact area.
 - d. The capacity of existing and proposed street segments based on accepted traffic engineering methodology within the 20-year planning horizon.
 - e. Current and 20-year projected average daily traffic volumes on all streets within the traffic impact area that will be affected by the proposed development.
 - f. A capacity analysis of all major street sections and street intersections affected by the proposed development and for all proposed access points to the development site, taking into consideration existing traffic as well as traffic that will be generated by the proposed development.
 - g. A summary outlining the study findings on the traffic impacts of the proposed development on the existing and proposed street system, including a detailed description of proposed improvements necessary to mitigate impacts where the analysis indicates unacceptable levels of service or safety problems.
 - h. Other information as may reasonably be required by the City to determine compliance with the applicable level-of-service standards.
 - i. Information to be submitted shall be analyzed in both a "project-build" and "no-build" scenario.
- B. Water, Wastewater, Electricity, Stormwater, Public Safety, and Parks and Recreation.** Level-of-service standards for water, wastewater, electricity, stormwater, public safety, and parks and recreation facilities shall be established by resolution of the City Council. Periodically, but not less than every 2 years, the service levels contained in the resolution shall be reviewed and adjusted by the City Council, if necessary, to reflect current capital improvement programming, redevelopment plans, and similar mechanisms that influence service levels.