

REPORT TO CITY COUNCIL

DATE: JANUARY 11, 2012

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST TO ADOPT RESOLUTION NO. 12-1658 AUTHORIZING AN APPLICATION FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVE PROGRAM

The purpose of this item is to seek City Council authorization to apply for the Sustainable Communities Planning Grant and Incentive Program. The State of California Strategic Growth Council (SGC) is currently soliciting applications for the Sustainable Communities Planning Grant and Incentive Program (Planning Grant). As background, the SGC was established by SB 732 (Sustainable Communities and Climate Protection Act of 2008), and is a cabinet level committee that is responsible for coordinating the activities of member state agencies, “so they assist and support the planning and development of sustainable communities which strengthen the economy, ensure social equity, and enhance environmental stewardship.” Member state agencies include the Office of Planning and Research; the Business, Housing and Transportation Agency; and the Natural Resources Agency, among others.

The objectives of the Planning Grant are to:

- Improve air and water quality
- Promote public health
- Promote equity
- Increase housing affordability
- Promote infill and compact development
- Revitalize urban and community centers
- Protect natural resources and agricultural lands
- Reduce automobile usage and fuel consumption
- Improve infrastructure systems
- Promote water conservation
- Promote energy efficiency and conservation
- Strengthen the economy

The Program is funded by Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Proposition 84 authorized the State Legislature to appropriate \$90 million for planning grants and incentives that encourage the

development of regional and local land use plans designed to address the above objectives. Cities and counties are eligible to apply for funding under this competitive grant process.

The City Planning and Community Development Department proposes to apply for the Planning Grant under the “Focus Area #1: Local Sustainable Planning.” Examples of eligible proposals in this category include specific plans, infill plans and zoning ordinances, among others. As such, the Planning and Community Development Department proposes to request funding to prepare a specific plan for Subarea 5 (North Agoura Road Planning Area), as identified in the General Plan 2035. This 27-acre area is bound on the north by Roadside Drive, on the east by Kanan Village Center, on the south by Agoura Road, and on the west by the County Animal Shelter. This area is characterized by underutilized and irregular shaped parcels, and consists of the haphazard development of a range of uses, from open yards, to storage facilities, to office buildings, and a church. The General Plan calls this area out specifically, and the intent for this area is indicated by the following goal:

Goal LU-24

Mixed-Use Center. Cohesive and integrated redevelopment of the properties as a center of community commerce and living with a distinct community identity that transitions from and complements the uses and development character of Agoura Village.

To implement this goal, and the several related General Plan policies for Subarea 5, Implementation Measure LU-19 calls for the preparation and implementation of a specific plan, master plan, design guidelines or other regulatory document. Subarea 5 is zoned, and has a land use designation of, “Planned Development,” which means that a regulatory document must be referred to for allowed land uses and development standards. City staff initially explored the various types of documents that may be prepared for Subarea 5, and concludes that a specific plan is the most appropriate since a specific plan is regulatory and establishes standards and requirements for the given area.

Currently, the Zoning Code requires a Conditional Use Permit (CUP) for development in Subarea 5 until such time as a specific plan is prepared. Presently, the standards to which a potential development are evaluated are those of the Business Park-Manufacturing (BP-M) zone (i.e., the previous zoning of the area), along with the General Plan goals and policies for Subarea 5. The purpose of requiring a CUP until the specific plan is completed is to ensure that development will be carefully evaluated for consistency with the General Plan goals and policies for Subarea 5. Staff would note that we have already begun discussions with a major property owner in Subarea 5 regarding options for land use and development. Therefore, it is important that a specific plan for Subarea 5 be prepared as soon as possible so that there are definitive policies and direction to guide development in this area.

If awarded funding, Planning and Community Development Department staff intends to prepare a specific plan with the assistance of a consultant. The specific plan, which is subject to review and approval by the Planning Commission and City Council, would propose infill development with a mix of uses, and would contain a circulation plan to promote pedestrian activity and to ensure adequate vehicle and pedestrian access to parcels. The specific plan would provide all elements identified in General Plan Implementation Measure LU-19 to, “create a cohesive and

integrated redevelopment of the properties with a mix of uses and densities to provide economic value,” including establishing allowed land uses, as well as site, landscape, building, and streetscape development and design standards.

As funding for the Planning Grant is through Proposition 84 (Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006), proposals must meet the following four threshold requirements to be considered eligible for funding:

- (1) Be consistent with the State Planning Priorities (Government Code Section 65041.1), which include: promoting infill development and investing in existing communities; protecting, preserving and enhancing environmental and agricultural lands and natural and recreational resources; and encouraging location- and resource-efficient new development.
- (2) Address, as feasible, greenhouse gas emissions consistent with the California Global Warming Solutions Act of 2006 and any applicable regional plan.
- (3) Meet the “Collaboration Requirements” through the Southern California Association of Governments (SCAG), verifying that the Planning Grant application is consistent with regional planning goals.
- (4) Plan for sea level rise, where appropriate, consistent with the Ocean Protection Council Resolution on Sea Level Rise and related guidance.

Upon receiving City Council authorization to proceed, staff will prepare the Planning Grant application with a detailed proposal and scope of work that is best customized to Agoura Hills and the City’s needs, yet addressing the above threshold requirements, as well as the objectives of the Planning Grant mentioned on the first page of this report. The SGC has indicated that proposals funded will not be less than \$100,000 or greater than \$1 million dollars each. Staff estimates the requested grant amount to be \$300,000. There is no local matching fund required. The Planning Grant reimburses the grantee periodically up to the total grant amount for expenses incurred. These expenses may include consultant fees as well as staff hours working on the project.

Applications are due on February 15, 2012, and the application requires providing a resolution of support from the City Council. The attached resolution authorizes the City’s participation in the Planning Grant and authorizes the City Manager, or his designee, to execute all documents associated with the Planning Grant.

Staff supports an application for this grant, as it would fulfill Goal LU-24 and Implementation Measure LU-19 of the General Plan to proactively plan for this vital area. It also relieves impact on the City’s budget for consultant costs associated with preparation of the specific plan, and helps offset staff costs as well.

RECOMMENDATION:

Staff recommends the City Council adopt Resolution No. 12-1658 authorizing an application for the Sustainable Communities Planning Grant and Incentive Program, and directing the City Manager, or his designee, to execute all documents associated with the Planning Grant.

Attachment: Resolution No. 12-1658

RESOLUTION NO. 12-1658

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, AUTHORIZING AN APPLICATION FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVE PROGRAM

WHEREAS, the Legislature and Governor of the State of California have provided funds for the Sustainable Communities Planning Grant and Incentive 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 State of California Strategic Growth Council has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the Strategic Growth Council require a resolution certifying the approval of an application by the City Council before submission of the proposal application to the state; and

WHEREAS, the City, if selected, will enter into an agreement with the State of California to carry out the development of the proposal; and

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, HEREBY:

1. Approves the filing of an application for the Sustainable Communities Planning Grant and Incentive Program for the North Agoura Road Planning Area (Subarea 5); and
2. Certifies that the City will have sufficient funds to develop the proposal or will secure the resources to do so; and
3. Certifies that the proposal will comply with any applicable laws and regulations, including being consistent with the State Planning Priorities identified in Government Code Section 65041.1 and summarized below:
 - a. Promote infill development and invest in existing communities
 - b. Protect, preserve and enhance agricultural land and natural resources; and
 - c. Encourage location- and resource-efficient new development; and
4. Certifies that threshold requirements outlined in the program guidelines, including consideration of Ocean Protection Council Sea Level Rise Guidance will be met; and
5. Agrees to reduce, on as permanent a basis as feasible, greenhouse gas emissions consistent with the California Global Warming Solutions Act of 2006 [Division

25.5 (commencing with Section 3850) of the Health and Safety Code]; any applicable regional plan; and

6. Agrees to meet the collaboration requirements of the focus area applicable to the proposal; and includes all required documents in the application package; and
7. 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 project.

PASSED, APPROVED, AND ADOPTED, this 11th day of January, 2012 by the following vote to wit:

AYES: ()
NOES: ()
ABSTAIN: ()
ABSENT: ()

John M. Edelston, Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk