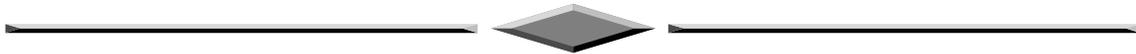


**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jennifer Villasenor, Senior Planner
DATE: November 20, 2013

SUBJECT: DRAFT MITIGATED NEGATIVE DECLARATION NO. 13-009 (7th STREET HISTORIC DEMOLITION)

LOCATION: 122 and 124 7th Street, Huntington Beach, CA 92648 (east side of 7th Street between PCH and Walnut Avenue)



Applicant: James King, 725 Ultimo Avenue, Long Beach, CA 90814

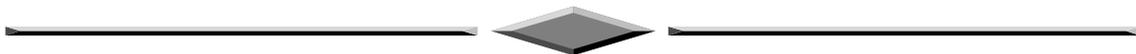
Property Owner: Laura King Living Trust, 425 Ultimo Avenue, Long Beach, CA 90814

Request: To analyze the potential environmental impacts associated with the demolition of existing site improvements including eight existing multi-family apartment units within four buildings and an existing garage/laundry room accessory structure on the property located at 122-124 7th Street. Redevelopment of the property is not proposed as part of the project. The project is required to undergo CEQA review because of its potentially historic status. The subject property is considered potentially historic according to the City's 1986 Historic Resources Survey Report. The 1986 report assigned the property a Historic Resource Code of 5S2. This designation means that a property is eligible for local listing or designation.

Zone: SP5 - CZ (Downtown Specific Plan No. 5 – Coastal Zone)

General Plan: M->30 – d – sp - pd (Mixed Use v-> 30 units per acre – design overlya – specific plan overlay – pedestrian overlay)

Existing Use: Multi-family residential



RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR APPROVAL – MITIGATED NEGATIVE DECLARATION 13-009:

1. Mitigated Negative Declaration No. 13-009 has been prepared in compliance with Article 6 of the California Environmental Quality Act (CEQA) Guidelines. It was advertised and available for a public comment period of 30 days. Comments received during the comment period were considered by the Zoning Administrator prior to action on the Mitigated Negative Declaration.
2. Mitigation measures avoid or reduce the project's effects to a point where clearly no significant effect on the environment will occur. Mitigation measures address potential impacts related to air quality emissions, protected bird species and nesting habitat and cultural resources. The project site is within the Downtown Specific Plan (DTSP) area for which Program EIR No. 08-001 was adopted in 2010. As such, applicable DTSP Program EIR mitigation measures addressing impacts during demolition are incorporated into the project. Mitigation measures were generally designed to ensure that air quality emissions, impacts to protected bird species and nesting habitat and/or discovery of cultural resources during demolition would be minimized through compliance with applicable laws and regulations.
3. There is no substantial evidence in light of the whole record before the Zoning Administrator that the project, as mitigated through the attached mitigation measures, will have a significant effect on the environment. The proposed project involves the demolition of site improvements, including eight multi-family apartment units within four buildings and an accessory structure. Redevelopment of the site is not proposed as part of the demolition request. The Historic Resources Assessment for the subject property concluded that because the property has been significantly altered, it does not appear to be a notable example of bungalow court architecture or design. In addition, the property does not possess sufficient integrity, architectural merit or historical associations to evoke the residential and architectural history of Huntington Beach. Also, based on research of past owners and occupants, the property is not associated with significant events or the lives of significant persons in the past. Therefore, the property does not meet necessary criteria for listing as a historic resource in the National Register of Historic Places, or criteria for inclusion in a State or local listing of historic significance. Finally, all potential impacts resulting from the demolition of the site can be adequately mitigated.

SUGGESTED MITIGATION MEASURES FOR ENVIRONMENTAL CONCERNS:

1. During construction, demolition and remodel activities, the following Best Available Control Measure shall be implemented where feasible:
 - Dust Control
 - Apply soil stabilizers to inactive areas.
 - Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph.
 - Stabilize previously disturbed areas if subsequent construction is delayed.
 - Water exposed surfaces and haul roads 3 times per day.
 - Cover all stock piles with tarps.
 - Replace ground cover in disturbed areas as soon as feasible.
 - Reduce speeds on unpaved roads to less than 15 mph.

- Exhaust Emissions
 - Require 90-day low-NOR_xR tune-ups for off-road equipment.
 - Limit allowable idling to 5 minutes for trucks and heavy equipment.
 - Utilize equipment whose engines are equipped with diesel oxidation catalysts if available.
 - Utilize diesel particulate filter on heavy equipment where feasible.
 - Utilize low emission mobile construction equipment.
 - Utilize existing power sources when available, minimizing the use of higher polluting gas or diesel generators.
 - Configure construction parking to minimize traffic interference.
 - Plan construction to minimize lane closures on existing streets.
 - A full listing of construction emission controls is included in the Air Quality Assessment for Huntington Beach Downtown Specific Plan dated April 13, 2009 (Appendix B).
 - Painting and Coatings
 - Use low VOC coatings and high pressure-low volume sprayers.
- (DTSP Program EIR No. 08-001 MM 4.2-1)**

2. The City shall require by contract specifications that all diesel-powered equipment used would be retrofitted with after-treatment products (e.g., engine catalysts and other technologies available at the time construction commences) to the extent that they are readily available and cost effective when construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach. **(DTSP Program EIR No. 08-001 MM 4.2-2)**
3. The City shall require by contract specifications that alternative fuel construction equipment (e.g., compressed natural gas, liquid petroleum gas, and unleaded gasoline) would be utilized to the extent feasible at the time construction activities commence. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach. **(DTSP Program EIR No. 08-001 MM 4.2-3)**
4. The City shall require developers within the project site to establish a construction management plan with Rainbow Disposal to divert a target of 50% of construction, demolition, and site clearing waste. **(DTSP Program EIR No. 08-001 MM 4.2-5)**
5. The City shall require by contract specifications that construction equipment engines will be maintained in good condition and in proper tune per manufacturer's specification for the duration of construction. Contract specifications shall be included in the proposed project construction documents, which shall be approved by the City of Huntington Beach. **(DTSP Program EIR No. 08-001 MM 4.6-6)**
6. The City shall require by contract specifications that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. Diesel-fueled commercial motor vehicles with gross vehicular weight ratings of greater than 10,000 pounds shall be turned off when not in use for more than five minutes. Contract specifications shall be included in the

proposed project construction documents, which shall be approved by the City of Huntington Beach. **(DTSP Program EIR No. 08-001 MM 4.2-7)**

7. Prior to the onset of ground disturbing activities, the project developer shall implement the following mitigation measure which entails nesting surveys and avoidance measures for sensitive nesting and MBTA species, and appropriate agency consultation.
 - Nesting habitat for protected or sensitive species:
 1. Vegetation removal and construction shall occur between September 1 and January 31 whenever feasible.
 2. Prior to any construction or vegetation removal between February 15 and August 31, a nesting survey shall be conducted by a qualified biologist of all habitats within 500 feet of the construction area. Surveys shall be conducted no less than 14 days and no more than 30 days prior to commencement of construction activities and surveys will be conducted in accordance with California Department of Fish and Wildlife (CDFW) protocol as applicable. If no active nests are identified on or within 500 feet of the construction site, no further mitigation is necessary. A copy of the pre-construction survey shall be submitted to the City of Huntington Beach. If an active nest of a MBTA protected species is identified onsite (per established thresholds), a 250-foot no-work buffer shall be maintained between the nest and construction activity. This buffer can be reduced in consultation with CDFW and/or U.S. Fish and Wildlife Service.
 3. Completion of the nesting cycle shall be determined by a qualified ornithologist or biologist. **(DTSP Program EIR No. 08-001 MM 4.14-1)**
8. During construction activities, if archaeological and/or paleontological resources are encountered, the contractor shall be responsible for immediate notification and securing of the site area immediately. A qualified archaeologist and/or paleontologist approved by the City of Huntington Beach Planning Director shall be retained to establish procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of cultural resource finds. If major archaeological and/or paleontological resources are discovered that require long-term halting or redirecting of grading, a report shall be prepared identifying such findings to the City and the County of Orange. Discovered cultural resources shall be offered to the County of Orange or its designee on a first-refusal basis. **(DTSP Program EIR No. 08-001 MM 4.3-2)**

During construction activities, if human remains are discovered, work shall be halted and the contractor shall contact the City's designated representative on the project and the Orange County Coroner until a determination can be made as to the likelihood of additional human remains in the area. If the remains are thought to be Native American, the coroner shall notify the Native American Heritage Commission who will ensure that proper treatment and disposition of the remains occurs. **(DTSP Program EIR No. 08-001 MM 4.3.-3)**