

**CITY OF HUNTINGTON BEACH
PLANNING & BUILDING DEPARTMENT
DRAFT MITIGATED NEGATIVE DECLARATION NO. 09-003**

- 1. PROJECT TITLE:** Garguis Mixed Use Development
- Concurrent Entitlements:** Coastal Development Permit No. 2009-005, Conditional Use Permit No. 2009-021, Variance No. 2009-003, Special Permit No. 2009-001, Special Permit No. 2009-002, Tentative Parcel Map No. 2009-078, Design Review No. 2009-002
- 2. LEAD AGENCY:** City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
- Contact:** Andrew Gonzales, Associate Planner
Phone: (714) 536-5271
- 3. PROJECT LOCATION:** 110 9th Street, Huntington Beach, CA 92648 (northeast corner of Pacific Coast Highway and 9th Street)
- 4. PROJECT PROPONENT:** Otis Architecture
16871 Sea Witch Lane
Huntington Beach, CA 92649
- Contact Person:** Karen Otis
Phone: (714) 846-0177
- 5. GENERAL PLAN DESIGNATION:** MV-F8-d-sp (Mixed Use Vertical – Maximum Floor Area Ratio 1.5 – Design Overlay – Specific Plan)
- 6. ZONING:** SP5-O-CZ (Downtown Specific Plan – District One – Oil Overlay – Coastal Zone Overlay)
- 7. PROJECT DESCRIPTION:**
The project proposes to construct a three-story, 35 foot tall, approximately 8,972 square foot mixed-use, visitor serving/residential development. The proposed uses within the project will include a single commercial retail space measuring approximately 2,399 square feet (sq. ft.) located entirely within the ground floor with a total of four residential units consisting of 3,062 sq. ft. on the second floor (two units) and 3,287 sq. ft. on the third floor (two units). The units range in size from 1,420 square feet to 1,781 square feet and each have two bedrooms. The project includes a variance request to allow for the development of a site with a street frontage width of 75 feet in lieu of the minimum 100 feet required. In addition, the project includes a special permit request to allow deviations from required setbacks and parking structure transition ramps as follows:

- A 10 ft. street side yard setback in lieu of the minimum 15 ft. landscaped setback,
- A 5 ft. interior side yard setback in lieu of the minimum required 7 ft. setback,
- A 3 ft. 6 in. average upper-story setback in lieu of 10 ft. along Pacific Coast Highway, and
- A slope of 9.91% in lieu of 5% for a parking garage transition ramp serving as back-up for parking stalls, and 15% in lieu of the maximum allowed slope of 10% for a parking garage transition ramp with no adjacent parking spaces.

Parking will be provided in a semi-subterranean parking garage and include nine surface level spaces and 14 subterranean spaces. All onsite parking will be accessible from the rear of the building along the alley. Residential parking (10 spaces) will be separated from commercial parking (14 spaces) through a vehicular access gate located within the subterranean portion of the parking garage.

An approximately 4 feet 6 inch alley dedication is required to provide a width of 14 feet from the project parcels to the alley centerline. In addition, right-of-way dedication shall be provided along the southwest corner of the property to provide a 25-foot radius. After dedication, the subject property will measure approximately 11,528 square feet of net lot area. The project will consolidate three existing lots into one parcel along with a condominium subdivision of four units for residential purposes.

Site development is anticipated for a period of approximately five months, which includes demolition, site preparation, grading, building construction, paving, and architectural coating. The first phase will remove the existing 1,600 square foot drive-thru restaurant building currently sited on the property along with the associated parking lot, landscaping, and various utilities. This phase is anticipated to take approximately ten days with site preparation and grading anticipated to take three days. These phases will result in the export of approximately 3,655 cubic yards of native soil, with approximately 12 feet of excavation, and import of approximately 1,300 cubic yards of compacted fill soils. Overall building construction is anticipated for a period of 100 days. The final stages of development, which includes paving and architectural coating, may take up to a total of 13 days to complete. Overall site construction is anticipated to employ the usage of such equipment as concrete/industrial saws, excavators, rubber tired dozers, tractors/loaders/backhoes, cement and mortar mixers, cranes, forklifts, welders, and aircompressors throughout the various development phases.

8. SURROUNDING LAND USES AND SETTING:

The project site is located at the northeast corner of Pacific Coast Highway and 9th Street. The project site is currently developed with a 1,600 square foot vacant drive-thru restaurant (formerly Taco Bell). The site is comprised of three lots measuring approximately 25 feet wide and 157 feet 6 inch deep with a total gross lot area of approximately 11,866 square feet.

Multi-family residential uses exist to the north (across alley) and west (across 9th Street), hotel to the east, and the beach to the south (across Pacific Coast Highway).

9. OTHER PREVIOUS RELATED ENVIRONMENTAL DOCUMENTATION:

None.

10. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED (AND PERMITS NEEDED) (i.e. permits, financing approval, or participating agreement):

Encroachment Permit is required from Cal Trans.

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.

- | | | |
|---|--|---|
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input checked="" type="checkbox"/> Geology / Soils | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Cultural Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> 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.**

Jennifer Villaseñor for Andrew Gonzalez
Signature

5/25/11
Date

Jennifer Villaseñor for A.G.
Printed Name

Senior 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 from Section XVIII, “Earlier Analyses,” 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 XVIII 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 XVIII. 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. For the readers’ information, a list of applicable standard conditions identified in the discussions has been provided as Attachment No. 7.

SAMPLE QUESTION:

<i>ISSUES (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<i>Would the proposal result in or expose people to potential impacts involving:</i>				
<i>Landslides? (Sources: 1, 6)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>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).</i>				

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Less Than Significant Impact	No Impact
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I. LAND USE AND PLANNING. Would the project:

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The proposed uses will not conflict with any land use plan in the City of Huntington Beach, including the Municipal Code, the Downtown Specific Plan (DTSP), Local Coastal Program and the General Plan. The project proposal is permitted within District One (Visitor Serving Commercial) of the DTSP subject to the approval of a conditional use permit by the Planning Commission.

While the use complies with the base zoning district and all applicable land use plans, the project requests a variance and special permits to allow for deviations from zoning code requirements. The project includes a request for a variance to permit development of a site with a street frontage width less than 100 feet at 75 feet. The 25-foot deficiency from the minimum street frontage requirements results in encroachments along the exterior street yard and interior yard setback areas. The project is also subject to a 15-foot street side yard setback, 7-foot interior side yard setback, and an average upper-story setback of 10 feet along Pacific Coast Highway. The project proposes a minimum 10-foot street side yard setback, a 5-foot interior side yard setback, and an average upper-story setback of 3 feet 6 inches. The proposed project would not, therefore, comply with the setback requirements of the Specific Plan. Although the building will encroach into portions of the required setbacks, the proposed encroachments will not result in any significant impacts to surrounding properties or the adjoining right-of-ways. The siting of the building toward the street corner and encroachment into the 15-foot street side yard setback will foster greater pedestrian activity within and around the development including along the public right-of-ways. The location of the building will not impair vehicular/pedestrian visibility or access along Pacific Coast Highway and 9th Street and minimum sidewalk widths will not be impacted. Furthermore, the interior side yard setback of five feet will not impact adjoining properties as the adjacent site contains an oil production facility containing no permanent buildings. The proposal to deviate from the upper-story setback requirement will not result in the development being disproportionate to the size and scale of surrounding developments due to various architectural features that are proposed which will aid to visually break up the facades of the building. These deviations from the minimum development standards will not result in significant environmental impacts such as increased noise, traffic, and lighting. As discussed in the various impact sections (II-XVIII) the project scope and design would ensure that environmental impacts are minimized to a less than significant impact.

Furthermore, the project is consistent with the following goals and policies of the General Plan:

Goal LU 4: Achieve a diversity of land uses that sustain the City’s economic viability, while maintaining the City’s environmental resources and scale and character.

The design of the project promotes development of a mixed use building that conveys a unified, high-quality visual image and character, with integrated landscaping, that is intended to expand the existing development pattern of Downtown Huntington Beach. The City’s Design Review Board has reviewed the proposed architecture, colors and materials and recommends approval of the design concept with modifications to further ensure compatibility with the surrounding area. The building will be oriented toward the intersection

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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of Pacific Coast Highway and Ninth Street. Additionally, public areas and open space included with the project incorporate enhanced hardscape and landscape materials. The proposed project would, therefore, be consistent with this policy of the Land Use Element. The project will improve an under utilized vacant drive-thru restaurant with a development that fully utilizes the development potential established by the DTSP and is consistent with the development patterns along Pacific Coast Highway. As discussed within the various impact sections (II-XVIII) the project scope will not result in significant impacts to the City's environmental resources.

Goal LU 8: Achieve a pattern of land uses that preserves, enhances, and establishes a distinct identity for the City's neighborhoods, corridor, and centers.

The proposed project utilizes mixed-vertical uses in accordance with the patterns and distribution of use and density within the Land Use Map of the City of Huntington Beach General Plan. Commercial uses such as retail establishments will be located within the first story, while two-bedroom residential units will occupy the second and third floors. The project will be consistent with this policy.

Policy C 1.1.1: With the exception of hazardous industrial development, new development shall be encouraged to be located within, contiguous or in close proximity to, existing developed areas able to accommodate it or, where such area are not able to accommodate it, in other areas with adequate public services, and where it will not have significant adverse effects, either individual or cumulative, on coastal resources.

The proposed project would develop a mix of commercial and residential uses on parcels contiguous to similar uses in an established, urban, downtown core area. Public services are currently available to the project site, as well as the surrounding parcels, and the project includes improvements to existing infrastructure to ensure adequate service after project implementation, as described in Utilities Section. Additionally, as will be discussed in Aesthetics the proposed project would not have a significant effect on public views of coastal resources. Therefore the proposed project would be consistent with Policy C 1.1.1.

Policy HE 2.1.2: Facilitate the development of mixed-use projects containing residential and non-residential uses which can take advantage of shared land costs to reduce the costs of land for residential uses through General Plan designation and the Specific Plan process.

Policy HE 2.1.4: Plan for residential land uses which accommodate anticipated growth from new employment opportunities.

The 2008-2014 Housing Element update indicates the majority of household growth in the City is due to increases in single-person households and married couples without children. These growth trends support the need for smaller, higher density and mixed use units close to transportation and services. The proposed development is consistent with the types of development identified in the Housing Element update necessary to satisfy the City's housing needs. The project is consistent with the policies of the General Plan Land Use Element which encourage the provision of housing and commercial opportunity within the City.

As discussed above, the proposed project would be consistent with applicable Goals and Policies of the Huntington Beach General Plan, and is consistent with the uses and type of development permitted within the Downtown Specific Plan. Also, the uses proposed are consistent with the General Plan Land Use designation for the project site. The proposed project would, therefore, result in a less than significant land use impact.

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

Discussion: The project site is not located within an area designated as a wildlife habitat area. 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. The subject site is located at the southeast corner of Pacific Coast Highway and 9th Street and is located within an established urban area; therefore, it will not divide any established communities. 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)

Discussion: The requested entitlements will provide for the construction of a mixed use development with four multi-family dwellings on 0.26 net acres of land. The proposed housing density of 15 units per net acre is less than the maximum 25 units per net acre permitted on the site, based on the site's Mixed Use Vertical General Plan land use designation. Based on the City of Huntington Beach 2008-2014 Housing Element average persons per household data for existing multi-family residential developments in the vicinity and Citywide, the proposed development is expected to house approximately 11 residents, which would not be considered a substantial increase. The resulting potential population increase represents less than 0.1 percent of the City's current population. The project is subject to the City's Affordable Housing Ordinance, which requires that affordable housing units be provided at a ratio of one unit per 10 constructed or payment of an in-lieu fee for projects proposing 3-30 dwelling units. The applicant proposes to pay an in lieu fee for one affordable unit to satisfy City's Affordable Housing requirement. Less than significant impacts would occur.

- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Sources:4)

Discussion: The project site currently contains a vacant drive-thru restaurant. No residential uses exist on the subject site. Therefore, the proposed project will not displace existing housing. No impacts are anticipated.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Sources:4)

Discussion: The project site does not support any housing. Therefore, the project will not displace existing

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

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| 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:1,13) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The project site 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. Less than significant impacts are anticipated.

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| ii) Strong seismic ground shaking? (Sources:1,13) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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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. Structures built in Huntington Beach are required to comply with standards set forth in the California Building Code (CBC) and standard City codes, policies, and procedures which require submittal of a detailed soils analysis prepared by a Licensed Soil Engineer. Conformance with CBC requirements and standard City code requirements will ensure potential impacts from seismic ground shaking are less than significant.

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| iii) Seismic-related ground failure, including liquefaction? (Sources:1,13,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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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). Additionally, the site is underlain by dense marine deposits with a historic high groundwater depth in excess of 30 feet below existing grade, which makes the potential for liquefaction of the subsurface soils at the site low. Construction of the project in conformance with the CBC would provide mitigation of seismic ground shaking hazards. Therefore, liquefaction impacts associated with seismic related ground failure to people and structures on-site would be less than significant.

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| iv) Landslides? (Sources:1,6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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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 a flat parcel of 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

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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indicative of the potential for slope instability at or in the vicinity of the site. No impacts from landslides are anticipated.

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| b) Result in substantial soil erosion, loss of topsoil, or changes in topography or unstable soil conditions from excavation, grading, or fill? (Sources:1,6,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The project site and vicinity are urbanized and have relatively flat topography. Construction of the proposed project would require grading of the entire site which could potentially result in erosion of soils. Erosion will be minimized by compliance with standard City requirements for submittal of an erosion control plan prior to issuance of building permit, for review and approval by the Department of Public Works. Implementation of the proposed project would not require significant alteration of the existing topography of the project site. In addition, grading for the proposed subterranean parking structure is expected to be substantial and may result in erosion during construction. In the event that unstable soil conditions occur on the project site due to grading, or placement of fill materials, these conditions would be remedied pursuant to the recommendations in the required soils investigation study prepared by NorCal Engineering in December 2009. A less than significant impact is anticipated.

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| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Sources:1,6) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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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. 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. However, in the event of an earthquake in the Huntington Beach area, the site may be subject to ground shaking. The CBC and associated code requirements address lateral spreading and subsidence. Less than significant impacts are anticipated.

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| 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:1,6,15) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Discussion: Based upon the Geotechnical Engineering Report prepared by NorCal Engineering, the soil at the site has a moderate expansion potential. Existing fill soils that are not compacted properly could result in unstable foundations. Furthermore, differential settlement of soils could occur on site and affect the foundation materials. Unstable soils could create substantial risks to life and property. Although preparation of a grading plan for the proposed project is a City code requirement, these soil impacts could still occur with project development. Therefore, impacts related to soil expansion potential, unstable soils, and settlement would be potentially significant unless mitigated. Implementation of Mitigation Measure GEO1 would reduce these impacts to less than significant level.

GEO 1 The grading plan prepared for the proposed project shall contain the recommendations included in

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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the Geotechnical Engineering Report for the site prepared by NorCal Engineering dated December 2009. These recommendations shall be implemented in the design of the project and include measures associated with site preparation, fill placement and compaction, seismic design features, excavation and shoring requirements, foundation design, concrete slabs and pavement, cement type, surface drainage, trench backfill, and geotechnical observation.

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project site is located in an urbanized area in which waste water infrastructure is currently in place. Therefore, the capability of the soils to support septic tanks or alternative waste water systems is not relevant to the proposed project. No impact would occur related to septic tanks or alternative water disposal systems.

IV. HYDROLOGY AND WATER QUALITY. Would the project:

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| a) Violate any water quality standards or waste discharge requirements? (Sources:1,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: Water quality standards and waste discharge requirements will be addressed in the project design and development phase pursuant to the City’s standard erosion control measures and Water Quality Management Plan (WQMP), prepared by a Licensed Civil or Environmental Engineer in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations and approved by the City of Huntington Beach Department of Public Works. The standard erosion control measures and WQMP will establish Best Management Practices (BMPs) for construction and post-construction operation of the facility, including site, source and treatment controls to be installed and maintained at the site. The WQMP and standard erosion control measures are requirements for development in the City of Huntington Beach, and with implementation will ensure compliance with water quality standards and waste discharge requirements, which will reduce project impacts to a level that is less than significant.

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| 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:1,15,16) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: In 2005, the Huntington Beach Public Works Department prepared an Urban Water Management Plan (UWMP), which analyzed the City’s past and future water pipeline infrastructure, sources, supplies, reliability and availability. Per a soils analysis prepared by NorCal Engineering, the project will not interfere with groundwater supplies as groundwater is located at an approximate depth of 30 feet, which is well below the 12-foot depth of excavation required to construct the project. Furthermore, based on the number of units and size of the commercial component, the water demand required for the project would not result in a

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Less Than Significant Impact	Potentially Significant No Impact
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significant increase in water demand consumption that was not previously planned for in the Water Master Plan and UWMP and would not substantially delete groundwater supplies. Therefore, this project would not present a substantial impact to ground water supply and table.

The project is subject to compliance with the City's Water Ordinance, including the Water Efficiency Landscape Requirements, as well as Title 24 conservation measures such as low flow fixtures, which will ensure that water consumption is minimized. Less than significant impacts are anticipated.

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| 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:1,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: The site is a flat developed property with existing drainage flow toward the west and north onto 9th Street. Development of the project will result in stormwater runoff flow to maintain similar preexisting drainage conditions, with a majority of the storm water flow to be redirected to a sump pump within the subterranean parking lot which will assist in the prevention of flooding. The flow will then be pumped into a detention basin/gravel filter located to the east of the proposed building with overflow to drain onto 9th Street. The detention basin/gravel filter will fill as stormwater runoff enters the facility and remove suspended sediments/silt, trash and debris, oil, grease, and other pollutants from the drainage flow. Improvement of the site will result in a 10% reduction in impervious surfaces to approximately 80%, with overall drainage flow output to remain at current levels. Less than significant impacts area anticipated.

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| 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:1,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See discussion under section IV (c).

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| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Sources:1,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will reduce overall impermeable surfaces on the project site from 90% to 80%, with no change in the overall runoff coefficient. The project will be designed such that runoff for the proposed development shall not exceed the pre-development condition. The site is a flat developed property that drains toward a detention basin/gravel filter located to the east of the site with overflow to drain onto 9th Street. Overall drainage flow output will remain at current levels. Although the existing drainage pattern is expected to be altered during the construction phase, erosion and siltation during construction will be minimized to a less than significant level by employing Best Management Practices (BMPs) for erosion control, pursuant to City approved standard erosion control measures. The standard erosion control measures and WQMP, to be submitted in accordance with City of Huntington Beach standard development requirements, will identify BMPs for ensuring a less than significant impact associated with polluted runoff during and after construction.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- f) Otherwise substantially degrade water quality?
(Sources:1,16,17)

Discussion: The Public Works Department requires a Water Quality Management Plan (WQMP) to be prepared in accordance with National Pollution Discharge Elimination System (NPDES) regulations in order to control the quality of water runoff and protect downstream areas. NPDES requirements assure compliance with water quality standards and water discharge requirements. The WQMP shall be submitted to the Public Works Department for review and approval prior to issuance of a precise grading permit for the project. Also, refer to Section IV (c). Therefore, less than significant impacts are anticipated.

- 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 a mixed use development consisting of visitor serving commercial and residential uses. The subject site 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 is 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, 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
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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| k) Potentially impact stormwater runoff from construction activities? (Sources:1,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Refer to discussion under item IV (a) above.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| l) Potentially impact stormwater runoff from post-construction activities? (Sources: 1,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: Refer to discussion under item IV (a), (c), and (d) above.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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:1,4,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project will not include any of the activities described above. Commercial developments with less than 20,000 sq. ft. of gross floor area are not required by the HBZSO to provide delivery areas and/or loading docks. The development does not propose any loading area. Therefore, no impacts are anticipated.

During the construction phase, erosion and siltation during construction will be minimized to a less than significant level by employing Best Management Practices (BMPs) for discharge of storm water pollutants, pursuant to the City's standard erosion control measures. The standard erosion control measures and WQMP, to be submitted in accordance with City of Huntington Beach development requirements, will identify BMPs for ensuring a less than significant impact associated with the discharge of stormwater pollutants.

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| n) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters? (Sources: 1,4,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See discussion under Sections IV (a) and IV (e).

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| o) Create or contribute significant increases in the flow velocity or volume of stormwater runoff to cause environmental harm? (Sources: 1,16,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See discussion under Section IV (e).

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| p) Create or contribute significant increases in erosion of the project site or surrounding areas? (Sources:1,6,15) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See discussion under Section III (b).

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Sources:9,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Expose sensitive receptors to substantial pollutant concentrations? (Sources: 9,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Create objectionable odors affecting a substantial number of people? (Sources: 9,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: 9,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion:

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| 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: 9,18) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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		Potentially Significant		
	Potentially Significant Impact	Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ISSUES (and Supporting Information Sources):				

Discussion: a) – e) The proposed project consists of the construction of a three-story, 35-foot tall, approximately 8,972 square foot mixed-use, visitor serving commercial/residential development. 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 national-level nonattainment area for Ozone, Carbon Monoxide (CO), respirable particulate matter (PM₁₀) and fine particulate matter (PM_{2.5}). The Basin is also a State-level nonattainment area for Ozone, PM₁₀ and PM_{2.5}. Sensitive receptors in the area include residents in nearby developments to the north (across alley) and west (across 9th Street). The nearest sensitive receptors would be residents of the multi-family residential area north of the project site approximately 22 feet from the project site boundary.

Impacts from objectionable odors could potentially occur during construction of the project. However, impacts would be intermittent and short-term and would not persist once construction was completed. The proposed mix of onsite uses (i.e., residential and commercial retail) are not sources of objectionable odors. Potential odors would be limited to typical household and commercial refuse containers which will be removed from the site on a weekly basis. 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. The growth in population size and number of housing units as a result of the project is consistent with the growth accounted for in the General Plan (refer to discussion under Section II. Population and Housing). Therefore, the proposed project would not conflict with the AQMP and impacts would be less than significant.

Short-term (Construction): Construction of the project may result in short-term pollutant emissions from the following activities: demolition of all onsite structures including landscaping and utilities, the commute of workers to and from the project site, grading activities including the transport of any necessary soil import and/or export, delivery and hauling of construction materials and supplies to and from the project site; fuel combustion by onsite construction equipment; and dust generating activities from soil disturbance, paving activities, and potential emissions associated with the installation of interior and exterior architectural coating onto the building. Emissions during construction were calculated using the California Emissions Estimator Model (CalEEMod). The allotment of equipment to be utilized during each phase was based on defaults in the CalEEMod program and was modified as needed to represent the specifics of the proposed project. In addition, the emissions estimate assumes that the appropriate dust control measures would be implemented during each phase as required by SCAQMD Rule 403 – Fugitive Dust and that all other appropriate mitigation such as, but not limited to, routine equipment maintenance, frequent water of the site and use of low VOC coatings has been used. The amount of soil excavation (3,655 cubic yards) and the truck trips necessary to haul the excavated native soils and import of compacted fill soil (1,300 cubic yards) results in 461 vehicle trips. The default level of detail was used to calculate fugitive dust emissions from activity on the approximately 11,528 square-foot site.

The CalEEMod model calculates total emissions, onsite and offsite, resulting from each construction activity, which are compared to the South Coast Air Quality Management District (SCAQMD) Regional Thresholds. A comparison of the project’s total emissions with the regional thresholds is provided below. A project with daily construction emission rates below these thresholds is considered to have a less than significant effect on regional air quality.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact Potentially Significant Unless Mitigation Incorporated Less Than Significant Impact No Impact

Daily Construction Emission Rates						
	Regional Significance Threshold (Lbs/day)					
	CO	VOC	NOx	PM ₁₀	PM _{2.5}	SO ₂
Estimated Construction Emissions for proposed project	1.11	1.43	2.59	0.15	0.13	0
Significance Threshold	550	75	100	150	55	150
Exceed Threshold?	NO	NO	NO	NO	NO	NO

Based on the table above, construction of the project would not exceed the required significance thresholds nor would it expose sensitive receptors to substantial pollutant concentrations. Therefore, a less than significant impact is anticipated.

Long-term: Post construction emissions were also calculated using the CalEEMod program. The program was set to calculate emissions for the proposed project. The default CalEEMod variables were used for the calculations.

Daily Post-Construction Emission Rates						
	Regional Significance Threshold (Lbs/day)					
	CO	VOC	NOx	PM ₁₀	PM _{2.5}	SO ₂
Estimated Operational Emissions for proposed project	1.65	1.43	0.40	0.21	0.02	0.00
Significance Threshold	550	55	50	150	55	150
Exceed Threshold?	NO	NO	NO	NO	NO	NO

Based on the above table, post-construction emissions from the proposed project would not exceed the regional thresholds nor would it expose sensitive receptors to substantial pollutant concentrations. Therefore, a less than significant impact is anticipated.

In addition, the project does not come close to exceeding established thresholds for any pollutant including the identified nonattainment pollutants (Ozone, CO, PM₁₀, and PM_{2.5}) and ozone precursors (NOx and VOC) both for construction and post-construction and therefore, would not contribute a cumulatively considerable increase in these pollutants.

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,

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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pedestrian and bicycle paths, and mass transit?
(Sources:1,10)

Discussion: Access to the project exists via 9th street and along an alley located to the rear of the property parallel to Pacific Coast Highway, which is designated as a Primary Arterial on the Circulation Plan of Arterial Streets and Highways in the General Plan (1996). The existing PCH arterial roadway segment fronting the project is currently designated as operating at Level of Service (LOS) of E, which according to the City's Traffic Division, is an acceptable LOS for this segment. As a result of the site's vacant condition, the proposed development is projected to result in a total of 131 new vehicle trips/day onto the existing street network, which equates to 95 new retail vehicle trips and 36 new residential vehicle trips. During peak AM and PM traffic periods the project will contribute 6 new AM peak hour trips (3 retail, 3 residential) and 13 new PM peak hour trips (9 retail, 4 residential). However, the total number of vehicle trips generated is less than the previous drive-thru restaurant use which generated 101 AM and 71 PM peak period vehicle trips for an estimated total of 1,015 daily vehicle trips. The City's Traffic Division has confirmed that no change would occur in the existing LOS at the intersection of Pacific Coast Highway and 9th Street. The traffic generation associated with the project is anticipated to have a less than significant impact to LOS in the area due to the nominal increase in vehicle trips generated from the site's existing vacant condition.

Construction traffic resulting from development of the project may result in short-term interruptions to traffic circulation, including pedestrian and bicycle flow. The project is anticipated to result in a total of 461 haul trips during the demolition, site preparation, and grading phases in the span of 13 days. Based on the scope of project construction, short-term interruptions to traffic are not considered to be significant. In addition, short-term construction impacts may be reduced through implementation of code requirements requiring the approval of a construction vehicle control plan by the Department of Public Works.

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| 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:1,10) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Refer to discussion under item VI (a) above. A nominal increase in trip generation from long-term operation of the project is anticipated. PCH is categorized as a Congestion Management Program Highway System (CMPHS) by the Orange County Transit Authority (OCTA) 2009 CMPHS, but the project site is not within close proximity to a recognized Congestion Management Program (CMP) Intersection. The closest CMP Intersection (i.e., Beach Boulevard and PCH) is located approximately 1.25 miles away from the project site. Therefore, short- and long-term project traffic will not exceed LOS standards at designated Orange County CMP intersections in the project vicinity. Less than significant impacts are anticipated.

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| 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:10,11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project site is not located within two miles of a public or private airstrip and does not propose any structures of substantial height to interfere with existing airspace or flight patterns.

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| d) Substantially increase hazards due to a design feature | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(e.g., sharp curves or dangerous intersections) or incompatible uses? (Sources:1,4)

Discussion: The project site is located along Pacific Coast Highway, a Primary Arterial street. Access to the project exists via 9th Street and along an alley located to the rear of the property parallel to Pacific Coast Highway. Project access will be provided via the alley along the rear of property. The project is subject to compliance with City standards for vision clearance at street/driveway intersections, minimum drive aisle widths and truck turning radii designed to ensure hazards are minimized. The project requests deviations to the transition ramp standards for parking areas. The Public Works Traffic Division has evaluated the requested transition percentages and concludes that the deviations will not result in any unsafe traffic hazards. Therefore, less than significant impacts are anticipated.

- e) Result in inadequate emergency access? (Sources:1,19)

Discussion: Emergency access to and within the project site would be designed to meet City of Huntington Beach Police Department and City of Huntington Beach Fire Department requirements, as well as the City's general emergency access requirements. The Fire and Police Departments have reviewed the proposed plans and determined that emergency access is adequate. Furthermore, the City of Huntington Beach Public Works Department will require the preparation of a traffic control plan for project construction; this would ensure adequate emergency access would be maintained during construction. Therefore, less than significant impacts would occur after compliance with existing regulations, and future project traffic would not impede emergency access to and from adjacent and surrounding roadways.

- f) Result in inadequate parking capacity? (Sources:2)

Discussion: A total of 22 parking spaces are required for the project (12 spaces for retail and 10 spaces for residential). A total of 23 parking spaces will be provided on the site in compliance with the HBZSO. The proposed project has been designed according to City parking regulations and provides sufficient onsite parking spaces.

- 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:2)

Discussion: The project will provide bicycle racks onsite, in accordance with the requirements of the HBZSO Section 231.20 – *Bicycle Parking*. No impacts are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. BIOLOGICAL RESOURCES. Would the project:

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project site is currently developed with a vacant drive-thru restaurant. 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.

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| 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 Game or US Fish and Wildlife Service? (Sources:1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

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 Game 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.

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project does not contain any wetlands; therefore, no impacts are anticipated.

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project area is surrounded by similar 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.

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| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources:1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The site is currently developed and does not contain any mature trees, or rare and unique plant species. Construction of the project will be subject to standard City requirements for the submittal of a landscape plan. The project would be required to provide approximately five trees on site in accordance with standard Huntington Beach Zoning & Subdivision requirements. No impacts are anticipated.

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: As discussed, the project site is currently developed. 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 to any habitat or wildlife area are anticipated.

VIII. MINERAL RESOURCES. Would the project:

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: See discussion under item b).

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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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. An abandoned oil well exists onsite and will be re-abandoned in accordance with the requirements set forth by the City’s Fire Department. No current onsite oil drilling or extraction operations presently exist or is proposed for the project site. Development of the project is not anticipated to have any impact on any other mineral resources. No impacts to mineral resources are anticipated.

IX. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources:1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed mixed use development will not involve the routine transport, use or disposal of hazardous materials other than use of typical household and 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. Less than significant impacts regarding the disposal of hazardous materials are anticipated.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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| 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:1,9,20) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project site includes an abandoned oil well that may have affected some proximate soils on the project site. The oil well was abandoned at the time the site was developed with the former drive-thru restaurant (Taco Bell). Construction activities such as grading and excavation for the proposed underground parking structure could expose workers to contaminated soils and other hazards associated with an abandoned oil well. However, the standard conditions of approval for the City include compliance with all applicable State and local regulations pertaining to re-abandonment of an oil well and remediation of associated hazards. Local requirements include City Specification 422, which requires in addition to all conditions therein, compliance with all applicable regulations and permit conditions of the Division of Oil, Gas, and Geothermal Resources (DOGGR) with regard to the re-abandonment of an oil well; City Specification 429, which specifies requirements for permits for construction within methane districts, including the provision of methane barriers for structures; and City Specification 431-92, which articulates soil cleanup standards. Furthermore, a Phase One Environmental Site Assessment was prepared by Soil Pacifica Inc. for the project site and revealed the absence of soil contamination. Therefore, compliance with all applicable State and local regulations and permit conditions would render this impact less than significant.

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed mixed use development is not intending to operate the site in a way that would generate hazardous materials. Activities conducted within the commercial component of the development will consist of visitor serving commercial uses intended to serve visitors to the City and State Beaches. These types of uses are retail and or service-oriented in nature and are not likely to involve hazardous materials on a daily basis. In addition, the nearest school is approximately 1/2 mile from the project site. No impacts are anticipated.

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| 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:1,9,20) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The location of the proposed mixed use development is not listed on the State's Hazardous Waste and Substance Site List. No impacts would occur.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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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. No impacts are anticipated.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project site is not near any private airstrips. No impacts are anticipated.

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| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources:11,19) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The proposed project will not impede access to the surrounding area and impact implementation or physically interfere with any adopted emergency response plan or evacuation plan. No impacts would occur.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Discussion: The project is located in an urbanized area and is not near any wildlands. No impacts are anticipated.

X. NOISE. Would the project result in:

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: During site grading for the new building and other construction phases of the project, noise levels on the site may increase from normal construction vehicles such as concrete trucks and a backhoe as well as other equipment and tools typically used on construction sites. Construction of the project will create short-term noise impacts. However, the development will be required to comply with the City Noise Ordinance (Chapter 8.40 Noise Control), which restricts hours of construction to reduce noise impacts to the area. Long-term noise impacts from the project are subject to compliance with the City Noise Ordinance as well but are not expected to be a concern due to the proposed uses, which are compatible with the character of the area and will not result in any significant noise impact.

The CBC, Title 24 (California Building Code Standards) establishes minimum noise insulation performance standards for new multi-family dwellings including apartments and condominiums. Interior noise levels may not exceed a Community Noise Equivalent Level (CNEL) of 45 in dwelling units. Walls and floor/ceilings must achieve a minimum rating Sound Transmission Class (IIC) of 50. The required noise insulation performance standards will attenuate potential noise impacts directed toward the residential units from onsite

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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and nearby commercial uses as well as vehicles traveling along PCH. Less than significant short- and long-term noise impacts resulting from the new development project are anticipated.

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

Discussion: Although there may be some temporary groundborne vibration or groundborne noise levels due to onsite construction activities, these would occur infrequently and would be short-term. These activities are anticipated to occur during the construction of the subterranean parking garage due to site excavation and sheet pile installation associated with shoring. All groundborne vibration and noise levels associated with these two activities are anticipated to take approximately 14 days. Furthermore, these activities will be required to comply with the City Noise Ordinance, which exempts noise construction activity between the hours of 7AM and 8PM, Monday through Saturday. Given the short duration of time, construction related vibration and noise impacts are anticipated to be less than significant.

The proposed mixed use development on the project site will not result in the generation of significant groundborne vibration or groundborne noise during long-term operation. Implementation of the proposed project would not result in the exposure of people to or the generation of excessive groundborne vibration or groundborne noise levels. Less than significant 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)

Discussion: The type of noise to be generated by the project in the long term will be similar to that generated by other commercial and residential uses in the area and is not anticipated to increase the ambient noise levels significantly.

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

Discussion: The project is anticipated to generate short-term noise impacts during construction. These would occur infrequently and would be short-term. These activities are anticipated to occur predominantly during the construction of the subterranean parking garage during excavation and shoring activities. However, periodically during various stages of construction there may be moderate spikes in the levels of ambient noise. These infrequent spikes will be required to comply with the City Noise Ordinance, which regulates hours of construction. Therefore, a less than significant impact is anticipated. No other significant noise impacts are expected after construction due to the nature of the project, which is compatible with other uses in the area

- 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:1,9,11)

Discussion: The City of Huntington Beach is included in the Planning Area for the Joint Forces Training

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

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| 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:1,11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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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:

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|---------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Fire protection? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Discussion: See discussion under section XI (b).

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|-----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Police Protection? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-----------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: a)-b) The proposed project has been reviewed by Huntington Beach Fire Department and Police Department staff. The project site is located within approximately 1/2 mile from Lake Fire Station and within 1-1/2 miles of the Main Police Station and approximately 1/4 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. The proposed development can be adequately served by existing Fire and Police protection service levels. The density of development proposed is consistent with the applicable General Plan Land Use designation. Accordingly, the project would not result in significant impacts to public services.

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|-------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Schools? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|-------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The four new residential units located within the proposed project may result in 11 additional residents. The net increase in 11 residents will not noticeably impact school performance and operations. The applicant will be required to pay school district fees for the net increase in the floor area proposed. Based on the minor increase of residents, employees, and the requirements for payment of school fees, less than significant impacts are anticipated.

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| d) Parks? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: See discussion under XI (e) and XV – Recreation.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) Other public facilities or governmental services?
(Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

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 conditions of approval. The proposed density of 15 du/ac is within the density permitted for the General Plan land use designation of the project site, which anticipates projects in this area with densities up to 25 du/ac. Furthermore, the project shall be required to pay necessary park and library impact fees. Consequently, no significant impacts are anticipated.

XII. UTILITIES AND SERVICE SYSTEMS. Would the project:

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| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
(Sources:1,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: A Water Quality Management Plan (WQMP) shall be prepared in accordance with the National Pollutant Discharge Elimination System (NPDES) regulations and approved by the City of Huntington Beach Public Works Department. The WQMP will establish Best Management Practices (BMPs) for post-construction operation of the project and its implementation will ensure compliance with water quality standards and water discharge requirements. Less than significant impacts are anticipated.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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:1,4,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project would not require the construction of new or significant expansion of existing water or wastewater treatment facilities. There are existing public water pipelines along Pacific Coast Highway and the alley behind the project site that could satisfy the demands of the project. A Utility Plan for new water service connections shall be reviewed and approved by the Public Works Department. All utility connections to the project site will be in accordance with all applicable City standards. Wastewater services for the proposed project will be provided by the City of Huntington Beach. The project is subject to standard code requirements and no adverse impacts to the City’s utilities or services are anticipated.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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: 1,4,17) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project is not expected to result in the construction of new or significant expansion of existing storm water facilities. The project will not require extensions of public services and utilities to the site. All utility connections to the project will be in accordance with all applicable CBC, City ordinances, and Public Works Utilities Division standards. Therefore, 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
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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Sources:1,16) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project site is currently developed with a vacant drive-thru restaurant. The proposed project would result in an intensification of the project site with the addition of four residential units, which may increase overall water demand. However, the project would not result in a significant increase in water consumption that was not previously planned for the 2005 Water Master Plan and 2005 Urban Water Management Plan as residential uses are permitted on the site. The estimated project demand can be accommodated from the City's water supply and does not represent a significant impact.

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project would generate approximately 1,322 gallons of wastewater per day. Sewage from the proposed project will be delivered from the City feeder lines that connect to the Orange County Sanitation District's trunk sewer lines. The wastewater generated from the proposed project would be treated by the Orange County Sanitation District's Plants No. 1 and No. 2. The two plants have a treatment capacity of 276 million gallons per day (mgd). Average daily flow to both plants combined is 243 mgd. These levels provide an additional capacity of 33 mgd for both Plants No. 1 and No. 2. The proposed project would generate negligible wastewater and would require the use of approximately 0.0004% of the remaining capacity of the OCSD's facilities; therefore, less than significant impacts are anticipated.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Sources:1) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Rainbow Disposal is the exclusive hauler of all solid waste for the City of Huntington Beach. Rainbow Disposal operates a Transfer Station, located at 17121 Nichols Street within the City of Huntington Beach, and two Materials Recovery Facilities (MRFs) through which all solid waste is processed. Rainbow Disposal's Transfer Station has a design capacity of 2,800 tons per day, and current utilization ranges between 53 and 71 percent. Assuming a worse-case scenario of 71 percent utilization, the daily solid waste contribution to this transfer station under the proposed project would be less than one percent at approximately 0.000005 percent of its entire design capacity. Utilization of the transfer station would not be noticeably impacted with implementation of the proposed project.

The Orange County Integrated Waste Management Department (IWMD) currently owns and operates three active landfills that serve the Orange County region, including: Frank R. Bowerman Landfill in Irvine; Olinda Alpha Landfill in Brea; and Prima Deschecha Landfill in San Juan Capistrano. All three landfills are permitted as Class III landfills and have a combined design capacity of 20,500 tons per day. Solid waste from the project site would be sent to the Frank R. Bowerman Landfill in Irvine. Permitted capacity for the landfill is limited to 8,500 tons per day. However, if the per day capacity is reached at the Bowerman Landfill, trucks are diverted to one of the other two landfills: Olinda Alpha in Brea (capacity 8,000 tons/day) and Prima Deschecha in San Juan Capistrano (capacity 4,000 tons/day) in the county.

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Mitigation Incorporated	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Using the solid waste generation factors identified by the California Integrated Waste Management Board (CIWMB), the estimated amount of solid waste generated by the proposed project is shown in the table below.

Land Use	Solid Waste Generation Rates (lbs/unit/day)	Proposed Project	
		Units/S.F.	Waste Generated (lbs/day)
Residential	4 lbs/dwelling unit/day	4 units	16 lbs/day
Retail	0.006 lbs/sf/day	2,399 S.F.	14.34 lbs/day
Total		4 units & 2,399 S.F.	30.34 lbs/day (tons/day) 11,074 lbs/yr (tons/yr)
SOURCE: California Integrated Waste Management Board, Estimated Solid Waste Generation Rates, http://www.ciwmb.ca.gov/wastechar/wastegenrates .			

Based on landfill capacity, the solid waste contribution to any of the three landfills that serve the project site is less than one percent of their allowed daily capacity. With Rainbow Disposal able to accept all commercial and construction waste from the project site and with sufficient current and future landfill capacity, the solid waste impacts resulting from the proposed project would be less than significant.

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

Discussion: AB 939 required a 50 percent diversion of solid waste from Orange County landfills by Year 2000. Based on the most recent available data (2006), the City of Huntington Beach maintains a 71 percent diversion rate. Solid waste from the proposed project would be processed, sorted and recycled at one of two Materials Recovery Facilities operated by Rainbow Disposal. The proposed project will be subject to participation in solid waste reduction programs required to ensure compliance with AB 939 that are presently available in the City. 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 is required to be designed such that water quality from the proposed development shall not exceed the pre-development condition. Storm water treatment will be managed with the installation of a detention basin/gravel filter located onto the easterly portion of the project site. The proposed detention basin/gravel filter will allow water quality to remain at current levels. Its installation is included in the construction scenario for the proposed project and is not anticipated to result in any potentially significant environmental impacts. Therefore, less than significant impacts are anticipated.

XIII. AESTHETICS. Would the project:

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

ISSUES (and Supporting Information Sources):

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The project is located on Pacific Coast Highway, a scenic corridor in the City of Huntington Beach General Plan Circulation Element. The setting along PCH is characterized by beach facilities, shoreline, the pier, and recreational amenities on the south side and development on the north side. The architecture of the proposed building consists of a Mediterranean design theme which includes materials such as decorative stone, smooth stucco finish, wood trim and architectural features, and tile roof. The project's design, colors, and materials are consistent with the list of approved colors and materials identified within the City's Urban Design Guidelines (UDG). The proposed building is an improvement to the contribution of the scenic vista in that the project will improve a blighted and underutilized site containing a vacant drive-thru restaurant with a mixed-use development of a size, scale, and design consistent with the development pattern along PCH. The proposed project will be located across PCH, away from nearby scenic vistas (i.e., pier and beach). The project's location will not physically affect public views to these scenic resources and, 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 State of California Department of Transportation designates scenic highway corridors. The project site is located within and visible from an eligible state scenic highway, Pacific Coast Highway. The project is designed with quality architecture and material so as to contribute to the character of the area. The project site does not contain rock outcroppings or historic buildings. Less than significant impacts are anticipated.

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

Discussion: The proposed project is designed in accordance with the City's UDG. The proposed building will be divided into distinct massing elements and all building facades will be articulated with architectural elements and details. The existing condition of the subject property degrades the visual character of the surrounding area because the site contains a vacant drive-thru restaurant building that is in a condition of disrepair. The project will vastly improve the site with a development that is consistent with the size, scale, design and pattern of development located along PCH. The project was reviewed by the City's Design Review Board (DRB), who is charged with reviewing projects for consistency with community design standards and objectives. The DRB made several recommendations to address the building's size and scale to ensure further compatibility with the surrounding neighborhood. 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 is located within a highly urbanized area. Because the project will result in a larger development in terms of building volume, overall height, and site coverage from the previous drive-thru restaurant, implementation of the proposed project may result in additional nighttime lighting and the potential for glare from the building and parking lot. The project will be subject to a standard condition of approval that requires lighting to be shielded and directed so as to prevent glare and spillage onto adjacent properties including neighboring residential uses located to the north. Based upon the total number of vehicle

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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trips between the proposed project and previous drive-thru restaurant, the number of vehicles accessing the proposed project will be less than the number of vehicles which accessed the previous use. Thus, sources of light from vehicle headlights would be less than the previous use on the site and less than significant impacts are anticipated.

Furthermore, the project proposes to incorporate building materials into the project design that are consistent with those identified within the UDG. However, the project may introduce new reflective elements which includes glass railings, windows, and paint finishes that may result in a potential of direct glare impacts onto adjoining properties and vehicular traffic along PCH and 9th Street. However, these surfaces are minimal in comparison to the total area utilizing non-reflective/matte exterior surfaces and are consistent with the type and amount of materials utilized on other surrounding developments. Therefore, impacts related to a new source of substantial glare will be less than significant.

XIV. CULTURAL RESOURCES. Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? (Sources: 1,9)

Discussion: The project site does not contain any historic structures and is not located within any of the City's historic districts. No historical resources will be impacted by construction of the project.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: 1,9)

Discussion: The project site is not located in an identified archaeological site. Furthermore, the site is presently developed with a vacant drive-thru restaurant. It is not likely that cultural resources are present on the site. Therefore, less than significant impacts are anticipated.

- c) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature? (Sources: 1,9)

Discussion: The project site is not designated as having any paleontological resources and does not contain any unique geologic features. No impacts are anticipated.

- d) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: 1,9)

Discussion: Given that the project site is presently developed and no archeological sites have been previously recorded, the project is not expected to result in the disturbance of 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Affect existing recreational opportunities? (Sources:1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: a) – c) The proposed project may increase use of existing recreational opportunities including the beach, which is across Pacific Coast Highway, due to the addition of new dwelling units. Existing General Plan policies have established a City standard of five acres of parkland per 1,000 residents. The potential increase of 11 residents would not noticeably decrease the current park ratio of 4.95 acres per 1,000 residents such that existing recreation opportunities would be significantly affected. In addition, the project will be subject to payment of a park and recreation fee in accordance with the requirements of the HBZSO. The fees are used for acquiring parkland and developing new or rehabilitating existing community and neighborhood parks and recreation facilities. The payment of the fees as required by the HBZSO will be in accordance with the policies, principles and standards for park, open space and recreation facilities contained in the General Plan and will provide the project's fair share contribution toward park and recreation facilities. Based upon the size of the proposed development, the project does not propose or require the construction or expansion of recreational facilities beyond that which is required to be allocated for residential open space. Impacts associated with construction and use of private open space is accounted for in the overall construction scenario and considered in the analysis sections throughout this document. Impacts would be less than significant.

Construction of the proposed project will occur entirely on the subject site. Access along the adjoining right-of-ways (PCH and 9th Street) may be restricted during various phases of site development, specifically with the right-of-way improvements required by the Department of Public Works. However, such disturbances will be temporary and will not impede access to or affect use of adjacent recreational opportunities, specifically those amenities located across PCH. 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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The project site does not serve as farmland and does not contain any farming operations.

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	Potentially Significant	No Impact
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Development of this project will not result in the conversion of any farmland. No impacts would occur.

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| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources:1,9) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
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Discussion: The subject site is presently zoned SP5 (DTSP), which does not permit agricultural uses. In addition, the project site is not under a Williamson Act contract. Development of the site would not conflict with agricultural uses or zoning. No impacts would occur.

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| 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) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
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Discussion: The site is currently developed with a vacant drive-thru restaurant and is surrounded by commercial and residential uses. No environmental changes associated with the proposed project would result in the conversion of farmland to non-agricultural uses.

XVII. GREENHOUSE GAS EMISSIONS. Would the project:

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|--|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: 8,18) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|--|

Discussion: AB 32 codifies the state’s goal to reduce its global warming effects by requiring that the state’s greenhouse gas (GHG) emissions be reduced to 1990 levels by 2020. The 2020 reduction target equates to a decrease of approximately 30 percent below business as usual (BAU) levels. BAU refers to emissions from a proposed project before project design features and other applicable emission reductions are applied. An individual project cannot generate enough GHG emissions to individually influence global climate change. The proposed project’s potential impact would be its incremental contribution combined with the cumulative increase of all other sources of GHGs, which when taken together form global climate change impacts. Therefore, a project’s potential impacts would be evaluated in the context of whether the project would reduce GHG emissions consistent with the reduction targets of AB 32 and the plans, programs, and regulations adopted to implement AB 32. Implementation of the project would generate greenhouse gases through the construction and operation of new residential and commercial uses.

Construction: GHG emissions from construction are estimated to generate approximately 250 metric tons of CO_{2e}. Construction-related GHG emissions are caused by vehicle trips from workers commuting to and from the project site as well as material and supply deliveries. Operation of heavy equipment can also contribute GHG emissions during construction. Construction-related emissions are a temporary and intermittent source of impacts and would not generate a substantial amount of emissions that would have a cumulatively significant effect on global climate change. However, reduction measures consistent with California Air Pollution Control Officers Association (CAPCOA) and California Climate Action Team (CCAT) recommendations would be implemented to reduce the project’s contribution of GHG emissions from construction. These measures include the following: limiting construction equipment/vehicle idling time, use of alternative fuel or electric equipment/vehicles, and implementing a construction traffic control plan to reduce congestion during peak travel times. The project’s small contribution of GHG emissions from construction combined with implementation of reduction measures consistent with measures recommended for

ISSUES (and Supporting Information Sources):

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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implementation of AB 32 would ensure impacts from constructed-related GHG emissions would be less than significant.

Operational: Greenhouse gas emissions from sources associated with project operation would include direct sources such as motor vehicles, natural gas consumption, solid waste handling/treatment, and indirect sources such as electricity generation. However, the project would incorporate GHG reduction strategies and measures consistent with those recommended by the CCAT and CAPCOA in response to AB 32. These measures include (a) high density project design that improves walkability and destination accessibility, (b) installation of energy efficient appliances, (c) use of low VOC paint, (d) elimination of fireplaces, (e) installation of low flow plumbing fixtures, and (f) institution of recycling services.

GHG emissions from indirect and direct sources as well as the project’s reduction in emissions from implementation of GHG reduction measures are estimated and presented in the table below.

<i>Emission Source</i>	<i>MT CO₂e (unmitigated)</i>	<i>MT CO₂e (mitigated)</i>	<i>% Reduction</i>
Vehicular Use	192.66	164.91	14.4%
Electricity	16.20	13.45	16.9%
Natural Gas & other fuels	5.83	4.60	21.1%
Solid Waste	2.27	1.52	33.0%
Water Use	3.25	2.43	25.2%
Total	220.21	186.91	15.2%

The location of the project as an infill project in an established urban area, along with the implementation of state vehicle emission regulations, project design, and GHG reduction measures will result in a 14-33 percent reduction in GHG emissions from BAU levels for the various emission sources and a 15 percent overall reduction. In light of the project’s characteristics and design features, the project would result in a less than significant impact on greenhouse gas emissions and would comply with the goals and policies established by AB 32 and the strategies adopted for implementation.

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: 8,18)

Discussion: Refer to discussion under item XVII (a), above.

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)

ISSUES (and Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Discussion: The project site is currently developed with a vacant drive-thru restaurant. 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)
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Discussion: As discussed above in Sections I to XVII, the project with implementation of standard code requirements and mitigation measures is anticipated to have less than significant impacts due to the small scale of the project 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)
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Discussion: As discussed in Sections I to XVII, the project as proposed, with implementation of the recommended Mitigation Measure GEO-1, code requirements and conditions of approval, will have a less than significant impact or less than significant with mitigation 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 Utilized in this Analysis:

<u>Reference #</u>	<u>Document Title</u>	<u>Available for Review at:</u>
1	City of Huntington Beach General Plan	City of Huntington Beach Planning & Building Dept., Planning/Zoning Information Counter, 2000 Main St., 3rd Floor, Huntington Beach, and at www.huntingtonbeachca.gov/Government/Departments/Planning/gp
2	City of Huntington Beach Zoning and Subdivision Ordinance	City of Huntington Beach City Clerk's Office, 2000 Main St., 2 nd Floor, Huntington Beach, and at www.huntingtonbeachca.gov/government/charter_codes
3	Project Vicinity Map	See Attachment #1
4	Preliminary Site Plan, Floor Plans, Elevations, Section Elevations, Tentative Parcel Map	See Attachment #2
5	Project Narrative	See Attachment #3
6	City of Huntington Beach Geotechnical Inputs Report	City of Huntington Beach Planning & Building Dept. (see #1)
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, 7 th 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	City of Huntington Beach Planning & Building Dept. (see #1)
13	City of Huntington Beach Municipal Code	City of Huntington Beach City Clerk's Office (see #2)

14	Soils Investigation Prepared by NorCal Engineering (December 2009)	Attachment #4
15	2005 Urban Water Management Plan	City of Huntington Beach Planning & Building Dept. (see #1)
16	Preliminary Water Quality Management Plan Prepared by Nick Kazemi, Inc. (November 2010)	“
17	CalEEMod Version: CalEEMod.2011.1 (May 2011)	Attachment # 5
18	City of Huntington Beach Emergency Management Plan	City of Huntington Beach Planning & Building Dept. (see #1)
19	Phase 1 Environmental Site Assessment Soil Pacifica Inc. (July 2009)	“
20	Project Implementation Code Requirements	Attachment # 6
21	Summary of Mitigation Measures	Attachment # 7

