



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: January 5, 2010

To: Honorable Mayor & City Council

From: Peter Noonan, AICP, Associate Planner *PN*
Susan Healy Keene, AICP, Director of Community Development *SHK*

Subject: GENERAL PLAN AMENDMENTS – STEP ONE AMENDMENTS

Attachments:

1. Commission Recommendation
2. Executive Summary – Draft Amended General Plan Goals, Policies and Implementation Programs
3. Draft Amended General Plan Goals, Policies and Implementation Programs
4. Environmental Review
5. General Plan Goals, Policies and Implementation Programs Matrix (Strike-out/ Underline format)

INTRODUCTION

This is a study session on the goals, policies and implementation programs constituting the first set of amendments (Step One) to the City's General Plan and the environmental review documents associated with adoption of these amendments. The draft Step One language was reviewed by the Planning Commission on August 6, September 24, October 8 and December 10, 2009. These meetings also provided opportunities for members of the public to speak and participate in the process.

While the Step One amendments apply to the City as a whole, they do not contemplate changes in development pattern, or changes in the pattern of land uses established in the existing General Plan, including land use designations, development envelopes, street infrastructure, or increased traffic. Further, the Step One Amendments are policy and program amendments and no development projects are contemplated at this time.

Since the final draft Step One amendments were released on October 30, 2009, two additional policies have been proposed. These two policies address 1) Commercial Common Interest Development, and 2) Medical Land Uses. Opportunities for the public to participate and comment on the two new policies were provided as part of the Planning Commission meetings held on November 19, 2009 and December 10, 2009.

Once the City Council has considered the draft amended General Plan goals, policies and implementation programs, the next step is approval of a resolution adopting the amendments into the City's existing General Plan.

Five documents are attached for review:

Attachments:

Attachment 1. (included in the packet)

Planning Commission Recommendation – Provides a brief summary and background on the recommendation to the City Council on adoption of the Step One Amendments.

Attachment 2. (included in the packet)

Executive Summary – Draft Amended General Plan Goals, Policies and Implementation Programs – Provides an overview of the new goals, policies and implementation programs

Attachment 3. (stand alone document)

Draft Amended General Plan Goals, Policies and Implementation Programs – Includes the City's existing, and the proposed new goals, policies and implementation programs in a clean format.

Attachment 4. (stand alone document)

Environmental Review – Provides the environmental review documents per the California Environmental Quality Act (CEQA).

Attachment 5. (stand alone document)

General Plan Goals, Policies and Implementation Programs Matrix (Strike-out/Underline format) – Provides an in-depth review of the existing General Plan language that would be removed, the language that would be inserted, and explanations regarding.

BACKGROUND

The City's existing General Plan was last comprehensively updated in 1976. Since this comprehensive update, elements have been amended from time to time; however these amendments were specific in nature and did not update the existing General Plan to be more current or to better reflect the evolving community vision.

This amendment process began in 2002 and includes eight years of community participation, which began with 200 community members participating in eight topic committees through a two year process of studying and analyzing issues affecting the City. The topic committees focused on a broad range of issues and, at times, identified specific issues and remedies. In 2004 the topic committees summarized their recommendations in final reports and those reports were presented to the City Council.

The goals, policies, and programs included in the Step One Amendments are based on those General Plan topic committee final reports, however, it was not necessary to address all topic committee recommendations through the General Plan and therefore recommendations that were better addressed through departmental procedures, capital improvements and other City documents have not been proposed for inclusion.

The new General Plan goals, policies, and programs drafted were then refined through numerous public and community outreach events to best reflect the community's shared vision, which has been excerpted from the final topic committee reports on the next page.

Vision Statements

- Maintain the “garden quality” aspect of the vision developed by the City’s original founders, which is as relevant today as it was when the City was founded:
 - Quality of life through, attractive buildings and open spaces, walk-able pedestrian districts, outstanding community facilities, and cultural opportunities.
 - Commercial development that is supportive of, compatible with, and complimentary to, the surrounding residential neighborhoods.
 - Use of design principles that are consistent with the character of the surrounding neighborhoods.
- Incorporate conservation of natural resources and environmental enhancement of infrastructure to promote a healthy and productive place to live, work, visit and play.
- Balance the desire to improve the flow of regional “through traffic” to preserve and enhance residential areas while not improving traffic flow so much as to attract new, increased “through traffic” to fill the void.
- Utilize and improve upon the latest technology in traffic management.
- Implement alternative means of shuttling residents, students and employees around the City.
- Capitalize on the existing successes to guide further growth in a manner that balances residential quality of life with the necessities and realities of maintaining a successful business climate to support that quality of life.
- Acknowledge that households today want larger homes than when the City was developed in the 1920’s and 1930’s, but support a return to the aesthetic and concern for community appearance evident in the types of houses built in that earlier period.
- Preserve the character and scale of older development, and limit the scale of new development in most multi-family residential areas.
- Emphasize community involvement, early outreach, and public notice of pending development, easier access to information, mechanisms for problem solving and dispute resolution, and achievement of resolution in a timely manner.

Excerpted from the General Plan Topic Committees’ Final Reports to City Council, 2004

In 2008 a comprehensive update to the City’s existing General Plan document was released. Upon release concerns were raised by the community in regard to changes in the land use map, and in particular, to changes on the map that would have allowed additional building density to be considered.

On May 27, 2009 the City Council asked that the comprehensive General Plan update be divided into a stepped process in which all of the goals, policies and implementation programs that had received broad community support would advance to the City Council for consideration first (Step One) and that other amendments requiring further discussion

would follow (Step Two). Amendments that require further consideration include the State-required Housing Element update and potential changes to the scale and density of buildings in areas of the City.

DISCUSSION

The Step One amendments have received broad community support and do not include any changes to the land use map or to the allowable scale and density of buildings in the City. Language to be included in Step One has been reviewed by several of the City's commissions.

The Step One amendments include new and updated goals, policies and implementation programs to better reflect the community's shared vision by updating or providing additional policies that address, but are not limited to, such topics as:

- Preservation of community character, residential neighborhoods and historic resources
- Transitional buffers between commercial and residential properties
- Water conservation and maintenance of public services
- Air quality improvements and promotion of solar energy
- Buffering from noise
- Continued safety of the community

Summary of Amendments. The Amendments included in Step One can be summarized as follows. For an expanded summary of the amendments, please refer to Attachment 2:

Land Use Element. Amendments to the Land Use Element strive to maintain neighborhood character, construct more energy-efficient buildings, use less water and enhance the landscaped and natural areas in the City. No changes to land uses, building envelopes or allowable building density are included in these amendments. Policies addressing Common Interest Developments in commercial areas and medical uses in the City are included in these amendments. Further details about these two new policies are provided below.

Open Space Element. Amendments to the Open Space Element strive to maintain the City's street trees, protect natural areas and encourage conservation of resources, such as water.

Circulation Element. Amendments to the Circulation Element strive to provide a safe and efficient roadway system, while improving the pedestrian experience. No changes to the existing street and traffic patterns or roadway standards are proposed. The City's Bikeway Master Plan has been moved from this element and has been made an appendix to the General Plan (Appendix A).

Conservation Element. Amendments to the Conservation Element strive to conserve historic and cultural resources, protect natural landscape features, areas and resources, use less water, and encourage the use of alternative energy sources, such as solar energy.

Noise Element. Amendments to the Noise Element strive to provide additional protection from harmful levels of noise to the residents and visitors.

Safety Element. Amendments to the Safety Element strive to protect residents and visitors from harmful exposure to hazardous materials, and to ensure effective and timely response to disasters. This element combines the existing Seismic Safety Element with the existing Safety Element.

Scenic Highway Element (To Be Deleted). No scenic highways have been designated in the City and this element is no longer required by the State, therefore the element is not useful in the City's General Plan and is being deleted.

Public Services Element (New Element). This Element is new in the City's General Plan and strives to maintain and improve upon the high-quality public services and amenities currently provided in the community.

Economic Sustainability Element (New Element). This Element is also new in the City's General Plan and strives to encourage resiliency in the City's business community ensuring that the City will be able to continue providing high-quality public services and amenities.

Implementation Programs. The Implementation Programs includes new programs intended to implement the policies in the General Plan.

Since the Step One amendments were released, two additional policies have been proposed.

1). Common Interest Development in Commercial Areas (Commercial CID). On November 17, 2009, the City Council directed the Planning Commission to provide a recommendation on adopting a General Plan policy that would prohibit common interest development in commercial areas. A majority of the City Council supported inclusion of an exemption for historic buildings, and also supported postponing implementation of any potential zoning regulations regarding CIDs in commercial areas until after other priority policy issues have been resolved. Based on this direction, the Planning Commission has recommended that the following draft policy be included in the Step One Amendments:

"LU 10.2 **Commercial Common Interest Development.** Prohibit common interest development on commercially zoned properties and review City ordinances for appropriate amendments; provided, however, that the City may decide by future ordinance to permit commercial common interest developments on such terms and conditions as it deems appropriate. Consider allowing an existing commercial building listed on a Federal, State or local register of historic sites to be converted to a common interest development if substantial public benefits are provided and the conversion will not adversely impact the economic viability of the adjacent area or of the City as a whole. (Imp 2.1, 2.2)"

2). Medical Uses. A need to study and analyze community impacts resulting from medical uses has been identified. On December 10, 2009, the Planning Commission recommended that the following policy be included in the Step One Amendments to address this need:

“LU 9.6 **Medical Uses.** Study, adopt and implement regulations that appropriately regulate medical land uses in the City (Imp 2.1, 2.2)”

ENVIRONMENTAL REVIEW

The Step One amendments have been reviewed pursuant to the California Environmental Quality Act (CEQA) and the California Environmental Quality Act Guidelines and the resulting analysis indicates that the Step One Amendments would not cause any significant impacts to the environment; therefore a Negative Declaration has been prepared. The Negative Declaration and associated Initial Study (Attachment 5) were released for public comment on October 30, 2009 with a 34 day public comment period which closed at 5pm on December 4, 2009. As of the writing of this report no comments had been received.

FISCAL IMPACT

No fiscal impact would be incurred directly from adopting the amendments to the General Plan, however there would be a fiscal impact incurred through implementation of the included programs. These impacts would be incurred incrementally and would be considered during the annual budget review process.

RECOMMENDATION

Staff recommends that the City Council consider the draft amendments to the General Plan and the associated environmental review documents, and direct Staff to return with a draft resolution adopting the Negative Declaration and adopting the Step One Amendments into the City’s existing General Plan.

Susan Healy Keene, AICP,
Community Development Director

Approved By 



City of Beverly Hills
Draft Amended General Plan Goals, Policies and Programs

Planning Commission Recommendation

RESOLUTION NO. 1564

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BEVERLY HILLS RECOMMENDING THAT THE CITY COUNCIL ADOPT AMENDMENTS TO THE CITY OF BEVERLY HILLS GENERAL PLAN KNOWN AS THE STEP ONE AMENDMENTS AND ADOPT A NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Planning Commission of the City of Beverly Hills hereby finds, resolves and determines as follows:

Section 1. The current City of Beverly Hills General Plan last underwent substantial revision in the 1970's, and changes in the City, the environment, and surrounding areas warrant a General Plan Update. To that end, the City embarked on a process for a comprehensive update of the Plan, which has culminated in the revised goals and policies as set forth in Attachment A, which is hereby incorporated by reference. Amendments included in the proposed General Plan Update reflect eight years of community participation, which began in 2002 with 200 community members participating in seven topic committees through a two year process of studying and analyzing issues affecting the City. The revised goals, policies, and programs included in the proposed amendments (the "Amendments") were formed, in part, from the resulting general plan topic committee final reports. The topic committees focused on a broad range of factors and, at times, identified specific issues and remedies. To the greatest extent possible, Topic Committee recommendations were used to form the revised goals, policies and programs included in these amendments; however, it was not necessary to address all topic committee recommendations through the general plan and therefore recommendations that were better addressed through departmental procedures, capital improvements and other City documents have not been

included. The goals, policies, and programs that were drafted were refined through numerous public and community outreach events to best reflect the community's desires, which are given in the final topic committee reports as follows:

- Maintain the “garden quality” aspect of the vision developed by the City’s original founders, which is as relevant today as it was when the City was founded:
 - Quality of life through attractive buildings and open spaces, walk-able pedestrian districts, outstanding community facilities, and cultural opportunities.
 - Commercial development that is supportive of, compatible with, and complimentary to, the surrounding residential neighborhoods.
 - Use of design principles that are consistent with the character of the surrounding neighborhoods.
- Incorporate conservation of natural resources and environmental enhancement of infrastructure to promote a healthy and productive place to live, work, visit and play.
- Balance the desire to improve the flow of regional “through traffic” to preserve and enhance residential areas while not improving traffic flow so much as to attract new, increased “through traffic” to fill the void.
- Utilize and improve upon the latest technology in traffic management.
- Implement alternative means of shuttling residents, students and employees around the City.
- Capitalize on the existing successes to guide further growth in a manner that balances residential quality of life with the necessities and realities of maintaining a successful business climate to support that quality of life.

- Acknowledge that households today want larger homes than when the City was developed in the 1920's and 1930's, but support a return to the aesthetic and concern for community appearance evident in the types of houses built in that earlier period.
- Preserve the character and scale of older development, and limit the scale of new development in most multi-family residential areas.
- Emphasize community involvement, early outreach, public notice of pending development, easier access to information, mechanisms for problem solving and dispute resolution, and achievement of resolution in a timely manner.

Section 2. The Community Development Department oversaw the preparation of draft revisions to the City's General Plan, with the ongoing input of the Planning Commission and City Council. In light of unknowns related to certain land use policies and direction, which will undergo separate analysis and consideration in the future, the City has prepared the Amendments to address the more general policies that are not contingent upon decisions that may be made in the future regarding land uses and densities.

The proposed Amendments will result in a general plan that better reflects the desires of the community while also maintaining consistency with current State legislation. Since the last time the City's general plan was amended on this broad of a scale, several new goals, policies and programs have become necessary or desirable to accurately represent the community's ideals regarding such topics as air quality, noise, preservation of single-family neighborhoods, historic preservation, community character, pedestrian safety, public services, telecommunications and environmental sensitivity. In addition, new goals and policies are warranted to address State requirements for topics such as water and energy conservation, and greenhouse gas emission

reductions. While new goals and policies are being proposed or revised to reflect the community's ideals or changes in State requirements, the Planning Commission recommends deletion of goals and policies associated with the Scenic Highway Element because there are no designated scenic highways in the City and State law no longer requires general plans to include this element. Although the Scenic Highway Element would be deleted, a goal and series of policies have been included in these amendments (Open Space Element Goal OS 6 and relevant policies) to address the community's desire to conserve scenic resources. The Planning Commission also recommends removal of goals and policies in the Circulation Element that address the Bicycle Master Plan and the Master Streets Plan because the Bicycle Master Plan and Master Streets Plans will become free-standing documents, and the general plan will require the preparation and upkeep of the plans, as noted in the amendments and implementation program 3.7.

Section 3. Since commencing the public involvement process, numerous public outreach events have been held and the community has participated in shaping the amendments to best reflect the overall vision of the community. The Amendments have been reviewed and refined by many of the City's commissions, including the Planning Commission, Public Works Commission, Traffic and Parking Commission, Recreation and Parks Commission, and Health and Safety Commission. Drafts of the Amendment language have been provided to the Beverly Hills Unified School District and other local, county and State agencies. The Planning Commission held duly noticed public hearings regarding the proposed Amendments on August 6, 2009, September 10, 2009, September 24, 2009 and December 10, 2009, and study sessions on June 25, 2009, July 9, 2009, and November 19, 2009 at which time interested parties were given an opportunity to provide testimony regarding the contemplated Amendments.

Section 4. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City completed an initial study to analyze whether the proposed Amendments would result in any unmitigable impacts. The Initial Study, a copy of which is attached hereto as Exhibit B and is hereby incorporated by reference, concluded that the Amendments would not result in any significant impacts on the environment. Thereafter, the Initial Study and notice of intent to adopt a Negative Declaration was completed and circulated for an approximately 30-day public review period on November 2, 2009, and the Planning Commission has considered the comments submitted during that period. As discussed in the Initial Study, the City of Beverly Hills is located within an urbanized area, is almost entirely built out, and includes established roadways, circulation patterns and utility services. While the Amendments update current City policies and programs, no specific development project is proposed at this time. The Amendments do not change: land use patterns; development envelopes, intensity, quality, scale, and density; or the pattern and distribution of development or circulation. Therefore, the Planning Commission, in the exercise of its independent judgment, finds that there is no substantial evidence in the record that the Amendments will have a significant effect on the environment, and that implementation of the Amendments would not result in direct physical changes or impacts to the environment. In many instances, these Amendments require additional conservation and protection of resources and enhancement of environmental and quality of life factors. Further, all new development and redevelopment projects in the City are required to be consistent with the general plan and development regulations established in the municipal code. As projects come forward in the future, each project will be reviewed for consistency with these documents and for impacts to the environment per CEQA. For the reasons summarized in this

resolution and discussed in further detail in the environmental checklist, the Planning Commission finds that implementation of the Amendments as a whole would not have a significant impact on the environment. Based on the foregoing, the Planning Commission hereby recommends that the City Council adopt a Negative Declaration pursuant to CEQA and the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000 – 15387).

Section 5. The record of proceedings, which includes all background information, reports and studies that were used in the development and refinement of the Step One Amendment language and the CEQA documentation, is maintained by the City as part of the official records of the Community Development Department at 455 North Rexford Drive, Beverly Hills, California, 90210.

Section 6. The Planning Commission hereby recommends that the City Council adopt the proposed Step One General Plan Amendments as set forth in Exhibit A.

Section 7. The Secretary of the Planning Commission shall certify to the passage, approval, and adoption of this resolution, and shall cause this resolution and his/her Certification to be entered in the Book of Resolutions of the Planning Commission of the City.

Adopted: 12/10/2009



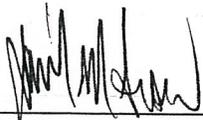
Nanette H. Cole
Chair of the Planning Commission of the
City of Beverly Hills, California

Attest:



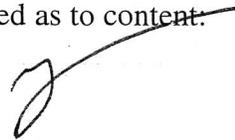
Secretary

Approved as to form:



David M. Snow
Assistant City Attorney

Approved as to content:



David Reyes
Acting City Planner

Exhibit A – Draft Amended General Plan Goals, Policies and Programs
Exhibit B – Negative Declaration and Initial Study

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF BEVERLY HILLS)

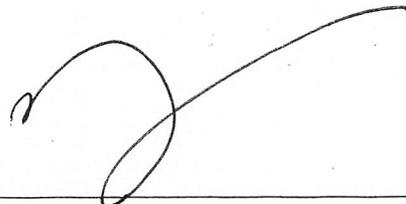
I, DAVID REYES, Acting Secretary of the Planning Commission and Acting City Planner of the City of Beverly Hills, California, do hereby certify that the foregoing is a true and correct copy of Resolution No. 1564 duly passed, approved and adopted by the Planning Commission of said City at a meeting of said Commission on December 10, 2009, and thereafter duly signed by the Secretary of the Planning Commission, as indicated; and that the Planning Commission of the City consists of five (5) members and said Resolution was passed by the following vote of said Commission, to wit:

AYES: Commissioners Corman, Furie, Yukelson, Vice Chair Bosse and Chair Cole.

NOES: None.

ABSTAIN: None.

ABSENT: None.



DAVID REYES
Acting Secretary of the Planning Commission/
Acting City Planner
City of Beverly Hills, California



City of Beverly Hills
Draft Amended General Plan Goals, Policies and Programs

Executive Summary



EXECUTIVE SUMMARY

The General Plan is the document that identifies our community's shared goals and values to achieve the community's vision of what the City should be in the next 20 years. The General Plan is revised and updated periodically to assure that the values, desires and vision captured within the document remain relevant, that the document considers new technologies and incorporates new State requirements, and over-time, that the General Plan contemplates changes to the community and the community's local and regional setting.

The City's General Plan was last updated in a comprehensive manner in 1976. Amendments included in the Draft Amended General Plan Goals, Policies and Programs will update the City's General Plan in respect to many of the issues and challenges facing the community today. The General Plan amendments do not include any changes to scale and density of buildings, and do not propose any changes in the pattern of land uses including, land use designations, development envelopes, street infrastructure, or increased traffic.

The current General Plan consists of nine elements, or "chapters". Each element addresses a singular topic important to the City. The elements in the current General Plan are: 1) Land Use; 2) Housing; 3) Open Space; 4) Circulation; 5) Scenic Highway; 6) Conservation; 7) Noise; 8) Safety; 9) Seismic Safety.

The Step One amendments provide updates to all of these elements, except the Housing Element, which will be updated separately in 2010. Additionally, the Step One Amendments include two new Elements to better address the community's vision, and delete the Scenic Highway Element because it is not in use and is no longer required by the State. Amendments proposed to the current General Plan are summarized for each element, both existing and new, as follows:

Land Use Element: Amendments to the Land Use Element maintain and enhance the community's unique qualities and the community's long-term stability. No changes in land use or building density are included. Key goals and policies strive to conserve existing residential neighborhoods, ensure compatibility among different uses, maintain economically vital and attractive commercial districts, promote environmental sustainability, and maintain and enhance the community's "green" infrastructure. No changes are proposed to the allowable sizes of buildings, however existing goals and policies related to scale and density of buildings are included in the document because this document is a complete record of the goals, policies and implementation programs in the General Plan.

Housing Element (Not Included): No amendments to this element are included in the Step One amendments, updates to the Housing Element will be addressed in a separate process.

Open Space: Amendments to the Open Space Element protect open space, maintain the City's urban forest and street trees, improve water and air quality, preserve visual resources and aesthetics such as scenic views, encourage and allow opportunities for parks and recreation facilities, and develop jogging and bikeway systems.



Circulation Element: Amendments to the Circulation Element maintain and improve traffic flow and intersection capacities, support a safe, comprehensive transit system, manage traffic in neighborhoods, support a parking system that balances goals for economic development, livable neighborhoods and public safety, promote a safe pedestrian and bicycling environment, and develop sufficient funding to support the City's mobility goals. No changes to existing street and traffic pattern or standards are included.

Conservation Element: Amendments to the Conservation Element preserve historic and cultural resources, maintain the community's high-quality water supply, treatment, distribution, pumping and storage systems; encourage water conservation, explore new water sources, maintain and upgrade wastewater treatment and storm drainage systems, provide adequate and orderly solid waste collection systems, continue and expand reduction, recycling and composting efforts, provide adequate, safe, dependable and affordable natural gas, electrical and telecommunications systems, and, phase out oil and gas extraction.

Noise Element: Amendments to the Noise Element minimize noise between adjacent uses, require noise mitigation measures when necessary, and minimize motor vehicle noise, non-transportation related noise impacts and construction noise on sensitive receptors.

Safety Element: Amendments to the Safety Element combine the existing Seismic Safety and Safety Elements, and protect human life and property from the risks of wildfires and urban fires, provide a well-equipped and responsive fire department, require existing and new development to address fire protection, reduce potential risk of flood or geologic hazards, protect the city from harmful exposure to hazardous materials, and ensure the City is prepared for natural or man-made disasters.

Scenic Highway Element (Deleted): No scenic highways have been designated in the City and this element is no longer required by the State, therefore the element is not useful in the City's General Plan and is being deleted.

Public Services Element (New): The Public Services Element is new in the General Plan. Policies in the Public Services Element maintain a high-quality police department and fire department, provide cultural resources and human services, provide state-of-the-art library facilities, cooperate with, and support, the Beverly Hills Unified School District to provide high-quality education.

Economic Sustainability Element (New): The Economic Sustainability Element is also new in the General Plan. Policies in the Economic Sustainability Element encourage a strong and sustainable economic base to maintain the level of service currently provided to residents, ensure the City continues to serve as a center for high-end retail, luxury lodging, entertainment, media and high value corporate opportunities, and enhance corridors that expand and nurture development opportunities outside the Business Triangle.

Implementation Programs: To realize the community's new and reinforced shared goals and policies, the Step One Amendments include new implementation programs that strive to fulfill the General Plan's policies in an effort to anticipate and provide for the current and future needs of the community.

Attachments #3, 4, and 5

Attached Separately