

Attachment 4

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS ADOPTING THE GENERAL PLAN 2008-2014 HOUSING ELEMENT UPDATE, AMENDING THE GENERAL PLAN SAFETY ELEMENT TO INCLUDE THE 2010-2015 HAZARD MITIGATION ACTION PLAN, AND ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Section 1. The State of California requires every jurisdiction to periodically update its Housing Element to assure the housing needs of the community are provided for. The City's current Housing Element was for the planning period of 1998-2005. The proposed Housing Element Update would be for the planning period of 2008-2014, with the 2005-2008 "gap" period being accounted for in the current document. The 2008-2014 Housing Element Update is attached hereto as Exhibit A and is hereby incorporated by reference.

Section 2. The Community Development Department oversaw the preparation of draft revisions to the City's Housing Element, with the ongoing input of the community, the Planning Commission and the City Council. Adoption of the 2008-2014 Housing Element Update will result in a Housing Element that better reflects the desires of the community while also maintaining consistency with current State legislation.

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 the City's Planning Commission. Drafts of the Housing Element have been provided to the Beverly Hills Unified School District and other local, county and State agencies. The Planning Commission held duly noticed study sessions regarding the proposed Amendments on September 10, 2009, September 24, 2009, March 25, 2010, April 22, 2010, May 13, 2010, July 8, 2010, and July 22, 2010, at which time interested parties were given an opportunity to provide testimony regarding the update. The State's Department of Housing and Community Development reviewed drafts of the document on November 19, 2010, June 21, 2011, and October 4, 2011.

Section 4. The State of California requires every jurisdiction to update its Hazard Mitigation Action Plan every five years. The current Hazard Mitigation Action Plan is for the 2010-2015 planning period and was adopted by the City Council on August 17, 2010, and approved by the Federal Emergency Management Agency (FEMA) on March 4, 2011. Amending the City's General Plan Safety Element to include the adopted Hazard Mitigation Action Plan (HMAP) is procedural and will enable the City to seek larger reimbursements for costs incurred responding to disasters. The 2010-2015 Hazard Mitigation Action Plan is attached hereto as Exhibit B and is hereby incorporated by reference.

Section 5. Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City completed an initial study to analyze whether the proposed update of the Housing Element and addition of the HMAP to the Safety Element (together "Update") would

result in any significant impacts. The Initial Study, a copy of which is attached hereto as Exhibit C and is hereby incorporated by reference, concluded that the Update would not result in any significant impacts on the environment. Thereafter, the Initial Study and Notice of Intent to Adopt a Negative Declaration were completed and circulated for public review and the City Council has considered the comments received during the 35-day comment period, which commenced on October 3, 2011 and ended at 5:00 pm on November 7, 2011. 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. The Update does not include modifications to development patterns or changes in the pattern of land uses established in the General Plan. The Update does not propose or contemplate specific development projects; however, goals and policies of the plans may result in future actions that could have environmental effects. All new development and redevelopment projects in the City, however, 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 City Council hereby finds on the basis of the whole record before it, including the initial study and any comments received, that there is no substantial evidence that the Update will have a significant effect on the environment and that the negative declaration prepared in connection with the Update represents the independent judgment and analysis of the City and the City Council. Therefore, the City Council hereby adopts the Negative Declaration. The

documents and other material which constitute the record of proceedings upon which this decision is based are located in the City's Community Development Department.

Section 6. The record of proceedings, which includes all background information, reports and studies that were used in the development and refinement of the Update 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. The custodian of records is the Director of Community Development.

Section 7. The City Council hereby adopts the 2008-2014 Housing Element Update, as set forth in Exhibit A.

Section 8. The City Council hereby amends the City's General Plan Safety Element to include the 2010-2015 Hazard Mitigation Action Plan, as set forth in Exhibit B.

Section 9. The City Clerk 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 City Council of the City.

Adopted: 11/15/2011

BARRY BRUCKER
Mayor of the City of Beverly Hills,
California

ATTEST:

(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:


LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:


SUSAN HEALY KEENE AICP
Director of Community Development

Exhibit A – 2008-2014 Housing Element Update
Exhibit B – 2010-2015 Hazard Mitigation Action Plan
Exhibit C – Negative Declaration and Initial Study