



AGENDA REPORT

Meeting Date: February 7, 2012

Item Number: F-7

To: Honorable Mayor & City Council

From: Susan Healy Keene, AICP, Director of Community Development

Subject: RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE CITY'S APPLICATION TO THE STATE OF CALIFORNIA FOR A SUSTAINABLE COMMUNITIES PLANNING GRANT TO IMPLEMENT GOALS AND POLICIES OF THE CITY'S UPDATED GENERAL PLAN BY FUNDING A GREENHOUSE GAS (GHG) EMISSIONS STUDY, A CLIMATE ACTION PLAN AND AN UPDATE TO THE ZONING CODE.

Attachments:

1. Resolution
2. Table of Previously Selected Projects

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution approving the City's application to the State for a Sustainable Communities Planning Grant in the amount of \$300,000 to \$500,000. The grant would implement goals and policies of the City's updated General Plan and Sustainable City Plan by funding a greenhouse gas (GHG) emissions study, a Climate Action Plan and an update to the Zoning Code. This is a highly competitive grant and selected projects will be announced in May, 2012. Should the City's project be selected, staff would return to the City Council for approval of a contract with the State to accept the grant.

INTRODUCTION

The State is seeking comprehensive strategies from local governments to achieve the States's sustainability goals. On behalf of the Strategic Growth Council (SGC), the California Department of Conservation manages competitive grants to cities, counties, and designated regional agencies to promote sustainable community planning and

natural resource conservation. The grant program supports development, adoption, and implementation of various planning documents including General Plan Elements, Zoning Codes, Sustainability Plans, Climate Action Plans and Mobility Plans.

The Department of Conservation (DOC), Division of Land Resource Protection (DLRP), Planning Grant and Incentive Program has announced a second round of Sustainable Communities Planning Grants funded through the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act of 2006 (Proposition 84). DOC has allocated approximately \$18 million of Proposition 84 funds for round two. The funds awarded will support development, adoption, and implementation of Sustainable Community planning throughout the State.

The grants awarded can be used to fund projects for up to three-years. Grant request amounts from \$100,000 to \$1,000,000 will be considered by DOC.

DISCUSSION

The City of Beverly Hills has demonstrated its commitment to sustainability by developing plans and implementing a variety of projects toward the goal of a more sustainable community:

- Adoption of revised General Plan with sustainability goals and policies
- Adoption of a Sustainable City Plan
- Adoption of a Housing Element pending State certification
- Adoption of an Urban Water Master Plan
- Implementation of water conservation projects and water-wise education
- Adoption of a Green Building Program with higher requirements than mandated by State law
- Qualification of City construction projects for green certification
- Installation of solar panels on City buildings
- Installation of drought-tolerant landscaping at City buildings
- Approval of initial funding for an update of the City's Zoning Code
- Adoption of Historic Preservation Ordinance.

Proposed Project

The City is seeking the State grant to accomplish the following initiatives:

Complete Local GHG Emissions Study

Assessment of local GHG emissions is the first step in the process to prepare a Climate Action Plan for the City (see illustration). The Open Space Element of the General Plan includes policies that direct the City to comply with pertinent State regulations to assess citywide GHG emissions for existing



land uses and the adopted General Plan build-out.

Develop a Climate Action Plan

A Climate Action Plan would assist the City in compliance with statewide greenhouse gas reduction goals as established by AB 32 (California Global Warming Solutions Act), which is a goal of the City's General Plan. Meeting the goals of AB 32 is also a key selection criterion for the grant.

Conduct an Update of the City's Zoning Code

The City Council has already authorized \$150,000 for a Zoning Code Update but this will not fund the entire project. The \$150,000 is expected to fund phase 1, reformatting and reorganizing the Code for clarity and ease of use, and a budget request is being made to fund phase 2, a comprehensive update of the City's R-1 Zoning standards. The grant funds sought by the City would fund a third phase to incorporate into the Zoning Code the General Plan goals and policies regarding sustainability.

The Sustainable City Plan, adopted by the City in 2009, stresses the importance of linking projects and programs in such a way that their outcomes build on each other, increasing effectiveness in the goal of achieving greater sustainability. By linking a Climate Action Plan with phase three of the City's Zoning Code Update, the City can most effectively support sustainable development.

Resolution

The grant application is required to include the attached resolution approving the City's application. The language in the resolution is required by the State. Below is information about each section of the resolution:

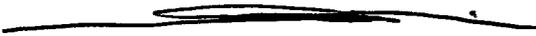
- Section 1. A complete application must be filed with the State online by February 15, 2012. Staff is completing the application, including budgets for the three project elements, and the final application will be reviewed by the Community Development and Public Works Directors prior to submittal.
- Section 2. The proposed project tasks are either in the current City budget or are contemplated for inclusion in a future budget. Staff is requesting a grant in an amount that will fully fund consultant costs to complete the GHG Emissions Analysis and Climate Action Plan, will fund completion of the Zoning Code Update (the City has already approved \$150,000 for a consultant), and will fund a portion of staff time, including legal cost, to administer the consultant contracts and review the documents produced. As a result, the City would have sufficient funds to complete the projects.
- Section 3. The City's proposal is consistent with the State's Planning Priorities as summarized in the resolution and these State Priorities are consistent with the City's General Plan.
- Section 4 & 5. The City's application must be consistent with threshold requirements in the grant Guidelines including the State's Planning Priorities (addressed above), the California Global Warming Solutions Act of 2006 (AB 32), any applicable regional plan, and, where appropriate, consistent with the Ocean

Protection Council Resolution on Sea Level Rise. The City must already comply with the State's Planning Priorities and AB 32 and Beverly Hills is not included on the Cal-Adapt Sea Level Rise Threatened Areas Map.

- Section 6. The City's grant application would be in Grant Focus Area 1 and the collaboration requirement can be fulfilled with a letter from the regional entity concurring that the City's proposal is consistent with the region's goals. Staff is working with SCAG (Southern California Association of Governments) on a letter.
- Section 7. The City Manager, or his designee, is proposed as the responsible agent for this grant application and subsequent agreements, etc.

FISCAL IMPACT

The City seeks a grant of \$300,000 to \$500,000 from the State which, combined with the \$150,000 already allocated by the City Council for the Zoning Code Update, would allow the City to complete the proposed projects, thereby completing key portions of the Beverly Hills Sustainable City Plan. The \$150,000 already allocated by the City Council is important to the grant application because leveraging of grant funds by the local government is considered by the grant selection committee in awarding the grants.



Scott Miller
Chief Financial Officer
Finance Approval



Susan Healy Keene, AICP
Director of Community Development
Approved By

Attachment 1

RESOLUTION NO. 12-R-

RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS APPROVING THE CITY'S APPLICATION TO THE STATE OF CALIFORNIA FOR A SUSTAINABLE COMMUNITIES PLANNING GRANT TO IMPLEMENT GOALS AND POLICIES OF THE CITY'S UPDATED GENERAL PLAN BY FUNDING A GREENHOUSE GAS (GHG) EMISSIONS STUDY, A CLIMATE ACTION PLAN AND AN UPDATE TO THE ZONING CODE.

WHEREAS, the Legislature and Governor of the State of California have provided funds for the Sustainable Communities Planning Grant and Incentives Program (“Grant Program”) under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84); and

WHEREAS, the Strategic Growth Council has been delegated the responsibility for the administration of this Grant Program, establishing necessary procedures; and

WHEREAS, said procedures require all award recipients commit to threshold requirements;

WHEREAS, said procedures established by the Strategic Growth Council require a resolution certifying the approval of the application by the applicant’s governing board before submission of said application to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the development of the City of Beverly Hills’ Grant Proposal (“Proposal”); and

WHEREAS, the City of Beverly Hills (“City”) desires to utilize the Grant Program funds to implement goals and policies of the City’s updated General Plan by funding a greenhouse gas (GHG) emissions study, a climate action plan and an update to the zoning code:

The Council of the City of Beverly Hills does hereby resolve as follows:

Section 1. The City Council hereby:

- a. Approves the filing of an application to the State of California for the GHG Emissions Study, Climate Action Plan and Zoning Code Update in order to become a more sustainable community; and
- b. Certifies that the City will have sufficient funds to develop the Proposal or will secure the resources to do so; and
- c. Certifies that the Proposal will comply with any applicable laws and regulations including consistency with the State's Planning Priorities identified in Government Code section 65041.1 and summarized below:
 - i. Promote infill development and invest in existing communities;
 - ii. Protect, preserve and enhance agricultural land and natural resources; and,
 - iii. Encourage location and resource efficient new development; and
- d. Certifies that threshold requirements outlined in the Grant Program guidelines, including consideration of Ocean Protection Council Sea Level Rise Guidance will be met; and
- e. Agrees to reduce, on as permanent a basis as feasible, greenhouse gas emissions consistent with California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 3850) of the Health and Safety Code) and any applicable regional plan; and
- f. Agrees to meet the Collaboration Requirements of the focus area applicable to the Proposal; and includes all required documents in the application package; and

Section 2. The City Council appoints the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned Proposal.

Section 3. The City Clerk shall certify to the adoption of this Resolution and shall cause this Resolution and his certification to be entered in the Book of Resolutions of the Council of the City.

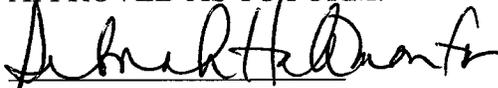
Adopted:

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
Director of Community Development

SCOTT G. MILLER
Director of Administrative Services/
Chief Financial Officer

Attachment 2

CA Sustainable Communities Grant Program

Total of \$18 Million available for 2nd round funding; applications due 2/15/12
Individual grants are \$100,000 to \$1 million.

A sample of projects that received funding in 2010

Capitola	Targeted General Plan Update	\$100,000
Concord	Climate Action Plan & Natural Resource Conservation Plan	\$859,970
Dana Point	Doheny Village Plan (plan to revitalize original downtown area of Capistrano Beach)	\$340,000
Mendocino	Mendocino County & Cities Collaborative Sustainable Communities Program – Development of the Mendocino County Sustainable Land Use Code & Stormwater Ordinance and several projects for the Cities of Ukiah and Fort Bragg including two Climate Action Plans, a General Plan Sustainability Element, a GHG Emissions inventory and downtown Zoning Code	\$461,340
Morgan Hill	Solar Highways Pilot Project – Creating solar power in express freeway Right of Way	\$380,000
Richmond	Form-Based Code for Richmond's Commercial Corridors	\$895,210
San Luis Obispo	Comprehensive Update to the San Luis Obispo City Land Use and Circulation Elements	\$880,000
Santa Monica	Memorial Park Master Plan (turning an industrial area into a park)	\$550,000
South Gate	Comprehensive Form-Based Zoning Code	\$380,000
South San Francisco	Climate Action Plan & Pedestrian Master Plan	\$323,624