



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

**STAFF REPORT –
ALAMEDA COUNTY COMMUNITY CLIMATE ACTION PLAN
(CCAP)**

TO	Members of the Planning Commission
HEARING DATE	April 19, 2010

GENERAL INFORMATION

Climate change due to human activities and Greenhouse Gas (GHG) emissions has been studied since the late 19th century, and in the last 60 years or so has come under progressively increasing scrutiny. Until the late 20th century, concern about this misunderstood phenomenon was confined largely to the scientific climatological and environmental communities; however, as the data collection and analysis techniques became more powerful with remote sensing and computer technology, and more substantial information about the scale and implications of the problem became available, concern has become widespread throughout the world's societies. The United States, the State of California and Alameda County have all initiated or passed legislation and resolutions to attempt to curtail, adapt to, and, if possible, reverse the effects of global climate change before these effects can have adverse effects on individuals, the global economy and the natural environment. Examples of these actions include the following.

Federal Action

At COP15 in Copenhagen, Denmark, President Obama announced plans to reduce U.S. GHG emissions by 17 percent from current levels by 2020. This provisional target is in line with current legislation in both chambers of Congress and if passed would become the nation's working GHG reduction target.

State Action

California has adopted executive orders and enacted legislation aimed at reducing the State's GHG emissions. Key statewide emission reduction legislation and actions to date include:

- *Executive Order S-3-05 (2005)*
In June 2005, Governor Schwarzenegger signed Executive Order S-3-05, which established targets for total GHG emissions which include reducing GHG emissions to 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.
- *Assembly Bill 32 (2006)*
In September 2006, Governor Schwarzenegger signed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce statewide GHG emissions to 1990 levels by 2020. **This standard provides the guiding quantitative principle for the Community Climate Action Plan.**

- *Senate Bill SB 375*
This law requires regional land use, housing and transportation plans to comply with regional GHG emission reduction targets – in other words, to conform to the 15% required reduction by the Year 2020.
- *California's Climate Change Scoping Plan*
Pursuant to AB 32, in December 2008, the Air Resources Board (ARB) approved the Climate Change Scoping Plan (Scoping Plan). The Scoping Plan describes strategies California will implement to reduce 169 million Metric Tons (MT) CO₂e, approximately 28 percent, from the State's projected 2020 emission level under a "business-as-usual" scenario. The Scoping Plan also includes ARB-recommended GHG reductions for each emissions sector of the State's GHG inventory. ARB encourages local governments to adopt reduction targets for municipal operations emissions and community-wide emissions that parallel the State's climate protection efforts. ARB has also provided guidance for cities and counties to reduce GHG emissions to 15 percent below 2005 levels by 2020.

Local Government Roles & Responsibilities

The State acknowledges that local government must play an important role in achieving California's long-term GHG reduction goals. Cities and counties have sole or partial jurisdiction over many factors that will affect GHG emissions within the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emission sectors.

Alameda County has a long history of promoting environmental sustainability and adopting actions that help to reduce greenhouse gas emissions.

- *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.

STAFF RECOMMENDATION

Staff requests that the Commission accept the staff report and analysis, take public comment, and provide comments to staff on the Draft Community Climate Action Plan.

STAFF ANALYSIS

The Community Climate Action Plan (CCAP)

Currently in public draft form, the Alameda County Community Climate Action Plan (CCAP, simply pronounced “kap”) is part of the County’s response to the federal, state and county actions that have preceded it. The CCAP intends to:

- Provide clear guidance to County staff regarding when and how to implement key provisions of the plan;
- Demonstrate Alameda County’s commitment to comply with State GHG reduction efforts;
- Inspire residents and businesses to participate in community efforts to reduce GHG emissions.

To this end, the CCAP comprises policy measure suggestions designed to help Alameda County reduce its emissions of GHGs back to the Year 1990 levels, as required by State Laws AB 32 and SB 375. This is roughly a 15% decrease from 2005 levels, the base year for GHG emissions used in the CCAP. 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 this reduction is achievable.

Public Outreach

- *Website:* A dedicated CAP webpage was developed on the main County website to provide a brief introduction to the CAP, and served as a repository for community meeting information, supporting documents, and presentations related to the CAP.
- *Survey:* The County developed a survey to gauge public interest and willingness to implement climate protection measures and actions. It was sent to targeted County residents and businesses, stakeholder groups and community organizations during the initial phases of the CAP development, and was available at the initial community meetings and on the website. A total of 386 surveys were completed.
- *Community Meetings:* Four community meetings were held during the CCAP development process in both West and East County venues, in which a total of 61 individuals participated with representatives from 25 agencies, organizations and schools. The initial meetings provided an opportunity for the community to provide ideas relating to potential GHG reduction strategies. The second meeting sought public comment on the proposed measures and policies in the draft CAP.
- *Other Outreach Channels:* Community meeting notifications were published in eight local newspapers and other relevant publications (such as East Bay Bicycle Coalition and Castro Valley Chamber of Commerce), and emailed to community groups and list serves. Targeted community, agency and organizational stakeholders were also contacted directly by phone and email. Finally, direct outreach efforts occurred at two BART stations during the weekday commute and at two Saturday farmer’s markets in order to obtain survey responses and advertise the first community

meetings. Statistics on the outreach methods and the survey results are provided in Appendix D of the document.

The Draft CCAP is the result of a collaborative effort between Planning Staff, staff of the County General Services Agency, the County's consultant AECOM, Inc., and those members of the public who attended the workshops in late 2009 and provided early feedback on the measures then suggested for public consideration.

Policy Categories

The six policy categories of the CCAP include measures that address GHG reductions from a number of technical angles, and many of the measures would work in symbiosis with other complementary measures, as well as with state and federal efforts. Measures include:

- Transportation improvements for bicycles and pedestrians in both the public and private sectors, especially infrastructure and safety improvements;
- Enhancing availability of, and access to public transit, improving schedules, infrastructure and convenience;
- Implementing parking fees and modified parking requirements for applicable land uses;
- Actively implementing policies for smart growth and transit-oriented development in core areas and near major transit stops.
- Supporting expansion and enhancement of quality neighborhood commercial uses;
- Supporting efforts to help people become more knowledgeable about energy use and ways to conserve;
- Implementing programs to improve energy conservation in new/existing buildings;
- Supporting to the extent possible the installation of renewable energy systems;
- Providing both incentives and limited mandates for reducing wasteful water use;
- Enhancing waste reduction and diversion programs, and expanding programs to those who are currently underserved, with an ultimate goal of virtually zero waste;
- Encouraging producers and sellers to manufacture and market goods of recycled materials, to help complete the waste reduction cycle;
- Improving opportunities for green infrastructure – greenways, street trees, local agricultural parks, community gardens – and establishing additional local farmers' markets.

The complete set of these measures in all areas, with summary descriptions, is found in Section II of the CCAP.

Policies of Significant Interest

There are a modest number of proposed measures and policy concepts that would have substantial effects on neighborhoods, homeowners, business owners and citizens. Some would affect neighborhood character and density, and some would affect people in a financial way. The CCAP calculates an approximate mass of GHG reduction for each specified policy, and some of these measures would be among the more valuable measures in terms of reaching State-mandated GHG reductions.

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 measure 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. During the public workshops, the public was positive about this measure, as long as the funds were earmarked for GHG improvements in the source community. The business community would probably want some assurance that this fee would not put them at a competitive disadvantage with nearby business districts. Thus, coordination Hayward, San Leandro, possibly Dublin/Pleasanton would be necessary.

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 developed following the institution of this program to achieve an annual per household vehicle emissions target or pay a development impact fee if they exceed the target.”** The fees collected would be invested in GHG emission mitigation projects. The development impact fee rate would be proportional to the cost of an equivalent emissions reduction through mitigation projects, which would occur within the Unincorporated areas of the County, and demonstrate a nexus between the fee and project scope.

The actual size and proportion of the fees are as yet unknown; but they could be substantial, and would increase 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.

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.** This measure would boost development density – in some cases significantly - within ½ mile of CV BART, Bayfair BART, and Hayward Amtrak stations. The target would be 800 new higher-density units in these selected transit hub areas by the year 2020, beyond those specified in the General Plan. It is not yet known what proportion of these units could be located in each of these areas.

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. Second units increase the vitality of nearby commercial centers by allowing more residents to live within a walkable distance to transit and neighborhood serving businesses, thereby reducing need

for vehicle trips. They also provide property owners with the potential for rental income, which can improve home affordability. 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.** 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.

Page 38 – **Measure L-5 – Improve the vitality of mixed-use neighborhood-serving commercial centers.** This measure would work with L-4 above. Again, it would increase density and probably building height locally near neighborhood commercial centers.

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 over an unaltered unit. 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 up to 100% credit for pre-existing improvements.

The total cost of such improvements would be approximately \$7,500 to \$10,000 dollars for the average unaltered single-family home (as of 2009). The RECO would contain a cost ceiling of 3 percent of the sale price or assessed value, not to exceed \$30,000.

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 have a cost ceiling of 2 percent of the sale price or assessed value, not to exceed \$100,000.

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, however the total GHG reduction potential, even when applied to new construction only, is fairly high.

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, difficult 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.

Page 57 – **Measure E-15 – Solar Empowerment Districts** – This is not likely to be controversial and would not require specific actions by owners. The problem is one of scale; the target of the program is 1,000,000 square feet (23 acres) of photovoltaic panels on commercial and industrial buildings by 2015, and 2,000,000 (43 acres) by 2020. Staff

believes that this is a particularly aggressive goal, and will take a great deal of work and cooperation of many businesses to be viable. Ideally, there would be a way to expand this program to include residential rooftops as well, but economic viability may be limited during the term of this CCAP.

RELATIONSHIP TO THE COUNTY GENERAL PLAN:

The CCAP is a policy document that is designed to fulfill County obligations under the law with respect to GHG reduction; as such, upon final adoption by the Board of Supervisors, it would become a binding document for the County and will eventually be incorporated into the County General Plan. Upon approval by the Board, the adherence to policies in this document would require some additional level of compliance with energy efficiency regulations and stricter building requirements, but it would also help the County to partially streamline the review process where GHG reductions are concerned and provide policy consistency for projects proposed in the unincorporated area. In order to reach this ultimate goal, the following process must occur:

- The Board must be able to approve the document as an advisory document, essentially a "policy-in-principle" handbook for the County; this objective is recommended by Staff to be achieved by June 2010.
- The CCAP must then undergo a standard environmental review pursuant to the California Environmental Quality Act (CEQA), which could either be a Mitigated Negative Declaration (MND) or a Focused EIR (FEIR). Public review as required by law would be part of this step. This step would be necessary for the document to become certified by the Bay Area Air Quality Management District (BAAQMD) for compliance with its CEQA Guidelines and subsequent use as a standard template for GHG emissions mitigation.
- The CCAP would be incorporated into the General Plan. After this step, policy adherence would be sufficient to mitigate GHG impacts in environmental reviews.

In some ways, the CCAP would duplicate existing requirements of the County General Plan; but in many other ways, the requirements of the CCAP would exceed those of the area plans and would build upon the existing policies to attempt to achieve the required 15% GHG reduction by 2020.

CONCLUSION

In March and April 2010, the Draft CCAP was presented before the Agricultural Advisory Committee and the Castro Valley Municipal Advisory Council. Concerns were raised that proposed measures of the CCAP would create an undue economic hardship on Unincorporated County community members. Amongst other items, proposed measures such as the Residential Energy Conservation Ordinance, the development impact fee, a commercial area parking fee, or any measure that would result in costs on community members were not well received.

Staff will present information on the Draft CCAP at the April ~~12-19~~ meeting, and take public comment and Commission input. The following schedule for future hearings is planned.

CCAP Meeting and Hearing Schedule (others may be scheduled as well):

March 23, 2010 Agricultural Advisory Committee (done)

APRIL 19, 2010

STAFF ANALYSIS

COMMUNITY CLIMATE ACTION PLAN

April 12, 2010	Castro Valley Municipal Advisory Council (done)
April 19, 2010	Planning Commission (first hearing, informational only)
April 21, 2010	Sunol Citizens' Advisory Committee
April 28, 2010	Board of Supervisors, Unincorporated Services Committee
May 3, 2010	Planning Commission – Possible Decision
May 10, 2010	Board of Supervisors, Transportation and Planning Committee
June 8, 2010	Board of Supervisors – Possible CCAP Approval.

ATTACHMENTS

None

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