

EXHIBIT C



2008-2014 Housing Element and
2010-2015 Hazard Mitigation Action Plan

City of Beverly Hills
Negative Declaration and Environmental Initial Study

October 2011

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: 2008-2014 Housing Element and 2010-2015 Hazard Mitigation Action Plan

Lead Agency: Beverly Hills

Contact Person: Peter Noonan

Mailing Address: 455 North Rexford Drive

Phone: 310.285.1127

City: Beverly Hills

Zip: 90210

County: Los Angeles

Project Location: County: Los Angeles

City/Nearest Community: Beverly Hills

Cross Streets: Within entire city jurisdiction

Zip Code: 90210

Longitude/Latitude (degrees, minutes and seconds): 34 ° 4 ' 23 " N / 118 ° 23 ' 58 " W Total Acres: 2,791

Assessor's Parcel No.: NA

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: 2

Waterways: _____

Airports: _____

Railways: _____

Schools: Beverly Hills USD

Document Type:CEQA: NOP Early Cons Neg Dec Mit Neg Dec Draft EIR Supplement/Subsequent EIR

(Prior SCH No.) _____

Other: _____

NEPA: NOI EA Draft EIS FONSIOther: Joint Document Final Document Other: _____**Local Action Type:** General Plan Update General Plan Amendment General Plan Element Community Plan Specific Plan Master Plan Planned Unit Development Site Plan Rezone Prezone Use Permit Land Division (Subdivision, etc.) Annexation Redevelopment Coastal Permit Other: Hazard Mitigation**Development Type:** Residential: Units _____ Acres _____ Office: Sq.ft. _____ Acres _____ Employees _____ Commercial: Sq.ft. _____ Acres _____ Employees _____ Industrial: Sq.ft. _____ Acres _____ Employees _____ Educational: _____ Recreational: _____ Water Facilities: Type _____ MGD _____ Transportation: Type _____ Mining: Mineral _____ Power: Type _____ MW _____ Waste Treatment: Type _____ MGD _____ Hazardous Waste: Type _____ Other: No specific development proposed**Project Issues Discussed in Document:** Aesthetic/Visual Agricultural Land Air Quality Archeological/Historical Biological Resources Coastal Zone Drainage/Absorption Economic/Jobs Fiscal Flood Plain/Flooding Forest Land/Fire Hazard Geologic/Seismic Minerals Noise Population/Housing Balance Public Services/Facilities Recreation/Parks Schools/Universities Septic Systems Sewer Capacity Soil Erosion/Compaction/Grading Solid Waste Toxic/Hazardous Traffic/Circulation Vegetation Water Quality Water Supply/Groundwater Wetland/Riparian Growth Inducement Land Use Cumulative Effects Other: _____**Present Land Use/Zoning/General Plan Designation:**

Includes all land uses/zoning/General Plan designations within the City of Beverly Hills

Project Description: (please use a separate page if necessary)

See attached sheet.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".
If you have already sent your document to the agency please denote that with an "S".

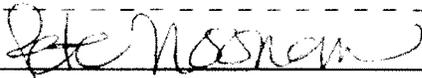
- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input checked="" type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input checked="" type="checkbox"/> Office of Historic Preservation |
| <input checked="" type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input checked="" type="checkbox"/> Caltrans District # <u>7</u> | <input checked="" type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Planning | <input checked="" type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input checked="" type="checkbox"/> Regional WQCB # <u>4</u> |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input checked="" type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input checked="" type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> State Lands Commission |
| <input checked="" type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input checked="" type="checkbox"/> Energy Commission | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input checked="" type="checkbox"/> Fish & Game Region # <u>5</u> | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input checked="" type="checkbox"/> Forestry and Fire Protection, Department of | <input checked="" type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input checked="" type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other: _____ |
| <input checked="" type="checkbox"/> Integrated Waste Management Board | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date October 4, 2011 Ending Date November 3, 2011

Lead Agency (Complete if applicable):

Consulting Firm: <u>AECOM</u>	Applicant: <u>City of Beverly Hills</u>
Address: <u>1420 Kettner Boulevard, Suite 500</u>	Address: <u>455 North Rexford Drive</u>
City/State/Zip: <u>San Diego, CA 92101</u>	City/State/Zip: <u>Beverly Hills, CA 90210</u>
Contact: <u>Yara Fisher</u>	Phone: <u>310.285.1127</u>
Phone: <u>619-233-1454</u>	

Signature of Lead Agency Representative:  Date: 10/03/2011

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Project Description

The project includes the adoption and implementation of two City of Beverly Hills (City) planning documents. The first is the 2008–2014 Housing Element of the City of Beverly Hills General Plan (General Plan). The second is the 2010–2015 Hazard Mitigation Action Plan (HMAP). Neither of the updated plans includes modifications to development patterns or changes in the pattern of land uses established in the General Plan. These plan updates also do not propose or contemplate specific development projects; however, goals and policies of the plans may result in future actions that could have environmental affects. The 2008–2014 Housing Element is attached as Appendix A and the HMAP is attached as Appendix B. Both plans are summarized below.

2008–2014 Housing Element

The 2008–2014 Housing Element is an update of the City’s 1998–2005 Housing Element of the General Plan. The Housing Element is a guide for expanding housing opportunities and services for all household types and income groups, and policy guidance for local decision–making related to housing. The City of Beverly Hills Housing Element details programs that the City intends to implement as a means of encouraging more affordably priced housing in the City and ensuring that the community’s housing needs are met. The updated Housing Element is consistent with the policies and programs set forth in the adopted General Plan.

State Housing Element law requires each city and county to identify and analyze existing and projected housing needs within their jurisdiction and to prepare goals, policies, and programs to encourage the development, improvement, and preservation of housing (Government Code Sections 65580–65589). Each city and county is required to develop local housing programs to meet its “fair share” of existing and future housing needs for all community members, as determined by the jurisdiction’s Council of Governments. The Regional Housing Needs Assessment (RHNA) is the minimum number of “adequate sites” for housing units each community is required to provide through zoning, and is one of the primary threshold criteria necessary to achieve approval from the State Department of Housing and Community Development. In total, per RHNA requirements, the City is required to plan for the creation of 554 new housing units during the 2006–2014 planning period, including 146 very–low–income units (half, or 73, units of which are for extremely low–income households), 113 low–income units, 117 moderate income units, and 178 above moderate–income units.

The City has developed the following numeric objectives for housing production, housing rehabilitation, and housing preservation based on the policies and programs set forth in the Housing Element, as shown in Table 1. The City’s quantified housing construction objective meets the RHNA allocation of 554 units, including carry–over from the prior planning period. The City will work toward meeting its RHNA through development of entitled projects and new units on multi–family infill sites, development of second units, and support of affordable housing through a

new Housing Trust Fund. No General Plan land use designation or zoning district changes are necessary to meet the RHNA requirements. The ability to achieve the RHNA allocation of 554 units can be met within the existing development capacity identified in the General Plan.

**Table 1
2008–2014 Summary of Quantified Housing Objectives**

Income Group	New Construction	Rehabilitation	Conservation
Extremely Low	73	-	75
Very Low	73	110	75
Low	113	110	-
Moderate	117	-	-
Above Moderate	178	-	-
Total	554	220	150

As directed by the updated Housing Element, the City would continue to provide sites for a mix of multi-family housing, supported by a variety of programs to enhance affordability to accommodate its RHNA and contribute toward addressing the growing demand for housing in the Southern California region.

The focus of this analysis is on those implementation programs that could change development standards from current standards and practices of the existing Housing Element or design review process. The implementation programs that could directly remove barriers to, or encourage the construction or redevelopment of, additional residential units within the City include:

- Imp 10.1 Density Bonus
- Imp 10.4 Second Units
- Imp 10.7 Partnerships with Affordable Housing Developers
- Imp 11.2 Senior Housing Development
- Imp 12.1 Zoning Text Amendments for Special Needs Housing
- Imp 12.2 Adjust Development Standards
- Imp 12.3 Reduced Fees for Affordable Housing

2010–2015 Hazard Mitigation Action Plan

The HMAP provides a required 5-year update to the existing plan adopted in 2004. Hazard mitigation, also known as prevention before the occurrence of a disaster, is now considered to be the first step in preparing for natural and human-made emergencies. The mission of the HMAP is to promote sound public policy and programs designed to protect the public, critical facilities, infrastructure, private and public property, and the environment from natural and human-made hazards. The HMAP provides a list of activities that may assist the City in reducing risk and preventing loss from future hazard events. The strategies address multi-hazard issues, as well as activities for earthquakes, wildfires, terrorism, earth movements, flooding, and wind

storms. By preparing this plan, the City is eligible for federal mitigation funding after disasters and can apply for mitigation grants before disasters strike. The mitigation strategies for each of the hazard issues are briefly summarized below.

Earthquake: Continue to require upgrades of existing unreinforced masonry buildings, offer assistance programs for older adults who need to seismically retrofit their homes, and establish more seismic data collection sampling stations within Beverly Hills.

Fire: Update existing City codes; increase water pressure and access to water in Zone 9 near Coldwater Canyon; educate residents regarding potential fire hazards of wood roofs; educate the community about “firewise” and “waterwise” plants; develop public education materials regarding vegetation management around homes; revise the zoning code to reflect General Plan permitted uses and development standards; design driveways and roadways to maintain fire department access; develop and educate residents about a City-wide evacuation route; and evaluate and implement recommendations of the Firewise Communities Program.

Terrorism: Conduct analysis of critical infrastructure areas and how each area interfaces with cyber or physical components if attacked and possible cascade affects; obtain a high-level security system to prevent cyber attacks on City systems and databases.

Flood: Update the City’s Urban Waster Master Plan and Capital Improvement Program, adopt state-of-the-art water monitoring systems, and continue to implement existing flood mitigation activities and programs; remove the locally designated flood ordinance.

Landslide: Conduct geotechnical investigation to update landslide hazard maps.

Windstorm: Continue to use the Street Tree Master Plan as a mechanism to eliminate structurally defective trees to minimize potential danger.

Multi-Hazard: Study cost-effective ways to offer a Citizen Emergency Response Team to the community; conduct periodic fire emergency management exercises with City personnel and surrounding jurisdictions; continue to update the City’s building and fire codes to reflect the highest and best available standards for seismic design; continue to coordinate with local jurisdictions and agencies in carrying out inspections, emergency response, enforcement, and site mitigation oversight of hazardous materials and waste; ensure joint effort and responsibility in emergency disaster management; educate the community on how to find information during a disaster; conduct disaster preparedness for all City commissions to be prepared to assist the City during a hazard event; conduct outreach to all City residents on how to properly store and secure hazardous materials; identify all possible medical facilities in the City that are capable of providing medical services during a hazard event.



1. **Project Title:** 2008–2014 Housing Element and 2010–2015 Hazard Mitigation Action Plan
2. **Lead Agency Name and Address:** City of Beverly Hills, 455 North Rexford Drive, Beverly Hills, CA 90210
3. **Contact Person and Phone Number:** Peter Noonan, AICP, 310–285–1127
4. **Project Location:** City of Beverly Hills, County of Los Angeles, California
5. **Project Sponsor's Name and Address:** City of Beverly Hills, 455 North Rexford Drive, Beverly Hills, CA 90210
6. **General Plan Designation:** The entirety of the land use designations in the City of Beverly Hills General Plan Land Use Map, which remain unchanged as a part of this project.
7. **Zoning:** The entirety of the zoning districts as set forth on the City of Beverly Hills Zoning Map, which remain unchanged as a part of this project.
8. **Project Description:**

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The focus of this analysis is on those implementation programs that could change development standards from current standards and practices of the existing Housing Element or design review process. Summarized below are the implementation programs that could directly remove barriers to, or encourage the construction or redevelopment of, additional residential units within the City.

Imp 10.1 Density Bonus

Modify the residential density bonus ordinance and promote the use of density bonus incentives through the City’s Affordable Housing Brochure.



Imp 10.4 Second Units

To further encourage the provision of second units, the Housing Element includes a program to evaluate modifications to its second unit ordinance:

- Greater flexibility in second unit standards in R-1 zones south of Santa Monica Boulevard
- Allowances for larger sized second units, of up to 1,000 square feet by right to reduce processing times and facilitate the provision of second units with bedrooms
- For second units built above a garage, allowance for an increase in the permitted height up to the height of the primary residence
- Allowances for reduced setback requirements where privacy is not compromised

Imp 10.7 Partnerships with Affordable Housing Developers

The City will initiate a partnership and continue to work with non-profit developers to assist in the development of housing affordable to extremely low and lower income senior households. The City will select a non-profit developer to develop an affordable senior housing project, and will support this effort through leveraging local Housing Trust Funds, assisting in the application for state and federal financial resources, facilitating project entitlement, and providing a package of incentives such as fee deferrals and relaxed development standards.

Imp 11.2 Senior Housing Development

The City intends to issue a Request for Qualifications (RFQ) and select a developer to build an affordable senior project (Imp 10.7), and will provide the following incentives to facilitate development:

- Flexible development standards
- Density bonuses
- City support in affordable housing funding applications
- Deferral/Reduction in development fees and waiver of any potential Conditional Use Permit fee
- Direct financial assistance through the Housing Trust Fund
- Project entitlement assistance

Imp 12.1 Zoning Text Amendments for Special Needs Housing

Amend the zoning code to make explicit provisions for a variety of special needs housing, including community care facilities with six or fewer occupants, transitional housing, supportive housing, and emergency shelters.

Imp 12.2 Adjust Development Standards

Certain development standards may have the effect of constraining the provision of certain housing types. The City will commit to reducing its minimum lot size requirements. The City will implement revisions to include, but not limited to, an evaluation of the following:

- Replacing the current density calculation for multi-family projects in the zoning code with a maximum floor area ratio
- Modifying development standards for single-lot projects
- Allowing greater flexibility in the type and location of multi-family parking



- Allowing the same number of units to be rebuilt on properties that have more units than currently would be allowed
- Providing additional incentives for workforce housing over and above those contained in the provisions of the State Density Bonus

Imp 12.3 Reduced Fees for Affordable Housing

The City will evaluate the economic benefit of providing waivers or reductions of certain fees for developments containing very low-, low-, and moderate-income housing units.

2010–2015 Hazard Mitigation Action Plan

The 2010–2015 HMAP provides a required 5-year update to the existing plan adopted in 2004. Hazard mitigation, also known as prevention before the occurrence of a disaster, is now considered to be the first step in preparing for natural and human-made emergencies. The mission of the HMAP is to promote sound public policy and programs designed to protect the public, critical facilities, infrastructure, private and public property, and the environment from natural and human-made hazards. The HMAP provides a list of activities that may assist the City in reducing risk and preventing loss from future hazard events. The strategies address multi-hazard issues, as well as activities for earthquakes, wildfires, terrorism, earth movements, flooding, and wind storms. By preparing this plan, the City is eligible for federal mitigation funding after disasters and can apply for mitigation grants before disasters strike. The mitigation strategies for each of the hazard issues are briefly summarized below.

Earthquake: Continue to require upgrades of existing unreinforced masonry buildings, offer assistance programs for older adults who need to seismically retrofit their homes, and establish more seismic data collection sampling stations within Beverly Hills.

Fire: Update existing City codes; increase water pressure and access to water in Zone 9 near Coldwater Canyon; educate residents regarding potential fire hazards of wood roofs; educate the community about “firewise” and “waterwise” plants; develop public education materials regarding vegetation management around homes; revise the zoning code to reflect General Plan permitted uses and development standards; design driveways and roadways to maintain fire department access; develop and educate residents about a City-wide evacuation route; and evaluate and implement recommendations of the Firewise Communities Program.

Terrorism: Conduct analysis of critical infrastructure areas and how each area interfaces with cyber or physical components if attacked and possible cascade affects; obtain a high-level security system to prevent cyber attacks on City systems and databases.

Flood: Update the City’s Urban Waster Master Plan and Capital Improvement Program, adopt state-of-the-art water monitoring systems, and continue to implement existing flood mitigation activities and programs; remove the locally designated flood ordinance.



Landslide: Conduct geotechnical investigation to update landslide hazard maps.

Windstorm: Continue to use the Street Tree Master Plan as a mechanism to eliminate structurally defective trees to minimize potential danger.

Multi-Hazard: Study cost-effective ways to offer a Citizen Emergency Response Team to the community; conduct periodic fire emergency management exercises with City personnel and surrounding jurisdictions; continue to update the City's building and fire codes to reflect the highest and best available standards for seismic design; continue to coordinate with local jurisdictions and agencies in carrying out inspections, emergency response, enforcement, and site mitigation oversight of hazardous materials and waste; ensure joint effort and responsibility in emergency disaster management; educate the community on how to find information during a disaster; conduct disaster preparedness for all City commissions to be prepared to assist the City during a hazard event; conduct outreach to all City residents on how to properly store and secure hazardous materials; identify all possible medical facilities in the City that are capable of providing medical services during a hazard event.

9. **Location, Plan Area, and Regional Access:** The City of Beverly Hills is surrounded by the City of West Hollywood to the northeast and the City of Los Angeles to the south, west, and north.

Location. The City is located in Los Angeles County, approximately 10 miles west of downtown Los Angeles and 6 miles east of the Pacific Ocean, as shown in Figure 1. The City extends into the southern foothills of the Santa Monica Mountains, which form the City's northern boundary. Surrounding communities in the City of Los Angeles are Bel Air and Westwood to the west, Hollywood and the Fairfax district to the east, and West Los Angeles and Century City to the southwest and south. The City of West Hollywood is located adjacent to the northeast.

Planning Area. The City covers 3,656 square acres or 5.7 square miles. The City's boundaries are shown in Figure 2. Beverly Hills is a built-out urban community with a central commercial core, civic center, established residential neighborhoods, parks, schools, and other community-serving facilities, and a well-developed public service and utility infrastructure. Opportunities for additional growth and development are limited and primarily confined to the redevelopment of existing developed properties.

Regional Access. Regional access is provided primarily by three freeways and four major arterials.

Freeways: The Santa Monica Freeway (Interstate 10 [I-10]) is located approximately 2 miles south of the City and runs east/west. The San Diego Freeway (Interstate 405 [I-405]) to the west and the Hollywood Freeway (Interstate 101 [I-101]) to the east of the City both run north/south. I-10 intersects I-405 approximately 2 miles west of the City.

Major Arterials: Wilshire Boulevard, North Santa Monica Boulevard, and Olympic Boulevard are major east/west arterials that link Beverly Hills to the coast, the Los Angeles Westside to the west, and the



Miracle Mile and downtown Los Angeles on the east. Coldwater and Benedict Canyons provide access to the City from the San Fernando Valley to the north.

10. **Environmental Setting:** The City is located in the middle of Los Angeles County and is a well established, urbanized community. The areas surrounding the City are generally highly urbanized. There is minimal natural area remaining and most of the City is developed with impervious urban surfaces. The majority of vegetation in the City is maintained landscaping. Generally, to construct a new building in the City, an existing structure must first be removed.

The City has more than 34,200 residents with a daytime population estimated to be 150,000 to 200,000. Approximately 90% of the City is zoned for residential use. Police, fire, water treatment, refuse collection, and other services are provided directly by the City. Beverly Hills has its own school district. Private automobiles are the dominant means of transportation in the region and within the City. Because the City is located in the middle of a large metropolitan area, a large number of buses and cars travel through the City each day on their way to bordering cities and regions.

The City is at the southern edge of the Santa Monica Mountain range and approximately 6 miles east of the Pacific Ocean. The City is characterized by rugged hillside areas to the north with relatively flat areas in the remainder of the City. The City is located within a region that is subject to high seismic activity. There are several active faults in or near the City. The City is located within the South Coast Air Basin and is situated within the Ballona Creek Watershed. Within the City, there are approximately 77 acres of developed parkland and close to 100 acres of open space area.

11. **Other Public Agencies whose Review/Approval Is Required:** (e.g., permits, financing approval, or participation agreement)

Approving Agency: The City of Beverly Hills is the approving agency. The State Department of Housing and Community Development is responsible for certification of the Housing Element. The Federal Emergency Management Agency (FEMA) has already approved the HMAP. No other agency approvals are required. The City is responsible for all future permits and approvals.

Reviewing Agencies: The following agencies will be sent a copy of this document at the commencement of the review period as a courtesy in the event they would like to provide comments. California Air Resources Board; California Highway Patrol; California Department of Transportation (Caltrans), District 7; Department of Conservation; Department of Education; California Energy Commission; California Department of Fish and Game, Region 5; Integrated Waste Management Board; Native American Heritage Commission; Office of Emergency Services; Office of Historic Preservation; Department of Parks and Recreation; Public Utilities Commission; Regional Water Quality Control Board (RWQCB), Region 4; Santa Monica Mountains Conservancy; State Water Resources Control Board: Water Quality; Department of Toxic Substances Control; Department of Water Resources, District 7; California Department of Forestry and Fire Protection (Cal Fire).



Figure 2
Vicinity Map



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

No environmental factors were found to be potentially affected.

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

DETERMINATION: (To be completed by the Lead Agency).

On the basis of this initial evaluation:

X	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation for the project will be made by or agreed to by the City and/or future project proponents. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Peter Noonan

Peter Noonan, AICP
Associate Planner

October 3, 2011

Date



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Introduction.

Neither the Housing Element nor the HMAP includes modifications to development patterns or changes in the pattern of land uses established in the General Plan. These plan updates also do not propose or contemplate specific development projects; however, goals and policies of the plans may result in future actions that could have environmental effects.

Environmental impacts have been evaluated in relation to the baseline of the physical environment as it currently exists in the City today. As allowed by the California Environmental Quality Act (CEQA), this document tiers off of the Negative Declaration and Environmental Initial Study for the Amendment and Policy Update of the City of Beverly Hills General Plan. As detailed in CEQA Section 15152, “Tiering” refers to using the analysis of general matters contained in a broader environmental impact report (EIR) (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects, incorporating by reference the general discussions from the broader EIR and concentrating the later EIR or negative declaration solely on the issues specific to the later project. The focus of the environmental analysis is on those elements of the plans that could change development standards from current standards and practices of the existing Housing Element or design review process, directly remove barriers to, or encourage the construction or redevelopment of, additional residential units within the City, or require other action as a result of a mitigation strategy that may result in an adverse environmental effect.

	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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1. AESTHETICS. Would the project:			
a)	Have a substantial adverse effect on a scenic vista?		X

There are no officially designated scenic vistas in the City; however, visual resources such as hillsides and ridgelines are visible from various properties and neighborhoods. The General Plan includes a policy in the Open Space element that states, “seek to protect scenic views and vistas from public places” (Policy OS 6.1) (City of Beverly Hills 2010a). The adoption and update of the Housing Element would provide implementation programs to allow for housing requirements in the City to be met, and would not modify development patterns or change the pattern of land uses established in the General Plan. The implementation programs would change some development standards and remove barriers to, or encourage the construction or redevelopment of, additional residential units; however, these changes would not be of the scale or magnitude to allow for development that may cause a substantial affect on the visual environment. Thus, because there are no designated scenic vistas in the City, and the Housing Element would not create or allow for substantial visual changes, the impact on scenic vistas would be **less than significant**.



The strategies in the HMAP are generally updates to codes, retrofitting existing structures for safety, disseminating public education, analysis of systems and infrastructure, and similar actions. The HMAP does not include actions that would create substantial visual changes to the existing aesthetic environment; thus, **no impact** to scenic vistas would result from adoption and implementation of the HMAP.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
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There are currently no designated state scenic highways in the City, and the Scenic Highway Element was removed from the General Plan when it was updated in 2010. Because the City is generally built-out, and most construction is generally redevelopment of existing developed property, there is limited potential to damage scenic resources such as trees, rock outcroppings, and other scenic elements. Therefore, because there are no designated scenic highways in the City, and the Housing Element would not create or allow for substantial visual changes, there would be **no impact** to scenic resources from a state scenic highway.

As described in 1a above, the HMAP does not include actions that would create substantial visual changes to the existing aesthetic environment. Because there are no designated scenic highways in the City, and no substantial visual impacts would result from the HMAP, **no impact** to scenic resources from a state scenic highway would result.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
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The City of Beverly Hills is a well established, urbanized area. New development or redevelopment are required to be consistent with the General Plan standards and policies addressing aesthetic quality, and are subject to a thorough design review process prior to permitting, ensuring project compatibility with the existing visual setting. Visual character may be altered with new development as a result of the Housing Element implementation policies, such as the addition of a second unit to a property or the development of a senior living community. However, required adherence to City design guidelines and policies would ensure that visual character and quality of the surrounding community is maintained. Thus, a **less than significant impact** to visual character and quality would result from implementation of the Housing Element.

As described in 1a above, the HMAP does not include actions that would create substantial visual changes to the existing aesthetic environment. Visual character and quality of the City would not be adversely affected by the mitigation strategies and **no impact** would result.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
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The City is generally built-out with urban development, including commercial and residential uses that generate a significant amount of ambient light. Sources of light and glare include glass building facades, building signage, security lighting, streetlights, parking lot lighting, and automobile headlights. Policy LU 12.2 of the



Land Use Element of the General Plan requires that properties in commercial and office districts be designed with non-glare external lighting (City of Beverly Hills 2010b). The City Municipal Code regulations require that light be shielded and confined within site boundaries to prevent spillage (Section 10-4-314 of the City’s Municipal Code—Lighting of Premises). In addition, Section 10-3-3104 (Standard Review of Development Plan Review) of the City’s Municipal Code requires that development applications be reviewed to ensure that light and glare, among other potential impacts, would not create any significant adverse effects on neighboring properties. Some new light and glare sources may be associated with housing development that would result from implementation of the Housing Element, such as outside security lighting or landscape lighting. However, all new or redevelopment would be required to adhere to City policies and codes to minimize potential lighting issues and glare. As future projects come forward, they will be reviewed for consistency with these requirements. Thus, implementation of the Housing Element would have a **less than significant impact** on day and nighttime views due to creation of light or glare.

As described in 1a above, the HMAP does not include actions that would create new sources of light or glare. For this reason, the HMAP would have **no impact** on day or nighttime views due to creation of light or glare.

e) Create a new source of shade or shadow that would adversely affect shade/shadow sensitive structure or uses?			X	
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The creation of shadows and the resultant shading of nearby land and buildings are not formally regulated in the City planning documents. The Beverly Hills Zoning Code addresses visual effects in sections that set standards for building construction, height, setback, landscaping, lighting, and signage, although the Zoning Code does not directly address shadow creation or shading. As future projects come forward, they will be reviewed for consistency with these requirements. No changes are proposed in existing land use classification or developable areas. Therefore, only minor changes in shading and shadow are anticipated with projects that may add a second unit or other new structure as a result of the policies of the Housing Element. Thus, **less than significant impacts** related to shade or shadow would result from implementation of the Housing Element.

As described in 1a above, the HMAP does not include actions that would enlarge or expand structures that might generate shade or shadows. For this reason, the HMAP would have **no impact** on shade/shadow sensitive structures or uses.

2. AGRICULTURE AND FOREST RESOURCES. Would the project:
(In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board.)



a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?				X
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The City is almost entirely built-out, and there is minimal land that is not already in urban use. There is no Prime Farmland, Unique Farmland, or Farmland of Statewide importance. The City is located outside of the survey area of the Farmland Mapping and Monitoring Program (California Department of Conservation 2009). Thus, there would be **no impact** from implementation of either the Housing Element or HMAP.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?				X
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There is no zoning for agricultural use in the City, and there are no Williamson Act contracts (City of Beverly Hills 2008). There would be **no impact** on zoning for agricultural use from implementation of either the Housing Element or HMAP.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?				X
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There is no zoning for forest land or timberland in the City (City of Beverly Hills 2008). There would be **no impact** on zoning of forest land or timberland from implementation of either the Housing Element or HMAP.

d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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There is no forest land in the City, as it is almost entirely built-out and there is minimal land that is not already in urban use. There would be **no impact** regarding the loss of forest land from implementation of either the Housing Element or HMAP.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X
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There is no farmland in the City, and the areas surrounding the jurisdiction of the City are also developed with urban uses. There would be **no impact** regarding the conversion of agricultural land or forest land from implementation of either the Housing Element or HMAP.



3. AIR QUALITY. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	

The project site is located within the Los Angeles County Air Basin and is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD is responsible for preparing the Regional Air Quality Management Plan (AQMP), which helps direct the regions into compliance with national and state clean air standards. The 2007 AQMP is the most recent plan prepared by SCAQMD, and projects are considered to be consistent with the AQMP if they do not result in the exceedance of AQMP growth estimates and would not jeopardize attainment of the air quality levels identified in the AQMP. The Housing Element does not include specific development projects, but facilitates new development to comply with RHNA requirements. Implementation of the Housing Element would not modify development patterns or change the pattern of land uses established in the General Plan. Development resulting from the Housing Element is not beyond the existing available development capacity or growth anticipated in the General Plan and, thus, would be considered consistent with the AQMP, as the growth was accounted for in the AQMP growth projections.

Additionally, any future development projects would have to be assessed at the time of project proposal to show consistency with the most recent version of the AQMP. Projects would be evaluated for construction and operational impacts to air quality plans, standards, and sensitive receptors. For the reasons outlined above, implementation of the Housing Element would not conflict with or obstruct implementation of the applicable air quality plan and impacts would be **less than significant**.

The HMAP does not include actions that would necessitate substantial construction or other development activities that might generate air quality emissions that could conflict with or obstruct the implementation of the AQMP. For this reason, implementation of the HMAP would result in a **less than significant impact**.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
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New development anticipated in the Housing Element would generate emissions from construction activities, including equipment, worker vehicle trips, site preparation, and construction. Operational emissions would occur through mobile sources, such as increased vehicle trips, and stationary sources, such as natural gas and electricity use and wood-burning fireplaces.

As described above, implementation of the Housing Element would not modify development patterns or change the pattern of land uses established in the General Plan. Development resulting from the Housing Element is not beyond the growth anticipated in the General Plan, and would not result in additional emissions above levels that have been previously considered.

Additionally, to minimize construction- and operation-related air quality impacts, future development projects would be required to comply with applicable SCAQMD regulations, including the following:



- Rule 1113: Architectural Coatings, to reduce volatile organic compounds
- Rule 403: Fugitive Dust, to reduce dust generated during construction

At the local level, in 2011, the City adopted the State of California’s Green Building Code (known as Calgreen). In adopting the Calgreen building code, the state’s code was modified to preserve the City’s original green building program. The City’s modifications of Calgreen include requiring new multi-family and commercial buildings to be constructed to 15% greater energy efficiency than the state’s Energy Code (Title 24), and to include solar energy collection systems. Further, the Housing Element includes policies and implementation programs that seek to minimize air quality impacts. The Housing Element proposes that new development be infill and has a policy that promotes development near transit stops and anticipated transit stations (H 2.8). Infill development and development near transit generally results in lower vehicle miles traveled and, therefore, fewer exhaust emissions. Implementation programs 9.4, “Home Repair and Improvement,” and 10.6, “Sustainability and Green Building,” promote energy efficiency, which would lower emissions associated with energy consumption. It is expected that air quality may improve with implementation of the above-mentioned policies. For these reasons, implementation of the Housing Element would not violate any air quality standard or contribute substantially to an existing or projected air quality violation, and impacts would be **less than significant**.

The HMAP does not include actions that would necessitate substantial construction or other development activities that might generate air quality emissions that could violate any air quality standard or contribute substantially to an existing or projected air quality violation. For this reason, implementation of the HMAP would result in a **less than significant impact**.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in a state of non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
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The Los Angeles County Air Basin is currently designated as non-attainment for ozone, carbon monoxide (CO), and particulate matter (PM₁₀ and PM_{2.5}). As described above, implementation of the Housing Element would not modify development patterns or change the pattern of land uses established in the General Plan. Development resulting from the Housing Element would not be beyond the growth anticipated in the General Plan and would not result in additional emissions above levels that have been previously considered. Additionally, the Housing Element includes policies and implementation programs that promote minimizing air quality impacts, as outlined in 3b, above. For these reasons, implementation of the Housing Element would not result in a cumulatively considerable net increase of any criteria pollutant, and impacts would be **less than significant**.

The HMAP does not include actions that would necessitate substantial construction or other development activities that might generate air quality emissions that could result in a cumulatively considerable net increase of any criteria pollutant. For this reason, implementation of the HMAP would result in a **less than significant impact**.



d) Expose sensitive receptors to substantial pollutant concentrations?			X	
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Implementation of the Housing Element would not modify development patterns or change the pattern of land uses established in the General Plan; thus, it would not place sensitive receptors in new areas or different areas that may be subject to substantial pollutant concentrations. As described above for 3a and 3b, implementation of the Housing Element would not generate substantial air emissions that could affect sensitive receptors. Additionally, air quality pollutants may be reduced due to the policies and requirements listed in 3b. For these reasons, the Housing Element would not expose sensitive receptors to substantial pollutant concentrations, and the impact would be **less than significant**.

The HMAP does not include actions that would necessitate substantial construction or other development activities that might generate air quality emissions that could violate any air quality standard or contribute substantially to an existing or projected air quality violation. For this reason, implementation of the HMAP would result in a **less than significant impact**.

e) Create objectionable odors affecting a substantial number of people?			X	
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The development of residential housing would generate typical construction-related odors such as diesel exhaust and architectural coatings. These temporary odors are generally not considered to be highly offensive and would be limited to people in the immediate construction area. As is typical of residential developments, operation of the housing units would not generate objectionable odors. Thus, implementation of the Housing Element would not create objectionable odors that would affect a substantial number of people, and the impact would be **less than significant**.

The HMAP does not include actions that would necessitate substantial construction or other development activities that might generate odors. For this reason, implementation of the HMAP would result in a **less than significant impact** regarding odor generation.

4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	

Lands in the City are largely urbanized and contain few significant biological resources. There is minimal natural area remaining, and the majority of vegetation in the City is maintained landscaping. Areas that may provide habitat for special-status species are primarily located in the chaparral areas in the Santa Monica Mountains north of Sunset Boulevard. Within the Open Space Element of the General Plan, Figure OS2 shows that the California Natural Diversity Database indicates that one plant species, Braunton's milk vetch,



and two wildlife species, coast horned lizard and hoary bat, have the potential to occur within the City's jurisdiction (City of Beverly Hills 2010a). The Housing Element would provide implementation programs to allow for housing requirements in the City to be met, and would not modify development patterns or change the pattern of land uses established in the General Plan. The implementation programs would change some development standards and remove barriers to, or encourage the construction or redevelopment of, additional residential units; however, any resulting development would likely occur on properties with existing development or be a reuse of an existing development. As future projects come forward, they will be reviewed for consistency with federal, state, and local policies addressing special-status species. Because there is minimal natural land or habitat within the City to support sensitive biological resources, and development as a result of the implementation policies in the Housing Element would generally result in modifications to existing development or reuse of urbanized properties, there would be a **less than significant impact** to special-status species.

The mitigation strategies in the HMAP generally include updates to codes, retrofitting existing structures for safety, disseminating public education, analysis of systems and infrastructure, and similar type actions. The HMAP does not include actions that would necessitate substantial construction or other development activities that might adversely affect sensitive biological resources. For this reason, implementation of the HMAP would result in a **less than significant impact** to special-status species.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
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There are no riparian or sensitive habitats that are known to occur in the City. There is minimal natural area remaining, and the majority of vegetation in the City is maintained landscaping; other areas are covered with hard urban surfaces. Within the Open Space Element of the General Plan, Figure OS2 shows that the California Natural Diversity Database identifies three sensitive vegetation communities within 5 miles of the City: California walnut woodland, southern coast live oak riparian forest, and southern sycamore alder riparian woodland. None of these sensitive vegetation communities are located within or adjacent to the City. Therefore, implementation of the Housing Element would have **no impact** on riparian or other sensitive natural communities.

Similarly, because there are no riparian or sensitive habitats that are known to occur in the City, implementation of the HMAP would have **no impact** on riparian or other sensitive natural communities.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
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The majority of the City is developed with urban uses with minimal natural surfaces. Based on the U.S. Fish and Wildlife Service National Wetland Inventory, there are no known wetlands within or adjacent to the City



(USFWS 2011). Therefore, implementation of the Housing Element would have **no impact** on federally protected wetlands.

Similarly, because there are no riparian or sensitive habitats that are known to occur in the City, implementation of the HMAP would have **no impact** on federally protected wetlands.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.			X	
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Although some local movement of wildlife would be expected to occur through the canyons and greenbelts within the City, the majority of the area is developed with urban uses and has little or no potential to support local migratory movement or wildlife nursery sites due to the highly urbanized nature of the City and surrounding areas. Implementation policies of the Housing Element would change some development standards and remove barriers to, or encourage the construction or redevelopment of, additional residential units. However, any resulting development would likely occur within existing developed properties, and no expansion or change to the existing developable areas would occur, thus minimizing the potential to interfere with a wildlife corridor. Additionally, the Open Space Element of the General Plan states in Policy OS 1.1, "Encourage new development on hillsides and in canyon areas to preserve natural land formations and native vegetation, and to set aside areas as greenbelts and wildlife corridors when feasible" (City of Beverly Hills 2010a). New or redevelopment would be subject to this policy addressing wildlife corridors. For these reasons, implementation of the Housing Element would not substantially interfere with wildlife corridors or wildlife nursery sites, and a **less than significant impact** would result.

Similarly, for the reasons outlined above, implementation of the HMAP would not substantially interfere with wildlife corridors or wildlife nursery sites, and a **less than significant impact** would result.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
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Implementation of the Housing Element would be subject to all applicable federal, state, regional, and local policies and regulations related to the protection of important biological resources. Specifically, any development resulting from the implementation programs of the Housing Element would be required to comply with the following policies and regulations:

- *Federal Endangered Species Act*
- *Federal Migratory Bird Treaty Act*
- *California Endangered Species Act*
- *California Fish and Game Code*
- *California Environmental Quality Act* — Treatment of Listed Plant and Animal Species
- *City of Beverly Hills Municipal Code* — Regulations of Trees on Private Property
- *City of Beverly Hills Open Space Element* — Natural and Open Space Protection



The updated Housing Element does not include changes in land use or allowable development areas, and future development would be required to comply with the provisions of federal, state, regional, and local laws, regulations, and plans. Further, all existing policies related to protection and preservation of biological resources in the City would remain in place. For these reasons, implementation of the Housing Element would not conflict with plans or policies protecting biological resources, and a **less than significant impact** would result.

Similarly, for the reasons outlined above, implementation of the HMAP would not conflict with plans or policies protecting biological resources, and a **less than significant impact** would result.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, and other approved local, regional, or state habitat conservation plan?				X
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There is no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan that applies to the City. Thus, implementation of the Housing Element would not conflict with such plans, and **no impact** would result.

Similarly, implementation of the HMAP would not conflict with such plans, and **no impact** would result.

5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			X	

The Historic Preservation Element of the General Plan states that there are six properties in Beverly Hills that are listed on the National Register of Historic Places (National Register): one residence, two public parks, two commercial properties, and one government property, as well as one additional site that is eligible, but not listed on the National Register. In addition, the Historic Resource Inventory compiled by the City in 1985/1986 includes 371 properties, 53 of which were designated 3 or higher by the State Office of Historic Preservation's rating scale. Since the compilation of the inventory, three additional sites were listed on the California Register of Historical Resources that were rated 3 or higher, bringing the number of sites designated 3 or higher within the City to 56. The Historic Resource Inventory has not been adopted by the City as a local register, but it serves as a guide to potentially significant historic properties that may have historic or cultural significance to the City (City of Beverly Hills 2010c). The Historic Preservation Element contains goals and policies aimed at protecting the City's historic resources, including HP1, which is to value and preserve significant cultural resources, and HP2, which is promotion of the City's historic resources.

Implementation policies of the Housing Element would change some development standards and remove barriers to, or encourage the construction or redevelopment of, additional residential units. It is possible that new or redevelopment could affect a historic resource within the City. However, all development would be required to adhere to regulations protecting historic resources, such as the National Historic Preservation Act, CEQA, local General Plan policies, and review by the Beverly Hills Architectural Commission acting as the City's Landmarks Advisory Commission. Compliance with these and other regulatory requirements would minimize the potential for development to cause a substantial adverse change in the significance of a historic



resource. Thus, a **less than significant impact** would result.

The HMAP does not include actions that would necessitate substantial construction or other development activities that might adversely affect historic resources. Similar to the analysis of the Housing Element, implementation of the HMAP would not cause a substantial adverse change in the significance of a historic resource, and a **less than significant impact** would result.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			X	
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Ground-disturbing activities, particularly in areas that have not previously been excavated, have the potential to damage or destroy historic or prehistoric archaeological resources that may be present on or below the ground surface. Implementation programs of the Housing Element may result in new or redevelopment requiring excavation into previously undisturbed areas. This ground disturbance could have the potential to impact an unknown archeological resource. However, the Historic Preservation Element of the General Plan provides a requirement to protect archeological resources during construction activities. Policy HP 1.8 of the Historic Preservation Element states, "Temporarily suspend all earth-disturbing activity within 100 feet of a potential resource if any such resources are discovered during construction-related earth-moving activities to assess the significance of the find, and require appropriate mitigation before work" (City of Beverly Hills 2010c). Required adherence to this policy would reduce the potential for an adverse change to an unknown archaeological resource during ground-disturbing activities by halting work if a resource is discovered. Thus, resulting development from implementation of the Housing Element would have a **less than significant impact** regarding an adverse change in the significance of an archeological resource.

The HMAP does not specifically include actions that would necessitate substantial construction or other development activities that may require excavation into previously undisturbed ground. Similar to the analysis of the Housing Element, any construction associated with implementation of the HMAP would be required to comply with Historic Preservation Element Policy HP 1.8 and, thus, would not cause a substantial adverse change in the significance of an archeological resource; a **less than significant impact** would result.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
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Paleontological resources may be present in fossil-bearing soils and rock formations below the ground surface. Ground-disturbing activities in fossil-bearing soils and rock formations have the potential to damage or destroy paleontological resources that may be present below the ground surface. Therefore, construction-related and earth-disturbing actions could damage or destroy fossils in these rock units. Implementation programs of the Housing Element may result in new or redevelopment requiring excavation into previously undisturbed rock units. This disturbance could have the potential to impact an unknown paleontological resource. However, the Historic Preservation Element of the General Plan provides a requirement to protect archeological resources during construction activities. Policy HP 1.9 of the Historic Preservation Element states, "In the event that excavation reveals any paleontological resources, suspend earth-disturbing work until the resource is evaluated. Allow work to resume only after the find has been appropriately mitigated" (City of Beverly Hills 2010c). Required adherence to this policy would reduce the potential for an adverse change to an unknown



paleontological resource during ground-disturbing activities by halting work if a resource is discovered. Thus, resulting development from implementation of the Housing Element would have a **less than significant impact** regarding unique paleontological resources.

The HMAP does not specifically include actions that would necessitate substantial construction or other development activities that may require excavation into previously undisturbed rock units. Similar to the analysis of the Housing Element, any construction associated with implementation of the HMAP would be required to comply with Historic Preservation Element Policy HP 1.9 and, thus, would result in a **less than significant impact** regarding unique paleontological resources.

d) Disturb any human remains, including those interred outside of formal cemeteries?			X	
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Human burials outside of formal cemeteries often occur in prehistoric archeological contexts. Although the majority of the City is built-out and has been previously disturbed, the potential still exists for these resources to be present. Although human remains are not expected to be found, new ground disturbance during construction resulting from implementation programs of the Housing Element could potentially disturb unknown human remains. If human remains are encountered during grading and excavation, State Health and Safety Code Section 7050.5 requires that no further disturbance occurs until the County Coroner has made a determination of origin and disposition, pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the County Coroner will notify the Native American Heritage Commission (NAHC), who will notify a Most Likely Descendent (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. The MLD will complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. Adherence to these required regulations would reduce any potential impact related to the discovery of human remains to **less than significant**.

The HMAP does not specifically include actions that would necessitate substantial construction or other development activities that may require excavation into previously undisturbed ground. However, if ground disturbance is necessary, similar to the analysis of the Housing Element, adherence to the regulations detailed above would reduce any potential impact related to the discovery of human remains to **less than significant**.

6. GEOLOGY AND SOILS. Would the project				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (<i>Refer to Division of Mines and Geology Special Publication 42</i>)			X	



The City of Beverly Hills is located in the Los Angeles Basin at the southern edge of the Transverse Range in an area exposed to risk from multiple earthquake fault zones. The Alquist-Priolo Earthquake Fault Zoning Map does not show a known earthquake fault located within the City (California Department of Conservation 1986). However, the Safety Element of the General Plan identifies several active faults in or near the City, including the Hollywood and Santa Monica Faults, which converge within the City, and the Newport-Inglewood Fault, located approximately 2 miles south of the City (City of Beverly Hills 2010d). Each fault has the potential to generate moderate to large earthquakes that could cause rupture and ground shaking in Beverly Hills and nearby communities.

The Housing Element includes implementation programs that would change some development standards and remove barriers to, or encourage the construction or redevelopment of, additional residential units, but it would not modify land use or allowable development areas. The Safety Element of the General Plan includes Policy S5.1, which requires all new development and redevelopment to be in compliance with seismic and geologic hazard safety standards. Additionally, required adherence to regulatory codes, such as the Uniform Building Code (UBC) and California Building Code (CBC), would ensure that all new or redevelopment would be built to adequately withstand seismic activity through proper engineering and design. Required adherence to these regulatory standards would limit any potential adverse effects to people or structures due to fault rupture, and the potential impact would be **less than significant**.

The HMAP provides specific strategies to prevent damage from the rupture of an earthquake fault. The strategies work toward providing safety measures to protect the public, critical facilities, infrastructure, private and public property, and the environment from natural and built hazards before the occurrence of a disaster. Specific to earthquake-related disasters, the HMAP would continue to require upgrades of existing unreinforced masonry buildings, provide assistance programs for older adults who need to seismically retrofit their homes, and establish more seismic data collection sampling stations within the City. No specific project is proposed that would expose people or structures to substantial hazards from rupture of a known fault, and the HMAP strategies would serve to better protect the community from seismic-related hazards. Thus, **no impact** from fault rupture would result.

ii) Strong seismic ground shaking?			X	
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The description of the seismic setting of the City provided in 6ai, above, is applicable to the analysis of strong seismic ground shaking. Similar to the discussion above, Housing Element implementation programs may result in the construction or redevelopment of additional residential units that would be subject to seismically induced ground shaking. However, required adherence to regulatory codes, such as the Safety Element of the General Plan, UBC, and CBC, would ensure that all new and redevelopment would be built to adequately withstand seismic ground shaking through proper engineering and design. Required adherence to these regulatory standards would limit any potential adverse effects to people and structures due to ground shaking, and the potential impact would be **less than significant**.

The HMAP provides specific strategies to prevent damage from earthquake activity. As described above in 6ai, specific earthquake-related mitigation strategies would work toward protecting the public from hazards due to earthquakes. No specific project is proposed that would expose people and structures to substantial hazards



from seismically induced ground shaking, and the HMAP strategies would serve to better protect the community from seismic-related hazards. Thus, **no impact** from seismic ground shaking would result.

iii) Seismic-related ground failure, including liquefaction?			X	
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Liquefaction results from the loss of soil strength due to a sudden increase in pore water pressure during shaking. Liquefaction causes foundations of structures to move, leading to varying degrees of structural damage. Figure S4 of the Safety Element of the General Plan identifies a portion of the City, mainly along the southeastern boundaries and in the very northern portion of the City within the foothills, to be subject to liquefaction. Most of the areas subject to liquefaction are already developed with existing urban uses, such as residential and commercial development. The City's proximity to active seismic faults creates a high potential for liquefaction to occur. The actual hazard posed at any given site within the liquefaction zone is dependent on the type of building foundation, structural design, and the as-graded compaction coefficient of the soil on which the structure is built. Any new or redevelopment resulting from implementation programs of the Housing Element would be required to adhere to regulatory codes such as the UBC and CBC; this would ensure that all new development would be designed and built to adequately avoid potential liquefaction hazards. This would limit any potential adverse effects to people or structures due to liquefaction, and the potential impact would be **less than significant**.

The HMAP does not provide a specific measure to address liquefaction hazards. However, the mitigation strategies outlined to prevent damage from earthquake activity would also reduce liquefaction hazards, as liquefaction often results from seismic activity. The upgrades of existing unreinforced masonry buildings and assistance programs to seismically retrofit homes would reduce potential liquefaction hazards to structures and residents. No specific project is proposed that would expose people or structures to substantial hazards from liquefaction, and the HMAP strategies would serve to better protect the community from these hazards. Thus, **no impact** from liquefaction would result.

iv) Landslides?			X	
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As described in the Safety Element of the General Plan, landslides in the City are often associated with earthquakes, but other factors may also influence their occurrence, including the slope, the moisture content of the soil, and the composition of the subsurface geology. Heavy rains or improper grading may trigger a landslide. As shown in Figure S4 of the Safety Element of the General Plan, a portion of the City's hillside areas, north of Sunset Boulevard, are susceptible to landslides (City of Beverly Hills 2010d). The Housing Element implementation programs may result in the construction or redevelopment of additional residential units that would be subject to landslide hazards if located in areas of steep slopes such as those in the northern limits of the City. However, required adherence to regulatory codes, such as the UBC, CBC, and other grading requirements, would ensure that all new or redevelopment would be built to avoid landslide hazards through proper engineering and design. Required adherence to these regulatory standards would limit any potential adverse effects to people or structures due to landslides, and the potential impact would be **less than significant**.



The HMAP provides specific strategies to prevent damage from landslides. The mitigation strategy includes geotechnical investigations to update landslide hazard maps. By investing the potential for landslides and updating the landslide hazard map, the City could better anticipate areas subject to landslide hazards and take necessary precautions with new or redevelopment in those areas, as well as consider preventive measures for existing development. No specific project is proposed that would expose people or structures to substantial hazards from landslides, and the mitigation strategy would serve to better protect the community from landslide hazards. Thus, **no impact** from landslides would result.

b) Result in substantial soil erosion or the loss of topsoil?			X	
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Topsoil is the very uppermost layer of soil and has the highest concentration of organic matter and microorganisms, making it very fertile and valuable for plant growth. Soil erosion can occur when the soil layer is left exposed to wind or water and is not held in place through means such as vegetation or other stabilization methods. Since most of the City is built-out, and most surfaces are covered with urban uses or landscaping, there is minimal potential for substantial soil erosion or loss of topsoil. During construction, ground-disturbing activities can result in potential erosion; however, construction projects that are more than 1 acre in size are required to prepare a Storm Water Pollution Prevention Plan to prevent erosion and sedimentation of storm water, as required by the City’s Storm Water Program (City of Beverly Hills 2011a). Compliance with this and other erosion-reducing requirements, such as the General Construction Permit issued by the State Water Resources Control Board, would minimize erosion impacts from future development projects that may result from implementation of the Housing Element; therefore, a **less than significant impact** would result.

The HMAP does not specifically include actions that would necessitate substantial construction or other development activities that may result in ground disturbance and potential soil erosion. However, if ground disturbance were necessarily, similar to the analysis of the Housing Element, adherence to the regulations detailed above would reduce any potential impact related to loss of topsoil or substantial soil erosion to **less than significant**.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
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Lateral spreading occurs as a result of liquefaction. As such, liquefaction-prone areas could also be susceptible to lateral spreading. The City has experienced limited subsidence over the years; however, it is still a potential hazard within the City (City of Beverly Hills 2010d). Individual properties within the City may be developed or redeveloped as a result of implementation programs of the Housing Element, and it is possible that unstable soil conditions may exist within future development or redevelopment sites that could cause hazards or damage related to lateral spreading, subsidence, liquefaction, or collapse. However, unstable soil conditions would be controlled through proper engineering and adherence to required building standards, such as City construction codes and standards, the UBC, and the CBC. Therefore, any unstable soil impacts associated with implementation of the Housing Element would be **less than significant**.



The HMAP does not specifically include actions that would necessitate substantial construction or other development activities that may result in hazards due to unstable soil conditions. However, if construction were necessary, similar to the analysis of the Housing Element, adherence to the regulations detailed above would reduce any potential impact related to unstable soil conditions to **less than significant**.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
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Soils that expand when exposed to water are considered expansive soils. Expansion and contraction of soils can cause structural damage to foundations and roads without proper structural engineering. Clay soils in Beverly Hills have potential for expansion and would swell and shrink with changes in moisture content (City of Beverly Hills 2010d). The City requires a site-specific foundation investigation and report for any new development that identifies potentially unsuitable soil conditions and contains appropriate recommendations for foundation type and design criteria that conform to the analysis and implementation criteria described in the City's Building Code. Individual properties within the City may be developed or redeveloped as a result of implementation programs of the Housing Element, and it is possible that expansive soil conditions may exist within future development or redevelopment sites that could cause hazards or damage. However, expansive soil conditions would be controlled through proper engineering and adherence to required building standards, such as City construction codes and standards, the UBC, and the CBC. Therefore, any impacts from expansive soils associated with implementation of the Housing Element would be **less than significant**.

The HMAP does not specifically include actions that would necessitate substantial construction or other development activities that may result in hazards due to expansive soil conditions. However, if construction were necessary, similar to the analysis of the Housing Element, adherence to the regulations detailed above would reduce any potential impact related to expansive soils to **less than significant**.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
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The City of Beverly Hills is almost entirely built-out with established utility services, including sewer systems. The use of septic tanks or alternative waste water disposal systems are not anticipated with any future project that may result from the implementation programs of the Housing Element, as new or redevelopment would likely not expand to areas not served by sewer systems. Thus, implementation of the Housing Element would have **no impact** relative to the use of septic tanks or other waste water disposal methods.

The HMAP does not include actions that would necessitate development that would rely on septic tanks or other waste water disposal methods. Thus, **no impact** would result.



7. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	

The Housing Element does not contain specific development projects, but is intended to facilitate equitable housing in the City through compliance with RHNA requirements. The Housing Element does not change any land use designations or areas of development to meet these requirements. Rather, the Housing Element focuses on housing infill, rehabilitation, and conservation. New development could result in 554 new housing units within the City. Although most development typically results in increased energy consumption, vehicular travel, water consumption, and waste production, infill development provides an opportunity for the development to occur in areas located near transit or near employment centers. These types of infill projects provide residents with more feasible transportation alternatives such as public transit, walking, biking, and carpooling, which reduce regional greenhouse gas (GHG) emissions.

The state has not adopted thresholds for what would constitute a significant impact for GHG, but the CEQA Guidelines allow a lead agency to consider thresholds previously adopted or recommended by other agencies. The City does not currently have adopted thresholds of significance for GHG emissions. The City is located within the jurisdiction of the SCAQMD, which, in 2008, released “Interim GHG Emissions Significance Thresholds” (SCAQMD 2008). SCAQMD’s interim guidance suggests a tiered approach to determining significance, with Tier 3 including quantitative thresholds for industrial, commercial, and residential projects. The threshold for industrial projects is 10,000 metric tons (MT) of carbon dioxide equivalent per year (CO₂e/yr), and the threshold for residential and commercial projects is 3,000 MT CO₂e/yr. Since 2008, SCAQMD has proposed revisions to these thresholds (SCAQMD 2010). The Tier 3 proposed screening threshold for residential projects was revised to 3,500 MT CO₂e/yr. If a project generates GHG emissions lower than the threshold, it may be considered less than significant. If a project’s GHG emissions exceed the threshold, mitigation measures must be identified to reduce GHG emissions to a less-than-significant level. Tier 4 recommends using performance standards to evaluate a project’s GHG impact. SCAQMD has suggested an efficiency threshold of 6.6 MT CO₂e/yr per service population (SP) (employees plus residents) for plan-level thresholds, and 4.8 MT CO₂e/yr per SP for project-level documents. This is a plan-level document; thus, if the Housing Element’s GHG efficiency is less than the 2020 GHG efficiency threshold of 6.6 MT CO₂e/yr per SP by 2020, it would not conflict with existing plans intended to lower GHG emissions, such as the Assembly Bill (AB) 32 Scoping Plan, and the impact would be **less than significant**.

GHG emissions can occur during both the construction phase of a project and the operational phase. These two phases are discussed below.

Construction Emissions

The Housing Element does not include specific development projects; however, full implementation of the Housing Element could result in increased emissions through construction and operation of additional housing units. Estimation of emissions resulting from full implementation was conducted using CalEEMod, a California land-use emissions computer model developed by SCAQMD that quantifies potential criteria pollutants and GHG emissions associated with land-use projects.



Construction-related GHG exhaust emissions would be generated by sources such as heavy-duty off-road equipment, trucks hauling materials to the site, and worker commutes. Total construction emissions for full implementation of the Housing Element were estimated using CalEEMod. Emissions related to construction were estimated to be approximately 2,560 MT CO₂e. Construction emissions are considered finite and, in SCAQMD's Interim Guidance, construction emissions are amortized over 30 years, leading to an annual rate of 85 MT CO₂e/yr.

Operational Emissions

Operational emissions were calculated using the CalEEMod model as described for construction emissions. According to the Southern California Association of Governments (SCAG), the average household size in Beverly Hills in 2010 was 2.4 occupants (SCAG 2011). Therefore, full implementation of the Housing Element could lead to a maximum of approximately 1,330 additional residents. RHNA housing units have higher occupancy rates, but 2.4 residents per household would be considered a conservative estimate. No additional jobs would be expected as a result of the Housing Element; therefore, the service population consists only of residents.

Table 2 provides the annual operational GHG emissions associated with full implementation of the Housing Element in year 2020. The total GHG emissions shown in Table 2 (7,559 MT CO₂e/yr in 2020) includes typical operational emissions (e.g., mobile sources, area sources, electricity consumption, water consumption, and solid waste generation) as well as amortized construction emissions over 30 years. Using this total annual emission level and the proposed population increase, this is equivalent to a GHG efficiency of 5.7 MT CO₂e/yr in 2020.

Table 2
Summary of Modeled Greenhouse Gas Emissions (CO₂e)
from Full Implementation of the Housing Element (Year 2020)

Sector	CO ₂ e (MT/yr)
Operational Emissions	7,474
Electricity and Natural Gas	1,689
Transportation	6,739
Water	244
Waste	132
Amortized Construction Emissions ¹	85
Total Emissions	7,559
Efficiency (MT CO ₂ e/SP)	5.7
SCAQMD Proposed Threshold (MT CO ₂ e/yr per SP)	6.6
Does the Housing Element Exceed the Proposed Threshold?	No

¹ SCAQMD recommends amortizing construction emissions over the life of the project, estimated to be 30 years.

² SCAG estimates the average household size in Beverly Hills in 2010 was 2.4 persons (SCAG 2011). Modeled by AECOM. See Appendix C for details.



Transportation emissions were the largest emissions sector and were estimated to be 6,739 MT CO₂e/yr in 2020 using CalEEMod default trip rates and distances. The transportation emission estimates include state-level GHG emissions-reducing regulations AB 1493 and The Low Carbon Fuel Standard (LCFS), which would reduce GHG emissions through lower vehicle emission standards and reduced carbon intensity of fuels. AB 1493 requires the California Air Resources Board (ARB) to develop and adopt regulations that reduce GHG emissions from passenger vehicles, light-duty trucks, and other non-commercial vehicles for personal transportation. The LCFS is a performance standard with flexible compliance mechanisms that incentivizes the development of a diverse set of clean, low-carbon transportation fuel options to reduce GHG emissions. EO-S-01-07 reduces the carbon intensity of California's transportation fuels by at least 10% by 2020.

In addition, infill development generally locates housing closer to public transit opportunities or employment centers, which reduces the need for single-occupancy vehicle travel and reduces trip distances to reach employment and other commercial amenities. Infill development also allows residents to more conveniently use alternative modes of transport (e.g., walking, biking, transit). Furthermore, the Housing Element recommends that development occur through infill. The default trip rates and trip distances included in CalEEMod do not account for the trip reduction and trip distance reduction associated with in-fill projects and, therefore, the vehicle-related GHG emissions may be lower than those estimated.

The Housing Element describes the City's efforts to promote alternative transportation such as walking and bus service. The Housing Element contains Policy H 2.8, Transit-Oriented Housing, which promotes development in proximity to transit stops and anticipated transit stations. Additionally, the City's General Plan includes multiple goals and supporting policies aimed at promoting alternative transportation, such as those within Circulation Element Goal 2, which is the development of a safe, comprehensive, and integrated transit system that serves as an essential component of a multi-modal mobility system within the City.

Electricity and natural gas were the second-largest operational emissions sector, estimated to be 1,689 MT CO₂e/yr in 2020. The state has adopted a Renewable Portfolio Standard (RPS) that is not included in the emissions estimates, but would reduce GHG emissions associated with electricity production and consumption. Senate Bill (SB) 1078, SB 107, EO-S-14-08, and SB X1-2 have established increasingly stringent RPS requirements for California utilities. RPS-eligible energy sources are wind, solar, geothermal, biomass, and small-scale hydro.

- SB 1078 required investor-owned utilities to provide at least 20% of their electricity from renewable resources by 2020.
- SB 107 accelerated the SB 1078 timeframe to take effect in 2010.
- EO-S-14-08 increased the RPS further to 33% by 2020. Southern California Edison, the City's electricity provider, currently provides 19.4% of its electricity from renewable sources.
- SB X1-2 codified the 33% RPS by 2020 requirement established by EO-S-14-08.

Within the Housing Element, two implementation programs have been identified that would promote energy-efficient development. These are Imp 9.4, Home Repair and Improvement, which would provide assistance to low-income households for a variety of repairs and improvements, including energy conservation activities, and would provide \$2,000 to \$5,000 to 40 households per year, and Imp 10.6, Sustainability and Green



Building, which describes the City's 2011 adoption and modification of the State of California's Green Building Code (known as Calgreen) to require new multi-family and commercial buildings to be constructed to 15% greater energy efficiency than the state's Energy Code (Title 24) and to include solar energy collection systems.

In accordance with Table 2, the water and waste sectors are estimated to account for a total of 376 MT CO₂e/year in 2020. Current legislation (SB 7x) requires that the state achieve a 20% reduction in urban per-capita water use by December 31, 2020. SB 7x requires each urban retail water supplier to develop both long-term urban water-use targets and an interim urban water-use target. SB 7x also creates a framework for future planning and actions for urban and agricultural users to reduce per-capita water consumption 20% by 2020, which would lower the emissions associated with water consumption. This measure was not included in the emissions estimates, but would provide additional reductions due to lower energy (and related GHG emissions) from transport, conveyance, and treatment of water as consumption is reduced.

Based on the modeled GHG emissions and analysis presented above, implementation of the Housing Element would result in GHG emissions with an efficiency of 5.7 CO₂e/yr, which is less than the 2020 GHG efficiency threshold of 6.6 MT CO₂e/yr. Thus, it would not result in GHG emissions that exceed the SCAQMD threshold. Additionally, emissions would be reduced further through state law requirements and City policies, as described. For these reasons, the Housing Element would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; the resulting impact would be **less than significant**.

The HMAP includes policies related to disaster preparedness. Building reinforcements may result in construction emissions that would result in GHG emissions. As discussed above, construction emissions are finite and are amortized over the life of the project. Specific projects are not described in the HMAP; therefore, the number of buildings and the level of construction that would be necessary for adequate reinforcement or other activities related to disaster preparedness are unknown at this time. Projects that will be subject to additional construction would have to comply with building codes and emissions thresholds at the time of project implementation. Therefore, the impact is **less than significant**.

b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	
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As shown in Table 2 above, the increased dwelling units associated with the updated Housing Element would operate at a GHG efficiency lower than the suggested SCAQMD threshold. In addition, the GHG analysis does not account for all of the factors that would reduce operational GHG emissions beyond those shown in Table 2 (e.g., lower vehicle trip rates, reduced trip distances). If a project would operate below the suggested GHG efficiency, it would be considered to accommodate future growth while helping achieve the goal of AB 32. Therefore, the Housing Element would not conflict with the AB 32 Scoping Plan, or any other plans, policies, or regulations for the purpose of reducing GHG emissions. Neither the City nor any other agency with jurisdiction over the project has adopted climate change or GHG reduction measures with



which the General Plan Amendments would conflict. The impact would be **less than significant**.

The HMAP does not include actions that would necessitate substantial development or generate extensive vehicle trips that may cause GHG emissions. The HMAP would not conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of GHGs, and the impact would be **less than significant**.

c) Would the project require or result in the construction of new energy production or transmission facilities, or expansion of existing facilities the construction of which could cause a significant environmental impact?			X	
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Electricity in the City is supplied by Southern California Edison (SCE), and natural gas is provided by Southern California Gas Company (SCGC). Implementation of the Housing Element would result in additional energy demand within the City; however, policies and programs included in the Housing Element, as well as the Sustainable City Plan adopted in 2009 (City of Beverly Hills 2009a), ensure that the additional energy demand is used efficiently. The City's adoption of Calgreen, as modified by the City, requires that new multi-family housing exceed Title 24 energy requirements by 15% and that new developments install photovoltaics, further reducing the demand to existing energy providers. The General Plan EIR Section 4.14.1 indicates that current energy needs are met by SCE and SCGC. Implementation of the Housing Element is not expected to result in the construction or expansion of production or transmission facilities. Therefore, the impact is **less than significant**.

The HMAP does not include actions that would necessitate development that would require additional energy production or transmission facilities. Therefore, **no impact** would result.

d) Would the Proposed Project encourage the wasteful or inefficient use of energy?			X	
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Under full implementation of the Housing Element, development requiring additional energy, both during construction and operation, would occur. Energy consumption is used in residential units for lighting, heating, cooling, cooking, transportation, water delivery, and other activities. Energy consumption would be required during the finite construction period for transportation, lighting, and other activities. The policies and implementation programs discussed above include providing grants for home energy efficiency (Imp 9.4), and require new development to exceed Title 24 energy standards (Imp 10.6) by 15% and to install photovoltaics. In addition, the City adopted a Sustainable City Plan in 2009 that includes a goal to encourage the use of energy in a clean and efficient manner, and the use of renewable energy sources, with the following policies:

1. Maximize energy efficiency in both City operations and Citywide.
2. Maximize the use of renewable-energy-generating systems and other energy efficiency technologies on City, other agency, residential, and commercial buildings.
3. Minimize the use of nonrenewable, polluting transportation fuels.
4. Strive for energy independence as a City.



Other goals in the Sustainable City Plan would also lead to more efficient use of energy through reducing water use, encouraging walkability, and promoting reduction of waste production. The implementation programs in the Housing Element and goals and policies in the Sustainable City Plan would ensure that energy is being used efficiently and would not lead to wasteful or inefficient use of energy. Therefore, the impact would be **less than significant**.

The HMAP includes actions, such as new monitoring systems, that may result in energy consumption. However, the Sustainable City Plan contains policies, as described above, to minimize energy consumption. These actions are not of the magnitude or type to result in wasteful or inefficient energy use. Therefore, the impact would be **less than significant**.

8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	

The existing layout of the City locates residential and commercial uses relatively close to one another and, in some instances, residential uses co-exist with commercial uses. Specific development projects are not contemplated within the update to the Housing Element. The implementation programs would change some development standards and remove barriers to, or encourage the construction or redevelopment of, additional residential units, but they do not modify existing land use or allow for heavy industrial uses or other types of facilities that would generate substantial hazardous material risks.

Generally, hazardous materials associated with residential use include use of household pesticides, fertilizers, paints, petroleum products, and similar household chemicals. An increase in residential units within the City would not create a substantial hazard due to hazardous materials transport, use, or disposal. Additionally, all hazardous material handling, transport, use, or disposal is regulated through federal, state, and local laws. The Safety Element of the General Plans contains Goal S6, which is “To ensure that the health, safety, and general welfare of residents, visitors, and the overall natural environment is protected to the maximum extent feasible from harmful exposure to hazardous materials” and includes Policies S 6.1 through S 6.6 to implement the goal. Any use of hazardous materials would be required to adhere to all regulations and policies, which would minimize the potential for hazards to the public. Therefore, a **less than significant impact** regarding the use, transport, or disposal of hazardous materials would result.

The HMAP includes two individual mitigation strategies specific to hazardous material safety and hazard prevention. One mitigation strategy is to continue to coordinate with and support the Los Angeles County Certified Unified Program Agency and the Los Angeles County Fire Department and their Health & Hazardous Materials Division in carrying out inspections, emergency response, enforcement, and site mitigation oversight of hazardous materials and waste. The second mitigation strategy is to conduct outreach to City residents on how to properly store and secure hazardous materials to avoid spillage during a hazard event. The HMAP does not include a specific project that would have the potential to create such hazards. The mitigation strategies included in the HMAP would serve to further protect and guard against risk from hazardous materials. **No impact** regarding use, transport, or disposal of hazardous materials would result.



b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
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As described above for 8a, the implementation programs of the Housing Element may result in the development of additional residential units in the City, but they would not modify existing land uses or allow for heavy industrial-type development that would generate increased hazardous materials risks. Additional residential units could generate an increase in the use of typical residential chemicals and other household hazardous materials, but this would not be of the scale or magnitude to create a significant hazard regarding an accidental release of hazardous materials into the environment. Additionally, the handling, transport, use, disposal, and storage of hazardous materials are regulated through federal, state, and local laws. Any use of hazardous materials would be required to adhere to all regulations and policies, which would minimize the potential for release into the environment. For these reasons, a **less than significant impact** regarding the release of hazardous materials into the environment as a result of the Housing Element would result.

As detailed in 8a above, the HMAP includes two individual mitigation strategies specific to hazardous material safety and hazard prevention. The HMAP does not include a specific project that would have the potential to result in an accidental release of hazardous materials into the environment. Additionally, the mitigation strategies included in the HMAP would serve to further protect and guard against hazards from hazardous materials. Thus, **no impact** regarding the release of hazardous materials into the environment would result.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
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As described above for 8a, the implementation programs of the Housing Element may result in the development of additional residential units in the City and possibly within 0.25 mile of a school, but would not modify existing land uses or allow for heavy industrial-type development that would generate increased hazardous materials risks. Additional residential units could generate an increase in the use of typical residential chemicals and other household hazardous materials, but this would not be of the scale or magnitude to create a significant hazard regarding release of hazardous materials. Additionally, schools and residential land uses are typically considered compatible and desirable, and the typical residential use of hazardous materials is not considered a substantial risk to schools. Additionally, the handling, transport, use, disposal, and storage of hazardous materials are regulated through federal, state, and local laws. For these reasons, a **less than significant impact** regarding hazardous materials near a school would result with implementation of the Housing Element.

As detailed in 8a above, the HMAP includes two individual mitigation strategies specific to hazardous material safety and hazard prevention. The HMAP does not include a specific project that would have the potential to result in the release of hazardous materials near a school. Additionally, the mitigation strategies included in the HMAP would serve to further protect and guard against hazards from hazardous materials. Thus, **no impact** regarding the release of hazardous materials near a school would result.



d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
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The City contains sites that have been contaminated by the release of hazardous substances into the soil or groundwater, including sites containing leaking underground storage tanks, voluntary cleanup sites, and small-quantity generators of hazardous waste. Although no individual development project is contemplated by the Housing Element, the implementation program could result in the development or redevelopment of additional residential units, potentially on a hazardous materials site. Current federal, state, and local regulations require remediation and cleanup of such sites before development can take place. Policy S 6.5 of the Safety Element requires proponents of projects in known areas of contamination to perform comprehensive soil and groundwater contamination assessments and, if contamination exceeds regulatory action levels, requires the proponent to undertake remediation procedures prior to grading and development (City of Beverly Hills 2010d). Mandatory adherence to federal, state, and local regulations requiring the adequate cleanup of contaminated sites would minimize potential risks from development of a hazardous materials site. Thus, implementation of the Housing Element would result in a **less than significant impact** regarding development on a hazardous materials site.

As detailed in 8a above, the HMAP includes two individual mitigation strategies specific to hazardous material safety and hazard prevention. The HMAP does not include a specific project that would have the potential to be located on a hazardous materials site. Additionally, the mitigation strategies included in the HMAP would serve to further protect and guard against hazards from hazardous materials. Thus, **no impact** regarding development on a hazardous materials site would result from implementation of the HMAP.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
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The City is not within any airport land use plan or within 2 miles of a public use airport. The nearest public airport is Los Angeles International Airport, approximately 7 miles south of the City limits. Therefore, there would be **no impact** regarding safety hazards from an airport with implementation of either the Housing Element or HMAP.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
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There are no existing private airstrips within or adjacent to the City. Therefore, there would be **no impact** regarding safety hazards from a private airstrip with implementation of either the Housing Element or HMAP.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
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The Beverly Hills Office of Emergency Management published a Hazard Mitigation Plan in 2004 (the 2010-2015 update to which is being considered as part of this project and environmental analysis). As part of the strategies identified in the 2004 Hazard Mitigation Plan, there is an evacuation plan for the North End of the City to address a wildland-urban interface fire. Also, multi-hazard evacuation plans were completed in 2009 (City of Beverly Hills 2010e). In addition, as part of its aggressive outreach campaign, the City mails to residents the “Operation Evacuation” brochure to help every resident of the City, especially those who live in the Santa Monica Mountains in the canyon regions of Beverly Hills, learn how to help save their lives and property in case of a fire.

Although no specific development project is considered at this time, development of additional residential units could result from implementation programs of the Housing Element. As detailed in 13a Population and Housing, implementation of the Housing Element would not generate substantial new local population that would add to congestion during evacuation operations. Some resulting new resident population would be expected throughout the City, but would not be a significant enough amount to create substantial new traffic volumes of the magnitude to interfere with evacuation plans. Existing evacuation plans would be applicable to any new residential units. Additionally, any major development project would be required to consult with the Office of Emergency Management to address project-specific impacts as they relate to potential impacts with the City’s emergency mitigation and operations plan. For these reasons, implementation of the Housing Element would result in **less than significant impacts** to emergency response and evacuation plans. magnitude

The HMAP includes a mitigation strategy specific to emergency evacuation. The mitigation strategy related to fire hazards would develop an evacuation route and material to educate the public about which route to take during a disaster. The HMAP does not include a specific project that would have the potential to interfere with evacuation response or plans. Thus, **no impact** regarding impairment of emergency response or evacuation plans would result with implementation of the HMAP.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			X	
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Figure S1 of the Safety Element shows that the entire northern portion of the City is within a Very High Fire Severity Hazard Zone (City of Beverly Hills 2010d). Although no individual development project is contemplated by the Housing Element, the implementation program could result in the development or redevelopment of additional residential units, potentially within the high fire hazard zone in the northern portion of the City. The Housing Element would not change land use or allowable development areas. Residents in new or redeveloped residential units in the northern portion of the City would be exposed to the same level of wildland fire risk as current residential development in the area.

The City maintains fire prevention and suppression plans and programs to prepare for and mitigate potential fire hazards. Mutual aid agreements with other agencies allow for increased equipment and staffing in emergencies. In addition, the City’s Fire Code includes standards for building construction, renovations, and additions, and for the maintenance and clearance of vegetative growth. The Safety Element of the General



Plan includes three goals specific to fire safety: Goal S1 addresses protection of human life and property from the risks of wildfires and urban fires; Goal S2 addresses an efficient, well-equipped, and responsive fire department that offers maximum feasible personal safety and protection from loss of life and property caused by wildfires and urban fires; and Goal S3 requires all development to address the provision of fire protection in a proactive and preventive manner (City of Beverly Hills 2010d). Required adherence to the City’s Fire Code and the Safety Element goals and associated policies addressing fire safety would minimize potential hazards from wildland fires. For this reason, a **less than significant impact** regarding the exposure of people to risk from wildland fires would result with implementation of the Housing Element.

The HMAP includes a section devoted to mitigation strategies related to fire prevention and preparedness. Mitigation strategies specific to fire prevention and preparedness include the following: update existing City codes; increase water pressure and access to water in Zone 9 near Coldwater Canyon; educate residents regarding the potential fire hazards of wood roofs; educate the community about Firewise and Waterwise plants; develop public education material regarding vegetation management around homes; revise the Zoning Code to reflect General Plan permitted uses and development standards; design driveways and roadways to maintain Fire Department access; develop and educate residents about a Citywide evacuation route; and evaluate and implement recommendations of the Firewise Communities Program. These strategies will aid in reducing potential hazards and risk from wildland fires in the City; thus, **no impact** would result with implementation of the HMAP regarding exposure of people to wildland fires.

9. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	

Construction and operation of new residential units that may be developed as a result of the implementation programs of the Housing Element would have the potential to generate polluted runoff and create additional volumes of wastewater. However, all development would be subject to applicable regulations and requirements that serve to protect water quality and minimize water quality degradation. For example, Title 9, Chapter 4, Section 5 of the Municipal Code addresses storm water and urban runoff pollution control. Specifically, Section 9-4-506 of the Municipal Code requires urban runoff and storm water mitigation plans for new development and redevelopment projects. Development that would disturb more than 1 acre would be subject to the General Construction Permit issued by the RWQCB that requires preparation of a Storm Water Pollution Prevention Plan and implementation of best management practices. Waste discharge requirements may also include the Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, which was designed to be protective of water quality. Additionally, the Conservation Element of the General Plan includes Goal CON 7, which addresses a wastewater collection and treatment system that supports existing and planned development (City of Beverly Hills 2010f).

The City discharges wastewater to the Los Angeles Hyperion Wastewater Treatment Plant, which provides secondary treatment to wastewater and dry-weather storm water within its service area. The Hyperion Wastewater Treatment Plant has an available capacity of about 110 MGD (City of Los Angeles Storm Water Program 2011). Any wastewater discharge associated with new residential development would be accommodated through the existing wastewater facilities.



Compliance with the Municipal Stormwater NPDES Permit requirements, the City's Municipal Code (specifically Section 9-4-506 pertaining to urban runoff mitigation plans), the General Construction Permit, and policies included in the General Plan, would reduce the risk of water quality degradation from new or redevelopment to the maximum extent practicable. For this reason, the amendment would not violate any water quality standard or waste discharge requirement, and impacts would be **less than significant**.

The HMAP does not include mitigation strategies specific to water quality issues, and it does not include actions that could adversely affect water quality or water discharge. Thus, **no impact** would result.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
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The City provides for protection of groundwater supplies through multiple regulations. The Municipal Code regulates the use of groundwater and dewatering activities in Title 9, Chapter 4, Article 6. The Conservation Element of the General Plan includes a goal and associated policies that address groundwater. Goal CON 6 establishes a system that recharges groundwater resources (City of Beverly Hills 2010f).

The City is almost entirely built-out with urban uses and has extensive impervious surfaces. Due to the urban nature of the City, the new residential development associated with the Housing Element would create only minimal increases in impermeable surfaces because, in most cases, existing impervious areas would be replaced with new impervious areas, as there is very minimal vacant property with pervious surfaces available for development. Therefore, groundwater recharge would not be affected, as there would be only a minimal potential increase in impervious surfaces. The new residential units would result in an increase in water demand. However, the majority of water supply is obtained through imported water, and implementation of the Housing Element would not necessitate increased production of water supply from local groundwater resources. For these reasons, along with compliance with regulations addressing groundwater, the potential impact to groundwater supply or recharge would be **less than significant**.

The HMAP does not include mitigation strategies specific to groundwater, and it does not include actions that could impact groundwater supply or recharge. Thus, **no impact** would result.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
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The Housing Element does not contain policies that would change land use patterns or the allowable development areas. There are no streams or rivers that pass through or are immediately adjacent to the City.



The City does not discharge to a water body that would be susceptible to erosion and siltation caused by alteration of drainage properties, as runoff is directed into storm water drainage facilities.

Drainage patterns in the City are well established due to the highly urbanized and generally built-out condition of the City. The construction of new residential development would most often occur on properties with existing urban development, and would not substantially change the drainage pattern of a site in a manner that could lead to increased erosion or siltation. For these reasons, implementation of the Housing Element and associated new residential development would result in a **less than significant** impact regarding the alteration of drainage patterns.

The HMAP does not include mitigation strategies specific to drainage patterns, and it does not include actions that could alter drainage patterns of an area. Thus, **no impact** would result.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
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As described for 9c above, construction of new residential units through implementation of the Housing Element would not substantially alter the drainage pattern due to factors such as the highly urban and built-out nature of the City and the likely development of new residential uses on existing urbanized properties. Additionally, as described for 9b above, there is very minimal vacant property with pervious surfaces available for development. Thus, a minimal increase in surface runoff is anticipated with development of new residential units because in most cases existing impervious areas would be replaced with new impervious areas. For these reasons, the Housing Element would not result in on- or off-site flooding due to the alteration of drainage patterns or increased surface runoff, and the impact would be **less than significant**.

The HMAP does not include mitigation strategies specific to drainage patterns or surface runoff, and it does not include actions that could substantially alter either of these issues. Thus, **no impact** would result.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
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The City is almost entirely built-out with urban uses and has extensive impervious surfaces. Due to the urban nature of the City, the new residential development associated with the Housing Element would result in minimal increases in impermeable surfaces because, in most cases, existing impervious areas would be replaced with new impervious areas. Thus, the change in quantity of storm water runoff associated with new residential development would be minor and would not contribute substantially to existing or planned storm water drainage systems.

In most cases, it is likely that new or redeveloped residential units resulting from implementation of the Housing Element would occur on existing impervious areas that are already generating runoff. Residential



development can result in polluted runoff from the use of lawn fertilizers, pesticides, oil, grease, and other chemicals associated with vehicles. Title 9, Chapter 4, Section 5 of the Municipal Code addresses storm water and urban runoff pollution control. Specifically, Section 9–4–506 of the Municipal Code requires urban runoff and storm water mitigation plans for new development and redevelopment projects, and provides requirements for construction projects to minimize polluted runoff. The Conservation Element of the General Plan provides goals to address polluted storm water runoff. Goal CON 10 addresses a storm drainage system that reduces pollutants from entering the ocean, CON 11 addresses the provision of a storm drainage system that does not degrade the quality of surface waters or groundwater systems, and CON 12 addresses a storm drainage system that minimizes the amount of toxicity of discharge into the system (City of Beverly Hills 2010f). Any residential development resulting from implementation of the Housing Element would be required to comply with these goals and the associated policies. Compliance with codes and policies addressing runoff would minimize the potential for substantial new sources of polluted runoff to result from implementation of the Housing Element. Thus, a **less than significant impact** would result.

The HMAP does not include strategies specific to surface runoff, and it does not include actions that could substantially alter runoff volumes or quality. Thus, **no impact** would result.

f) Otherwise substantially degrade water quality?			X	
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Common sources of groundwater contamination during construction include earth–disturbing activities, such as trenching for underground utilities and pile driving for foundations. These activities could penetrate the water table and potentially result in minor groundwater contamination. Compliance with the City’s Municipal Code, specifically Sections 9–4–601 and 9–4–611, would ensure that earth–disturbing activities would not result in adverse groundwater conditions.

Another source of groundwater contamination is from spillage resulting from improper handling or storage of hazardous materials used during construction, which could contaminate surface water or percolate into the groundwater. Careful monitoring of construction activities to ensure compliance with the Construction General Permit and Municipal Code Section 9–4–507 requirements would ensure that groundwater degradation during construction is not substantial. For these reasons, construction of residential units in association with the Housing Element would not substantially degrade water quality, and a **less than significant impact** would result.

The HMAP does not include mitigation strategies specific to water quality issues, and it does not include actions that could adversely affect water quality. Thus, **no impact** would result.

g) Place housing within a 100–year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
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The City of Beverly Hills is not located within a 100–year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map (FEMA 2008). Therefore, there would be **no impact** resulting from implementation of either the Housing Element or the HMAP regarding the placement of housing in a designated 100–year flood hazard area.



h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
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The City is not located within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map (FEMA 2008). As described in the HMAP, the City previously had two locally designated areas with flooding conditions in the southeast sector. However, the Los Angeles County Department of Public Works in 2005 completed a massive storm water relief upgrade to the Hollyhills Unit 7 drainage system, and the City has not experienced flooding in this area since this project was completed (City of Beverly Hills 2011b). Because this area is no longer subject to flooding, one mitigation strategy proposed in the HMAP is to remove the locally designated flood ordinance from the Municipal Code. Any new residential development located within these flood hazard areas would not redirect or impede flood flows, as this area is no longer prone to flooding and the designations simply have not been removed from the City ordinance yet. Therefore, any impacts associated with placing structures that would impede or redirect flood flows as a result of the Housing Element would be **less than significant**.

The HMAP does not include mitigation strategies specific to the placement of structures in a flood hazard area. As described in the paragraph above, one mitigation strategy is to remove the locally designated flood ordinance from the Municipal Code, as the designated areas are no longer subject to flooding. Thus, **no impact** would result.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
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The Greystone Reservoir is considered by the State Department of Water Resources a reservoir and dam. The drinking water reservoir is a concrete structure partially below ground with a capacity of 19 million gallons. It is inspected by the state annually. The Greystone Reservoir is located in the lower Trousdale Estates area, north of Sunset Boulevard. If the reservoir were to fail, the escaping water would flow in a southerly direction. The inundation area would include Doheny Road and Foothill Road to the west, Doheny Drive to the east, and Sunset Boulevard and Santa Monica Boulevard, the termination point, to the south. The City also has 10 above- and partially below-ground storage reservoirs. Some of these reservoirs are located in the proximity of residential structures, which could be adversely impacted by the discharge of escaping water in the event of structural failure. Because reservoir failure can have severe consequences, FEMA requires that all reservoir owners develop Emergency Action Plans (EAP) for warning, evacuation, and post-flood actions. Although there may be coordination with county officials in the development of the EAP, the responsibility for developing potential flood inundation maps and facilitation of emergency response is the responsibility of the reservoir owner (City of Beverly Hills 2011b).

The City of Beverly Hills also lies in the inundation path of the Lower Franklin Canyon Dam, which is located north of the City. The Lower Franklin Reservoir has a 200 acre-feet capacity and can be drained to half capacity in 72 hours and completely emptied in 216 hours. Dams with significant hazard potential are



“those dams where failure [breach] or misoperation [unscheduled release] would result in no probable loss of human life but can cause economic loss, environmental damage, and disruption of lifeline facilities or can impact other concerns” (FEMA 2004). In the event of a breach of the Lower Franklin Reservoir, the residential area north of Carmelita Drive would be exposed to immediate and severe danger. Below that point, the danger diminishes rapidly, although flooding of most structures in this section of the inundation path would occur. Approximately 1,200 people live in the sector of the inundation area subject to severe danger, and provision for evacuation of this population is required in the event of a breach in the structure (City of Beverly Hills 2009b). This reservoir, as well as others in California, are continually monitored by various governmental agencies (such as the State of California Division of Safety of Dams and the U.S. Army Corps of Engineers) to guard against the threat of dam failure.

The City provides specific goals and policies addressing protection from flood hazards in the Safety Element. Goal S 4 is to reduce the potential of flood hazards to human life and property. Specifically, Policy S 4.1 requires that new development incorporate sufficient measures to mitigate flood hazards and S 4.5 requires the development and maintenance of a program for periodically assessing, monitoring, and maintaining the structural integrity of reservoirs (City of Beverly Hills 2010d).

Although there is the potential for flooding to result in portions of the City where new residential development might occur as a result of implementation of the Housing Element, the risk is not considered to be significant, as all areas of the City are generally built-out and subject to these same flooding hazards that could result from dam or reservoir failure. Thus, potential flooding impacts to new residential development would be **less than significant**.

The HMAP includes strategies to reduce flooding impacts, including updating the City’s Urban Water Master Plan and Capital Improvement Program, adopting state-of-the-art water monitoring systems, and continuing to implement existing flood mitigation activities and programs. No actions associated with the mitigation strategies would result in exposure of people or structures to flooding hazards, and **no impact** would result.

j) Inundation by seiche, tsunami, or mudflow?			X	
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Development in Beverly Hills is subject to hazards associated with seiche, tsunami, and mudflow. A seiche is a wave generated on the surface of a landlocked body of water, such as a lake, reservoir, or swimming pool. A tsunami is a great sea wave produced by submarine earth movement or volcanic eruption. Seiches and tsunamis are known to occur following earthquakes.

As described above, there are numerous reservoirs that could potentially result in a seiche wave and potentially result in damage to nearby properties; however, this is not anticipated to be substantial. The City is located 6 miles east of the Pacific Ocean and, at the lowest point, is 120 feet above median sea level along Olympic Boulevard (City of Beverly Hills 2011b). As described in the HMAP, a tsunami has never occurred within the City. Although the City enjoys a close proximity to the ocean, there is no record of a tsunami or repercussions from a tsunami. State modeling data shows that the City would sustain no water if a tsunami hits the Southern California coast, which would have little to no affect on the City (City of Beverly Hills 2011b). Due to the City’s distance from the ocean and its elevation, there would be little to no risk of flooding from a tsunami.



Mudflows are often triggered by periods of heavy rainfall. Topography of the City is greatly influenced by the Santa Monica Mountains and the Los Angeles Coastal Basin. Hillside areas north of Sunset Boulevard are characterized as rugged topography with steep-sided ridges and narrow ravines, and these areas have the highest potential of landslide. Areas south of Sunset Boulevard are flat with a mild slope approximately 2 to 3% in the south-southwest direction, and these areas have little or no danger of landslide (City of Beverly Hills 2011b). Building codes require adequate design and engineering to minimize the potential for unstable soils that could contribute to a mudslide, and the Conservation Element of the General Plan includes Goal CON 24, which addresses the creation of new hazards from unwise grading and drainage procedures, and specifically includes Policy CON 24.1, which requires all of the recommendations of geologists to be incorporated into the construction plans prior to issuance of a building permit. With adherence to these measures and building code requirements, potential impacts from unstable soils that could result in mudslides would be minimized.

Based on the location of development of residential units within the City, there could be a potential for impacts from a seiche or mudflow; however, a seiche from a local reservoir is not anticipated to be of substantial magnitude, and potential mudslide impacts are minimized through adherence with building codes and General Plan policies. Thus, a **less than significant impact** from inundation from seiche, tsunami, or mudslide would result with implementation of the Housing Element.

The HMAP does not include mitigation strategies specific to inundation by seiche, tsunami, or mudslide, and includes no actions that would result in impacts from these events. Thus, **no impact** would result.

k) Would the proposed project require or result in the construction and/or expansion of new storm drain infrastructure that would cause significant environmental effects?			X	
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The City is almost entirely built-out with urban uses, and has extensive impervious surfaces. Due to the urban nature of the City, new residential development associated with the Housing Element would create only minimal increases in impermeable surfaces because, in most cases, existing impervious areas would be replaced with new impervious areas. Thus, the quantity of storm water runoff associated with new residential development would be extremely minor and would not contribute substantially to existing storm drain facilities. Because most of the City is built-out with urban uses, residential development resulting from the Housing Element would use existing storm drain infrastructure. The Conservation Element of the General Plan includes goals and policies, specifically CON 10, to address maintenance of the storm drain system (City of Beverly Hills 2010f). Implementation of the Housing Element would not necessitate new storm drain infrastructure that could cause a significant environmental effect, and a **less than significant impact** would result.

The HMAP does not include mitigation strategies specific to surface runoff or storm drain infrastructure, and it does not include actions that could result in the need for new or expanded storm drain facilities. Thus, **no impact** would result.



10. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?			X	

The Housing Element includes implementation programs that would change some development standards and remove barriers to, or encourage the construction or redevelopment of, additional residential units, but it would not modify land use or allowable development areas. There are no specific projects contemplated that could result in land use changes or other development, such as extensions of roadways, that could result in the physical division of the established community. Rather, the Housing Element details programs that the City intends to implement as a means to encourage more affordably priced housing in the City and to ensure that the community's housing needs are met. The updated Housing Element is consistent with the policies and programs set forth in the adopted General Plan. Because there would be no land use changes with implementation of the Housing Element, and no projects that could result in large development features that could result in the physical division of the established community, the impact would be **less than significant**.

The HMAP does not include changes to land use or allowable development areas, and does not propose actions that would necessitate development that could physically divide an established community. Thus, **no impact** would result.

b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
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The Housing Element update is prepared in response to the RHNA requirement to develop local housing programs to meet the City's "fair share" of existing and future housing needs for all community members, as determined by the jurisdiction's Council of Governments. As stated in the project description, the updated Housing Element is consistent with the policies and programs set forth in the adopted General Plan. All development resulting from the implementation programs of the Housing Element would be required to adhere to applicable plans, policies, and regulations of agencies with jurisdiction over the project. Therefore, implementation of the Housing Element would not conflict with applicable land use plans, and a **less than significant impact** would result.

The HMAP does not include changes to land use or allowable development areas, and does not propose actions that would have the potential to conflict with an applicable land use planning document. Thus, **no impact** would result.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
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The City does not have any habitat conservation or natural community conservation plans. Additionally, as described under the Biological Resource analysis, Section 4 of this Initial Study, the City does not contain any significant habitat capable of supporting sensitive species or any significant ecological areas. A majority of the City has been developed with impervious urban surfaces or landscaped, and is generally void of natural



vegetation. Because there are no applicable habitat conservation plans or natural community conservation plan, implementation of the Housing Element would have **no impact** regarding conflicts with these types of plans.

Similarly, because there are no applicable habitat conservation plans or natural community conservation plan, implementation of the HMAP would have **no impact** regarding conflicts with these types of plans.

11. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			X	

The State Mining and Geology Board (SMGB) classifies significance of mineral resources in accordance with the California Surface Mining and Reclamation Act of 1975 using a system that classifies land into one of four possible Mineral Resources Zones (MRZ) based on quality and significance of mineral resources (California Department of Conservation, n.d.). As shown in Figure CON 4 of the Conservation Element of the General Plan, the City has areas classified as MRZ-1 and MRZ-3 (City of Beverly Hills 2010f). MRZ-1 is defined as areas where adequate geologic information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. MRZ-3 is generally defined as areas of known or inferred mineral occurrence (California Department of Conservation, n.d.).

Oil and gas deposits are not considered “minerals”; however, a summary of impacts to oil and gas production has been provided because the City is within a region underlain by oil deposits. As shown in Figure CON 5 of the Conservation Element of the General Plan, the City is located on the San Vicente, Beverly Hills, Salt Lake, and South Salt Lake Oil Fields, which actively produce oil and natural gas (City of Beverly Hills 2010f). The Conservation Element of the General Plan has two policies aimed at ending oil and gas extraction operations within the City. Policy CON 21.1 prohibits new drill sites in new locations within the City for production of oil, gas, or other hydrocarbon substances, and Policy CON 21.2 seeks to develop a plan to phase out existing oil drilling sites as soon as practicable. The Housing Element may result in the development of additional residential units, but it does not propose any land use changes or modifications to allowable development areas and would not impede or conflict with General Plan policies to end oil or gas extraction within the City.

The City is located in a highly urbanized area and is almost completely built-out; therefore, any potential to access and extract mineral resources, such as gravel and sand, is severely limited. Implementation of the Housing Element would not change land use or the allowable development areas; thus, the Housing Element would not create urban expansion or other irreversible land uses that would preclude mineral extraction. For these reasons, the development of additional residential units as a result of implementation of the Housing Element within the existing developed areas of the City would not cause the loss of availability of a known mineral resource, and a **less than significant impact** would occur.

Similarly, the HMAP does not include changes to land use or allowable development areas, and does not propose actions that would have the potential to cause the loss of availability of a known mineral resource; a **less than significant impact** would occur.



b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
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The General Plan and other land use plans do not designate any locally important mineral resource recovery sites within the City. Thus, neither the Housing Element nor HMAP would result in the loss of availability of a locally important mineral recovery site as delineated on a land use planning document; **no impact** would result.

12. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	

Development of additional residential projects in response to implementation programs of the Housing Element may require construction activities and the use of heavy equipment for demolition, site excavation, site grading, paving, and building fabrication. During each stage of construction there would be a different mix of equipment operating, and noise levels would vary based on the nature of the project, the amount of equipment in operation, and the location of the activity. Specific development is not contemplated; however, there is the potential that future construction activities as a result of the implementation programs of the Housing Element could be in proximity to sensitive noise receptors, such as adjacent residential dwellings. After construction, new residential units would be similar to the existing urban residential uses and not expected to generate substantial new noise sources that might exceed applicable standards. Traffic generated by the addition of residential units in various locations throughout the City would not be of the scale or magnitude to substantially increase noise levels.

The Noise Element of the General Plan serves to ensure that City residents are protected from excessive noise. Goals of the Noise Element are to minimize land use conflicts between various noise sources and other human activities, minimize motor vehicle traffic noise impacts on sensitive noise receptors, minimize non-transportation-related noise impacts on sensitive noise receptors, and minimize excessive construction-related noise (City of Beverly Hills 2010g). To achieve these goals, the Noise Element contains policies intended to reduce the potential exposure of sensitive receptors to noise-related impacts. Additionally, the City Noise Ordinance, detailed in Section 5-1-206 of the City's Municipal Code, states that no construction that requires a City permit can occur between 6 p.m. and 8 a.m. of any day, or at any time on a Sunday or a public holiday unless the project has been issued an after-hours construction permit. In addition, no person can engage in such work within a residential zone, or within 500 feet of a residential zone, at any time on a Saturday unless such person has been issued an after-hours construction permit. Adherence to these policies, as well as compliance with the City Noise Ordinance, would ensure that potential impacts to sensitive receptors due to exposure to noise levels that exceed the established local standards are minimized. The Housing Element would not modify existing land uses or developable areas, thus it would not result or cause incompatible noise-sensitive land uses. For these reasons, potential construction and operation noise generated by additional residential units would not expose people to noise levels in excess of established standards, and



impacts would be **less than significant**.

The HMAP does not include changes to land uses or allowable development areas, and does not propose actions that would have the potential to generate substantial noise levels in excess of applicable standards. Any potential actions as a result of the HMAP would be subject to the noise regulations and policies described above. Thus, implementation of the HMAP would not expose people to noise levels in excess of established standards, and a **less than significant impact** would result.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
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Potential sources of groundborne vibrations include construction activities such as pile driving, concrete demotion, rock breaking, and blasting. The construction of new residential units as a result of the Housing Element would require construction activity that is assumed to be typical of urban development, and would not create excessive groundborne vibration or groundborne noise levels. Additionally, any construction activity that might cause groundborne vibrations would be short in duration, lasting only the length of time necessary to complete the construction task. For these reasons, implementation of the Housing Element would not expose people to excessive groundborne vibration or groundborne noise, and a **less than significant impact** would result.

The HMAP does not propose actions that would have the potential to generate excessive groundborne vibrations or groundborne noise levels. Additionally, if any construction activity were to occur as a result of the HMAP that could cause groundborne vibrations, it would be short in duration, lasting only the length of time necessary to complete the construction task. Thus, implementation of the HMAP would not expose people to excessive groundborne vibration or groundborne noise, and a **less than significant impact** would result.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
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Ambient noise levels within the City are generally dominated by vehicular traffic on adjacent roadways. There are also many stationary noise sources such as restaurant, bar, and entertainment establishments; operation of mechanical equipment; active recreational facilities; and other human activity throughout the City (City of Beverly Hills 2010g). The permanent operation of additional residential units as a result of implementation programs of the Housing Element, such as density bonus units or second units, would generate typical noise associated with a residential dwelling. A larger senior living facility may generate slightly higher noise levels due to additional traffic in the local vicinity; however, an increase in vehicle traffic from this type of facility would not be on the scale or magnitude to cause substantial increases in the ambient traffic noise. Additionally, as described in 12a, any new development or redevelopment would be subject to noise regulations of the Noise Element of the General Plan and City Noise Ordinance. For example, the City Noise Ordinance places restrictions on noise levels from air conditioning and other machinery, as detailed in Section 5-1-202 of the City's Municipal Code. Conformance to these noise policies and ordinances would ensure that potential noise generated by the residential units is minimized. Therefore, development of new residential units in association with the Housing Element would not create substantial permanent increases in ambient noise levels, and would result in a **less than significant impact**.



The HMAP does not propose actions that would have the potential to generate substantial noise levels in excess of applicable standards. Any potential actions as a result of the HMAP would be subject to the noise regulations and policies described above. Thus, implementation of the HMAP would not create substantial permanent increases in ambient noise levels, and a **less than significant impact** would result.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
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As detailed in 12a, development of additional residential projects in response to implementation programs of the Housing Element may require construction activities that could temporarily increase ambient noise levels. Specific development is not contemplated; however, there is the potential that future construction activities as a result of the implementation programs of the Housing Element could be in proximity to sensitive noise receptors such as adjacent residential dwellings. Construction of new or redeveloped residential units, including individual units or larger senior living communities would generate noise typical of construction activities that currently occur throughout the City. These temporary construction activities would be subject to all noise-related policies of the General Plan and the City Noise Ordinance, as detailed above. Adherence to these policies and ordinances would ensure that potential temporary increases in noise levels would not be substantial or excessive. For these reasons, potential temporary increases in noise levels due to construction of additional residential units would not be considered substantial and impacts would be **less than significant**.

The HMAP does not propose actions that would have the potential to generate substantial temporary noise levels. Any potential actions as a result of the HMAP would be subject to the noise regulations and policies described above. Thus, implementation of the HMAP would not create substantial temporary increases in ambient noise levels and a **less than significant impact** would result.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
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The City is not in the vicinity of any commercial airport nor is any area of the City within an airport land use plan. Thus, implementation of the Housing Element or the HMAP would not expose people residing or working in the City to excessive noise levels related to airport operations and **no impact** would result.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
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There are no private airstrips in the vicinity of the City. Thus, implementation of the Housing Element or the HMAP would not expose people residing or working in the City to excessive noise levels related to private airstrip operations and **no impact** would result.



13. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	

The City has a total population of more than 34,000 people and more than 15,700 housing units (City of Beverly Hills 2011c). The numeric objective for housing production to meet the RHNA requirement is 554 residential units. The addition of residential units to the City could result in an increase in the population of the City. However, one purpose of the Housing Element is to address the current shortfall of affordable housing in response to anticipated growth in the City and region. Additionally, it is likely that some future residents of the new housing units that would result from implementation of the Housing Element already reside within the City (such as a family member who currently lives within homes that may construct a second unit on their property for that family member). Although implementation of the Housing Element would likely cause some population growth within the City due to new residential units, this resulting increase in population would not be substantial for the reasons outlined above and in relation to the existing population of the City and anticipated future growth that would occur with or without the new residences. No indirect population growth would result, as the Housing Element does not propose any projects that could induce population increases such as extension of roads or infrastructure. Thus, implementation of the Housing Element would likely cause some population growth, but this growth would not be substantial and a **less than significant impact** would result.

The HMAP does not include actions or policies that would affect population growth within the City. For this reason, **no impact** would result from implementation of the HMAP regarding substantial population growth.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
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While Housing Element implementation programs may result in the demolition of some existing residential units, those units would be replaced with new or redeveloped housing in an effort to achieve the RHNA housing requirements of 554 additional residential units. The purpose of the Housing Element is to detail programs that the City intends to implement as a means to encourage more affordably priced housing in the City and to ensure that the community's housing needs are met. Thus, the Housing Element would serve to facilitate the provision of more residential units in the City and would not displace a substantial number of existing housing units or necessitate construction of replacement housing elsewhere; a **less than significant impact** would result.

The HMAP does not include actions or policies that would displace housing or necessitate the construction of replacement housing elsewhere. For this reason, **no impact** would result.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	
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Similar to the discussion above in 13b, Housing Element implementation programs may result in the demolition of some existing residential units and displace existing residents. Those units would be replaced with new or redeveloped housing in an effort to achieve the RHNA housing requirements of 554 additional residential units. Thus, the Housing Element would serve to facilitate the provision of more residential units in the City and would not displace a substantial number of people or necessitate construction of replacement housing elsewhere. Therefore, a **less than significant impact** would result.

The HMAP does not include actions or policies that would displace people or necessitate the construction of replacement housing elsewhere. For this reason, **no impact** would result.

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

The Beverly Hills Fire Department (BHFD) provides fire protection service for the City with three fire stations, as shown on Figure PS 1 of the Public Service Element of the General Plan. Station #1, Headquarters, is located at 445 North Rexford Drive; Station #2, Coldwater Canyon, is located at 1100 Coldwater Canyon Drive; Station #3, Doheny, is located at 180 South Doheny Drive. A comprehensive organizational and management audit of the BHFD in 2010 found that the department is currently operating at acceptable levels of fire protection services best practices, with 4-minute travel-time coverage provided to all areas of the City except the upper hillside areas (CityGate 2010).

The Housing Element would facilitate the provision of additional residential housing units within the City. The Housing Element would not modify land uses or developable areas; thus, there would be no need to expand or alter the service area protected by the BHFD. The development of new residential units would generate an increase in demand for fire protection services. However, the new residential development would occur within the existing urban area and would be a similar land use to surrounding development. Some of the development may replace existing uses that previously generated demand for fire protection or be within existing residential property, such as a second unit, which already requires fire protection needs. The increase in demand for fire protection services due to the new residential development that may occur with implementation of the Housing Element would not be of the magnitude to create substantial physical adverse impacts due to the need for new or altered facilities to maintain adequate service.

Additionally, goals and policies contained in the General Plan require that adequate infrastructure be provided as new development occurs. For example, Safety Element Goal S 2 addresses an efficient, well-equipped, and responsive fire department that offers maximum feasible personal safety and protection from loss of life and property caused by wildfires and urban fires, and Goal S 3 requires all existing and new development and redevelopment to address the provision of fire protection in a proactive and preventive manner. Policies specific to adequately assessing and responding to impacts of new development include S 3.2, S 3.3, and S 3.5. These goals and policies help to ensure that fire staffing and facilities are expanded commensurably to



adequately serve the needs of the City’s growing population and business community to maintain or enhance the City’s emergency fire response times.

Additionally, any new development would be required to comply with all applicable federal, state, and local regulations governing the provision of fire protection services, such as the California Fire Code and City Fire Code. For these reasons, additional fire service demand resulting from implementation of the Housing Element would have a **less than significant impact** on the ability of the BHFD to adequately serve the community, and would not necessitate provision of new or expanded facilities that might result in adverse environmental effects.

The strategies within the HMAP would promote sound public policy and programs designed to protect the public, critical facilities, infrastructure, private and public property, and the environment from natural and built hazards. Better advanced protection of the public and property from disasters would reduce the burden placed on fire protection services during a disaster event. For this reason, implementation of the HMAP would result in **no impact** to the provision of adequate fire protection service.

b) Police protection?			X	
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The City of Beverly Hills currently maintains a ratio of 3.8 sworn officers per 1,000 residents, but does not use a standard personnel-to-population ratio to determine optimum staffing levels because there is a significant disparity between actual resident population (approximately 36,000 residents) and the City’s daytime population (approximately 250,000 people). The agency’s main indicator of effectiveness is its response time to emergency calls. The Beverly Hills Police Department’s (BHPD) average response time is 3 minutes. Other indicators of effectiveness include the volume of calls for service and number of officers available at any given time. The BHPD is funded through general fund revenues generated by property and sales taxes, which are expected to increase in proportion to the City’s growth (City of Beverly Hills 2009b).

The Housing Element would facilitate the provision of additional residential housing units within the City. The Housing Element would not modify land uses or developable areas; thus, there would be no need to expand or alter the service area protected by the BHPD. The development of new residential units would generate a slight increase in population, resulting in an increase in demand for police protection. However, it is likely that some of the residents who would occupy the new residential developments already reside in the City, as described in the Population and Housing Section, 13a above. The increase in demand for police services due to the new residential development that may occur with implementation of the Housing Element would not be of the magnitude to create substantial physical adverse impacts due to the need for new or altered facilities to maintain adequate service. For these reasons, additional police service demand resulting from implementation of the Housing Element would have a **less than significant impact** on the ability of the BHPD to adequately serve the community, and would not necessitate the provision of new or expanded facilities that might result in an adverse environmental effect.

The mitigation strategies within the HMAP would promote sound public policy and programs designed to protect the public, critical facilities, infrastructure, private and public property, and the environment from natural and built hazards. Better advanced protection of the public and property from disasters would reduce the burden placed on police service during a disaster event. For this reason, implementation of the HMAP would result in **no impact** to the provision of adequate police service.



c) Schools?			X	
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School services are provided by the Beverly Hill Unified School District (BHUSD) and various private schools throughout the City. The BHUSD consists of four K-8 elementary schools, one 9-12 high school, and one adult school. The K-12 enrollment is approximately 4,702 (BHUSD 2011). Historic enrollment data provided in the District-Wide Five-Year Master Plan shows that, in the most recent years considered (2006-2007), enrollment at all four of the elementary schools was below capacity, and enrollment at the high school just slightly exceeded capacity. Total enrollment during that same time frame was almost 5,200 students (BHUSD 2008). The current enrollment figure of approximately 4,700 is 500 students less, and indicates a general decline in student population and a resulting increase in current school capacities.

Additional demand for school services would result with the increased residential development associated with the Housing Element. The increase in school-aged population resulting from new residential development attributable to the Housing Element would likely be lower than typically associated with residential development, as a large focus of the implementing programs is on senior living communities and would not accommodate school-aged children. As described in Section 13, Population and Housing, some of the future occupants of the new residential developments may already reside in the community and, thus, new development would not necessarily add new students to the school system. Additionally, all new development is required to pay City of Beverly Hills School Impact (Developer) fees to offset any impacts to school services.

Because BHUSD has experienced declining enrollment and is operating below the allowable capacity, the increased student population resulting from implementation of the Housing Element would create a **less than significant** impact, as students could be accommodated without the need for additional or expanded school facilities.

The HMAP does not include actions or policies that would affect the need for or use of school facilities. For this reason, no **impact** would result.

d) Parks?			X	
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The City has approximately 77 acres of developed parkland and close to 100 acres of open space area (City of Beverly Hills 2010a). With 77 acres of parkland, the City is currently deficient by approximately 15 acres of parkland, according to the state Quimby Act standard of 3 acres per 1,000 residents. The additional housing units that may result from implementation of the Housing Element and associated small increase in population would slightly increase demand for public parks. However, continued implementation of the recreation policies in the Open Space Element would serve to help minimize impacts to recreation facilities. Policies provide for the preservation and enhancement of City open space and recreational facilities, and also promote the maintenance of existing amenities and the coordination of joint use agreements to increase the amount of park space available to residents. Specifically, Policy OS 8.2, which could be applicable to a large senior living facility, requires that large developments provide on-site open space or recreational amenities accessible to the public, contribute in-lieu fees for the development of new recreation facilities or enhancement of existing facilities, or a combination of both to meet the demands generated by the development's resident population or employment base. This requirement would be over and above current



open space requirements and current park assessment fees. Goal S8 of the Open Space Element and the associated policies aim to increase parkland and recreational facilities within the City.

The slight potential increase in population that would use existing recreational facilities would not create such demand that the amount of deficient parkland acres would substantially increase. Policies in the Open Space Element provide for maintenance and enhancement of City parklands. Although no specific development is proposed with the Housing Element, as development proposals are submitted in the future the larger projects, such as a living community for seniors, these would be evaluated under Policy OS 8.2 to determine if new park space or payment of in-lieu fees would be required as part of the project. For these reasons, increased demand for and use of City parks would not cause a substantial adverse physical impact, and a **less than significant impact** would result.

The HMAP does not include actions or policies that would affect the need for or use of park facilities. For this reason, **no impact** would result.

e) Other public facilities?			X	
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The City is served by the Beverly Hills Public Library located at 444 North Rexford Drive. Additional demand for library services would result with the increased residential development associated with the Housing Element. The increase in library patrons due to the residential development would not be of the magnitude to require expansion or new library facilities. Within the Public Services Element of the General Plan, Goals PS 5, PS 6, and PS 7 address the improvement of library facilities and programs. Policy PS 5.3 would require large-scale commercial or residential projects to contribute fees for the impact that their projects would have on library facilities due to increased population or daytime traffic. As such, the amendments would not impact or create the need for additional library facilities. For these reasons, implementation of the Housing Element would not result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities to accommodate additional demand, and a **less than significant impact** would result.

The HMAP does not include actions or policies that would affect the use of library facilities. For this reason, **no impact** would result.

15. RECREATION. Would the project:				
a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	

The City has approximately 77 acres of developed parkland and close to 100 acres of open space area (City of Beverly Hills 2010a). With 77 acres of parkland, the City is currently deficient by approximately 15 acres of parkland, according to the state Quimby Act standard of 3 acres per 1,000 residents. The additional housing units that may result from implementation of the Housing Element and associated small increase in population would slightly increase demand for public park and recreational services and facilities. However, continued implementation of the recreation policies in the Open Space Element would serve to help minimize impacts to recreation facilities. Policies provide for the preservation and enhancement of City open space and recreational facilities, and also promote the maintenance of existing amenities and the coordination



of joint use agreements to increase the amount of park space available to residents. Specifically, Policy OS 8.2, which could be applicable to a large senior living facility, requires that large developments provide on-site open space or recreational amenities that are accessible to the public, contribute in-lieu fees for the development of new recreation facilities or enhancement of existing facilities, or a combination of both to meet the demands generated by the development's resident population or employment base. This requirement would be over and above current open space requirements and current park assessment fees. Goal S8 of the Open Space Element and the associated policies aim to increase parkland and recreational facilities within the City.

The slight potential increase in population that would use existing recreational facilities would not create a substantial physical increase in demand for the facilities. Policies in the Open Space Element provide for maintenance and enhancement of City recreation facilities. Although no specific development is proposed by the Housing Element, larger projects that implement the Housing Element, such as senior living communities, would be evaluated under Policy OS 8.2 to determine if new recreational facilities or payment of in-lieu fees would be required. For these reasons, increased demand for and use of recreational facilities would not substantially accelerate the deterioration of existing recreational facilities, and a **less than significant impact** would result.

The HMAP does not include actions or policies that would affect the need for recreation facilities. For this reason, **no impact** would result.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
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There are no specific development proposals included in the Housing Element. Resulting development would often be second units on existing residential properties or redevelopment of existing residential units; thus, these future projects would not include or necessitate the construction or expansion of recreation facilities. However, if a project is proposed as part of the Housing Element that is of the size to require on-site recreation facilities, such as a large senior living community, analysis of that development proposal would be required to determine any potential impacts. For these reasons, implementation of the Housing Element is not anticipated to result in impacts related to the construction or expansion of recreational facilities, and a **less than significant impact** would result.

The HMAP does not include actions or policies that would affect the use of recreation facilities. For this reason, **no impact** would result.

16. TRANSPORTATION/TRAFFIC. Would the project:				
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	



Beverly Hills is located along a densely developed part of the Wilshire Corridor and adjoins many heavily travelled areas. The City’s street pattern provides limited opportunities for all of the required trip demands. Since the road system was not designed for the high traffic volumes associated with current development and the complex patterns of origins, destinations, and turning movements, there is limited capability for adaptation and improvement of the existing circulation system (City of Beverly Hills 2010h). Implementation of the Housing Element would not interfere or conflict with goals and policies provided in the Circulation Element that work toward the expeditious travel of vehicles through the City and emphasize walking, bicycle riding, and public transit. The Housing Element would not change land use or the allowable development areas, and would not modify the transportation network within the City. Development resulting from the Housing Element would not be in excess of the development capacity currently available in the existing General Plan. Because no specific development project is proposed by the Housing Element, it is speculative to estimate trip generations or potential impacts to congested roadways and thresholds for acceptable roadway segment and intersection operations as established by the City or contained within the Congestion Management Program (CMP). Specific development projects would be required to undergo appropriate review once proposed. Thus, the potential impact to capacity of the circulation system would be **less than significant**.

The HMAP does include strategies for improving evacuation plans during emergency situations, but does not include actions or policies that would generate traffic that could exceed the capacity of the existing circulation system. For this reason, **no impact** would result.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X	
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The City of Beverly Hills is required to comply with the CMP, a state-mandated program administered by the Los Angeles County Metropolitan Transportation Authority/METRO, the regionally designated CMP agency. Section 10-7-201 of the City Municipal Code specifies compliance with the CMP for those projects requiring an EIR under CEQA. The City Council recently found the City to be in conformance with the CMP, and adopted the CMP Local Development Report in accordance with Government Code Section 65089 (City of Beverly Hills 2011d). The Housing Element would not change land use or the allowable development areas, and would not modify the transportation network within the City. Development resulting from the Housing Element would not be in excess of the development capacity currently available in the existing General Plan. Because no specific development project is proposed by the Housing Element, it is speculative to estimate trip generations or potential impacts to congested roadways and thresholds for acceptable roadway segment and intersection operations as established by the CMP. Specific development projects would be required to undergo appropriate review once proposed. Therefore, the potential impact to capacity of the circulation system would be considered **less than significant**.

The HMAP does include strategies for improving evacuation plans during emergency situations, but does not include actions or policies that would generate traffic or affect compliance with the CMP. For this reason, **no impact** would result.



c) Result in a change in air traffic patterns, including either an increase in traffic levels, or a change in location, that result in substantial safety risks?				X
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Development resulting from implementation of the Housing Element would include new or redeveloped residential units, similar to the residential development that currently exists, and would not interfere with or alter air traffic patterns in or near the City. The Housing Element contains no policies related to air travel and **no impact** would result.

The HMAP contains no strategies related to air travel and has no specific actions that could impact air traffic. Thus, **no impact** would result.

d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X
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The Housing Element would not change transportation routes or general traffic patterns. Further, the Housing Element does not include goals or policies that would introduce new safety hazards at intersections or along roadway segments. No incompatible uses would result from the Housing Element, as it would encourage residential development similar to what currently exists and would not modify land use patterns. For these reasons, implementation of the Housing Element would have **no impact** regarding hazardous design features or incompatible uses.

Similarly, the HMAP includes no strategies that would increase hazards to a design feature or create an incompatible use. **No impact** would result.

e) Result in inadequate emergency access?			X	
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The Housing Element would not change transportation routes or general traffic patterns. Further, none of the goals or implementation programs would reduce emergency access, as they promote the development of new residential units and any new development would be required to meet all applicable local and state regulatory standards for adequate emergency access and comply with applicable Municipal Code and Fire Code requirements regarding emergency access. For these reasons, implementation of the Housing Element would result in **less than significant impacts** regarding inadequate emergency access.

The HMAP includes strategies for improving evacuation during emergency situations. No strategies within the HMAP or actions that may result would result in inadequate emergency access. For this reason, **no impact** would result.

f) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?			X	
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The Circulation Element of the General Plan provides an emphasis on alternative modes of transportation, including Goal CIR 2, which promotes transit; CIR 7, which promotes pedestrian facilities; and CIR 8, which promotes a bicycle system. These Circulation Element goals have policies placing requirements regarding



design and provision of alternative transportation facilities on new development, which would be applicable to any residential development occurring as a result of the Housing Element. Implementation of the Housing Element and any resulting residential development would not create conflicts or inconsistencies with adopted transit system plans, guidelines, policies, or standards. The Housing Element would not disrupt existing or planned transit services or facilities. The development of new residential units may result in a slight increase in demand for alternative transportation, but would not be of a magnitude to deteriorate the operation of those transportation services or facilities. For these reasons, there would be a **less than significant impact** to policies supporting alternative transportation.

Similarly, the HMAP does not include strategies and would not result in actions that would conflict with alternative transportation policies. **No impact** would result.

g) Result in inadequate parking capacity?			X	
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The City has specific regulations regarding parking within the Circulation Element of the General Plan. Goal CIR 4 addresses a parking system that balances goals for economic development, advanced Intelligent Transportation Systems technology, reduced travel through Transportation Demand Management measures, livable neighborhoods, sustainability, and public safety within the City (City of Beverly Hills 2010h). Parking provisions are also addressed in Title 7, Article 1 of the Municipal Code.

The Housing Element would consider potential adjustments to development standards, including modification of parking requirements. This is detailed in Implementation Program 12.2, which states, “allowing greater flexibility in the type, and location of multi-family parking.” This potential modification to parking standards would not necessarily reduce the amount of parking required for a multi-family residential development; rather, it would allow for consideration of different types of parking solutions and the location of associated parking capacity. Beyond this adjustment to development standards, all future development activity that may result from implementation of the Housing Element would be subject to all City policies and requirements for provision of adequate parking capacity. For these reasons, there would be a **less than significant impact** regarding parking capacity.

The HMAP does not include strategies or specific actions that would interfere with parking capacity. **No impact** would result.

17. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	

New development would be required to comply with all provisions of the NPDES, as enforced by the RWQCB. All future projects would be required to comply with all applicable wastewater discharge requirements issued by the State Water Resources Control Board and RWQCB. Future development under the Housing Element would be required to adhere to existing regulations and the policies regarding wastewater treatment.

The Conservation Element of the General Plan provides goals and policies to reduce the volume and contamination of wastewater generated within the City. Goal CON 9 addresses a high-quality sewer system to minimize adverse affects to water quality, CON 10 addresses a storm drainage system that reduces pollutants



from entering the ocean, CON 11 addresses the provision of a storm drainage system that does not degrade the quality of surface waters or groundwater systems, and CON 12 addresses a storm drainage system that minimizes the amount of toxicity of discharge into the system (City of Beverly Hills 2010f). Any residential development resulting from implementation of the Housing Element would be required to comply with these goals and the associated policies.

Potential development associated with the Housing Element would be new or redeveloped residential units. The wastewater generated by this type of development would be similar to that produced by existing residential uses and would not create high volumes of highly contaminated wastewater that might be associated with a heavy industrial use. The Housing Element does not modify land uses and would not result in the development of other land use types that might generate substantial amounts of polluted wastewater. For these reasons, including the required compliance with applicable regulations and policies regarding wastewater, development associated with implementation of the Housing Element would not exceed wastewater treatment requirements of the RWQCB and a **less than significant impact** would result.

The HMAP does not include any strategies specific to water or wastewater treatment or any specific actions that might generate a need for water or wastewater treatment. Thus, **no impact** regarding wastewater treatment requirement would result.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
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The City of Beverly Hills contracts with the City of Los Angeles to treat wastewater at the Hyperion Treatment Plant (City of Beverly Hills 2011e). The Hyperion Treatment Plant has a dry-weather capacity of 450 MGD for full secondary treatment and an 850 MGD wet weather capacity. Current flow is 340 MGD, well below the facility's design capacity (City of Los Angeles Stormwater Program 2011).

The City's existing water treatment facility can treat up to 3 MGD and can further increase its capacity within the existing plant to 5.4 MGD, if needed. The water treatment facility was sized to accommodate development anticipated within the City, and also provides for additional expansion, as needed, to treat more water, whether it is required to treat increased water demand or decreased availability from other sources (City of Beverly Hills 2009b).

The Housing Element does not provide specific development plans; however, implementation programs would promote the development of new residential units in the City. The actual number of new units that might be constructed as a result of the Housing Element is not known, but the specific objective is to provide the 554 units in response to the existing shortfall identified by RHNA. The potential addition of these residential units would generate a volume of wastewater that is extremely minimal in comparison to the capacity at the Hyperion Treatment Plan and would not exceed or make a substantial change in the facility's capacity. Additionally, demand for water treatment services would slightly increase with development of new residential units. However, as described above, the City's water treatment facility has substantial additional capacity and has planned for anticipated growth and additional expansion, such as these new residential units. Thus, the



increase in demand for wastewater or water treatment due to implementation of the Housing Element would not exceed capacity of the treatment facilities and a **less than significant impact** would result.

The HMAP does not include any strategies specific to water or wastewater treatment or any specific actions that might generate a need for water or wastewater treatment. Thus, **no impact** to treatment facilities would result.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
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The Housing Element does not provide specific development plans; however, implementation programs would promote the development of new residential units in the City. The City is almost entirely built-out, with the majority of properties available for development already covered with impervious surfaces. The construction of new residential units in association with the Housing Element would most often occur on properties already in urban use and currently producing storm water runoff, as there are few vacant properties in the City. For this reason, new development or redevelopment within the City likely would not result in new areas of impervious surfaces and, thus, would not generate substantial new volumes of storm water runoff that could necessitate the construction of new storm water drainage facilities. Thus, implementation of the Housing Element would not necessitate new or expanded storm water drainage facilities to handle increased volumes of runoff. A **less than significant impact** related to storm water drainage facilities would result.

The HMAP does not include any strategies specific to storm water or any specific actions which might generate storm water runoff. Thus, **no impact** to treatment facilities would result.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
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As described in the Draft 2010 Urban Water Management Plan (UWMP), as the City's population increases slightly and as water conservation measures continue to be implemented, the City should experience moderate increases in its water consumption. The future projections contained in the UWMP take into account only the currently adopted Housing Element, which lists 259 low- and very-low-income housing units to meet the City's Housing Needs Assessment. This is 295 units short of the current need of 554 units. The estimated residential per-unit water demand is 1.2 acre-feet per unit per year. Thus, the UWMP calculates the demand from 259 units listed in the currently adopted Housing Element as 311 acre-feet per year and includes that volume in the projected water demand. Using the same per-unit water demand, the additional 295 units identified in the updated Housing Element being evaluated here would require an additional 354 acre-feet per year beyond the amount anticipated in the UWMP (City of Beverly Hills 2011b).

The UWMP estimates that the City would need to import about 13,790 acre-feet of water in year 2015, assuming a multiple dry year. This is considerably less than the preferential right of 22,705 acre-feet under the same conditions. The UWMP concludes that the City can expect to meet future demands through 2035 for all climatologic conditions (City of Beverly Hills 2011b). The addition of up to 354 acre-feet per year to



meet the demand of the unaccounted for residential units that may result from implementation of the Housing Element would not exceed the City's available water supplies. Therefore, a **less than significant impact** would result regarding water supply.

The HMAP includes strategies to update the UWMP and obtain a state-of-the-art monitoring systems for City water storage facilities. These strategies would not impact water supply availability, but could provide state-of-the-art water monitoring systems to remotely monitor the City's water usage, leaks, and ruptures of the water reservoirs. Thus, **no impact** to treatment facilities would result.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
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The City of Beverly Hills contracts with the City of Los Angeles to treat wastewater at the Hyperion Treatment Plant (City of Beverly Hills 2011e). As previously described, the Hyperion Treatment Plant has a dry-weather capacity of 450 MGD for full secondary treatment and 850 MGD wet-weather capacity. Current flow is 340 MGD, well below the facility's design capacity (City of Los Angeles Stormwater Program 2011).

The Housing Element does not provide specific development plans; however, implementation programs would promote the development of new residential units in the City. The actual number of new units that might be constructed as a result of the Housing Element is not known, but the specific objective is to provide the 554 units in response to the existing shortfall indentified by the RHNA. The potential addition of these residential units would generate a volume of wastewater that is extremely minimal in comparison to the capacity at the Hyperion Treatment Plan, and would not exceed or make a substantial change in the facility's capacity. For this reason, an increase in demand for wastewater treatment due to implementation of the Housing Element would not exceed capacity of the treatment facility and a **less than significant impact** would result.

The HMAP does not include any strategies specific to wastewater treatment or any specific actions that might generate need for wastewater treatment. **No impact** to wastewater treatment capacities would result.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
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Landfills currently serving the city of Beverly Hills are Puente Hills Landfill, Chiquita Canyon Sanitary Landfill, Sunshine Canyon Landfill, and Calabasas Sanitary Landfill. The Puente Hills Landfill is planned to close on October 31, 2013; the Chiquita Canyon Sanitary Landfill has a closure date of November 24, 2019. The Sunshine Canyon is expected to remain open until December 31, 2037, and the Calabasas Sanitary Landfill is scheduled to remain open until September 30, 2025. These landfills have a combined remaining capacity of 194,900,000 cubic yards (CalRecycle 2011). These landfill facilities provide adequate capacity to accommodate solid waste disposal needs of any new residential development that may result from implementation of the Housing Element. Thus, there would be a **less than significant impact** on solid waste disposal as a result of the Housing Element.



The HMAP does not include any strategies specific to solid waste disposal or any specific actions that might generate solid waste. Thus, **no impact** to landfills due to solid waste disposal needs would result.

g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
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State law requires a 50% diversion of solid waste from landfills. The City has developed an integrated approach to waste collection services, which includes trash, green waste, and recycling collection, and has achieved a waste diversion rate of 60% (City of Beverly Hills 2011f). Therefore, the City is in compliance with state law.

The Conservation Element of the General Plan includes goals and policies specific to reduction of solid waste. Goal CON 14 addresses a solid waste collection system that maximizes source reduction, recycling, and composting; CON 15 promotes public education about source reduction, recycling, and composting; and CON 16 addresses a waste management program and reduces that amount of waste entering landfills (City of Beverly Hills 2010f). The Housing Element would not interfere with or modify these goals and policies, and any resulting new development would be required to comply with all regulations. Additionally, as described above in 17f, solid waste generated within the City is disposed of in permitted landfills. For these reasons, no conflict with a federal, state, or local statutes or regulations related to solid waste disposal would occur with implementation of the Housing Element, and **no impact** would result.

The HMAP does not include any strategies specific to solid waste disposal or any specific actions that might generate solid waste. Thus, **no impact** to federal, state, or local statutes or regulations related to solid waste disposal would result.

18. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	

Degrade the quality of the environment. The City is a built-out community that has very little natural environment left. The addition of residential units within the existing urban setting would not degrade the quality of the remaining natural environment. Any residential development associated with the Housing Element would be subject to all policies and requirements that are in place to maintain and enhance the existing quality of the urban environment. Thus, implementation of the Housing Element would not degrade the quality of the environment and a **less than significant impact** would result.

The HMAP includes mitigation strategies that generally involve actions such as updates to codes, retrofitting existing structures for safety, public education, analysis of systems and infrastructure, and similar types of



actions. The quality of the environment would not be degraded from these types of actions and a **less than significant impact** would result.

Substantially reduce the habitat of a fish or wildlife species. As summarized above and previously in Section 4 "Biological Resources," lands in the City are largely urbanized and contain few significant biological resources. No native plant communities are present within the City's boundaries. There is minimal natural area remaining, and the majority of vegetation in the City is maintained landscaping; other areas are covered with hard urban surfaces. No riparian areas are located within the City. The Housing Element would not change allowable development areas. For these reasons, residential development resulting from the implementation of the Housing Element would not substantially reduce the habitat of a fish or wildlife species. Thus, a **less than significant impact** to habitat would result.

The HMAP includes mitigation strategies that generally involve actions such as updates to codes, retrofitting existing structures for safety, public education, analysis of systems and infrastructure, and similar types of actions. These types of actions would not impact fish or wildlife habitat. For this reason, and those outlined above, implementation of the HMAP would have a **less than significant impact** on habitat.

Cause a fish or wildlife population to drop below self-sustaining levels. As summarized above and in Section 4 "Biological Resources," the City is largely urbanized, contains few significant biological resources, and contains no native habitat. No native plant communities are present within the City's boundaries. There is minimal natural area remaining, and the majority of vegetation in the City is maintained landscaping; other areas are covered with hard urban surfaces. No riparian areas are located within the City. The Housing Element would not change allowable development areas. For these reasons, the addition of new residential units to the existing urban setting of the City would not cause fish and wildlife populations to drop below self-sustaining levels, and a **less than significant impact** would result.

The HMAP includes mitigation strategies that generally involve actions such as updates to codes, retrofitting existing structures for safety, public education, analysis of systems and infrastructure, and similar types of actions. These types of actions would not impact fish or wildlife populations or their habitat. For this reason, and those outlined above, implementation of the HMAP would have a **less than significant impact** on fish and wildlife populations.

Threaten to eliminate a plant or animal community. As summarized above and in Section 4 "Biological Resources," the City is largely urbanized, contains few significant biological resources, and contains no native habitat. No native plant communities are present within the City's boundaries. There is minimal natural area remaining, and the majority of vegetation in the City is maintained landscaping; other areas are covered with hard urban surfaces. No riparian areas are located within the City. The Housing Element would not change allowable development areas. For these reasons, the addition of new residential units to the existing urban setting of the City would not threaten to eliminate a plant or animal community, and a **less than significant impact** would result.

The HMAP includes mitigation strategies that generally involve actions such as updates to codes, retrofitting existing structures for safety, public education, analysis of systems and infrastructure, and similar types of actions. These types of actions would not impact plant or wildlife populations or their habitat. For this reason



and those outlined above, implementation of the HMAP would have a **less than significant impact** on plant and animal communities.

Reduce the number or restrict the range of a rare or endangered plant or animal. As summarized above and in Section 4 “Biological Resources,” the City is largely urbanized, contains few significant biological resources, and contains no native habitat or rare or endangered plants or animals. The Housing Element would not change allowable development areas. For these reasons, the addition of new residential units to the existing urban setting of the City would not reduce the number or restrict the range of a rare or endangered plant or animal.

The HMAP includes mitigation strategies that generally involve actions such as updates to codes, retrofitting existing structures for safety, public education, analysis of systems and infrastructure, and similar types of actions. These types of actions would not impact plant or wildlife populations or their habitat. For this reason and those outlined above, implementation of the HMAP would not reduce the number or restrict the range of a rare or endangered plant or animal, and would result in a **less than significant impact**.

Eliminate important examples of the major periods of California history or prehistory. As summarized in Section 5 “Cultural Resources,” the potential existence of cultural resources is low due to previous construction-related ground-disturbing activities. However, all development would be required to adhere to regulations protecting historic resources, such as the National Historic Preservation Act, CEQA, local General Plan policies, and review by the Beverly Hills Architectural Commission acting as the City’s Landmarks Advisory Commission. Compliance with these and other regulatory requirements would minimize the potential for development to eliminate important examples of California history or prehistory, and a **less than significant impact** would result from implementation of the Housing Element.

The HMAP includes mitigation strategies that generally involve actions such as updates to codes, retrofitting existing structures for safety, public education, analysis of systems and infrastructure, and similar types of actions. These types of actions would not impact cultural resources, and a **less than significant impact** would result.

b) Have impacts that are individually limited, but cumulatively considerable? (<i>“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects</i>)			X	
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It is possible that the development of new residential units within the City as a result of the Housing Element would result in environmental effects that could combine with the effects of other projects, either during construction or operation. Issues such as noise, traffic, public services, hydrology and water quality, air quality, and utilities are likely to have the types of effects that might incrementally add to impacts of other projects. Because this type of infill development that may result from implementation of the Housing Element would generally be located in previously disturbed areas within existing urban locations, it would reduce the potential for impacts to these issue areas through minimized vehicle miles traveled, minimal disturbance of land, minimal creation of new impervious surfaces, and continued utilization of existing public



services and utilities. Additionally, because any development associated with the Housing Element and other cumulative projects would be subject to all policies, regulations, and ordinances aimed at reducing potential impacts and minimizing any adverse environmental effects from project development and operation, impacts would be systematically reduced across all projects. This would decrease the potential for impacts to combine together and result in cumulatively considerable effects. In addition, the Housing Element is consistent with the 2008 SCAG Regional Comprehensive Plan. For this reason, the limited impacts associated with implementation of the Housing Element would not combine with other projects to result in cumulatively considerable effects, and the impact would be **less than significant**.

The HMAP includes mitigation strategies that generally involve actions such as updates to codes, retrofitting existing structures for safety, public education, analysis of systems and infrastructure, and similar types of actions. These are generally not the type of actions that could combine with other projects and cause substantial cumulative impacts. For this reason, implementation of the HMAP would result in **less than significant** cumulative impacts.

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
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As described throughout the analysis of this Initial Study, most potential environmental impacts that might result from development of new residential units during the implementation of the Housing Element would be less than significant or could be mitigated to below a level of significance. Most resulting effects of the Housing Element would cause minor nuisances such as audible temporary construction noise, slight increases in traffic, or other similar-type issues, which are not considered to be substantial adverse effects. Thus, implementation of the Housing Element and its implementation programs would not result in environmental effects that would cause substantial adverse effects to human beings.

The HMAP would implement strategies to provide advanced preparation and protection of human life and property from natural and human-caused/created disasters and hazards. Many of the strategies involve actions such as updates to codes, retrofitting existing structures for safety, public education, analysis of systems and infrastructure, and similar types of actions. These strategies would not result in environmental effects that would adversely affect humans; rather, they would serve to protect and minimize potential harm. Implementation of the HMAP would have a **less than significant impact** regarding adverse effects on humans.



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ATTACHMENT 2

Definitions and Summary of Housing Forms Addressed by Program 12.1 (Imp. 12.1)

Before providing summaries and discussion for the various housing types addressed in Housing Implementation Program 12.1, a brief summary of Federal regulation of housing for individuals with disabilities is provided. This regulation forms the basis for State law.

Federal Fair Housing Amendments Act. The Federal Government prohibits local governments from making housing opportunities unavailable to people with disabilities through discriminatory land use and zoning rules, policies, practices and procedures under the Federal Fair Housing Amendments Act. This Act went into effect in 1988, extending fair housing protections to individuals with disabilities in virtually every housing activity, or transaction (42 U.S.C. §§ 3601 et seq. (Federal Fair Housing Act)). The legislative history of the Act specifically recognizes that zoning ordinance provisions have discriminated against people with disabilities by limiting opportunities to live in the community in congregate or group living arrangements.

Residential Care Facilities

(Regulated by the California's Community Care Facilities Act)

Summary. State licensed "Residential Care Facilities", and "Alcoholism or Drug Abuse Recovery or Treatment Facilities" that serve 6 or fewer persons are regulated by the State, and this regulation pre-empts local zoning ordinances. Therefore, local jurisdictions must treat such uses as they would single-family uses. A short definition and discussion for each type of facility follows. There is a distance criteria that can be applied to certain residential care facilities, however this cannot be applied to alcohol or drug abuse recovery or treatment facilities, residential care facilities for the elderly and foster family homes (Heath and Safety Code § 1520.5).

Definition. A "residential care facility" is any group care facility or similar facility that provides 24-hour non-medical care of people in need of supervision or assistance essential for sustaining activities of daily living (Heath and Safety Code § 1502(a)(1)).

Discussion. The State's Community Care Facilities Act requires that State licensed residential care facilities for six or fewer persons be treated the same as single-family residences and, in doing so, pre-empts local zoning regulation of these facilities (Heath and Safety Code §§ 1566 et seq.). The Act is designed to move individuals with disabilities out of institutions and into family-like surroundings in residential neighborhoods. By requiring that these group homes with up to six residents be treated as single-family residences, the Act negates the "business" feature of any such facilities which might preclude them from location in compatible residential zones.

The law further provides that resident care facilities serving six or fewer individuals with disabilities be considered family uses for purposes of zoning laws which relate to the

residential use of the property. State law specifies that for purposes of local zoning codes, these facilities shall not be included in the definition of boards or rooming house, guest home, rest home or other similar term which implies that residential care facilities are a business and different than a family dwelling (Heath and Safety Code § 1566.3.)

Alcoholism or drug abuse recovery or treatment facility

(Regulated by the State Department of Alcohol and Drug Programs Regulations)

Summary. "Alcoholism or Drug Abuse Recovery or Treatment Facilities" that serve 6 or fewer persons are regulated by the State, and this regulation pre-empts local zoning ordinances. Therefore, local jurisdictions must treat such uses as they would single-family uses. A short definition and discussion for each type of facility follows.

Definition. "Alcoholism or drug abuse recovery or treatment facility" means any premises that provides 24-hour non-medical services to adults who are recovering from problems related to alcohol and/or drug abuse or misuse and who need recovery treatment or detoxification services (Heath and Safety Code § 11834.02.).

Discussion. Individuals in recovery for substance abuse are considered as having a disability. The California legislature has enacted a series of laws intended to provide and ensure the accessibility of alcohol and drug recovery, and intervention and prevention services to these individuals (Heath and Safety Code § 1781.).

These Alcohol and Drug Recovery Program statutes provide that alcoholism or drug abuse recovery or treatment facilities that service six or fewer person be considered a residential use for purposes of zoning (Heath and Safety Code § 11834.23.). Like the Community Care Facilities Act, which addresses licensed residential care facilities of six or fewer residents, these statutes pre-empt local regulation of state licensed alcohol or drug abuse recovery or treatment facilities servicing six or fewer individuals. These facilities which serve six or fewer individuals shall not be included within the definition of rooming or boarding house, institution or home for the care of minors, the aged or other similar term that implies that the facility is a business run for profit and differs in any other way from a single-family residence (Heath and Safety Code § 11834.23.)

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Emergency Shelters, Transitional Housing, Supportive Housing, and Single-Room Occupancy (SRO) Units

(Regulated by Senate Bill 2 (Government Code Section 65583))

Summary. Emergency shelters, transitional housing, supportive housing and single-room occupancy (SRO) units are addressed together in the following section. All of these housing types play a role in providing permanent housing for those in need. As such, these housing types will usually be integrated into a system of care giving (referred to as

a "continuum of care" or COC), and are typically constructed, owned, and operated by non-profit housing and services providers. A person in need will enter into the COC typically through an emergency shelter, where immediate housing is provided while their immediate needs are assessed. As soon as possible the operator of the emergency shelter will then move the person into transitional housing (length of stay is limited) or into supportive housing (length of stay is unlimited). In transitional and supportive housing, the person's long-term needs will be assessed, and the service provider works towards meeting those needs. This may include setting the person up on State and Federal assistance, social security or other forms of public aid. A person is placed in supportive housing when through their needs assessment it becomes apparent that they will need continuous care and support, such as the chronically homeless and persons suffering from certain illnesses. In the case of transitional housing, through this time period, the service provider will work towards placing the person in longer-term housing. If possible, the service provider works to locate the person in permanent housing, this could be in an apartment (or SRO, which is more affordable than other types of rental housing), where the person pays rent, and if they are capable may work.

Definitions. Definitions from the State Department of Housing and Community Development are provided below.

"Emergency Shelter" – (Health and Safety Code 50801(e)): means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

"Transitional Housing" – (Health and Safety Code 50675.2(h)): means rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

"Supportive Housing – (Health and Safety Code 50675.14(b)): Supportive housing is permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives. Supportive housing has no limit on length of stay (whereas there is a length of stay in Transitional Housing), and is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

"Single-Room Occupancy (SRO) Units" are small, between 200 to 350 square foot, rooms that include a bed, closet, small kitchenette, and bathroom. Many SRO's are converted from hotels. These units provide a valuable source of affordable housing lower- income individuals, seniors, people with disabilities, and the formerly homeless.

Discussion. All cities and counties must identify zone or zones that allow emergency shelters as a permitted use, without a conditional use permit or other discretionary permit.

Emergency Shelters. Every locality must identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones must include sufficient capacity to accommodate the need for emergency shelter as identified in the housing element, EXCEPT that all local governments must identify a zone or zones to accommodate at least one year-round shelter. Adequate sites/zones can include existing facilities that can be converted to accommodate the need for emergency shelters.

Shelters may only be subject only to development and management standards that apply to residential or commercial development in the same zone except that local governments may apply written and objective standards that include all of the following:

- maximum number of beds;
- off-street parking based upon demonstrated need;
- size and location of on-site waiting and intake areas;
- provision of on-site management;
- proximity to other shelters;
- length of stay;
- lighting; and
- security during hours when the shelter is open.

Transitional Housing. Transitional housing is to be considered as a residential use and must be subject to the same restrictions that apply to similar housing types in the same zone. Transitional housing is used to facilitate the movement of homeless individuals and families to permanent housing. A person may live in a transitional apartment for up to two-years while receiving services that enable independent living. Every locality must identify zones that will allow the development of transitional housing. Appropriate sites for transitional housing have the following characteristics:

- **Zoning:** Transitional housing should be subject to the same permitting processes as other housing in the zone without undue special regulatory requirements.
- **Location:** The zoning should include sites located within the boundaries of the jurisdiction and close to public services and facilities, including transportation.
- **Development Standards:** Parking requirements, fire regulations, and design standards should not impede the efficient use of the site as transitional housing.

Supportive Housing. Supportive housing is to be considered as a residential use and must be subject to the same restrictions that apply to similar housing types in the same zone. Supportive housing is similar to transitional housing; however there is no time limit on a person's stay in supportive housing. Typically, a portion of the housing is targeted to people who have risk factors such as homelessness, or health challenges such as mental illness or substance addiction; such persons may remain in supportive housing indefinitely. Study after study attest to the cost effectiveness of supportive housing. Not only is it significantly less expensive than the institutional alternatives that homeless and disabled people often cycle through – including shelters, institutions and hospitals – it

ends tenants' dependence on emergency services for healthcare and treatment. The types of support services that can be provided include medical and mental health care, vocational and employment services, substance abuse treatment, childcare, and independent living skills training.

Most supportive housing is built and managed by non-profit housing developers in partnership with non-profit service providers. However, local governments must play a proactive role in assuring support and providing necessary approvals. The housing element should identify zones that allow supportive housing development and demonstrate that zoning, local regulations (standards and the permit process) encourage and facilitate supportive housing.

Supportive housing comes in all shapes and sizes, and is designed to meet the needs of both the people to be served and the communities where it is located. It could be a renovated hotel or a new multifamily development where tenants with disabilities live alongside other families. Supportive housing can include services for the residents in the building, or a number of small supportive homes may share a central neighborhood service center. Whatever the configuration, supportive housing allows tenants, who would otherwise be homeless, or utilizing emergency services and institutions to access support services that enable them to live as independently as possible, while reducing the burden on community emergency services.

Single-Room Occupancy (SRO) Units: Many older SROs have been lost due to deterioration, hotel conversions, and demolition. Therefore, in addition to identifying zoning and development standards that will allow and encourage the construction of new SROs, local governments should consider including program actions in their housing elements that commit to preserving and rehabilitating existing residential hotels and other buildings suitable for SROs. Other implementation actions that would encourage both the development of new SROs and the preservation of existing opportunities include:

- Zoning and permit procedures. The element could include a program action that commits the local government to amending their zoning and building codes, and permitting procedures to facilitate and encourage new SRO construction. A more streamlined entitlement process helps in providing greater predictability in the approval and development of new SROs. In terms of preservation, local governments could include programs to promote the rehabilitation of older (structurally sound) buildings located in appropriate areas, rather than demolition.
- Provide regulatory and fiscal assistance. The element could include a program action that commits the local government to providing funding sources and regulatory relief to assist non-profit developers in constructing and preserving SRO facilities.
- Implement educational programs. Include a program to outreach to neighborhood groups, stakeholders, advocates, and local businesses regarding the advantages of providing opportunities for new construction and preservation of SROs.