

General Plan for the City of Laguna Niguel  
**Chapter 9 - Growth Management**

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## **GROWTH MANAGEMENT**

### **I. INTRODUCTION**

#### **A. Purpose**

The purpose of this Element of the Laguna Niguel General Plan is to promote orderly growth and development based on the City's ability to provide an adequate circulation system to serve the land uses established pursuant to this General Plan. It is further intended that achieving an adequate circulation system will be accomplished in accordance with the Orange County Division, League of California Cities "Countywide Traffic Improvement and Growth Management Plan Component" (Measure M).

While this Chapter focuses solely on transportation and circulation aspects of growth because Laguna Niguel is a "developed" community, it is important to recognize that this is only one of several dimensions of overall growth management to be undertaken by the City of Laguna Niguel. Other aspects of growth management will be found within various other elements of the City's General Plan and in the Community Service Standards Element. Taken together, these sections of the Laguna Niguel General Plan will influence growth and development within the City and in surrounding areas to achieve the quality of life embodied in the Plan.

#### **B. Key Definitions**

The General Plan Glossary of Terms, Appendix A to the General Plan, defines numerous terms used in this Plan. The following definitions are presented here because they are critical to an understanding of the Element.

1. **CAPITAL IMPROVEMENT PROGRAM (CIP).** A listing of capital projects needed to meet, maintain and improve a jurisdiction's adopted Traffic Level of Service and Performance Standards.

The CIP includes proposed projects and an analysis of the costs of the proposed projects as well as a financial plan for providing the improvements. The CIP is one tool for implementing the General Plan and is updated annually to insure that priorities remain timely as circumstances change.

2. **COMPREHENSIVE PHASING PLAN (CPP).** A road and public facilities improvement and financing plan which responds to the level of service requirements in the Element.

With regard to road improvements, a CPP includes level of service requirements and takes into account measurable traffic impacts on the circulation system.

3. **CRITICAL MOVEMENT.** Any of the conflicting through or turning movements at an intersection which determine the allocation of green signal time.

This helps to identify capacity of the intersection to handle traffic wishing to move in various directions through the intersection.

4. **DEVELOPMENT PHASING PROGRAM.** A set of standards and procedures which establish the requirement for building and grading permits to be approved or issued in a manner that assures implementation of required transportation and public facilities improvements.

This program enables the City to specify the order of improvements and the phasing of dwelling units based, at a minimum, on mitigation measures adopted in conjunction with environmental documentation and other relevant factors.

5. **DEFICIENT INTERSECTION FUND.** A trust fund established to implement necessary improvements to existing intersections which do not meet the Traffic Level of Service policy.

This fund serves as a "holding device" for accumulating funds from multiple projects until sufficient money is available to fund intersection improvements.

6. **DEFICIENT INTERSECTION LIST.** A list of intersections which, after all feasible traffic improvements have been made, still exceed the threshold traffic level of service standard.

The significance of an intersection being on the Deficient Intersection List is that since all feasible improvements have been made, no additional funding for transportation improvements is shown for these intersections on the City's Seven - Year Capital Improvement Program. The Deficient Intersection List is primarily to be used in Growth Management Area Inter-Jurisdictional Planning Forums for discussion among member jurisdictions of land use decisions, traffic mitigation programs and transportation improvement projects. Placing an intersection on the Deficient Intersection List does not detract from the City's ability to qualify for Measure M funds for other traffic improvements.

7. **DEVELOPED COMMUNITY.** A community which already contains public facilities necessary to support development on the general plan land use element, but may require new or improved transportation facilities to implement their circulation system and the regional system.
8. **GENERAL PLAN.** The basic policy guide for physical planning and development in the City. It is a long range vision for the community and statement of desired growth and improvement. It serves as the basis for

regulation of land uses and the provision of public facilities and services to support the community.

The General Plan describes the desired future conditions the Growth Management Element is intended to help achieve.

9. **GROWTH MANAGEMENT.** The process of influencing, guiding and regulating various aspects of growth to achieve prescribed standards or levels of service. It involves establishing plans, policies and programs to achieve certain desired amounts, rates, timing and quality of growth and development.

Growth Management is a means to an end: a quality living environment. Implementing programs/actions to achieve that purpose must occur as a continuing part of the decision making process.

10. **GROWTH MANAGEMENT AREAS (GMAs).** A subarea of the County established by the Regional Advisory and Planning Council to promote inter-jurisdictional coordination in addressing infrastructure concerns and in implementing needed improvements.

The City of Laguna Niguel shares GMA No. 10 with the Cities of Laguna Beach, Laguna Hills, a portion of Mission Viejo and a portion of unincorporated Orange County. It will also be particularly important to coordinate with the adjacent cities of Dana Point and San Juan Capistrano in GMA No. 11.

11. **GROWTH MANAGEMENT ELEMENT.** An Element of the City General Plan which specifies goals, policies and actions for achieving optimum community benefits from growth and development through influencing the rate, amount and phasing of growth in accordance with established traffic levels of service.

The Measure M requirements for a growth management element include:

- a. Specification of Traffic Level of Service Standard(s);
- b. Adoption of a Development Mitigation Program;
- c. Adoption of a Development Phasing Program; and
- d. Adoption of an Annual Monitoring Program.

12. **INTERJURISDICTIONAL FORUM.** An ongoing series of meetings involving jurisdictions within a GMA to reach resolution of issues related to Measure "M" Growth Management Elements.

This is the intergovernmental mechanism for local government coordination within and between GMAs.

13. LOCAL TRANSPORTATION AUTHORITY. The Orange County Transportation Authority (OCTA).

This is the agency responsible for processing Measure M compliance submissions and administering the Measure M funds.

14. MEASURABLE TRAFFIC. Traffic volume resulting in a 1% increase in any critical movement at an intersection.

This level of traffic increase is a key factor in determining the impacts for which a project would be responsible.

15. MEASURE M. The countywide growth management ordinance passed by the voters to raise gas sales taxes within Orange County in order to fund specific transportation improvements and establish growth management procedures aimed at insuring that new development pays for the traffic improvements needed to maintain acceptable traffic levels of service.

16. TRAFFIC LEVEL OF SERVICE (LOS). This may also be referred to as the Threshold Traffic Level of Service. Specifically, a scale that measures the amount of traffic a section of road or intersection may be capable of handling. The scale ranges from a best case of LOS A to virtual gridlock at LOS F. When specified as a target for one or more links or intersections its achievement becomes a matter of policy.

For traffic purposes, the following simplified scale illustrates the differences in LOS:

Peak Hour Level of Service Description		
Level of Service	Traffic Flow Quality	ICU Value
A	Low volumes; high speeds; speed not restricted by other vehicles; all signal cycles clear with no vehicles waiting through more than one signal cycle.	0.00-0.60
B	Operating speeds beginning to be affected by other traffic between one and 10 percent of the signal cycles have one or more vehicles which wait through more than one signal cycle during peak traffic periods.	0.61-0.70
C	Operating speeds and maneuverability closely controlled by other traffic; between 11 and 30 percent of the signal cycles have one or more vehicles which wait through more than one signal cycle during peak traffic periods; recommended ideal design standards.	0.71-0.80
D	Tolerable operating speeds; 31 to 70 percent of the signal cycle have one or more vehicles which wait through more than one signal cycle during peak traffic periods; often used as design standard in urban areas.	0.81-0.90

Peak Hour Level of Service Description		
Level of Service	Traffic Flow Quality	ICU Value
E	Capacity; the maximum traffic volume an intersection can accommodate; restricted speeds; 71-100 percent of the signal cycles have one or more vehicles which wait through more than one signal cycle during peak traffic periods.	0.91-1.00
F	Long queues of traffic; unstable flow; stoppages of long duration; traffic volumes and traffic speed can drop to zero; traffic volume will be less than the volume which occurs at Level of Service "E".	Above 1.00
<p>Source: Highway Capacity Manual: Highway Research Board Special Report 87, National Academy of Sciences, Washington D.C. , 1965, Page 320.</p> <p>Definition: Peak Traffic Period of time in which the greatest number of vehicle trips are traveling on given roadways.</p> <p>Signal Cycle - Any complete sequence of signal indications.</p> <p>Queue - a line of vehicles</p>		

These level of service descriptions are based on the Intersection Capacity Utilization (ICU) method. The ICU method measures the ratio of intersection demand to capacity. The ICU is calculated by adding the ratios of demand to capacity for the critical movements at an intersection.

Section C, below, provides further specifications of Measure M requirements.

### C. Consistency with Applicable Laws

The California Government Code, Section 65303, states that "the General Plan may include any other elements or address any other subjects which, in the judgement of the [City Council], relate to the physical development of the ... city. By increasingly common practice in California, this option includes Growth Management Elements or policies.

The Countywide Traffic Improvement and Growth Management Initiative (Measure M) states:

"Each jurisdiction is to adopt a Growth Management Element of its General Plan to be applied in the development review process. Developed [Growth Management Areas] GMAs are required to include within their [Growth Management] Element sections that:

1. Specify Traffic Level of Service (LOS) standards;
2. Adopt a Development Mitigation Program;

3. Adopt a Development Phasing Program; and
4. Adopt an Annual Monitoring Program.

As specified in the adopted Countywide Growth Management Program Implementation Manual, Laguna Niguel defines itself as a developed community.

Other Requirements of Measure M include the following actions which may be taken outside the Growth Management Element:

1. Participate in Inter-Jurisdictional Planning Forums.
2. Develop a Capital Improvement Program.
3. Address a balance of housing options and job opportunities.
4. Adopt a Transportation Demand Management (TDM) Ordinance.

A general policy is included in the Element which supports these actions.

#### **D. Growth Management Approach**

The approach taken in this Element is to comply with Measure M for a developed community, expanding upon those requirements only where necessary to properly integrate this Chapter with the rest of the Laguna Niguel General Plan.

## II. GOALS AND POLICIES

The GOALS describe desired conditions or characteristics to be achieved during the life of the Plan. It is assumed that during the 20 year time horizon of the Plan, all vacant land capable of development will have been developed; all land deserving of permanent open space status will have been preserved by appropriate means; and that a considerable amount of currently developed non-residential land will have been revitalized.

The POLICIES state rules for making future decisions that will help to achieve the goals. They are stated in action terms. All policies will not necessarily be carried out concurrently, nor in the immediate future.

**Goal 1A:** An adequate transportation/circulation system that supports regional and local land uses at adopted Level of Service (LOS) standards and complies with requirements of the Countywide Traffic Improvement and Growth Management Program (Measure M).

**Goal 1B:** Reduced traffic congestion on the City's streets and highways compared to conditions which would prevail without enactment and implementation of this Element.

**Intent** Achievement of these goals is to be accomplished by policies and implementation programs which cause the circulation system to perform according to the established Traffic Level of Service Policy and bring about phased development in a manner consistent with the City's Comprehensive Phasing Plan. In this process the intent is to seek an acceptable level of service within the City and adjacent territories as well. In so doing, fiscal limitations, feasible levels of transportation system improvements, and impacts of regional traffic outside of the City's control will be taken into consideration.

### Traffic Level of Service

**Policy 1.1** Make all feasible transportation improvements in order to meet a target LOS standard of C and a threshold standard of LOS D. The City recognizes that not all intersections within the City can meet this target LOS. Therefore, the City will establish a critical intersection list which consists of intersections which do not meet the target LOS of C, at peak periods only, but do not exceed the City's threshold LOS standard of D. In order for an intersection to be placed on the City's critical intersection list, the City Council must find that the improvements necessary to meet target LOS C are not feasible because of one or more of the following reasons: 1) the cost of the improvements exceeds available funding



sources; 2) the design of the necessary improvements is not compatible with the surrounding land uses; or 3) the design of the necessary improvements is contrary to other established City policies.

- Policy 1.2** Make all feasible transportation improvements in order to meet the threshold level of service unless the City determines that the unacceptable level of service is a direct result of regional traffic and that the improvements necessary to achieve the threshold level of service: 1) exceed the available funding sources; 2) are not compatible with the surrounding land uses; or 3) the design of the improvements is contrary to other established City policies.
- Policy 1.3** Each signalized intersection that has been improved to its maximum feasible configuration and still does not meet the threshold level of service shall be placed on the deficient intersection list.
- Policy 1.4** Allow adjustment of stated requirements if necessitated by unusual or extraordinary circumstances including, but not limited to, such conditions as an arterial highway temporarily accommodating traffic usually carried by a freeway while freeway improvements are being constructed.
- Policy 1.5** Measure Traffic LOS using the current guidance regarding traffic level of service policy implementation established by the Local Transportation Authority.

**Development Mitigation and Phasing**

- Policy 2.1** Require necessary conditions of approval on development projects to achieve Traffic LOS standards prescribed in this Element.
- Policy 2.2** All new development shall be required to participate in the City's transportation fee program(s). These fee programs shall be designed to ensure that all development projects fund their prorata share of the necessary long-term transportation improvements identified in the Circulation Element of the General Plan or its Technical Appendix.

As part of the City's transportation fee program(s), criteria will be developed to establish funding priorities. This program will also establish phasing guidelines to be consistent with the Comprehensive Phasing Plan.

- Policy 2.3** All development projects contributing one percent or more to the critical movement at an intersection that is either projected to operate, or currently operates below the target level of service as a result of project

implementation, shall fund all required feasible transportation improvements necessary to achieve the target LOS or, if the intersection exceeds the target LOS prior to project approval, mitigate the impacts of the project so that the intersection ICU is returned to its level of operation prior to project approval. Even for intersections where the target LOS is D, in the interim, prior to build-out, the City may require mitigation to maintain a LOS of C.

Necessary feasible improvements to mitigate an intersection to its level of operation prior to project approval, shall be targeted for completion prior to issuance of Certificates of Use and Occupancy for the approved project. If the City determines that the cost of the improvement(s) is not feasible, the City shall require that any feasible short-term improvements be made prior to Certificates of Use and Occupancy and all permanent transportation improvements made within three years of the issuance of the first building permit, or within five years of the first grading permit.

Any project which has complied with Policy 2.3 by funding a specific transportation improvement project, which is included in the City's transportation fee program, shall be given credit for the fees required as part of the transportation fee program as established in Policy 2.2.

- Policy 2.4** Those intersections on the deficient intersection list shall be exempted from the requirements of Policy 2.3.
- Policy 2.5** Review and evaluate existing traffic mitigation fees and develop new fees, if necessary, to fund the improvements identified in the Circulation Element of the General Plan or its Technical Appendix, in cooperation with other jurisdictions.
- Policy 2.6** Prohibit the use of Measure M tax revenues to replace private developer funds which have been committed for normal project or subdivision obligations.
- Policy 2.7** Phase development in accordance with the Comprehensive Phasing Program adopted by the City, which shall provide an overall build-out land use development plan which can be supported by implementation of the planned circulation system.
- Policy 2.8** Periodically evaluate programs designed to mitigate development impacts and the phasing of development and feasible transportation improvements.

**Land Use and Program Administration**

- Policy 3.1** Recognizing the particular constraints of existing physical development characteristics in Laguna Niguel, strive towards an achievement of balanced land use, whereby residential, non-residential and public land uses have a reasonable proportion to each other.
- Policy 3.2** Require continuation of the annual monitoring and reporting process to document compliance with the policies of this Element.

**Regional Coordination**

- Policy 4.1** Identify and promote Measure M priorities of importance to the City of Laguna Niguel, both within and outside the City.
- Policy 4.2** Cooperate with nearby cities and the County of Orange, especially within GMA 10; in making transportation improvements of mutual interest and priority.
- Policy 4.3** Seek close coordination between GMA 10 and communities within GMA 11.
- Policy 4.4** To the maximum extent possible, integrate Congestion Management Program and Measure M Growth Management requirements into a single set of development incentives/guidelines/regulations.
- Policy 4.5** Continue to participate in GMA 10 planning forums.

### III. IMPLEMENTATION PROGRAMS

1. ESTABLISH A DEVELOPMENT MITIGATION PROGRAM by June 30, 1993 to ensure that new development: 1) pays its share of costs for feasible transportation improvement projects; and 2) funds all feasible transportation improvement projects necessary to achieve an acceptable level of service in cases where the development contributes one percent or more to the critical movement at an intersection, which causes that intersection to exceed the target level of service.
2. INTER-JURISDICTIONAL PLANNING FORUMS AND BASE FEES. Participate with GMA No. 10 jurisdictions in developing an annual transportation improvement list, establishing a GMA deficient intersection list, and establishing regional traffic impact mitigation measures.
3. BASE FEE COORDINATION. Monitor and consider fee levels in GMA 9 and 11 as a context for fees in GMA 10.
4. COMPREHENSIVE PHASING PLAN. Establish a Comprehensive Phasing Plan by June 30, 1993 which assures that feasible transportation improvements are added as development occurs so that they are in balance with demand. The adopted Comprehensive Phasing Plan will ensure that feasible transportation improvements are funded as development occurs.
5. PERFORMANCE MONITORING PROGRAM. Establish a Performance Monitoring Program by June 30, 1993 to: 1) evaluate compliance with approved development phasing allocations; 2) ensure and document that feasible transportation improvements are actually provided; 3) evaluate whether the development mitigation program is providing adequate funding for feasible transportation improvements and other mitigation measures; 4) evaluate the maintenance of transportation service levels through an annual traffic report based on data no more than three months old; and 5) identify corrective action to be initiated if service level deficiencies are indicated. Traffic reports shall not use counts during the time periods of June through August and November 15 through January 5.
6. ANNUAL PROGRAM SUPPORT. Include in the Fiscal Year 1992-93 and subsequent budget packages any measures and associated costs deemed necessary to further the goals and policies of this Element including, but not limited to:

- 1) participation in the Interjurisdictional Planning Forums; 2) preparation of the Seven-Year Capital Improvement Program; and 3) adoption or updating of the City's TDM Ordinance.
7. **DEVELOPMENT REVIEW PROCESS.** Incorporate Measure M criteria and procedures into the City's development project review process.
8. **PRIORITIES.** Prepare a priority list of transportation improvement projects from the City's standpoint and promote these priorities with local GMAs, the Transportation Corridor Agencies, the County of Orange, the Regional Advisory and Planning Council, the Orange County Transportation Authority and other agencies with facility or funding responsibilities.
9. **AGREEMENTS.** Prepare any subsequent, legally valid Traffic Improvement/Public Facilities Development Agreements which implement this Element in such a way as to be consistent with this Element and its implementing ordinances, plans, programs and actions.
10. **ADDITIONAL IMPLEMENTATION.** Initiate any additional implementing measures or actions deemed necessary by the City to further the goals of this Element.