



STAFF REPORT

CITY OF BEVERLY HILLS

For the Planning Commission
Meeting of September 25, 2008

TO: The Planning Commission
FROM:  Larry Sakurai, Principal Planner
Joyce Parker Bozylinski, Consulting Project Planner
THROUGH: Jonathan Lait, AICP, City Planner
SUBJECT: Beverly Hills Draft General Plan: Review of the Community Conservation and Development Policies

EXECUTIVE SUMMARY

The purpose of the September 25th hearing is to discuss a portion of the draft Community Conservation and Development policies, including:

- Housing
- Historic and Cultural Resources

Discussion regarding the land use and economic development policies will be considered at a future, advertised date.

BACKGROUND

The Draft Environmental Impact Report (EIR) and General Plan were released for public review and comment on August 7, 2008. Prior to that date, the Planning Commission has held three study sessions (June 26th, July 10th and July 24th) to discuss the draft General Plan policies and provide direction to staff. On September 11th the Planning Commission held a public hearing to receive comments on the Draft EIR. The September 11th hearing was continued until September 18th for additional public comment on the Draft EIR. The comment period for the Draft EIR ends on September 22, 2008. Following the review of all public comments, including the Planning Commission's request for additional transportation analysis, staff will report back to the Planning Commission regarding how the environmental assessment process should proceed.

DISCUSSION

The Community Conservation and Development chapter consists of the following elements: Land Use, Economic Development, Housing, and Historic and Cultural Resources. Only the Housing and Historic & Cultural Resources Elements will be the subject for discussion at the September 25th meeting. The Planning Commission reviewed the draft land use and housing policies at their July 10th and 24th study sessions.

During the study session meetings and at the hearings on September 11th and September 18th, the Planning Commission requested further analysis and information to assist them in their review of the land use section of the Draft General Plan. This analysis includes visual simulations, additional information on lot sizes and how mixed use might be accommodated in some of the areas, analysis of traffic impacts to residential neighborhoods, and a more detailed analysis of each individual commercial district for which a change in Floor Area Ratio (FAR) is proposed. In order to provide more adequate time to complete the additional analysis, land use and the related economic development sections will not be addressed at the September 25th hearing. The focus of the September 25th hearing will be on the Housing and the Historic and Cultural Resources Elements of the Draft General Plan.

Housing

To a greater extent than any other part of the General Plan, the contents of the Housing Element are mandated by State law. Government Code Sections 65580 through 65589 set forth requirements relating to the preparation and content of housing elements. The City's Housing Element is organized into the following major sections.

- Introduction
- Community Profile
- Potential Constraints on Housing Production and Conservation
- Housing Resources
- Review of Housing Element Past Performance
- Housing Plan

The Housing Plan, which begins on page 2-136 of the Draft General Plan, sets forth a strategy to address the City's identified housing needs and includes the housing goals, policies, and programs. The Planning Commission reviewed the draft housing goals, policies, and programs during their July 10th study session. The goals and policies focus on the following:

- Conserve and improve existing housing stock
- Provide new housing opportunities
- Promote special needs housing
- Remove governmental constraints
- Promote equal housing opportunities

The housing programs consist of a mix of existing and new programs and can be found on page 2-143 in the Draft General Plan. Some of the new programs include the establishment of an inclusionary housing ordinance, a commercial development linkage fee program and the creation of a housing trust fund.

One of the main elements in housing law is a requirement that each county and city develop local housing programs to meet their "fair share" of future housing growth needs for all income groups, as

determined by the State Department of Finance. The regional councils of government, including the Southern California Association of Governments (SCAG), are then tasked with distributing the State-projected housing growth need for their region amongst their city and county jurisdictions by income category. This fair share allocation is referred to as the Regional Housing Needs Assessment (RHNA) process. The RHNA represents the minimum number of housing units each community is required to plan for through a combination of 1) zoning "adequate sites" at suitable densities to provide affordability; and 2) housing programs that among other things support production of below-market rate units.

The RHNA is one of the primary threshold criteria necessary to achieve State Department of Housing and Community Development (HCD) approval of the Housing Element. Lack of an HCD approved Housing Element can render the City ineligible for certain State funds and can subject the City to litigation.

The City's RHNA requirement for the planning period of January 1, 2006 to June 30, 2014 is 437 units. In addition, the City is required to provide an additional 117 units as carryover of the affordable units that were not produced under its prior 2005 Housing Element. The breakdown for these units is shown on the following table.

Beverly Hills Regional Housing Needs Allocation			
Income Group	# of Units from 2005 Housing Element	# of New Units	Total
Very Low (0-50% MFI)*	35	111	146
Low (51-80% MFI)	42	71	113
Moderate (81-120% MFI)	40	77	117
Above Moderate (>120% MFI)		178	178
Total	117	437	554
*MFI = Median Family Income			
Note: 2008-2014 RHNA includes any building permits issued since 1/2006.			

Approximately 67 percent (376 units) of the housing needed for the next housing cycle consists of Very Low, Low or Moderate income housing. Assuming that at least 20 percent of the housing units produced in the future would need to be affordable to accommodate RHNA, the City would need to provide the opportunity for 1,880 housing units (1,880 x 20% = 376) in the Draft General Plan. Table H-34 (page 2-111) in the Housing Element provides a list of sites that result in a total of 2,224 for potential residential development capacity. This number was developed using the densities outlined in the Draft General Plan.

During the Planning Commission study sessions, the Commission recommended that the Floor Area Ratio on Robertson and Olympic Boulevards be reduce to the FAR on Robertson Blvd. south of Wilshire Blvd. from 2.5 to 2.0 and on Olympic Boulevard from a maximum of 3.0 and 2.5. Housing

was also permitted in the Transit Oriented Center (TOD) on La Cienega Boulevard. Reducing the FAR in the Robertson and Olympic Boulevard areas would result in a potential for 1,787 units which would not be adequate to meet the City's affordable housing goals under the 20 percent rule. However, during the July 10th study session, the Planning Commission also suggested that the mixed use designation along South Robertson Boulevard be extended north of Wilshire Boulevard. It is estimated that North Robertson Boulevard would provide an opportunity for approximately 100 additional dwelling units, for a total of 1,887 units. Staff is recommending that the Planning Commission allow a minimum of 1,880 housing units in the final land use plan, which could be achieved by allowing mixed use at a 2.0 FAR along North Robertson Boulevard.

Historic and Cultural Resources

The Historic and Cultural Resources Element includes goals to value and preserve significant cultural resources and to acknowledge and actively promote the City's historic resources. Policies focus on the protection and preservation of the City's historic and cultural resources and include the following:

- Adopt a Local Historic Register Of Historic Resources
- Consider History of Prominent Individuals Associated with Entertainment Industry in Reviewing Properties
- Maintain an Updated Historic Resources Inventory
- Develop and Fund Programs to Encourage Protection Of Historic Resources
- Develop Tiered Regulations for Residential and Nonresidential Historic Resources
- Explore Options to Establish a Formally Funded Historic Archive
- Continue to Archive Local Periodicals
- Adopt a Mills Act Ordinance
- Develop and Impose Disincentives for Demolition of Historic Structures
- Temporarily Suspend Ground Disturbing Activity When Prehistoric or Historic Subsurface Archeological Features or Paleontological Resources are Found
- Explore Replacement of Demolished Structures
- Develop Educational Programs in Partnership with Historic Preservation Groups.

PUBLIC NOTICE

The notice of completion of the Draft EIR and notice of this hearing was published in the *Beverly Hills Courier* on August 8, 2008, in the *Beverly Hills Weekly* on August 14, 2008, and again in the *Beverly Hills Courier* on August 15, 2008. Notice of completion and of the public hearing was mailed on August 12, 2008 to the community's homeowner associations and neighborhood groups, members of the General Plan Topic Committees, former participants in the City's Team Beverly Hills Program, and interested parties. The hearings have also been mentioned in the Community

Staff Report

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For the Meeting of September 25, 2008

Newsletter published by the City and posted on the City's Website, and a tentative meeting schedule was published in the September 5th edition of the *Beverly Hills Courier*.

RECOMMENDATION

The September 25, 2008 hearing is the second of a series of Planning Commission and City Council hearings on the Draft EIR and Draft General Plan. Staff is seeking the Planning Commission's feedback on the Housing and Historic Cultural Resources sections in the General Plan. It is recommended that the public hearing be continued to October 16, 2008 to allow continued discussion on the Draft General Plan.