

CHAPTER 9 Changes to the Draft EIR

9.1 FORMAT OF TEXT CHANGES

Text changes are intended to clarify or correct information in the Draft EIR in response to comments received on the document, or as initiated by Lead Agency staff. Revisions are shown in Section 9.2 (Text Changes) below as excerpts from the Draft EIR text, with a ~~line-through~~ deleted text and a double underline beneath inserted text. In order to indicate the location in the Draft EIR where text has been changed, the reader is referred to the page number of the Draft EIR.

9.2 TEXT CHANGES

This section includes revisions to text, by Draft EIR Section, that were initiated either by Lead Agency staff or in response to public comments. The changes appear in order of their location in the Draft EIR.

Page 2-11, Summary of Environmental Effects and Code Requirements/Mitigation Measures

(Impact 4.6-2) ~~MM4.6-1~~ In the event that ~~previously unknown or unidentified~~ soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction in the project area, construction activities in the immediate vicinity of the contamination shall cease immediately. ~~if contamination is encountered, a~~ For soil and/or groundwater impacts, Risk Management Plan(s) shall be submitted to the appropriate agencies (e.g., Huntington Beach Fire Department (HBFD), Orange County Health Care Agency (OCHCA), Air Quality Management District (AQMD) and Regional Water Quality Control Board (RWQCB)) for review and approval, prepared and implemented that The Plan(s) shall (1) identify ~~identifies~~ the contaminants of concern and the potential risk each contaminant would pose to human health ~~and/or~~ the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public, ~~and/or the environment~~ from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. ~~Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., Huntington Beach Fire Department). If needed, a~~ A Site Health and Safety Plan that meets California Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.

Page 2-12, Summary of Environmental Effects and Code Requirements/Mitigation Measures

(Impact 4.6-4) ~~MM4.6-3~~ Prior to project implementation, the Applicant shall submit for approval a soil testing and management work plan to the appropriate agencies (including the HBFD, OCHCA, AQMD, and RWQCB) for review and approval ~~HBFD~~. All native and imported soils associated with the proposed project site shall meet the standards outlined under the City's Specification No. 431-92 prior to the approval of grading plans and building plans by the HBFD, and any other appropriate federal, state and local requirements. Additionally, all work at the project site shall conform to the City's Public Works Department requirements (i.e., haul route permits).

Page 2-22, Summary of Environmental Effects and Code Requirements/Mitigation Measures

(Impact 4.12-1) ~~CR4.12-1~~ Prior to the issuance of building permits, the Applicant shall demonstrate compliance with City parkland requirements identified in Section 230.20 and/or Section Chapter 254.08 of the City of Huntington Beach Zoning Ordinance, either through the dedication of onsite parkland or through payment of applicable fees. Any on-site park

provided in compliance with this section shall be improved prior to final inspection (occupancy) of the first residential unit (other than the model homes).

Page 4.6-20, Impacts and Mitigation Measures

MM4.6-1

In the event that ~~previously unknown or unidentified~~ soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction in the project area, construction activities in the immediate vicinity of the contamination shall cease immediately. ~~If contamination is encountered, a~~ For soil and/or groundwater impacts, Risk Management Plan(s) shall be submitted to the appropriate agencies (e.g., Huntington Beach Fire Department (HBFD), Orange County Health Care Agency (OCHCA), Air Quality Management District (AQMD) and Regional Water Quality Control Board (RWQCB)) for review and approval. ~~prepared and implemented that~~ The Plan(s) shall (1) identify identifies the contaminants of concern and the potential risk each contaminant would pose to human health and/or the environment during construction and post-development and (2) describes measures to be taken to protect workers, and the public, and/or the environment from exposure to potential site hazards. Such measures could include a range of options, including, but not limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate agencies shall be notified (e.g., Huntington Beach Fire Department). If needed, a A Site Health and Safety Plan that meets California Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.

Page 4.6-24, Impacts and Mitigation Measures

MM4.6-3

Prior to project implementation, the Applicant shall submit for approval a soil testing and management work plan to the appropriate agencies (including the HBFD, OCHCA, AQMD, and RWQCB) for review and approval HBFD. All native and imported soils associated with the proposed project site shall meet the standards outlined under the City's Specification No. 431-92 prior to the approval of grading plans and building plans by the HBFD, and any other appropriate federal, state and local requirements. Additionally, all work at the project site shall conform to the City's Public Works Department requirements (i.e., haul route permits).

Page 4.7-30, Impacts and Mitigation Measures

Grading permit regulations are included in Municipal Code:

- Section 17.05.310 (Erosion control and water quality requirement systems) including:
 - > The prohibition of grading more than 200 cubic yards between October 1 and April 30 on any single grading site under permit unless an erosion control system has been approved or waived by the Director of Public Works (Director)

Page 4.12-6 and 4.12-7, Regulatory Framework

■ Local
City of Huntington Beach Zoning Ordinance

Section Chapter 254.08 of the City's Zoning Ordinance, Parkland Dedication, implements the provisions of the *Quimby Act*. The park and recreational facilities for which dedication of land and/or payment of an in-lieu fee as required by this Chapter are in accordance with the policies, principles and standards for park, open space and recreational facilities contained in the General Plan.

The requirements of Section Chapter 254.08 are complied with through the dedication of land, payment of a fee, or both, at the option of the City, for park or recreational purposes at the time and according to the standards and formula contained within this Chapter. The amount and location of land dedicated or the fees to be paid, or both, are used for acquiring, developing new or rehabilitating existing community and neighborhood parks and other types of recreational facilities. These facilities are provided in locations that bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision generating such dedication of land or payment of fees, or both. Chapter 254.08 requires that 5 acres of property for each 1,000 persons residing within the City be devoted to local park and recreational purposes.

Lands to be dedicated or reserved for park and/or recreational purposes are required to be suitable in the opinion of the Director of Planning and the Director of Community Services in location, topography, environmental characteristics, and development potential as related to the intended use. The primary intent of this Section is to provide land for passive and active recreation, including but not limited to: tot lots, play lots, playgrounds, neighborhood parks, playfields, community or regional parks, lakes, picnic areas, tree groves or urban forests, and other specialized recreational facilities that may serve residents of the City.

In addition, according to Section 230.20, all new commercial and industrial development and all new residential development not covered by Chapter 254, except for mobile home parks, shall pay a park fee as a condition of development approval. The fees shall be paid and calculated according to a schedule adopted by City Council resolution.

Page 4.12-9, Impacts and Mitigation

Future development on the project site would be required to satisfy Section 230.20 and/or Section Chapter 254.08 of the City's Zoning Ordinance, which implements the provisions of the *Quimby Act*. Specifically, Section 230.20 requires payment of a park fee for all new commercial and industrial development and all new residential development, such as apartments, not covered by Chapter 254. For new residential subdivisions, Chapter 254 this chapter requires that five acres of property for each 1,000 residents be devoted to local park and recreational purposes. This could be met through land dedication or payment of park fees, or a combination of both. While dedicated parkland directly increases the available recreation space within the City for residents, the payment of park fees from new development

could be allocated to fund the acquisition and/or development of future parks or facility renovations associated with increased use of public facilities.

The proposed project does not include dedicated open space or parklands because a specific development project is not proposed as part of the GPA/ZTA. However, future development would include private and common open space areas through onsite amenities, as would be required by the architectural and design guidelines in the ZTA. The availability of on-site amenities for future residents could potentially displace the demand on public recreational facilities. However, because the proposed project is a GPA/ZTA, specific open space and recreational amenities for future development are not yet known. Therefore, implementation of code requirement **CR4.12-1** would be required at the time of development under either Option 1 or Option 2.

CR4.12-1 *Prior to the issuance of building permits, the Applicant shall demonstrate compliance with City parkland requirements identified in Section 230.20 and/or Section Chapter 254.08 of the City of Huntington Beach Zoning Ordinance, either through the dedication of onsite parkland or through payment of applicable fees. Any on-site park provided in compliance with this section shall be improved prior to final inspection (occupancy) of the first residential unit (other than the model homes).*

Page 4.12-10, Impacts and Mitigation

...As required by CR4.12-1, future development would be subject to Section 230.20 and/or Section Chapter 254.08, which would require the dedication of land or the payment of in-lieu fees, or both, at the discretion of the City in order to comply with appropriate parkland dedication requirements. Implementation of construction-related applicable code requirements and mitigation measures as described throughout the technical sections (Sections 4.01 through 4.14) of this EIR would help reduce impacts. Therefore, effects of construction activities associated with development of recreational facilities under Option 1 and Option 2 would be *less than significant*.

Page 6-15, Alternative 3: Reduced GPA/ZTA Alternative

■ Description

This alternative (referred to as the reduced alternative) assumes a reduced development scenario would occur at the project site. This alternative assumes development of the lower development potential of commercial and residential uses under each Option of the proposed project. Therefore, a total of 538 ~~583~~ residential units and 138,085 sf of commercial space would be developed under this alternative. This alternative would result in a similar overall site plan as identified for the proposed project, and would occur in the same 15.85-acre site as the proposed project. Similar to the proposed project, this alternative would require a GPA and ZTA to allow for a greater density of development than what is allowed under the current General Plan.

Page 6-25 & 6-26, Alternative 3: Reduced GPA/ZTA Alternative

Land Use

Implementation of the reduced alternative would result in similar impacts as the proposed project. The reduced alternative would require a GPA/ZTA to allow denser development than what is currently allowed under the existing General Plan, similar to the proposed project. This reduced alternative would result in the development of ~~538~~ 583 residential units and 138,085 sf of commercial space. This alternative would, therefore, result in lower overall development compared to the proposed project. Therefore, the analysis identified for the proposed project would apply to the reduced alternative. Land use impacts would be the same as those identified for the proposed project, resulting in a less-than-significant impact.

Page 6-58, Alternative 3: Reduced GPA/ZTA Alternative

■ Attainment of Project Objectives

Implementation of Alternative 3 would satisfy all of the identified project objectives. Under this alternative, ~~538~~ 583 residential units and 138,085 sf of commercial space would be developed on the project site. This would satisfy all objectives relating to developing dense residential uses within close proximity to transit, schools, and regional activities while offering close proximity to retail opportunities.

9.3 FIGURE CHANGES

There were no figure changes to the Draft EIR.