



## Staff Report

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### Honorable Mayor and Members of the Hermosa Beach City Council Regular Meeting of August 22, 2017

#### **PUBLIC HEARING TO CERTIFY THE PLAN HERMOSA FINAL ENVIRONMENTAL IMPACT REPORT (EIR) AND ADOPT PLAN HERMOSA** (Community Development Director Ken Robertson)

#### **Recommended Action:**

It is recommended that the City Council take the following actions:

- Adopt the resolution provided in **Attachment 1**:
  - certifying the Final Environmental Impact Report,
  - adopting the Mitigation Monitoring and Reporting Program, and
  - adopting the Project Findings and Statement of Overriding Considerations.
- Adopt the resolution provided in **Attachment 2**:
  - adopting PLAN Hermosa, the integrated General Plan and Coastal Land Use Plan for the City of Hermosa Beach,
  - adopting the PLAN Hermosa implementation actions,
  - directing staff to work with the Coastal Commission to review PLAN Hermosa for conformance with the California Coastal Act.

#### **Background:**

State Planning and Zoning Laws require the City to adopt and regularly update a General Plan to guide “the physical development of the city and any land outside its boundaries that bears relation to its planning.” A General Plan is the local government’s long-term blueprint for how we use and manage our physical, social, and economic resources. The General Plan represents the community’s vision for the future and expresses the land use and development goals and policies needed to achieve that vision. Typically, a General Plan is designed to consider and address the current and future issues facing the community over the next 15 to 25 years.

Additionally, the California Coastal Act of 1976 was approved by voter initiative to “ensure maximum public access to the coast and public recreation areas”. The Coastal Act provides direction to each local government with land in the Coastal Zone to prepare a Local Coastal Program (LCP). Roughly half of Hermosa Beach lies within the Coastal Zone and therefore the City is required to prepare a Local Coastal Program - consisting of goals and policies in the Coastal Land Use Plan, and municipal code provisions that carry out the policies in the Implementation Plan.

While the City has made minor or topic specific updates to the General Plan and Coastal Land Use Plan, the last comprehensive update to these two documents occurred in 1979 and 1981, respectively. Since it can be a large undertaking, most communities update their general plan every 10 to 15 years to ensure the plan reflects community values and addresses current issues.

In July 2013, the City of Hermosa Beach initiated the process of updating and integrating the City's General Plan and Coastal Land Use Plan, collectively referred to as PLAN Hermosa. The City received two grants for this effort, from the Strategic Growth Council for a 'Comprehensive Blueprint for Sustainability and a Low Carbon Future' and from the Coastal Commission for Local Coastal Program Assistance.

The work products prepared for PLAN Hermosa thus far, including background reports, issue papers, and community engagement materials and results are available on the City's webpage at <http://www.hermosabch.org/index.aspx?page=767>. Previous activities as well as plans already adopted by the City and other background resources may also be reviewed at this webpage.

#### **Environmental Impact Report (EIR):**

An EIR is an informational document to provide the public and decision makers with information on the environmental effects of proposed actions. The EIR evaluates the direct physical environmental effects that may occur through the implementation of PLAN Hermosa as well as the indirect physical effects, based on "significance thresholds" adopted or accepted by agencies or by the City, which serve as benchmarks for determining if a component action will result in a significant adverse environmental impact.

The City of Hermosa Beach prepared the PLAN Hermosa Program EIR (State Clearinghouse #2015081009) in its capacity as lead agency under CEQA and in compliance with CEQA. The EIR consists of:

- the Revised Draft EIR including technical appendices (Attachment 1E),
- the Responses to Comments (Attachment 1A),
- Revisions to the Draft EIR (Attachment 1B),
- Mitigation Monitoring and Reporting Program (Attachment 1C), and
- the Project Findings and Statement of Overriding Considerations(Attachment 1D).

#### **City Council Role:**

An EIR must be certified before the decision-makers can rely on it in deciding whether or not to approve a project. The City Council's first role is to take action on whether to certify the Final Environmental Impact Report. Certification is appropriate when the document: (1) has been developed in compliance with CEQA; (2) was presented to decision-makers for consideration prior to approving the project; and (3) that the EIR reflects the City's independent judgment and analysis. The recommended findings are set forth in the resolution in **Attachment 1** and a summary of the EIR process is provided in this staff report.

#### **EIR Development Proceedings:**

##### *Notice of Preparation*

Pursuant to the California Environmental Quality Act, the City, acting as Lead Agency, circulated a Notice of Preparation (NOP) for the project on August 7, 2015, beginning a 30-day review period. As part of the scoping

process, the City prepared a description of the project, identified proposed project objectives, and identified the potential environmental issues to be evaluated.

A public scoping meeting was held to take public comment on the NOP at the Planning Commission meeting on August 18, 2015, in the Hermosa Beach City Council Chambers. The NOP and letters received in response to the NOP from both public agencies and members of the public are included in Appendix B of the Draft EIR.

### *Draft Environmental Impact Report*

Following the Notice of Preparation period, the City prepared the Draft Environmental Impact Report (DEIR) evaluating PLAN Hermosa's potential direct, indirect, and cumulative environmental impacts on the following issues:

- Aesthetics and Visual Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise and Vibration
- Population, Housing, and Employment
- Public Services, Community Facilities, and Utilities
- Transportation

The DEIR also analyzed three alternatives to the proposed project: Alternative 1 - Retain Existing General Plan/Coastal Land Use Plan (the No Project Alternative); Alternative 2 - Achieve Carbon Neutrality by 2030 (the 2030 Carbon Neutral Alternative); and Alternative 3 - Stronger Retention of Visual and Cultural Resources (the Character Retention Alternative). The Character Retention Alternative was determined to be the environmentally superior alternative. The Planning Commission and the City Council have reviewed and discussed the alternatives and made findings for each alternative to determine that they are infeasible.

The Draft EIR was circulated for a 72-day public comment period beginning October 26, 2016 and ending on January 5, 2017. As part of the Draft EIR review process, the Planning Commission held a special meeting on November 21, 2016 to take public comment on the Draft EIR.

### *Final Environmental Impact Report*

The City received comment letters from public agencies and the public regarding the Draft EIR. This document responds to the comments received, as required by CEQA. As prescribed by CEQA Guidelines Sections 15088 and 15132, the lead agency (in this case, the City of Hermosa Beach) is required to evaluate comments on environmental issues received from persons who have reviewed the Draft EIR and to prepare written responses to those comments. This Final EIR contains individual responses to each comment received during the public review period for the Draft EIR. In accordance with CEQA Guidelines Section 15088(c), the written

responses describe the disposition of significant environmental issues raised, detailed in **Attachment 1A**. The City and its consultants have provided a good faith effort to respond in detail to all environmental issues raised by the comments.

The Final EIR was circulated on February 9, 2017 and all required notifications were provided pursuant to CEQA (Public Resources Code Section 21092.5). The Planning Commission held Public Hearings on February 22, 23, 27, and March 13, 21, and 27, 2017 to review PLAN Hermosa and the Final EIR and recommended changes to the EIR based on changes to the goals and policies, implementation actions, and mitigation measures.

Following the Planning Commission's recommendation, the City Council held Study Sessions on April 20, May 23, May 31, and June 13, 2017 to review and discuss key elements of PLAN Hermosa and the Environmental Impact Report. The City Council also held Public Hearing(s) on July 11 and July 17, 2017 to review and discuss additional changes.

The Final EIR has been updated to reflect Planning Commission and City Council input and is included as **Attachment 1B**.

Part of the complete package of documents that encompasses the Final EIR is the analysis of impacts and alternatives conducted during the Draft EIR phase. Typically the Final EIR only contains an errata sheet of the changes to the document between the Draft and Final EIRs, rather than fully incorporating all changes back into the Draft EIR. However, since this is a programmatic EIR that is expected to be used to support future environmental analysis conducted by the City, staff has prepared a Revised Draft EIR (dated August 2017) that does not change the analysis, but incorporates all of the final policy and implementation actions recommended by the Planning Commission and City Council in PLAN Hermosa. The August 2017 Revised Draft EIR is provided as **Attachment 1E**.

#### *Mitigation Monitoring and Reporting Program*

The Mitigation Monitoring and Reporting Program, provided in **Attachment 1C** has been revised to reflect the Planning Commission and City Council's input on the feasibility of implementing mitigation measures. Pursuant to Section 15091 (a)(1) of the CEQA Guidelines, the City Council needs to determine that changes or alterations have been required in the project that, to the extent feasible, substantially lessen the significant environmental effects identified in the EIR and identify those changes in a Mitigation Monitoring and Reporting Program. In accordance with Section 15091 (d), and Section 15097 of the CEQA Guidelines, a public agency is required to adopt a program for reporting or monitoring required changes or conditions of approval to substantially lessen significant environmental effects.

#### *Project Findings and Statement of Overriding Considerations*

The Project Findings and Statement of Overriding Considerations as drafted in **Attachment 1D**, are presented by the City of Hermosa Beach as the City's findings under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) relating to the Project. The Findings provide the written analysis and conclusions of this City Council regarding the Project's environmental impacts, mitigation measures, alternatives to the Project, and the overriding considerations, which in this City Council's view, justify approval of PLAN Hermosa, despite environmental effects that cannot be mitigated below a level of significance. The Planning Commission and City Council provided input to make findings related to the alternatives to the proposed project, which are documented in the Statement of Overriding Considerations.

### *Tribal Consultation*

In accordance with Senate Bill 18 (SB 18) and Government Code 69352.3, and Assembly Bill 52 (AB 52) and Government Code 21000, the City of Hermosa Beach requested a list of Tribal Organization contacts from the Native American Heritage Commission in April 2014. The City of Hermosa Beach sent notifications to the appropriate tribal organizations in January 2015 in compliance with SB 18, and again in August 2015 to comply with AB 52. The City has complied with the requirements for tribal consultation and the findings of consultation process can be found in **Attachment 1D**.

### Findings to Recommend Certification:

Based on the facts and the entire record of the proceedings, the City Council can make the findings needed to certify the Environmental Impact Report for PLAN Hermosa and adopt the resolution provided as **Attachment 1**.

### **PLAN Hermosa**

#### City Council Role:

The City Council's second responsibility is to take action regarding adoption of PLAN Hermosa to serve as the City's integrated General Plan and Coastal Land Use Plan. The Final Recommended Draft of PLAN Hermosa was prepared in July 2017 in response to Council discussion and direction during study sessions and public hearings held on April 20, May 23, May 31, June 13, July 11, and July 17, 2017. The City Council should also provide any additional changes to PLAN Hermosa to be read into the record as part of the action taken during the Public Hearing.

Adoption of PLAN Hermosa is appropriate when findings can be made that it is (1) consistent with and reflective of the City's continuing goals, policies, actions and intent to adopt a general plan for the physical development of the City; (2) meets the requirements of, and is in conformance with the policies and requirements of Chapter 3 of the California Coastal Act, (3) has offered the public an opportunity to participate in the development of the plan through public hearings or other means deemed appropriate by the City. The recommended findings are set forth in the resolution in **Attachment 2** and summarized below in this staff report.

#### PLAN Hermosa Review Proceedings:

The Public Review Draft of PLAN Hermosa was made available to the public on December 15, 2015. Digital copies of the document were posted on the City's website, and hard copies were available for review at the Community Development Counter of City Hall, the Police Department, the Community Center and the Hermosa Beach Library. Hard copies were also made available to the community free of charge from the Community Development Department. A city-wide mailing was produced and sent to all addresses within the City in January 2016 to let the community know about opportunities to provide input or participate in meetings related to PLAN Hermosa. The entire documentation of community engagement events is provided in **Attachments 3A - 3F**.

Written comments on the Public Review Draft of PLAN Hermosa were encouraged to be submitted between December 15, 2015 and February 25, 2016 and were presented for consideration by the City's Commissions during their review of PLAN Hermosa. Opportunities to provide verbal comments were available at the following public meetings:

- January 25, 2016 - Joint Study Session of the Planning Commission, Public Works Commission, Parks and Recreation Commission, and Emergency Preparedness Advisory Commission
- January 26, 2016 - Study Session of the City Council
- February 5-6, 2016 - Community Open House and Walking Tours

#### *City Commission Review*

Following the release of the Public Review Draft of PLAN Hermosa, the Planning Commission, Public Works Commission, Parks and Recreation Commission, and Emergency Preparedness Advisory Commission held public meetings to review the Public Review Draft of PLAN Hermosa between March 2016 and June 2016 on the following dates:

- March 15, 2016 - Planning Commission Study Session (Land Use + Design Element)
- March 28, 2016 - Planning Commission Study Session (Land Use + Design Element)
- April 5, 2016 - Parks and Recreation Commission Meeting (Parks + Open Space Element)
- April 18, 2016 - Planning Commission Study Session (Land Use + Design Element)
- April 19, 2016 - Planning Commission Study Session (Mobility Element)
- April 25, 2016 - Planning Commission Study Session (Mobility Element)
- May 9, 2016 - EPAC Meeting (Public Safety Element)
- May 16, 2016 - Planning Commission Study Session (Sustainability + Conservation)
- May 18, 2016 - Public Works Commission Meeting (Mobility Element)
- June 15, 2016 - Public Works Commission Meeting (Infrastructure, Public Safety Elements)
- June 20, 2016 - Planning Commission Study Session (Governance, Parks + Open Space, Infrastructure Elements)
- June 21, 2016 - Planning Commission Study Session (Public Safety Element)

Through these meetings, all of the Commissions have recommended modifications to the document. The changes to PLAN Hermosa that the Planning Commission recommends to the City Council include input from the Public Works Commission, Parks and Recreation Commission, and Emergency Preparedness Advisory Commission and have been incorporated into the Planning Commission Recommended Draft of PLAN Hermosa.

#### *Planning Commission Recommended Draft of PLAN Hermosa:*

The Planning Commission has held duly noticed Public Hearings on the following dates:

- February 22, 2017
- February 23, 2017
- February 27, 2017
- March 13, 2017
- March 21, 2017
- March 27, 2017

The public hearings were held by the Planning Commission to review PLAN Hermosa and the Final EIR and identify changes to goals and policies to PLAN Hermosa and provide direction on which changes should be incorporated into the March 2017 Planning Commission Recommended Draft of PLAN Hermosa.

#### *City Council Review of PLAN Hermosa*

Following a recommendation from the Planning Commission, the City Council began their review of PLAN Hermosa and the Environmental Impact Report. The City Council held four study sessions to review PLAN Hermosa on the following dates:

- April 20, 2017
- May 23, 2017
- May 31, 2017
- June 13, 2017

During these meetings, the City Council reviewed and provided input on the following key components of the plan:

- Vision Statement + Guiding Principles
- Greenhouse Gas Reductions + Municipal Carbon Neutrality
- Historic Resources
- Community Character Areas
- Transportation Network
- Parking Management Strategies
- Coastal Access + Coastal Act Consistency
- Prominent Public Views
- Coastal Hazards + Sea Level Rise

The City Council took community input, discussed, and provided direction to staff regarding any changes, deletions, or additions to be considered in the final document. Staff documented the proposed changes, and provided additional information for City Council consideration during Public Hearing(s) on July 11 and July 17, 2017. Following the Public Hearing on July 17, 2017, a Final City Council Draft of PLAN Hermosa was prepared incorporating the proposed changes, and is provided as **Attachment 2A**. This revised draft was made available to the public on July, 27, 2017 - approximately three and a half weeks prior to the public hearing. A summary of the changes to the key topics is provided below and a complete matrix of changes made to the document are provided in **Attachment 4**. The City Council should identify whether any additional changes are needed to the City Council Final Draft of PLAN Hermosa so they may be read into the record as part of the action taken during the Public Hearing on August 22, 2017.

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Topic	Summary of Changes	Updated PLA Hermosa Pag
Community Green Gas Reduction	The Planning Commission recommended the goal to meet greenhouse gas reduction goals by 2040, which equates by 66% below 2005 levels by 2040. Council retained the Planning Commission to reduce emissions by 66% below modifying the language to add the words "or exceed" to the while remaining consistent with the recommended goal.	pages 147, 149, 153
Municipal Green Gas Reduction	The Planning Commission recommendation included the Neutral goal adopted by Council in 2015 and deferred to Council progress toward that goal. Council evaluated progress toward Carbon Neutral goal adopted in 2015, and refined the goal to 80% reduction from 2005 levels by 2033 for municipal facilities.	pages 147, 1
Historic Resources	The Planning Commission recommended a voluntary appointment designation of historic resources. Council retained the Planning Commission recommended changes.	pages 68, 11
Prominent Public Views	The Planning Commission recommended the identification of public views and policies to evaluate those views in the development and infrastructure projects. Council retained the Planning Commission recommended changes	pages 166, 167, 179
Transportation Network	Council made changes to the Bicycle Transportation network adopted 2011 South Bay Bicycle Master Plan, added policies and actions for regular review and evaluation of bicycle facilities and term traffic calming.	pages 128, 134, 136, 138, 141
Parking Management Strategies	Council added policies regarding shared parking facilities for the construction of any new parking facilities, and the use of and pick up zones.	pages 124, 127, 139
Community Character Areas	Council retained the Planning Commission recommendation to emphasize on gateways and strategies	pages 89, 100, 104
Land Use Design	Council retained the Planning Commission recommendation to consider individual requests for changes.	pages 78, 100
Coastal Access Coast Act Consistency	Council retained the Planning Commission recommendation	pages 168, 171, 180, 181
Coastal Hazards Level Rise	Council retained the Planning Commission recommendation	pages 188, 196, 211, 212



### *Implementation Actions*

At the time the Draft Environmental Impact Report was circulated for public comment in October 2016, the City also prepared a set of proposed Implementation Actions. These Implementation Actions were drafted following the City's Commissions' Review of PLAN Hermosa, and considered Commission comments on the goals and policies to create a work program to be implemented following formal adoption of PLAN Hermosa. The Planning Commission and City Council provided input and the implementation actions have been revised as noted in **Attachment 2B**.

### Findings to Recommend Adoption:

Based on the facts and the entire record of the proceedings, the City Council can make the findings needed to adopt PLAN Hermosa and adopt the resolution provided as **Attachment 2**.

### Attachments:

1. City Council EIR Resolution
  - A. Final Environmental Impact Report - Public Comments + Response to Comments
  - B. Final Revisions to the Draft EIR based on changes to PLAN Hermosa and Implementation Actions
  - C. Mitigation Monitoring and Reporting Program
  - D. Project Findings and Statement of Overriding Considerations
  - E. Revised Draft Environmental Impact Report (updated PLAN Hermosa policies August 2017)
2. City Council Resolution on PLAN Hermosa
  - A. August 2017 Final City Council Draft PLAN Hermosa
  - B. PLAN Hermosa Revised Implementation Actions
3. Community Engagement Results
  - A. Summer 2013 Community Celebration
  - B. May 2014 Key Issues Workshop
  - C. November 2014 Vision and Guiding Principles Workshop
  - D. March 2015 Walking Tours
  - E. Comments Submitted on December 2015 Draft of PLAN Hermosa
  - F. Comment Letters Submitted to the Planning Commission
4. City Council Matrix of Changes to PLAN Hermosa

**Respectfully Submitted by:** LeeAnne Singleton, Environmental Analyst

**Concur:** Ken Robertson, Community Development Director

**Legal Review:** Lauren Langer, Assistant City Attorney

**Approved:** Sergio Gonzalez, City Manager