

April 20, 2010

Honorable Board of Supervisors
County of Alameda
1221 Oak Street, Suite 536
Oakland, California 94612

Dear Board Members:

SUBJECT: **Alameda County Community Climate Action Plan (CCAP)** – Information on current status of CCAP and areas of public controversy.

SUMMARY

The Alameda County Community Climate Action Plan is currently in draft form and available to the public. It is a collection of policy measure suggestions designed to help Alameda County reduce its emissions of “greenhouse gases”, or GHGs, as required by State Laws AB 32 and SB 375, and by the following specific Board Actions:

- *County Climate Change Leadership Resolution* - In 2006, the Board of Supervisors voted unanimously to adopt the Climate Change Leadership Resolution (R-2006-20). This resolution commits the County to take steps to reduce GHG emissions and adapt to the effects of climate change. It also establishes the County’s climate protection strategy, requires an interagency approach for meeting established reduction targets, and calls for integrating climate protection into the County’s planning, budgetary, and other processes.
- *Cool Counties Initiative* - In 2007, the Board of Supervisors voted unanimously to sign the Cool Counties Climate Stabilization Declaration (R-2007-336), which committed the County to work towards achieving an 80 percent reduction in greenhouse gas emissions by 2050.
- *Strategic Vision* - In 2008, the Board of Supervisors adopted the Alameda County Strategic Vision, which identifies the environment and sustainability as key County priorities. The values expressed within the document further support the County’s climate protection initiatives.

These laws and decisions require reductions of GHGs back to year 1990 levels, roughly a 15% decrease from base year 2005 levels as calculated in the CAP. Using a wide range of probable policy tools in six major categories – Land Use, Transportation, Energy Conservation, Green Infrastructure, Water Conservation and Waste Reduction – staff believes that the County can achieve this reduction.

DISCUSSION:

The majority of the 53 measures in the CCAP would be relatively painless for the general public, commercial and industrial concerns. Measures such as improved pedestrian and bicycle access/ facilities, better transit access, better water conservation and waste recycling methods, tree planting programs, agricultural parks, and streamlining/incentives for green building techniques and alternative energy installation are likely to be popular and acceptable to most people. Moreover, most of the efforts in the CCAP will be County staff-driven and geared toward finding money to help fund the many various measures; the average citizen or business owner will find that these measures have either modest or negligible effects on everyday life or bank accounts.

There are, however, a few proposed measures and policy concepts that would have substantial effects on neighborhoods, homeowners, business owners and citizens. Some would affect neighborhood character and density or finances. Some of these measures would be among the more valuable measures in terms of calculated GHG reduction potential. Here are some of the measures with the most potential to physically affect neighborhoods and economically affect individuals and families:

CCAP Page 28 - Measure T-14, Commercial Parking Fee – “The County will work with business associations and other stakeholders to develop a per-hour fee for public parking in commercial districts.” This would result in the placement of parking meters (at perhaps \$0.75 to \$1.50 per hour) in parking lots and along streets in specific commercial areas. Adjacent neighborhoods would likely need parking-restricted areas so as to not attract people attempting to avoid paying the parking fee. At the public workshops, the public was unexpectedly positive about this measure, as long as the funds were earmarked for GHG improvements in the source community. To date, the modest amount of feedback from the business community has not been as favorable; they believe this measure would put them at a competitive disadvantage with nearby business districts. Thus, we may need to sort this out with Hayward, San Leandro, possibly Dublin/Pleasanton.

Page 33 – Measure L-1 Smart Growth – “Direct future residential development to areas of the Unincorporated County that will generate lower levels of vehicle related GHG emissions.” To this end, “The County will develop and implement a Low-Carbon Development Program that will require residential projects ... to achieve an annual per household vehicle emissions target or pay a development impact fee if they exceed the target.” The funding from the fees (which would be calculated for each new residential unit) would invest in GHG emission mitigation projects. The development impact fee rate will be proportionate to the cost of an equivalent emissions reduction through local GHG mitigation projects.

New residential units built in areas where goods, services and transit are located nearby and conveniently would pay low or no fees. When a new residence is located farther away, the fee would increase to some maximum point to be determined. The actual size and proportion of the fees are as yet unknown; but they could be substantial, and would contribute to the cost of new units in the rural or non-core areas. Staff feels that this is a very progressive policy and a strong GHG reducer, but it is already controversial.

Page 34 – Measure L-2 Transit-oriented development – Facilitate the establishment of mixed-use, pedestrian and transit-oriented development near major transit stations or transit corridors. It would boost development density – in some cases significantly - within ½ mile of CV BART, Bayfair BART, and Hayward Amtrak stations. The target is 800 new higher-density units in these selected transit hub areas by the year 2020. Currently, Staff’s experience suggests that opposition to increased density, even in carefully selected locations near major transit hubs, is fairly strong. In some cases, citizens are not familiar with increased density (and thus avoidance of sprawl) as a “green” concept.

Page 35 – **Measure L-3 – Reduce restrictions on second units in single-family residential districts near transit stations, major bus route corridors, neighborhood commercial centers, and central business districts.** In areas where individual yards and parcels could accommodate them, additional second units would be permitted in some spaces where they are currently not allowed by the Zoning Ordinance; this would allow more residents to live within a walkable distance to transit and neighborhood serving businesses. They also provide property owners with the potential for rental income, which can improve home affordability. However, there is a perception that second units also contribute to blight or the attraction of unwanted neighbors (for lack of a better term). Careful amendment to the Zoning Ordinance and strict adherence to design guidelines would be obligatory.

Page 36, 37 – **Measure L-4 – Increase the diversity of uses in neighborhood-serving commercial centers. This measure includes a map of areas to be considered for new neighborhood commercial areas, such as neighborhoods in the CV hills.** Neighborhood commercial and mixed-use zones are seen as a way to reduce vehicle trips in favor of walking or cycling trips for basic commodities and services. Staff believes that a well-designed development or redevelopment of this kind could thrive and help to minimize vehicle miles traveled in neighborhood areas. Like most other changes that might be proposed in a neighborhood, the establishment of new locally-serving commercial and associated higher-density housing could be controversial. Application of thoughtful development and design guidelines would be key, but first people must be able to get used to the idea of new and renovated commercial establishments, even low-traffic-volume businesses, in their immediate midst.

Page 38 – **Measure L-5 – Improve the vitality of mixed-use neighborhood-serving commercial centers. – This would significantly increase densities and would double FARs in neighborhood commercial areas.** It would work side by side with L-4 above. Again, it would increase density and probably building height locally near neighborhood commercial centers, and thus be at cross-purposes with neighbors who strongly favor lower density.

Page 46 – **Measure E-4 – Point of Sale Residential Energy Conservation Ordinance (RECO).** The RECO would require building owners (landlords and homeowners) to implement specific energy and water efficiency measures on their properties at time of sale to achieve a 35 percent efficiency improvement. The entry-level package would include duct sealing, attic insulation, programmable thermostats, water heater insulation, hot water pipe insulation, and draft elimination. The ordinance will also require a 20 percent improvement in the water efficiency of plumbing fixtures and fixture-fittings. Owners would get credit for improvements that have already been done.

The total cost of such improvements would be approximately \$7,500 to \$10,000 dollars for the average unretrofitted single-family home (as of 2009). The RECO would set a cost ceiling of 3 percent of the sale price or assessed value, not to exceed \$30,000. This program, similar to programs already in place in San Francisco and Berkeley, and to those which other new CAPs have adopted (notably Hayward) is proving to be controversial, although quite significant in terms of GHG reduction.

Page 51 – **Measure E-9 – Point of Sale Commercial Energy Conservation Ordinance (CECO) –** This would be similar to E-4 above, except it would apply to commercial property and have higher absolute dollar-value limits. In this case, the average cost for efficiency upgrades is estimated to be between \$1.00 and \$3.00 per square foot. The CECO would contain a cost ceiling of 2 percent of the sale price or assessed value, not to exceed \$100,000. Again, effective but controversial.

Page 52 - **E-10: Require all new construction to achieve California Green Building Code Tier II Energy Efficiency Standards (Section 503.1.2)** – This measure requires that new construction must exceed 2007 California Energy Code requirements by a factor of 30 percent over 2007 Title-24 requirements. This represents a significant increase in cost of construction over existing requirements. This could be controversial among developers and contractors, even if the State of California is generally headed in this direction. The total GHG reduction potential, even when applied to new construction only, is fairly high. The building industry is not expected to favor this, and in fact some builders have already expressed disfavor.

Page 55 - **E-13: Require new commercial parking lots with over 20 spaces to mitigate heat gain through the use of shade trees, solar arrays, or cool pavement.** This is a supporting measure only, hard to evaluate numerically, but one which would help to diminish cooling costs at adjacent businesses and residences. The costs would be high initially, but by one means or another would be partly recoverable due to lower cooling costs and/or replacement of grid energy by onsite renewable energy. As with E-10, this would be most controversial among developers of new projects.

NEXT STEPS:

The matter has already been brought before the Agricultural Advisory Committee, the Castro Valley Municipal Advisory Council and the Planning Commission for information purposes. Staff will bring the matter before the Sunol Citizen's Advisory Committee, Unincorporated Services Committee, the Planning Commission for an official recommendation, and then to Transportation and Planning Committee and your full Board in June. During this time, staff will use input received to refine the proposed policies within the CCAP.

Please feel free to contact Mr. Bruce Jensen of my staff at (510) 670-6527 or bruce.jensen@acgov.org if you have any questions or comments.

Very truly yours,

Chris Bazar, Director
Community Development Agency

/Attachments:

Draft Community Climate Action Plan
April 19, 2010 Planning Commission Staff Analysis
April 12, 2010 Castro Valley MAC Powerpoint Presentation