

CHAPTER 1 Introduction

The Village at Bella Terra Project (proposed project) consists of General Plan Amendment No. 07-01 (GPA) and Zoning Text Amendment No. 07-02 (ZTA) that would facilitate the development of a mixed-use project. In particular, the General Plan would be amended as follows:

- Allow horizontally integrated mixed-use in addition to the currently allowed vertical mixed-use.
- Increase the allowable residential density from the currently allowed 25 dwelling units per acre (du/acre) up to a maximum 45 du/acre (with limitations specified below).
- Increase the allowable commercial floor area ratio (FAR) from the current 0.5 to a maximum 0.6 commercial FAR (with limitations specified below).
- Increase the allowable total building FAR from the current 1.5 to 1.75 maximum FAR.
- Increase the maximum number of stories from the currently allowed maximum of four stories to six stories on a majority of the project site, up to a maximum of ten stories on a portion of the site.

The proposed General Plan designation would be CR-F2-sp-mu (F14). The newly established F14 FAR category would specify an overall maximum mixed use building area FAR of 1.75. The maximum commercial development and residential density would be limited to only one of the following development combinations on the project site. The new General Plan development potential (established by one of the two following combinations) would be established in both the Land Use Density and Intensity Schedule and General Plan Subarea 5a:

- **Option 1 (Increased Residential)**—Maximum total building area FAR of 1.75, commercial FAR of 0.2, and 45 du/acre, which would permit a maximum of 713 residential units and 138,085 sf of commercial uses. Compared to the existing General Plan designation, this GPA would represent an overall square footage increase of 172,606, through a decrease in commercial-only building area of 207,128 sf, and an increase of 317 residential units; *or*
- **Option 2 (Increased Commercial)**—Maximum total building area floor area ratio of 1.75, commercial FAR of 0.6, and 34 du/acre, which would permit a maximum of 538 residential units and 414,255 sf of commercial uses. Compared to the existing General Plan designation, this GPA would represent an overall square footage increase of 172,606, through an increase in commercial-only building area of 69,042 sf, and an increase of 142 residential units.

These two options represent the overall development scenarios that could occur under the proposed project; however, only one option would ultimately be approved. Both of these potential development combinations result in a maximum total building area FAR of 1.75 or 1,208,245 sf of total commercial and residential development, which is an increase in overall square footage (by approximately 172,606 sf) compared to what is currently allowed on site. The primary difference between the two options is the ratio of residential and commercial uses. Under the proposed project, Option 1 would represent an increase in residential uses and Option 2 would represent an increase in commercial uses. Approval of

either option would satisfy the proposed changes to the General Plan to allow a mixed-use development, as outlined above.

The associated ZTA would amend SP-13 to allow residential uses and establish residential design and development standards. In addition, the development standards for commercial uses, including but not limited to parking, setbacks, and building height will be evaluated within the Specific Plan.

For illustrative purposes, the Applicant has developed two conceptual plans in conformance with the development parameters of the proposed GPA and ZTA. While not part of the proposed project, the conceptual plans illustrate options for implementation of the two GPA/ZTA Options. Similar to the proposed project, these conceptual plans would consist of either additional residential units (Village Option A), which is representative of implementing GPA/ZTA Option 1, or additional commercial uses in the form of a hotel (Village Option B), which is representative of implementing GPA/ZTA Option 2.

1.1 PURPOSE AND LEGAL AUTHORITY

The proposed project requires the discretionary approval of the Huntington Beach City Council. Therefore, it is subject to the *California Environmental Quality Act* (CEQA). Since the Village at Bella Terra consists of a GPA/ZTA as opposed to a specific development proposal, this EIR provides a programmatic analysis of the proposed project. As defined by the CEQA Guidelines Section 15168(c), a Program EIR can be used specifically for later activities, as would likely be the case for future development on the project site. More specifically,

Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

- (1) If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading either an EIR or a negative declaration;
- (2) If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.
- (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.
- (4) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and activity to determine whether the environmental effects of the operation were covered in the program EIR.
- (5) A program EIR will be most helpful in dealing with subsequent activities if it deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed analysis of the program, many subsequent activities could be found to be within the scope of the project as described in the program EIR, and no further environmental documents would be required.

The Applicant has prepared two conceptual plans for illustrative purposes to demonstrate how the GPA/ZTA options could be reflected in a future development proposal. In as much detail as is currently available for the conceptual plans, this information has been included and analyzed in this Program EIR to provide as much specificity as possible. With respect to future specific development projects that could occur on the project site, Section 15168(c) of the CEQA Guidelines as identified above, requires

subsequent activities to be examined in light of the Program EIR to determine whether additional environmental documentation must be prepared.

If a later activity would have significant effects that were not examined in the Program EIR, subsequent environmental documentation must be prepared, consistent with Sections 15162 through 15164 of the CEQA Guidelines. Such subsequent environmental documentation would be “tiered” from the Program EIR. As established by Section 21068.5 of CEQA, tiering refers to coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program, or ordinance followed by narrower or site-specific environmental documents that incorporate, by reference, the discussion in any prior environmental impact report and which concentrate on the environmental effects that are (a) capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report. However, if any subsequent development proposal would not result in new environmental effects or the need for new mitigation measures, the subsequent activity could rely on the environmental analysis provided in this Program EIR, and no additional environmental documentation would be required.

The purpose of this report is to serve as an informational document for the public and the City of Huntington Beach decision-makers. The process will culminate with a City Council hearing to consider certification of a Final EIR (FEIR) and a decision on whether or not to approve the proposed project.

1.2 ENVIRONMENTAL REVIEW PROCESS

As a first step in complying with the procedural requirements of CEQA, the City prepared an Initial Study (IS) to determine whether any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment and, if so, to narrow the focus (or scope) of the environmental analysis. For this project, the IS indicated that an EIR would be the appropriate type of environmental document to address potential environmental impacts resulting from project implementation.

After completion of the IS, the City filed a Notice of Preparation (NOP) with the California Office of Planning and Research indicating that an EIR would be prepared. In turn, the IS/NOP was distributed to appropriate public agencies for a 30-day public review period, which began on March 17, 2008 and ended on April 15, 2008. A scoping meeting was held on March 26, 2008. The purpose of the scoping period, including the scoping meeting, was to solicit comments on the scope and content of the environmental analysis to be included in the EIR. During the scoping period, the City received six written comment letters on the IS/NOP in addition to the verbal comments received at the scoping meeting. The IS/NOP, as well as the scoping comment letters and verbal comments, are included in Appendix A of this EIR.

During the preparation of this Draft EIR (DEIR), agencies, organizations, and persons who the City believed may have an interest in this project were specifically contacted. Information, data, and observations from these contacts are included in the DEIR. Agencies or interested persons who did not respond during the public review period of the IS/NOP will have an opportunity to comment during the 45-day public review period of the DEIR, as well as at subsequent hearings on the project.

This DEIR has been distributed to affected agencies, surrounding cities, and interested parties for a 45-day review period in accordance with Section 15087 of the CEQA Guidelines. The DEIR is available for review at the following locations:

City of Huntington Beach
Planning Department
2000 Main Street
Huntington Beach, CA 92648

City of Huntington Beach
City Clerks Office
2000 Main Street
Huntington Beach, CA 92648

Central Library and Cultural Center
7111 Talbert Avenue
Huntington Beach, CA 92648

View and download the documents online at:

www.surfcity-hb.org

Navigate to:

<http://www.surfcity-hb.org/Government/Departments/Planning/major/BTVillage.cfm>

All documents incorporated by reference in this EIR are available for review at the City.

Written comments on the DEIR should be addressed to:

Jane James, Senior Planner
City of Huntington Beach
Department of Planning
2000 Main Street
Huntington Beach, CA 92648

Upon completion of the 45-day public review period, written responses to all environmental comments received by public agencies and the public during the review period will be completed. These comments, and their responses, will be included in the Final EIR (FEIR) for consideration by the City of Huntington Beach City Council, as well as any other public decision-makers. Furthermore, written responses to comments received from public agencies will be made available to those agencies at least 10 days prior to the public hearing at which certification of the FEIR would be considered.

It should be noted that environmental impacts may not always be mitigated to a less-than-significant level. When this occurs, they are considered significant and unavoidable impacts. If a public agency approves a project that has significant and unavoidable impacts, the agency shall state in writing the specific reasons for approving the project, based on the FEIR and any other information in the public record for the project. This is termed a “statement of overriding considerations” and is used to explain the specific reasons why the benefits of a proposed project make its unavoidable environmental effects acceptable. The statement is prepared, if required, based upon substantial evidence in the record and in

conjunction with the action to approve the project, in accordance with Section 15093 of the CEQA Guidelines. Following project approval, a Notice of Determination is filed with the State Clearinghouse.

1.3 EIR ADEQUACY

The level of detail contained throughout this EIR is consistent with the CEQA Guidelines (Section 15151) and recent court decisions, which provide the standard of adequacy on which this document is based. The Guidelines state as follows:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information, which enables them to make a decision, which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.

1.4 INTENDED USES OF THE EIR

As previously mentioned, this EIR is intended to provide decision-makers and the public with information that enables them to consider the environmental consequences of the proposed project. EIRs not only identify significant or potentially significant environmental effects, but also identify ways in which those impacts can be reduced to less-than-significant levels, whether through the imposition of mitigation measures or through the implementation of specific alternatives to the project. In a practical sense, EIRs function as a technique for fact-finding, allowing an applicant, concerned citizens, and agency staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure.

To gain the most value from this report, certain key points should be kept in mind:

- This report should be used as a tool to give the reader an overview of the possible ramifications of the proposed project.
- A specific environmental impact is not necessarily irreversible or permanent. Most impacts, particularly in urban, more developed areas, can be wholly or partially mitigated by incorporating conditions of approval and/or changes recommended in this report during the design and construction phases of project development.
- This report, while a summary of facts, reflects the professional judgment of the authors. The EIR was prepared by consultants retained by the City and by City staff, and was subject to the independent review and judgment of the City. The City independently reviewed and analyzed the EIR for the proposed project, and the EIR reflects the independent judgment of the City.

1.5 SCOPE OF THE EIR

This EIR provides a programmatic analysis of the potential environmental effects of the proposed project; however, project-level detail in the form of the conceptual plans is provided, where applicable.

The scope of the EIR includes issues identified by the City of Huntington Beach during the preparation of the IS/NOP, comment letters received during the IS/NOP review period, and comments received at the scoping meeting.

Based on the potential impacts of the proposed project, this EIR evaluates the following environmental issues identified in Appendix G of the 2008 CEQA Guidelines:

- Aesthetics/Visual Quality
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards/Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities/Service Systems

In accordance with Section 15128 (Effects Not Found to Be Significant) of the CEQA Guidelines, the IS/NOP (Appendix A) provides reasons why certain environmental impacts were not considered significant and, therefore, are not addressed further in this EIR. These include the following issue areas:

- Agricultural Resources
- Mineral Resources

In preparing the EIR, pertinent city policies and guidelines, existing EIRs, and background documents prepared by the City were all evaluated for their applicability to the proposed project. A list of references is provided at the end of each issue area section in Chapter 4.

1.6 PROJECT SPONSORS AND CONTACT PERSONS

The City of Huntington Beach is the lead agency for the preparation of this EIR. The Applicant for the proposed project is BTDJM Phase II Associates, LLC. PBS&J is the environmental consultant to the City and the principal preparer of this EIR. Key contact persons are as follows:

- Lead Agency:** City of Huntington Beach
Department of Planning
2000 Main Street
Huntington Beach, CA 92648
- Lead Agency Contact:** Jane James, Senior Planner
(714) 536-5596
jjames@surfcity-hb.org

Project Applicant: BTDJM Phase II Associates, LLC
922 Laguna Street
Santa Barbara, CA 93101

EIR Consultant: PBS&J
12301 Wilshire Boulevard, Suite 430
Los Angeles, CA 90025

1.7 DOCUMENT ORGANIZATION

This EIR has been designed for easy use and reference. To help the reader locate information of particular interest, a brief summary of the contents of each chapter of the EIR is provided. The following chapters are contained within the EIR:

- **Chapter 1: Introduction**—This section provides an overview of the proposed project, the environmental process, and document organization.
- **Chapter 2: Executive Summary**—This section summarizes the characteristics of the proposed project, the environmental impacts, mitigation measures, and residual impacts with the proposed project.
- **Chapter 3: Project Description**—This section includes the location and boundaries of the proposed project; project objectives; a general description of technical, economic, and environmental characteristics; and intended uses of the EIR.
- **Chapter 4: Environmental Impact Analysis**—This section describes and evaluates the environmental issue areas, including the existing environmental setting, applicable environmental thresholds, environmental impacts (short term, long term, direct, and indirect), policy considerations related to the particular environmental issue area under analysis, and feasible mitigation measures capable of minimizing environmental harm.
- **Chapter 5: Other CEQA Considerations**—This section provides a summary of the proposed project’s potential to lead to population growth and the indirect implications of that growth on the City; summarizes the discussion of cumulative impacts, provides a list of proposed project impacts that are significant and unavoidable by issue area; and identifies the irreversible changes to the natural environment resulting from the proposed project.
- **Chapter 6: Alternatives to the Proposed Project**—This section analyzes feasible alternatives to the proposed project, which include the no project alternative and a reduction in project scale.
- **Chapter 7: List of EIR Preparers**—This section identifies all individuals responsible for the preparation of this report.

1.8 AREAS OF CONTROVERSY TO BE RESOLVED

The discussion of environmental effects, mitigation measures, and alternatives, as summarized in Table 2-1 (Summary of Environmental Effects and Code Requirements/Mitigation Measures), and evaluated in detail in this EIR, constitutes the identification of issues to be resolved and areas of controversy, as required for compliance with Section 15123(b)(3) of the CEQA Guidelines. Additionally, oral and written comments received during the public review period for the IS/NOP indicated that areas

of controversy and potential issues to be resolved included in the following: (1) cultural resources, (2) pile driving, (3) aesthetics, shade/shadow, and building heights, (4) traffic increases and parking, (5) conflicting land uses and density, (6) highway-rail crossings, (7) flood zone, (8) parks and open space, (9) police and fire, and (10) quality of life impacts. These issues are addressed in Sections 4.01 through 4.14 of this EIR.

1.9 LIST OF ABBREVIATIONS

The following comprehensive list of abbreviations is provided to clarify references used in this EIR.

Table 1-1 Acronyms and Abbreviations	
<i>Acronym or Abbreviation</i>	<i>Definition</i>
°F	degrees Fahrenheit
ADA	Americans with Disabilities Act
ADT	average daily traffic
AELUP	Airport Environs Land Use Plan
AEP	Association of Environmental Professionals
AF	acre-feet
AFY	acre-feet per year
ALUC	Airport Land Use Commission
ANSI	American National Standards Institute
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
ARB	Air Resources Board
AST	aboveground storage tanks
ASTM	American Society for Testing of Materials
Basin	South Coast Air Basin
BFE	base flood elevation
BMP	best management practices
BPP	basin pumping percentage
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CAR	California Association of Realtors
CARB	California Air Resources Board
CASQA	California Stormwater Quality Association
CAT	Climate Action Taskforce
CBC	California Building Code
CAA	California Clean Air Act
CDBG	Community Development Block Grants
CDFG	California Department of Fish and Game

Table 1-1 Acronyms and Abbreviations

<i>Acronym or Abbreviation</i>	<i>Definition</i>
CDMG	California Department of Mines and Geology
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CERCLIS	Comprehensive Environmental Response, Compensation and Liability Index System
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CG	Commercial General
CGS	California Geological Survey
CHMIRS	Hazardous Material Incidents, Including Accidental Releases and Spills
CHP	California Highway Patrol
CIWMB	California Integrated Waste Management Board
CMA	Congestion Management Agency
CMP	Congestion Management Plan
CNDDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
COC	Constituents of Concern
COG	Council of Governments
COHb	carboxyhemoglobin
Cortese	State Hazardous Waste and Substances Sites
CPT	cone penetration testing
CPUC	California Public Utilities Commission
CR	code requirements
CRHR	California Register of Historical Resources
CTR	California Toxics Rule Criteria
CURMP	City of Huntington Beach Citywide Urban Runoff Management Plan
CWA	Clean Water Act
DAMP	Orange County Drainage Area Management Plan
dB	decibel
dBA	decibel scale
DFG	Department of Fish and Game
DOE	Department of Energy
DOF	Department of Finance
DOT	Department of Transportation
DPR	California State Department of Parks and Recreation

Table 1-1 Acronyms and Abbreviations

<i>Acronym or Abbreviation</i>	<i>Definition</i>
DTSC	Department of Toxic Substances Control
du/ac	dwelling unit per acre
EIR	environmental impact report
EMF	electromagnetic fields
EOC	emergency operations center
EPA	Environmental Protection Agency
ERNS	Emergency Response Notification System
ESA	Endangered Species Act
ESA	environmental site assessment
FAA	Federal Aviation Administration
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FINDS	Facility Index System
FTA	Federal Transit Administration
GAP	Green Acres Project
GCC	global climate change
GHG	greenhouse gas
GMP	Growth Management Plan
GPA	General Plan Amendment
gpd	gallons per day
gpm	gallons per minute
GWRS	Groundwater Replenishment System
HBFD	Huntington Beach Fire Department
HBPD	Huntington Beach Police Department
HTM	Huntington Beach Traffic Model
HBUHSD	Huntington Beach Union High School District
HCM	Highway Capacity Manual
HMBP	Hazardous Materials Business Plan
HMIRS	Hazardous Materials Incident Reporting System
HMMA	Hazardous Materials Management Act
HOME	HOME Investment Partnership Program
HOV	high-occupancy vehicle
HS	highway system
HSWA	Hazardous and Solid Waste Amendments Act
HUD	U.S. Department of Housing and Urban Development
HVAC	heating, ventilation, and air conditioning

Table 1-1 Acronyms and Abbreviations

<i>Acronym or Abbreviation</i>	<i>Definition</i>
ICU	intersection capacity utilization
IPCC	Intergovernmental Panel on Climate Change
IS	initial study
ITE	Institute of Transportation Engineers
IWMD	Orange County Integrated Waste Management Department
JFTC	Joint Forces Training Center
kWh	kilowatt-hour
LIP	local implementation plan
LOS	level of service
LSTs	localized significance thresholds
LUST	state leaking underground storage tank
M	Richter magnitude scale
MBTA	Migratory Bird Treaty Act
MEP	maximum extent practicable
mgd	million gallons per day
MM	mitigation measure
MPAH	Orange County Master Plan of Arterial Highways
MPD	City of Huntington Beach Master Plan of Drainage
MPO	Metropolitan Planning Organization
MRFs	materials recovery facilities
mu	mixed-use
M _w	moment magnitude
MWD	Metropolitan Water District of Southern California
MWDOC	Metropolitan Water District of Orange County
NAHC	Native American Heritage Commission
NHM	Natural History Museum
NHM	Natural History Museum of Los Angeles County
NIEHS	National Institute of Environmental Health Sciences
NO ₂	nitrogen dioxide
NOI	notice of intent
NOP	notice of preparation
NPDES	National Pollution Discharge Elimination System
NPL	National Priorities List
NPMP	Nutrient and Pesticide Management Program
NRHP	National Register of Historic Places
NSQD	National Stormwater Quality Database
O ₃	ozone

Table 1-1 Acronyms and Abbreviations

<i>Acronym or Abbreviation</i>	<i>Definition</i>
OA	Orange County Operational Area
OCCOG	Orange County Council of Governments
OCFCD	Orange County Flood Control District
OCP	Orange County Projections
OCSD	Orange County Sanitation District
OCTA	Orange County Transportation Authority
OCTAM	Orange County Transportation Analysis Model
OCWD	Orange County Water District
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OSHA	Occupational Health and Safety Administration
OVSD	Ocean View School District
Pb	lead
Phase I	Bella Terra Mall
PM ₁₀	respirable particulate matter
PM _{2.5}	fine particulate matter
pph	persons per household
ppm	parts per million
PUC	California Public Utilities Commission
RCPG	Regional Comprehensive Plan and Guide
RCRA	Resources Conservation and Recovery Act
RELOOC	Regional Landfill Options for Orange County
RHNA	Regional Housing Needs Assessment
ROD	record of decision
RPS	renewable portfolio standard
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agency
RWQCB	Regional Water Quality Control Board
SARA	Superfund Amendments and Reauthorization Act
SARB	Santa Ana River Basin
SARWQCB	Santa Ana Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCGC	Southern California Gas Company
SEMS	California Standardized Emergency Management System

Table 1-1 Acronyms and Abbreviations

<i>Acronym or Abbreviation</i>	<i>Definition</i>
sf	square-feet
SGRs	student generation rates
SIP	state implementation plan
SLF	sacred lands file
SO ₂	sulfur dioxide
sp	specific plan
SRA	source receptor area
SWP	water project
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants
TDM	transportation demand management
TIA	traffic impact analysis
TMDL	total maximum daily load
U.S. EPA	United States Environmental Protection Act
UBC	Uniform Building Code
UPRR	Union Pacific Railroad
URMP	Urban Runoff Management Program
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	underground storage tank
UWMP	City of Huntington Beach Urban Water Management Plan
V/C	volume/capacity
VCP	Voluntary Cleanup Program
VdB	vibration decibels
VMT	vehicle miles traveled
VOCs	volatile organic compounds
VPD	vehicles per day
WDRs	waste discharge requirements
WMDUS	State Waste Management Unit Database System
WQMP	Water Quality Management Plan
ZMA	zoning map amendment
ZTA	zoning text amendment

