

# Citywide Housing Element 2021-2029 and Safety Element Updates

Final Environmental Impact Report

CEQA Findings of Facts and Statement of Overriding  
Considerations

SCH NO. 2021010130

LA CITY EIR NO. ENV-2020-6762-EIR

CASE NO. CPC-2020-1365-GPA; CPC-2021-5499-GPA

November 2021

**CITYWIDE HOUSING ELEMENT 2021-2029 AND SAFETY ELEMENT**

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## SECTION 1 – INTRODUCTION

**California Environmental Quality Act (CEQA)** – The following Findings of Facts (Findings) have been prepared for the Citywide Housing Element 2021-2029 and Safety Element Updates, and amendments to the Plan for a Healthy LA (Health Element) (collectively, Proposed Project), for which an environmental impact report (EIR) was prepared pursuant to California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] Section 21000, et seq.). Approval of a project with significant impacts requires that findings be made by the lead agency pursuant to Public Resources Code Section 21081(a) and CEQA Guidelines Section 15091 of the State CEQA Guidelines (California Code of Regulations [CCR] Title 14, Division 6, Chapter 3).

PRC Section 21081(a) provides:

*Pursuant to the policy stated in Sections 21002 and 21002.1, no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:*

*(a) The public agency makes one or more of the following findings with respect to each significant effect:*

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.*
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.*
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.*

CEQA Guidelines Section 15091 provides:

*(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:*

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.*
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.*

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## SECTION 2 - FINDINGS

Unless specified otherwise, references to the EIR for the Proposed Project in this document includes the Draft EIR and the Final EIR, including this Findings document.

Based on all the information and evidence in the administrative record, the City Council of the City of Los Angeles hereby makes the following Findings of Fact.

### A. General Findings

#### EIR Findings

The Council ratifies, adopts, and incorporates the analysis and explanations in the EIR (inclusive of the Draft EIR and the Final EIR), and ratifies, adopts, and incorporates in these findings, all of the determinations and conclusions in the EIR relating to environmental impacts, mitigation measures, and alternatives.

#### RESPONSES TO COMMENTS

The City evaluated comments on the environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments. The City Council reviewed the comments received and the responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information as defined by CEQA Guidelines Section 15088.5. The City Council finds that all information added to the EIR after public notice of the availability of the Draft EIR for public review but before certification merely clarifies, amplifies, or makes insignificant modifications to an adequate EIR and does not require recirculation. The City Council has based its actions on a full evaluation of all comments in the record of proceedings, concerning the environmental impacts identified and analyzed in the EIR.

#### SUBSTANTIAL EVIDENCE

The City Council finds and declares that substantial evidence for each and every Finding made herein is contained in the EIR and other materials found in the record of proceedings. Moreover, the City Council finds that where more than one reason exists for any Finding, the City Council finds that each reason independently supports such Finding, and that any reason in support of a given finding individually constitutes a sufficient basis for that Finding.

#### RELATIONSHIP OF FINDINGS TO THE EIR

These Findings are based on the most current information available. Accordingly, to the extent there are any apparent conflicts or inconsistencies between the Draft EIR and the Final EIR, on the one hand, and these Findings, on the other, these Findings shall control over the Draft EIR and the Final EIR or both, as the case may be. The EIR is hereby amended as set forth in these Findings.

## HOUSING ELEMENT PROJECTS

The EIR<sup>1</sup> analyzed the build out of the Regional Housing Need Assessment, that is the build out of 420,327 housing units in eight years (456,643 RHNA minus 36,316 housing units that have received approvals but not yet been built and/or received the certificate of occupancy [pipeline projects]). The EIR analyzed the program level impacts from the full build out of the RHNA, as well as the project level impacts that occur from the development of the types of housing projects that will be developed from build out of the RHNA. The following types of housing projects were analyzed and within the scope of this EIR:

- Multi-family, ranging from small apartment buildings with two to 10 units, medium apartment buildings with between 11-49 units, large apartment buildings with between 50-200 units, or larger apartment buildings and high-rise structures with more than 200 units.
- Single-family residential ranging in size and scale from smaller single-family homes to larger single-family homes, small-lot subdivisions and new single subdivisions.
- Accessory dwelling units including attached ADUs, detached ADUs, Junior ADUs, ADU converted from existing floor area, multiple ADUs on lots with existing multi-family dwellings, and Movable Tiny Homes.
- Mixed-use development, ranging in size and scale from neighborhood commercial mixed use with smaller nonresidential uses, to high-rise mixed use with larger nonresidential uses.
- Conversion and/or rehabilitation of existing nonresidential, residential, or mixed-use structures to be used for housing.

Housing types for different income levels were analyzed, including single-resident occupancy and affordable housing that may be for families, seniors, residents with special needs or permanent supportive housing. The EIR also analyzed the impacts from various locations, geographies, and environments where build out of the RHNA could occur, including the following:

- Sites currently zoned for residential uses, including multi-family and single-family uses;
- Sites currently zoned for commercial uses, which permit residential uses;
- Sites currently zoned for hybrid industrial uses, which permit joint live-work residential uses;
- Non-vacant sites, and sites with existing housing;
- Sites located near public transit;
- Sites located in a Historic Preservation Overlay Zone (HPOZ)
- Sites located in areas with special environmental considerations, such as areas located by Open Space, Hillside Areas, Very High-Fire Hazard Severity Zones (VHFHSZ) or Coastal Zone.

To analyze project level impacts to the environment from the variety of housing types and locations that could potentially build to accommodate the RHNA citywide, the City established a team of experienced project planners who have experience in reviewing environmental documents and analyzing or consulting on environmental impacts for housing projects, as well as other development types, across the entire City geography, including planners who work on the Major Projects Team that are responsible for reviewing

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<sup>1</sup> EIR throughout the findings, includes all appendices, inclusive of the Initial Study in Appendix A.

and preparing all EIRs for the Planning Department, planners who work in the Citywide Environmental Policy Bureau who are responsible for advising on all CEQA impact issues, training planners on preparing CEQA clearances and serving as the Environmental Staff Advisory Committee, which holds weekly meetings to answer CEQA questions planners have in preparing CEQA clearances, as well as, project planners that review and prepare exemptions, negative declarations, mitigated negative declarations, and sustainable communities environmental assessments (SCEAs) in the project planning geography bureaus in the City. After assembling this consulting team, the City surveyed the thousands of environmental assessments that have been prepared in the last five years for housing development of the type that will build out the RHNA and selected 54 case studies to discuss in the EIR which identify both the typical and worst case impacts from housing development. In the survey of environmental assessments it was determined that the City reviews hundreds of discretionary housing projects every year for CEQA compliance and that the largest majority of housing projects do not require mitigation and only a small percentage result in significant and unavoidable impacts. The largest majority of housing development projects are found to be exempt from CEQA. Hundreds of categorical exemptions are used for small to medium scale housing projects, including Class 32 for infill projects up to 75 units or more. Less than 10 percent of discretionary housing projects require an EIR due to significant unavoidable impacts. Based on this, the case studies are more heavily weighted towards larger scale projects or those in sensitive environments that are more likely to have significant impacts. Smaller projects in more urban infill areas will not require an EIR or even a mitigated negative declaration or SCEA unless there are specific site conditions, such as historical resources, site contamination, or archaeological resources, that raise potential environmental impact concerns. The case studies, which include EIRs, mitigated negative declarations, and sustainable communities environmental assessments (SCEAs), were selected based on the type of project (i.e., multi-family residential, single-family residential, ADUs, mixed use development, and conversion and/or rehabilitation), scale of project (single family to large tower/mixed use), locations with the broadest range of geographies and environmental conditions, and levels of development and density (hillsides, urban, regional centers, coastal, and suburban areas), as well as projects that include income restricted projects. The intent was to be conservative and identify all of the reasonably foreseeable ways housing can result in environmental impacts in the City, as well as identifying the best mitigation measures developed to address those impacts. The City finds the case studies reviewed in the EIR and their identified no impacts, less than significant impacts, less than significant impacts with mitigation, and significant and unavoidable impacts are representative of the typical and worst-case environmental impacts of housing development to be built to accommodate the RHNA. Also, the City finds that it is not reasonably foreseeable that housing development that will build out the RHNA will have significant impacts in those impact categories that were scoped out in the initial study (Appendix A). Additionally, the City finds the mitigation measures developed in the EIR and included in the MMP, to be used by projects within the scope of the EIR, are comprehensive and based on the screening criteria in those mitigation measures and further studies and performance standards included, will in a majority of circumstances reduce environmental impacts from housing development to less than significant. However, based on the findings below and the EIR analysis, even with the application of the mitigation measures in the MMP, significant impacts identified in Section B, below, can still occur from housing development of all types throughout the City. The City Council finds the EIR has analyzed and identified the significant impacts that are reasonably foreseeable from housing development in the City for the types of housing projects (described above) that will accommodate the RHNA.

## B. Findings for Environmental Impacts Found to be Significant and Unavoidable

The Proposed Project would result in significant and unavoidable impacts after implementation of any feasible mitigation measures identified in the EIR. For each of the significant and unavoidable impacts, the City adopts one or more of the following findings as identified below:

**Finding 1:**<sup>2</sup> Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

**Finding 2:** Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

**Finding 3:** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

## AIR QUALITY

### Cumulative Increase

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to a cumulatively considerable net increase of criteria pollutants for which the region is non-attainment under an applicable federal or state ambient air quality standard (ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>), including releasing emissions that exceed quantitative thresholds for ozone precursors (NO<sub>x</sub> and VOC) (see Draft EIR pages 4.2-39 to 59 and 4.2-64 to 65). Specifically, the Proposed Project would result in significant unavoidable impacts related to construction of housing projects from NO<sub>x</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> emissions, and related to operations of housing projects for NO<sub>x</sub>, VOC, PM<sub>2.5</sub>, and PM<sub>10</sub>.

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the Mitigation and Monitoring Plan (MMP):

- 4.2-2(a)
- 4.2-2(b)

#### Finding(s)

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<sup>2</sup> All findings in this document which rely on the imposition of mitigation measures are based on the City Council's adoption of the Mitigation and Monitoring Program, prepared and adopted to comply with the requirements in PRC Section 21081.6; CEQA Guidelines 15097(a); 15126.4(a)(2).

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for Finding

Implementation of Mitigation Measures **4.2-2(a)** and **4.2-2(b)** would reduce construction- and operation-related impacts from the Proposed Project associated with the cumulatively considerable net increase of criteria pollutants.

*Construction Impacts - Mitigation*

**4.2-2(a)** would require air quality analysis and appropriate air pollutant emissions reduction methods for projects with construction that exceeds the screening criteria for projects with large grading, demolition quantities or large areas of soil disturbance, or types of equipment. As identified in the Draft EIR, the screening criteria rely on conservative assumptions to identify those projects that could have significant impacts related to construction to criteria pollutant, including through use of modeling and AQMD Rule 403 standards. Implementation of Mitigation Measure **4.2-2(a)** would generally reduce construction-related air pollutant emissions associated with housing development accommodated under the Project to less than SCAQMD significance thresholds. However, it is possible that projects that do not exceed the established screening criteria could have unusual circumstances that result in construction emissions that exceed SCAQMD significance thresholds and it is also possible that large projects that require air quality analysis would continue to generate emissions exceeding SCAQMD significance thresholds even with implementation of appropriate project-specific mitigation based on size and nature of the construction activities or imposition of the mitigation measures may not be feasible based on peculiar site or project characteristics or conditions.

Additionally, Mitigation Measure 4.2-2(a) does not apply to ministerial projects. Generally, ministerial projects would not be expected to exceed the screening criteria based on the requirements for discretionary review of most projects that would exceed 50-200 units, depending on housing type and project location. With that said, there could be ministerial projects that based on their peculiar site or project characteristics could result in pollutant emissions that exceed SCAQMD significance thresholds. The City Council finds it is not feasible to apply Mitigation Measure 4.2-2(a) to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time

costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>3</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measure 4.2-2(a) on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate air quality analysis and mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of these undesirable results and the fact that SCAQMD has rules that apply to the construction of housing projects to reduce construction pollutant emissions, it is not feasible to apply Mitigation Measure 4.2-2(a) to ministerial projects.

#### *Operational Impacts - Mitigation*

Mitigation Measure **4.2-2(b)** would require air quality analysis and appropriate mitigation for projects that exceed screening criteria for operational emissions. As identified in the Draft EIR, the screening criteria rely on conservative assumptions to identify those projects that could have significant impacts related to operations to criteria pollutant, including through use of modeling and AQMD Rule 403 standards. With implementation of Mitigation Measure **4.2-2(b)**, operational emissions associated with housing development accommodated under the Project would be generally reduced to less than SCAQMD significance thresholds. However, it is possible that large projects, or projects with peculiar site or project characteristics, would result in emissions that exceed SCAQMD significance thresholds even with implementation of appropriate project-specific mitigation.

Additionally, Mitigation Measure 4.2-2(b) does not apply to ministerial projects. Generally, ministerial projects would not be expected to exceed the screening criteria based on the requirements for discretionary review of projects of the size in the screening criteria and existing extensive regulations. With that said, there could be ministerial projects that based on their peculiar site or project characteristics could result in pollutant emissions that exceed SCAQMD significance

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<sup>3</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

thresholds from operations. The City Council finds it is not feasible to apply Mitigation Measure 4.2-2(b) to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>4</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measure 4.2-2(b) on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate air quality analysis and mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of these undesirable results and the fact that SCAQMD has rules that apply to the operational pollutant emissions, it is not feasible to apply Mitigation Measure 4.2-2(b) to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to cumulative criteria pollutant emissions to a less than significant level. Alternative 1 would have a reduced level of all the cumulative construction and operational impacts than the Proposed Project, but not to a less than significant level, and Alternative 2 would have a greater level of cumulative

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<sup>4</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

criteria pollutant emission impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

*Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce the significant impacts related to criteria pollutants from construction and operation of the housing development accommodated under the Proposed Project.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with construction and operational emissions of non-attainment criteria pollutants. However, it is reasonable to assume that the Proposed Project could exceed the significance thresholds related to criteria pollutants despite implementation of Mitigation Measures **4.2-2(a)** and **4.2-2(b)**. Impacts related to the cumulatively considerable net increase of criteria pollutants for which the region is non-attainment will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative construction and operational emissions of non-attainment criteria pollutants to a less than significant level.

## BIOLOGICAL RESOURCES

### Special Status Species Habitat

The following findings are for the Proposed Project impacts and cumulative impacts.

Description of Significant Effect(s)

The construction and operational activities from the Proposed Project will have significant unavoidable project and cumulative impacts related to candidate, sensitive, and special status species, which are collectively referred to as special status species, either directly or through habitat modification (see Draft EIR pages 4.3-38 to 50 and 4.3-71 to 72).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the MMP:

- 4.3-1(a)
- 4.3-1(b)
- 4.3-1(c)
- 4.3-1(d)

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

- Finding 3

Rationale for Finding

*Mitigation*

Implementation of Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** would reduce impacts to special status species from future housing development accommodated by the Proposed Project. Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** require the completion of a biological resources assessment report for any projects that require vegetation removal; ground disturbance; staging of vehicles, equipment, or materials; and access routes on natural (e.g., native, virgin) or disturbed but undeveloped (e.g., unpaved, barren, or ruderal) areas that contain or have the potential to support special status species, sensitive habitat, or within 300 feet of suitable habitat to support special status species. If sensitive species and/or habitat are identified, pre-construction surveys will be conducted and other protective measures will be implemented as needed during the pre-construction and construction monitoring phases. In addition, the measure requires focused surveys for special status plants if the biological resources assessment report deems it appropriate to conduct such a survey. Additionally, mitigation plans prepared by experts are required to address construction and operational impacts to ensure potential impacts to sensitive species and their habitat are reduced to the extent feasible. Implementing these conditions for individual development projects accommodated under the Proposed Project would reduce the potential for substantial adverse effects on special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service, on most development sites. However, based on peculiar site or project conditions or characteristics significant impacts to special status species may occur even with imposition of Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** do not apply to ministerial projects. Many housing projects in or near sensitive environments that would include natural or undeveloped areas most likely to support special status species require discretionary review, through project permit compliance with specific plans. Additionally, as discussed in the EIR, the Proposed Project is not including areas with VHFHSZ (areas in hillsides) in the Rezoning Program. As such, the Proposed Project is not directing housing into sensitive environments where impacts to special species could occur. With that said, there could be ministerial housing projects that could be built in or near sensitive or other environments that could impact special status species. The City finds it is not feasible to apply Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure

would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>5</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.3-1(a), 4.3-1(b), 4.3-1(c), and 4.3-1(d)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.3-1(a), 4.3-1(b), 4.3-1(c), and 4.3-1(d)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to special status species to a less than significant level. Alternative 2 would have a similar level of impacts on special status species as the Proposed Project and Alternative 1 would have a greater level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce the significant impacts related to special status species from construction and operation of the housing development accommodated under the Proposed Project.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with special status species. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts to special status species as Mitigation Measures **4.3-1(a), 4.3-1(b), 4.3-1(c), and 4.3-1(d)**. Proposed Project and cumulative impacts related to special status species will be significant and unavoidable.

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<sup>5</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related to special status species to a less than significant level.

### **Riparian Habitat**

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to riparian habitat and other sensitive natural communities (see Draft EIR pages 4.3-50 to 64 and 4.3-71 to 72).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measures in the MMP:

- 4.3-2(a)
- 4.3-2(b)

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

#### Rationale for Finding

##### *Mitigation*

Implementation of Mitigation Measures **4.3-2(a)** and **4.3-2(b)** would reduce impacts to riparian habitats and other sensitive natural communities within and adjacent to the City from future housing development accommodated by the Proposed Project. Mitigation Measures **4.3-2(a)** and **4.3-2(b)** require the completion of a Habitat Mitigation and Monitoring Plan and a protected tree and tree canopy survey for any projects that require vegetation removal; ground disturbance; staging of vehicles, equipment, or materials; and access routes in riparian or other sensitive habitats, including urban tree canopies. Implementing these conditions for projects would reduce the potential for substantial adverse effects on these resources by avoiding, minimizing, and mitigating impacts through approval of site-specific mitigation plans or replanting plans prior to the issuance of a grading permit. However, based on peculiar site or project conditions or characteristics significant impacts to riparian habitats and other sensitive natural communities may occur even with imposition of Mitigation Measures **4.3-2(a)** and **4.3-2(b)** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.3-2(a)** and **4.3-2(b)** do not apply to ministerial projects. Many housing projects proposed near riparian habitats or other sensitive natural communities require

discretionary review, through project permit compliance with specific plans. Additionally, as discussed in the EIR, the Proposed Project is not including areas with VHFHSZ (areas in hillsides) in the Rezoning Program. As such, the Proposed Project is not directing housing into sensitive environments where impacts to riparian habitats and other sensitive natural communities are most likely to occur. With that said, there could be ministerial housing projects that could be built in or near riparian habitats and other sensitive natural communities. The City finds it is not feasible to apply Mitigation Measures **4.3-2(a)** and **4.3-2(b)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>6</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.3-2(a)** and **4.3-2(b)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.3-2(a)** and **4.3-2(b)** to ministerial projects.

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<sup>6</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

*Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to riparian habitat and other sensitive natural communities to a less than significant level. Alternative 1 would have a greater level of impacts on riparian habitat and other sensitive natural communities compared to the Proposed Project, and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

*Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce the significant impacts related to riparian habitat and other sensitive natural communities from construction and operation of the housing development accommodated under the Proposed Project.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with riparian habitat and other sensitive natural communities. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts to riparian habitat and other sensitive natural communities. Proposed Project and cumulative impacts related to riparian habitat and other sensitive natural communities will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply the mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related to riparian habitat and other sensitive natural communities to a less than significant level.

**Migratory Wildlife, Biological Resources Plan**

The following findings are for the Proposed Project impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to the movement of 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 (collectively, “migratory wildlife and nursery sites”) (see Draft EIR pages 4.3-64 to 68 and 4.3-73).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.3-1(a)
- 4.3-1(b)
- 4.3-1(c)
- 4.3-1(d)

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

*Rationale for Finding*

Implementation of Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** would reduce impacts to migratory wildlife and nursery sites from future housing development accommodated by the Proposed Project. Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** require the completion of a biological resources assessment report for any projects that require vegetation removal; ground disturbance; staging of vehicles, equipment, or materials; and access routes on natural (e.g., native, virgin) or disturbed but undeveloped (e.g., unpaved, barren, or ruderal) areas that contain or have the potential to support special status species, sensitive habitat, or within 300 feet of suitable habitat to support special status species. If sensitive species and/or habitat are identified, pre-construction surveys will be conducted, and other protective measures will be implemented as needed during the pre-construction and construction monitoring phases. Additionally, mitigation plans prepared by experts are required to address construction and operational impacts to ensure potential impacts to sensitive species and their habitat are reduced to the extent feasible. While the measures identified under Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** would help to reduce potential impacts to wildlife movement and nursery sites, projects sited within or adjacent to these areas have the potential to generate adverse edge effects that could significantly reduce the use of surrounding habitats by wildlife for movement through the area. Therefore, encroachment (e.g., night lighting, domestic animals, and urban noises) into these areas would reduce the overall size and function of the wildlife movement corridor or nursery site and could result in significant impact to wildlife movement and nursery sites. Additionally, based on peculiar site or project conditions or characteristics significant impacts to wildlife movement and nursery sites may occur even with imposition of Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** or imposition of the mitigation measures may be infeasible.

Furthermore, Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** would not apply to ministerial projects, and therefore, would not eliminate potentially significant impacts to migratory wildlife and nursery sites from implementation of the Proposed Project. Many housing projects in or near sensitive environments that would have the potential to impact wildlife movement or nursery sites would require discretionary review, through project permit compliance with specific plans. Additionally, as discussed in the EIR, the Proposed Project is not including areas with VHFHSZ (areas in hillsides) in the Rezoning Program. As such, the Proposed Project is not directing housing into sensitive environments where impacts to wildlife movement and nursery sites are most likely to occur. With that said, there could be ministerial housing projects that could be built in or near sensitive or other environments that could impact wildlife movement and nursery sites. The City finds it is not feasible to apply Mitigation Measures **4.3-1(a)**, **4.3-1(b)**, **4.3-1(c)**, and **4.3-1(d)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary

housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>7</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.3-1(a), 4.3-1(b), 4.3-1(c), and 4.3-1(d)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.3-1(a), 4.3-1(b), 4.3-1(c), and 4.3-1(d)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to migratory wildlife and nursery sites to a less than significant level. Alternative 1 would have a greater level of impacts on migratory wildlife than the Proposed Project, and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures were identified to reduce significant impacts related to migratory wildlife.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with migratory wildlife and nursery sites. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts to migratory wildlife and nursery sites. Proposed Project and

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<sup>7</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

cumulative impacts related to migratory wildlife and nursery sites will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related to migratory wildlife and nursery sites to a less than significant level.

## CULTURAL RESOURCES

### Historical Resources

The following findings are for Proposed Project impacts and cumulative impacts.

#### Description of Significant Effects

The Proposed Project will have significant unavoidable project and cumulative impacts related to the substantial change in the significance of historical resource(s) (see Draft EIR pages 4.4-29 to 55 and 4.4-68 to 69).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.4-1(a)
- 4.4-1(b)
- 4.4-1(c)
- 4.4-1(d)
- 4.4-1(e)
- 4.4-1(f)
- 4.4-1(g)
- 4.4-1(h)
- 4.4-1(i)
- 4.4-1(j)

#### Finding:

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

#### Rationale for Finding

#### *Mitigation*

Implementation of Mitigation Measures **4.4-1(a),4.4-1(b),4.4-1(c),4.4-1(d), 4.4-1(e), 4.4-1(f), 4.4-1(g), 4.4-1(h), 4.4-1(i), 4.4-1(j)** would reduce potentially significant impacts to historical resources to the maximum extent feasible by requiring a process for the identification of known and potential

historical resources (i.e., Mitigation Measure **4.4-1(a)**), and measures to ensure compliance with the Secretary of the Interior’s Standards (Secretary’s Standards) for rehabilitation, new construction, or relocation (i.e., Mitigation Measures **4.4-1(b)** through **4.4-1(d)**). If compliance with the Secretary’s Standards is not feasible, documentation of the resource pursuant to Historic American Buildings Survey standards (i.e., Mitigation Measure **4.4-1(e)**), the installation of interpretive displays (i.e., Mitigation Measure **4.4-1(f)**), and/or construction monitoring and salvage of historical building materials (i.e., Mitigation Measure **4.4-1(g)**) would be required. Furthermore, mitigation measures for the protection of historical resources located in close proximity to construction sites include the temporary relocation of historical resources, excavation and shoring planning, and structural construction monitoring (i.e., Mitigation Measures **4.4-1(h)** through **4.4-1(j)**). However, compliance with the Secretary’s Standards cannot be assured in all cases and demolition or removal of a historically significant resource typically cannot be mitigated to below a level of significance under CEQA. Based on peculiar site or project conditions or characteristics significant impacts to historical resources may occur even with imposition of Mitigation Measures **4.4-1(a),4.4-1(b),4.4-1(c),4.4-1(d), 4.4-1(e), 4.4-1(f), 4.4-1(g), 4.4-1(h), 4.4-1(i), 4.4-1(j)** or imposition of the mitigation measures may be infeasible.

Additionally, while unlikely in light of existing City regulations, including delay on demolitions for buildings over 45 years, not applying imposition of Mitigation Measures **4.4-1(a),4.4-1(b),4.4-1(c),4.4-1(d), 4.4-1(e), 4.4-1(f), 4.4-1(g), 4.4-1(h), 4.4-1(i), 4.4-1(j)** on ministerial housing projects could result in significant impacts to historical resources. The City finds it is not feasible to apply Mitigation Measures **4.4-1(a),4.4-1(b),4.4-1(c),4.4-1(d), 4.4-1(e), 4.4-1(f), 4.4-1(g), 4.4-1(h), 4.4-1(i), 4.4-1(j)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>8</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.4-1(a),4.4-1(b),4.4-1(c),4.4-1(d), 4.4-1(e), 4.4-1(f), 4.4-1(g), 4.4-1(h), 4.4-1(i), 4.4-1(j)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires

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<sup>8</sup> “A Tool Kit to Close California’s Housing Gap: 3.5 Million Homes by 2025,” The McKinsey Global Institute, October 2016.

substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above and the existing City protections for historical resources in the Zoning Ordinance and Building Code, as well as overlays, it is not feasible to apply Mitigation Measures **4.4-1(a), 4.4-1(b), 4.4-1(c), 4.4-1(d), 4.4-1(e), 4.4-1(f), 4.4-1(g), 4.4-1(h), 4.4-1(i), 4.4-1(j)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to historical resources to a less than significant level. Alternatives 1 and 2 would have a reduced level of impacts on historical resources compared to the Proposed Project, but impacts would not be reduced to a less than significant level. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to historical resources.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with historical resources. However, it is reasonable to assume that the mitigation measures would not eliminate all potential significant impacts to historical resources. Proposed Project and cumulative impacts related to historical resources will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts to historical resources to a less than significant level.

### **Archaeological Resources**

The following findings are for Proposed Project impacts and cumulative impacts.

#### Description of Significant Effects

The Proposed Project will have significant unavoidable project and cumulative impacts related to damage or destruction of archaeological resources (see Draft EIR pages 4.4-55 to 4.4-69).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measure in the MMP:

- 4.4-2
- 4.15-1(a)
- 4.15-1(b)

Finding:

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for Finding

*Mitigation*

Implementation of Mitigation Measures **4.4-2**, **4.15-1(a)**, and **4.15-1(b)** would avoid significant impacts to archaeological resources to the maximum extent feasible and provide for recovery of any significant resources that cannot be preserved in place. Mitigation Measure **4.4-2** includes various procedures to identify archaeological resources located in a development site, including a records search conducted at the South Central Coastal Information Center and a Sacred Lands File search conducted with the Native American Heritage Commission, and implement applicable impact reduction techniques to reduce substantial adverse effects associated with the inadvertent discovery of archaeological resources. Mitigation Measures **4.15-1(a)** and **4.15-1(b)** require a process to identify (including through consultation with tribes) and, if necessary, avoid and/or recover identified tribal cultural resources for future housing development accommodated by the Proposed Project, including areas where resources have been previously identified. However, based on peculiar site or project conditions or characteristics, significant impacts to archaeological resources may occur even with imposition of Mitigation Measures **4.4-2**, **4.15-1(a)** and **4.15-1(b)**, or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.4-2**, **4.15-1(a)**, **4.15-1(b)** do not apply to ministerial housing projects that could have impacts to archaeological resources. The City finds it is not feasible to apply Mitigation Measures **4.4-2**, **4.15-1(a)**, **4.15-1(b)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home,

according to the McKinsey Global Institute.<sup>9</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.4-2**, **4.15-1(a)**, **4.15-1(b)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying if an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.4-2**, **4.15-1(a)**, **4.15-1(b)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to archaeological resources to a less than significant level. Alternatives 1 and 2 would have a reduced level of impacts on archaeological resources compared to the Proposed Project, but not to a less than significant level. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to archaeological resources.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with archaeological resources. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts to archaeological resources. Proposed Project and cumulative impacts related to archaeological resources will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts to archaeological resources to a less than significant level.

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<sup>9</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

## GEOLOGY AND SOILS

### Paleontological Resources

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to directly or indirectly destroying a unique paleontological resource or site or unique geologic feature (collectively, “paleontological resource and unique geologic features”) (see Draft EIR pages 4.5-18 to 4.5-28).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.5-1(a)
- 4.5-1(b)
- 4.5-1(c)
- 4.5-1(d)

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

#### Rationale for Finding

#### *Mitigation*

Implementation of Mitigation Measures **4.5-1(a)**, **4.5-1(b)**, **4.5-1(c)**, **4.5-1(d)** for future housing development accommodated by the Proposed Project would reduce potential impacts to paleontological resource and unique geologic features. Mitigation Measure **4.5-1(a)** requires analysis of discretionary projects involving ground disturbance to depths greater than previous disturbance on the project sites for paleontological resources, and monitoring and reporting on construction activities for paleontological resources. Mitigation Measure **4.5-1(b)** requires that, if required by the cultural resources assessment, discretionary projects require pre-construction training of construction personnel, including procedures for notifying paleontological staff. Mitigation Measure **4.5-1(c)** requires that, if required pursuant to the assessment and monitoring plan created under MM 4.5-1(a), discretionary projects provide paleontological monitoring during construction. Mitigation Measure **4.5-1(d)** requires that all paleontological resources identified on a project site during implementation Mitigation Measures **4.5-1(a)** and **4.5-1(b)** shall be assessed by a qualified paleontologist and treated in accordance with federal, State, and local standards. However, based on peculiar site or project conditions or characteristics significant impacts to paleontological resources and unique geologic features may occur even with imposition of

Mitigation Measures **4.5-1(a), 4.5-1(b), 4.5-1(d), and 4.5-1(c)**, or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.5-1(a), 4.5-1(b), 4.5-1(d), and 4.5-1(c)** do not apply to ministerial projects, impact could occur from ministerial housing projects that disturb paleontological resources or unique geologic units. The City finds it is not feasible to apply Mitigation Measures **4.5-1(a), 4.5-1(b), 4.5-1(d), and 4.5-1(c)**, to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>10</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.5-1(a), 4.5-1(b), 4.5-1(d), and 4.5-1(c)**, on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying if an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.5-1(a), 4.5-1(b), 4.5-1(d), and 4.5-1(c)**, to ministerial projects.

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<sup>10</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

*Alternatives*

Neither of the alternatives would reduce significant impacts related to paleontological resources and unique geological features to a less than significant level. Alternatives 1 and 2 would have a reduced level of impacts on paleontological resources and geological features compared to the Proposed Project, but not to a less than significant level. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

*Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to paleontological resources and unique geological features.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with paleontological resources and unique geological features. However, it is reasonable to assume that the mitigation measures would not eliminate all significant impacts to paleontological resources. Proposed Project and cumulative impacts related to paleontological resources and unique geological features will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts to paleontological resources and unique geological features to a less than significant level.

## HAZARDS AND HAZARDOUS MATERIALS

### Hazards within 0.25-Mile of School

The following findings are for the Proposed Project impacts and cumulative impacts.

*Description of Significant Effect(s)*

The Proposed Project will have significant unavoidable project and cumulative impacts related to hazardous emissions and handling of hazardous and acutely hazardous materials, substances or waste, including contaminated soils, within one-quarter mile of schools (see Draft EIR pages 4.7-79 to 87 and 4.7-95).

*Adopted Mitigation Measure(s)*

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.7-2(a)
- 4.7-2(b)

*Finding(s)*

The City adopts the following findings for the above-described significant impacts:

- Finding 1

- Finding 3

Rationale for Finding

*Mitigation*

Mitigation Measures **4.7-2(a)** and **4.7-2(b)** would reduce hazard impacts to schools within one-quarter mile of reasonably foreseeable development under the Proposed Project. Mitigation Measure **4.7-2(a)** requires housing development projects that are located on or within 500 feet of a hazardous materials site; located on or within 500 feet of a hazardous materials site designated as a Resource Conservation and Recovery Act Small Quantity Generator or Large Quantity Generator; located on an Oil Drilling District or located on or within 50 feet of a property identified as having an oil well or an oil field (active or inactive); located on any land currently or previously designated with an industrial use class or industrial zoning; located on land currently or previously used for a gas station or dry-cleaning facility; or on a site where the project applicant or owner are aware or have reason to be aware that the site was previously used for an industrial use, gas station, or dry-cleaner, or otherwise is contaminated with hazardous substances, to prepare a Phase I Environmental Site Assessment (ESA) prior to excavation or grading to evaluate whether the site, or the surrounding area, is contaminated with hazardous substances from any past or current land uses. If the Phase I ESA identifies a Recognized Environmental Condition and/or if recommended in the Phase I ESA, a Phase II ESA shall also be prepared. Mitigation Measure **4.7-2(b)** requires the preparation of a Soil Management Plan prior to project excavation or grading for discretionary projects that require site remediation under Mitigation Measure **4.7-2(a)** if contaminants of concern are detected above regulatory action levels. Mitigation Measures **4.7-2(a)** and **4.7-2(b)** would likely reduce significant impacts, as well as existing comprehensive schemes related to hazardous waste. However, based on peculiar site or project conditions or characteristics significant impacts related to hazardous materials within .25 miles of a school may occur even with imposition of Mitigation Measures **4.7-2(a)** and **4.7-2(b)** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.7-2(a)** and **4.7-2(b)** do not apply to ministerial projects. As discussed in the EIR and above, there are comprehensive regulations that mandate the handling and disposition, as well as numerous regulating agencies, such as Los Angeles County Fire, Los Angeles City Fire, Department of Toxic Substance Control, and the Regional Water Quality Control Board. With that said, there could be ministerial housing projects that could be developed in or near contaminated sites or buildings that could result in significant impacts. The City finds it is not feasible to apply Mitigation Measures **4.7-2(a)** and **4.7-2(b)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home,

according to the McKinsey Global Institute.<sup>11</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.7-2(a)** and **4.7-2(b)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate Phase I or II and/or abatement plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.7-2(a)** and **4.7-2(b)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to hazards within one-quarter mile of schools to a less than significant level. Alternatives 1 and 2 would have a reduced level of impacts related to hazards within one-quarter mile of schools compared to the Proposed Project, but not to a less than significant level. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to hazards within one-quarter mile of schools.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with hazards within one-quarter mile of schools. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts. Proposed Project and cumulative impacts related to hazards within one-quarter mile of schools will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce

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<sup>11</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

Proposed Project and cumulative impacts related to hazards within one-quarter mile of schools to a less than significant level.

### **Hazardous Materials Sites**

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to hazardous material sites, including sites listed as hazardous material sites pursuant to Government Code Section 65962.5 and sites that are not listed but contain contamination (see Draft EIR pages 4.7-87 to 4.7-95).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.7-2(a)
- 4.7-2(b)

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

#### Rationale for Finding

##### *Mitigation*

Mitigation Measures **4.7-2(a)** and **4.7-2(b)** would reduce hazard impacts to the public or environment resulting from the construction of reasonably foreseeable development on hazardous material sites. Mitigation Measure **4.7-2(a)** requires housing development projects that are located on or within 500 feet of a hazardous material site; located on or within 500 feet of a hazardous materials site designated as a Resource Conservation and Recovery Act Small Quantity Generator or Large Quantity Generator; located on an Oil Drilling District or located on or within 50 feet of a property identified as having an oil well or an oil field (active or inactive); located on any land currently or previously designated with an industrial use class or industrial zoning; located on land currently or previously used for a gas station or dry-cleaning facility; or on a site where the applicant or owner are aware or have reason to be aware that the site was previously used for an industrial use, gas station, or dry-cleaner, or otherwise is contaminated with hazardous substances, to prepare a Phase I ESA prior to project excavation or grading to evaluate whether the site, or the surrounding area, is contaminated with hazardous substances from any past or current land uses. If the Phase I ESA identifies a Recognized Environmental Condition and/or if recommended in the Phase I ESA, a Phase II ESA shall also be prepared. Mitigation Measure **4.7-2(b)** requires the preparation of a Soil Management Plan prior to project excavation or grading for discretionary projects that require site remediation under Mitigation Measure **4.7-2(a)** if contaminants of concern

are detected above regulatory action levels. However, it is not feasible as a policy matter to impose the measures on ministerial projects based on the resources needed to adopt and implement the measures. Additionally, based on peculiar site or project conditions or characteristics significant impacts related to contaminated sites may occur even with imposition of Mitigation Measures **4.7-2(a)** and **4.7-2(b)** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.7-2(a)** and **4.7-2(b)** do not apply to ministerial projects. As discussed in the EIR and above, there are comprehensive regulations that mandate the handling and disposition, as well as numerous regulating agencies, such as Los Angeles County Fire, Los Angeles City Fire, Department of Toxic Substance Control, and the Regional Water Quality Control Board. With that said, there could be ministerial housing projects that could be developed in or near contaminated sites or buildings that could result in significant impacts. The City finds it is not feasible to apply Mitigation Measures **4.7-2(a)** and **4.7-2(b)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>12</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.7-2(a)** and **4.7-2(b)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate Phase I or II and/or abatement plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces

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<sup>12</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures 4.7-2(a) and 4.7-2(b) to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to hazardous material sites to a less than significant level. Alternatives 1 and 2 would have a reduced level of impacts related to hazardous material sites compared to the Proposed Project, but not to a less than significant level. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to hazardous material sites.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with hazardous material sites. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts. Proposed Project and cumulative impacts related to hazardous material sites will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related to hazardous material sites to a less than significant level.

## **NOISE**

### **Temporary Increase in Noise Levels**

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to temporary increase in ambient noise levels related to construction noise that could impact nearby sensitive receivers. (see Draft EIR pages 4.10-26 to 37 and 4.10-52 to 53).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.10-1(a)
- 4.10-1(b)
- 4.10-1(c)
- 4.10-1(d)
- 4.10-1(e)
- 4.10-1(f)

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for FindingMitigation

Implementation of Mitigation Measures **4.10-1(a)**, **4.10-1(b)**, **4.10-1(c)**, **4.10-1(d)**, **4.10-1(e)**, **4.10-1(f)** would reduce temporary construction noise for discretionary projects to the extent feasible through the use of noise shielding/silencing, driven pile systems, construction staging areas, and temporary sound barriers, and through the preparation of a Construction Noise Study for discretionary projects in the City located within 500 feet of noise-sensitive land uses and that have either two or more subterranean levels or 20,000 cubic yards or more of excavated material; a construction duration (excluding architectural coatings) of 18 months or more; use of large, heavy-duty equipment rated 300 horsepower or greater; or the potential for impact pile driving. However, noise generated by construction could still exceed the 75 dBA standard outlined by Los Angeles Municipal Code Section 112.05. Despite compliance with all City standards, a sufficient reduction in construction noise levels cannot be assured for all construction projects and, therefore, construction noise at various sensitive land uses could result in significant impacts. Additionally, based on peculiar site or project conditions or characteristics significant impacts to temporary increase in ambient noise may occur even with imposition of Mitigation Measures **4.10-1(a)**, **4.10-1(b)**, **4.10-1(c)**, **4.10-1(d)**, **4.10-1(e)**, **4.10-1(f)** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.10-1(a)**, **4.10-1(b)**, **4.10-1(c)**, **4.10-1(d)**, **4.10-1(e)**, **4.10-1(f)** do not apply to ministerial projects. As discussed in the EIR, most housing projects do not result in temporary noise impacts, including because of the LAMC noise ordinance and other code requirements that regulate construction noise. With that said, there could be ministerial housing projects that could result in significant impact to temporary ambient noise increases. The City finds it is not feasible to apply Mitigation Measures **4.10-1(a)**, **4.10-1(b)**, **4.10-1(c)**, **4.10-1(d)**, **4.10-1(e)**, **4.10-1(f)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global

Institute.<sup>13</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.10-1(a), 4.10-1(b), 4.10-1(c), 4.10-1(d), 4.10-1(e), 4.10-1(f)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.10-1(a), 4.10-1(b), 4.10-1(c), 4.10-1(d), 4.10-1(e), 4.10-1(f)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to temporary construction noise to a less than significant level. Alternative 1 would have a reduced level of impacts on temporary construction noise compared to the Proposed Project, but not to a less than significant level, and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to temporary construction noise.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with temporary construction noise. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts related to temporary increases to ambient noise from construction noise. Proposed Project and cumulative impacts related temporary increases to ambient noise from construction noise will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce

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<sup>13</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

Proposed Project and cumulative impacts related to temporary increases to ambient noise from construction noise to a less than significant level.

### **Permanent Increase in Noise Levels**

The following findings are for Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to substantial permanent noise increase in ambient noise levels in vicinity of the project due to operation of the Proposed Project (see Draft EIR pages 4.10-37 to 44 and 4.10-53).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measure in the MMP:

- 4.10-2

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

#### Rationale for Finding

#### *Mitigation*

In combination with existing Los Angeles Municipal Code standards, implementation of Mitigation Measure **4.10-2** would reduce on-site operational noise to the extent feasible through the preparation of a Noise Study for discretionary housing developments with roof decks and/or pool decks in the City, concurrent with Design Review and prior to the approval of building permits. Despite compliance with all City standards, a sufficient reduction in operational noise levels cannot be assured for all projects and therefore, significant impacts from substantial permanent noise increase in ambient noise levels in vicinity of the project due to operation of the Proposed Project could occur. Additionally, based on peculiar site or project conditions or characteristics significant impacts could result from substantial permanent noise increase in ambient noise levels in vicinity of the project due to operation of the Proposed Project even with imposition of Mitigation Measure **4.10-2** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measure **4.10-2** does not apply to ministerial projects. As discussed in the EIR, the City has a Noise Ordinance that regulates operational noises which should reduce most significant impacts from ministerial projects. With that said, there could be ministerial housing projects that could have significant impacts from a substantial permanent noise increase in ambient noise levels in vicinity of the project due to operation of the Proposed Project. The City finds it is not feasible to apply Mitigation Measure **4.10-2** to ministerial housing projects for multiple policy

reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>14</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measure **4.10-2** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measure **4.10-2** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to permanent operational noise to a less than significant level. Alternative 1 would have a reduced level of impacts on permanent operational noise compared to the Proposed Project, but not to a less than significant level, and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

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<sup>14</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

*Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to permanent operational noise.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with permanent operational noise. However, it is reasonable to assume that the mitigation measure would not eliminate all potential impacts to substantial permanent noise increase in ambient noise levels from operation of the Proposed Project. Proposed Project and cumulative impacts related to permanent operational noise will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply the mitigation measure or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related to permanent operational noise to a less than significant level.

**Groundborne Vibration**

The following findings are for the Proposed Project impacts and cumulative impacts.

*Description of Significant Effect(s)*

The Proposed Project will have significant unavoidable project and cumulative impacts related to groundborne vibration or groundborne noise (collectively “groundborne vibration”) during construction of housing development accommodated under the Proposed Project that could result in building damage or human annoyance (see Draft EIR pages 4.10-44 to 50 and 4.10-53 to 54).

*Adopted Mitigation Measure(s)*

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.10-3(a)
- 4.10-3(b)

*Finding(s)*

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

*Rationale for Finding**Mitigation*

Although most construction activities located in the City are not anticipated to have significant vibration impacts, it is possible that some development projects under the Proposed Project could have significant vibration impacts during construction. This would most commonly occur when a development project would be located next to a historical resource constructed of fragile building

materials, which is more sensitive to vibration damage than structures that were built based on more recent building codes. Mitigation Measure **4.10-3(a)** would reduce vibration impacts whenever a development project is located near a historical resource constructed of fragile materials, or if impact pile driving is proposed near residential structures. It is anticipated that Mitigation Measure **4.10-3(a)** would substantially reduce/control construction but may not be able to fully avoid vibration that would damage a historical resource or a building of fragile construction. Additionally, Mitigation Measure **4.10-3(b)** would limit vibration levels at uses other than historic properties. However, it may not be feasible for all projects to comply with all measures, including fully eliminating pile driving.

Additionally, Mitigation Measures **4.10-3(a)** and **4.10-3(b)** do not apply to ministerial projects. There could be ministerial housing projects that could result in significant impacts from groundborne vibration. The City finds it is not feasible to apply Mitigation Measures **4.10-3(a)** and **4.10-3(b)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>15</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.10-3(a)** and **4.10-3(b)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate study and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development

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<sup>15</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.10-3(a)** and **4.10-3(b)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives would reduce significant impacts related to groundborne vibration during construction to a less than significant level. Alternative 1 would have a reduced level of impacts on groundborne vibration compared to the Proposed Project, but not to a less than significant level. Additionally, Alternative 2 would have a similar level of impacts as the Proposed Project. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to groundborne vibration during construction.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with groundborne vibration during construction. However, it is reasonable to assume that the mitigation measures would not eliminate all potential significant impacts to groundborne vibration. Proposed Project and cumulative impacts related to groundborne vibration during construction will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related to groundborne vibration during construction to a less than significant level.

## **PUBLIC SERVICES**

### **Fire Protection**

The following findings are for the Proposed Project impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project impacts related to fire protection services (see Draft EIR pages 4.12-14 to 4.12-31).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.12-1(a)
- 4.12-1(b)
- 4.12-1(c)
- 4.12-1(d)

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for Finding

Implementation of Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** would reduce demands on LAFD for fire protection services through design plan review, maintaining unobstructed access roads and alleyways, including a 200-foot minimum Fuel Management Zone around each structure on a project site, preparing a Fire/Vegetation Management Plan for the Fuel Management Zone, and submittal of a plot plan to LAFD for discretionary projects with more than 300 housing units or located in VHFHSZ or SRA areas and where LAFD finds it necessary on the basis that existing regulations are not adequate to avoid risk of fire. However, based on peculiar site or project conditions or characteristics significant impacts related to fire services may occur even with imposition of Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** do not apply to ministerial projects. As discussed in the EIR, there are significant regulations on the construction and operation of housing project that are intended to reduce demands on the Fire Department, including the Fire Code. Although unlikely, a ministerial housing projects that could be built in or near VHFHSZ or SRAs or otherwise could result in significant impacts related to fire services. The City finds it is not feasible to apply Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>16</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** on ministerial projects will create a demand for an undesirable

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<sup>16</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate reports and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to fire protection services to a less than significant level. Alternatives 1 and 2 would have a similar level of impacts on fire protection services as the Proposed Project. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to fire protection services.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with fire protection services. However, it is reasonable to assume that the mitigation measures would not eliminate all potential significant impacts to fire protection services. Proposed Project impacts to fire protection services will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project impacts to fire protection services to a less than significant level.

### **Police Protection**

The following findings are for the Proposed Project impacts.

#### *Description of Significant Effect(s)*

The Proposed Project will have significant unavoidable project impacts related to police protection services (see Draft EIR pages 4.12-40 to 4.12-52).

#### *Adopted Mitigation Measure(s)*

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.12-2(a)
- 4.12-2(b)

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for Finding

*Mitigation*

Implementation of Mitigation Measures **4.12-2(a)** and **4.12-2(b)** would reduce demands on the Los Angeles Police Department (LAPD) for police protection services. Mitigation Measure **4.12-2(a)** requires that an applicant for a discretionary project with more than 300 units or on a project site of more than 10 acres consult with the LAPD's Crime Prevention Unit regarding the incorporation of crime prevention features appropriate for the design of the project, including applicable features in the LAPD's Design Out Crime Guidelines. Additionally, Mitigation Measure **4.12-2(b)** requires that discretionary projects with more than 300 units or on a project site of more than 10 acres have private security personnel to monitor vehicle and pedestrian access to construction areas and to patrol the project site during construction. However, based on peculiar site or project conditions or characteristics significant impacts related to police services may occur even with imposition of Mitigation Measures **4.12-2(a)** and **4.12-2(b)** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.12-2(a)** and **4.12-2(b)** do not apply to ministerial projects. Although unlikely, a ministerial housing projects could result in significant impacts related to police services. The City finds it is not feasible to apply Mitigation Measures **4.12-2(a)** and **4.12-2(b)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>17</sup>

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<sup>17</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.12-2(a)** and **4.12-2(b)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate reports and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.12-2(a)** and **4.12-2(b)** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to police protection services to a less than significant level. Alternatives 1 and 2 would have a similar level of impacts on police protection services as the Proposed Project. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to police protection services.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with police protection services. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts to police protection services. Proposed Project impacts to police protection services will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project impacts to police protection services to a less than significant level.

## **Public Schools**

The following findings are for the Proposed Project impacts.

#### *Description of Significant Effect(s)*

The Proposed Project will have significant unavoidable project impacts related to public school services (see Draft EIR pages 4.12-59 to 4.12-63).

Adopted Mitigation Measure(s)

No feasible mitigation measures were identified that could reduce the significant impact to public school services.

Finding(s)

The City adopts the following finding for the above-described significant impacts:

- Finding 3

Rationale for Finding

Pursuant to Government Code Section 65996, the payment of fees by developers of new residential developments under the Proposed Project would assist in funding efforts necessary to alleviate school overcrowding. Potential environmental impacts associated with construction and operation of new residential development under the Project are evaluated throughout the Draft EIR and would not be different for the construction of a school facility. It is unlikely that impacts from the construction or operation of new or expanded school facilities in the City would have greater or different impacts than those identified in the Draft EIR for construction or operations. Additionally, it is unlikely, but possible, that, similar to other types of development, the construction of new or expanded school facilities could contribute to significant impacts, such as those to historical resource and construction noise identified in Sections 4.4, *Cultural Resources*, and 4.10, *Noise*, of the Draft EIR. Should new facilities be needed, such facilities are anticipated to be infill developments surrounded by urban uses and would not require new or expanded infrastructure. Based on the urban character of the City, the construction of new school facilities or expansion of an existing facility would most likely result in a less-than-significant impact and/or possibly qualify for an infill exemption. To the extent that any significant impacts could result from the unique characteristics of a specific site, those impacts would be speculative at this time. Furthermore, although it is possible that needed new community facilities could be developed without significant environmental effects beyond those identified in the Draft EIR, the construction of a new school facility or expansion of an existing facility would require separate project-specific environmental analysis to address any site-specific environmental concerns not identified in the Draft EIR. No feasible mitigation measures have been identified that would reduce significant impacts related to public school services. Therefore, it is reasonable to assume that implementation of the Proposed Project would result in significant and unavoidable Project impacts related to public school services.

Alternatives

Neither of the alternatives studied in the EIR would reduce significant impacts related to public school services to a less than significant level. Alternatives 1 and 2 would have a similar level of impacts on public school services as the Proposed Project. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

*Conclusion*

No feasible alternatives or mitigation measures were identified that could reduce impacts to less than significant to school facilities.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project impacts to public school services to a less than significant level.

## RECREATION

### Existing Regional Parks or Recreation Facilities

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to physical deterioration of parks and recreational facilities. (See Draft EIR pages 4.13-18 to 25 and 4.13-28 to 29)

#### Adopted Mitigation Measure(s)

No feasible mitigation measures were identified that could reduce the significant impact to parks and recreational facilities.

#### Finding(s)

The City adopts the following finding for the above-described significant impacts:

- Finding 3

#### Rationale for Finding

Several constraints limit the number and size of new park facilities constructed in the City, including a scarcity of vacant or underused land; high cost of real estate throughout the City; and competition with other identified community priorities, such as affordable housing. The City has conducted studies like the *Citywide Community Needs Assessment* and the *Parks Condition Assessment Report* to address issues with recreational facilities and manage the status of current and future recreational facilities. However, due to the lack of available space to develop new parks to serve the anticipated population growth in dense urban areas of the City, feasible mitigation beyond the policies and initiatives included in current City policies/programs and the Proposed Project to enhance recreational opportunities is not available. No feasible mitigation measures have been identified that would reduce significant impacts related to the deterioration of existing parks and recreational facilities. Therefore, it is reasonable to assume that implementation of the Proposed Project would result in significant and unavoidable Project and cumulative impacts related to the deterioration of existing parks and recreational facilities.

One commenter requested the City to decrease the radius of the Quimby fees. The City rejects this potential mitigation measure as feasible. There is no basis to find, and the commenter provided

none, that reducing the locations such funds could be used would improve the City's ability to address park deficiencies. Additionally, the Quimby and park facility fees will be reassessed in future policy actions and the City finds it is not feasible based on necessary resources to consider changing the Quimby fee or park fee facility program for the Proposed Project.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to existing parks and recreational facilities to a less than significant level. Alternatives 1 and 2 would have a similar level of impacts on existing parks and recreational facilities as the Proposed Project. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No feasible mitigation or alternative was identified that would reduce significant impacts to the physical deterioration of parks from the Proposed Project to less than significant.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts to existing parks and recreational facilities to a less than significant level.

### **Recreational and Governmental Facilities**

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to adverse environmental effects from the construction of new park facilities (see Draft EIR pages 4.13-25 to 4.13-29).

#### Adopted Mitigation Measure(s)

No feasible mitigation measures were identified that could reduce the significant impact related to adverse environmental effects from the construction of new park facilities.

#### Finding(s)

The City adopts the following finding for the above-described significant impacts:

- Finding 3

#### Rationale for Finding

Several constraints limit the number and size of new park facilities constructed in the City, including a scarcity of vacant or underused land; high cost of real estate throughout the City; and competition with other identified community priorities, such as affordable housing. The City has conducted the Community Needs Assessment, the Countywide Comprehensive Parks and Recreation Needs Assessment, and has prepared the Parks Condition Assessment Report to address issues with recreational facilities and to manage the status of current and future

recreational facilities. Although the Proposed Project includes policies encouraging the development of park and recreation facilities, there are no planned parks or facilities that would be built as part of the Proposed Project, development of mitigation for the future construction of new parks or park facilities to serve the population accommodated by the Project is not feasible at this time. In addition, no feasible mitigation measures have been identified that would reduce significant impacts related to adverse environmental effects from the construction of new park facilities for large single-family developments. Therefore, it is reasonable to assume that implementation of the Proposed Project would result in significant and unavoidable Project and cumulative impacts related to adverse environmental effects from the construction of new park facilities for large single-family developments.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to adverse environmental effects from the construction of new park facilities for large single-family developments to a less than significant level. Alternatives 1 and 2 would have a similar level of impacts as the Proposed Project. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No feasible mitigation measures or alternatives were identified to reduce significant impacts related to the construction of parks to less than significant.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related to adverse environmental effects from the construction of new park facilities to a less than significant level.

## **TRANSPORTATION**

### **Design Feature Hazards- Ramp Queuing Safety Issues**

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to ramp queuing safety (see Draft EIR pages 4.14-66 to 74 and 4.14-88 to 89).

#### Adopted Mitigation Measure(s)

No feasible mitigation measures were identified that could reduce the significant impact related to ramp queuing safety.

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 3

*Rationale for Finding*

Potential mitigation for impacts related to ramp queuing safety may include Transportation Demand Management (TDM) strategies to reduce a project's trip generation, investments to active transportation infrastructure, or transit system amenities, and/or operational changes to the ramp terminal, such as lane reassignment, traffic signalization, signal phasing or timing modifications, etc. However, without specific information on where safety impacts may occur as a result of freeway off ramp queuing, it is not possible to identify appropriate mitigation measures. No feasible mitigation measures have been identified that would reduce the significant impacts related to ramp queuing safety. Therefore, it is reasonable to assume that implementation of the Proposed Project would result in significant and unavoidable impacts (Proposed Project and cumulative) related to ramp queuing safety.

*Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to ramp queuing safety to a less than significant level. Alternative 1 would have a reduced level of impacts on ramp queuing safety compared to the Proposed Project, but not to a less than significant level, and Alternative 2 would have a greater level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

*Conclusions*

No feasible alternatives or mitigation measures were identified to reduce impacts related to freeway ramp queuing safety from the Proposed Project to less than significant.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts to freeway ramp queuing safety to a less than significant level.

## TRIBAL CULTURAL RESOURCES

### Historical and Tribal Resources

The following findings are for the Proposed Project impacts and cumulative impacts.

*Description of Significant Effect(s)*

The Proposed Project will have significant unavoidable project and cumulative impacts related to disturbance of tribal cultural resources (see Draft EIR pages 4.15-11 to 4.15-24).

*Adopted Mitigation Measure(s)*

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.4-2
- 4.15-1(a)
- 4.15-1(b)

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for FindingMitigation

Implementation of Mitigation Measures **4.15-1(a)** and **4.15-1(b)**, in combination with Mitigation Measure **4.4-2**, for future housing development accommodated by the Proposed Project would reduce potential impacts to tribal cultural resources. Mitigation Measure **4.4-2** would include excavation monitoring at Native American sites by a geographically affiliated tribal representative, as agreed upon in any formal consultation proceedings with the geographically affiliated tribe or as indicated by the Native American Heritage Commission. Mitigation Measures **4.15-1(a)** and **4.15-1(b)** would require a process to identify (including through consultation with tribes) and, if necessary, avoid and/or recover identified tribal cultural resources for future housing development accommodated by the Project, including areas where resources have been previously identified and in previously undisturbed soils. However, based on peculiar site or project conditions or characteristics significant impacts to tribal resources may occur even with imposition of Mitigation Measures **4.4-2**, **4.15-1(a)** and **4.15-1(b)**, or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.4-2**, **4.15-1(a)** and **4.15-1(b)**, do not apply to ministerial projects. There could be ministerial housing projects that could be impact tribal cultural resources. The City finds it is not feasible to apply Mitigation Measures **4.4-2**, **4.15-1(a)** and **4.15-1(b)**, to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>18</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.4-2**, **4.15-1(a)** and **4.15-1(b)**, on ministerial projects will create a demand for an undesirable allocation

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<sup>18</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate survey and/or mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.4-2**, **4.15-1(a)** and **4.15-1(b)**, to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to tribal cultural resources to a less than significant level. Alternative 1 would have a reduced level of impacts on tribal cultural resources compared to the Proposed Project, but not to a less than significant level and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusions*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to tribal cultural resources.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with tribal cultural resources. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts to tribal cultural resources. Proposed Project and cumulative impacts related to tribal cultural resources will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts to tribal cultural resources to a less than significant level.

## **WILDFIRE**

### **Emergency Response/Evacuation Plan**

The following findings are for the Proposed Project impacts and cumulative impacts.

Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to impairment of an adopted emergency response plan or emergency evacuation plan (see Draft EIR pages 4.17-19 to 34 and 4.17-49).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.12-1(b)
- 4.17-1

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for FindingMitigation

Implementation of Mitigation Measures **4.12-1(b)** and **4.17-1** for future housing development accommodated by the Proposed Project would reduce potential impacts to emergency response and evacuation plans. Mitigation Measure **4.17-1** and Mitigation Measure **4.12-1(b)** would be expected to reduce the risk of construction-related activities impairing an emergency response plan or emergency evacuation plan for those projects LAFD finds pose an unusual threat that existing regulations do not address by limiting parking on streets in areas subject to fire-hazard-related parking restrictions, limiting the amount of heavy machinery on a development site at a given time, regulating traffic related to construction and deliveries, and installing personnel to coordinate traffic to and from the development site. However, based on peculiar site or project conditions or characteristics significant impacts to emergency and evacuation plans may occur even with imposition of Mitigation Measures Mitigation Measures **4.12-1(b)** and **4.17-1** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.12-1(b)** and **4.17-1** do not apply to ministerial projects. Housing projects in or near VHFHSZs or SRAs would be subject to numerous regulations to reduce risks of wildfires. Additionally, as discussed in the EIR, the Proposed Project is not including areas with VHFHSZ or other sensitive environments in the Rezoning Program. As such, the Proposed Project is not directing housing into sensitive environments where impacts related to wildfires or emergency or evacuation routes would occur. With that said, there could be ministerial housing projects that could be built in or near VHFHSZs or SRAs or other areas that could have significant impacts from emergency access and evacuation plans. The City finds it is not feasible to apply Mitigation Measures **4.12-1(b)** and **4.17-1** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing

down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>19</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.12-1(b)** and **4.17-1** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.12-1(b)** and **4.17-1** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to emergency response and evacuation plans to a less than significant level. Alternative 1 would have a greater level of impacts on emergency response and evacuation plans compared to the Proposed Project, and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures and alternatives were identified to reduce significant impacts related to emergency response and evacuation plans.

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<sup>19</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with emergency response and evacuation plans. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts to emergency response and evacuation plans. Proposed Project and cumulative impacts related to emergency response and evacuation plans will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts to emergency response and evacuation plans to a less than significant level.

### **Slope, Prevailing Winds, Flooding, and Landslides**

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to fire conditions exacerbating the risk of exposure to pollutants and increased flooding and landslides (see Draft EIR pages 4.17-35 to 40 and 4.17-49).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.12-1(a)
- 4.12-1(b)
- 4.12-1(c)
- 4.12-1(d)

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

#### Rationale for Finding

#### *Mitigation*

Implementation of Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** would reduce impacts related to exacerbating wildfire risks that could result in risks to structures or housing development occupants or others to exposure of pollutant concentrations and run off, landslides, post-fire slope instability or drainage changes, through design plan review, maintaining unobstructed access roads and alleyways, including a 200-foot minimum Fuel Management Zone around each structure on a project site, preparing a Fire/Vegetation Management Plan for the Fuel Management Zone, and submittal of a plot plan to LAFD for discretionary projects with more than

300 housing units or located in VHFHSZ or SRA areas and where LAFD finds it necessary on the basis that existing regulations are not adequate to avoid risk of fire. However, based on peculiar site or project conditions or characteristics significant impacts related to exacerbating wildfire risk may occur even with imposition of Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** do not apply to ministerial projects. Housing projects in or near VHFHSZs or SRAs would be subject to numerous regulations to reduce risks of wildfires. Additionally, as discussed in the EIR, the Proposed Project is not including areas with VHFHSZ or other sensitive environments in the Rezoning Program. As such, the Proposed Project is not directing housing into sensitive environments where impacts related to exacerbating wildfires would occur. With that said, there could be ministerial housing projects that could be built in or near VHFHSZs or SRAs or other areas that could have significant impacts related to exacerbating wildfire risks and resulting in exposure of people and housing to pollutant exposure, run-off, and landslides. The City finds it is not feasible to apply Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>20</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the

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<sup>20</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures 4.12-1(a), 4.12-1(b), 4.12-1(c), and 4.12-1(d) to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to fire conditions exacerbating the risk of exposure to pollutants and increased flooding and landslides to a less than significant level. Alternative 1 would have a greater level of impacts on exacerbated fire conditions compared to the Proposed Project, and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to exacerbating wildfire risks that could result in risks to structures or housing development occupants or others to exposure of pollutant concentrations and run off, landslides, post-fire slope instability or drainage changes.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact related to exacerbating wildfire risks that could result in risks to structures or housing development occupants or others to exposure of pollutant concentrations and run off, landslides, post-fire slope instability or drainage changes. However, it is reasonable to assume that the mitigation measures would not eliminate all potential impacts to exacerbating wildfire risks that could result in risks to structures or housing development occupants or others to exposure of pollutant concentrations and run off, landslides, post-fire slope instability or drainage changes. Proposed Project and cumulative impacts related to exacerbating wildfire risks that could result in risks to structures or housing development occupants or others to exposure of pollutant concentrations and run off, landslides, post-fire slope instability or drainage changes will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related exacerbating wildfire risks that could result in risks to structures or housing development occupants or others to exposure of pollutant concentrations and run off, landslides, post-fire slope instability or drainage changes to a less than significant level.

### **Installation Maintenance of Associated Infrastructure**

The following findings are for the Proposed Project impacts and cumulative impacts.

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Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to installation or maintenance of infrastructure that may exacerbate fire risk (see Draft EIR pages 4.17-41 to 44 and 4.17-49).

Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measure in the MMP:

- 4.17-3

Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

Rationale for Finding

*Mitigation*

Implementation of Mitigation Measure **4.17-3** for future housing development accommodated by the Proposed Project would reduce potential impacts related to installation or maintenance of infrastructure that may exacerbate fire risk by requiring new power lines to be installed underground in areas subject to wildfire risk. However, based on peculiar site or project conditions or characteristics significant impacts to riparian habitats and other sensitive natural communities may occur even with imposition of Mitigation Measure **4.17-3** or imposition of the mitigation measure may be infeasible.

Additionally, Mitigation Measure **4.17-3** does not apply to ministerial projects. There could be ministerial housing projects requiring infrastructure that could have significant impacts related to installation or maintenance of infrastructure that may exacerbate fire risk. The City finds it is not feasible to apply Mitigation Measure **4.17-3** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according

to the McKinsey Global Institute.<sup>21</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measure 4.17-3 on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measure 4.17-3 to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to installation maintenance of associated infrastructure to a less than significant level. Alternative 1 would have a greater level of impacts on installation maintenance of associated infrastructure compared to the Proposed Project, and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusion*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to installation maintenance of associated infrastructure exacerbating fire risk.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessen the significant impact associated with installation and maintenance of associated infrastructure exacerbating fire risk. However, it is reasonable to assume that the mitigation measure would not eliminate all potential significant impacts to installation maintenance of associated infrastructure. Proposed Project and cumulative impacts related to installation and maintenance of associated infrastructure exacerbating fire risk will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply the mitigation measure or project alternatives in a manner that would reduce

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<sup>21</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

Proposed Project and cumulative impacts to installation and maintenance of associated infrastructure exacerbating fire risk to a less than significant level.

### **Expose People or Structures to Risk of Loss, Injury, or Death**

The following findings are for the Proposed Project impacts and cumulative impacts.

#### Description of Significant Effect(s)

The Proposed Project will have significant unavoidable project and cumulative impacts related to the exposure of people or structures to risk of loss, injury, or death from wildland fires (see Draft EIR pages 4.17-45 to 4.17-49).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impact, the City adopted the following mitigation measures in the MMP:

- 4.12-1(a)
- 4.12-1(b)
- 4.12-1(c)
- 4.12-1(d)
- 4.17-1
- 4.17-3

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1
- Finding 3

#### Rationale for Finding

##### *Mitigation*

Implementation of Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)**, **4.17-1**, and **4.17-3** for future housing development accommodated by the Proposed Project would reduce potential impacts related to the exposure of people or structures to risk of loss, injury, or death from wildland fires. Along with existing regulations, Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)** would reduce the risk of wildland fire from construction and operation of housing development through design plan review, maintaining unobstructed access roads and alleyways, including a 200-foot minimum Fuel Management Zone around each structure on the project site, preparing a Fire/Vegetation Management Plan for the Fuel Management Zone, and submittal of a plot plan to LAFD for discretionary projects with more than 300 housing units or located in VHFHSZ or SRA areas and where LAFD finds it necessary on the basis that existing regulations are not adequate to avoid risk of fire. Additionally, Mitigation Measures **4.17-1** and **4.17-3** would reduce the risk of construction-related activities and the potential for impacts associated with power lines in areas subject to wildfire risk by requiring a Construction Staging and Parking Plan for discretionary development projects located in or adjacent to an SRA or

VHFHSZ, where LAFD finds it necessary to add additional conditions above existing regulations, and through the undergrounding of power lines in/near an SRA or VHFHSZ. However, based on peculiar site or project conditions or characteristics significant impacts related to risks from loss, injury, or death involving wildfires may occur even with imposition of Mitigation Measures **4.12-1(a), 4.12-1(b), 4.12-1(c), and 4.12-1(d), 4.17-1, and 4.17-3** or imposition of the mitigation measures may be infeasible.

Additionally, Mitigation Measures **4.12-1(a), 4.12-1(b), 4.12-1(c), and 4.12-1(d), 4.17-1, and 4.17-3** do not apply to ministerial projects. Housing projects in or near VHFHSZs or SRAs would be subject to numerous regulations to reduce risks of wildfires. Additionally, as discussed in the EIR, the Proposed Project is not including areas with VHFHSZ or other sensitive environments in the Rezoning Program. As such, the Proposed Project is not directing housing into sensitive environments where impacts related to risk from wildland fires would occur. With that said, there could be ministerial housing projects that could be built in or near VHFHSZs or SRAs or other areas that could have significant impacts related to exposing people, structures to significant risk of loss, injury, or death involving wildland fires. The City finds it is not feasible to apply Mitigation Measures **4.12-1(a), 4.12-1(b), 4.12-1(c), and 4.12-1(d), 4.17-1, and 4.17-3** to ministerial housing projects for multiple policy reasons, including that it will add undesirable additional burdens, including cost, and additional time for project review, on the construction of housing projects which creates the risk of slowing down or reducing the construction and provision of desirable and urgently needed housing. For example, an analysis of housing constraints provided in Appendix 2.1 of the Housing Element Update describes that ministerial housing development projects are typically approved in 21 days, whereas discretionary housing developments that require more detailed review have average processing times ranging from approximately five and a half months to thirteen months. In addition to adding project cost to hire the necessary consultants to ensure compliance, imposition of the mitigation measure would increase the time needed to obtain a building permit, which would add a time burden. Time costs can contribute 30% of the finished cost of a home, according to the McKinsey Global Institute.<sup>22</sup> Adding additional burdens on housing projects is inconsistent with the Proposed Project policies 1.2.3 and 1.2.5, which aim to streamline housing development and reduce the costs of housing production, as well as requirements in State law that the Housing Element must identify and alleviate constraints to housing production. Additionally, applying Mitigation Measures **4.12-1(a), 4.12-1(b), 4.12-1(c), and 4.12-1(d), 4.17-1, and 4.17-3** on ministerial projects will create a demand for an undesirable allocation of City resources in the administration and enforcement of the measure. Applying new requirements on ministerial projects requires substantial staff time to prepare and adopt new code regulations to impose the requirements, and to include the measures in the City's GIS system, develop implementation policies and train staff, requires staff time to review compliance in applications and plan check, including determining if screening criteria are met and verifying an adequate mitigation plan is prepared, as well as increasing enforcement burdens. Applying staff resources to imposing the mitigation measures on ministerial projects would take those resources

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<sup>22</sup> "A Tool Kit to Close California's Housing Gap: 3.5 Million Homes by 2025," The McKinsey Global Institute, October 2016.

from other more desirable policy efforts, including those that will result in affordable housing, community plan updates, and protections of the environment, such as the Wildlife Study, or the processing of other desirable and urgently needed development projects that provide housing or new jobs. Hiring more staff would require passing those costs on to new development and putting more costs on desirable and needed development that produces housing or jobs or allocating general funds that are needed for more important public health, safety and welfare needs. Council finds in light of the above, it is not feasible to apply Mitigation Measures **4.12-1(a)**, **4.12-1(b)**, **4.12-1(c)**, and **4.12-1(d)**, **4.17-1**, and **4.17-3** to ministerial projects.

#### *Alternatives*

Neither of the alternatives studied in the EIR would reduce significant impacts related to risks from wildland fires to a less than significant level. Alternative 1 would have a greater level of impacts related to wildland fires than the Proposed Project and Alternative 2 would have a similar level of impacts. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

#### *Conclusions*

No additional feasible mitigation measures or alternatives were identified to reduce significant impacts related to wildland fires.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that substantially lessens the significant impact associated with wildland fires. However, it is reasonable to assume that the mitigation measures would not eliminate all potential significant impacts related to exposing people, structures to significant risk of loss, injury, or death involving wildland fires. Proposed Project and cumulative impacts related to exposing people, structures to significant risk of loss, injury, or death involving wildland fires will be significant and unavoidable.

Based on the above, specific economic, legal, social, technological, or other considerations make it infeasible to apply mitigation measures or project alternatives in a manner that would reduce Proposed Project and cumulative impacts related to exposing people, structures to significant risk of loss, injury, or death involving wildland fires to a less than significant level.

## C. Findings for Environmental Impacts Found to Be Less than Significant After Mitigation

The EIR identifies significant impacts that are reduced to a “less than significant” level by the inclusion of mitigation measures identified in the EIR.

For each of the significant impacts discussed below, the City adopts the following finding:

**Finding 1:** Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

### AIR QUALITY

#### Sensitive Receptors- Construction-Related Toxic Air Contaminants

The following findings are for Proposed Project impacts.

##### Description of Significant Effects

The Proposed Project will have a significant project related to construction-related toxic air contaminants (TAC) emissions that are reduced to a less than significant level by the inclusion of Mitigation Measure **4.2-3** (see Draft EIR pages 4.2-59 to 63 and 4.2-65).

##### Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measure in the MMP:

- 4.2-3

##### Finding(s)

The City adopts the following finding for the above-described significant impacts:

- Finding 1

##### Rationale for Finding

Implementation of Mitigation Measure **4.2-3** would reduce Project impacts related to construction-related TAC emissions to a less than significant level. Mitigation Measure **4.2-3** would require construction health risk assessments be performed for discretionary projects with sufficient duration and proximity to expose nearby sensitive receptors to substantial pollutant concentrations. As exposure is correlated to project duration and is inversely correlated to separation distance, these screening levels would exempt further analysis for projects that would not contribute to substantial pollutant exposure. Additionally, projects that voluntarily incorporate use of certified low-emission equipment are exempted from further analysis because such projects would not generate substantial pollutant concentrations.

Imposition of Mitigation Measure **4.2-3** would be anticipated to reduce TAC emissions impacts to a less than significant level. Any project of size and scale that could produce TAC construction-

related impacts would be subject to discretionary site plan review and Mitigation Measure **4.2-3** or be subject to independent CEQA analysis. This mitigation measure will reduce Proposed Project impacts related to construction-related TAC emissions to a less than significant level.

Alternatives 1 and 2 would have a similar level of construction-related TAC emissions impacts as the Proposed Project and impacts would remain less than significant. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that would reduce significant environmental effects associated with construction-related TAC emissions to a less than significant level.

## HYDROLOGY & WATER QUALITY

### Drainage

The following findings are for Proposed Project impacts.

#### Description of Significant Effects

The Proposed Project will have a significant project impact related to drainage pattern alterations that are reduced to a less than significant level by the inclusion of Mitigation Measure **4.8-1** (see Draft EIR pages 4.8-18 to 4.8-29).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measure in the MMP:

- 4.8-1

#### Finding(s)

The City adopts the following finding for the above-described significant impacts:

- Finding 1

#### Rationale for Finding

Implementation of Mitigation Measure **4.8-1** would reduce the impacts related to drainage pattern alterations to a less than significant level. Mitigation Measure **4.8-1** requires that any development project that the City has determined based on an expert study will impede or redirect flood flows even with compliance with existing regulations and the City's regulatory compliance measures, the project shall develop and implement a project-specific Stormwater Management Plan (SWMP) for compliance with the Clean Water Act's National Pollutant Discharge Elimination System program. The SWMP would maintain the existing drainage patterns of the project site and vicinity, to the maximum extent feasible, during construction and operation to avoid downstream impacts associated with flooding or water quality degradation from ground disturbance during construction. Additionally, to address the potential for long-term drainage pattern alterations associated with the placement of future development projects in areas where no development is

currently present, the SWMP would also include operational and maintenance best management practices, including the upkeep of landscaped/vegetated swales to dissipate stormwater runoff, or the maintenance (dredging and disposal of accumulated materials) of detention basins placed to capture stormwater runoff resulting from the project. This mitigation measure will reduce potential Project and cumulative impacts related to drainage pattern alterations to a less than significant level.

Alternatives 1 and 2 would have a similar level of impacts to drainage pattern alterations as the Proposed Project and impacts would remain less than significant. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that would reduce significant environmental effects associated with drainage pattern alterations to a less than significant level.

## TRANSPORTATION

### Circulation System Programs and Policy

The following findings are for Proposed Project impacts.

#### Description of Significant Effects

The Proposed Project will have a significant project impact related to a conflict with a program, plan, ordinance or policy addressing the circulation system. This significant impact is reduced to a less than significant level after the inclusion of Mitigation Measure **4.14-1** (see Draft EIR pages 4.14-51 to 4.14-59).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measure in the MMP:

- 4.14-1

#### Finding(s)

The City adopts the following finding for the above-described significant impacts:

- Finding 1

#### Rationale for Finding

Implementation of Mitigation Measure **4.14-1** and existing regulations, as well as project review by the Los Angeles Department of Transportation, for future housing development accommodated by the Proposed Project would reduce potential impacts to the circulation system. Mitigation Measure **4.14-1** requires the preparation of a Construction Management Plan, which includes street closure information, detour plans, haul routes, and staging plans, to ensure that individual housing development projects with unique site or project attributes will not have potentially significant impacts to the circulation system during construction. This mitigation measure will reduce

potential Project and cumulative impacts related to the circulation system to a less than significant level. Any project of size and scale that could produce potential impacts would be subject to discretionary site plan review and Mitigation Measure **4.14-1** or be subject to independent CEQA analysis.

Alternatives 1 and 2 would have a similar level of impacts to the circulation system as the Proposed Project and impacts would remain less than significant. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that would reduce significant environmental effects associated with the circulation system to a less than significant level.

### **Design Feature Hazards- Construction**

The following findings are for Proposed Project impacts.

#### Description of Significant Effects

The Proposed Project will have a significant project impact related to construction hazards due to geometric design features or incompatible uses. This significant impact is reduced to a less than significant level after the inclusion of Mitigation Measure **4.14-1** (see Draft EIR pages 4.14-66 to 4.14-74).

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measure in the MMP:

- 4.14-1

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

#### Rationale for Finding

Implementation of Mitigation Measure **4.14-1** and existing regulations, as well as project review by the Los Angeles Department of Transportation, for future housing development accommodated by the Proposed Project would reduce potential impacts related to construction hazards due to geometric design features or incompatible uses. Mitigation Measure **4.14-1** requires the preparation of a Construction Management Plan, which includes street closure information, detour plans, haul routes, and staging plans, to ensure that individual housing development projects with unique site or project attributes will not result in potentially significant impacts during construction. This mitigation measure will reduce potential Project and cumulative impacts related to construction hazards due to geometric design features or incompatible uses to a less than significant level. Any project of size and scale that could produce potential impacts would be subject to discretionary site plan review and Mitigation Measure **4.14-1** or be subject to independent CEQA analysis.

Alternatives 1 and 2 would have a similar level of impacts to construction hazards as the Proposed Project and impacts would remain less than significant. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that would reduce significant environmental effects associated with construction hazards due to geometric design features or incompatible uses to a less than significant level.

### Emergency Access

The following findings are for Proposed Project impacts.

#### Description of Significant Effects

The Proposed Project will have a significant project impact related to emergency access. This significant impact is reduced to a less than significant level after the inclusion of Mitigation Measure **4.14-1**. (See Draft EIR pages 4.14-74 to 4.14-86.)

#### Adopted Mitigation Measure(s)

To mitigate the above-described significant impacts, the City adopted the following mitigation measure in the MMP:

- 4.14-1

#### Finding(s)

The City adopts the following findings for the above-described significant impacts:

- Finding 1

#### Rationale for Finding

Implementation of Mitigation Measure **4.14-1** and existing regulations, as well as project review by the Los Angeles Department of Transportation, for future housing development accommodated by the Proposed Project would reduce potential impacts to emergency access. Mitigation Measure **4.14-1** requires the preparation of a Construction Management Plan, which includes street closure information, detour plans, haul routes, and staging plans, to ensure that individual housing development projects with unique site or project attributes will not result in potentially significant impacts during construction. This mitigation measure will reduce the impacts related to emergency access to a less than significant level (Proposed Project and cumulative). Any project of size and scale that could produce potential impacts would be subject to discretionary site plan review and Mitigation Measure **4.14-1** or be subject to independent CEQA analysis.

Alternatives 1 and 2 would have a similar level of impacts to emergency access as the Proposed Project and impacts would remain less than significant. As discussed below in Section 2(E), the City rejects Alternatives 1 and 2.

The City finds that changes or alterations have been required in, or incorporated into, the Proposed Project that would reduce significant Project environmental effects associated with emergency access to a less than significant level.

## D. Findings for Environmental Impacts Found to be Less than Significant or No Impact

Based on the EIR, (and its appendices, including Appendix A, Initial Study), the City finds the Proposed Project, inclusive of the build out of the RHNA and the development of the housing types within the scope of the EIR, have less than significant impacts or no impacts to any of the following impacts:<sup>23</sup>

### AESTHETICS

**Scenic Vistas (Draft EIR pages 4.1-29 to 4.1-36 and Initial Study page 29):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Scenic Resources Within State Scenic Highway (Initial Study page 29 and 33):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Scenic Quality Zoning and Regulations (Draft EIR pages 4.1-36 to 4.1-49 and Initial Study page 29):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**New Source of Light or Glare (Initial Study pages 29 and 34 to 36):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR page 4.1-50):** No impact (Scenic Vistas and Scenic Quality Zoning and Regulations)

### AGRICULTURE AND FORESTRY RESOURCES

**Conversion of Farmland to Non-Agricultural Use (Initial Study pages 37 to 38):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Conflict with Agricultural Zoning or Williamson Act (Initial Study pages 37 to 38):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Conflict with Zoning or Cause Rezoning of Forest Land (Initial Study pages 37 and 39):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Loss or Conversion of Forest Land (Initial Study pages 37 and 39):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Other Changes Resulting in Conversion of Farmland or Forest Land (Initial Study pages 37 and 40):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

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<sup>23</sup> The summary below indicates whether the impact conclusion is for the Housing Element Update, the Safety Element Update (including Health Element amendments) or both Updates (Proposed Project). If not indicated, the conclusion is for the Proposed Project.

## AIR QUALITY

**Air Quality Plan (Draft EIR pages 4.2-36 to 4.2-39 and Initial Study page 41):** Less-than-significant impact (Housing Element Update); No impact (Safety element Update)

**Cumulative Net Increase in Criteria Pollutant (Initial Study page 41):** No impact (Safety Element Update)

**Sensitive Receptors (Draft EIR pages 4.2-61 to 4.2-62 and Initial Study page 41):** Less-than-significant impact (Operation TACs and Carbon Monoxide Hotspots); No impact (Safety Element Update)

**Result in other emissions (such as odors) (Initial Study pages 41 and 47):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR pages 4.2-64 to 4.2-65):** Less-than-significant impact (Air Quality Plan and Sensitive Receptors- Operation TACs and Carbon Monoxide Hotspots)

## BIOLOGICAL RESOURCES

**Candidate, Sensitive, or Special Status Species (Draft EIR page 4.3-46):** Less-than-significant impact (Safety Element Update)

**Riparian Habitat (Draft EIR page 4.3-58):** Less-than-significant impact (Safety Element Update)

**State or Federally Protected Wetlands (Initial Study pages 49 to 50 and 53 to 54):** Less-than-significant impact (Proposed Project)

**Migratory Wildlife, Biological Resources Plan (Draft EIR page 4.3-67):** Less-than-significant impact (Safety Element Update)

**Local Policies and Ordinances (Draft EIR pages 4.3-68 to 4.3-70):** Less-than-significant impact (Housing Element Update); Less-than-significant impact (Safety Element Update)

**Conflict with local, regional, or state habitat conservation plan (Initial Study pages 50 and 57 to 58):** No impact (Proposed Project)

**Cumulative Impacts (Draft EIR page 4.3-72):** Less-than-significant impact (Local Policies and Ordinances)

## CULTURAL RESOURCES

**Change in Significance of Historical Resource (Initial Study page 59):** No impact (Safety Element Update)

**Change in Significance of Archeological Resource (Initial Study page 59):** No impact (Safety Element Update)

**Disturbance of Human Remains (Initial Study pages 59 and 62):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

## ENERGY

**Consumption of energy resources during construction and operation (Initial Study pages 63 to 66):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Conflict with state or local plan for renewable energy or energy efficiency (Initial Study pages 63 and 66 to 67):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

## GEOLOGY AND SOILS

**Rupture of known earthquake fault, strong seismic ground shaking, liquefaction, and landslides (Initial Study pages 69 to 74):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Soil erosion (Initial Study pages 70 and 75):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Unstable geologic unit (Initial Study pages 70 and 76):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Located on expansive soil (Initial Study pages 70 and 76 to 77):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Soils incapable of supporting septic tanks or wastewater disposal (Initial Study pages 70 and 77):** No impact (Proposed Project)

**Destroy Paleontological Resource (Initial Study page 70):** No impact (Safety Element Update)

**Conflict with state or local plan for renewable energy or energy efficiency (Initial Study pages 63 and 66 to 67):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

## GREENHOUSE GAS EMISSIONS

**Greenhouse Gas Emissions (Initial Study page 79):** No impact (Safety Element Update)

**Plans, Policies or Regulations (Draft EIR pages 4.6-30 to 4.6-51 and Initial Study page 79):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR page 4.6-51):** Less-than-significant impact

## HAZARDS & HAZARDOUS MATERIALS

**Transport, use or disposal of hazardous materials (Initial Study pages 82 to 84):** Less-than-significant update (Housing Element Update); No impact (Safety Element Update)

**Hazardous Materials Upset or Accident (Draft EIR pages 4.7-71 to 4.7-78 and Initial Study page 82):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Hazardous materials within 0.25 mile of a school (Initial Study page 82):** No impact (Safety Element Update)

**Located on Hazardous materials site (Initial Study page 82):** No impact (Safety Element Update)

**Airport land use plan (Initial Study pages 82 and 86):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Impairment of emergency response or emergency evacuation plans (Initial Study pages 82 and 86 to 87):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR pages 4.7-94 to 4.7-95):** Less-than-significant impact (Hazardous Materials Upset or Accident)

## HYDROLOGY & WATER QUALITY

**Surface or ground water quality (Initial Study pages 90 and 92 to 93):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Groundwater supplies or recharge (Initial Study pages 90 and 93 to 94):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Drainage – erosion, runoff, or stormwater capacity (Initial Study pages 90 and 94 to 95)** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Drainage – Flood Flows (Draft EIR page 4.8-19):** Less-than-significant impact (Safety Element Update)

**Release of pollutants due to inundation (Initial Study pages 90 and 96 to 97)** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Water quality control plan or groundwater management plan (Initial Study pages 90 and 98)** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR page 4.8-29):** Less-than-significant impact

## LAND USE & PLANNING

**Physically divide established community (Initial Study page 99):** No impact (Proposed Project)

**Land Use Plans and Policy Consistency (Draft EIR pages 4.9-15 to 4.9-28 and Initial Study page 99):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR pages 4.9-28 to 4.9-29):** Less-than-significant impact

## MINERAL RESOURCES

**Loss of Known Mineral Resource (Initial Study pages 101 to 102):** No impact (Proposed Project)

**Loss of Mineral Resource Recovery Site (Initial Study pages 101 to 102):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

## NOISE

**Temporary or permanent noise increase (Initial Study page 103):** No impact (Safety Element Update)

**Operational Groundborne Vibration (Draft EIR pages 4.10-44 to 4.10-46 and Initial Study page 103):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Private Airstrip/Airport Plan (Draft EIR page 4.10-51 and Initial Study page 103):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR page 4.10-54):** Less-than-significant impact (Operational Groundborne Vibration and Private Airstrip/Airport Plan)

## POPULATION & HOUSING

**Induce Substantial Population Growth (Draft EIR pages 4.11-18 to 4.11-21 and Initial Study page 107):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Displacement of Existing People or Housing (Draft EIR pages 4.11-21 to 4.11-22 and Initial Study page 108 to 109):** Less-than-significant impact (Housing Element Update); Less-than-significant impact (Safety Element Update)

**Cumulative Impacts (Draft EIR pages 4.11-22 to 4.11-23):** Less-than-significant impact (Induce Substantial Population Growth and Displacement of Existing People or Housing)

## PUBLIC SERVICES

**Fire Protection Services (Draft EIR pages 4.12-25 to 4.12-27):** No impact (Safety Element Update)

**Police Protection Services (Initial Study page 111):** No impact (Safety Element Update)

**Schools (Initial Study page 111):** No impact (Safety Element Update)

**Parks (Initial Study page 111):** No impact (Safety Element Update)

**Other public facilities (Initial Study page 111 and 115):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR pages 4.12-31 to 32, 4.12-51 to 52, and 4.12-63 to 64):** Less-than-significant impact (Fire Protection Services, Police Protection Services, and Public School Services)

## RECREATION

**Use and deterioration of recreational facilities (Initial Study page 117):** No impact (Safety Element Update)

**Construction and expansion of recreational facilities (Initial Study page 117):** No impact (Safety Element Update)

## TRANSPORTATION

**Conflict with program, plan, or ordinance (Initial Study page 119):** No impact (Safety Element Update)

**CEQA Guidelines Section 15064.3(b) (Initial Study page 119 and Draft EIR pages 4.14-60 to 4.14-65):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Hazards due to geometric design feature (Initial Study page 119):** No impact (Safety Element Update)

**Inadequate emergency access (Initial Study page 119):** No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR pages 4.14-88 to 4.14-89):** Less-than-significant impact (Circulation System Programs and Policy, CEQA Guidelines, Design Feature Hazards- Transportation Hazards, and Emergency Access)

## TRIBAL CULTURAL RESOURCES

**Eligible or registered historical resource (Initial Study page 123):** No impact (Safety Element Update)

**Public Resources Code Section 5024.1 (Initial Study page 123):** No impact (Safety Element Update)

## UTILITIES & SERVICE SYSTEMS

**Wastewater Treatment (Draft EIR pages 4.16-13 to 4.16-23):** Less-than-significant impact (Proposed Project)

**Stormwater Drainage (Draft EIR pages 4.16-23 to 4.16-27):** Less-than-significant impact (Proposed Project)

**Water Facilities and Supply (Draft EIR pages 4.16-48 to 4.16-55):** Less-than-significant impact (Proposed Project)

**Electric Power, Natural Gas, or Telecommunication Facilities (Draft EIR page 4.16-62 to 4.16-71):** Less-than-significant impact (Proposed Project)

**Generation of solid waste (Initial Study 137 to 138):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Federal, state, and local solid waste regulations (Initial Study pages 139):** Less-than-significant impact (Housing Element Update); No impact (Safety Element Update)

**Cumulative Impacts (Draft EIR pages 4.16-71 to 4.16-75):** Less-than-significant impact (Wastewater Treatment, Stormwater Drainage, Water Facilities and Supply, and Electric Power, Natural Gas, or Telecommunication Facilities)

## **WILDFIRE**

**Impairment of emergency response or emergency evacuation plans (Initial Study page 141 to 142):** No impact (Safety Element Update)

**Exacerbate wildfire risks (Initial Study page 141 to 142):** No impact (Safety Element Update)

**Infrastructure that may exacerbate wildfire risk (Initial Study page 141 to 142):** No impact (Safety Element Update)

**Exposure of people or structures to significant risks (Initial Study page 141 to 142):** No impact (Safety Element Update)

## E. Findings for Alternatives to the Project

### UNDERLYING PURPOSE AND PROJECT OBJECTIVES

The underlying purpose and project objectives of the Citywide Housing Element 2021-2029 and Safety Element, and amendments to the Health Element, as discussed in the EIR (Chapter 3), are stated below. In accordance with CEQA Guidelines Section 15124(b), the specific project objectives identified below support the underlying purpose of the Proposed Project, assist the City as Lead Agency in developing a reasonable range of alternatives to evaluate in this EIR, and ultimately aid the decision maker in preparing findings and, if necessary, a statement of overriding considerations.

#### *UNDERLYING PURPOSE*

The underlying purpose of the Proposed Project is to accommodate the Regional Housing Needs Assessment (RHNA) compliant with State law and consistent with the City's General Plan.

#### *PRIMARY OBJECTIVES*

- **Objective 1:** Meet the City's fair share of the regional housing need to accommodate projected population growth and meet existing housing needs within the City
- **Objective 2:** Increase the availability of affordable housing and the variety of housing options within the City
- **Objective 3:** Promote concentrated housing growth in High and Very High Resource areas and in areas with good access to jobs, services, and high-quality public transit
- **Objective 4:** Strengthen the City's goals, policies, objectives and programs that prevent displacement, promote homeless prevention and diversion, and promote housing stability
- **Objective 5:** Strengthen the City's goals, policies, objectives and programs that reduce greenhouse gas emissions and promote climate resiliency
- **Objective 6:** Update the City's Safety and Health Elements to be consistent with current State regulations

#### **ALTERNATIVES**

Based on the whole of the administrative record, the City finds that the EIR analyzes a reasonable range of project alternatives that would feasibly attain some of the objectives of the Proposed Project, as described in Chapter 6 of the Draft EIR. The two alternatives analyzed in the EIR are described and rejected as follows:

#### **Alternative 1 – No Project Alternative (Draft EIR pages 6-4 to 6-20)**

##### *Description of Alternative*

Alternative 1 reflects "no project" conditions (i.e., without adoption of the Proposed Project) and would involve continued implementation of the 2013-2021 Housing Element. Under Alternative 1, the current Housing Element policies would continue to apply and no change in land use or zoning designations to accommodate the 6<sup>th</sup> cycle RHNA would occur. The RHNA allocation under the 2013-2021 Housing Element is 82,002 residential units, of which 32,862 are required to be lower income units. Based on the 2020 Annual Element Progress Report, the City has permitted 117,088 housing units and, therefore, has exceeded the overall total units accommodated under the 2013-2021 Housing Element cycle. However, the

City has only met a portion of the lower income RHNA required to be accommodated under the 2013-2021 Housing Element cycle, with 10,739 lower income units permitted.

The overall number of new units accommodated under the No Project Alternative would be anticipated to be lower than those expected to be accommodated by the Proposed Project. This is due to the fact that under Alternative 1, the Rezoning Program which is needed to accommodate the housing needs under the City's RHNA, would not occur. The City finds that up to 230,947 housing units can be accommodated under current zoning in the City and identifies a total rezoning need of 255,432 units to accommodate both the RHNA Allocation of 456,643 units and the City's target capacity of 486,379 units. Therefore, Alternative 1 would not accommodate the 255,432 rezone units needed to achieve the City's RHNA Allocation for the 2021-2029 Housing Element cycle or target capacity. Because a large portion of the RHNA Allocation is based on analysis of the number of housing units needed to meet existing housing needs for the current population, this limitation on housing development in Los Angeles may cause development to occur elsewhere in the region to meet the Southern California Association of Governments' (SCAG) population and housing projections.

#### Impact Summary

Alternative 1 was selected to comply with CEQA's mandate to include a "no project" alternative. Based on the lower number of housing units, this alternative would have reduced but still significant impacts to all of the significant impacts the Proposed Project would have, including to air quality, cultural resources, geology and soils, hazards and hazardous materials, noise, and tribal cultural resources. However, this alternative would have greater and significant impacts related to biological resources (special status species, sensitive habitats, and migratory wildlife), and wildfire as compared to the Proposed Project. Furthermore, this alternative would result in a new significant and unavoidable impact related to greenhouse gas emissions and land use plans and policy consistency, and transportation (VMT). A complete summary is provided in Table 6-1 of the Draft EIR, page 6-37.

#### Finding(s)

It is found pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, make the No Project Alternative (Alternative 1) infeasible. Therefore, the City finds that this alternative is infeasible and less desirable than the Proposed Project and rejects this alternative for any, some, or all, of the following reasons:

- Alternative 1 would not meet the Underlying Purpose of the Project, which is to accommodate the RHNA compliant with State law and consistent with the City's General Plan. This alternative would involve the continued implementation of the 2013-2021 Housing Element. The current Housing Element policies would continue to apply and no change in land use or zoning designations to accommodate the 6<sup>th</sup> cycle RHNA would occur. The number of housing units anticipated under this alternative would be lower than the number of units under the Proposed Project and would not meet the City's RHNA allocation.
- Alternative 1 would not meet Objective 1, which aims to meet the City's fair share of the regional housing need to accommodate projected population growth and meet existing housing needs within the City. This alternative would involve the continued implementation of the 2013-2021 Housing Element and would continue to apply the current Housing Element policies. Additionally, no change in land use or zoning designations to accommodate the 6<sup>th</sup> cycle RHNA

would occur. The number of housing units anticipated under this alternative would be lower than the number of units under the Proposed Project and would not meet the City's RHNA allocation. Furthermore, this alternative would not include new policies in the Housing and General Plan Framework Elements that place additional focus on accommodating housing production in higher resource areas and preventing displacement.

- Alternative 1 would not meet Objective 2 as well as the Proposed Project, as Objective 2 aims to increase the availability of affordable housing and the variety of housing options in the City and the RHNA allocation under the 2013-2021 Housing Element is 82,002 residential units, of which 32,862 are required to be lower income units. In addition, the potential loss of state and federal funding for affordable housing due to failure to adopt a compliant Housing Element by the state deadline would limit the City's ability to meet this objective.
- Alternative 1 would not meet Objective 3, which aims to promote concentrated housing growth in High and Very High Resource areas and in areas with good access to jobs, services, and high-quality public transit. Under this alternative, the City would continue existing policies in the 2013-2021 Housing Element and General Plan Framework Element that emphasize the importance of accommodating housing production in areas well-served by transit; however, new policies that place additional focus on accommodating housing production in higher resource areas and preventing displacement would not be adopted as the policy changes proposed as part of the Proposed Project would not occur.
- Alternative 1 would not meet Objective 4, which aims to strengthen the City's goals, policies, objectives and programs that prevent displacement, promote homeless prevention and diversion, and promote housing stability. Under this alternative, the City would continue existing policies in the 2013-2021 Housing Element and General Plan Framework Element that emphasize the importance of accommodating housing production in areas well-served by transit; however, new policies that place additional focus on accommodating housing production in higher resource areas and preventing displacement would not be adopted as the policy changes proposed as part of the Proposed Project would not occur. Additionally, because a portion of the RHNA allocation is based on analysis of the number of housing units needed to existing housing need for the current population, continued implementation of the City's 2013-2021 Housing Element may cause development to occur elsewhere in the region to meet the SCAG population and housing projections. This may introduce significant and unavoidable impacts related to population displacement elsewhere in the region.
- Alternative 1 would not meet Objective 5, which aims to strengthen the City's goals, policies, objectives and programs that reduce greenhouse gas emissions and promote climate resiliency. As a portion of the RHNA allocation is based on analysis of the number of housing units needed to existing housing need for the current population, continued implementation of the City's 2013-2021 Housing Element may cause development to occur elsewhere in the region to meet the SCAG population and housing projections. This may introduce significant and unavoidable impacts related to such issues as air quality and greenhouse gas emissions, energy, and VMT elsewhere in the region.
- Alternative 1 would not meet Objective 6, which aims to update the City's Safety and Health Elements to be consistent with current State regulations, because existing policies in the City's General Plan would continue to be implemented and would not include the policy changes proposed as part of the Proposed Project.

- Alternative 1 would have greater impacts than the Proposed Project with respect to biological resources (special status species, sensitive habitats, and migratory wildlife), greenhouse gas emissions, land use plans and policy consistency, transportation (VMT), and wildfire.
- Alternative 1 would have new significant and unavoidable impacts related to greenhouse gas emissions and land use plans and policy consistency and VMT that would not occur under the Proposed Project.

### **Alternative 2 – Redistribution of Rezoning Program Alternative (Draft EIR pages 6-20 to 6-36)**

#### Description of Alternative

The Redistribution of Rezoning Program Alternative would redistribute potential rezone sites under the Rezoning Program to eliminate areas with high concentrations of historic resources, areas of high paleontological sensitivity, and industrial areas where there is relatively high potential for contaminated soil to address the Proposed Project's significant and unavoidable impacts related to historical resources, paleontological resources, and hazardous materials. As a result, rezones to accommodate housing would be avoided in the following areas:

- **Historic Resource Concentrations:** older areas of City, such as portions of Downtown, Hollywood, Mid-Wilshire, and San Pedro, and limited portions of the San Fernando Valley
- **Paleontological Sensitivity:** portions of the Santa Susanna Mountains north of the San Fernando Valley, portions of the Santa Monica Mountains between the San Fernando Valley and the Los Angeles Basin, portions of South and West Los Angeles, and portions of the Harbor area/San Pedro
- **Industrial Areas:** areas south of Downtown, South Los Angeles, and the Harbor area/San Pedro

Housing development could still occur in areas (Opportunity Sites) where housing is currently allowed.

As a result, areas where rezones would be focused under Alternative 2 include large portions of the San Fernando Valley and portions of West Los Angeles and South Angeles. Alternative 2 would accommodate the same amount of housing as the Proposed Project citywide (420,327 units), including the same number of housing units accommodated by the Rezoning Program (approximately 255,000 units); however, needed rezonings would occur in other areas of the City, such as the San Fernando Valley, West Los Angeles, and South Angeles.

#### Impact Summary

Alternative 2 would be consistent with Project Objectives 1,2, 4, and 6, but would be less consistent than the Project with Objectives 3 and 5. This alternative would have significant but reduced impacts to cultural resources, geology and soils, and hazards and hazardous materials based on the relocation of potential housing units to areas outside lacking potential historical, paleontological, and hazardous material sensitivity. However, this alternative would have significant and greater impacts related to air quality compared to the Proposed Project. Furthermore, this alternative would result in a new significant and unavoidable impact related to greenhouse gas emissions and land use plans and policy consistency and transportation (VMT). A complete summary is provided in Table 6-1 of the Draft EIR, page 6-37.

Finding(s)

It is found pursuant to PRC Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social, technological, or other considerations, make the Redistribution of Rezoning Program Alternative (Alternative 2) infeasible. Therefore, the City finds that this alternative is infeasible and less desirable than the Proposed Project and rejects this alternative for any one, some, or all, of the following reasons:

- Alternative 2 would only partially meet Objective 3, which aims to promote concentrated housing growth in High and Very High Resource areas and in areas with good access to jobs, services, and high-quality public transit. Under this alternative, the same amount of housing as the Proposed Project would be accommodated citywide (420,327 units), including the same number of housing units accommodated by the Rezoning Program (approximately 255,000 units); however, proposed housing units would be located outside areas near transit and in areas with lower levels of transit service. Because this alternative would locate more development in areas that are more distant from transit, overall citywide VMT and associated air pollutant and greenhouse gas emissions would likely be higher.
- Alternative 2 would only partially meet Objective 5, which aims to strengthen the City's goals, policies, objectives and programs that reduce greenhouse gas emissions and promote climate resiliency. Under this alternative, a higher number of future housing units would be located outside areas near transit and in areas with lower levels of transit service. Because this alternative would locate more development in areas that are more distant from transit, overall citywide VMT and associated air pollutant and greenhouse gas emissions would likely be higher.
- Alternative 2 would have greater impacts than the Proposed Project with respect to air quality.
- Alternative 2 would have new significant and unavoidable impacts on greenhouse gas emissions, land use plans and policy consistency, and transportation (VMT). that would not occur under the Proposed Project.

**ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

Section 15126.6 of the State CEQA Guidelines requires that an "environmentally superior" alternative be selected among the alternatives that are evaluated in the EIR. In general, the environmentally superior alternative is the alternative that would be expected to generate the fewest adverse impacts. If the No Project Alternative is identified as environmentally superior, then another environmentally superior alternative shall be identified among the other alternatives.

Both of the studied alternatives would incrementally increase impacts related to some issue areas and incrementally reduce impacts related to other issue areas. However, neither of the studied alternatives would avoid any of the significant and unavoidable impacts of the Proposed Project and both would also result in significant and unavoidable impacts (i.e., transportation, land use, air quality, and GHG) that would not occur under the Proposed Project. Therefore, the Proposed Project is the Environmentally Superior Alternative.

## SECTION 3 – STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires the decision-maker(s) to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the proposed project. (PRC Section 21081(b) and CEQA Guidelines Section 15093(a).) If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable significant adverse environmental effects, the adverse environmental effect may be considered “acceptable.” (CEQA Guidelines Section 15093(a)) CEQA also requires that when a public agency approves a project that will result in the occurrence of significant and unavoidable adverse impacts to the environment, the agency must state in writing the reasons to support its action based on the certified EIR and/or other information in the record. (PRC Section 21081 and CEQA Guidelines Section 15093(b)) This “statement of overriding considerations” must be supported with substantial evidence in the record. (CEQA Guidelines Section 15093(b)) The EIR for the Citywide Housing Element 2021-2029 and Safety Element Updates (including Health Element amendments) identifies significant unavoidable impacts that would result from implementation of the Proposed Project, as shown in Section 2.B of these CEQA Findings of Fact and Statement of Overriding Considerations. These Statement of Overriding Considerations are based on substantial evidence in the record, including but not limited to the Draft EIR and the Final EIR, and documents, testimony, and all other materials that constitute the Record of Proceedings.

### Reasons to Support Approval of the Proposed Project

After balancing the specific economic, legal, social, technological, and other benefits of the Proposed Project, the City of Los Angeles has determined that the unavoidable adverse environmental impacts identified above may be considered “acceptable” due to the following specific considerations, which outweigh the unavoidable adverse environmental impacts of the Proposed Project. The City Council finds that each of the following statements are supported by substantial evidence in the record and that each one of the following overriding considerations independently, grouped by overarching theme, or taken collectively, is/are sufficient to outweigh the significant and unavoidable impacts of the Proposed Project:

1. The Proposed Project promotes development in a manner that would accommodate anticipated population growth for the City and existing unmet need for housing, as required by the City’s 6<sup>th</sup> Cycle Regional Housing Needs Assessment (RHNA) Allocation and in a manner consistent with the City’s General Plan and the RTP/SCS prepared by SCAG. The City is mandated, pursuant to State Housing Element law, to plan for and accommodate the RHNA Allocation of 456,643 units as part of the 2021-2029 Housing Element. The RHNA allocation, prepared by HCD and SCAG, reflects the number of housing units that must be provided to meet the forecasted population growth and the need for housing among the existing population. The Proposed Project accommodates this population by incorporating goals, objectives, policies and programs, as well as the Rezoning Program, to accommodate build out of the RHNA allocation.
2. The Proposed Project complies with State Housing Element requirements, and adoption of the Proposed Project would ensure the City maintains Housing Element compliance. Jurisdictions that fail to adopt a compliant Housing Element by the statutory deadline face potential loss of eligibility for certain state and federal funding programs for affordable housing in addition to other penalties that may be imposed by a court or potentially under the Housing Accountability Act (GC Section

65589.5(d)), such as potential limiting of some of the City’s land use authority. Additionally, failure to adopt the Housing Element Update within 120 days from the statutory adoption date has an additional consequence of decreasing the planning period from an 8-year period to a 4-year update period (GC Section 65588(e)(4)), and requiring that the Rezoning Program is completed by October 2022, rather than October 2024.

3. The Proposed Project complies with Assembly Bill (AB) 686, which requires that the City’s Housing Element affirmatively furthers fair housing. The Rezoning Program, in addition to the analysis and implementation programs included in the Housing Element Update, are anticipated to provide meaningful action to overcome patterns of segregation and foster inclusive communities, helping to address significant existing disparities in housing needs and access to opportunity, replace segregated living patterns with truly integrated and balanced living patterns, transform racially and ethnically concentrated areas of poverty into areas of opportunity, and foster and maintain compliance with civil rights and fair housing laws. This is achieved by the Rezoning Program’s focus on increasing housing opportunities in higher resource areas, and the Proposed Project’s goals, objectives, policies, and programs related to removing barriers to production of affordable housing in high resource areas and areas near transit, anti-displacement and housing preservation strategies, and fair housing compliance.
4. The Proposed Project is consistent with state General Plan requirements, which require the update of the Safety Element Update alongside the update to the Housing Element, as well as compliance with environmental justice requirements. The Proposed Project provides targeted updates to the Safety Element of the General Plan as well as the Health and Wellness Element of the General Plan to clarify the City’s compliance with state requirements related to disaster risk, hazards and hazard abatement, flooding, wildfires, emergency evacuation, climate change, and environmental justice, including SB 1000. The City reviewed hazard data to ensure the Proposed Project would minimize risk of new development in hazard prone areas. The Proposed Project directs new higher intensity housing development away from hazard prone areas and requires hazards to be mitigated where risk is present. The Proposed Project also anticipates the risks anticipated by climate change and includes policies and programs to continue to plan for and address such risks, with particular focus on identifying and engaging communities most vulnerable to prepare and respond to those risks.
5. The Proposed Project supports the policies and goals of the General Plan Framework Element, specifically the guiding policy to focus growth in higher-intensity commercial centers close to transportation and services by encouraging development in areas located in a Transit Priority Area, near major job centers, and in higher resource areas. Additionally, the Rezoning Program and policies contained in the Safety Element Update provide additional protections for environmentally-sensitive areas by maintaining existing lower-density zoning patterns in Very High Fire Hazard Severity Zones and areas vulnerable to sea level rise.
6. The Proposed Project is consistent with Senate Bill 375. The Proposed Project supports a condensed housing development pattern within close proximity to public transit, along major corridors, near job centers, and in higher resource areas, consistent with Senate Bill 375 and the RTP/SCS, and therefore, would contribute to decreasing regional vehicle miles traveled and mobile-source GHG emissions in the region.
7. The Proposed Project is consistent with the RTP/SCS and would contribute to increasing mobility and sustainability. The Proposed Project promotes a greater jobs-housing balance and would

contribute to reducing regional traffic and commute times, by focusing the creation of new housing capacity through the Rezoning Program in close proximity to major transit stations and employment destinations, in addition to higher resource areas. The Proposed Project supports housing development around transit stations where new residential development can be supported by transportation infrastructure.

8. The Proposed Project responds to the regional housing and homelessness crisis and the corresponding increasing cost of housing in the City of Los Angeles by providing a comprehensive 8-year strategy to meet the City's housing needs through the build-out of the RHNA. The Proposed Project incorporates goals, objectives, policies, and programs that promote the creation of an ample supply of housing, in particular affordable housing, provides greater housing stability for households of all income levels, and commits to compassionate solutions to homelessness prevention and response.
9. The Proposed Project is the product of a comprehensive public planning effort that includes community and public input, the CPC, and the City Council in order to address prevailing neighborhood, community, citywide, and regional issues while complying with state General Plan law. The policies and programs for the Proposed Project are based on public input, as well as collaboration with other City departments, city stakeholders, and other governmental agencies, including HCD and CAL FIRE.

### **Conclusion**

Having (i) adopted all feasible mitigation measures, (ii) recognized all significant and unavoidable impacts, (iii) rejected other alternatives to the Proposed Project, and (iv) balanced the specific economic, legal, social, technological, and other benefits of the Proposed Project, including region and statewide environmental benefits, against the Proposed Project's potential significant and unavoidable impacts, the City Council hereby finds that the benefits of the Proposed Project outweigh and override the potential significant and unavoidable impacts for the reasons stated above and that the unavoidable adverse environmental effects may be considered "acceptable."