CITY OF HUNTINGTON BEACH
PLANNING & BUILDING DEPARTMENT
DRAFT MITIGATED NEGATIVE DECLARATION NO. 13-03

1. **PROJECT TITLE:** Surf City Nights

   Concurrent Entitlements: Coastal Development Permit No. 12-001, Conditional Use Permit No. 12-026; Noise Deviation Permit No. 13-009

2. **LEAD AGENCY:** City of Huntington Beach
   2000 Main Street
   Huntington Beach, CA 92648

   Contact: Ethan Edwards, Associate Planner
   Phone: (714) 536-5561

3. **PROJECT LOCATION:** The closure will be between Pacific Coast Highway and Orange Avenue on Main Street including portions (half-block) of Walnut Avenue and Olive Avenue (between 3rd Street and 5th Street) and between Pacific Coast Highway and Walnut on 5th Street.

4. **PROJECT PROPONENT:** Same as Lead Agency

5. **GENERAL PLAN DESIGNATION:** M->30-sp-pd (Mixed Use – specific plan overlay – design overlay – pedestrian overlay)

6. **ZONING:** SP5-CZ (Specific Plan No. 5 – District 1 – Coastal Zone)

7. **PROJECT DESCRIPTION:** To review the potential environmental impacts associated with the closure of Main Street and 5th Street every Tuesday night between 2:00 PM and 10:00 PM to allow for an outdoor street festival (Surf City Nights) between 5:00 PM and 9:00 PM for an indefinite period of time. The festival will consist of various activities including sidewalk sales, farmer's market, live entertainment, food preparation and tasting, and children's activities (bounce house and train). A shuttle program will be provided via a remote parking lot located at 2000 Main Street (City Hall) with a free shuttle service to/from the festival to accommodate overflow parking year round. The Surf City Nights street festival has been operating on Main Street only as a temporary use since May 14, 2008. An application for a permit to deviate from the provisions of the Noise Ordinance is requested as part of the proposed project and is being processed concurrently with the request. No development or construction is proposed as part of the project.

8. **SURROUNDING LAND USES AND SETTING:** The project area includes the public right-of-ways (streets) between Pacific Coast Highway and Orange Avenue on Main Street including portions of (half-block) of Walnut Avenue and Olive Avenue (between 3rd Street and 5th Street) and between

Pacific Coast Highway and Walnut on 5th Street. A mix of uses is located adjacent to the project area including: retail, restaurant, parking structures, multi-family residential, office, municipal pier, beach, and other visitor-serving uses.

8. OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION:
None.

10. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED):
None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the checklist on the following pages.

☐ Land Use / Planning	☐ Transportation / Traffic	☐ Public Services
☐ Population / Housing	☐ Biological Resources	☐ Utilities / Service Systems
☐ Geology / Soils	☐ Mineral Resources	☐ Aesthetics
☐ Hydrology / Water Quality	☐ Hazards and Hazardous Materials	☐ Cultural Resources
☐ Air Quality	☒ Noise	☐ Recreation
☐ Agriculture Resources	☐ Greenhouse Gas Emissions	☐ Mandatory Findings of Significance

DETERMINATION

(To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. **A MITIGATED NEGATIVE DECLARATION** will be prepared. ☒

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐

I find that the proposed project **MAY** have a "potentially significant impact" or a "potentially significant unless mitigated impact" on the environment, but at least one impact (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, **nothing further is required.** ☐

Ethan T. Edwards
Signature

5-23-13
Date

ETHAN T. EDWARDS
Printed Name

ASSOCIATE PLANNER
Title

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to the project. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

2. All answers must take account of the whole action involved. Answers should address off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. "Potentially Significant Impact" is appropriate, if an effect is significant or potentially significant, or if the lead agency lacks information to make a finding of insignificance. If there are one or more "Potentially Significant Impact" entries when the determination is made, preparation of an Environmental Impact Report is warranted.

4. Potentially Significant Impact Unless Mitigated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XIX at the end of the checklist.

6. References to information sources for potential impacts (e.g., general plans, zoning ordinances) have been incorporated into the checklist. A source list has been provided in Section XIX. Other sources used or individuals contacted have been cited in the respective discussions.

7. The following checklist has been formatted after Appendix G of Chapter 3, Title 14, California Code of Regulations, but has been augmented to reflect the City of Huntington Beach's requirements.

(Note: Standard Conditions of Approval - The City imposes standard conditions of approval on projects which are considered to be components of or modifications to the project, some of these standard conditions also result in reducing or minimizing environmental impacts to a level of insignificance. However, because they are considered part of the project, they have not been identified as mitigation measures.

SAMPLE QUESTION:

ISSUES (and Supporting Information Sources):	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
Would the proposal result in or expose people to potential impacts involving:				
Landslides? (Sources: 1, 6)	☐	☐	☐	☒

Discussion: The attached source list explains that 1 is the Huntington Beach General Plan and 6 is a topographical map of the area which show that the area is located in a flat area. (Note: This response probably would not require further explanation).

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

I. LAND USE AND PLANNING. Would the project:

a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Sources:1,2)	☐	☐	☒	☐

Discussion: The project is to permit the closure of Main Street and 5th Street every Tuesday night to allow for an outdoor festival for an indefinite period of time. The festival will consist of various activities including sidewalk sales, farmer's market, live entertainment, food preparation and tasting, and children's activities (bounce house and train). The closure will be between Pacific Coast Highway and Orange Avenue on Main Street including portions (half-block) of Walnut Avenue and Olive Avenue (between 3rd Street and 5th Street) and between Pacific Coast Highway and Walnut on 5th Street. The project is permitted subject to the review and approval of a conditional use permit pursuant to Chapter 241 of the Huntington Beach Zoning and Subdivision Ordinance. In addition, the project includes a deviation permit to exceed standards established by the City's Noise Ordinance of the Municipal Code. However, the Municipal Code allows such deviations pursuant to the provision of the Noise Ordinance. As discussed in Section X(a) below, none of the impacts associated with the noise deviation would be significant.

Additionally, the project conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following Coastal Element Land Use Policies:

Policy C 1.1.6: Temporary and seasonal activities within the coastal zone which do not qualify as exempt activities pursuant to the Coastal Commission's guidelines adopted by the Commission pursuant to Section 30610(i) of the Coastal Act shall be monitored and regulated through the coastal development permit process to protect coastal resources from adverse impacts associated with the seasonal or temporary activities.

Policy C 2.4.2: Ensure that adequate parking is maintained and provided in all new development in the Coastal Zone utilizing one or a combination of the following:

- Monitor parking programs to make the most effective use of parking resources, and
- Replace any on-street parking lost in the coastal zone on a 1:1 basis within the coastal zone prior to or concurrent with the loss of any parking spaces.

Policy C 3.2.1: Encourage, where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone.

Policy C 3.4.2: Enhance the Municipal Pier and surrounding area to function as the "hubs" of tourist and community activity.

The proposed outdoor street festival will attract tourists and Huntington Beach residents to Main Street and 5th Street and the Municipal Pier reinforcing Downtown Huntington Beach as a "hub" of community activity. The weekly event increases and enhances recreational opportunities in the coastal zone by providing public recreational and community activities with adequate parking and parking facilities within the downtown and satellite facilities. The proposed closure of Main Street and 5th Street (and associated side streets) every Tuesday night to allow for an outdoor festival will not conflict with any land use plan in the City of Huntington Beach including the Municipal Code (with the exception of the Noise Ordinance), the Downtown Specific Plan, the General Plan and the Local Coastal Program. Less than significant impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Sources:1)	☐	☐	☐	☒

Discussion: The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan as none exists in the City. No impacts are anticipated.

c) Physically divide an established community? (Sources:3,4)	☐	☐	☐	☒

Discussion: The proposed project would not disrupt or physically divide an established community. Although the project would temporarily close access to Pacific Coast Highway from Main Street and 5th Street on Tuesday nights, alternate routes to Pacific Coast Highway are available on adjacent streets. In addition, access to and through the downtown area from Pacific Coast Highway would be available on adjacent side streets. The project would not impact access to surrounding development. No impacts are anticipated.

II. POPULATION AND HOUSING. Would the project:

a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses)or indirectly (e.g., through extensions of roads or other infrastructure)? (Sources:1,4)	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources:4)	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources:4)	☐	☐	☐	☒

Discussion: a) – c) The project area consists of public right-of-ways (streets). No residential uses exist and no new homes or businesses are proposed. Therefore, the project will not displace existing people or housing and no impacts are anticipated.

III. GEOLOGY AND SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault ? (Sources:1,12)	☐	☐	☒	☐

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazards of subsurface faulting and fault rupture to build structures. Active earthquake faults are faults where surface rupture has occurred within the last 11,000 years. Fault rupture generally occurs within 50 feet of an active fault line and is limited to the immediate area of the fault zone where the fault breaks along the surface. The project does not propose to build any new buildings and is not known to be traversed by an active fault and is not located within the Alquist-Priolo Earthquake Fault Zone for surface fault rupture hazards. The nearest active fault is the Newport-Inglewood fault located approximately 1.5 miles northeast of the project site. Therefore, impacts are anticipated to be less than significant.

ii) Strong seismic ground shaking? (Sources:1,12) ☐ ☐ ☒ ☐

Discussion: The project site is located in a seismically active region of South California. Therefore, the site could be subjected to strong ground shaking in the event of an earthquake. The project does not propose permanent structures. Although people will congregate in the area as part of the event, surrounding development is built pursuant to Uniform Building Code regulations and designed to withstand an earthquake or seismic event. Impacts are anticipated to be less than significant.

iii) Seismic-related ground failure, including liquefaction? (Sources:1,12) ☐ ☐ ☒ ☐

Discussion: Although the site is located within an area identified by the City's General Plan as having a very high potential for liquefaction, the project is not located within a liquefaction zone, according to Seismic Hazard Zones maps of California Division of Mines and Geology (CDMG). The project includes a weekly event within a developed area and does not propose construction or ground disturbance. Therefore, liquefaction impacts associated with seismic related ground failure to people and structures on-site would be less than significant.

iv) Landslides? (Sources:1,6) ☐ ☐ ☐ ☒

Discussion: According to the City of Huntington Beach General Plan, the site is not in an area susceptible to slope instability. The project site is located on flat land and no slopes or other landforms susceptible to landslides exist in the vicinity of the property. Moreover, the California Division of Mines and Geology has not mapped any earthquake-induced landslides at or in the vicinity of the site that would be indicative of the potential for slope instability. The project includes a weekly event within a developed area and does not propose construction or ground disturbance. No impacts from landslides are anticipated.

b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources:1,6) ☐ ☐ ☐ ☒

Discussion: The project site and vicinity are urbanized and have relatively flat topography. Implementation of the proposed project would not require alteration of the existing topography of the project site. Therefore, no impacts are anticipated.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, ☐ ☐ ☐ ☒

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Sources:1,6)

Discussion: Refer to Responses III (a) (iii) and III (a) (iv) for discussion of liquefaction and landslides, respectively. Subsidence is large-scale settlement of the ground surface generally caused by withdrawal of groundwater or oil in sufficient quantities such that the surrounding ground surface sinks over a broad area. The project site has not been identified as an area with potential for subsidence. The project includes a weekly event within a developed area and does not propose construction or ground disturbance. In addition, withdrawal of groundwater, oil, or other mineral resources would not occur as part of the proposed project and, therefore, subsidence is not anticipated to occur. No impacts are anticipated

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Sources:1,6) ☐ ☐ ☒ ☐

Discussion: Although the project site is located in an area known to have moderately expansive soils, the proposed project does not include any grading, construction or building activities that would be subject to the CBC and/or implementation of measures for expansive soils. Therefore, potential risks to life and property associated with expansive soil are less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater (Sources:1) ☐ ☐ ☐ ☒

Discussion: The project site is located in an urbanized area in which wastewater infrastructure is currently in place. Therefore, the capability of the soils to support septic tanks or alternative wastewater systems is not relevant to the proposed project. No impact would occur related to septic tanks or alternative wastewater disposal systems.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements? (Sources:1,14) ☐ ☐ ☒ ☐

Discussion: The project does not propose any construction activities or ground disturbance and thus does not need to comply with the water quality requirements of the National Pollutant Discharge Elimination System (NPDES) for preparation of a SWPPP or WQMP. However, the project may potentially impact the downstream water quality if trash, debris and spills are not cleaned immediately after each event. In order to minimize the potential for water quality issues: a) all vendors are required to self contain their waste by bringing their own trash containers and carrying it off-site after each event; b) The project proponent has arranged with Rainbow Disposal to empty the commercial trash bins serving the site immediately before and after the event so that sufficient room is provided within the bins for trash and debris; c) The project proponent has arranged with Rainbow Disposal to deliver an ample supply of plastic lined cardboard disposable trash bins that are installed throughout the site; d) The project proponent has arranged with a private contractor to sweep and pickup trash, clean up spills and deliver the cardboard trash bins to Rainbow for disposal prior to the re-opening of the event site. Furthermore, the event will be canceled during rain events, so that runoff does not carry pollutants from

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

the event to the storm drain prior to cleanup of the site. Additionally, the project site discharges to a public storm drain system that ultimately flows through existing water quality BMPs, which capture trash and pollutants prior to runoff discharging to the ocean. The implementation of these control measures will ensure compliance with water quality standards and waste discharge requirements. Less than significant impacts would occur.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted? (Sources:1,14) ☐ ☐ ☐ ☒

Discussion: No direct use of groundwater supplies is proposed and no adverse impact to groundwater recharge will occur. Any potable water to be used by vendors will be minimal, and temporary. The project will not impact the level of local groundwater. Wells supporting existing or planned land uses will continue at the same level of production as without the proposed project. Therefore, no impact is anticipated to groundwater supplies or groundwater recharge systems.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site? (Sources:1,14) ☐ ☐ ☐ ☒

Discussion: The proposed project will not alter the existing drainage pattern of the site or area, nor alter the course of a stream or river, which would result in substantial erosion or siltation on- or off-site. The project is an event and will not change existing grades nor add new impervious surface areas that would create additional runoff. Therefore, the proposed project will result in no impact to existing drainage patterns or result in erosion or siltation.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount or surface runoff in a manner which would result in flooding on or off-site? (Sources:1,14) ☐ ☐ ☐ ☒

Discussion: The proposed project will not alter the existing drainage pattern of the site or area, nor alter the course of a stream or river, nor substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. The project will not increase the amount of impervious surfaces, involve construction, nor would it create additional runoff. Additionally, the project site is adequately served by existing public storm drain systems designed to City standards. Thus, project operation will not cause flooding on- or off site. Therefore, the proposed project will result in no impact due to flooding.

e) Create or contribute runoff water which would exceed

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Sources:1,14)	☐	☐	☐	☒

Discussion: The project will not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. As described in IV(d), above, the proposed project will not generate additional stormwater runoff. Therefore, there would be no impact due to runoff.

f) Otherwise substantially degrade water quality? (Sources:1,14)	☐	☐	☒	☐

Discussion: See discussion under Sections IV (a).

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Sources:1,7)	☐	☐	☐	☒

Discussion: The proposed project is an event, no residential uses are proposed. Regardless, the subject site of the event is designated as Flood Zone X, a 500-year flood hazard area, on the Flood Insurance Rate Map (FIRM), which is not subject to federal flood development restrictions. Therefore, no impacts are anticipated.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Sources:1,7)	☐	☐	☐	☒

Discussion: The proposed project site is designated as Flood Zone X on the Flood Insurance Rate Map (FIRM), which is not subject to federal flood development restrictions. The project site and vicinity are not situated within the 100-year flood hazard area as mapped in the FIRM. Therefore, no impacts are anticipated.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Sources:1,7)	☐	☐	☐	☒

Discussion: The project site is not located within a flood hazard zone. In addition, the site is not in the immediate vicinity of a levee or dam. Therefore, no impacts are anticipated.

j) Inundation by seiche, tsunami, or mudflow? (Sources:1)	☐	☐	☐	☒

Discussion: According to the Moderate Tsunami Run-up Area map in the City of Huntington Beach General Plan/Local Coastal Program, the project site is not located in an identified moderate tsunami run-up area. Due to the lack of land-locked bodies of water (i.e., ponds or lakes) in proximity to the project site, the potential for seiches is considered to be non-existent. The project site and vicinity are urbanized and have relatively flat topography. The project site and vicinity are not identified as areas with the potential for mudflows. Therefore, no impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
k) Potentially impact stormwater runoff from construction activities? (Sources:1,14)	☐	☐	☐	☒

Discussion: The project does not propose construction activities or ground disturbances. Therefore, no impacts are anticipated.

l) Potentially impact stormwater runoff from post-construction activities? (Sources:1,14)	☐	☐	☐	☒

Discussion: See discussion under Sections IV (a).

m) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas? (Sources:1,4)	☐	☐	☐	☒

Discussion: Pollutants caused from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance, waste handling, hazardous materials handling or storage, and other such outdoor work areas are not proposed or expected and therefore no impact is anticipated.

n) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? (Sources:1,4)	☐	☐	☒	☐

Discussion: See discussion under Sections IV (a).

o) Create or contribute significant increases in the flow velocity or volume of stormwater runoff to cause environmental harm? (Sources:1)	☐	☐	☐	☒

Discussion: See discussion under Section IV (a)(e).

p) Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources:1,6,14)	☐	☐	☐	☒

Discussion: See discussion under Section III (b).

V. AIR QUALITY. The city has identified the significance criteria established by the applicable air quality management district as appropriate to make the following determinations. Would the project:

a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources:8)	☐	☐	☒	☐

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Expose sensitive receptors to substantial pollutant concentrations? (Sources:8)	☐	☐	☒	☐
c) Create objectionable odors affecting a substantial number of people? (Sources:8)	☐	☐	☒	☐
d) Conflict with or obstruct implementation of the applicable air quality plan? (Sources:8)	☐	☐	☒	☐
e) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Sources:8)	☐	☐	☒	☐

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: a) – e) The City of Huntington Beach is located within the South Coast Air Basin, which is regulated by the South Coast Air Quality Management District (SCAQMD). The entire Basin is designated as a state and national-level nonattainment area for Ozone, respirable particulate matter (PM_{10}) and fine particulate matter ($PM_{2.5}$).

The proposed operation is not anticipated to produce objectionable odors and potential odors (if any) would be limited to general cooking odors and typical refuse containers, which will be emptied and removed after each event. As such, impacts from odors would be less than significant.

The 2007 Air Quality Management Plan (AQMP) is the region's applicable air quality plan prepared to accommodate growth, to reduce the high levels of pollutants within the areas under jurisdiction of the SCAQMD, to return clean air to the region, and minimize the impact on the economy. Projects that are considered to be consistent with the General Plan are considered to be consistent with the AQMP. When the Downtown Specific Plan Update was adopted in 2010, it was determined that the new land use designations and proposed build-out of the specific plan would not conflict with the 2007 AQMP. Therefore, the proposed project, which is consistent with the Specific Plan, would not conflict with the AQMP and impacts would be less than significant.

Generally, a project's potential air quality impacts are based on a quantified assessment of the project's criteria pollutant emissions compared to significance thresholds prescribed by the SCAQMD. If project emissions do not exceed the significance thresholds, impacts would be considered less than significant. Existing air quality models do not include an appropriate land use type for events such as the proposed project. The SCAQMD does not recommend use of modeling software for the proposed project since an accurate emissions estimate could not be achieved. However, per the SCAQMD, the project would not generate emissions that would exceed regional significance thresholds nor would it expose sensitive receptors to substantial pollutant concentrations beyond established thresholds. Therefore, a less than significant impact is anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

VI. TRANSPORTATION/TRAFFIC. Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Sources: 15)	☐	☐	☒	☐

Discussion: A traffic analysis was completed for the proposed Surf City Nights project to determine if the weekly event would cause any significant traffic impacts. The analysis examined the existing traffic conditions for a typical afternoon peak period weekday without Surf City Nights, along with the conditions during Surf City Nights including the closure of the first block of 5th Street. The analysis examined the PM peak hour traffic conditions for the proposed project on the intersections in the project vicinity. Since Surf City Nights begins in the afternoon, the AM peak hour was not examined. The level of service at the following intersections were analyzed:

- Pacific Coast Highway @ 1st Street (signalized)pd
- Pacific Coast Highway @ Main Street (signalized)pd
- Pacific Coast Highway @ 6th Street (signalized)pd
- Main Street @ Orange Avenue (all-way stop)

Turning movement counts were collected during the summer on a Tuesday (Surf City Nights) and on the following day during the PM peak hour when all streets are open to traffic and functioning normally. With the traffic count information an analysis was conducted to estimate the diversion of traffic associated with the proposed weekly event. The levels of service at the study intersections were calculated to determine if the entire event resulted in any traffic impacts at those locations.

Traffic operating conditions on roadway facilities are described by the "Level of Service" (LOS). LOS is a qualitative description of traffic flow defined in terms of vehicle delay and ranges from LOS A (free-flow conditions) to LOS F (excessive delays). Delay represents a measure of driver discomfort, frustration, fuel consumption, and lost time. The City of Huntington Beach has adopted LOS D as the limit of acceptable operations at the signalized intersections studied in this analysis. LOS D was also used as the threshold for the unsignalized intersections analyzed in this study. Although no LOS threshold is indicated on State facilities, Caltrans "endeavors to maintain a target LOS at the transition between LOS C and LOS D on State highway facilities".

Two methodologies were used to determine the level of service at the signalized intersections, Intersection Capacity Utilization (ICU), and the Highway Capacity Manual (HCM) published by the Transportation Research Board. To determine intersection level of service, ICU analysis compares the traffic volumes to the intersection capacity, while HCM analysis is based on the average vehicle delay. Caltrans requires signalized intersections be analyzed using HCM procedures while the City of Huntington Beach uses ICU evaluation methods. The unsignalized intersections were evaluated using HCM methodology. The level of service of all-way stop controlled intersections is determined based on the average vehicle delay of all the vehicular movements.

The existing intersection levels of service are shown in Table 1 below.

Table 1. Existing Intersection Level of Service

Int. #	Intersection	Control	Wednesday, PM Peak Hour			
			Delay (sec/veh)	LOS	ICU	LOS
1	PCH/1st St	Signal	18.7	B	0.51	A
2	PCH/Main St	Signal	14.2	B	0.71	C
3	PCH/6th St	Signal	13.0	B	0.63	C
4	Main St/Orange Av	All-Way Stop	13.8	B	-	-

As shown in Table 1 all of the study area intersections currently operate at acceptable levels of service during the weekday afternoon peak hour.

Project Traffic Conditions

Traffic analysis was conducted with the closure of the first block of 5th Street during Surf City Nights. Traffic volumes were adjusted to account for the closure of 5th Street in addition to the regular Main Street closure. The level of service analysis is summarized on Table 2.

Table 2. Intersection Level of Service with Project

Int. #	Intersection	Control	Surf City Nights with 5th Street Closure PM Peak Hour			
			Delay (sec/veh)	LOS	ICU	LOS
1	PCH/1st St	Signal	24.6	C	0.57	A
2	PCH/Main St	Signal	5.9	A	0.67	B
3	PCH/6th St	Signal	22.8	C	0.76	C
4	Main St/Orange Av	All-Way Stop	13.3	B	-	-

The results of the analysis indicate that all intersections would operate at an acceptable level of service with the Project. A level of service decrease from LOS B to LOS C occurs at the intersections of Pacific Coast Highway/6th Street and Pacific Coast Highway/1st Street as traffic is diverted to these intersections when Main Street and 5th Street are closed during project conditions.

Pedestrian access is maintained through the project area while the street closures are accomplished using standard traffic control devices and procedures. Potential vehicle entry areas within the roadway are protected with impact rated barriers to limit the potential of a vehicle accidently entering the street closure areas when

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

occupied by pedestrians and vendors.

Emergency vehicle access is maintained throughout the event area by limiting the closure areas, providing emergency vehicle accessible entry points and maintenance of clear passageways for emergency vehicles within the closure areas.

Therefore, impacts are anticipated to be less than significant.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Sources:16) ☐ ☐ ☐ ☒

Discussion: The Orange County Transportation Authority (OCTA) is the County's designated Congestion Management Agency. The OCTA is responsible for developing the Orange County Congestion Management Program (CMP). The goals of Orange County's CMP are to support regional mobility and air quality objectives by reducing traffic congestion; to provide a mechanism for coordinating land use and development decisions that support the regional economy; and to determine gas tax fund eligibility. The Orange County CMP states that since 1994, the selected traffic impact analysis process has been consistently applied to all development projects meeting the adopted trip generation thresholds (i.e. 2,400 or more daily trips for project adjacent to the Congestion Management Program Highway System (CMPHS), and 1,600 or more daily trips for projects that directly access the CMPHS. No CMP intersections are located within the study area. However, Pacific Coast Highway is a CMP facility that is directly accessed by vehicles traveling to and from the proposed project.

Average attendance for the proposed project is estimated to be approximately 2,800 people for an entire event. However, during the peak season, the event has drawn up to 5,000 people, but this occurred only once. Vehicle trips to the project would be expected to have a higher occupancy rate, estimated at two persons per vehicle, than a regular commuting vehicle given that the event is a community, family oriented venue. Additionally, local participants walk and bike, while others use the City shuttle service, transit, or are internal trips to the event. Accounting for the various modes of travel (15%) and internal trip capture (15%), the project would generate approximately 1,960 vehicle trips for an average event. For the highest attendance event days, the project would generate approximately 3,500 trips.

Based on event and non-event trip distribution data, approximately 15 percent of the event traffic directly accesses Pacific Coast Highway, a CMP facility. Using a conservative trip distribution estimate of 20 percent, event traffic that would directly access Pacific Coast Highway on the highest attendance days would generate approximately 700 trips, which is less than the established CMP trip generation threshold for impact analysis. No CMP traffic impact analysis would be required for the proposed project, and therefore, a less than significant impact is anticipated.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Sources:17) ☐ ☐ ☐ ☒

Discussion: As detailed on AirNav.com no airports or airstrips exist in the City of Huntington Beach. The proposed project involves street closures for one night a week in downtown Huntington Beach that would not

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

impact air traffic patterns.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources:15) ☐ ☐ ☒ ☐

Discussion: The project consists of temporarily closing several blocks of roadways for Surf City Nights to vehicles. No changes to the existing streets are proposed. These closures are accomplished through the use of standard street closure procedures including the use of standard traffic control devices. Protective barriers are used to reduce the opportunity of vehicles entering into the street closure area to help protect pedestrians and vendors in the event. Devices and closures within the State Highway (Pacific Coast Highway) are accomplished under permit with Caltrans and incorporate standard measures to ensure public safety (vehicle, pedestrian and bicycle). Therefore, impacts are anticipated to be less than significant.

e) Result in inadequate emergency access? (Sources:1) ☐ ☐ ☒ ☐

Discussion: Emergency access to the project streets are provided and maintained. The closures will consist of removable barriers for emergency vehicle access from Pacific Coast Highway. On Main Street portable bollards are used to close access to the street including strategically located bollards that are quickly removable for emergency vehicle access and a fire lane area is provided throughout the closure area. As a result, the impacts are expected to be less than significant.

f) Result in inadequate parking capacity? (Sources:18,19) ☐ ☐ ☒ ☐

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: As stated, the average attendance for the event is approximately 2,800 people. From 5 pm to 8 pm average attendance is 800 people per hour and from 8 pm to 9 pm average attendance decreases to 400 people. The average length of stay is 1.5 hours. Based on average attendance numbers for the event, average length of stay, and accounting for vehicle occupancy of two persons per vehicle, the project would require availability of approximately 800 spaces throughout the event. This is a conservative estimate as this does not consider people that walk, bike or take other modes of transit or people that may already be in the downtown area, which likely makes up approximately 30% of the attendees.

The existing on street parking along the closed street segments of Main Street, 5th Street and portions of Walnut Avenue and Olive Avenue totaling fifty eight (58) metered spaces are not available for public parking during the event. Remaining on-street parking provides a total of approximately 640 spaces. Additionally, off-street parking totaling approximately 1,700 spaces would remain available in the public parking structures downtown: Main Promenade, The Strand, Plaza Almeria, and Pier Plaza.

As a condition of the 2008 project approval as a temporary use on Main Street, parking availability in the Main Promenade parking structure is required to be monitored to ensure that parking demand does not exceed available supply. The condition requires implementation of a free shuttle service from City Hall to the event when the City determines there is a parking deficiency or if downtown parking facilities reach full capacity for two hours. During the five-year period that the event has been operating, implementation of the shuttle pursuant to the condition was triggered one time. Currently, the shuttle operates every Tuesday during the peak season regardless of whether its operation is triggered by the condition. The number of available parking spaces for the downtown shuttle users is a maximum of 350 parking spaces. The project proposes to continue operating the shuttle as it currently does.

The Downtown Parking Study (2009) indicates that approximately 59 to 64 percent of the available public parking spaces are utilized during the event hours on a typical summer weekday. Utilization would be less from October through May outside of the peak summer season. Although the highest attendance days (5,000 people) would result in increased parking demand, it is likely that the other factors such as the number of people that bike or walk to the event and that are already in the downtown area or at the beach also increase. In any case, the highest attendance days do not represent the typical scenario and have only occurred one time during the five year history of the event. Given that there are approximately 2,690 parking spaces in the downtown for which approximately 968 spaces would be available for use by event goers (more in the non-peak season) throughout the event, the existing parking supply would accommodate the proposed project. Therefore, the proposed project would not result in an inadequate parking demand and a less than significant impact would occur.

g)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Sources:1,20)	☐	☐	☐	☒

Discussion: No sidewalk closures are proposed and pedestrian access to all streets will remain available at all times on the existing facilities with the project. Existing facilities consist of Class II bicycle lanes located along Pacific Coast Highway between south of 1st Street to 7th Street. The project is located near the Orange County Transportation Authority (OCTA) bus route 1 along Pacific Coast Highway with bus stops located at PCH/Main Street and PCH/6th Street. As pedestrian access would be available and the project would not interfere with public transit, bicycle facilities, or conflict with adopted policies, no impact is anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

VII. BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S, Fish and Wildlife Service? (Sources:1,9) ☐ ☐ ☐ ☒

Discussion: The proposed project area is currently developed as public streets. The project site does not support any unique, sensitive, or endangered species, is not shown in the General Plan as a generalized habitat area, and is not in the vicinity of any sensitive habitat. Therefore, no impacts to any habitat or wildlife area are anticipated.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (Sources:1,9) ☐ ☐ ☐ ☒

Discussion: The project site does not contain any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. The project will not result in any loss to endangered or sensitive animal or bird species and does not conflict with any habitat conservation plans.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources:1,9) ☐ ☐ ☐ ☒

Discussion: The project does not contain any wetlands; therefore, no impacts are anticipated.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites? (Sources:1,9) ☐ ☐ ☐ ☒

Discussion: The project area is surrounded by mixed use, commercial and residential developments. The site does not support any fish or wildlife and would not interfere with the movement of any fish or wildlife species nor impede the use of native wildlife nursery sites. No impacts are anticipated.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources:1,9) ☐ ☐ ☐ ☒

Discussion: The project area includes the temporary closure of public streets for festival purposes only and no development is proposed; therefore, no impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Sources:1,9)	☐	☐	☐	☒

Discussion: The project area includes the temporary closure of public streets for festival purposes only and no development is proposed. It does not support any unique or endangered plant or animal species and is not a part of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan; therefore, no impacts are anticipated.

VIII. MINERAL RESOURCES. Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources:1,9)	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (Sources:1,9)	☐	☐	☐	☒

Discussion: a) – b) The project site is not designated as an important mineral resource recovery site in the General Plan or any other land use plan. No current onsite oil drilling or extraction operations presently exist or are proposed for the project site. Temporary closure of Main Street and 5th Street for the purposes of a weekly festival is not anticipated to have any impact on any other mineral resources. No impacts are anticipated.

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources:1,9)	☐	☐	☒	☐

Discussion: The temporary closure of public streets for festival purposes will not involve the routine transport, use or disposal of hazardous materials other than use of typical commercial cleaning products which would not pose a significant threat to public or environmental health. The project will not provide on-site fuel dispensing, underground or outdoor storage of hazardous materials. Therefore, impacts are anticipated to be less than significant.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Sources:1,9)	☐	☐	☒	☐

Discussion: Hazardous materials during operation would be limited to use of commercial cleaning products typical for outdoor vendors. Less than significant impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school? (Sources:1,9)	☐	☐	☐	☒

Discussion: The proposed project is not intending to operate in a way that would generate hazardous materials. Temporary activities conducted within the project area will consist of vendors, street performers and live entertainment. These types of uses are not likely to involve hazardous materials on a daily basis. In addition, the nearest school is approximately ½ mile from the project site. No impacts are anticipated.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Sources:1,9,13)	☐	☐	☐	☒

Discussion: The location of the proposed project is not listed on the State's Hazardous Waste and Substance Site List. No impacts would occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Sources:1,9,11)	☐	☐	☐	☒

Discussion: The City of Huntington Beach is included in the Orange County Airport Environs Land Use Plan due to the Los Alamitos Armed Forces Reserve Center. However, the site is located such that it would not be impacted by flight activity from the center. Also, the site is not within 2 miles of a public airport. No impacts are anticipated.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Sources:1,9)	☐	☐	☐	☒

Discussion: The project site is not near any private airstrips. No impacts are anticipated.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources:1)	☐	☐	☒	☐

Discussion: The proposed project will not significantly impede access to the surrounding area and impact implementation or physically interfere with any adopted emergency response plan or evacuation plan. Therefore, impacts are anticipated to be less than significant.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Sources:1)	☐	☐	☐	☒

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: The project is located in an urbanized area and is not near any wildlands. No impacts would occur.

X. NOISE. Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources:1,2,14,21)	☐	☒	☐	☐

Discussion: The project is required to comply with the City Noise Ordinance (Huntington Beach Municipal Code Chapter 8.40 Noise Control). Table 1 below presents the City of Huntington Beach Noise Ordinance standards and exterior and interior noise criteria are given in terms of L% noise levels. The noise levels specified are those that are not to be exceeded at a residential property from noise generated at a nearby property (Table 1). Noise levels are to be measured with A-weighting and a slow time response.

Table 1 – City Of Huntington Beach Noise Ordinance Standards

Maximum Noise Exposure	Noise Metric	Noise Level Not To Be Exceeded 7 a.m. to 10 p.m. (Daytime)	Noise Level Not To Be Exceeded 10 p.m. to 7 a.m. (Nighttime)
Zone 1 – All residential			
EXTERIOR NOISE STANDARDS			
30 Minutes/Hour	L50	55 dBA	50 dBA
15 Minutes/Hour	L25	60 dBA	55 dBA
5 Minutes/Hour	L8.3	65 dBA	60 dBA
1 Minutes/Hour	L1.7	70 dBA	65 dBA
Anytime	Lmax	75 dBA	70 dBA
INTERIOR NOISE STANDARDS			
5 Minutes/Hour	L8.3	55 dBA	45 dBA
1 Minutes/Hour	L1.7	60 dBA	50 dBA
Anytime	Lmax	65 dBA	55 dBA

NOTE: In the event the ambient noise level exceeds any of the noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level.

A Noise Impact Analysis was prepared by Mestre Greve Associates to evaluate the noise impacts associated with the proposed project. Noise measurements were performed at 5 sites. At the conclusion of each set of measurements, the Lmax, L1.7, L8.3, L25 and L50 values for the full time period were recorded. These noise metrics correspond to the limits contained in the noise ordinance.

The extent to which the event complies with the City's Noise Ordinance is shown below in Table 2. To be an exceedance of the noise ordinance limit, the noise level must exceed the criteria presented in Table 1 and exceed ambient noise levels. Table 2 shows that the noise ordinance limits were exceeded at every site with the event in progress for at least one of the noise metrics.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Table 2 – Noise Measurement and Compliance

Site	Start Time	Lmax	L1.7	L8.3	L25	L50
Site 1	7:00 p.m.	No	No	No	Yes	Yes
Site 2	6:00 p.m.	No	No	Yes	Yes	Yes
Site 2	8:00 p.m.	Yes	No	No	No	Yes
Site 3	6:00 p.m.	No	No	No	Yes	Yes
Site 4	5:00 p.m.	Yes	--	--	--	--
Site 4	7:00 p.m.	Yes	Yes	No	Yes	Yes
Site 5	5:00 p.m.	No	No	Yes	Yes	Yes
Site 5	8:00 p.m.	No	No	Yes	Yes	Yes

HBMC Section 8.40.090(k) exempts noise sources associated with temporary public or private events located on private or public property provided a permit has been obtained from the City. HBMC Section 8.40.130 provides a process to permit a deviation from the provisions of the Noise Ordinance. Approval of a permit to deviate would not eliminate the noise impacts associated with the project; however it would eliminate the conflict that currently exists between the Noise Ordinance requirements and the noise generated by the proposed events. An application for a permit to deviate from the provisions of the Noise Ordinance is requested as part of the proposed project and is being processed concurrently with the request.

Implementation of one of the recommended mitigation measures below would ensure that noise levels would not exceed standards established by the City's Noise Ordinance.

NOI-1 The applicant shall implement one of the following mitigation measures:

a. Obtain approval of a Noise Deviation Permit pursuant to HBMC Section 8.40.090(k). (This would exempt the project from the Noise Standards specified in the Noise Ordinance.)
b. Live entertainment (including bands) shall not use sound amplifying equipment and shall only perform at midblock locations at a minimum of 100 feet from any residential units.
c. Prohibit live entertainment.

Implementation of a mitigation measure pursuant to Mitigation Measure NOI-1 would reduce the impact to a less than significant level.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Sources:1,2,21) ☐ ☐ ☐ ☒

Discussion: Operation of the project would not increase groundborne vibration or groundborne noise within the project area above existing conditions. Therefore, no impacts are anticipated.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources:1,2,21) ☐ ☐ ☒ ☐

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: The weekly street fair would be a source of periodic increases in existing noise levels (refer to item d). Although the proposed project would be a permanent weekly event, it would not contribute a permanent continuous noise source in the area that could occur with new development. During the event, the type of noise generated by the project (with the exception of live entertainment/bands – refer to item d) would be similar to that generated by the existing conditions and other commercial uses in the downtown area and would not substantially increase permanent ambient noise levels. Therefore, less than significant impacts are anticipated.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Sources:1,2,21) ☐ ☒ ☐ ☐

Discussion: As discussed in the Noise Study, the proposed project would temporarily result in increased ambient noise levels that exceed the City's Noise Ordinance. The increased ambient noise levels from the project would be periodic (once a week) and temporary (from 5 p.m. to 9 p.m.) in nature.

For typical development projects, an increase over existing noise levels of 3 dBA or greater is considered significant. Although the project would result in an increase greater than 3 dBA, the increase is only attributable to the live entertainment/bands and does not occur throughout the entire four hour event. Bands/live entertainment acts perform for a total of approximately two hours during the event on an intermittent basis. When considered in this context, the proposed project's contribution to periodic noise increases (live entertainment/bands) over existing levels would not necessarily be significant. However, because the Noise Analysis identified that the noise ordinance limits were exceeded, recommended mitigation measure options are recommended to ensure that noise levels would not exceed standards established by the City's Noise Ordinance (refer to discussion under (a)).

Additionally, a survey of area residents located near the noise monitoring locations was conducted. Although the sample size was small, the survey indicated that residents living near the project area had a positive outlook on the event and did not consider noise from the event an issue. Given that there is no history of noise complaints for the event and based on the positive attitudes expressed in the resident survey, impacts from periodic increases in noise levels as a result of the project with recommended mitigation would reduce the impact to a less than significant level.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources:1,2,21) ☐ ☐ ☐ ☒

Discussion: The City of Huntington Beach is included in the Planning Area for the Joint Forces Training Center in Los Alamitos. However, the site is located a considerable distance from the Training Center, such that the project would not be impacted by flight activity and noise generation from the Center. No impacts are anticipated.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Sources:1,2,21) ☐ ☐ ☐ ☒

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: The project is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

XI. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection? (Sources:1)	☐	☐	☒	☐
b) Police Protection? (Sources:1)	☐	☐	☒	☐

Discussion: a)-b) The proposed project has been reviewed by the Huntington Beach Fire Department and Police Department staff. The project site is located within approximately ½ mile from Lake Fire Station and within 1-½ miles of the Main Police Station and approximately ¼ mile from the Downtown Police Substation. Estimated emergency first response times from the Lake Fire Station are within the 80 percent/ 5 minute response time objective established in the City's Growth Management Element. Estimated emergency first response times from the Police Main Station are within acceptable service levels. According to input from the Police and Fire Departments, the proposed development can be adequately served by existing Fire and Police protection service levels. Therefore, impacts are anticipated to be less than significant.

c) Schools? (Sources:1)	☐	☐	☐	☒

Discussion: The project does not include new development and will not directly result in new residents. No impacts are anticipated.

d) Parks? (Sources:1)	☐	☐	☐	☒

Discussion: See discussion under XI (e) below.

e) Other public facilities or governmental services? (Sources:1)	☐	☐	☒	☐

Discussion: The proposed project has been reviewed by responsible City departments, including Public Works, Fire, and Community Services, each of which determined that any potential impacts to public services are adequately addressed via standard code requirements and conditions of approval. Additionally, the impacts to public libraries are anticipated to be less than significant because the project does not include any new development. Therefore, impacts are anticipated to be less than significant.

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Sources:1)	☐	☐	☐	☒

Discussion: The proposed project will not result in the construction of new housing or businesses, which could otherwise induce population growth. The project is a weekly event and will not generate additional wastewater that could exceed wastewater treatment requirements of the Santa Ana Regional Water Quality Control Board. No impacts would occur.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources:1,4)	☐	☐	☐	☒

Discussion: As previously discussed in XII a), the proposed project will not induce population growth that would affect water facilities and will not generate additional wastewater that would otherwise require additional wastewater treatment facilities. No impacts would occur.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Sources:1,4)	☐	☐	☐	☒

Discussion: The proposed project will not create impermeable surfaces that would create additional runoff which would require additional stormwater drainage facilities. Any stormwater generated within the project area will drain into existing facilities that adequately serve the site. Therefore, the project will not require the construction or expansion of stormwater drainage facilities. No impacts would occur.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources:1,14)	☐	☐	☐	☒

Discussion: The proposed project will not induce population growth, which may otherwise require additional water supplies. Any potable water to be used by vendors will be minimal and temporary and water supplies will continue at the same level of production as without the proposed project. The project is adequately served by existing entitlements, and will not require new or expanded entitlements for water supplies. Therefore, no impacts are anticipated.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources:1,5)	☐	☐	☐	☒

Discussion: The proposed project will not induce population growth, which may otherwise affect wastewater treatment capacity. The City of Huntington Beach is served by two wastewater treatment plants, whose current operating capacity exceeds existing operations. Therefore, no impacts are anticipated.

f) Be served by a landfill with sufficient permitted capacity

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
to accommodate the project's solid waste disposal needs? (Sources:1)	☐	☐	☒	☐

Discussion: Solid waste generated within the City of Huntington Beach is transported to the Frank R. Bowerman Landfill in the City of Irvine. As of 2000, the remaining estimated capacity is 59,411,872 cubic yards, and the landfill is anticipated to close in 2022. Solid waste generated by the project is collected by the City's contracted trash hauler and accommodated by existing landfills with sufficient capacity. Therefore, impacts are anticipated to be less than significant.

g) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources:1)	☐	☐	☐	☒

Discussion: The project is required to comply with federal, state and local statutes and regulations related to solid waste, which can be accommodated by local landfills. During the events, plastic lined cardboard trash bins are provided throughout the site in addition to the existing permanent trash bins along Main Street and 5th Street. After each event, the trash bins are picked up and delivered to Rainbow Disposal for disposal and recycling. No impacts would occur.

h) Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetlands?) (Sources:1)	☐	☐	☐	☒

Discussion: The project will not change existing stormwater treatment systems or include or modify BMPs. No impacts would occur.

XIII. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista? (Sources:1,3,4)	☐	☐	☒	☐

Discussion: The proposed project area includes the temporary closure of public streets for festival purposes only and no development is proposed. The proposed project area will be located on Main Street and 5th Street, on the north side of PCH, and will not have a substantial adverse effect on the scenic resource of the coast; therefore, less than significant impacts are anticipated.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources:1)	☐	☐	☐	☒

Discussion: The proposed project area includes the temporary closure of public streets for festival purposes only and no development is proposed. The closure will be between Pacific Coast Highway and Orange Avenue on Main Street including portions of (half-block) of Walnut Avenue and Olive Avenue (between 3rd Street and 5th Street) and between Pacific Coast Highway and Walnut on 5th Street. The State of California Department of Transportation designates scenic highway corridors. The project area is visible from an eligible state scenic highway, Pacific Coast Highway. However, the project includes the temporary closure of public streets for festival purposes only and no development is proposed; therefore, no impacts are anticipated.

c) Substantially degrade the existing visual character or quality of the site and its surroundings? (Sources:1,9)	☐	☐	☒	☐

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: The proposed project area includes the temporary closure of public streets for festival purposes only and no permanent development is proposed. During the event, vendors erect temporary structures such as canopies and booths, which may not be visually appealing to some people. However, the structures are removed every week and no permanent development would result. Therefore, less than significant impacts are anticipated.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources:1,3,4)	☐	☐	☒	☐

Discussion: The proposed project area includes the temporary closure of public streets for festival purposes only and no development is proposed. The closure will be between Pacific Coast Highway and Orange Avenue on Main Street including portions of (half-block) of Walnut Avenue and Olive Avenue (between 3rd Street and 5th Street) and between Pacific Coast Highway and Walnut on 5th Street. Existing sources of light and glare in the project area include street lights and storefront lighting. Temporary sources of light include street-level vendor lighting. However, because the project includes temporary lighting only and no development is proposed, less than significant impacts are anticipated.

XIV. CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in δ15064.5? (Sources:1,9)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to δ15064.5? (Sources:1,9)	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources:1,9)	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources:1,9)	☐	☐	☐	☒

Discussion: a) – d): The project area includes the temporary closure of public streets for festival purposes only and does not include any development or alterations of physical sites or structures. The project would not result in substantial adverse changes in the significance of a historical or archaeological resource, directly or indirectly destroy a unique paleontological resource or geologic feature, nor disturb any human remains. No impacts are anticipated.

XV. RECREATION. Would the project:

a) Would the project increase the use of existing neighborhood, community and regional parks or other recreational facilities such that substantial physical	☐	☐	☒	☐

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
deterioration of the facility would occur or be accelerated? (Sources:1)				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Sources:1)	☐	☐	☐	☒
c) Affect existing recreational opportunities? (Sources:1)	☐	☐	☒	☐

Discussion: a) – c): The project may temporarily impact existing opportunities by increasing beach activity and utilizing existing parking during the event. However, any indirect increase of beach usage or decrease of available parking as result of the project would be negligible. The project does not include any permanent development and would not substantially increase the use of existing recreational facilities nor result in physical deterioration of such facilities. Additionally, the project would not require the construction or expansion of recreational facilities. Therefore, impacts are anticipated to be less than significant.

XVI. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources:1,9)	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources:1,9)	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Sources:1,9)	☐	☐	☐	☒

Discussion: a) – c): The subject site is presently zoned SP5 (DTSP), which does not permit agricultural uses. In addition, the project does not include any development and would not result in the conversion of Farmland to non-agricultural use, changes in the existing environment which would result in conversion of Farmland to non-agricultural use, nor conflict with existing agricultural zoning or a Williamson Act contract. No impacts would occur.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

XVII. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? ☐ ☐ ☒ ☐

Discussion: The proposed project includes the closure of a relatively small segment of public right-of-ways (streets) for the purpose of a weekly street fair. No development or construction is proposed. The event includes the temporary location of approximately 65 street vendors and 2,125 attendees. There would be no construction GHG emissions. Operational GHG emissions could result from increases in electricity and solid waste production, all of which would occur with the proposed project. However, the total annual project GHG emissions would be negligible and well below the 3,000 ton annual threshold proposed by the SCAQMD. Therefore, operational emissions are expected to result in less than significant impacts.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? ☐ ☐ ☒ ☐

Discussion: The project is required to comply with all applicable City codes. Statewide GHG emissions are regulated through AB 32, which targets statewide GHG emissions to 1990 levels by 2020. The proposed project's negligible impacts on greenhouse gases emissions are described in item (a) above.

Because the proposed project's emissions would be less than the interim SCAQMD threshold for annual GHG emissions, the project would not conflict with adopted plans to reduce GHG emissions and carry out AB 32. Less than significant impacts are anticipated.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources:1,3,4) ☐ ☐ ☐ ☒

Discussion: The project site is currently developed. It is not located within any wildlife or biological resource area and therefore will not impact any fish, wildlife, or plant community. The site does not contain any historic resource. Based on discussions in Sections I to XVII above, the project is anticipated to have no impact on the quality of the environment.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (Sources:1,2,9) ☐ ☐ ☒ ☐

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

Discussion: As discussed above in Sections I to XVII, the project is anticipated to have less than significant impacts and would not result in any cumulatively considerable impacts.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources:1,2,9) ☐ ☐ ☒ ☐

Discussion: As discussed in Sections I to XVII, the project with implementation of the recommended Mitigation Measure NOI-1, will have a less than significant impact on human beings, either directly or indirectly.

XIX. EARLIER ANALYSIS/SOURCE LIST.

Earlier analyses may be used where, pursuant to tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). Earlier documents prepared and utilitized in this analysis, as well as sources of information are as follows:

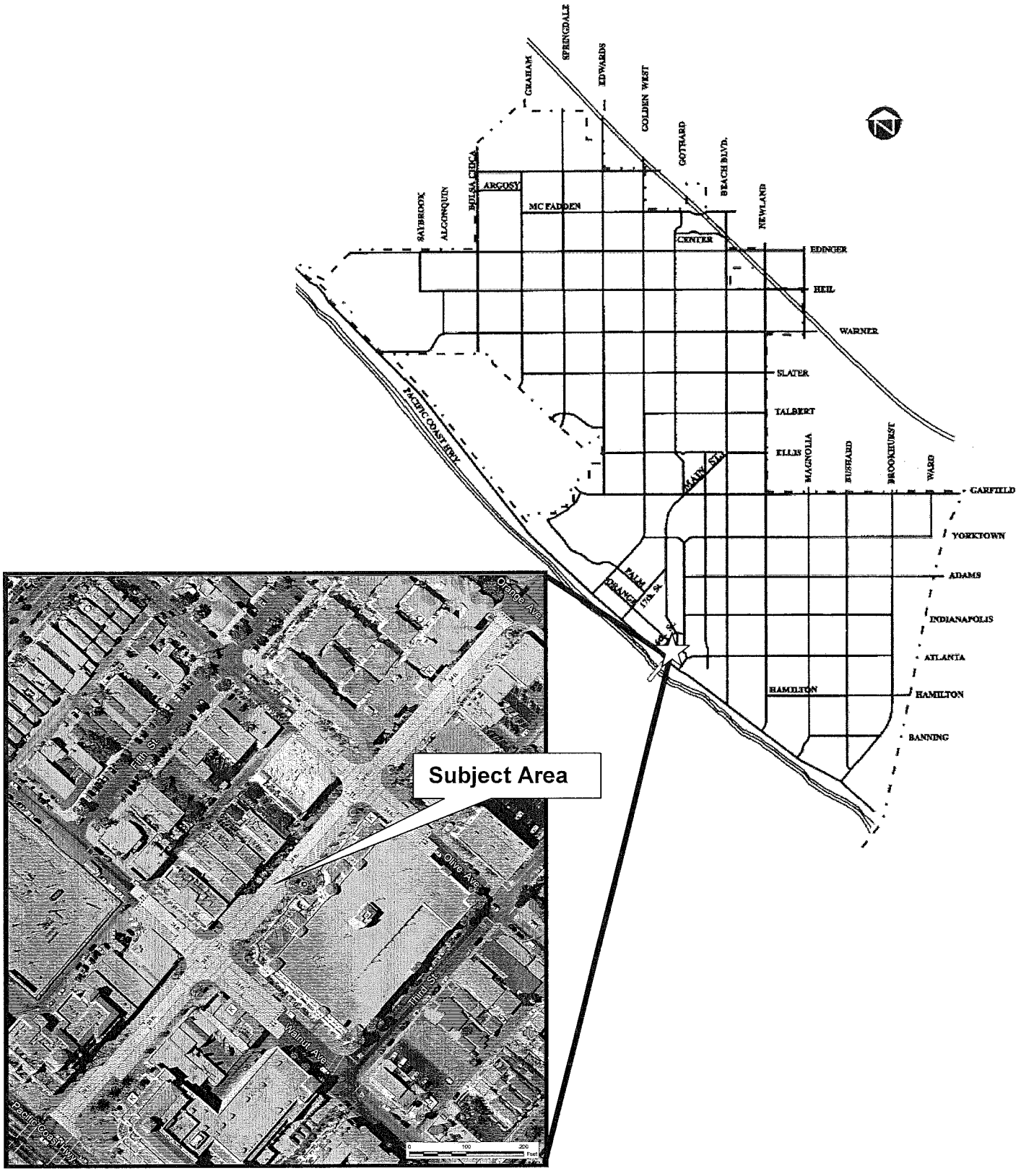
Earlier Documents Prepared and Utilized in this Analysis:

Reference #	Document Title	Available for Review at:
1	City of Huntington Beach General Plan	City of Huntington Beach Planning and Builidng Dept., 2000 Main St. Huntington Beach and at http://www.huntingtonbeachca.gov/Government/Departments/Planning/gp/index.cfm
2	City of Huntington Beach Zoning and Subdivision Ordinance	City of Huntington Beach City Clerk's Office, 2000 Main St., Huntington Beach and at http://www.huntingtonbeachca.gov/government/elected_officials/city_clerk/zoning_code/index.cfm
3	Project Vicinity Map	See Attachment #1
4	Reduced Site Plan	See Attachment #2
5	Project Narrative	See Attachment #3
6	City of Hutington Beach Geotechnical Inputs Report	City of Huntington Beach Planning and Building Dept., 2000 Main St. Huntington Beach
7	FEMA Flood Insurance Rate Map (December 3, 2009)	"
8	CEQA Air Quality Handbook South Coast Air Quality Management District (1993)	"
9	City of Huntington Beach CEQA Procedure Handbook	"
10	Trip Generation Handbook, 7th Edition, Institute of Traffic Engineers	"
11	Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Oct. 17, 2002)	"
12	State Seismic Hazard Zones Map	"
13	Hazardous Waste and Substances Sites List	www.calepa.gov/sitecleanup/cortese
14	City of Huntington Beach Municipal Code	City of Huntington Beach City Clerk's Office, 2000 Main St., Huntington Beach

		and at http://www.huntingtonbeachca.gov/government/charter_codes/municipal_code.cfm
15	Surf City Nights 5th Street Closure Traffic Analysis	City of Huntington Beach Planning and Building Dept., 2000 Main St. Huntington Beach
16	Orange County Transportation Authority (OCTA) CMP, 2011. 2011 Congestion Management Program	http://www.octa.net/cmp/
17	Air Nav Website	http://www.airnav.com/airports/
18	Huntington Beach Business Improvement District Webpage	http://www.hb-downtown.com/SURF_CITY_NIGHTS.html
19	City of Huntington Beach Website – Information on Shuttle Program	http://www.huntingtonbeachca.gov/visitors/parking/shuttle_parking/
20	Orange County Transportation Authority Website	http://www.octa.net/bus-routes-and-schedules.aspx
21	Noise Analysis prepared by Mestre Greve Associates	City of Huntington Beach Planning and Building Dept., 2000 Main St. Huntington Beach

Summary of Mitigation Measures

Description of Impact	Mitigation Measure
Periodic increases of noise associated with bands and live entertainment that exceed the City's Noise Ordinance	**NOI-1** The applicant shall implement one of the following mitigation measures: a. Obtain approval of a Noise Deviation Permit pursuant to HBMC Section 8.40.090(k). (This would exempt the project from the Noise Standards specified in the Noise Ordinance.) b. Live entertainment (including bands) shall not use sound amplifying equipment and shall only perform at midblock locations at a minimum of 100 feet from any residential units. c. Prohibit live entertainment.

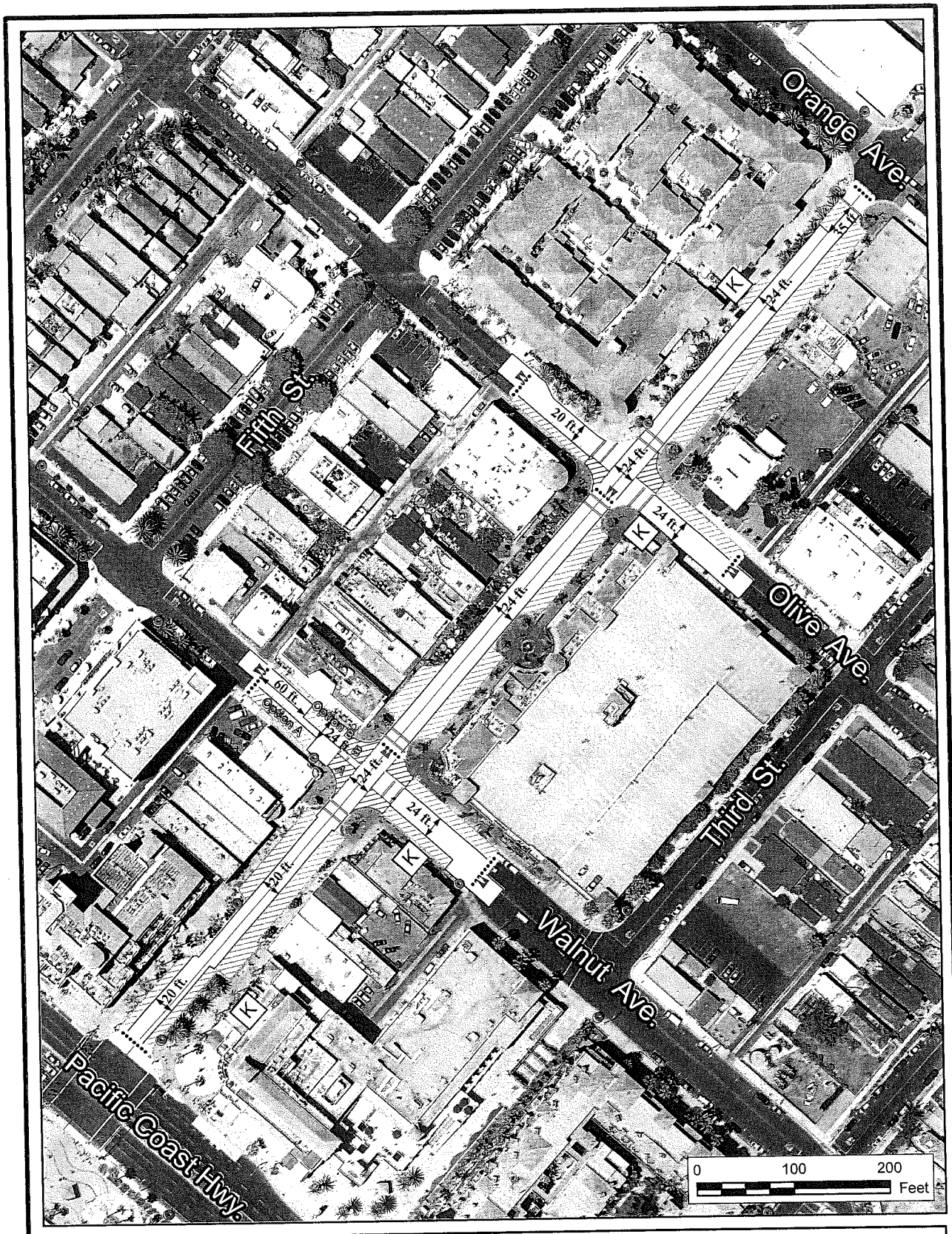


VICINITY MAP

(Surf City Nights)

Environmental Assessment No. 13-003

ATTACHMENT NO. 1



Emergency Access
Programmable Space
Entertainment Space
Main St. Centerline
Crosswalk
Fire Hydrant • Bollard
Fire Access Unlocked Bollard
K Knox Box for Bollard Key

Main Street Events Closure

- PCH to Orange -

City of Huntington Beach

N
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Information Services Department
HB GIS
March 2013

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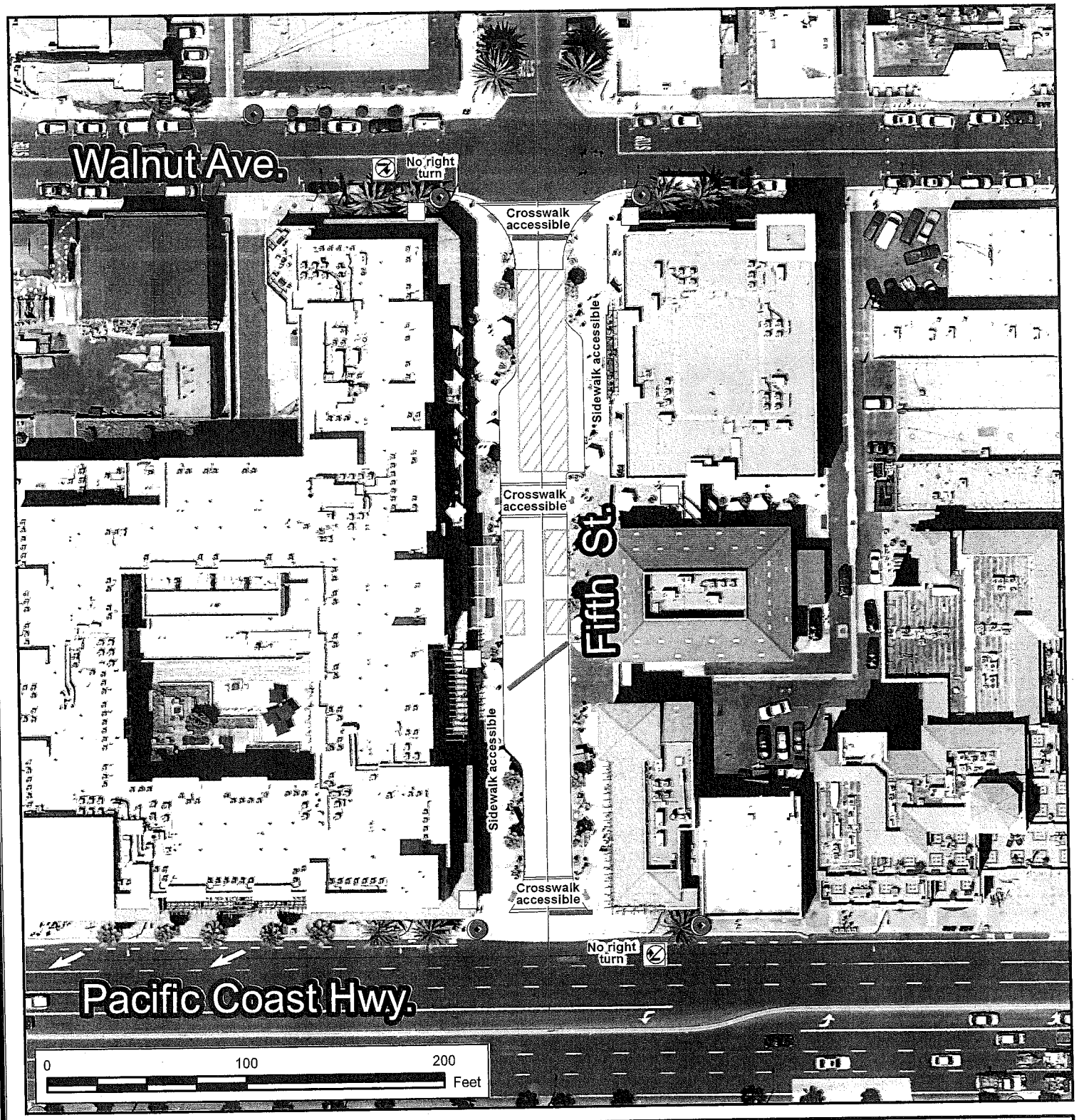

Emergency Access
Programmable Space
5th St. Centerline
Crosswalk
Barrier
Fire Hydrant
Signage

5th Street Events Closure

- PCH to Walnut -

City of Huntington Beach

Information Services Department

HB GIS
April 2013

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ATTACHMENT NO. 2.2

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SURF CITY NIGHT NARRATIVE
CONDITIONAL USE APPLICATION NARRATIVE

The applicant requests to permit the temporary closure of Main Street every Tuesday Night, between Pacific Coast Highway and Orange Avenue, including a half block of Olive Avenue and Walnut Avenue on either side of Main Street and the temporary closure of 5th Street between Pacific Coast Highway and Walnut. This application is submitted to renew CDP # 2007-002 and TUP # 2007-002.

APPLICANT/OWNER

This application is submitted to by the Huntington Beach Downtown Business Improvement District and the Huntington Beach Economic Development Department.

PROJECT LOCATION

The street fair location shall include Main Street, from Pacific Coast Highway to Orange Avenue, the adjoining half blocks of Walnut Avenue and Olive Avenue and the first block of 5th Street (Pacific Coast Highway to Walnut Avenue).

POPULATION SERVED

The street fair shall serve local residents, neighboring cities' residents and tourist.

PROJECT DESCRIPTION

Surf City Nights is a downtown street festival and Certified Farmers' Market that takes place on Main Street every Tuesday night. Street Fair services include a Certified Famers' Market, hand crafted items, prepackaged foods, food-court, merchant displays, designated children's section and live entertainment.

DATES OF OPERATION

The street fair shall take place weekly, on Tuesdays nights from 5 PM to 9PM. In the event of showers and heavy rain the event will be cancelled by 11 AM. The street closure will begin at 2 PM. Metal bollards and other such barricades shall be placed to divert traffic and enhance pedestrian safety. Emergency vehicle access will be maintained. The closure shall lifted and fully accessible to traffic by 11 PM.

PARKING REQUIREMENTS

Parking for the street fair shall be provided at private and public parking facilities within the downtown area.

RECEIVED
MAY 22 2013
Dept. of Planning
& Building

Noise Measurement Survey

For

SURF CITY NIGHTS

CITY OF HUNTINGTON BEACH

Prepared For:

Huntington Beach Downtown Business District
315 3rd Street, Suite E
Huntington Beach, CA 92648

Submitted By:

Mestre Greve Associates

Division of Landrum & Brown

Fred Greve P.E.
Mike Holritz
Tim Reid
27812 El Lazo Road
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949•349•0671

September 14, 2012
Revised May 22, 2013
Project #534701

ATTACHMENT NO. 5.1

Table Of Contents

1.0 EXISTING SETTING 1
1.1 Project Description *1*
1.2 Background Information on Noise *1*
1.2.1 Noise Criteria Background 1
1.3 Noise Criteria *5*
1.4 Noise Measurements *5*
1.4.1 Event Noise Measurements 6
1.4.2 Ambient Noise Measurements 8
1.5 Expanded Event Area *10*
1.6 Vibration Impacts *11*
1.7 Summary and Recommendations *11*

List of Tables

Table 1 City Of Huntington Beach Noise Ordinance Standards 5
Table 2 Event Noise Measurements (dBA) 6
Table 3 Ambient Noise Measurements (dBA) 8
Table 4 Difference in Noise Levels (dB) 9
Table 5 Exceeds Noise Ordinance Limit? 10

List of Exhibits

Exhibit 1 Measurement Sites 2
Exhibit 2 Typical A-Weighted Noise Levels 3

ATTACHMENT NO. 5-2

1.0 EXISTING SETTING

1.1 Project Description

Surf City Nights is a weekly street fair and farmers market. It is located on Main Street between Pacific Coast Highway and Orange Street. Main Street is closed to all vehicular traffic. The event occurs every Tuesday from 5 p.m. to 9 p.m. In addition to the farmers market, food vendors, and merchant vendors; live entertainment acts are provided. The entertainment acts range from single person jugglers to full rock bands. The City, as part of their permit process, has requested that noise levels be measured in the surrounding residential areas during an event, and for comparison purposes during an evening without an event.

Noise measurements were taken at five residential sites while an event was underway on August 28, 2012. The sites measured are shown on Exhibit 1. The following night, ambient noise measurements at the same sites and times were repeated. This report presents the methodology and results of the noise measurement survey. Noise levels for the two nights are contrasted and compared to the City's Noise Ordinance.

Surf City Nights will be expanded to include other areas. Specifically the following additional streets will be closed; Olive Avenue from 5th Street to 3rd Street, Walnut Avenue from 5th Street to 3rd Street, and 5th Street from Pacific Coast Highway to Walnut Avenue. Potential noise impacts from expanding events into these areas are also discussed.

1.2 Background Information on Noise

1.2.1 Noise Criteria Background

Sound is technically described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dB higher than another is judged to be twice as loud; and 20 dB higher four times as loud; and so forth. Everyday sounds normally range from 30 dB (very quiet) to 100 dB (very loud).

Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear. Community noise levels are measured in terms of the "A-weighted decibel," abbreviated dBA. Exhibit 2 provides examples of various noises and their typical A-weighted noise level.

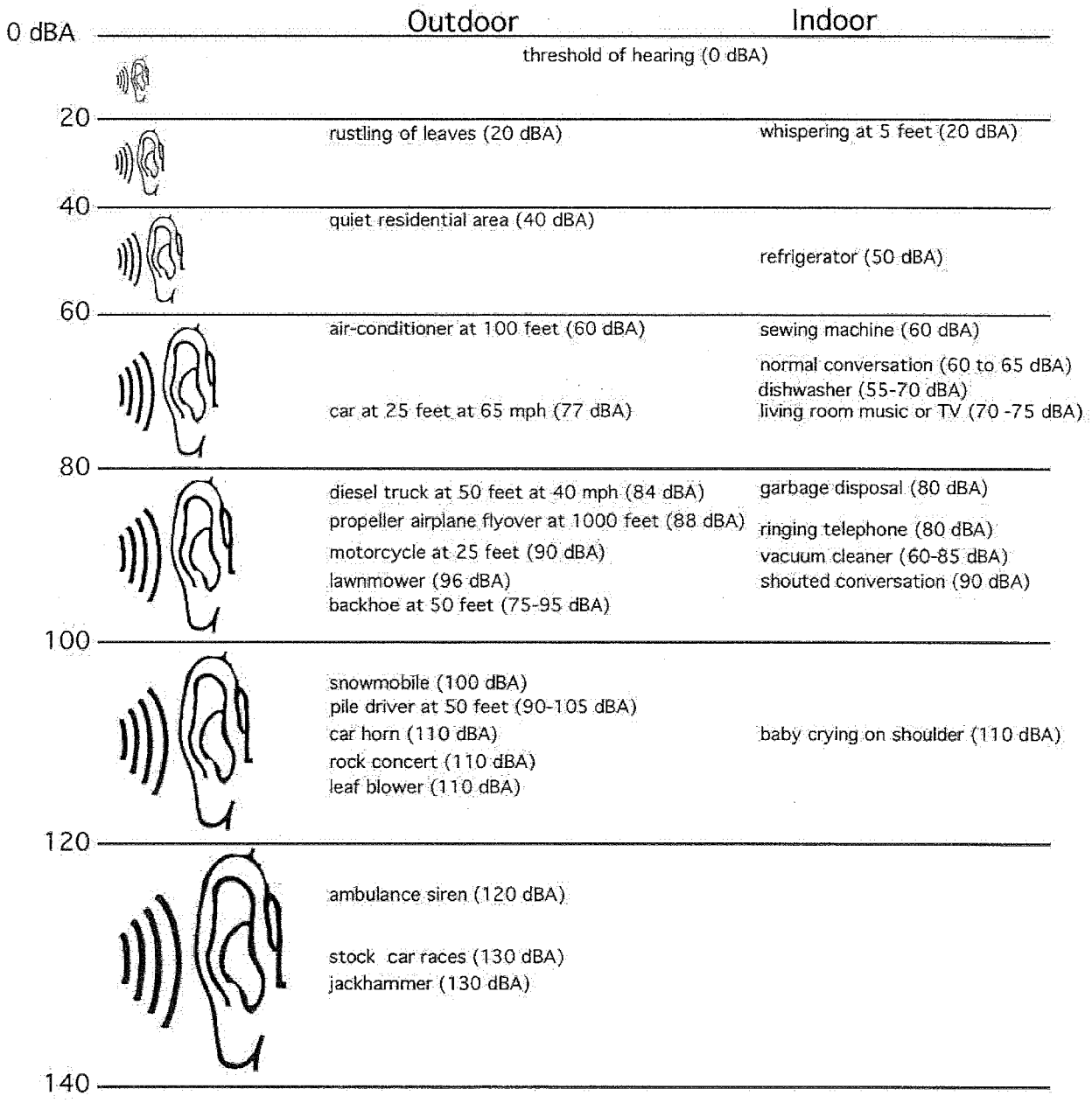
ATTACHMENT NO. 5.3

Exhibit 1

Monitoring Sites

Mestre Greve Associates
Division of Landrum & Brown

ATTACHMENT NO. 5.4



Sources: League For The Hard Of Hearing, www.lhh.org
Handbook of Noise Control, McGraw Hill, Edited byCyril Harris, 1979
Measurements by Mestre Greve Associates

Exhibit 2

Typical Noise Levels

Mestre Greve Associates

ATTACHMENT NO. 5-5

Sound levels decrease as a function of distance from the source as a result of wave divergence, atmospheric absorption and ground attenuation. As the sound wave form travels away from the source, the sound energy is dispersed over a greater area, thereby dispersing the sound power of the wave. Atmospheric absorption also influences the levels that are received by the observer. The greater the distance traveled, the greater the influence and the resultant fluctuations. The degree of absorption is a function of the frequency of the sound as well as the humidity and temperature of the air. Turbulence and gradients of wind, temperature and humidity also play a significant role in determining the degree of attenuation. Intervening topography can also have a substantial effect on the effective perceived noise levels.

Noise has been defined as unwanted sound and it is known to have several adverse effects on people. From these known effects of noise, criteria have been established to help protect the public health and safety and prevent disruption of certain human activities. This criteria is based on such known impacts of noise on people as hearing loss, speech interference, sleep interference, physiological responses and annoyance. Each of these potential noise impacts on people are briefly discussed in the following narratives:

HEARING LOSS is not a concern in community noise situations of this type. The potential for noise induced hearing loss is more commonly associated with occupational noise exposures in heavy industry or very noisy work environments. Noise levels in neighborhoods, even in very noisy airport environs, are not sufficiently loud to cause hearing loss.

SPEECH INTERFERENCE is one of the primary concerns in environmental noise problems. Normal conversational speech is in the range of 60 to 65 dBA and any noise in this range or louder may interfere with speech. There are specific methods of describing speech interference as a function of distance between speaker and listener and voice level.

SLEEP INTERFERENCE is a major noise concern for traffic noise. Sleep disturbance studies have identified interior noise levels that have the potential to cause sleep disturbance. Note that sleep disturbance does not necessarily mean awakening from sleep, but can refer to altering the pattern and stages of sleep.

PHYSIOLOGICAL RESPONSES are those measurable effects of noise on people that are realized as changes in pulse rate, blood pressure, etc. While such effects can be induced and observed, the extent is not known to which these physiological responses cause harm or are sign of harm.

ANNOYANCE is the most difficult of all noise responses to describe. Annoyance is a very individual characteristic and can vary widely from person to person. What one person considers tolerable can be quite unbearable to another of equal hearing capability.

1.3 Noise Criteria

A noise ordinance is designed to control unnecessary, excessive and annoying sounds from one parcel of land impacting another parcel of land. Noise ordinance requirements cannot be applied to mobile noise sources when traveling on public roadways, because Federal and state laws preempt their control. However, a noise ordinance does apply to both mobile and stationary noise sources on private lands. Huntington Beach Ordinance Chapter 8.40 – Noise Control comprises the City's Noise Ordinance.

Table 1 presents the City of Huntington Beach Noise Ordinance standards. The City of Huntington Beach exterior and interior noise criteria are given in terms of L% noise levels. The noise levels specified are those that are not to be exceeded at a residential property from noise generated at a nearby property (Table 1). Noise levels are to be measured with A-weighting and a slow time response. Greater noise levels are permitted during the day (7 a.m. to 10 p.m.) as compared to the nighttime period (10 p.m. to 7 a.m.). These limits are increased if ambient noise levels are higher. The limits are essentially raised to the ambient levels.

Table 1 City Of Huntington Beach Noise Ordinance Standards

Maximum Noise Exposure	Noise Metric	Noise Level Not To Be Exceeded 7 a.m. to 10 p.m. (Daytime)	10 p.m. to 7 a.m. (Nighttime)
Zone 1 – All residential			
EXTERIOR NOISE STANDARDS			
30 Minutes/Hour	L50	55 dBA	50 dBA
15 Minutes/Hour	L25	60 dBA	55 dBA
5 Minutes/Hour	L8.3	65 dBA	60 dBA
1 Minutes/Hour	L1.7	70 dBA	65 dBA
Anytime	Lmax	75 dBA	70 dBA
INTERIOR NOISE STANDARDS			
5 Minutes/Hour	L8.3	55 dBA	45 dBA
1 Minutes/Hour	L1.7	60 dBA	50 dBA
Anytime	Lmax	65 dBA	55 dBA

NOTE: In the event the ambient noise level exceeds any of the noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level.

Section 8.40.050(b) of the ordinance indicates that if the "noise consists entirely of impact noise, simple tone noise, speech, music, or any combination thereof," the limits should be reduced by 5 dB.

1.4 Noise Measurements

The noise levels were determined on the basis of two sets of measurements. The first set of noise levels were measured at five locations at or near residential uses, as previously shown on

ATTACHMENT NO. 5-2

Exhibit 1, to determine event noise levels. The second set of noise measurements was made the following evening at the same locations and represent ambient conditions.

1.4.1 Event Noise Measurements

Noise measurements at all sites were performed using Brüel & Kjær Model 2238 automated digital noise data acquisition system and sound meter mounted on a tripod. During the measurements a large windscreen covered the microphone to dampen out the effect of unwanted wind-generated noise. For each measurement site, 50 minutes of data were collected and field notes were made. Most of the sites were measured once and then repeated an hour later. Before and after the measurements were taken, a Brüel & Kjær 4231 calibrator with certification traceable to the National Institute of Standards and Technology was used to calibrate the sound meter to ensure that the measured sound level readings were accurate. At the conclusion of each set of measurements, the Lmax, L1.7, L8.3, L25 and L50 values for the full time period were written down on a data sheet. These noise metrics correspond to the limits contained in the noise ordinance. Table 1 shows the results of the measurements.

Table 2 Event Noise Measurements (dBA)

Site	Date	Start Time	Lmax	L1.7	L8.3	L25	L50
Site 1	28-Aug	7:00 p.m.	74.6	67.0	65.0	63.5	62.0
Site 2	28-Aug	6:00 p.m.*	78.6	69.0	67.5	65.5	63.5
Site 2	28-Aug	8:00 p.m.	86.2	67.0	63.0	59.5	56.5
Site 3	28-Aug	6:00 p.m.	78.9	70.0	66.5	64.5	63.0
Site 4	28-Aug	5:00 p.m.	82.1	Equipment malfunction for other parameters.			
Site 4	28-Aug	7:00 p.m.	88.0	71.0	65.0	62.0	60.5
Site 5	28-Aug	5:00 p.m.	81.4	68.5	66.0	64.0	62.5
Site 5	28-Aug	8:00 p.m.	75.5	68.5	66.5	65.5	64.5

*30 minute measurement

Site 1: Northwest corner of 5th Street and Walnut Avenue.

This monitoring location was in front of a residence at the northwest corner of 5th Street and Walnut Avenue. The residence does have a front porch facing 5th Street. A rock band was playing near the corner of Main Street and Walnut Avenue for the entire period and was responsible for most of the noise measured at this site, with the occasional exception of a loud car or motorcycle traveling on 5th Street. The average noise level (L50) was 62.0 dBA and was driven by the band noise. The maximum sound level (Lmax) of 74.6 dBA was due to a motorcycle on 5th Street. Anecdotally, several local residents stopped and talked while we were making noise measurements. All residents indicated that they liked the event and the noise was not an issue with them.

Site 2: Near the southwest corner of 3rd Street and Walnut Avenue.

The monitoring site was directly in front of a large multi-family building near the entry steps on Walnut Avenue near 3rd Street. This site was measured at 6:00 p.m. and again at 8:00 p.m. The 6:00 p.m. measurement actually started at 6:26 p.m., because the operator had to reprogram the meter. Many of the residential units have balcony areas that look toward Walnut Avenue, and the noise levels measured are representative of the levels in these balcony areas. The rock band playing near Main Street and Walnut Avenue could be heard clearly at this site, and noise levels from the band were generally in the upper 50 dBA to mid 60 dBA range, with noise levels from the band as high as 69 dBA. Occasional vehicles would pass by on Walnut Avenue and generally their noise level was in the low 60 dBA range, but could be in the 70 dBA range for louder vehicles. The L50 noise level measured at the site was 63.5 dBA and was due primarily to the band. The Lmax level was due to a vehicle pass by that reach 78.6 dBA.

Site 3: Midblock on Olive Avenue west of Main Street.

Site 3 was located on the north side of Olive Avenue midblock between Main Street and 5th Street. Residential units were directly above and most have balcony areas. The measurements at this site are representative of the noise levels on those balconies. A juggler act was in progress during most of the measurement period. He used a small PA (public address) system. The PA system and the crowd noise (e.g., applause and yelling) were the primary noise sources at this site. Both the average noise level (63.0 dBA L50) and the maximum noise level (78.9 dBA Lmax) were caused by the crowd and act.

Site 4: Southeast corner of 3rd Street and Olive Avenue.

Site 4 was located at a residence near the southeast corner of 3rd Street and Olive Avenue. The street fair noise was only occasionally audible at this site. Generator and air pump noise for bounce houses were heard around 5:00 p.m. and were around 59 dBA. Crowd applause was heard and reached 64 dBA. But most of the noise at the site was due to cars and other vehicles. The L50 was due to neighborhood noise and distant traffic and was 60.5 dBA for the 7:00 p.m. measurement. The Lmax was 88.0 dBA and was due to a motorcycle.

Site 5: Second floor breezeway along Main Street near Orange Avenue.

Site 5 was located on the second floor breezeway along Main Street. Only offices are located on this floor, however, residential units were directly above and most have balcony areas. The measurements at this site are representative of the noise levels on those balconies. This site was measured twice; once starting at 5:00 p.m. and again at 8:00 p.m. During both periods the crowd noise on Main Street was the primary noise source. No band or other acts could be heard. The noise was simply generated by the crowd milling around on Main Street. However, the maximum sound levels were caused by trucks or motorcycles on Orange Avenue. The L50 noise levels were 62.5 dBA for the 5:00 p.m. measurement and 64.5 dBA for the 8:00 p.m. measurement. The Lmax noise levels were 86.1 dBA and 79.4 dBA for the 5:00 p.m. and 8:00 p.m. periods, respectively.

1.4.2 Ambient Noise Measurements

The noise measurements were repeated on the following evening (August 29, 2012) at the same time and locations. The results of the measurements are presented in Table 3.

Table 3 Ambient Noise Measurements (dBA)

Site	Date	Start Time	Lmax	L1.7	L8.3	L25	L50
Site 1	29-Aug	7:00 p.m.	73.9	64.5	59.5	56.5	54.5
Site 2	29-Aug	6:00 p.m.	84.1	66.5	61.5	57.0	54.5
Site 2	29-Aug	8:00 p.m.	74.9	65.5	60.5	56.0	50.5
Site 3	29-Aug	6:00 p.m.	79.8	71.0	67.0	61.5	59.5
Site 4	29-Aug	5:00 p.m.	80.4	67.0	62.0	57.5	55.0
Site 4	29-Aug	7:00 p.m.	84.0	67.0	61.5	57.5	54.5
Site 5	29-Aug	5:00 p.m.	86.1	70.5	65.5	62.0	60.0
Site 5	29-Aug	8:00 p.m.	79.4	67.0	64.0	62.0	60.5
Noise Ordinance Criteria			**75**	**70**	**65**	**60**	**55**

The ambient noise levels at all of the sites were determined by the local traffic. The local traffic was responsible for the average and maximum noise levels. Generally, the Lmax was caused by a truck, motorcycle, or car with a loud muffler. The only exception was Site 5 during the 8:00 p.m. hour. During this time a nearby restaurant with patrons talking and a singer contributed about equally to the average noise levels as did the traffic.

The noise ordinance criteria levels are also presented in Table 3. Ambient levels that are already above the ordinance limits are highlighted in orange. Per the ordinance, when the ambient levels are above the criteria limits, the ambient levels become the new ordinance limits.

The difference in noise level between the event measurements and the ambient levels is presented below in Table 4. In community noise measurements, a change of less than 3 dB is not considered significant. A 3 dB difference in a community noise environment would probably not be noticeable. Noise measurements where the event noise was greater than ambient noise levels by more than 3 dB are highlighted in yellow. When noise levels decreased by more than 3 dB, they are highlighted in blue.

Table 4 Difference in Noise Levels (dB)

Site	Start Time	Lmax	L1.7	L8.3	L25	L50
Site 1	7:00 p.m.	0.7	2.5	5.5	7.0	7.5
Site 2	6:00 p.m.	-5.5	2.5	6.0	8.5	9.0
Site 2	8:00 p.m.	11.3	1.5	2.5	3.5	6.0
Site 3	6:00 p.m.	-0.9	-1.0	-0.5	3.0	3.5
Site 4	5:00 p.m.	1.7	--	--	--	--
Site 4	7:00 p.m.	4.0	4.0	3.5	4.5	6.0
Site 5	5:00 p.m.	-4.7	-2.0	0.5	2.0	2.5
Site 5	8:00 p.m.	-3.9	1.5	2.5	3.5	4.0

Site 1: Northwest corner of 5th Street and Walnut Avenue.

The noise levels that represent more of the average noise levels (e.g., L50) increased a significant amount at this site due to the event. The increase in noise can be directly attributed to the rock band that was playing near the intersection of Main Street and Walnut Avenue.

Site 2: Near the southwest corner of 3rd Street and Walnut Avenue.

Similar to Site 1, the average noise levels increased significantly for this site and can be attributed to the the rock band. This increase was evident in both of the hours that were monitored at this site. The Lmax levels increased for one hour and decreased for the other hour. Lmax levels were attributable to vehicles on 3rd Street and had nothing to do with the event.

Site 3: Midblock on Olive Avenue west of Main Street.

Average noise levels (e.g., L25 and L50) increased significantly at Site 3 with the event. Specifically, a juggler at the corner of Main Street and Olive Avenue was responsible for the noise. The PA system that the juggler used and the crowd watching the act were primarily responsible for the noise.

Site 4: Southeast corner of 3rd Street and Olive Avenue.

Event noise was not audible, or from time to time was barely audible at this site. Event noise did not contribute directly to the noise levels measured at this site. However, significant increases in noise were measured for all noise metrics during the 7:00 p.m. hour. We believe that this is attributable to an increase of traffic on the local roadways, most notably 3rd Street when the event was in progress. The increase in traffic could be due to people coming to the event, or using 3rd Street as an alternative route to Main Street, which was blocked off.

Site 5: Second floor breezeway along Main Street near Orange Avenue.

Surf City Nights caused increases in average noise levels at Site 5 with the increases during the 8:00 p.m. hour being significant. The increase in noise with the event was due to the general crowd noise along Main Street. It should also be noted that the Lmax noise levels were lower during the event, and this was no doubt due to the absence of cars on Main Street during the event.

Compliance with the City's Noise Ordinance is shown in Table 5. Some noise ordinances exempt public events from compliance. The Huntington Beach ordinance does not. However, Section 8.40.080(b) does exempt "Activities otherwise lawfully conducted in public parks, public playgrounds and pump or private school grounds..." This section could be amended to include events on public property (i.e., roadways) and then Surf City Nights would be exempt. To be an exceedance of the noise ordinance limit, the noise level must exceed the criteria presented previously in Table 1, and exceed ambient noise levels. Table 5 shows that the noise ordinance limits were exceeded at every site with the event in progress. However, it should be noted that at Site 4, the noise levels were not caused directly by the event, but rather by an increase in traffic noise.

Table 5 Exceeds Noise Ordinance Limit?

Site	Start Time	Lmax	L1.7	L8.3	L25	L50
Site 1	7:00 p.m.	No	No	No	Yes	Yes
Site 2	6:00 p.m.	No	No	Yes	Yes	Yes
Site 2	8:00 p.m.	Yes	No	No	No	Yes
Site 3	6:00 p.m.	No	No	No	Yes	Yes
Site 4	5:00 p.m.	Yes	--	--	--	--
Site 4	7:00 p.m.	Yes	Yes	No	Yes	Yes
Site 5	5:00 p.m.	No	No	Yes	Yes	Yes
Site 5	8:00 p.m.	No	No	Yes	Yes	Yes

1.5 Expanded Event Area

Surf City Nights will be expanded to include Olive Avenue from 5th Street to 3rd Street, Walnut Avenue from 5th Street to 3rd Street, and 5th Street from Pacific Coast Highway to Walnut Avenue. Each of these additional event areas is discussed below.

Olive Avenue from 5th Street to 3rd Street. Two noise monitoring sites were located in this area. Site 3 is located mid-block on Olive Avenue between Main Street and 5th Street. The north side of this street is a three story mixed used development with residential on the second and third floors. Noise ordinance levels were exceeded at Site 3. Site 4 is located at the east end of the expanded area and noise levels also exceeded the ordinance limits at this site also. Noise levels at these sites may not increase at all with the expanded event area or may increase by up to

5 dB. This is based on a comparison of noise levels measured at Site 5, which is within the current event area. Other residential areas near to the expanded event area will also experience noise increases that may range up to 5 dB.

Walnut Avenue from 5th Street to 3rd Street. Residential areas do not exist along these roadway segments, however, residents are located near both the west and east ends of this expanded event area. These residential areas are represented by noise monitoring Sites 1 and 2. Both of these sites experienced noise levels that exceeded the noise ordinance limits. The noise levels at these two sites were very close to the noise levels at Site 5, which was directly adjacent to the event area. Therefore, the noise levels at these two sites would be expected to increase little or not at all with the expanded event area along Walnut Avenue. The exception to this conclusion would be if a major event activity (e.g., band or other performance act) was located near these sites.

5th Street from Pacific Coast Highway to Walnut Avenue. This area contains mixed-use development with residential uses located on many of the upper floors. Site 1 is located just north of this area. Again once events are added to this area, the resultant noise levels would be similar to those measured at Site 5. Site 5 contains residential uses in a mixed-use area that is directly adjacent to an event area. The noise levels at Site 5 were similar to those measured at Site 1, and so the noise levels during an event would not be expected to increase substantially from current event levels.

1.6 Vibration Impacts

Operation of the project would not increase groundborne vibration or groundborne noise within the project area above existing conditions. To generate groundborne noise and/or vibration a heavy weight, such as a pile driver, must impact the ground. No activities during Surf City Nights cause a higher energy impact to the ground or a structure attached to the ground. Therefore, no vibration impacts are anticipated.

1.7 Summary and Recommendations

The Surf City Nights events do increase the noise levels at residential areas that border the activity area. The noise levels are inconsistent with the limits contained in the City's Noise Ordinance. Three options exist for the City to go forward.

Option A – Approval of a Noise Deviation Permit. The Director has the authority to issue a noise deviation permit that would allow Surf City Nights to continue as is. Any exceedances of the Noise Ordinance would be moot and not subject to any additional control. Strictly speaking, this option would not eliminate the noise impacts associated with the performance events associated with Surf City Nights, but it would eliminate the conflict that currently exists between the Noise Ordinance requirements and the noise generated by the events. The applicant for Surf City Nights must demonstrate, at a minimum, the need to deviate from the noise level criteria produces a greater benefit to the community which outweighs the temporary increase in noise level above the requirements of the Noise Ordinance.

Option B – Apply Mitigation Measures to Project. The second option would be to apply reasonable and feasible mitigation measures to the project that would result in substantial compliance with the Noise Ordinance. The following measure is recommended:

> Live entertainment (including bands) shall not use sound amplifying equipment and shall only perform at midblock locations at a minimum of 100 feet from any residential units.

Based on the noise measurements made by our firm for this assessment, the above measure would result in compliance with the Huntington Beach Noise Ordinance and noise impacts are anticipated to be less than significant based on the type of events currently being staged.

Option C – Prohibit Live Acts. This option would eliminate all live acts from Surf City Nights. Since the live acts, which are the main source of noise would be eleminated, it would guarantee that the Surf City Nights would comply with the Noise Ordinance. If this measure is imposed any noise impacts are anticipated to be less than significant.