



**STAFF REPORT
CITY OF IMPERIAL BEACH**

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANDY HALL, CITY MANAGER *AH*

MEETING DATE: JULY 17, 2019

ORIGINATING DEPT.: COMMUNITY DEVELOPMENT DEPARTMENT *SD*

SUBJECT: PUBLIC HEARING: RESOLUTION NO. 2019-8052 APPROVING THE FINAL NEGATIVE DECLARATION (FND), RESOLUTION NO. 2019-8053 APPROVING THE MOBILITY ELEMENT OF THE LOCAL COASTAL PROGRAM/ GENERAL PLAN (LCP/GP) UPDATE, AND RESOLUTION NO. 2019-8054 APPROVING THE CLIMATE ACTION PLAN (CAP) FOR THE RESILIENT IMPERIAL BEACH (RIB) PROJECT. (MF 1234)

EXECUTIVE SUMMARY:

The City of Imperial Beach has been in the process of updating its Local Coastal Program/General Plan (LCP/GP) for two years. This effort was to translate Sea Level Rise (SLR) adaptation strategies and Climate Change/ Greenhouse Gas (GHG) mitigation measures into LCP policies and a Climate Action Plan (CAP). A number of public meetings were held to solicit comments. The draft documents (including the environmental documents) were released on March 25, 2019 for the public and agency 45 day review. Comments were received including those from the Coastal Commission that were significant enough to warrant the bifurcation of the project into the adoption of the Mobility Element (that includes the Complete Streets policies) and the CAP for the July 17, 2019 hearing and to consider the adoption of the remaining elements and the Implementation Plan (IP) later this year. The prime objective for considering the adoption of the CAP and the Mobility Element are to comply with State requirements and maintain grant eligibility that will allow the City to advance the aspirational elements of the CAP. Staff is recommending that the City Council adopt Resolution Nos. 2019-8052, 2019-8053, and 2019-8054 that approve the Final Negative Declaration, the Mobility Element, and the Climate Action Plan.

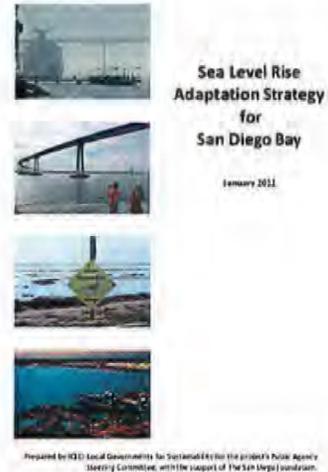
FISCAL ANALYSIS:

This project is being funded by a \$225,000.00 LCP grant from the Coastal Commission and \$150,000 from the City's general fund (Strategic Capital Reserves).

RECOMMENDATION:

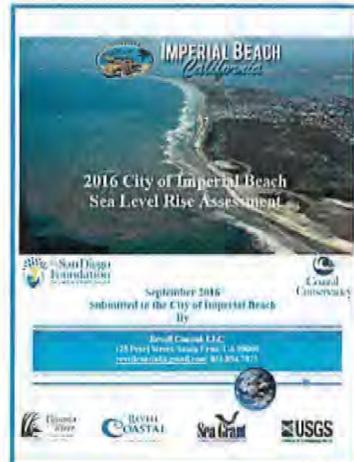
That the City Council adopt the following resolutions:

- Resolution No. 2019-8052 approving the Final Negative Declaration
- Resolution No. 2019-8053 approving the Mobility Element
- Resolution No. 2019-8054 approving the Climate Action Plan



RATIONALE:

The adoption of the resolutions would enable the City to qualify for future grants offered by the San Diego Association of Governments (SANDAG) where their grant stipulations, amended last year, call for the adoption of a Climate Action Plan (CAP) and a Complete Streets Policy by July 27, 2019. In fact, our \$50,000 SANDAG Biking Education Encouragement and Awareness (EEA) Campaign grant is pending the approval of the CAP. The Mobility Element provides a framework for a balanced, multi-modal transportation system for the movement of people and goods in a sustainable manner and it includes a set of Complete Streets Principles. The CAP is a strategic framework for measuring, planning, and reducing Greenhouse Gas (GHG) emissions and includes an inventory of existing emissions, sets reduction goals or targets, and identifies analyzed and prioritized mitigation measures to achieve the reduction targets. The Negative Declaration was prepared to satisfy the California Environmental Quality Act (CEQA) requirements for the preparation and adoption of plans that would guide the City's decisions for its implementation.



OPTIONS:

The City Council can:

- Adopt the resolutions that would approve the ND, the Mobility Element, and the CAP; or
- Not adopt the resolutions and provide direction to staff.

BACKGROUND INFORMATION:

For a number of years, scientists have been studying the relationship between GHG emissions and the increase in global air and water temperatures. They have also examined the effects that this increase seems to be having on weather patterns, sea level rise, and melting ice.

In 2005, Governor Schwarzenegger issued Executive Order S-3-05 that established GHG emissions targets for California. In 2006, the California legislature adopted AB 32 (Global Warming Solutions Act) that assigned the California Air Resources Board (CARB) to promulgate regulations and create markets to reduce GHG emissions to 1990 levels by 2020.

In 2009, the City participated with SANDAG and SDG&E in developing an Energy Roadmap program that identified energy conservation measures that could be undertaken by the City.

In 2010, the City of Imperial Beach participated as a Steering Committee member in the San Diego Bay Sea Level Rise Adaptation Strategy that was funded with a \$120,000 grant by the San Diego Foundation with a final report by ICLEI that was released in 2012.

In 2013, the City also participated in the Climate Understanding and Resilience in the River Valley (CURRV) study that was funded with a \$300,000 grant by the National Oceanic and Atmospheric Administration (NOAA) and it examined future impacts that Climate Change would have in the Tijuana River Valley.

In 2013, the City was awarded a \$300,000 grant from the State Coastal Conservancy (SCC) to develop a sea level rise (SLR) study of ocean impacts on Imperial Beach. This was augmented with a \$70,000 grant from the San Diego Foundation in 2015. This SLR study was completed in 2016.

CURRENT PROJECT:

In 2016, the City was awarded a \$225,000 grant from the Coastal Commission to update the Imperial Beach LCP that would translate SLR adaptation strategies and GHG mitigation measures identified in a CAP into policies, including Complete Streets principles. The City had obtained a number of SANDAG planning and capital grants for a number of years. However, SANDAG is now requiring public agencies to adopt a CAP and a Complete Streets policy by July 27, 2019 in order to remain competitive for future grants. The City hired AECOM Consultants to assist the City with this update.



The LCP consists of two components: a Land Use Plan (LUP) that identifies the location, type and scale of land uses and an Implementation Plan (IP) which is the zoning ordinance. The CAP is an aspirational document that was developed by the Energy Policy Initiatives Center (EPIC) of the University of San Diego Law School.



The **Mobility Element** (previously referred to as the Circulation Element) is one of the state mandated elements of the general plan (Government Code § 65302). The Element includes a description of the City's transportation network, the goals and policies that address the safe and efficient operation, maintenance, and management of the transportation network, and it provides a framework for a balanced, multi-modal transportation system (that includes motor vehicles, public transportation, bicycles, and pedestrians) for the movement of people and goods in a sustainable manner. The Element includes a set of principles or policies to satisfy the requirements of the Complete Streets Act of 2008 (AB 1358).



The **Climate Action Plan (CAP)** is a strategic framework for measuring, planning, and reducing greenhouse gas (GHG) emissions and includes an inventory of existing emissions, sets reduction goals or targets, and identifies analyzed and prioritized mitigation measures to achieve the reduction targets. The CAP is intended to reduce GHG emissions generated in

municipal and community-wide activities in the areas of building and community energy use, transportation and land use, waste reduction and diversion, water conservation, and green infrastructure enhancement. The CAP is not intended currently to be used as a California Environmental Quality Act (CEQA) mitigation document per CEQA Guidelines § 15183.5.

Project Outreach: There was an extensive outreach effort involved with this project, with the most recent community meeting being held on April 24, 2019:

LCP Outreach Timeline



The City released the draft LCP/GP Update, CAP, and Negative Declaration on March 25, 2019 for a 45-day public review and comment period from March 25, 2019 to May 15, 2019 pursuant to California Code of Regulations Code §13515 (14 CCR 13515) and California Government Code §65352. Included within this review period was the required 30-day review of the draft Negative Declaration (ND) pursuant to CEQA Guidelines §15073. The City tentatively scheduled the adoption of the LCP/GP Update that included the LUP and the Implementation Plan (IP), the CAP, and the Final ND for the City Council meetings of June 19, 2019 and July 17, 2019. Due to the extensive and substantial comments received, the City did not consider the LCP on June 19th but will consider the Mobility Element (that contains the Complete Streets Principles) of the LCP/GP, the CAP, and the Final ND for adoption on July 17, 2019 and will consider the adoption of the other elements of the LUP and the IP at a future hearing. Due to the critical issues raised by the California Coastal Commission (CCC), the City will be holding discussions with Coastal staff to try to resolve issues with the proposed LCP Update before the City Council adopts the LCP and before the grant expires on December 31, 2019. The LCP Update will need to be certified by the CCC in order for it to be effective.

The draft documents (including supporting materials) were posted on the City's website at <https://www.imperialbeachca.gov> with a link to the 2018/2019 RIB CAP/LCP/GP Update project. The documents were also routed through the State Clearinghouse (SCH# 2019039143) and the Office of Planning and Research for public agency review and comment.

Comments on the draft documents were solicited from the Tidelands Advisory Committee (TAC) on May 13, 2019, the Design Review Board (DRB) on May 16, 2019, and the Parks and Recreation Committee (PRC) on May 20, 2019. On May 30, 2019, the San Diego County Regional Airport Authority acting as the Airport Land Use Commission (ALUC) determined that the proposed GP/LCP Update is consistent with the Airport Land Use Compatibility Plan (ALUCP) that was adopted on October 25, 2015.

Responses to the comments on the environmental document (ND) are provided in the Final ND. Written comments (Attachment 4) were received related to emission reduction strategies, housing density, land use changes and controls, and the selection of appropriate SLR adaptation strategies to implement. Since the scope of the July 17th hearing and Council action would be limited to the ND, the Mobility Element, and the CAP, a more extensive response to the comments and discussion on the other LUP elements (such as Land Use, Safety, and Conservation and Ecotourism) and the IP would be more appropriately be provided after City staff has met with Coastal Commission staff to resolve issues with the proposed LCP and the Council is prepared to take action on the remaining documents.

Comments from the Climate Action Campaign (CAC) and the Southwest Wetlands Interpretive Association (SWIA) suggest that the City should take a more aggressive approach to reducing GHG emissions. The proposed CAP is achievable and sets targets that have been codified by the state. Additionally, the document has aspirational elements and a commitment to monitor, track, and exceed the minimum requirements. The City is free to exceed these targets and the Council can set higher goals. However, in order for the CAP to be a CEQA document, additional work (and additional funds), such as inventorying and modeling off-road transportation and developing a threshold of significance for GHG emissions, would be needed. It is envisioned that many of the more aggressive aspects of the CAP that are requested could be considered in the next update of the document.



ENVIRONMENTAL DETERMINATION:

The consultant AECOM prepared a draft Negative Declaration (ND) to address any potential environmental impacts in order to satisfy the California Environmental Quality Act (CEQA). The environmental document (SCH #2019039143) was circulated through the State Clearinghouse for a 30 day public review that ended on April 23, 2019 and no agency comments were received. The draft ND identified no significant impacts that would result from the implementation of the project. However, comments from citizens and non-governmental organizations were received and responses to those comments are provided in a Final ND that will be considered by the City Council for adoption.

Project Funding: This project is funded by a \$225,000 grant from the Coastal Commission (that expires on December 31, 2019) and \$150,000 from the City's general fund. Additionally, SANDAG provided support for the CAP through the services of EPIC of the University of San Diego Law School. With these funds, the City hired AECOM Consultants to assist with this project.

Attachments:

1. Resolution No. 2019-8052 approving the Final Negative Declaration (Exhibit A)
 2. Resolution No. 2019-8053 approving the Mobility Element (Exhibit B)
 3. Resolution No. 2019-8054 approving the Climate Action Plan (Exhibit C)
 4. Comment letters on the Negative Declaration, Mobility and other LCP Elements and Climate Action Plan
 5. Minutes of the May 13, 2019 TAC meeting, the May 16, 2019 DRB meeting, and the May 20, 2019 PRC meeting (draft) and ALUC consistency determination.
- c: file MF 1234
Deborah Lee, Stephanie Leach, and Gabriel Buhr, CA Coastal Commission - San Diego District, 7575 Metropolitan Drive, Suite 103, San Diego, CA 92108-4402
deborah.lee@coastal.ca.gov Gabriel.Buhr@coastal.ca.gov
stephanie.leach@coastal.ca.gov
Daniel Nathan and Carey Batha, Statewide Planning Analyst, California Coastal Commission, 45 Fremont St. Suite 2000, San Francisco, CA, 94105
Daniel.Nathan@coastal.ca.gov carey.batha@coastal.ca.gov
Nancy Bragado, Principal Planner, AECOM 401 West A Street, Suite 1200, San Diego, CA 92101 nancy.bragado@aecom.com
Ryan Wiggins, Senior Associate Economics and Planning, AECOM, 401 West A Street #1200, San Diego, CA 92101 ryan.wiggins@aecom.com
Tracy Ferchaw, MBA, Associate Grant Analyst, SANDAG, 401 B Street, Suite 800, San Diego, CA 92101 Tracy.Ferchaw@sandag.org

RESOLUTION NO. 2019-8052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION (ND) AND INITIAL STUDY (IS)/ENVIRONMENTAL CHECKLIST FOR THE RESILIENT IMPERIAL BEACH (RIB) PROJECT (MF 1234)

WHEREAS, on June 19, 2019, the City Council of the City of Imperial Beach held a duly advertised public hearing for the purpose of considering the adoption of a Negative Declaration (ND) and Initial Study (IS)/Environmental Checklist for the Resilient Imperial Beach Draft General Plan/Local Coastal Program (LCP) Amendment and Climate Action Plan (CAP) (MF1234); and

WHEREAS, the City Council finds that the Negative Declaration (ND) and Initial Study (IS)/Environmental Checklist for the Resilient Imperial Beach (RIB) Draft General Plan/Local Coastal Program (LCP) Amendment and Climate Action Plan (CAP) complies with the California Environmental Quality Act (CEQA) requirements; and

WHEREAS, the City submitted the Negative Declaration (ND) and Initial Study (IS)/Environmental Checklist for the RIB Draft General Plan/Local Coastal Program (LCP) Amendment and Climate Action Plan (CAP) to the California State Clearinghouse Office of Planning and Research (SCH # 2019030143) on March 25, 2019 consistent with CEQA guidelines § 15073; and

WHEREAS, the City held a public comment period for the Negative Declaration (ND) and Initial Study (IS)/Environmental Checklist for the RIB Draft General Plan/Local Coastal Program (LCP) Amendment and Climate Action Plan (CAP) project from March 25, 2019 to May 15, 2019 and advertised in the IB Eagle and Times for availability during the public review period consistent with CEQA's 30-day public review period; and

WHEREAS, the City addressed and responded to all public comments on the Negative Declaration (ND) and Initial Study (IS)/Environmental Checklist for the RIB Draft General Plan/Local Coastal Program (LCP) Amendment and Climate Action Plan (CAP) project received during the public review period consistent with CEQA and included them in the Final ND; and

WHEREAS, this Negative Declaration reflects the decision-making body's independent judgment and analysis; that the decision-making body has, pursuant to CEQA Guidelines Section 15074(b), reviewed and considered the information contained in this Negative Declaration and the comments received during the public review period; and that, on the basis of the whole record before the decision-making body (including this Negative Declaration), there is no substantial evidence that the project as proposed, as conditioned, or as revised, will have a significant effect on the environment; and

WHEREAS, the City Council of the City of Imperial Beach has considered the record as well as the maps, exhibits, and written documents contained in the file for the Negative Declaration and Initial Study/ Environmental Checklist on record in the City of Imperial Beach, and has considered the oral presentations given at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Negative Declaration and Initial Study/ Environmental Checklist, as shown and made a part of Resolution No. 2019-8052 in attached Exhibit A is hereby approved by the City Council of the City of Imperial Beach.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 17th day of July 2019, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE KELLY, MMC
CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON
CITY ATTORNEY

RESOLUTION NO. 2019-8053

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, APPROVING THE RESILIENT IMPERIAL BEACH (RIB) GENERAL PLAN MOBILITY ELEMENT AS A GENERAL PLAN/ LOCAL COASTAL PROGRAM (GP/LCP) AMENDMENT (MF 1234).

WHEREAS, the City sought to further implementation of local and regional sustainability goals by developing a Complete Streets policy, fostering a systems approach to addressing complex problems, preparing a climate action plan (CAP) as a companion item to the RIB GP/LCP amendments, and proposing additional supportive policies; and

WHEREAS, the Mobility Element helps implement Coastal Act section 30252 to maintain and enhance public access to the coast; and

WHEREAS, the Mobility Element is in compliance with the 2008 California Complete Streets Act and supports the San Diego Association of Government's (SANDAG) Regional Complete Streets Policy to help fulfill the regional goal of a safe, balanced, multimodal transportation system that supports compact and sustainable development; and

WHEREAS, the Mobility Element with its Complete Streets policy is a commitment to a process that ensures the needs of people using all modes of travel are considered and appropriately accommodated on every street or every network of streets; and

WHEREAS, the Mobility Element supports development and operation of a circulation system that encourages the use of active transportation that support physical activity and equitable healthy communities; and

WHEREAS, the Mobility Element supports the improvement of multiple modes of transportation and pursuing mobility innovations to meet the needs of Imperial Beach residents, businesses and visitors while also reducing vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions; and

WHEREAS, the proposed RIB GP/LCP Mobility Element will replace the former GP/LCP Circulation Element; and

WHEREAS, the proposed RIB GP/LCP Mobility Element policy amendments support a balanced approach toward achieving environmental, economic and community goals, including fostering healthy communities and improving access to coastal resources; and

WHEREAS, the San Diego County Regional Airport Authority serving as the Airport Land Use Commission (ALUC) has reviewed the amendments and on May 30, 2019 made the determination that the GP/LCP amendments are consistent with the Airport Land Use Compatibility Plan (ALUCP) that was adopted on October 25, 2015; and

WHEREAS, this project complies with the requirements of the California Environmental Quality (CEQA) as the draft Negative Declaration (ND) was prepared for this project and is included as a companion item to the RIB GP/LCP Mobility Element Amendment; and

WHEREAS, on July 17, 2019, the City Council of the City of Imperial Beach held a duly advertised public hearing for the purpose of considering the Resilient Imperial Beach (RIB) Draft

General Plan Mobility Element/Local Coastal Program (LCP) amendments that constitute a Complete Streets policy for the City of Imperial Beach General Plan/LCP Land Use Plan; and

WHEREAS, the City Council of the City of Imperial Beach has considered the record as well as the maps, exhibits, and written documents contained in the file for the RIB GP-Mobility Element/LCP Update on record in the City of Imperial Beach, and has considered the oral presentations given at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the RIB General Plan/Local Coastal Program Mobility Element Amendment, as shown and made a part of Resolution No. 2019-8053 in attached Exhibit B is hereby approved by the City Council of the City of Imperial Beach and shall only become effective upon its certification by the California Coastal Commission.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 17th day of July 2019, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE KELLY, MMC
CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON
CITY ATTORNEY

RESOLUTION NO. 2019-8054

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, ADOPTING THE CITY OF IMPERIAL BEACH CLIMATE ACTION PLAN (CAP) MF 1234

WHEREAS, on July 17, 2019, the City Council of the City of Imperial Beach held a duly advertised public hearing for the purpose of considering the City of Imperial Beach Climate Action Plan (CAP); and

WHEREAS, the CAP was integrated into the City's policy framework, as it was developed in parallel with preparation of the Resilient Imperial Beach (RIB) General Plan and Local Coastal Program (LCP) Amendment; and

WHEREAS, the City of Imperial Beach Climate Action Plan (CAP) includes the 2012 Greenhouse Gas (GHG) baseline inventory, forecasted emissions for 2020, 2030, and 2050, and measurable strategies and actions the City will strive to implement to achieve emission reductions; and

WHEREAS, the CAP targets emission reductions below 2012 levels of 4 percent by 2020 and 42 percent by 2030, consistent with state guidance in support of state efforts under Assembly Bill (AB) 32 and Senate Bill (SB) 32; and

WHEREAS, the CAP also serves to align the City's reduction efforts with Executive Order (EO) S-3-05 which sets a goal of reducing statewide emissions by 80% by 2050; and

WHEREAS, the City sought to contribute to state and regional greenhouse gas emission reduction targets in a manner that furthers local goals and priorities, including the improvement of the health of the Imperial Beach economy, people, and natural resources; and

WHEREAS, this project complies with the requirements of the California Environmental Quality (CEQA) as the draft Negative Declaration (ND) was prepared for the CAP as a part of the overall Resilient Imperial Beach (RIB) GP/LCP Update and was routed through the State Clearinghouse for review and comment from March 25, 2019 to April 23, 2019 (SCH# 2019039143); and

WHEREAS, this project has been prepared in accordance with California Code of Regulation Title 14 (CEQA Guidelines), Section 15183.5(a), Tiering and Streamlining the Analysis of Greenhouse Gas Emissions, which provides that a lead agency may analyze and mitigate the significant effects of greenhouse gas emissions at a programmatic level; and

WHEREAS, the City Council of the City of Imperial Beach has considered the record as well as the maps, exhibits, and written documents contained in the file for the Climate Action Plan on record in the City of Imperial Beach, and has considered the oral presentations given at the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the City of Imperial Beach Climate Action Plan, as shown and made a part of Resolution No. 2019-8054 in attached Exhibit C is hereby approved by the City Council of the City of Imperial Beach.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its regular meeting held on the 17th day of July 2019, by the following roll call vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

SERGE DEDINA, MAYOR

ATTEST:

JACQUELINE KELLY, MMC
CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON
CITY ATTORNEY