

Council Meeting of
August 18, 2009

Public Hearing

Honorable Mayor and Members
of the Torrance City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Community Development Department – Consider the annual self-certification for compliance with the Congestion Management Program

RECOMMENDATION

Recommendation of the Community Development Director that the City Council:

1. Conduct a public hearing as required by the Congestion Management Program of the Los Angeles County Metropolitan Transportation Authority (Metro);
2. Adopt a Resolution to self-certify that the City of Torrance is in conformance with local Congestion Management Program (CMP) requirements; and
3. Direct staff to submit the CMP Local Development Report as required by Metro.

Funding

None requested with this action.

BACKGROUND

In 1992, the Congestion Management Program (CMP) forged new ground in linking transportation, land use, and air quality decisions for Los Angeles County. The 2009 Congestion Management Program marks the seventeenth anniversary since the program became effective with the passage of Proposition 111 in 1990. The hallmark of the CMP is that it is intended to address the impact of local growth on the regional transportation system. The CMP was created to:

- Link local land use decisions with their impacts on regional transportation and air quality; and
- Develop a partnership among transportation decision-makers on devising appropriate transportation solutions that include all modes of travel.

The CMP alone does not provide solutions to the mobility issues within Los Angeles County. Many mobility issues are localized traffic concerns and are not addressed

through the CMP. However, the CMP is an important tool addressing transportation needs throughout Los Angeles County.

Jurisdictions are required to conform to local CMP requirements in order to receive their portion of state gas tax revenue allocated by Section 2105 of the California Streets and Highways Code, and to preserve their eligibility for state and federal funding for transportation projects. The 88 Cities, plus the County of Los Angeles, collectively receive over \$90 million annually for maintaining compliance. Torrance has complied with all CMP requirements since the program began in 1992, and continues to receive gas tax dollars. The City is projected to receive approximately \$803,779 from the State.

Prior Publications

On August 08, 2009, a legal advertisement was published in a newspaper.

ANALYSIS

The CMP for Los Angeles County has been developed to meet the requirement of Section 65089 of the California Government Code. As required by statute, Los Angeles' CMP has one element, among others, called the "Deficiency Plan". The Deficiency Plan requires local agencies to offset a portion of the impact that *their* new development has on the regional transportation system. Historically, each local jurisdiction's responsibility has been tracked through a point system that reflects the impact of local growth ("debits") and the benefits of transportation improvements ("credits"). In recent years, cities have raised concerns regarding this Deficiency Plan approach, citing difficulty in maintaining conformance and questioning its effectiveness.

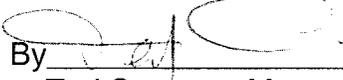
As part of its approval of the 2003 Short Range Transportation Plan, The Metro Board directed Metro staff to conduct a Nexus Study to explore the feasibility of implementing a countywide congestion mitigation fee to meet CMP Deficiency Plan requirements. This process involves 4 different steps, each requiring Metro Board Approval. Step #1 involved a Feasibility Study and Program Guidelines and was approved by the Metro Board in September 2008. Metro Staff is now working on Step #2 that involves working with local jurisdictions to confirm growth forecasts and identify projects with regional benefits. While this study is underway, the CMP Countywide Deficiency Plan requirement for maintaining a positive credit balance is suspended.

As a result, cities do not have to report their transportation improvement strategies for the 2009 cycle. However, cities must continue to report their new net development activity just as in prior years. Please note that the credit balance for the City is still frozen. Until the Metro Board takes action to resume this aspect of the program, no new credits or debits will be accrued.

The reporting cycle for the CMP is June 1, 2008 through May 31, 2009. The building permits that have been issued during this time reflect activity in the City. There have been 10 new single family homes permits activated, 27 new multi-family units activated, a new hotel, and a variety of recycled land uses ranging from new commercial centers, banks, retail stores and restaurants.

Respectfully submitted,

JEFFERY W. GIBSON
Community Development Director

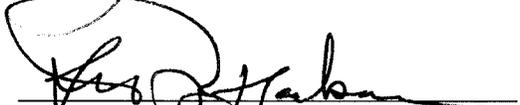
By 

Ted Semaan, Manager
Transportation Planning,
Development Engineering
& Records Division

Concur:



Jeffery W. Gibson
Community Development Director



LeRoy J. Jackson
City Manager

Attachments:

- A. 2009 CMP Resolution of Conformance
- B. Proof of Publication
- C. 2009 Local Development Report (LDR)
- D. Mayor's Script

RESOLUTION NO.

A RESOLUTION OF THE CITY OF TORRANCE, 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 18th, 2009.

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

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

By June 15, of each odd-numbered year, the City of Torrance 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.

Introduced, approved and adopted this 18th day of August, 2009.

Frank Scotto
Mayor of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III
City Attorney

by _____
Ronald T. Pohl, Assistant City Attorney

Daily Breeze

21250 HAWTHORNE BLVE, STE 170 TORRANCE CALIFORNIA 90503-4077
(310) 543-6635 * (310) 540-5511 Ext. 296

PROOF OF PUBLICATION
(201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published

in the City of Torrance
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

August 08,

all in the year 2009

the foregoing is true and correct.

Dated at Torrance

California, this 08, August 2009

[Handwritten Signature]
Signature

This space is for the County Clerk's Filing Stamp

RECEIVED

2009 AUG 13 AM 10:35

CITY CLERK'S OFFICE

Proof of Publication of

DB

**DB 8-31
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Torrance City Council at 7:00 P.M., AUGUST 18, 2009, in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California on the following matter:

The Community Development Director recommends that the City Council:

1. Conduct a Public Hearing as required by the Congestion Management Program of the Los Angeles County Metropolitan Transportation Authority;
2. Adopt a Resolution to self-certify that the City of Torrance is in conformance with local Congestion Management Program (CMP) requirements; and
3. Direct staff to submit the CMP Local Development Report (LDR) as required by the Los Angeles County Metropolitan Transportation Authority.

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance CA 90503, prior to the public hearing.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR85.102-35.104 ADA Title II]

For further information, contact the TRANSPORTATION PLANNING DIVISION of the Community Development Department at (310) 618-5990.

SUE HERBERS
CITY CLERK

Pub: August 08, 2009

City of Torrance

Date Prepared: August 7, 2009

2009 CMP Local Development Report

Reporting Period: JUNE 1, 2008 - MAY 31, 2009

Contact: Jill Crump
Phone Number: 310-618-5990

**CONGESTION MANAGEMENT PROGRAM
FOR LOS ANGELES COUNTY**

2009 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

20.00

Group Quarters

0.00

COMMERCIAL DEVELOPMENT ACTIVITY**1,000 Net Sq.Ft.²**

Commercial (less than 300,000 sq.ft.)

22.30

Commercial (300,000 sq.ft. or more)

0.00

Freestanding Eating & Drinking

(0.74)

NON-RETAIL DEVELOPMENT ACTIVITY**1,000 Net Sq.Ft.²**

Lodging

132.60

Industrial

0.00

Office (less than 50,000 sq.ft.)

12.70

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.