

RESOLUTION NO. 2022-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AUTHORIZING RELEASE OF A REQUEST FOR PROPOSALS FOR CONSULTANT SERVICES TO PREPARE A COMPREHENSIVE GENERAL PLAN UPDATE AND ACCOMPANYING ZONING ORDINANCE UPDATE, MAPS, AND CEQA REVIEW; AUTHORIZING THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, since the adoption of the City's current General Plan in 2000, the City has changed dramatically through both geographic expansion resulting from the dissolution of the Fort Ord Army Base and through significant residential, commercial, institutional, and industrial development over the past 20 years;

WHEREAS, several Specific Plans have been adopted and implemented that supersede substantial planning areas of the current General Plan;

WHEREAS, the City of Marina is obligated to implement California's Planning Priorities, as described in the 2017 Office of Planning & Research (OPR) General Plan Update Guidelines, which are to:

1. To promote infill development and equity by rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas, and to preserving cultural and historic resources.
2. To protect environmental and agricultural resources by protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands, natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands, recreation lands such as parks, trails, greenbelts, and other open space, and landscapes with locally unique features and areas identified by the state as deserving special protection.
3. To encourage efficient development patterns by ensuring that any infrastructure associated with development, other than infill development, supports new development that does all of the following:
 - a. Uses land efficiently.
 - b. Is built adjacent to existing developed areas to the extent consistent with the priorities specified pursuant to subdivision (b).
 - c. Is located in an area appropriately planned for growth.
 - d. Is served by adequate transportation and other essential utilities and services.
 - e. Minimizes ongoing costs to taxpayers

WHEREAS, recent housing laws that govern the preparation of a City's Housing Element will require that the City of Marina, in addition to its separate Housing Element update, also update its Land Use and Safety Elements and to incorporate Environmental Justice policies throughout the document as appropriate;

WHEREAS, in order to maximize the efficiency of effort, the General Plan Update should closely follow the update of the Housing Element so that the specific Element updates and their required environmental review can be conducted in concert with the Housing Element;

WHEREAS, the City expects this project to provide standards that will be consistent with relevant statutes adopted by the State legislature since 2000 and the GPU Guidelines prepared by the OPR;

WHEREAS, the City will utilize \$965,000.00 generated through the General Plan Update Fee, a fee collected through the issuance of Building Permits, and additional funds allocated from the General Fund;

WHEREAS, in order to complete the project, the City will hire a qualified consultant to prepare the General Plan Update and corresponding zoning code and map(s), as well as an EIR to address the significant environmental impacts that may result from the changes in policies and standards; and,

WHEREAS, the City of Marina determined that the proposed action (adoption of this Resolution) is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 ("CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Marina hereby:

1. Authorizing release of a Request for Proposals for Consultant Services to prepare a comprehensive General Plan Update and accompanying zoning code and map updates, and appropriate CEQA review; and authorizing the Finance Director to make necessary budget and accounting entries; and
2. Authorizing the City Manager to execute agreement on behalf of the City subject to final review and approval by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of June 2022, by the following vote:

AYES, COUNCIL MEMBERS: Medina Dirksen, Burnett, Berkley, Biala, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of June 21, 2022

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2022-AUTHORIZING RELEASE OF A REQUEST FOR PROPOSALS FOR CONSULTANT SERVICES TO PREPARE A COMPREHENSIVE GENERAL PLAN UPDATE AND ACCOMPANYING ZONING ORDINANCE UPDATE, MAPS, AND CEQA REVIEW; AUTHORIZING THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

REQUEST:

It is requested that City Council consider:

1. Adopting Resolution No. 2022-, authorizing release of a Request for Proposals for Consultant Services to prepare a comprehensive General Plan Update and accompanying zoning code and map updates, and appropriate CEQA review; and authorizing the Finance Director to make necessary budget and accounting entries; and
2. Authorizing the City Manager to execute agreement on behalf of the City subject to final review and approval by the City Attorney.

BACKGROUND:

The City's current General Plan was adopted in 2000 and has been amended through 2010, not including regular updates to the Housing Element which last occurred in 2015. General Plans are intended to accommodate a 20-year planning horizon. The comprehensive update will update and/or create the Elements required to be included in a modern General Plan (GP) as described in the Governor's Office of Planning & Research (OPR) [2017 General Plan Update Guidelines](#). At a minimum, the update will address the following required Elements: Land Use, Conservation, Noise, Circulation, Open Space, Air Quality, Environmental Justice (EJ), and Safety. The Land Use, Safety, and EJ Elements will also consider the long-term environmental effects of changes to the land use designations and zoning code initiated through the Housing Element process. The current GP is formatted in an unconventional way in that the required Elements are not identified and laid out in a way that is user-friendly or easily referenced. The update will endeavor to bring the City's guiding principles into compliance with current land use and zoning statutes and create a document that better addresses the challenges that the City will be encountering in the near- and long-term relating to land use, climate change, transportation, infrastructure, and environmental protections.

The City of Marina is considered a full-service city and provides a wide range of services including police, fire, planning, building and safety, maintenance of roads, engineering, water

and sewer, code enforcement, recreation, and parks. The City has grown and changed considerably since 2000 in terms of its land base and the regulatory framework that governs land use. Included in these changes are the acquisition of considerable lands of the former Fort Ord Army Base, the development and adoption of the Marina Station, Marina Municipal Airport Business and Industrial Park/UC MBEST Center, and the Dunes at Monterey Bay Specific Plans, changes to water and wastewater infrastructure, and major new developments at the airport and the CSUMB Campus.

Although the 6th Cycle Housing Element will be completed under a separate contract, the two efforts will be somewhat coordinated to ensure that policies adopted through the Housing Element process are included in the GP Update and associated environmental review under the California Environmental Quality Act (CEQA).

Since 2000/2010, a wide variety of statutes have been enacted by the State legislature relating to disadvantaged communities, complete streets, sustainability, fire hazards and safety, tribal and cultural resources, climate adaptation strategies including greenhouse gas emission reduction requirements, and many others. This GPU will ensure that the City's blueprint for development in the coming years follows State mandates and meets the City's goals of sustainability consisting of a balanced local and global effort to meet basic human needs without destroying or degrading the natural environment.

A major benefit to having a modern General Plan with a legally defensible and robust EIR is that future large development projects may be able to tier off this EIR if the proposal is consistent which results in a streamlined project and significant cost and time savings to both the applicant and the developer.

The GPU and subsequent municipal code amendments needed to implement the adopted policies will require the preparation of an Environmental Impact Report (EIR). The successful candidate will be selected to prepare all aspects of this effort including updating the City's land use and zoning maps.

The Request for Proposals (RFP) will be available for review on the City's Bids and Proposals website: <https://www.cityofmarina.org/bids.aspx> The timeframe for the RFP is:

- Informational announcement to City Council June 21, 2022, Planning Commission July 14, 2022
- Distribution of the RFP June 24, 2022
- Pre-Bid Informational Meeting for Interested Consultants July 22, 2022
- Deadline to Submit Proposals August 17, 2022, 3:00 pm
- Review of Submittals August 17-26, 2022
- Scheduled Interviews September 12-16, 2022
- Contract Review by City Council for Award October 18, 2022, or a scheduled meeting in November 2022

The RFP review and interview team will consist of Community Development Director, Guido Persicone; Sr. Planner, Alyson Hunter; and Assistant City Manager, Matt Mogenson. City Manager, Layne Long, may participate in final candidate selection, if so desired. After the city

staff has reviewed and made a recommendation, the final contract award will be done by the City Council in the Fall of 2022.

FISCAL IMPACT:

At its May 3, 2022, meeting, the City Council authorized the use of \$965,000.00 of General Plan Maintenance Fee revenue for the GPU effort. Staff's recent research on the cost of a comprehensive GPU/EIR and zoning code amendments indicates that the actual cost may be more in the range of \$1.5-2M. This would require a budget amendment to transfer the remainder from the General Fund to the General Plan accounting project (EDC 2014). The results of the RFP and the budget proposals included will provide staff with a better understanding of the actual cost and can provide further information to the Council once the submittal period closes.

ENVIRONMENTAL DETERMINATION

The City of Marina determined that the proposed action (Authorize release of a Request for Proposals) is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 (CEQA Guidelines, Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

CONCLUSION:

This request is submitted for City Council discussion and action.

Respectfully submitted,

Alyson Hunter, AICP
Senior Planner, Community Development Department
City of Marina

REVIEWED/CONCUR:

Guido F. Persicone, AICP
Director, Community Development Department
City of Marina

Layne P. Long
City Manager
City of Marina