

Comments on GPU Revised Draft--- Land Use Element Section 2

This covers comments for pgs 2-1 through p. 2-79 in order

Page numbers refer to those in red-lined version with tracked changes of draft GPU

E-mail to GPcomments@cityofmartinez.org and Martinez City Council

General comment---it is encouraging to see that some improvements have been made and some suggestions accepted in this Land Use Element, Section 2.

Pg 2-1 2.3 should include "fire prone areas"

Pg. 2-2 2.5 should include link to that map here. Is hard enough to find the link elsewhere.

It would help if this sort of Table of Contents had page numbers for each section

Pg. 2-3 2.2 This explicitly leaves out maps for flood and other issues.

The note **that NO maps will be in the GPU regarding flooding or sea-level rise for permanent inundation or periodic inundation is really unfair to the public.**

Baseline maps showing complete flooding and periodic flooding are readily available and should be part of this seminal document.

It's critical for people to have some ideas of potential flooding of the marina area, the proposed waterfront high-density housing area and other flood areas in town, including the creeks, which newspaper articles are highlighting for flooding due to potentially huge storms in the mountains.

Indeed the very next page says the GPU should " help to protect development from natural disaster- induced damage..."

I believe the GPU should include maps showing periodic and permanent flooding predicted for Martinez lands.

Pg. 2-5 Under Open Space, it should also mention acquisition.

Under Parks it should also mention trails.

Pg. 2-6 & 7 Specific Plans It is good to see a comprehensive listing of all the other pieces of the GP that are not incorporated in the GPU itself. Hopefully this list on these pages is complete and no documents that are referenced in the GPU are left out of this listing, including documents that are not specific plans.

Although this may not be the correct place, **somewhere in the GPU all the documents that make up our General Plan, like specific plans and the housing element and other pieces should be listed for easy reference, so a person using the GPU will know what other documents may apply.**

It is critical that you have provided links for all of them. Again I am curious to know what a person who wants a printed copy of does not have a computer will see.

It is my understanding from previous Planning Dept. managers that these Specific Plans are an actual part of the GP. That should be clarified to the public here.

It is **curious to note that whole sections of the existing 1973 General Plan have been made a part of this GPU** by making those sections of the current General Plan into specific plans for Hidden Lakes, John Muir Parkway, etc.

Pg. 2-9 Shouldn't Highway 4 be 680 in the Pacheco annexation comment?

Pg. 2-16 "The City is surrounded on all four sides by water and four regional parks." This statement seems inaccurate. Am I misunderstanding it?

Pg 2-19 Marina and Waterfront. The long list of uses allowed at the marina by SLC regulations includes "...ancillary uses are commercial or industrial facilities that provide support to water-dependent uses that must be located on or directly adjacent to the water, such as warehouses, container cargo storage, and facilities for the transfer of oil and gas products through marine oil terminals."

This and the potential for lodging and restaurants are key reasons why the marina is NOT a park. It is not funded, managed or controlled that way. It is a huge multi-million dollar financial venture that makes it an entirely different type of entity.

The marina is NOT a park, has never been considered a park and should not be named as one now. **Especially when doing so may undermine our ability to collect park mitigation fees form developers.**

Pg 2-28 **Commercial Land Density** So new roads could actually reduce the real lot size of housing units, correct? Is that standard practice? There are acres of roads at Pine Meadow for instance. But this sentence seems to say that area can be used to determine the overall number of allowed units.

Pg. 2-29 **“Maximum density are not guaranteed...” has been red-lined out. It should remain.** Indeed the Downtown Specific Plan explicitly says that for certain areas. It should be referenced.

Downtown Specific Plan 4.5.3 Density The basic density for residential shall be 29 units per acre, equivalent to R-1.5 zoning. The Planning Commission may approve up to a maximum density of 43 units per acre (equivalent to R-1.0 zoning), by use permit. In order to approve a density above the lower end of the density range, the Planning Commission would need to find that in addition to meeting the above minimum requirements, the proposal is superior in terms of two or more of the following criteria: • Design and appearance • Minimizing impacts on adjacent public lands • Providing onsite amenities for the future residents • Preserving or creating view corridors. • Utilizing green building practices to the maximum extent possible • Providing a public amenity. **In order to approve a density at or near the upper end of the density range, the Planning Commission would need to find that the proposal is superior in terms of all or almost all of the above criteria.**

Pg. 2-29 Last paragraph “...floor area of all building...” would be clearer if you add the words “including housing”. That would clarify some of the concerns expressed by the public. The exclusions for FAR will mean use permits for many buildings which is not desirable.

Pg. 2-30 FAR section. **If FAR excludes parking, open space, courtyards, etc., where are they put?** For instance, with a FAR of 4 (as in DC land use in the heart of Downtown), a 10,000 sq. ft. lot could have 4 stories of development EXCLUDING parking, etc. Where does that parking go---does it increase the building height?

Pg. 2-30 Mixed Use Development. Thank you for clarifying this as suggested.

Pg. 2-30 A paragraph on building maximum height and use permit mechanism would help here. **Height additions from use permits should be limited to one story. Otherwise the height limitation seems somewhat meaningless.**

Pg. 2-30 Land Use Designations

General Notes: parking needs are not even mentioned in this section or the one above, and that seems a signal failing. It is ignoring the elephant in the room.

The Land Use map has been revised to eliminate some of the huge buildings in the heart of Downtown in and around the train stations and Marina Vista and Escobar. Additionally, height limits that are generally 3 stories with some four story have been added to all Downtown designations That is appreciated.

But the use of DG designation does not make sense. Large areas of the Downtown are government property, including county government and college district land. They should be shown as PI Public and Quasi-Public Institutions on pg. 2-68, because they are not subject to City regulation and it gives a false impression of the building allowed Downtown to show those areas as though they were privately owned.

Table 2-1 This is helpful, but incomplete.

We have asked for a comparison of this GPU to the existing General Plan. THIS WOULD ALLOW RESIDENTS TO GET SOME IDEA OF HOW THIS GPU IS INCREASING OR DECREASING DEVELOPMENT DENSITY IN OUR TOWN. Table 2-1 should be expanded to show the current density and FAR that is allowed under the existing General Plan. This could lead to a discussion of what changes have been made and why.

The Note on POPO should mention the Initiative. For instance: “Note: The Protected Open Space and Park Overlay (POPO) mandate by the Martinez Open Space and Park Initiative (Measure I)...”

Also, the “Density ranges...” sentence should be separated from the POPO note for clarity.

NOTE: The City has just issued some comparison of densities, but I have been unable to review them so far.

MEASURE I

Pg. 32 “Protected Open Space...” This section makes it clear to the public much about what Measure I entails and where it applies. Thank you for looking at suggestions.

It should be noted here that the Measure can **only be changed by a vote of the public. Other notices appear to be missing also. See the Measure I requirements incorporated below.**

Additionally, the “The POPO designation...” sentence should be changed to something like this: **“The POPO designation applies to all open space, park and outdoor recreation land in Martinez, including the following General Plan land use designations.”** This is per 5.a. of the Initiative and is a more accurate description that Measure I protects ALL open space/parks, even if they are not in the list of protected land use designations.

Appendix LU-A and LU-B and Figure 2-4 should all have titles that give the reader a clear understanding of what they are. Otherwise we are just hiding important information. They should read this way everywhere in the GPU:

Appendix LU-A Full Text of Measure I: Martinez Open Space and Park Protection Initiative

Appendix LU-B Resolution 115-19 Clarifications of Measure I

Land Use Map Figure 2-4

Also it should **clearly state that Appendix LU-A Full Text of Measure I: Martinez Open Space and Park Protection Initiative , Appendix LU-B Resolution 115-19 Clarifications of Measure I and Land Use Map Figure 2-4 are integral parts of the General Plan Land Use Element.** That would help satisfy the Initiative requirements I note below.

It should note that these are links, so people are not looking in Element 2 for them.

NOTE: How do people not reviewing this on a computer access all these linked documents?

Appendix LU-A Full Text of Measure I: Martinez Open Space and Park Protection Initiative It is imperative that this full copy of Measure I include a **COLOR COPY of the “EXISTING GENERAL PLAN LAND USE MAP” Exhibit A in the Initiative.**

VIRTUALLY ALL OF THE MEANING OF THAT MAP IS IN THE COLOR OF THE VARIOUS PARCELS. Please make this change.

I can provide copies of this color map and/or copies of the Initiative itself to help with this, as we have discussed.

NOTE: I have been told the City has in the last few weeks replaced the black and white map in LU-A Appendix Full Text of Measure I: Martinez Open Space and Park Protection Initiative with a color map that is accurate. Thank you for having done that.

Following are some key Measure I requirements that should be met both here and in Policy LU-12 and associated Measures:

Section 5. Preamble states: “This General Plan Amendment shall, upon adoption, become a part of the Martinez General Plan.” That clearly means the color map. If the map is to be in the appendix, the appendix must be clearly stated to be part of the General Plan Land Use Element.

Section 5. b. states the importance of the Colored map. “...in all cases the land use designations, as shown by map coloration, shall govern inclusion in the overlay designation...”

Section 6. a. states “...the General Plan Amendment included as Section 5 of the Initiative shall be inserted into the General Plan...” That means not into a remote Appendix, but in the GP itself. However, a clear statement made in the middle of the Land Use Element that the two appendices are an integral part of the GP

might suffice. And a similar statement regarding the relationship of Figure 2-4 to the Initiative should also be made.

Section 5 Preamble: "All General Plan provisions adopted or readopted through this Initiative shall be distinctively identified in the General Plan as having been adopted by Initiative." This has not been done that I can find.

Section 5 (b) "A new land use overlay designation of "Protected Open Space and Parks" is established within the General Plan's Land Use Element."

Section 9. "This Initiative may be amended or repealed only by Martinez voters." I cannot find this statement anywhere and it needs to be made.

Much of this probably should appear in both this section and in the LU-1.2 Policy section. It would be wise to err on the side of duplicating too much information, as well as clear cross-referencing these two sections and any others in the GPU that relate to Measure I.

Please take this seriously. It may be legally mandated, but it certainly is in the spirit of Measure I.

It is very disconcerting that this issue of including the colored map and including information detailed above has not been resolved after previous public comments and clear direction in the Initiative to do so. Much time and energy have been spent on addressing this issue, and **I am very pleased to see some of these issues being addressed now. BUT SOME MORE NEEDS TO BE DONE.**

I would like to help all I can with these and other issues regarding incorporation of Measure I into the GPU.

NOTE: Similar connections, notations and explanations need to be a part of the Section 2.7 Measure and Policies for Measure I. And both section needs to be cross-referenced to any other places in the GPU that discusses Measure I.

Pg.2-33 2006 Downtown Specific Plan should be hyperlinked.

Pg. 2-33 DC Downtown Core TYPO Says 4.2 for Land Use Map. Should be 2.4

I appreciate the reduction in the number of super high building lots to help preserve the views and character of our town. However, I am **confused by the lot**

at Main and Alhambra that has been added as an Opportunity lot. A huge building at that spot will stand out like a sore thumb and will have no connection with its surroundings.

Density---this is an appropriate place to **insert Downtown Specific Plan limitations on higher density**, paragraph 4.5.3, I believe.

DSP 4.5.3 Density The basic density for residential shall be 29 units per acre, equivalent to R-1.5 zoning. The Planning Commission may approve up to a maximum density of 43 units per acre (equivalent to R-1.0 zoning), by use permit. In order to approve a density above the lower end of the density range, the Planning Commission would need to find that in addition to meeting the above minimum requirements, the proposal is superior in terms of two or more of the following criteria: • Design and appearance • Minimizing impacts on adjacent public lands • Providing onsite amenities for the future residents • Preserving or creating view corridors. • Utilizing green building practices to the maximum extent possible • Providing a public amenity. **In order to approve a density at or near the upper end of the density range, the Planning Commission would need to find that the proposal is superior in terms of all or almost all of the above criteria.**

I appreciate your applying the suggestion of height limits, but the allowance of building to ANY height with a use permit seems to undermine that. I believe an adder of one story should be allowed.

I am interpreting FAR to relate to possible stories of height, but here the Opportunity Site FAR of 4 would mean the building could fill the lot to 4 stories and seems to contradict the height limit. How does that get interpreted?

What height is allowed now?

Pg. 2-34 DG Downtown Government I am **confused by the lot at Ferry St. and the railroad tracks** being newly designated as an Opportunity site with a FAR of 4, (potentially 4 stories high). That does not make sense and will be out of proportion with anything around it. It will stand out as a barrier between the Downtown and the waterfront. Why has it been added?

Density---this is an appropriate place to **insert Downtown Specific Plan limitations on higher density**. I am not sure if DSP paragraph 4.5.3 or 9.5.4 would apply.

I appreciate your applying the suggestion of height limits, but the allowance of building of ANY height with a use permit seems to undermine that. I believe an adder of one story should be allowed here.

I am interpreting FAR to relate to possible stories of height, but here the Opportunity Site FAR of 4 would mean the building could fill the lot to 4 stories and seems to contradict the height limit. How does that get interpreted?

What height is allowed now?

The use of DG designation does not make sense and should be changed to PI. Large areas of the Downtown are government property, including state and county government and college district land. They should be shown as PI Public and Quasi-Public Institutions (see pg. 2-68), because they are not subject to City regulation, and it gives a false impression of the building allowed Downtown to show those areas as though it were privately owned.

Pg. 2-34 DG NORTH OF THE RAILROAD TRACKS. Why place any new land use designation on land that is under long-term leases to the sports warehouses (I have heard that, but have not seen any documents); and is allegedly land that is under legal restraints to its usage from the parties that gave it to the City; and has legal commitments to East Bay Regional Park District that preclude housing?

Don't set the future of that property in stone when nothing will be done there till the leases are up, and even then significant legal issues might stand in the way.

By then circumstances may have changed substantially through climate change alone, **yet you will have tied the hands of the future council.**

The safety issues to potential users of high-density housing and retail/commercial development there all still stand: Train accidents, blocked access of both track crossings, noise pollution aimed at residents, earthquake susceptibility, liquefaction, periodic flooding, permanent flooding, vibration, pipeline, legal liability of the City.

Also the **threat to our wetlands marsh open space and park are real** and are only marginally helped by the new 100 ft. 'no build' policy in the GPU. That change reflects some of the public suggestions and is appreciated. It is a good start, but just a start on addressing all the dangers to the open space/park. Light and noise pollution on a 24-hour basis and the affect of pets are just a few of the impacts on the flora and fauna of this protective salt water marsh open space.

I am appending my earlier 13-page letter on the dangers of housing development here as a part of these comments.

Additionally I note that the **salt marsh harvest mouse has been determined to live in the marsh**---the EPRPD has determined that and can provide proof if you ask. Also a potential salt marsh harvest mouse was found just this summer on the trail just west of the sanitation pump station and has been sent to the California Fish and Wildlife Department for DNA testing.

This underscores the important function of this open space and why intensive human uses should not be sited close by.

Lastly, **shouldn't this land fall under the PI Public and Quasi-Public Institutions land use designation** as noted above?

The land is currently designated as Special Study Area with no discernable reason to change that. Indeed with their close connection to climate change affects, it seems wise to leave them in that designation.

Why is their designation changed in this draft GPU to high-density housing?

Pg 2-36 DS Downtown Shoreline I appreciate your applying the suggestion of height limits, but the allowance of building of ANY height with a use permit seems to undermine that. I believe an adder of one story should be allowed here.

Density---this is an appropriate place to **insert Downtown Specific Plan limitations on higher density**. I am not sure if DSP paragraph 4.5.3 or 9.5.4 would apply.

I am interpreting FAR to relate to possible stories of height, but here the Opportunity Site FAR of 4 would mean the building could fill the lot to 4 stories and seems to contradict the height limit. How does that get interpreted?

What height is allowed now?

If the City is serious about economic development and really increasing its profitable tax base, the DS area south of the railroad tracks provides a unique opportunity. It is already damaged land that is near all the safety issues being next to the tracks entails. Yet it would be perfect for light industrial/commercial development that is within easy walking distance of major transportation. It would be a safer use of that land and would provide a higher return of tax dollars. It would keep residents in Martinez to work and import others to work here and spend their dollars.

Now is the perfect time to look at this use for that lands.

Pg. 2-36 DS NORTH OF THE RAILROAD TRACKS

On housing on the waterfront, it is noted that the **suggestion to take the Berrellesa Street historic residential area out of the high-density zone has been done.** Thank you.

The rest of the waterfront area north of the tracks on Embarcadero still remains designated for high density housing/commercial/retail.

These industrial lots north of the tracks on Embarcadero are potential purchase sites for East Bay Regional Park District as logical additions to the Regional Park. Changing the land use designation of these lands (they are currently designated Special Study Area and zoned light industrial) to high-density housing will **raise their cost astronomically**, and the change of designation makes no sense to begin with.

This smacks of a similar poor policy decision that got the City Council to change Alhambra Hills to a major housing project that caused the price to increase so dramatically.

There is NO REASON to do the same thing with this industrial property on Embarcadero. **It is used as a commercial/light industrial area now and is called out for that in the zoning map. It is designated Special Study Area which currently makes sense as it is so very susceptible to the effects of climate change. Leave it that way and let's all encourage EPRPD to buy it as soon as possible.**

Additionally, all of the public safety issues and issues of damage to our open space wetlands apply.

The safety issues to potential users of high-density housing and retail/commercial development there include: Train accidents, blocked access of both track crossings, noise pollution aimed at residents, earthquake susceptibility, liquefaction, periodic flooding, permanent flooding, vibration, pipeline, legal liability of the City.

Also the **threat to our wetlands marsh open space and park are real** and are only marginally helped by the new 100 ft. 'no build' policy in the GPU. That change reflects some of the public suggestions and is appreciated. It is a good start, but just a start on addressing all the dangers to the open space/park. Light and noise pollution on a 24-hour basis and the effect of pets are just a few of the impacts on the flora and fauna of this protective salt water marsh open space.

I am appending my earlier 13-page letter on the dangers of housing development here as a part of these comments.

Also I note that **the salt marsh harvest mouse has been determined to live in the marsh**---the EPRPD has determined that and can provide proof if you ask. Also a potential salt marsh harvest mouse was found just this summer on the trail just west of the sanitation pump station and has been sent to the California Fish and Wildlife Department for DNA testing.

This underscores the important function of this open space and why intensive human uses should not be sited close by.

There is NO REASON or net public benefit to change the designation of this area to high-density housing. It is used for commercial/light industrial area now and is called out for that in the zoning map. Leave it that way and let's all encourage EPRPD to buy it as soon as possible.

Pg. 2-37 DT Downtown Transition Height limit of two stories should be noted here.

The DSP density increase criteria, paragraph 4.5.3 or 9.5.4, would be appropriate here.

How does the density/FAR compare with what is allowed there now.

Pgs.2-38 through 2-48 RVL through CRH Some of these densities are very high--- 17, 30, up to 35 units per acre. That is very dense for the areas in and around City Hall and south of Downtown.

Additionally, no height limits are imposed.. How does this compare with current limitations and do the residents know what is being proposed? Are residents aware?

I believe height limits should be imposed on the denser Land Uses. Also the DSP density increase criteria, paragraph 4.5.3 or 9.5.4, would be appropriate on those land uses.

Additionally increased housing will be occurring in these areas, and **no provision is made for the increased vehicular traffic and parking needs.** Many of these streets are quite narrow and become essentially one-way streets at times which is very dangerous.

Pedestrian and bike traffic will also increase, and that will potentially increase the possibility of accidents.

Pg. 2-52 AV-OS **This designation is referred to on pg. 2-56, but in a very confusing way.** It looks like it is talking about another use, but certainly needs to be clarified.

Pg. 2-53 GC General Commercial This is commercial but allows a great deal of housing, 30 units/acre.

I believe **height limits of 2-3 stories should be imposed. Also the DSP density increase criteria, paragraph 4.5.3 or 9.5.4, would be appropriate here. These are City entry properties, and should be attractive and inviting, and meet high standards.**

Pg. 2-56 Parks, Recreation and Open Space Bottom paragraph **The last paragraph on AV/OS is very unclear. It seems as though it is in error.** It relates to a Specific Plan, but the plan is not named and no link is provided to it. It says it relates to AV-OS, but that land is not in the Alhambra Hills which is where the Remote Homesites are located on Figure 2.4. That AV/OS designation is on pg. 2-52 makes no mention of this anomaly of Remote Homesites. Further, the map clearly shows this AV/OS in the Alhambra Valley, not the Alhambra Hills. But the Remote Homesites are shown in the Alhambra Hills which is not designated AV/OS. This whole issue and both pgs. 2-52 and 2-56 need to be straightened out.

It looks like this is a note that should be made at the appropriate Land Use Designation. And without a link to the appropriate Specific Plan, no details on these Remote Homesites would be possible.

Something is wrong here. It needs to be clarified.

Are the Remote Homesites specifically called out in the Alhambra Hills Specific Plan? This would be of importance to the downhill neighbors and should be made clearer with a link to the Specific Plan. I suspect the Alhambra Hills Specific Plan in the links is not the only one that exists.

The POPO note needs to appear here too for clarity.

Pgs 57-65 Open Space and Parks Land Use Designations All note that all these land use designations are covered by the POPO and Measure I. Thank you for accepting that suggestion.

Pg. 2-60 OS-S The Alhambra Hills Specific Plan is noted in this designation, but no link is provided. It should be.

Pg. 2-63 OS-P The Hidden Lakes Specific Plan is noted in this designation, but no link is provided. It should be.

Pg. 2-63 CUL **There is also a large acreage of CUL land in the northeast corner of the City** located east of I-680. This land is most suited for open space uses as it is on the shoreline and close to other shoreline open spaces. on the west and

Pg. 2-65 PPOS The Hidden Lakes Specific Plan is noted in this designation, but no link is provided. It should be.

The area should be noted as covered specifically by sections of Measure I that pertain to lands in the Franklin Hills sub-area and covered by Section 5.h and Exhibit C of Measure I. This section of Measure I places important conditions on density and slope issues for this area.

The current note implies that the Public Safety Element is the main source for restrictions on this area, when Measure I lays out much more targeted restrictions.

Pg. 2-65 Waterfront... It should be noted in this paragraph that **the City does NOT own the land.** It is owned by the State Lands Commission. I believe that is accurate and important to point out.

The description states “**...areas in this designation may also contain marina support services such as restaurants, and commercial boating and fishing activities.**”

This underscores that the marina does not meet the definition of a park. It can be the site of commercial facilities.

Pg 2-65 and Land Use Map 2-4 **The area shown for MW does not conform to the area exempted from Measure I** on Section 5.I and Exhibit B. The map should parallel Measure I.

Pg 2-68 PI Public and Quasi-Public **Why are huge sections of Downtown that are government** like the Assessor’s building, the County Clerk building, the huge court and county offices off Court St., the jail, the college district building, etc. **not**

shown as PI? AMTRAK station and parking areas north and south of the tracks should be shown as such too.

This would give a much more real and accurate picture of our Downtown.

MEASURE I

Pg. 2-70 Add the words “and parks” to the POPO bullet.

Pg 2-70 and Land Use Map 2-4 **The area shown for MW does not conform to the area exempted from Measure I on Section 5 I and Exhibit B.** The map should parallel Measure I.

Pg. 2-70 LU-P-1.2

Both this page and pgs. 31-32 must cross-reference each other. Cross-referencing must be done with all other sections of the GPU that discuss and/or describe Measure I. Otherwise the full understanding of Measure I will not be possible. There is no such cross-reference on pg. 2-70.

Additionally, Appendix LU-A Full Text Of Measure I: Martinez Open Space And Park Protection Initiative and Appendix LU-B Resolution 115-19 Clarifications Of Measure I must be addressed here and stated as an integral part of the GP. The same applies to Land Use Map Figure 2.4 with a description of what it shows that is pertinent to Measure I. It would be helpful to the public to state all are links.

For instance, Policy **LU-P-1.2 could additionally say something like:**

“See ‘Protected Open Space and Parks Overlay (POPO) Designation’ on Pg 2-32 for more information on Measure I and the POPO Land Use Designation.

Appendix LU-A Full Text Of Measure I: Martinez Open Space And Park Protection Initiative is a copy of the Measure I Initiative that was passed by the voters. This Appendix is an integral part of the General Plan.

Appendix LU-B Resolution 115-19 Clarifications Of Measure I is a copy of the resolution accepting some clarification to the language in Measure I. This Appendix is an integral part of the General Plan.

Land Use Map Figure 2.4 shows all the lands protected by Measure I.

The purpose of Measure I is to give added protection to all open space and park land in Martinez.

Measure I has been adopted by the Initiative and may be amended or repealed only by Martinez voters.”

NOTE: How does one access these three important pieces of information if they do not have a computer device?

Other sections of the General Plan that discuss Measure I need to be cross-referenced to these two sections also.

Cutting the Initiative up into islands of information is not what is supposed to happen, and these are some measures to try to overcome that while following the exposition you have laid out.

Here are some Measure I requirements that should be handled both here and on pgs. 31-32:

Section 5. Preamble states: “This General Plan Amendment shall, upon adoption, become a part of the Martinez General Plan.” That clearly means the color map. If the map is to be in the appendix, the appendix must be clearly stated to be part of the General Plan Land Use Element.

Section 5. b. states the importance of the Colored map. “...in all cases the land use designations, as shown by map coloration, shall govern inclusion in the overlay designation...”

Section 6. a. states “...the General Plan Amendment included as Section 5 of the Initiative shall be inserted into the General Plan...” That means not into a remote Appendix, but in the GP itself. However, a clear statement made in the middle of the Land Use Element that the two appendices are an integral part of the GP might suffice. And a similar statement regarding the relationship of Figure 2-4 to the Initiative should also be made.

Section 5 Preamble: "All General Plan provisions adopted or readopted through this Initiative shall be distinctively identified in

the General Plan as having been adopted by Initiative." This has not been done that I can find.

Section 5 (b) "A new land use overlay designation of "Protected Open Space and Parks" is established within the General Plan's Land use Element."

Section 9. "This Initiative may be amended or repealed only by Martinez voters." I cannot find this statement anywhere and it needs to be made.

Pg. 2-72 LU-I-1.2b

Add as second paragraph. This gives explanation and clarity and separates the Exhibit A map from Figure 2-4.

"The lands covered on January 1, 2017, by this overlay designation are shown on the map incorporated in Section 5.b and Exhibit A in the copy of the Initiative, Martinez Open Space and Park Protection Initiative (Measure I) in Appendix LU-A Full Text Of Measure I: Martinez Open Space And Park Protection Initiative ." THEN INCLUDE THE VERBIAGE IN EXHIBIT A OR IN THE 2ND PARAGRAPH OF 5.b.

To last sentence of this Measure add "...addresses the provisions in Subsection 5 (b)..." add "and Exhibit A"

Pg. 2-75 LU-I-2h.

Two typos. Pg 2-74 Paragraph 2 "...larger site are requirements..." should be 'area'. Paragraph 4 "...western edge of the study area..." "study" left out.

To the last sentence "...addresses the provisions in Subsection 5 (h)..." add "and Exhibit C"

Pg. 2-75 LU-I-1.2i Add **"The excluded areas of the Martinez marina and harbor waterfront are shown on the map incorporated in Section 5.i and Exhibit B in the copy of the Initiative, Appendix LU-A Full Text Of Measure I: Martinez Open Space And Park Protection Initiative."**

To last sentence "...addresses the provisions in Subsection 5 (i)..." add "and Exhibit B"

Pg. 2-75 LU-I-1.2k The last sentence of the clarification has been left off. I don't think it really matters but wanted to point that out.

Tim Platt

08/28/22