



STAFF REPORT
CITY OF BEVERLY HILLS

For the Planning
Commission Meeting of
March 24, 2009

TO: Planning Commission

FROM: Peter Noonan, AICP, Associate Planner

THROUGH: Jonathan Lait, AICP, City Planner

SUBJECT: **Update on the General Plan**

A discussion and recommendation to City Council of how to proceed in 2009 with the update of the City's General Plan, including a suggested phased approach to updating the current General Plan.

PURPOSE OF THE STUDY SESSION

The purpose of this study session is to present an approach to move forward with updates to the General Plan. The new approach updates the City's existing Plan incrementally rather than adopts an entirely new document which had previously been the course of action. After the Planning Commission has considered this approach, it will be presented to the City Council to be endorsed.

INTRODUCTION

During the summer and fall of 2008, the Planning Commission reviewed and discussed a series of draft General Plan policies (see Attachment D). Many of the policies, notably those addressing natural resources and community safety, were viewed favorably by the Commission as well as other City commissions. Other policies, notably those addressing land use/density and economic development, were introduced in 2008 and warrant further discussion. In order to advance the community effort on the General Plan, staff proposes to integrate the policies supported by the community into the City's existing General Plan through a step-wise update process. Through this approach, the goals and polices that have been reviewed by the Commission would advance to the Council for consideration in advance of policies that the Commission is still discussing (Attachment A). The product that the Planning Commission will be reviewing and making a recommendation to City Council on will not be a finished document complete with pictures and graphics, but will be a list of goals and policies.

This revised approach received positive feedback from the participants of a Planning Commission and City Council liaison meeting held on December 18, 2008.¹ Although all sections of the new General Plan document have not been fully discussed by the Commission, a substantial number of goals and policies have been reviewed through the formal hearing process and are ready to be brought before the City Council for consideration and adoption. Advancing these revisions would allow further Planning Commission discussions to be focused on the outstanding issues.

BENEFITS OF PROPOSED APPROACH

Benefits of updating specific elements of the existing General Plan include the following.

- **SATISFIES OBLIGATIONS.** It fulfills State obligations and would enable the City to proceed forward with instituting local objectives regarding community services, public facilities and other functions while allowing the additional time to work through outstanding issues.
- **COMPARES OLD AND NEW.** It provides a means of comparing the current goals and policies with the proposed revised goals and policies.
- **FOCUSES ON THE OUTSTANDING ISSUES.** It places the focus on the goals and policies by not including pictures, graphics or formatting.
- **SAVES MONEY.** It results in cost savings.

OTHER CONSIDERATIONS

Other considerations related to amending the existing General Plan in stages include the following.

- **CONSISTENCY.** Amending the Plan in stages will require maintaining consistency among the elements and the Plan as a whole. Staff will keep the Planning Commission apprised of consistency issues through the review process.
- **ENVIRONMENTAL REVIEW.** The proposed approach to amending the existing General Plan will include two steps with a follow up process that will adopt new formatting, pictures and graphics. Impacts to the environment will be assessed for each step. The goals and policies to be included in the first step (Step One) are goals and policies that were viewed favorably by the Planning Commission as well as other City Commissions. As part of Step One, these goals and policies will be subjected to the appropriate level of CEQA review,

¹ The meeting included Councilmember Barry Brucker, Councilmember Linda Briskman, former Chair Kathy Reims, and Commissioner Nanette Cole. The purpose of the meeting was to discuss with staff how the General Plan process might proceed.

which, is anticipated to be a Mitigated Negative Declaration. The second step (Step Two) will include revisions to the General Plan which have not been, as of yet, clearly defined and therefore, require additional discussion before completing the appropriate environmental review. It is anticipated that this environmental review associated with Step Two will most likely result in an Environmental Impact Report.

DISCUSSION

Since its release in August 2008, the process has been to bring a completely new General Plan document forward for Planning Commission recommendation and for City Council's adoption. In fall of 2008 the Planning Commission held a series of public hearings to review the draft goals and policies. An outcome of this public hearing process was that a bulk of the draft goals and policies have been reviewed, discussed and modified by the Commission.

The Commission did not finish discussing the goals and policies in the Land Use or Public Services and Infrastructure sections. At the first meeting in Step One, the Public Services and Infrastructure goals and policies would be brought before the Commission for review. Once this occurs, all of the goals and policies that the Commission has formally reviewed and agreed with would be incorporated into the existing General Plan document and brought back to the Commission in a strike-out/ underline version along with an environmental assessment for recommendation to the City Council.

As noted earlier, environmental assessment of the goals and policies included in Step One is anticipated to indicate that these goals and policies will have little or no environmental impacts and the environmental document produced is anticipated to be a Negative Declaration or a Mitigated Negative Declaration.

The following chart graphically displays the sections from which goals and policies would advance to the City Council and which sections the Planning Commission would continue to discuss.

GOALS AND POLICIES TO BE UPDATED

GOALS AND POLICIES THAT WOULD ADVANCE TO CITY COUNCIL	Community Conservation and Development <ul style="list-style-type: none"> • Historic and Cultural Resources 	Natural Resources <ul style="list-style-type: none"> • Biological Resources • Mineral Resources • Water Resources • Visual Resources • Air Quality 	Community Safety <ul style="list-style-type: none"> • Fire Hazards • Flood Hazards • Geologic and Seismic Hazards • Hazardous Materials • Disaster Preparedness • Noise 	Infrastructure and Public Services** <ul style="list-style-type: none"> • Infrastructure and Utilities • Libraries • Public Services • Parks and Recreation Facilities • Education
GOALS AND POLICIES THAT THE PLANNING COMMISSION WOULD CONTINUE TO DISCUSS	<ul style="list-style-type: none"> • Housing* • Economic Development* • Land Use 			<ul style="list-style-type: none"> • Mobility (circulation)

* Goals and policies have been discussed for the housing and economic development sections; however, some goals and policies are potentially dependent on changes in land use designation, building massing and/or development density. Goals and policies that are dependent on changes in land use will be brought forward separately once the Commission has worked through the outstanding issues related to building massing and development density.

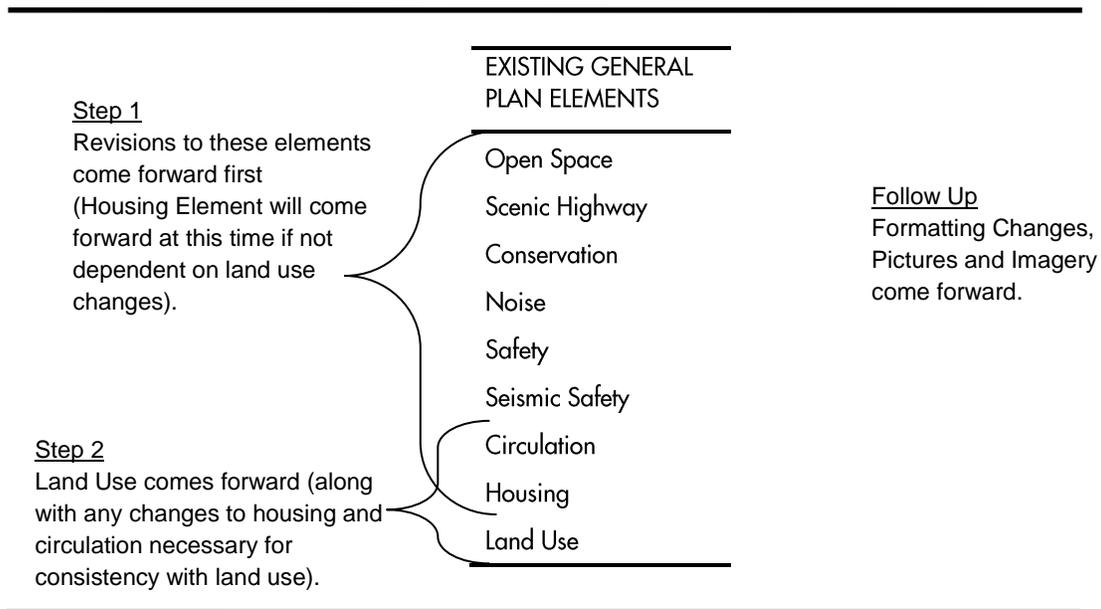
** Infrastructure and Public Service goals and policies have not been discussed by the Planning Commission yet, but are scheduled for discussion by the Commission at the first meeting in May.

Allowing the goals and policies that the Planning Commission has viewed favorably to advance to the City Council would advance partial completion of the General Plan effort and allow the Planning Commission and the community to further evaluate the items that remain.

NEXT STEPS

Revising the existing General Plan will include two steps and a follow up to adopt new formatting, pictures and graphics. The process has been simplified in the illustration on the following page and discussed in more detail afterwards.

PROPOSED APPROACH



Step 1. BRING FORWARD GOALS AND POLICIES. Goals and policies that the Planning Commission has viewed favorably would be brought forward for recommendation to Council. Once a recommendation has been made to the City Council, the Planning Commission will begin Step Two. Step One includes the following:

- a. Strike-out/underline version incorporating all of the Commission's revisions.
- b. Includes goals and policies to meet State obligations²
- c. This includes goals, policies and implementation programs from the following elements: Open Space, Circulation³, Scenic Highway, Conservation, Noise, Safety, Seismic Safety and Housing
- d. A new environmental assessment would be conducted. It is envisioned that since the goals and policies in this group would have little or no environmental impacts, the environmental assessment document produced for step one would be a Mitigated Negative Declaration.

² Due to regional housing need requirements from the State, the City may need to explore the creation of land use designations, such as mixed use, that allow housing. If this is necessary, it would result in a change in land use and thus the housing element would then be dependent on revisions to the land use element. If this is the case, the housing element would then be adopted at the same time as the land use element in Step 2.

³ Circulation goals, policies and programs will be included if they would not result in significant impacts to traffic.

Step 2. CONTINUE WITH LAND USE DISCUSSION. The Planning Commission will continue the land use discussion, covering the issues identified.

- a. Community district-level analysis of existing and anticipated build-out
- b. Feasibility studies (economics)
- c. Traffic impact discussion
- d. Consistency with housing and circulation elements (and amendments as required)
- e. Further environmental documentation would be provided as needed and if potentially significant impacts are identified, the previously-released Draft EIR could be updated to address the General Plan as a whole to reflect any changes in the land use, housing, circulation goals and policies that result from this continued discussion.

On recommendation from the Planning Commission, the City Council would adopt changes to the land use (and housing and circulation as appropriate) policies as a second amendment to the General Plan.

Follow Up. FORMATTING AND IMAGERY. New formatting, pictures, maps, and imagery intended to improve the user friendliness of the existing document would come forward once all goal and policy updates have been reviewed.

TENTATIVE SCHEDULE

The tentative schedule for Planning Commission review presented on the following page provides an indication of the timeline for Step One. Following this schedule, public involvement activities would occur prior to the Planning Commission making a recommendation to the City Council.

PROPOSED PLANNING COMMISSION REVIEW DATES
ASSOCIATED WITH STEP ONE

May 14	Review Goals and Policies for Public Facilities and Infrastructure
June 11	Review redlined version of Goals and Policies not associated with changes to building massing or development density with Commission comments incorporated (not including land use or land use-related goals and policies)
June 25	Review environmental assessment (MND) and make recommendation to City Council regarding Goals and Policies not associated with land use (changes to building massing or development density)

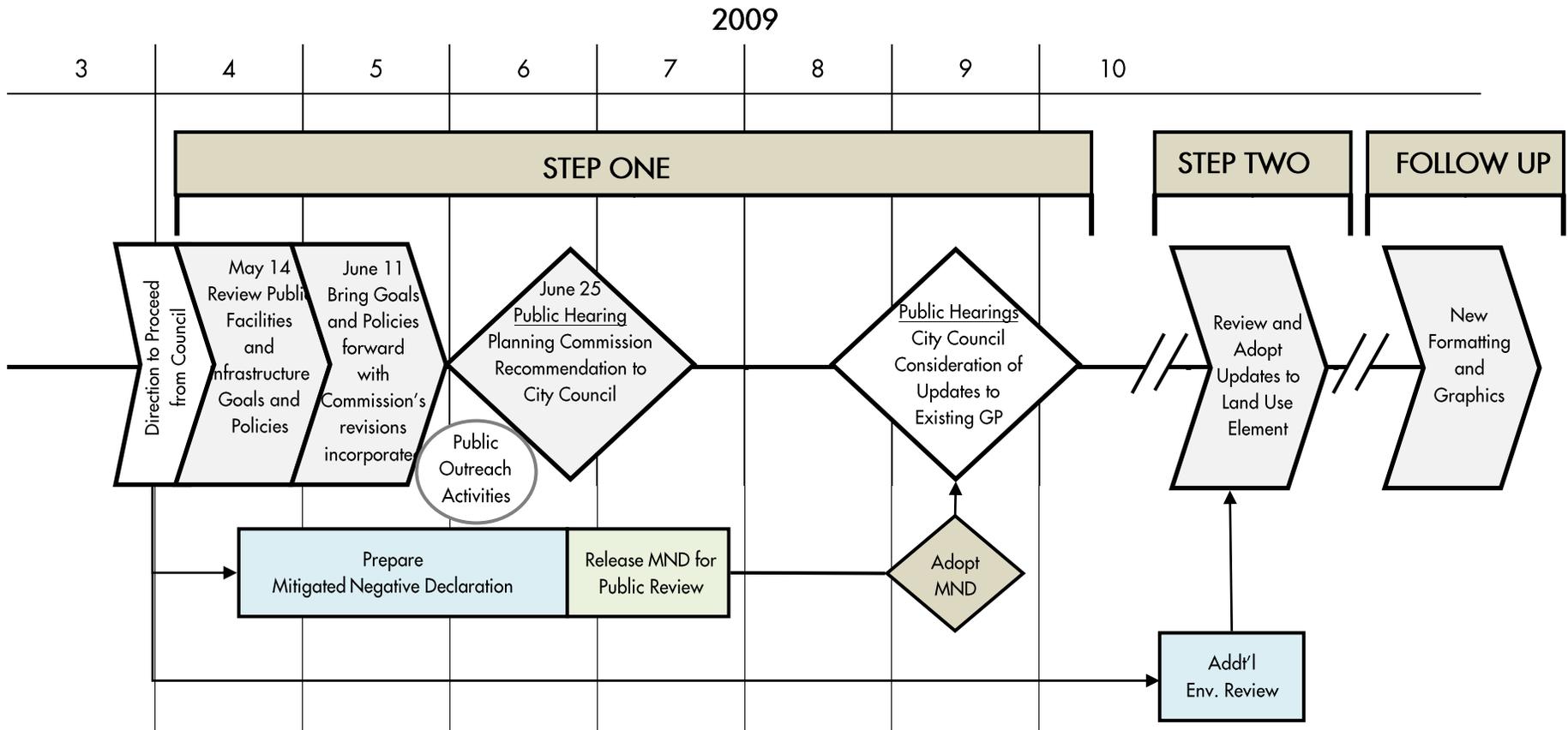
PETER NOONAN, AICP, Associate Planner

ATTACHMENTS:

- A. Updating the General Plan – Step One Flow Chart
- B. Example of Strike-out/underline goals and policies
- C. Example Existing/Updated General Plan Goals and Polices Comparison Matrix
- D. 2008 Summer/Fall Chronology

Updating the General Plan - Step One

Update Elements that are not affected by Changes to the Land Use Element



EXAMPLE

Existing/Updated General Plan Goals and Policies

~~Strike-Out/Underline~~

Water Conservation

~~Program Goals of Element
(Maintain adequate supply of high quality water
economically. Preserve and enhance Beverly Hills'
capability to rely upon local groundwater supplies)~~

- ~~1. To provide an adequate supply of high quality potable water to meet existing and future needs.~~
- ~~2. To provide water at the lowest cost.~~
- ~~3. To preserve the City's rights to extract groundwater and to assure that such resources will be available if needed.~~
- ~~4. To assure the availability of properly located well sites.~~
- ~~5. To assure the availability of a properly located site for a water treatment facility.~~

~~Proposed Program and Policies of Element~~

~~(Maintain existing water programs and policies in near future. Initiate a study to determine when it would be to economic advantage of City to produce and process its own water supplies to augment or replace MWD water, based upon changing circumstances which may dramatically affect MWD water prices. This study should consider operation costs and the additional capital costs to develop a modern and efficient treatment facility, preferably using existing water treatment site. Based upon the anticipated lead time such study shows necessary before local water supplies would be justified, activity should be initiated to ascertain and establish specific well sites and begin facilities design.)~~

- ~~1. No change recommended in current policy to retain local option to provide water in the near future.~~
- ~~2. The Metropolitan Water District has indicated that there may be substantial rate increases to Beverly Hills and other member jurisdictions within the next five to eight years. Accordingly, the City Water Department should coordinate a study, possibly with the assistance of a consultant, to determine the cost-effective point at which the City should convert in whole or in part to its own water supply. This study would consider the costs of extracting and processing water (operation costs) as well as any capital costs associated with any facility.~~
- ~~3. If a new water treatment facility is developed, consideration should be given to retention of one of the sites now occupied by a water treatment facility for reasons cited above.~~

Goal: Water Conservation

Provision of a system that minimizes water consumption through conservation methods and other techniques.

Policies

4.1 Water Conservation Goals. Continue to establish, review, and update water conservation goals and benchmarks for the next 20-year period.

4.2 Public Outreach on Need to Conserve Water. Maintain and enhance its comprehensive program to educate and publicize the need to conserve water.

4.3 Water Conservation Measures for Public Facilities. Continue to require water conservation measures/devices that limit water usage for all new municipal projects and major alterations to existing municipal facilities.

4.4 Water Conservation Measures for Private Projects. Continue providing incentives, and where practical, require the installation of water conserving measures/devices and practices for new private construction projects and major alterations to existing private buildings including requirements for the use of reclaimed water for construction watering, and pumping subterranean water back into the ground rather than into the storm drain system.

4.5 Water Efficient Landscaping. Where feasible, encourage installation of drought tolerant landscaping or water-efficient irrigation systems for all private and city landscaping and parkways. Identify and implement minimum design/installation efficiency criteria for landscape irrigation systems.

4.6 New Conservation Technology. Strengthen local building codes for new construction and implement ordinances that require existing buildings to generate a higher level of water efficiency as a condition of issuing permits for renovations or additions, and of sale of residences and buildings.

4.7 Funding. Explore methods to provide financial support for water conservation efforts.

EXAMPLE

Existing/Updated General Plan Goals and Policies

Comparison Matrix

Water Conservation

Example of Amendment Matrix

Amendments Proposed to the Conservation Element		
Current General Plan Provisions	Proposed Amendments	Remarks
<p>Program Goals of Element (Maintain adequate supply of high quality water economically. Preserve and enhance Beverly Hills' capability to rely upon local groundwater supplies)</p> <ol style="list-style-type: none"> 1. To provide an adequate supply of high quality potable water to meet existing and future needs. 2. To provide water at the lowest cost. 3. To preserve the City's rights to extract groundwater and to assure that such resources will be available if needed. 4. To assure the availability of properly located well sites. 5. To assure the availability of a properly located site for a water treatment facility. <p>Proposed Program and Policies of Element (Maintain existing water programs and policies in near future. Initiate a study to determine when it would be to economic advantage of City to produce and process its own water supplies to augment or replace MWD water, based upon changing circumstances which may dramatically affect MWD water prices. This study should consider operation costs and the additional capital costs to develop a modern and efficient treatment facility, preferably using existing water treatment site. Based upon the anticipated lead time such study shows necessary before local water supplies would be justified, activity should be initiated to ascertain and establish specific well sites and begin facilities design.)</p> <ol style="list-style-type: none"> 1. No change recommended in current policy to retain local option to provide water in the near future. 2. The Metropolitan Water District has 	<p>Goal: Water Conservation Provision of a system that minimizes water consumption through conservation methods and other techniques.</p> <p>Policies</p> <ol style="list-style-type: none"> 4.1 Water Conservation Goals. Continue to establish, review, and update water conservation goals and benchmarks for the next 20-year period. 4.2 Public Outreach on Need to Conserve Water. Maintain and enhance its comprehensive program to educate and publicize the need to conserve water. 4.3 Water Conservation Measures for Public Facilities. Continue to require water conservation measures/devices that limit water usage for all new municipal projects and major alterations to existing municipal facilities. 4.4 Water Conservation Measures for Private Projects. Continue providing incentives, and where practical, require the installation of water conserving measures/devices and practices for new private construction projects and major alterations to existing private buildings including requirements for the use of reclaimed water for construction watering, and pumping subterranean water back into the ground rather than into the storm drain system. 4.5 Water Efficient Landscaping. Where 	<p>Since 1979 when the current Conservation Element was adopted, the City has developed four new water wells, together with a new water treatment plant to meet contemporary Federal water quality requirements. In the broader context, demand for water in Southern California has continued to grow substantially while availability of imported water from the California and Colorado Aqueducts has diminished not only from growing upstream demands for water but also because of continuing drought conditions. These considerations together with growing concerns regarding climate change call for updated policies to address these changes.</p>

Amendments Proposed to the Conservation Element

Current General Plan Provisions	Proposed Amendments	Remarks
<p>indicated that there may be substantial rate increases to Beverly Hills and other member jurisdictions within the next five to eight years. Accordingly, the City Water Department should coordinate a study, possibly with the assistance of a consultant, to determine the cost effective point at which the City should convert in whole or in part to its own water supply. This study would consider the costs of extracting and processing water (operation costs) as well as any capital costs associated with any facility.</p> <p>3. If a new water treatment facility is developed, consideration should be given to retention of one of the sites now occupied by a water treatment facility for reasons cited above.</p>	<p>feasible, encourage installation of drought tolerant landscaping or water-efficient irrigation systems for all private and city landscaping and parkways. Identify and implement minimum design/installation efficiency criteria for landscape irrigation systems.</p> <p>4.6 New Conservation Technology. Strengthen local building codes for new construction and implement ordinances that require existing buildings to generate a higher level of water efficiency as a condition of issuing permits for renovations or additions, and of sale of residences and buildings.</p> <p>4.7 Funding. Explore methods to provide financial support for water conservation efforts.</p>	

CHRONOLOGY
 PLANNING COMMISSION REVIEW
 2008
 SUMMER/FALL

Study Sessions

June 26	Summarized the process to date and set out a schedule for review
July 10	Land Use, Housing, Historic Resources, Economic Development goals and policies presented and discussed.
July 24	Land Use discussion continued (commercial community districts). Mobility (Circulation), Infrastructure and Utilities, Libraries, Public Services, Parks and Recreation Facilities, Education goals and policies presented and discussed.
July 31	Natural Resources and Community Safety goals and policies presented and discussed.

Public Outreach Meeting

August 26	Open forum style meeting where members of the community asked questions and provided comment on the draft General Plan released on August 7.
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Public Hearings

September 11	Environmental Assessment (EIR) presented and discussed.
September 25	Land Use, Housing, Historic Resources, Economic Development goals and policies reviewed.
October 16	Land Use discussion continued. Natural Resources and Community Safety goals and policies reviewed.
November 13	Additional traffic analyses discussed.