



# City of Huntington Beach

File #: 22-840

MEETING DATE: 10/11/2022

## PLANNING COMMISSION STUDY SESSION

**TO:** Planning Commission  
**FROM:** Ursula Luna-Reynosa, Director of Community Development  
**BY:** Alyssa Matheus, Associate Planner

**SUBJECT:**  
**PROGRAM SUBSEQUENT ENVIRONMENTAL IMPACT REPORT NO. 22-002-CITY OF HUNTINGTON BEACH 2021-2029 HOUSING ELEMENT UPDATE**

**APPLICANT:** City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

**PROPERTY OWNER:** Various

**BUSINESS OWNER:** N/A

**LOCATION:** Citywide

### **PROJECT PROPOSAL:**

The Housing Element is a State-mandated policy document that is a component of the Huntington Beach General Plan. The Housing Element is updated every eight years and is based on the Regional Housing Needs Assessment (RHNA) allocation for that planning period (the 6th Cycle is the current planning period, which is 2021-2029). The City's projected regional housing need for the 6th Cycle RHNA planning period (2021-2029), as assigned by the Southern California Association of Governments (SCAG) in accordance with State law, is 13,368 dwelling units. To comply with State law, the City has developed a Housing Program to accommodate the lower-income RHNA units, including amendments to existing land use designations and zoning districts, an affordable housing overlay, and identification of underutilized, residentially-zoned parcels in an inventory of candidate housing sites.

Program Subsequent Environmental Impact Report (SEIR) No. 22-002 analyzes the potential environmental effects of the HEU and its associated Implementation Program. The SEIR specifically addresses amendments to the Huntington Beach General Plan (GPA No. 21-003 and 22-001) and the City of Huntington Beach Zoning and Subdivision Ordinance (HBZSO) and certain specific plan areas (SP7, SP9, and SP14) for changes to land use designations and base/overlay districts to rezone three parcels and establish an Affordable Housing Overlay within the City and SP7, SP9, and SP14 (Zoning Map Amendment Nos. 22-001 and 22-002 & Zoning Text Amendment Nos. 22-006, 22-007, 22-008 & 22-009). These amendments are needed to accommodate future housing sites as

part of the HEU's Implementation Program. The Project analyzed in the SEIR accommodates the City's RHNA as shown in the RHNA strategy table below. It should be noted that the project in the SEIR analyzes the net housing capacity beyond growth contemplated by the 2017 General Plan Update.

**TABLE 1: RHNA Strategy**

	Very Low	Low	Moderate	Above Moderate	Total
<b>RHNA Target</b>	<b>3,661</b>	<b>2,184</b>	<b>2,308</b>	<b>5,215</b>	<b>13,368</b>
Approved/Pending Projects	17	285	82	1,371	1,755
ADU	307		170	10	487
Rezoning Sites	0		128	300	428
Hotel/Motel Conversion	415		0	0	415
Affordable Housing Overlays	5,477		2,620	9,785	17,882
<b>Total</b>	<b>6,501</b>		<b>3,000</b>	<b>11,466</b>	<b>20,967</b>

The Draft SEIR discusses potential adverse impacts in the areas of Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, and Utilities and Service Systems. The direct, indirect and cumulative impacts of the HEU (otherwise referred to as the "Project") are addressed, as are the impacts of Project alternatives.

The SEIR consists of two volumes. Volume I is the Draft Program SEIR, which contains the environmental analysis, a discussion and analysis of Project alternatives, and the appendices. Volume II consists of the Final SEIR, which includes the comments received during the public review period, responses to those comments and text changes to the Draft SEIR to clarify or correct information in response to comments or as identified as necessary by staff. Together, these volumes are referenced as Attachment No. 2.

### **California Environmental Quality Act:**

The Program SEIR was prepared by Kimley-Horn Associates, Inc. to analyze the potential environmental impacts associated with implementation of the HEU, as well as identify appropriate mitigation measures. The SEIR is a tiered analysis document utilizing the City's General Plan Update Program EIR (August 2017) as the baseline. The SEIR was available for a 45-day public review period from June 29 to August 19, 2022. The Draft SEIR; Final SEIR (including responses to comments received); and the Mitigation, Monitoring, and Reporting Program are available on the City's website:

<https://www.huntingtonbeachca.gov/government/departments/planning/environmental-reports/environmental-report-view.cfm?ID=60>.

The following procedures were taken with respect to the SEIR in compliance with CEQA:

CEQA Procedure	Dates
A Notice of Preparation was filed with the State Clearinghouse to notify public of intent to prepare an SEIR.	August 5, 2021

Notice of Preparation available for 30 day public review and comment period.	August 5, 2021 - September 7, 2021
A virtual Public Scoping Meeting was held to solicit comments and issue areas to be studied in the SEIR.	August 19, 2021
A Notice of Completion was filed with the State Clearinghouse. Draft SEIR available for public review and comment for 45 days.	June 29, 2022 June 29, 2022 - August 15, 2022
Public hearing is scheduled before Planning Commission to recommend certification of Program SEIR No. 22-02 to the City Council.	October 11, 2022

**ANALYSIS:**

The analysis provides an overview of the SEIR and its conclusions, a review of the Project alternatives, and a summary of the response to comments.

**EIR Overview**

The SEIR provides a detailed analysis of potential impacts associated with the Project. It is intended to serve as an informational document for decision makers. The SEIR identifies significant or potentially significant environmental effects, as well as ways in which those impacts can be reduced to less than significant levels, whether through the goals and policies in the General Plan, mitigation measures, or through the implementation of alternatives to the project. In a practical sense, EIRs function as a technique for fact-finding, allowing future applicants, concerned citizens, and staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure.

**Subsequent EIR (SEIR)**

A Subsequent Environmental Impact Report (SEIR) for the HEU was prepared pursuant to State California Environmental Quality Act (CEQA) Guidelines §15162(3)(A) and (B).

The City's General Plan Update (GPU) Program EIR (PEIR) (State Clearinghouse No. 2015101032) analyzed impacts associated with an overall development capacity of 7,228 residential units and 5,384,920 square feet of non-residential land uses above the City's existing (2014) conditions, over an approximate 25-year planning horizon (to 2040). The 6th Cycle HEU RHNA of 13,368 could not have been known at the time of GPU PEIR certification, and the RHNA is in excess of the number of dwelling units analyzed in the GPU PEIR. In addition, the GPU PEIR did not evaluate recently adopted thresholds concerning Energy, Tribal Cultural Resources, and Wildfire.

As an SEIR, the analysis and conclusions contained in the GPU PEIR are used as baseline for the analysis and conclusions in the SEIR. The SEIR for the HEU contains only the information necessary to make the previous GPU PEIR adequate for the Project. Key to the SEIR's analysis is to evaluate whether the changes resulting from the Project result in new significant impacts compared to the adopted GPU PEIR.

**Program SEIR**

The SEIR prepared for the HEU is both a SEIR, as discussed above, and a "Program EIR" (Program SEIR). The Program SEIR analyzes the potential environmental impacts that could result from Project implementation at a programmatic level. That is, the Program SEIR assesses future development of The City's RHNA on any combination of the candidate housing sites, without assessing any individual projects. The Program SEIR differs from a "Project EIR" in that no specific projects will be analyzed/approved by this SEIR. Further analysis of the future housing development

was not conducted because the City had no further information and it would be too speculative to base an analysis of potential impacts resulting from future housing development facilitated by the HEU. In general, the degree and depth of analyses was conducted commensurate with the degree of detail available concerning the future housing development (e.g., location, land use type, and density). As such, potential changes that were considered speculative or unlikely to occur were not considered reasonably foreseeable.

#### Scope of SEIR Analysis

The SEIR evaluated impacts in the topical areas of: Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, and Utilities and Service Systems. The Project was determined to have either no impact or a less than significant impact related to Aesthetics, Agricultural and Forestry Resources, Biological Resources, Mineral Resources, and Wildfire. As such, the SEIR included a summary of these impacts in Section 8.0, Effects Found Not to be Significant, and does not provide further analysis of these issues.

A summary of key issues and mitigation measures resulting from the SEIR analysis is provided below. A complete listing of the recommended mitigation measures is provided in the Mitigation Monitoring Program provided in Attachment No. 4.

- **Air Quality:**

The impact analysis in the SEIR includes an analysis of potential effects resulting from conflicts with an applicable air quality plan, violation of an air quality standard/contribution of a considerable increase in nonattainment pollutants, exposure of sensitive receptors to substantial pollutant concentrations, and the creation of objectionable odors. The SEIR concluded that impacts due to a conflict with an applicable air quality plan and the creation of objectionable odors affecting a substantial amount of people would be less than significant. However, because the HEU does not propose specific projects, emissions from construction and operational activities cannot be quantified. As such, the SEIR requires compliance with applicable General Plan goals and policies and incorporation of mitigation measures GPU PEIR MM 4.2-1 through MM 4.2-14 and MM AQ-1, which require Project-specific measures to reduce emissions. Despite implementation of these measures and compliance with General Plan goals and policies, the HEU would result in significant and unavoidable impacts due to the violation or exceedance of an air quality standard, the cumulatively considerable contribution of criteria pollutant concentrations for which the region is in nonattainment status, and the exposure of sensitive receptors to substantial pollutant concentrations.

- **Cultural Resources:**

The SEIR analyzes potential impacts to historical and archeological resources, and potential impacts associated with encountering unknown human remains. The SEIR notes that future projects would be required to implement mitigation measures GPU PEIR MM 4.4-1, MM 4.4-2, and MM 4.4-3, which outline procedures to be followed during future construction activities to ensure compliance with local, State, and federal regulations pertaining to cultural resources. Implementation of these measures would ensure that impacts to cultural resources would be less than significant.

- **Energy:**

The SEIR also analyzes the potential for the HEU to result in the wasteful, inefficient, or unnecessary consumption of energy resources or conflicts with plans for renewable energy or energy efficiency. The SEIR notes that the HEU would increase housing in an already developed area which could increase energy consumption. However, all future housing would be required to comply with federal, State, and local requirements for energy efficiency, including California Energy Code Building Energy Efficiency Standards and the CALGreen Code. Consequently, future housing development facilitated by the HEU would result less than significant environmental impacts associated with the wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation; and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

- **Geology and Soils**

The SEIR analyzes potential impacts related to geology and soils, including impacts to people or structures to seismically-induced hazards, and impacts to paleontological resources. The SEIR determined that future housing developments would be required to comply with applicable General Plan goals and policies related to geology and soils and mitigation measures GPU PEIR 4.5-1 through MM 4.5-3, which require that site- and project-specific geotechnical studies be undertaken prior to issuance of grading and construction permits. Future development projects would also be required to implement mitigation measures GPU MM 4.4-2 through 4.2-4, which require site-specific studies and compliance with existing regulations to minimize impacts to unknown paleontological resources. Implementation of these measures and compliance with General Plan goals and policies would reduce impacts related to geology and soils to a less than significant level.

- **Greenhouse Gas Emissions**

The HEU would potentially generate greenhouse gas (GHG) emissions that could have a significant impact on the environment and could conflict with applicable plans for reducing GHG emissions. The SEIR notes that although the HEU would aim to comply with GHG reduction strategies outlined in the GPU PEIR, these strategies require additional action by City staff and officials, and the feasibility of implementing these strategies rely on numerous factors that cannot be forecasted at this time. Furthermore, GHG emissions may differ from actual Project future emissions due to various factors. As such, the HEU's potential to generate GHG emissions and potential to conflict with an applicable plan adopted for the purpose of reducing the GHG emissions would be significant and unavoidable. Although both future housing development facilitated by the HEU and cumulative projects are required to quantify project-specific GHG emissions associated with construction and operational activities and implement feasible mitigation measures and/or GHG reduction strategies to reduce GHG emissions, the contribution of daily construction and operational GHG emissions has the potential to create a significant impact. Thus, the SEIR concluded that Project-related GHG impacts would be cumulatively significant and unavoidable.

- **Hazards and Hazardous Materials**

Potential impacts associated with hazards and hazardous materials are also addressed in the SEIR. The SEIR notes that future housing development facilitated by the HEU would not involve ongoing or routine use of substantial quantities of hazardous materials during operations. In addition, all future housing developments would be subject to compliance with General Plan

policies aimed at reducing impacts from hazardous materials and GPU PEIR MM 4.7-1, which requires compliance with Huntington Beach Fire Department specifications related to the potential to encounter methane gas. Compliance with City regulations, General Plan policies, and implementation of mitigation would reduce impacts to a less than significant level. In addition, development of any contaminated sites would be required to undergo remediation under the supervision of appropriate regulatory oversight agencies prior to the commencement of construction activities. Compliance with City standards and mitigation measures GPU PEIR MM 4.7-2 and MM 4.7-3, which require preparation of a preliminary environmental site assessment to determine the potential for onsite contamination and the preparation of a Risk Management Plan if contamination is identified, would ensure that the HEU would not create a significant hazard to the public or the environment involving the release of hazardous materials into the environment, resulting in a less than significant impact. Furthermore, the SEIR concluded that future development facilitated by the HEU would not conflict with any State or local plan aimed at preserving and maintaining adopted emergency response or emergency evacuation plans. Notwithstanding, to minimize all potential impacts, all future housing development would be required to adhere to GPU PEIR MM 4.7-4, which requires future housing developments to consult with the City of Huntington Beach Police or Fire Departments to disclose temporary lane or roadway closures and alternative travel routes during construction, to ensure that there are no conflicts with emergency response and evacuation plans, thereby resulting in a less than significant impact. Overall, impacts with respect to hazards and hazardous materials would be less than significant with mitigation incorporated.

- **Hydrology and Water Quality**

Construction activities for future housing development facilitated by the HEU could displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Therefore, construction activities could violate water quality standards or otherwise degrade water quality. However, construction activities that could affect water quality would be addressed through compliance with the National Pollutant Discharge Elimination System (NPDES) program's Construction General Permit. Future housing development would also be subject to mitigation measure GPU PEIR MM 4.8-1, which requires new development projects to prepare project-specific Water Quality Management Plans. Compliance with this measure would reduce potential impacts associated with water quality violations and conflicts with a water quality control plan to a less than significant level.

As discussed under Utilities and Service systems, there may not be sufficient water supplies available to serve the HEU. Therefore, HEU-related water demands from future development would result in a significant and unavoidable impact concerning water supplies. For this reason, the Project could substantially decrease groundwater supplies resulting in a significant and unavoidable impact concerning sustainable management of the groundwater basin. Although future housing projects would be required to comply with City, State and federal goals and policies requiring water conservation, mitigation measure GPU PEIR MM 4.8-2 would be required to ensure that applicants of future developments prepare a groundwater hydrology study to ensure that dewatering activities do not interfere with groundwater supplies. Despite compliance with this measure and until water supply improves, both HEU-level and cumulative water demands would result in a significant unavoidable impact concerning groundwater supplies.

Development under the HEU could also result in an increase in the amount of impervious surfaces compared to existing conditions, thereby increasing stormwater runoff. Incorporation of

mitigation measure GPU PEIR MM 4.8-3, which requires future projects to demonstrate adequate capacity in the storm drain system and provide for mitigation of constraints, would reduce this impact to a less than significant level.

- **Land Use and Planning**

This section of the SEIR analyzes impacts to land use and planning including whether the HEU would physically divide an established community or conflict with other applicable land use plans. The analysis provides a discussion of other applicable plans, such as the SCAG Regional Comprehensive Plan and Regional Transportation Plan/Sustainable Communities Strategy, and concludes that impacts due to a conflict with other land use plans would be less than significant. This section also notes that with implementation of various goals and policies, the HEU would result in a less than significant impact associated with the physical division of an established community.

- **Noise**

This section analyzes potential long and short-term noise and groundborne vibration impacts with implementation of the HEU. Construction activities associated with future individual developments could occur near noise-sensitive receptors and noise disturbances could occur for prolonged periods of time, thereby resulting in potential construction noise impacts. In addition, future housing developments facilitated by the HEU have the potential to introduce and increase new roadway noise, thereby increasing ambient noise levels. As such, future projects would be required to comply with mitigation measures GPU PEIR 4.10-1 through 4.10-4, which include construction-level and operational noise reduction measures to reduce ambient noise levels associated with the Project. Despite compliance with General Plan goals and policies aimed at reducing noise and implementation of mitigation measures GPU PEIR 4.10-1 through 4.10-4, the HEU would result in significant and unavoidable impacts concerning construction-related and operational noise levels, which would also be considered cumulatively considerable. In addition, although future development would comply with General Plan policies to reduce groundborne vibration, mitigation measure GPU PEIR MM 4.10-5, which requires new development projects that include pile driving activities to incorporate vibration-reduction techniques, construction vibration levels would not be reduced to a level that would be less than significant because certain construction activities may still be required in proximity to nearby sensitive receptors. Therefore, this impact would remain significant and unavoidable and would remain cumulatively significant and unavoidable despite implementation of mitigation.

- **Population and Housing**

This section of the SEIR analyzes the potential for the Project to significantly induce population growth and/or displace substantial numbers of existing people or housing. As discussed in the SEIR, the HEU would facilitate future housing development, inducing indirect population growth in the City beyond existing conditions and General Plan and SCAG forecast conditions. However, State law requires that the City accommodate their RHNA “fair share” of the region’s housing needs, which cannot be achieved without the HEU’s proposed rezoning/land use amendments. Although the HEU would indirectly induce substantial population growth in the City, it is not considered unplanned given State law requirements. Housing development would also occur incrementally though 2029 based on market conditions and other factors, such that potential effects related to population growth would not occur at any single point in time. Moreover, the Project-related increase in population may not directly correlate with the addition of housing because most of the new housing is needed to alleviate existing overcrowding conditions within

existing housing. In addition, the HEU would not displace housing or residents as it does not directly propose new construction or development and allows for continued housing growth within the City. Therefore, impacts related to population and housing would be less than significant.

- **Public Services**

The SEIR evaluates the effects of the HEU on public services (fire, police, schools and libraries) by identifying anticipated demands on existing and planned service availability. The analysis concludes that with implementation of proposed goals and policies contained in the General Plan in addition to mitigation measures GPU PEIR MM 4.12-1 through MM 4.12-7, which require adequate funding and the payment of development impact and school fees through the development process, impacts to public services would be less than significant.

- **Recreation**

The SEIR analyzes the potential for adverse impacts on existing recreational facilities and opportunities and the expansion of recreational facilities resulting from implementation of the HEU. The SEIR concludes that future development under the HEU would increase the demand on recreational services. However, with incorporation of mitigation measures GPU PEIR MM 4.13-1 and MM 4.13-2, which require compliance with City parkland requirements and payment of park fees, impacts to parks and recreational facilities would be reduced to a less than significant level.

- **Transportation**

The SEIR analyzes the potential for the HEU to conflict with a program, plan, or policy addressing the circulation system; conflict with State CEQA Guidelines Section 15064.3 (addresses Vehicle Miles Travelled [VMT]); or substantially increase hazards due to a design feature. A Vehicle Miles Travelled Assessment prepared by Kimley-Horn and Associates, Inc. (2022) was utilized as the basis for the analysis in the SEIR. The SEIR concluded that future development under the HEU could potentially worsen levels of service (LOS) for various intersections in the City, which could conflict with the City's policy to maintain specified performance standards for LOS at traffic-signal-controlled intersections during peak hours. Therefore, all future housing facilitated by the HEU would be required to comply with General Plan goals and policies pertaining to LOS and would be subject to compliance with mitigation measures GPU PEIR MM 4.14.1 through 4.14-3, which require future projects near specified intersections to make faire share contributions toward specified improvements. Compliance with these goals and policies and implementation of mitigation would reduce impacts to the circulation system to a less than significant level.

The SEIR also noted that 325 sites of the total 378 candidate housing sites would not require a VMT analysis based on Small Project screening (<110 daily trips), low VMT area screening; or proximity to transit screening. A total of 53 sites would not be screened out, thereby requiring additional VMT analysis. Candidate housing sites that identify significant VMT impacts would require mitigation to reduce the project's VMT impacts. Consequently, future housing development on these 53 sites would be required to reduce their average VMT through compliance with General Plan goals and policies and mitigation measure MM TRANS-1, which identifies strategies that could help projects avoid or substantially reduce VMT impacts to a less than significant level. Future housing development would also be subject to State and local requirements to reduce VMT impacts. Therefore, future housing developments on the 53 sites that were not screened out are presumed be less than significant with mitigation incorporated.



- **Tribal Cultural Resources:**

The SEIR analyzes the potential for the Project to result in impacts to tribal cultural resources. The SEIR notes that future projects would be required to implement mitigation measures GPU PEIR MM 4.4-2 and MM 4.4-3, which require project applicants to retain a qualified professional and/or Native American monitors to determine if the project could result in impacts to tribal cultural resources and also require the halting of all earth-disturbing activities within 100-feet of a known discovery while data recovery and other methods are implemented. Implementation of these measures would ensure that impacts with respect to tribal cultural resources would be less than significant.

- **Utilities and Service Systems**

The SEIR also analyzes potential impacts to utilities and service systems. The SEIR notes that future development under the HEU could introduce the need for additional infrastructure or connections to existing infrastructure. With incorporation of mitigation measure GPU PEIR MM 4.15-1, which requires future projects to demonstrate that there is adequate capacity in the wastewater collection system to accommodate discharges from future projects, and adherence to General Plan policies and existing City processes, impacts to water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities would be reduced to a less than significant level. However, given the uncertainty of water supplies across the western United States and throughout California, a future supply deficit would result in a significant and unavoidable impact associated with water demands from future development facilitated by the HEU. Until such time as greater confidence in and commitment from water suppliers can be made, even with implementation of mitigation measure GPU PEIR MM 4.15-2, which requires project-specific applicants to incorporate water conservation measures as part of future projects, and adherence to General Plan policies and existing regulations, the HEU would result in significant and unavoidable Project-level and cumulative impacts related to water supplies.

### **Significant and Unavoidable Impacts**

As noted above, most of the potentially adverse impacts associated with the Project can be mitigated to a less-than-significant level through the use of mitigation measures identified in the Draft SEIR and compliance with applicable the goals and policies in the General Plan. However, there are five areas for which significant adverse environmental impacts cannot be eliminated through mitigation measures. Significant and unavoidable environmental impacts associated with the Project are as follows:

1. **Air Quality**

**Project-Level:** Air pollutant emissions associated with implementation of the HEU would result from construction activities and operation of uses allowed under the HEU. Due to the speculative nature of estimating emissions from individual projects at the programmatic level of the HEU, emissions cannot be quantified to establish whether the South Coast Air Quality Management District thresholds would be exceeded. Despite compliance with applicable General Plan goals and policies and incorporation of mitigation measures, the HEU would result in a significant and unavoidable air quality impacts due to the violation of an air quality standard and exposure of sensitive receptors to substantial pollutant concentrations.

**Cumulative:** Cumulative development could violate an air quality standard or contribute to an

existing or projected air quality violation because the South Coast Air Basin (SCAB) is currently in nonattainment for ozone, PM10, and PM2.5. The Project would result in a cumulatively considerable increase to nonattainment of ozone, PM10, and PM2.5 standards in the SCAB. Because information on individual projects is not currently available, cumulative construction and operational emissions cannot be accurately quantified. Despite compliance with General Plan goals and policies and implementation of mitigation measures, daily construction and operational air quality emissions would be considered cumulatively significant and unavoidable.

2. Greenhouse Gas Emissions

Project-Level and Cumulative: The Project would generate GHG emissions that could potentially have a significant impact on the environment and could conflict with applicable plans for reducing GHG emissions. Although the Project would aim to comply with GHG reduction strategies outlined in the General Plan Update PEIR, these strategies require additional action by City staff and officials, and the feasibility of implementing these strategies and specific implementation details rely on numerous factors that cannot be adequately forecasted at this time. Even with implementation of GHG reduction measures and compliance with General Plan goals and policies, GHG emissions associated with the HEU could be significant and unavoidable.

3. Hydrology and Water Quality

Project-Level and Cumulative: Project-related water demands from future development would result in a significant and unavoidable impact concerning water supplies. For this reason, the Project could substantially decrease groundwater supplies resulting in a significant and unavoidable impact concerning sustainable management of the groundwater basin. Although future housing projects would be required to comply with City, State and federal goals and policies requiring water conservation, mitigation would be required to ensure that applicants of future developments prepare a groundwater hydrology study to ensure that dewatering activities do not interfere with groundwater supplies. Despite compliance with applicable rules and regulations and implementation of mitigation, both Project-level and cumulative water demands would remain significant unavoidable impact concerning groundwater supplies.

4. Noise

Project-Level and Cumulative-Noise: Construction activities associated future individual developments could occur near noise-sensitive receptors and noise disturbances could occur for prolonged periods of time, thereby resulting in potential construction noise impacts. In addition, future housing developments facilitated by the Project have the potential to introduce and increase new roadway noise, thereby increasing ambient noise levels. As such, future projects would be required to comply with mitigation measures, which include construction-level and operational noise measures to reduce ambient noise levels associated with the Project. Despite compliance with General Plan goals and policies aimed at reducing noise and implementation of mitigation, the Project would result in significant and unavoidable impacts concerning construction-related and operational noise levels. The Project's impact concerning the substantial temporary and permanent increase of ambient noise levels would also be cumulatively considerable.

Project-Level and Cumulative-Vibration: Future development under HEU has the potential to generate construction vibration levels in exceedance of established thresholds at nearby sensitive receptors. Although future development would comply with General Plan policies to reduce groundborne vibration, mitigation requiring new development projects that include pile driving activities to incorporate vibration-reduction techniques to help to reduce impacts would be

required. Compliance with General Plan policies and implementation of mitigation would reduce potential groundborne vibration impacts associated with future construction activities, but not to a level that would be less than significant because certain construction activities may still be required in proximity to nearby sensitive receptors. Therefore, this impact would remain significant and unavoidable and would remain cumulatively significant and unavoidable despite implementation of mitigation.

#### **5. Utilities and Service Systems**

**Project-Level and Cumulative:** Given the uncertainty of water supplies across the western United States and throughout California, a future supply deficit would result in a significant and unavoidable impact associated with water demands from future development facilitated by the proposed Project. Until such time as greater confidence in and commitment from water suppliers can be made, even with implementation of mitigation, which requires project-specific applicants to incorporate water conservation measures as part of future projects, and adherence to General Plan policies and existing regulations, the HEU would result in a significant and unavoidable impact related to water supplies. Implementation of the Project would also result cumulatively considerable contribution to water supplies, resulting in a significant and unavoidable cumulative impact.

Notwithstanding the adoption and implementation of the recommended mitigation measures, approval of the HEU requires that a Statement of Overriding Considerations (Attachment No. 3) be adopted by the Planning Commission and City Council, finding that the economic, technological, social or other benefits of the project outweigh its potentially unavoidable adverse environmental impacts. Prior to certification and adoption of the SEIR, the Planning Commission may amend the document. It should be noted, that removal of any of the recommended mitigation measures will require findings and justification.

#### **Alternatives to the Proposed Project**

Section 15126.6(a) of the CEQA Guidelines requires that an EIR describe a range of reasonable alternatives to a project or to the location of a project that could feasibly attain the basic project objectives as proposed, while reducing significant impacts identified. An EIR is not required to consider every alternative conceivable; rather, it must consider a range of potentially feasible alternatives that will foster informed decision making and public participation. The SEIR analyzed two alternatives, which are described below.

##### **Alternative 1: No Project Alternative**

Under Alternative 1, development within the City would proceed pursuant to the adopted City General Plan and zoning. The City's projected regional housing need is 13,368 dwelling units (11,743 units when accounting for existing applications and pipeline projects). Under Alternative 1, State Housing Law and legislative requirements for implementation of the Project's proposed programs and strategies to increase housing capacity and the production of affordable dwelling units in the City would not occur. Alternative 1 would not consider the candidate housing sites and adoption of the land use amendments and rezones necessary to achieve the City's RHNA. As a result, additional residential capacity to accommodate the City's RHNA would not be created. This alternative would not satisfy the Project objectives because implementation of Alternative 1 would not facilitate the development of sufficient residential units to meet the City's RHNA allocation and would not satisfy legislative mandates for the HEU.

### Alternative 2: Beach and Edinger Corridors Alternative

The Beach and Edinger Corridors Alternative would meet the City's RHNA. However, residential development under Alternative 2 would be concentrated around the Beach and Edinger Corridors area of the Beach and Edinger Corridors Specific Plan (Specific Plan 14). More specifically, new residential development would only occur in portions of Specific Plan 14, which would support transit-oriented communities, and on fewer total parcels. This would have the effect of further reducing VMT, transportation-related energy demands, and associated criteria air pollutant and greenhouse gas emissions associated with housing development. However, this approach would require taller building heights and higher densities to achieve the target housing production in this area necessary to meet the RHNA. This alternative would also create dense/confined residential development and not expand housing opportunities across the City and therefore would not affirmatively further fair housing to the same degree as the Project.

### Environmentally Superior Alternative

The Draft SEIR identifies the No Project Alternative as the environmentally superior alternative because it would avoid many of the Project's impacts. The No Project Alternative would result in fewer impacts than the Project. Although this Alternative could reduce environmental impacts from future housing development facilitated by the HEU, the No Project Alternative would not achieve any of the project objectives. The No Project Alternative would not provide adequate housing sites to meet the City's 6th Cycle RHNA allocation or satisfy State housing law. Under the No Project Alternative, the City would not meet its RHNA obligations. Thus, this Alternative would directly conflict with California Government Code §65583, which stipulates that a jurisdiction must assess its housing element every eight years and identify adequate sites for housing and provide for the existing and projected needs of all economic segments of the community.

### **Statement of Overriding Considerations**

As previously stated, environmental impacts associated with implementation of a project may not always be mitigated to a level considered less than significant. In such cases, a Statement of Overriding Considerations must be prepared prior to approval of a project, and in accordance with CEQA Guidelines Sections 15091 and 15093. Because implementation of the HEU would create significant unavoidable impacts as described above in the areas of Air Quality, Greenhouse Gas Emissions, Noise, Hydrology and Water Quality (Water Supply), and Utilities (Water Supply), a Statement of Overriding Considerations is required to describe the specific reasons for approving a project (in this case the HEU), based on information contained within the Final SEIR, as well as any other information in the public record. The Statement of Overriding Considerations is included as Attachment No. 3 and is included as an exhibit to the draft City Council Resolution certifying the Program SEIR.

### **Public Comments on the Draft SEIR and Errata Changes**

The City received a total of five comment letters on the SEIR from four different agencies during the public review period: one from the Gabrielino Tongva Indians of California, one from the California Department of Transportation, two from the Orange County Health Care Agency, and one from the Ocean View School District. No comments were received from interested individuals or the general public. In response to the comments received, the Final SEIR includes text changes for the purpose of clarification or correction and are included in strikeout and underlined text in the Errata, which is a chapter in the Final SEIR. The text changes do not change the conclusions of the SEIR analysis. All of the comments are adequately addressed in the Response to Comments.

### **PLANNING ISSUES:**

This study session will provide an overview of the SEIR for the 2021-2029 Housing Element to the Planning Commission and will present a summary of potential environmental impacts associated with adoption and implementation of the Housing Element and certification of the SEIR.

**PUBLIC HEARING DATE:**

Meeting	Date	Time
Planning Commission Study Session (SEIR) Planning Commission Public Hearing (SEIR, Housing Element Update, RHNA Program Implementation - Rezoning and Affordable Housing Overlay)	October 11, 2022	5:00 PM 6:00 PM
City Council Public Hearing	November 15, 2022	6:00 PM

*All meetings to be held in the City Council Chambers*

**ATTACHMENTS:**

1. Draft 6th Cycle Housing Element Update available at:  
<https://www.huntingtonbeachca.gov/files/users/housing-element-update/Revised-Draft-6th->
2. Program Subsequent Environmental Impact Report No. 2022-002 available at:  
<https://www.huntingtonbeachca.gov/government/departments/planning/environmental->
3. Findings of Fact and Statement of Overriding Considerations
4. Mitigation Monitoring and Reporting Program