

**Findings of Fact**  
**The View Residential Project Environmental Impact Report**  
**Project No. R2015-01232/Vesting Tentative Tract Map No. 073082/**  
**Conditional Use Permit No. 201500052/Environmental Assessment**  
**No. RENV 201500089**

***SCH No. 2017041016***

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# 1 Introduction

## 1.1 Findings of Fact

The County of Los Angeles (County), as the lead agency, has prepared the following Findings of Fact (Findings) in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC], Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) for The View Residential Project (Project). These Findings are made pursuant to PRC Sections 21081, 21081.5, and 21081.6, and the State CEQA Guidelines Sections 15091 and 15093. The environmental effects of the proposed Project are addressed in the Final Environmental Impact Report (Final EIR), which is incorporated by reference herein.

PRC Section 21081(a) and the State CEQA Guidelines Section 15091(a) require that no public agency shall approve or carry out a project for which an environmental impact report (EIR) has been completed that identifies one or more significant effects thereof, unless such public agency makes one or more of the following findings:

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

CEQA also requires that the Findings made pursuant to State CEQA Guidelines Section 15091 be supported by substantial evidence in the record (Section 15091[b] of the State CEQA Guidelines). Under CEQA, substantial evidence means enough relevant information has been provided (and reasonable inferences from this information may be made) that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Substantial evidence must include facts, reasonable assumptions predicted upon facts, and expert opinion supported by facts (Section 15384 of the State CEQA Guidelines).

Further, in accordance with PRC Section 21081 and the State CEQA Guidelines Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered “acceptable.” In that case, the decision-making agency may prepare and adopt a Statement of Overriding Considerations.

## 1.2 Record of Proceedings

The Record of Proceedings for the County's decision on the Project includes, but is not limited to, the following documents and other evidence, which are incorporated by reference and made part of the record supporting these Findings:

- The Notice of Preparation of a Draft EIR and Public Scoping Meeting (NOP) and all other public notices issued by the County in conjunction with the Project;
- All responses to the NOP received by the County;
- The Initial Study (IS) and all technical appendices;
- The Draft EIR;
- All written comments submitted by agencies, organizations, or members of the public during the public review comment period on the Draft EIR;
- The Final EIR, including all responses to the written comments presented in the Final EIR;
- All written comments and oral public testimony presented during a noticed public hearing for the Project at which such testimony was taken;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in any responses to comments in the Final EIR;
- All documents, studies, EIRs, or other materials referenced in, or otherwise relied upon during the preparation of the Draft EIR and the Final EIR;
- Matters of common knowledge to the County, including, but not limited to, federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by PRC Section 21167.6(e).

## 1.3 Custodian and Location of Records

The documents and other materials which constitute the record of proceedings for the County's actions on the Project are available through the County's Department of Regional Planning which is the custodian of the Project's administrative record. Copies of the documents that constitute the record of proceedings are located at 320 W. Temple Street, Los Angeles, California 90012 and on the County's website at <https://lacrpl.legistar.com/LegislationDetail.aspx?ID=7298714&GUID=B635A084-9A9D-4E27-9D03-0C17D94C51E3&Options=ID|Text|&Search=73082>. This information is provided in compliance with the PRC Section 21081.6(a)(2) and the State CEQA Guidelines Section 15091(e).

## 1.4 Nature of Findings

All of the language included in this document constitutes Findings by the County, whether or not any particular sentence or clause includes a statement to that effect. The County intends that these Findings be considered as an integrated whole and, whether or not any part of these Findings fail to cross reference or incorporate by reference any other part of these Findings, that any finding required or committed to be made by the County

with respect to any particular subject matter of the Final EIR, shall be deemed to be made if it appears in any portion of these Findings.

## 1.5 Independent Judgment

The County has exercised independent judgment in accordance with PRC 21082.1(c) in directing an environmental consultant in the preparation of the EIR, and reviewing, analyzing, and revising material prepared by the consultant. The County hereby finds that it has independently reviewed, analyzed, and revised the Final EIR and that the Final EIR reflects the independent judgment of the County.

## 1.6 Certification of the Environmental Impact Report

Pursuant to Section 21082.1(c) of the PRC, the County hereby certifies and finds that the Final EIR for The View Residential Project, State Clearinghouse No. 2017041016, has been completed in compliance with the CEQA and the State CEQA Guidelines. The Final EIR consists of the following documents: (1) Draft EIR and Appendices; and (2) Final EIR, which includes Responses to Comments, an Errata to the Draft EIR, Final EIR Appendices, and the MMRP.

The County hereby further certifies and finds that it received, independently reviewed/analyzed, and considered the information contained in the Final EIR as well as all hearings and submissions of testimony from County officials and departments, the public, other public agencies, community groups, and organizations.

## 1.7 Recirculation

The County finds the Draft EIR does not require recirculation under PRC 21092.1 and State CEQA Guidelines Section 15088.5. State CEQA Guidelines Section 15088.5 requires recirculation of an EIR prior to certification of the Final EIR when “significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review.” As described in CEQA Guidelines Section 15088.5:

New information is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented;
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance;
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it;
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

In addition, CEQA Guidelines Section 15088.5(b) provides “recirculation is not required where the new information added to the EIR merely clarifies and amplifies or makes insignificant modifications in an adequate EIR.”

As such, the County makes the following findings:

1. None of the public comments submitted to the County regarding the Draft EIR and the Final EIR, including public statements and comments made at hearings, or responses to comments, present any significant new information that would require the EIR to be re-circulated for additional public review.
2. No new significant environmental impacts would result from any new or modified mitigation measures proposed to be implemented.
3. The Draft EIR adequately analyzed Project alternatives and there are no feasible project alternatives or mitigation measures considerably different from others previously analyzed that would clearly lessen the significant environmental impacts of the project.
4. The Draft EIR was not fundamentally and basically inadequate and conclusory in nature and did not preclude meaningful public review and comment.
5. Any new information in the Final EIR has been provided merely to clarify or amplify information in the Draft EIR and does not individually or collectively constitute significant new information within the meaning of PRC Section 21092.1 or the State CEQA Guidelines Section 15088.5. The new information added to the Final EIR does not involve new significant environmental impacts or a substantial increase in the severity of an environmental impact.

## 1.8 Notice of Determination

A Notice of Determination will be filed with the Los Angeles County Clerk and the State Clearinghouse within five (5) working days of final Project approval.

## 1.9 Mitigation Monitoring and Reporting Program

An MMRP has been prepared for the Project. Pursuant to Section 21081.6 of the PRC, the County, in adopting these Findings, also adopts the MMRP for the Project. The MMRP is designed to ensure that, during Project implementation, the County and other responsible parties will comply with the mitigation measures adopted in these Findings.

The County hereby finds that the MMRP, which is incorporated herein by reference and attached as Exhibit A to these Findings, meets the requirements of PRC Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant environmental effects of the Project.

## 1.10 Relationship of Findings to EIR

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



## 1.11 Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the County.

## 1.12 Environmental Review Process

The EIR prepared for the Project is an informational document intended for use by County, other local and state agencies, and members of the general public in evaluating the potential environmental effects of the proposed Project. The Project's EIR was specifically prepared pursuant to the Los Angeles County Superior Court (Court), County of Los Angeles Court Order dated October 10, 2019 for the United Homeowners Association II vs County of LA et al. case No. BS172990 (Superior Court Order). As indicated in the Superior Court Order, the Court found that the previously prepared Mitigated Negative Declaration (MND) was in compliance with CEQA with the sole exception of Traffic and Circulation. Pursuant to the Public Resources Code Section 21168.9, the Court required an EIR be prepared "addressing the significance of environmental impacts regarding Traffic and Circulation." Thus, the Project's EIR addresses traffic and circulation, with all other environmental topics addressed in an Initial Study, which is appended to the Draft EIR as Appendix B. The Project, Environmental Assessment (Env. Ass.) No. RENV 201500089, also includes the approval of the Tentative Tract Map No. 073082 and Conditional Use Permit (CUP) No. 201500052.

In accordance with the above-described Court Order to prepare an EIR, and pursuant to State CEQA Guidelines Section 15082, the County distributed the NOP on November 4, 2020, to the State Clearinghouse, the Los Angeles County Clerk's office, public agencies, and other interested parties for the required 45-day review and comment period ending on December 18, 2020. During the public review period, hardcopies of the IS/NOP were made available upon request due the COVID-19 pandemic in which the County offices and library branches were closed to the public. A digital copy of the IS/NOP was also made available on the County Department of Regional Planning (County Planning) website. Additionally, the County held a virtual public scoping meeting on November 30, 2020, to facilitate public review and comment on the Project. All IS/NOP comments relating to CEQA were reviewed and the issues raised in those comments were considered in the preparation of the Draft EIR.

The Draft EIR was made available for public review and comment pursuant to CEQA Guidelines Section 15087. The public review period for the Draft EIR started on November 7, 2022, and ended on January 6, 2023. The public review period provided interested public agencies, groups, and individuals the opportunity to comment on the contents of the Draft EIR. A Notice of Completion (NOC) and Notice of Availability (NOA) of the Draft EIR were submitted to the State Clearinghouse and posted at the County Clerk's office. Hardcopies of the Draft EIR were available for public review at the Los Angeles County Department of Regional Planning's main office (320 W. Temple Street, Los Angeles, CA 90012). The Draft EIR was also posted on the County Planning website for public review. The Notice of Hearing Examiner Public Hearing was published along with the NOC/NOA. A virtual (online) public meeting on the Draft EIR was held on December 8, 2022.

The Final EIR contains public comments received on the Draft EIR, responses to those comments, an errata, and a MMRP. The Final EIR was prepared and distributed in accordance with State CEQA Guidelines Section

15088(b), which requires that written responses be provided to a public agency on comments made by that public agency at least 10 days prior to certifying an environmental impact report.

## 2 Project Summary

### 2.1 Project Location

The Project site is located at 5101 South Overhill Drive on 1.84 gross acres (1.77 net acres) within the unincorporated community of Ladera Heights/View Park-Windsor Hills in Los Angeles County ("Project site"). The Project site is zoned C-1 (Restricted Commercial) and is located within a Hillside Management Area and Very High Fire Hazard Severity Zone. The Project site is currently vacant and unimproved and is 1.84 acres in size.

### 2.2 Project Objectives

The Project's statement of objectives is defined below:

1. Develop a high-quality multi-family residential development with larger than average multi-family unit sizes, supporting on-site amenities, and providing adequate parking per the Zoning Code.
2. Promote homeownership, community pride, and individual investment in the community by providing high-quality for-sale units.
3. Provide the maximum number of housing units to assist the County in achieving its 6th cycle Regional Housing Needs Assessment (RHNA) allocation to the greatest extent possible, as well as provide five percent of the units priced for moderate income households.
4. Provide new housing opportunities in the County by utilizing a presently underutilized site for residential uses.
5. Maximize the number of residential units provided by the development and improve the residential unit type diversity for the community benefit while balancing consistency with the surrounding residential community character.
6. Reduce urban sprawl and associated environmental impacts related to off-site infrastructure improvements, wildfire hazards, Significant Ecological Areas, and vehicle miles traveled by utilizing an urban infill site within a 1/2 mile to transit and employment opportunities.
7. Provide a transition between adjacent single-family uses and commercial uses.

### 2.3 Project Description

The Project consists of a Vesting Tentative Tract Map (VTTM) to create one multi-family residential lot, with 88 attached condominium units, a Conditional Use Permit (CUP) for the development of 88 attached residential condominium dwelling units in the C-1 Zone, a yard modification for reduced front yard setbacks, and a request to exceed the maximum height limit within Zone C-1 on 1.84 gross acres (1.77 net acres).

## 2.4 Discretionary Actions

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the County for implementation of the Project. These actions include, but are not limited to, the approval of the following for the Project:

1. **VTTM No. 073082.** The Project site currently consists of one parcel. The Project includes a VTTM No. 073082 to create one multi-family residential lot with 88 attached condominium units, subdividing the airspace, and allowing for the future sale of the condominium units.
2. **CUP No. 201500052.** The Project site is zoned C-1 and has a General Plan and land use designation of CG (General Commercial). Multi-family residential projects are allowed in the C-1 Zone with a CUP. The maximum allowable building height in the C-1 Zone is 35 feet. The Project, however, exceeds the building height limit by 30 feet with a total height of 65 feet. Finally, the Project also reduces the required front yard setback of 20 feet in the C-1 Zone to 15 feet. Therefore, a CUP is required for development of multi-family residential units, a height exceedance, and a yard modification for reduced front yard setbacks.
3. **Certification of a Final Environmental Impact Report and adoption of a Mitigation Monitoring and Reporting Program.** Pursuant to CEQA, the lead agency must decide whether to certify the Final EIR, complete Findings, and adopt the Mitigation Monitoring and Reporting Program.
4. **Easement Vacation or Modifications.** The site contains easements for infrastructure, such as electrical and roadway right-of-way. The Project requires easement vacations, modifications, and new easements to develop and provide service to the Project.

## 3 Summary of Environmental Impacts

Based on the Final EIR discussion and analysis, the following is a summary of the environmental topics considered to have no impact, a less than significant impact, and a significant and unavoidable impact.

### No Impact

The County finds, based on substantial evidence in the record, that the Project will have no impacts and require no mitigation measures with respect to the following issues:

- Aesthetics (Draft EIR, Appendix B): Impacts 1a, 1c
- Agriculture/Forest (Draft EIR, Appendix B): Impacts 2a-e
- Biological Resources (Draft EIR, Appendix B): Impacts 4b-c, 4e-g
- Cultural Resources (Draft EIR, Appendix B): Impact 4a
- Geology and Soils (Draft EIR, Appendix B): Impact 7e
- Hazards and Hazardous Materials (Draft EIR, Appendix B): Impacts 9d-e, 9g(ii)
- Hydrology and Water Quality (Draft EIR, Appendix B): Impacts 10b, 10c(iv), 10d, 10f-h
- Land Use and Planning (Draft EIR, Appendix B): Impact 11b

- Mineral Resources (Draft EIR, Appendix B): Impacts 12a-b
- Noise (Draft EIR, Appendix B): Impact 13c
- Wildfire (Draft EIR, Appendix B): Impacts 20a-e
- Cumulative Effects: No cumulative impacts would occur for the above-listed thresholds.

### **Less Than Significant Impact**

The County finds, based on substantial evidence in the record, that the Project will have less than significant impacts and require no mitigation measures with respect to the following issues:

- Aesthetics (Draft EIR, Appendix B): Impacts 1b, 1d
- Air Quality (Draft EIR, Appendix B): Impacts 3a-c
- Biological Resources (Draft EIR, Appendix B): Impact 4a
- Energy (Draft EIR, Appendix B): Impacts 6a-b
- Geology and Soils (Draft EIR, Appendix B): Impacts 7a(i)-a(iv), 7b-d, 7f
- Greenhouse Gas Emissions (Draft EIR, Appendix B): Impacts 8a-b
- Hazards and Hazardous Materials (Draft EIR, Appendix B): Impacts 9a-c, 9f-g(i), 9g(iii), 9h
- Hydrology and Water Quality (Draft EIR, Appendix B): Impacts 10a, 10c(i)-c(iii), 10e
- Land Use and Planning (Draft EIR, Appendix B): Impacts 11a, 11c
- Population and Housing (Draft EIR, Appendix B): Impacts 14a-b
- Public Services (Draft EIR, Appendix B): Impacts 15a(i)-(vi)
- Recreation (Draft EIR, Appendix B): Impacts 16a-c
- Traffic and Circulation (Draft EIR Chapter 4): All Impacts
- Utilities and Service Systems (Draft EIR, Appendix B): Impacts 19a-e
- Cumulative Effects: No significant cumulative impacts would occur for the above-listed thresholds

### **Less Than Significant Impact with Mitigation Incorporated**

The County finds, based on substantial evidence in the record, that the Project will have less than significant impacts with mitigation incorporated with respect to the following issues:

- Aesthetics (Draft EIR, Appendix B): Impact 1e
- Air Quality (Draft EIR, Appendix B): Impact 3d
- Biological Resources (Draft EIR, Appendix B): Impact 4d
- Cultural Resources (Draft EIR, Appendix B): Impact 5b-d
- Noise (Draft EIR, Appendix B): Impacts 13a-b
- Tribal Cultural Resources (Draft EIR, Appendix B): Impacts 18a(i)-(ii)
- Cumulative Effects: No significant cumulative impacts would occur for the above-listed thresholds

## Significant and Unavoidable Impacts

The County finds, based on substantial evidence in the record, that the Project will not have potentially significant and unavoidable impacts.

# 4 Findings Regarding Significant Impacts

In accordance with PRC Section 21081 and State CEQA Guidelines Section 15091, the County adopts one or more of the three possible findings for each significant impact. These findings are provided below and will be used hereinafter and referenced as identified below:

- **CEQA Finding 1.** Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR (State CEQA Guidelines Section 15091[a][1]);
- **CEQA Finding 2.** Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency (State CEQA Guidelines Section 15091[a][2]); and
- **CEQA Finding 3.** Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible, the mitigation measures or project alternatives identified in the final EIR (State CEQA Guidelines Section 15091[a][3]).

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. However, project modification or alternatives are not required where such changes are infeasible, as stated in State CEQA Guidelines Section 15091(a)(3). State CEQA Guidelines Section 15364 defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors."

For those significant impacts that cannot be mitigated to a less than significant level, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's "benefits" rendered "acceptable" its "unavoidable adverse environmental effects" (State CEQA Guidelines Sections 15093 and 15043[b]; see also PRC Section 21081[b]).

For each resource category discussed below, the following sections are provided:

- **Potential Effects:** A specific description of the significant environmental impact(s) identified in the EIR.
- **Mitigation:** Identified feasible mitigation measures that are required as part of the Project.
- **Finding:** One or more of the three specific findings set forth in State CEQA Guidelines Section 15091.
- **Facts in Support of Finding:** A summary of the reasons for the finding(s) is provided for each impact.

## 4.1 Aesthetics

**Potential Effects:** The Project would have a significant impact related to aesthetics as follows:

**Threshold 1e:** *Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area.*

**Mitigation:** The following mitigation was incorporated to reduce significant impacts related to aesthetics:

MM-1. Prior to issuance of any building permit, the Project applicant shall prepare a site lighting plan for review and approval by the County of Los Angeles Director of Regional Planning, or designee. The lighting plan shall be prepared by a licensed electrical engineer and shall be in compliance with applicable standards of the Los Angeles County Code. The lighting plan shall demonstrate that all exterior lighting has been designed and located so that all direct rays are confined to the property in a manner meeting the approval of the Director of Regional Planning, or designee.

**Finding:** The County hereby adopts CEQA Finding 1.

**Facts in Support of Finding:** Implementation of MM-1 would reduce impacts related to aesthetics to a less-than-significant level. Substantial evidence supporting the environmental impact conclusion is provided in Section 1, Aesthetics, of the Initial Study (Draft EIR, Appendix B, page 10).

## 4.2 Air Quality

**Potential Effects:** The Project would have a significant impact related to air quality as follows:

**Threshold 3d:** *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

**Mitigation:** The following mitigation was incorporated to reduce significant impacts related to air quality:

MM-3. Prior to issuance of any grading permit the applicant shall prepare a grading plan for review and approval by the County of Los Angeles Director of Regional Planning, or designee, that includes a note indicating that at the conclusion movement of any earth material of 10,000 cubic yards or the authorized volume, whichever is greater, the Project applicant shall perform power washing to the Windsor Hills Elementary School building(s) and playground equipment. The grading plan shall be prepared by a licensed civil engineer and shall be in compliance with applicable standards of the Los Angeles County Code. The grading plan shall further demonstrate that all construction vehicle wheels shall be water sprayed and/or washed, in a manner meeting the approval of the Director of Regional Planning, or designee, to limit dust traveling offsite.

MM-3.1. Prior to issuance of any grading permit the applicant shall implement a dust suppression program to prevent the migration of dust particles to the adjacent residential area. Fugitive dust emission reduction shall be demonstrated in a manner meeting the approval of the Director of Public Health.



**MM-3.2.** Prior to issuance of any grading permit the applicant shall prepare and submit to the Director of Public Health an air quality assessment verifying that the future occupants of the project will not be exposed to significant air toxics, fumes and other hazards associated with fires and the proximity to the Baldwin Hills Oil Fields.

**Finding:** The County hereby adopts CEQA Finding 1.

**Facts in Support of Finding:** Implementation of MM-3, MM-3.1, and MM-3.2 would reduce impacts related to air quality to a less-than-significant level. Substantial evidence supporting the environmental impact conclusion is provided in Section 3, Air Quality, of the Initial Study (Draft EIR, Appendix B, pages 15-16).

## 4.3 Biological Resources

**Potential Effects:** The Project would have a significant impact related to biological resources as follows:

**Threshold 4d:** *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.*

**Mitigation:** The following mitigation was incorporated to reduce significant impacts related to biological resources:

**MM-4.** Within five (5) days prior to land-clearing activities between February 1 through August 31, a qualified biologist shall conduct a nesting survey to identify any direct or indirect impacts to actively nesting birds. If direct or indirect impacts are identified, the biologist shall specify the appropriate mitigation measure(s) for these impacts. Such measures may include avoidance of occupied nests, staging work areas outside an established buffer area, modified scheduling of grading and clearing and monitoring of active nests during construction.

**Finding:** The County hereby adopts CEQA Finding 1.

**Facts in Support of Finding:** Implementation of MM-4 would reduce impacts related to biological resources to a less-than-significant level. Substantial evidence supporting the environmental impact conclusion is provided in Section 4, Biological Resources, of the Initial Study (Draft EIR, Appendix B, page 18).

## 4.4 Cultural Resources

**Potential Effects:** The Project would have a significant impact related to cultural resources as follows:

**Threshold 5b:** *Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5.*

**Threshold 5c:** *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.*

**Threshold 5d:** *Disturb any human remains, including those interred outside of dedicated cemeteries.*

**Mitigation:** The following mitigation was incorporated to reduce significant impacts related to cultural resources:

- MM-5. Prior to the issuance of any grading permit, applicants shall provide written evidence to the County of Los Angeles that a County certified archaeologist has been retained to observe grading activities greater than six feet in depth and salvage and catalogue archaeological resources as necessary. The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the project applicant, for exploration and/or salvage. Prior to the release of the grading bond the applicant shall obtain approval of the archaeologist's follow-up report from the County. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Applicant shall prepare excavated material to the point of identification. Applicant shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the County. Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County or its designee, all in a manner meeting the approval of the County. Unanticipated discoveries shall be evaluated for significance by a County-certified archaeologist. If the archaeological resources are found to be significant, then the Project Applicant shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the County of Los Angeles, or its designee, on a first refusal basis; and provide a comprehensive final report including appropriate records for the California Department of Parks and Recreation (Building, Structure, and Object Record; Archaeological Site Record; or District Record, as applicable).
- MM-5.1. Prior to the issuance of any grading permit, applicants shall provide written evidence to the County of Los Angeles that a County certified paleontologist has been retained to observe grading activities greater than six feet in depth and salvage and catalogue paleontological resources as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontologist resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the paleontological resources are found to be significant, the paleontologist observer shall determine appropriate actions, in cooperation with the project applicant, for exploration and/or salvage. Prior to the release of the grading bond the applicant shall obtain approval of the paleontologist's follow-up report from the County. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Applicant shall prepare excavated material to the point of identification. Applicant shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the County. Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County or its designee, all in a manner meeting the approval of the County. Unanticipated discoveries shall be evaluated for significance by a County- certified a paleontologist. If the paleontological resources are found to be significant, then the project



shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the County of Los Angeles, or its designee, on a first refusal basis; and provide a comprehensive final report including appropriate records for the California Department of Parks and Recreation.

- MM-5.2. If human remains are encountered during excavation activities, all work shall halt and the County Coroner shall be notified (California Public Resources Code §5097.98). The Coroner will determine whether the remains are of forensic interest. If the Coroner, with the aid of the County-approved Archaeologist, determines that the remains are prehistoric, s/he will contact the Native American Heritage Commission (NAHC). The NAHC shall be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 7050.5 of the California Health and Safety Code. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed if feasible, and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials (California Health and Safety Code §7050.5). If the landowner rejects the MLD's recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance (California Public Resources Code §5097.98).

**Finding:** The County hereby adopts CEQA Finding 1.

**Facts in Support of Finding:** Implementation of MM-5, MM-5.1, and MM-5.2 would reduce impacts related to cultural resources to a less-than-significant level. Substantial evidence supporting the environmental impact conclusions is provided in Section 5, Cultural Resources, of the Initial Study (Draft EIR, Appendix B, pages 20-22).

## 4.5 Noise

**Potential Effects:** The Project would have a significant impact related to noise as follows:

***Threshold 13a: Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the County General Plan or noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08), or applicable standards of other agencies.***

***Threshold 13b: Generation of excessive groundborne vibration or groundborne noise levels.***

**Mitigation:** The following mitigation was incorporated to reduce significant impacts related to noise:

- MM-13.1. Acoustical Analysis. Submit an acoustical analysis by a certified acoustical engineer to include analysis of mobile and point sources and their impact on the Project and neighbors, sensitive receptors (i.e., schools) and risk populations (i.e., the elderly, people with chronic health issues, etc.) to determine whether additional noise-suppression methods are required.
- MM-13.2. Construction Activities. Construction activities shall not be permitted on any national holiday or on any Sunday. All construction equipment shall use properly operating mufflers. Any powered equipment or powered hand tool that produces a maximum noise level exceeding 75

dBA at a distance of 50 feet from said source shall be prohibited unless a means exists to reduce such noise below 75 dBA. The use of a temporary noise barrier during construction is considered a reasonable and feasible measure, as described below, if the 75 dBA Noise Ordinance requirement cannot be achieved by other means. A temporary noise barrier shall be installed along the southern site boundary when heavy equipment is being used within 160 feet of said boundary. The barrier height shall be 10 feet above grade. If sound blankets are installed on a support framework, the edges shall overlap sufficiently to cover any gaps, and the areal density of the framework and fabric shall be at least 3.5 pounds per square foot to provide adequate stiffness to the array.

**MM-13.3.** Additional Construction Noise Controls. For all mobile construction equipment operating within 250 feet of adjacent residential receptors, and for all stationary construction equipment operating on the project site, additional noise attenuation techniques shall be employed to ensure that noise remains within levels allowed by the County of Los Angeles noise restrictions. Prior to issuance of grading permits, the Applicant shall submit a mitigation plan prepared by a qualified engineer or other acoustical expert for review and approval by the departments of Regional Planning and Public Health that identifies noise control measures that achieve a minimum 20 dBA reduction in construction-related noise levels. The mitigation plan may include use of vibratory pile drivers or other pile driving noise controls, sound curtains, engineered equipment controls, or other methods. Noise control requirements shall be noted on project construction drawings and verified by the Building and Safety Division during standard inspection procedures.

**MM-13.4.** Neighbor Notification. Provide notification to occupants adjacent to the project site at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures. The notification shall include a telephone number for local residents to call to submit complaints associated with construction noise. The notification shall also be posted on La Brea Avenue and Overhill Drive adjacent to the project site, and shall be easily viewed from adjacent public areas.

**Finding:** The County hereby adopts CEQA Finding 1.

**Facts in Support of Finding:** Implementation of MM-13.1 through MM-13.4 would reduce impacts related to noise to a less-than-significant level. Substantial evidence supporting the environmental impact conclusions is provided in Section 13, Noise, of the Initial Study (Draft EIR, Appendix B, pages 42-45).

## 4.6 Tribal Cultural Resources

**Potential Effects:** The Project would have a significant impact related to tribal cultural resources as follows:

***Threshold 18a(i): Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the***

**California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code § 5020.1(k).**

**Threshold 18a(ii): Cause the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**Mitigation:** The following mitigation was incorporated to reduce significant impacts related to tribal cultural resources:

MM-5.3. If items, areas or other resources of significance associated with tribal cultural resources are identified, all work shall halt and the Gabrieleño Band of Mission Indians, Kizh Tribal Territory, Kizh Nation, shall be notified. Avoidance and treating of the items with dignity shall occur. The Gabrieleño Band of Mission Indians' representative shall determine whether the items are of cultural interest. If the representative determines there is a cultural resource, there shall be permanent conservation easement(s) and/or protecting the items in place.

**Finding:** The County hereby adopts CEQA Finding 1.

**Facts in Support of Finding:** Implementation of MM-5.3 would reduce impacts related to tribal cultural resources to a less-than-significant level. Substantial evidence supporting the environmental impact conclusions is provided in Section 18, Tribal Cultural Resources, of the Initial Study (Draft EIR, Appendix B, pages 51-52).

## 5 Findings Regarding Growth-Inducing Impacts

Section 15126.2(e) of the CEQA Guidelines requires a discussion of how the potential growth-inducing impacts of a project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Induced growth is distinguished from the direct employment, population, or housing growth of a project (14 CCR 15000 et seq.). If a project has characteristics that “may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively,” then these aspects of the project must be discussed as well. Induced growth is any growth that exceeds planned growth and results from new development that would not have taken place in the absence of the project. Typically, the growth-inducing potential of a project would be considered significant if it stimulates population growth or a population concentration above what is assumed in local and regional land use plans, or in projections made by regional planning authorities, such as the Southern California Association of Governments (SCAG).

The CEQA Guidelines also indicate that growth should not be assumed to be either beneficial or detrimental (14 CCR 15126.2[d]). According to Section 15126.2(e) of the CEQA Guidelines, a project is defined as growth inducing when it directly or indirectly:

1. Fosters population growth;
2. Fosters economic growth;
3. Includes the construction of additional housing in the surrounding environment;
4. Removes obstacles to population growth;
5. Taxes existing community service facilities, requiring construction of new facilities that could cause significant environmental effects; and/or
6. Encourages or facilitates other activities that could significantly affect the environment, either individually or cumulatively.

**Growth Inducement Due to Population Growth:** The View Residential Project proposes to construct 88 new residential units on the site, which would directly induce population growth in the area. However, the Project would not induce substantial population growth in the area as such growth is well within the population projections of the area within the SCAG Regional Transportation Plan (RTP) and is consistent with the prescribed density of the General Commercial land use category of the Los Angeles County General Plan. SCAG Demographics and Growth Forecast provides city and county-level growth forecasts for employment, population, and households. The SCAG Demographics and Growth Forecast predicts that by 2045, the County's population will increase to 11,674,000 persons, an increase of 1,267,000 persons from 2020. The growth in population will drive job growth and housing demand within the region as well, adding approximately 647,000 housing units between 2020 and 2045. At the 2016 SCAG average household size of 3.1 persons per household for the region, the Project's 88 residential units could result in a residential population of approximately 273 persons. SCAG forecasts the average household size to decrease to 2.9 persons per household by 2045. However, to be conservative, the SCAG 2016 average household size is used herein to estimate population growth. With a total of 88 residential units and projected population inducement of 273 persons, the Project would represent only a small fraction of anticipated growth in the County based on SCAG population growth forecasts. Therefore, the Project would contribute to and is projected to be within the anticipated population growth for the County, and the Project would not exceed the population growth projections (Draft EIR, page 5-2).

**Growth Inducement Due to Economic Growth.** An increase in population would foster economic growth by increasing demand for regional and local goods and services. It is expected that future residents would demand a variety of goods and services from the existing and future commercial uses within the surrounding area. The Project would not provide services on site and therefore would not generate direct employment opportunities for residents. As the Project proposes development of 88 residences the Project is not expected to result in substantial growth inducement associated with economic growth.

**Growth Inducement Due to Additional Housing.** As described under Section 5.1.1 above, the Project would include development of 88 residential units and the County is projected to add approximately 647,000 housing units between 2020 and 2045 based on the most recent SCAG Demographics and Growth Forecast. Therefore, the Project would represent only a small fraction of anticipated growth in the County based on SCAG housing growth forecasts.

Additionally, SCAG recently adopted the 6th Cycle RHNA allocation plan, which covers the planning period of October 2021 through October 2029. The estimated allocation for the County as a whole is 812,060 housing units. For the unincorporated areas of the County, the allocation is 90,052 housing units. The Project's anticipated construction schedule is anticipated to conclude during the 6th Cycle RHNA planning period, which would result in the anticipated housing growth to be accounted for in the County's 6th Cycle RHNA allocation. Therefore, the Project would not stimulate housing growth above what is assumed in local and regional land use plans, or in projections made by regional planning authorities (Draft EIR, page 5-2).

**Growth Inducement Due to Removal of Obstacles.** Indirect growth can also occur by a Project installing infrastructure that can support further growth. The surrounding area is developed and supported by existing road and utility infrastructure. The Project would include connections to existing utilities and infrastructure and would not result in the extension of infrastructure or roads into an undeveloped area leading to substantial population growth. Therefore, indirect growth inducement as a result of the extension of these facilities into a new area would not occur.

Improvements to transportation, utilities, and public service infrastructure as part of the Project would accommodate the direct growth induced by the Project. These improvements would not open up new areas to development because they would connect to existing transportation and utility infrastructure (including water and sewer) adjacent to the Project site. Furthermore, these improvements would provide access and utility service solely to the Project. Therefore, the Project site would not be capable of supporting future development due to these transportation and utility improvements.

The Project would not provide surplus infrastructure capacity that would induce growth in surrounding areas, but would, rather, accommodate the Project during operations. Therefore, the Project would not result in growth inducement due to the removal of obstacles (Draft EIR, pages 5-2 through 5-3).

**Growth Inducement Due to Construction of New Service Facilities.** Public services such as schools, police, and fire services would be provided by existing and planned surrounding facilities. The Project would pay development impact fees to the local school districts prior to final map approval, which would ensure school facilities are not overburdened. Additionally, the County Fire Department has reviewed and cleared the Project, and the Project would be adequately served by both existing fire and police facilities. The Project also has a park land obligation and/or in-lieu fee obligation, per the County Code Section 21.28.140. The park obligation for the Project would be met through payment of an in-lieu fee by the applicant to the Department of Parks and Recreation, which would ensure existing park and recreation facilities are not overburdened. The Project would not result in the deterioration of existing public services or facilities, including schools, police, fire, and parks and recreation facilities. Refer to the Initial Study (Appendix B of the Draft EIR) for additional details. Therefore, the Project would not tax existing community service facilities, resulting in growth inducement due to the need to construct new facilities (Draft EIR, page 5-3).

## 6 Findings Regarding Project Alternatives

CEQA requires that an EIR describe a range of reasonable alternatives to the project, or to the location of the project, that could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen the project's significant effects, and to evaluate the comparative merits of the alternatives (14 CCR 15126.6[a]). As defined by the CEQA Guidelines, "The range of alternatives required in an EIR is governed



by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice” (14 CCR 15126.6[f]).

Consistent with Section 15126.6 of the CEQA Guidelines, the EIR includes consideration of a reasonable range of alternatives to the Project (see Chapter 6 of the Draft EIR). Two alternatives were considered but rejected based on one or more of the criteria for rejection outlined in Section 15126.6(c) of the State CEQA Guidelines. Four alternatives were carried forward for detailed consideration in the Draft EIR, including the No Project/No Build Alternative, the No Project/Commercial Development Alternative, the No Project/Mixed Use Development Alternative, and the No Project/Reduced Mixed Use Development Alternative. In compliance with CEQA, these Findings examine these alternatives and the extent to which they lessen or avoid the Project’s environmental effects while meeting the Project Objectives. The County finds that a good faith effort was made to evaluate all reasonable alternatives to the Project that could feasibly obtain its basic objectives, even when the alternatives might impede the attainment of the objectives or be more costly.

## 6.1 Alternatives Considered and Eliminated During the Planning Process

Two alternatives for the Project were considered, but ultimately rejected from further analysis, consistent with Section 15126.6(c) of the State CEQA Guidelines: (1) Alternative Location and (2) Reduced Project.

### 6.1.1 Alternative Location

Pursuant to Section 15126.6(f)(2) of the CEQA Guidelines, the County considered the potential for alternative locations to the Project that could allow for a Project that would meet the basic Project objectives. As indicated in CEQA Section 15126.6(f)(1), feasibility shall be considered. Specifically, this section states “[a]mong the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).” The surrounding Windsor Hills County area is mostly developed or already proposed for development, with the exception of nearby oil fields, open space parks, and steep slopes that are not suitable, designated/zoned, and/or available for residential uses. Underutilized developed areas would have potential to be redeveloped to provide additional housing units, however the Project applicant does not control another site within the area of comparable land that is available for development of the Project. The applicant does control the commercial property to the north of the site, but the property is currently developed with commercial uses and tenants with leases occupy the site and, thus, it is unavailable for redevelopment. Given the site’s location, site zoning, and site designations for development, it is also not reasonable to assume that the use of another site would result in the Project site being vacant and impacts related to the site conditions avoided. Other surrounding areas are also in other jurisdictions outside the control of the County, and it is noted that development of housing in those areas would not provide housing towards the County’s Regional Housing Needs Assessment allocation goals nor be in the control of the County. For these reasons, an Alternative Location is not considered feasible.

Further, as stated under Section 15126.6(f)(2)(A) of the CEQA Guidelines, “[o]nly locations that would avoid or substantially lessen any of the significant effects of the Project need be considered for inclusion in the EIR.”

The Project site is currently located within a Transit Priority Area (TPA) and within 1/2 mile of a high-quality transit corridor. Due to the Project location, development on the site would result in a less than significant impact related to vehicle miles traveled (VMT). No traffic or circulation impacts result from the Project. As it is the intent of CEQA to locate alternatives in order to reduce environmental impacts and the location of the Project already avoids significant traffic and circulation impacts, an Alternative Location need not be considered for inclusion in the EIR.

Overall, as an Alternative Location is infeasible and not warranted, such an alternative was rejected from further analysis in the EIR (Draft EIR, page 6-3).

## 6.1.2 Reduced Project

Public comments suggested a reduction in Project size and building height, therefore a Reduced Project Alternative was considered. Per land use designation, any density from 0 to 50 units per acre is consistent with the General Plan General Commercial land use designation. The Project's 88 units on a net 1.77-acre site would be approximately 50 units per acre consistent with the allowed land use density. Thus, to define this alternative, the zoning code was reviewed. The zoning code includes a building height limit of 35 feet. It is assumed that this could be achieved by removing two floors of the Project's five-floor building, which would equate to the loss of approximately 40% of the habitable space or approximately 35 units. Thus, this Reduced Project would consist of a 53-unit development within a three story, 35-foot-tall building.

A reduced version of the Project with approximately 70 units of a smaller size to fit within the 35-foot-tall building was also considered. However, such an alternative would not meet the Project objectives 1 and 2 to provide high-quality, larger sized units. Combined with the loss in units that would not meet objectives 3 and 5, such an alternative would not meet the basic Project objectives.

Another reduced Project alternative that significantly reduces on-site parking for residents to achieve a building height reduction while also maintaining unit size was also considered. While the site is located in a TPA with available transit options, it is foreseen based on the social factors that residents would still want to have personal vehicles and may attempt to park them in the adjacent community. This would result in a convenience impact to adjacent areas, it would also likely result in a loss of recreational use of the nearby trail and commercial uses considering residents would likely park at those locations. Considering these factors, it is unlikely the County would approve such a Project and it was rejected from further consideration.

As indicated in CEQA Guidelines Section 15126.6(b), "...the discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant impacts of the Project." For the proposed Project, the Superior Court required an EIR be prepared "addressing the significance of environmental impacts regarding Traffic and Circulation." The Reduced Project was rejected from further consideration in the Draft EIR considering it would not reduce any significant traffic or circulation impact of the Project, as the Project has no such impacts (Draft EIR, Chapter 4, Traffic and Circulation).

The Reduced Project would not substantially reduce any significant mitigated impacts identified for the Project in the categories of aesthetics (operational lighting), air quality (grading dust and residential in proximity to the Baldwin Hills Oil Fields), biological resources (grading impacts to nesting birds), cultural resources (grading impacts to unknown subsurface archaeological and paleontological resources, and human remains), noise (mobile source and construction), and tribal cultural resources (grading impacts to unknown subsurface tribal cultural resources) considering the grading, construction, land uses, and development included in the

Reduced Project would be similar to the Project and result in the same significant mitigated impacts. It is further noted that all impacts of the Project would be less than significant with mitigation similar to the Reduced Project Alternative (Draft EIR, pages 6-3 through 6-4).

## 6.2 Alternatives Under Consideration

As discussed on pages 6-4 through 6-17 of the Draft EIR, the Project alternatives are summarized below along with the findings relevant to each alternative.

### 6.2.1 Alternative 1: No Project/No Build Alternative

CEQA Guidelines Section 15126.6 requires the inclusion of a No Project/No Build Alternative (Alternative 1) to be analyzed. Under Alternative 1, no development would occur on the Project site. Accordingly, the site characteristics of this alternate would be equivalent to the existing conditions of the site (Draft EIR, page 6-5).

#### Environmental Effects

The Project was determined to have no potentially significant traffic or circulation impacts. Alternative 1 would not generate any new traffic that would affect the local roadway network or result in a change in VMT. As no change would occur under Alternative 1, no conflict with the County General Plan 2035 or inconsistencies with CEQA Guidelines section 15064.3(b) would occur. No roadway improvements or changes to emergency access would occur, and therefore no hazardous features or inadequate emergency access would result from this alternative. Alternative 1 would result in no contribution to cumulative traffic and circulation impacts. Overall, no traffic or circulation impacts would occur under Alternative 1. The Project would result in less than significant traffic and circulation impacts. In comparison to the Project, Alternative 1 would reduce traffic and circulation impacts, but not substantially, considering impacts would already be less than significant with the Project (Draft EIR, page 6-6).

As the No Project Alternative would result in the continuation of the existing conditions, the No Project Alternative would not result in any other environmental issues that may be significant (Draft EIR, page 6-6).

#### Finding

Alternative 1 would result in reduced environmental impacts when compared to the Project. However, Alternative 1 would not meet any of the Project objectives. Specifically, this alternative would not meet objective 1 as it would not provide a high-quality multi-family residential development with supporting amenities. It would also not provide additional housing or new housing opportunities, and would not meet objectives 2, 3, 4, or 5. As no development would be provided, this Alternative 1 would also not provide development in proximity to transit and employment or develop an urban infill site to reduce urban sprawl and associated impacts (objective 6), or provide a transition between uses (objective 7) (Draft EIR, page 6-6). Therefore, the County rejects Alternative 1 on the grounds that this alternative would not achieve any of the Project objectives. Additionally, Alternative 1 would not reduce or avoid any potentially significant and unavoidable environmental impacts, as none would occur under the Project.



## 6.2.2 Alternative 2: No Project/Commercial Development Alternative

Alternative 2: No Project/Commercial Development Alternative is intended to represent buildout of the site with commercial uses in accordance with the General Plan land use designation and zoning. The site is designated as General Commercial and is zoned as C-1, Restricted Commercial. As identified in the General Plan 2035 Table 6.2: Land Use Designations, General Commercial is intended to provide local-serving commercial uses, including retail, restaurants, and personal and professional services; single family and multifamily residences; and residential and commercial mixed uses. The commercial development intensity allowed by the land use designation and zoning is a maximum floor to area ratio (FAR) of 1.0. Considering it is a Project objective to maximize development intensity and the net site acreage is 1.77 acres, this equates to an allowed commercial square-footage of 77,101. It is assumed that uses would consist of those allowed with only ministerial review. Thus, for the purposes of developing a reasonable Project alternative and a range, the commercial uses assumed in this analysis could include either a less intense (1) general retail stores on the lower level with office type uses above on the second floor (Option A); or a more intense allowed use consisting of (2) a 42,000 square-foot grocery store, such as a Walmart Neighborhood Market, and the remaining a split between restaurant uses and retail uses (Option B). It is also assumed that the site design would comply with the Zoning Code requirements, including setbacks, parking, landscape, screening wall, and 35-foot height limit requirements.

The County's Parking Standards for Commercial and Industrial Standards requires 1 space for every 250 square feet of retail and 1 space for every 400 square feet of offices, and 1 space per 3 persons based on the occupant load for restaurants with occupants based on 1 person per 15 square feet. It is also assumed that parking spaces would be the standard 90-degree angle and 18 feet by 19 feet (342 square feet each) in accordance with the County's Standards. This equates to 250 parking spaces for Alternative 2 Option A and 628 spaces for Alternative 2 Option B. Considering Option A would include a building footprint that covers half the site and the remaining surface area would only accommodate about 100 surface parking spaces, it is assumed that Option A would include a two to three level parking garage separate from the building that includes a portion of the garage subsurface. Due to the substantial parking needed for Option B, it is assumed that Option B would include a three-level parking garage as well as subsurface parking below the proposed buildings.

Considering the Alternative 2 parking information and that the Project includes 95% of its 198 parking spaces subsurface, it is assumed that the Option A would include fewer grading cuts and associated export relative to the Project and that Option B would include more grading cuts and associated export relative to the Project. In order to accommodate the changes in grading, it is assumed that Alternative 2 Option B construction schedule would be reduced slightly and that Alternative 2 Option B would involve more days of grading in order to complete the additional excavation. The roadway access improvements included in the Project would also be included in Alternative 2 (Draft EIR, pages 6-6 through 6-8).

### Environmental Effects

## Traffic and Circulation

### Plan Conflicts

The Los Angeles County's General Plan 2035 includes several mobility policies that would apply to this Alternative 2. The General Plan mobility goals and policies include multi-modal, roadway facility operations, jurisdictional coordination, and traffic demand management (Draft EIR, page 6-8).

### Multi-Modal

The General Plan multi-modal goals include Goal M-1, M-2, and M-4, as well as associated policies relating to multi-modal transportation. These multimodal goals and policies emphasize that streets need to safely accommodate all users, including sensitive users, pedestrians, and cyclists. The changes to the roadway included in Alternative 2 would be the same as those included to the Project, which include the construction of a sidewalk along the Project frontage as well as roadway improvements along the Overhill Drive frontage consisting of a two-way left-turn lane. As with the Project, the transportation improvements included in Alternative 2 would be completed to accommodate all users, would be to County Standards and the sidewalk improvements would be ADA-compliant. Thus, Alternative 2 would be consistent with multi-modal goals and policies similar to the Project (Draft EIR, page 6-8).

### Roadway Facilities Operations

As detailed in Chapter 4 of the Draft EIR, level of service (LOS) analysis methods for development projects are no longer utilized to determine transportation impacts in CEQA analysis and associated traffic delay is not an environmental issue. While not a CEQA issue and not utilized to determine environmental impact significance, it is noted for informational purposes that Alternative 2 (either option) would result in an increase in trips generated relative to the Project. In accordance with General Plan Policy M 4.6 and current CEQA analysis requirements, VMT analysis is currently used by the County instead of LOS and is discussed under VMT below (Draft EIR, pages 6-8 through 6-9).

### Jurisdictional Coordination

The Project site is located in the vicinity of several other jurisdictions; however, none of the proposed improvements included in the Project or this alternative would require coordination with the adjacent communities. Thus, Alternative 2 would not conflict with Policies M 4.9, M 4.12 or M 4.13 similar to the Project (Draft EIR, page 6-9).

### Traffic Demand Management

Policy M 4.15, Policy M 4.16, Goal M-5, and Policies M 5.1 and M 5.2 are all related to traffic demand management, which are focused on reducing vehicle trips through reduced parking, transit pass subsidies, carpooling programs, telecommuting, pedestrian and transit-oriented design, and other methods to reduce dependency on vehicles. As discussed below in the VMT analysis, the Project site is located within ½ mile of a high-quality transit corridor and TPA. As such, Alternative 2 would provide for development in an area with adequate alternative modes of transportation and would not result in a substantial change in VMT. Further, the placement of the proposed commercial uses in proximity to existing residential uses would reduce vehicle miles traveled since those residents would have to travel fewer miles to purchase items or travel to work. As

such, Alternative 2 would have a less than significant impact to VMT. This Alternative would not result in significant VMT and would not require additional traffic demand management measures to reduce related environmental impacts. Thus, it would not conflict with the goals and policies related to traffic demand management in a manner that would result in a significant environmental effect. Impacts related to traffic demand management conflicts would be less than significant similar to the Project (Draft EIR, page 6-9).

## VMT

As discussed in Chapter 4 of the Draft EIR, a bus stop for Metro Route 212 is located less than 800 feet from the Project site, along Overhill Drive, and has 15 minute or less headways during the peak hours which qualifies as a high-quality transit corridor. A majority of the Project site is located within a Transit Priority Area (TPA) as defined by the Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy. As such, the Project site is located within 1/2 mile of a high-quality transit corridor and TPA and therefore can be screened out of further analysis and presumed to have a less than significant impact to VMT. As Alternative 2 would utilize the same Project location, it would similarly be defined as being located within a TPA and within a high-quality transit corridor. Thus, similar to the Project, it would have a less than significant impact to VMT. It is noted that Alternative 2 would place commercial uses in proximity to existing residential uses, which would reduce vehicle miles traveled considering residents would have to travel fewer miles to purchase items or travel to work. However, this reduction is not considered substantial given the location of other commercial uses approximately 1/2 mile to two miles away and the location of the site within a TPA (Draft EIR, pages 6-9 through 6-10).

## Geometric Design Hazard and Emergency Access

Roadway improvements and changes to emergency access under Alternative 2 would be the same as the Project. As the Project impacts were determined to be less than significant, this Alternative 2 would similarly result in less than significant impacts related to roadway geometric design and emergency access (Draft EIR, page 6-10).

## Other Environmental Issues

Alternative 2 would not substantially reduce or increase other environmental impacts relative to the Project with the exception of air quality and greenhouse gas emissions. The 1,909 vehicular trips generated by Option A and 4,652 trips generated by Option B would generate more than double the mobile source emissions generated by the Project's 704 daily vehicle trips. In addition, construction emissions associated with Option B would likely be substantially increased given the significant increase in grading cuts and associated soil export needed to provide the additional parking necessary under this alternative. Alternative 2 would substantially increase the air quality and greenhouse gas emissions relative to the Project (Draft EIR, page 6-10).

## Finding

Alternative 2 would result in similar traffic and circulation impacts when compared to the Project. Additionally, Alternative 2 would not substantially reduce or increase other environmental impacts relative to the Project with the exception of air quality and greenhouse gas emissions, in which this alternative would substantially increase the air quality and greenhouse gas emissions relative to the Project. Moreover, as Alternative 2 would not include housing, it would not meet Project objectives 1 to 5. As this Alternative would include development on an infill site in a manner that reduces infrastructure improvements, avoids Significant Ecological Areas,

avoids wildfire hazard areas, and reduces VMT, it would meet Project objective 6. However, the County would have to provide the additional housing units elsewhere to meet its housing goals so this alternative would not reduce urban sprawl to the extent of the Project. This alternative would not meet objective 7, as it would not provide a transition between commercial and single-family residences. Overall, this alternative would not meet the basic Project objectives as it would not meet half of the objectives (Draft EIR, page 6-10). Therefore, the County rejects Alternative 2 on the grounds that this alternative would not meet a majority of the Project objectives and would increase environmental impacts when compared to the Project.

### 6.2.3 Alternative 3: No Project/Mixed Use Development Alternative

Alternative 3: No Project/Mixed Use Development Alternative is intended to represent buildout of the site with a mix of commercial and residential uses in accordance with the General Plan land use designation and zoning as well as the Project objectives. As discussed above, the site is designated as General Commercial and is zoned as C-1, Restricted Commercial and development is intended to include commercial, residential or mixed residential and commercial uses. This alternative would include a mix of residential and commercial uses. The development intensity allowed by the site's land use designation and zoning includes a maximum FAR of 1.0 for commercial and up to 17 dwelling unit per acre per County Zoning Code Section 22.140.360. Considering the net site is 1.77 acres, this equates to an allowed square-footage of 77,101 square feet and 30 residential units. It is assumed that uses would consist of those allowed with a Ministerial Site Plan Review. In accordance with the performance standards for mixed use developments, Alternative 3 would include commercial uses (general retail stores and offices) on the lower level, with residential on the second and third floors. It is also assumed that the site design would comply with general Zoning Code requirements, including setbacks, height limits, and parking requirements. The roadway access improvements included in the Project are also included in Alternative 3. Parking would include 318 spaces. Grading would be increased relative to the Project due to the need for additional subsurface parking; however, it is assumed that the amount of grading per day would be similar to the Project. As such, the construction schedule of this alternative would be longer than the Project (Draft EIR, page 6-11).

## Environmental Effects

### Plan Conflicts

The Los Angeles County's General Plan 2035 includes several mobility policies that would apply to this Alternative 3. The General Plan mobility goals and policies include multi-modal, roadway facility operations, jurisdictional coordination, and traffic demand management (Draft EIR, page 6-11).

### Multi-Modal

The General Plan multi-modal goals include Goal M-1, M-2, and M-4, as well as associated policies relating to multi-modal transportation. These multimodal goals and policies emphasize that streets need to safely accommodate all users, including sensitive users, pedestrians, and cyclists. The changes to the roadway included in Alternative 3 would be the same as those included in the Project, which include the construction of a sidewalk along the Project frontage as well as roadway improvements along the Overhill Drive frontage consisting of a two-way left-turn lane. As with the Project, the transportation improvements included in Alternative 3 would be completed to accommodate all users, would be to County Standards and the sidewalk improvements would be ADA-compliant. Thus, Alternative 3 would be consistent with multi-modal goals and policies similar to the Project (Draft EIR, page 6-12).

## Roadway Facilities Operations

As detailed in Chapter 4 of the Draft EIR and mentioned above, LOS analysis methods for development projects are no longer utilized to determine transportation impacts in CEQA analysis and associated traffic delay is not an environmental issue. While not a CEQA issue and not utilized to determine environmental impact significance, it is noted for informational purposes that Alternative 3 would result in an increase in trips generated relative to the Project. In accordance with General Plan Policy M 4.6 and current CEQA analysis requirements, VMT analysis is currently used by the County instead of LOS and is discussed under VMT below (Draft EIR, page 6-12).

## Jurisdictional Coordination

The Project site is located in the vicinity of several other jurisdictions; however, none of the proposed improvements included in the Project or this alternative would require coordination with the adjacent communities. Thus, Alternative 3 would not conflict with Policies M 4.9, M 4.12 or M 4.13 similar to the Project (Draft EIR, page 6-12).

## Traffic Demand Management

Policy M 4.15, Policy M 4.16, Goal M-5, and Policies M 5.1 and M 5.2 are all related to traffic demand management, which are focused on reducing vehicle trips through reduced parking, transit pass subsidies, carpooling programs, telecommuting, pedestrian and transit-oriented design, and other methods to reduce dependency on vehicles. As discussed below in the VMT analysis, the Project site is located within ½ mile of a high-quality transit corridor and TPA. As such, Alternative 3 would provide for development in an area with adequate alternative modes of transportation and would not result in a substantial change in VMT. Further, the placement of the proposed residential and commercial uses intermixed, as well as in proximity to other existing residential and commercial uses would reduce vehicle miles traveled since residents would have to travel fewer miles to purchase items or travel to work. As such, Alternative 3 would have a less than significant impact to VMT. This Alternative would not result in significant VMT and would not require additional traffic demand management measures to reduce related environmental impacts. Thus, it would not conflict with the goals and policies related to traffic demand management in a manner that would result in a significant environmental effect. Impacts related to traffic demand management conflicts would be less than significant similar to the Project (Draft EIR, page 6-13).

## VMT

As discussed above, the Project site is located within ½ mile of a high-quality transit corridor and TPA and therefore would have a less than significant impact to VMT. As Alternative 3 would utilize the same Project location, it would similarly be placing new uses within a TPA and within a high-quality transit corridor. Thus, it would have a less than significant impact to VMT similar to the Project. Further, Alternative 3 would include a mix of commercial and residential uses in an area that also contains a mix of uses which would further reduce vehicle miles travelled considering people would have to travel less distance to purchase items and to potential employment (Draft EIR, page 6-13).

## Geometric Design Hazard and Emergency Access

Roadway improvements and changes to emergency access under Alternative 3 would be the same as the Project. As the Project impacts were determined to be less than significant, this Alternative 3 would similarly result in less than significant impacts related to roadway geometric design and emergency access (Draft EIR, page 6-13).

## Other Environmental Issues

Impacts related to this alternative are anticipated to be similar to the Project for all environmental topics, with the exception of an increase in air quality emissions and greenhouse gas emissions considering the increase in development intensity. The 2,180 vehicular trips generated by this alternative would generate over double the mobile source emissions generated by the Project's daily vehicular trips of 704 daily vehicle trips. Alternative 3 would substantially increase the air quality and greenhouse gas emissions relative to the Project (Draft EIR, page 6-13).

## Finding

Alternative 3 would result in similar traffic and circulation impacts when compared to the Project. Although VMT may be further reduced under Alternative 3, the significance determination for traffic and circulation would not change relative to the Project and would remain less than significant. Impacts related to this alternative are anticipated to be similar to the Project for all other environmental topics, with the exception of an increase in air quality emissions and greenhouse gas emissions. Alternative 3 would include large unit multi-family residential with open space amenities and would therefore meet objective 1. It would also include for-sale housing in accordance with objective 2, though to a lesser extent than the Project considering the reduction in units. Alternative 3 would not maximize the number of units and therefore would not meet objectives 3 or 5. This alternative would generally meet objectives 4 and 6, as the Project site and location would remain unchanged relative to the Project. However, the County would have to provide the additional housing units elsewhere to meet its housing goals so urban sprawl would not be reduced to the extent achieved by the Project. The provision of a mixed-use project would provide a transition between the commercial and single-family residences, thereby meeting objective 7. Overall, Alternative 3 would meet the basic Project objectives considering it would meet five of the seven Project objectives (Draft EIR, page 6-14).

Alternative 3 would provide fewer housing units when compared to the Project, thus reducing the extent to which this alternative would achieve the Project's objectives and contribute to the County's RHNA. Additionally, Alternative 3 would not reduce or avoid any potentially significant and unavoidable environmental impacts of the Project and would in fact increase impacts for some environmental topical areas. For these reasons, the County rejects Alternative 3.

### 6.2.4 Alternative 4: No Project/Reduced Mixed Use Development Alternative

Alternative 4: No Project/Reduce Mixed Use Development Alternative is similar to Alternative 3; however, the intensity of development would be reduced. As discussed above, the site is designated as General Commercial and is zoned as C-1, Restricted Commercial and development is intended to include commercial, residential or mixed residential and commercial uses. This alternative would include a mix of residential and



commercial uses. The development intensity allowed by the site's land use designation and zoning includes a maximum FAR of 1.0 for commercial and up to 17 dwelling unit per acre per County Zoning Code Section 22.140.360. Considering the net site is 1.77 acres, this equates to an allowed square-footage of 77,101 square feet and 30 residential units; however, under Alternative 4, the square footage of commercial use would be reduced relative to the maximum allowable square footage. It is assumed that uses would consist of those allowed with a Ministerial Site Plan Review. In accordance with the performance standards for mixed use developments, Alternative 4 would include commercial uses (offices) on the lower level, with residential on the second and third floors. It is also assumed that the site design would comply with general Zoning Code requirements, including setbacks, height limits, and parking requirements. The roadway access improvements included in the Project are also included in Alternative 4. Parking would include 164 spaces. Grading would be reduced relative to the Project due to a reduction in subsurface parking levels; however, it is assumed that the amount of grading per day would be similar to the Project. As such, the construction schedule of this alternative would be slightly shorter than that of the Project (Draft EIR, page 6-14).

## **Environmental Effects**

### **Traffic and Circulation**

#### **Plan Conflicts**

The Los Angeles County's General Plan 2035 includes several mobility policies that would apply to this Alternative 4. The General Plan mobility goals and policies include multi-modal, roadway facility operations, jurisdictional coordination, and traffic demand management (Draft EIR, page 6-15).

#### **Multi-Modal**

The General Plan multi-modal goals include Goal M-1, M-2, and M-4, as well as associated policies relating to multi-modal transportation. These multimodal goals and policies emphasize that streets need to safely accommodate all users, including sensitive users, pedestrians, and cyclists. The changes to the roadway included in Alternative 4 would be the same as those included in the Project, which include the construction of a sidewalk along the Project frontage as well as roadway improvements along the Overhill Drive frontage consisting of a two-way left-turn lane. As with the Project, the transportation improvements included in Alternative 4 would be completed to accommodate all users, would be to County Standards and the sidewalk improvements would be ADA-compliant. Thus, Alternative 4 would be consistent with multi-modal goals and policies similar to the Project (Draft EIR, page 6-15).

#### **Roadway Facilities Operations**

As detailed in Chapter 4 of the Draft EIR and mentioned above, LOS analysis methods for development projects are no longer utilized to determine transportation impacts in CEQA analysis and associated traffic delay is not an environmental issue. While not a CEQA issue and not utilized to determine environmental impact significance, it is noted for informational purposes that Alternative 4 would result in a reduction in trips generated relative to the Project. In accordance with General Plan Policy M 4.6 and current CEQA analysis requirements, VMT analysis is currently used by the County instead of LOS and is discussed under VMT below (Draft EIR, page 6-15).

### Jurisdictional Coordination

The Project site is located in the vicinity of several other jurisdictions; however, none of the proposed improvements included in the Project or this alternative would require coordination with the adjacent communities. Thus, Alternative 4 would not conflict with Policies M 4.9, M 4.12 or M 4.13 similar to the Project (Draft EIR, page 6-16).

### Traffic Demand Management

Policy M 4.15, Policy M 4.16, Goal M-5, and Policies M 5.1 and M 5.2 are all related to traffic demand management, which are focused on reducing vehicle trips through reduced parking, transit pass subsidies, carpooling programs, telecommuting, pedestrian and transit-oriented design, and other methods to reduce dependency on vehicles. As discussed below in the VMT analysis, the Project site is located within ½ mile of a high-quality transit corridor and TPA. As such, Alternative 4 would provide for development in an area with adequate alternative modes of transportation and would not result in a substantial change in VMT. Further, the placement of the proposed residential and commercial uses intermixed, as well as in proximity to other existing residential and commercial uses would reduce vehicle miles traveled since residents would have to travel fewer miles to work. As such, Alternative 4 would have a less than significant impact to VMT. This Alternative would not result in significant VMT and would not require additional traffic demand management measures to reduce related environmental impacts. Thus, it would not conflict with the goals and policies related to traffic demand management in a manner that would result in a significant environmental effect. Impacts related to traffic demand management conflicts would be less than significant similar to the Project (Draft EIR, page 6-16).

### VMT

As discussed above, the Project site is located within ½ mile of a high-quality transit corridor and TPA and therefore would have a less than significant impact to VMT. As Alternative 4 would utilize the same Project location, it would similarly be placing new uses within a TPA and within a high-quality transit corridor. Thus, it would have a less than significant impact to VMT similar to the Project. Further, Alternative 4 would include a mix of commercial and residential uses in an area that also contains a mix of uses which would further reduce vehicle miles travelled considering people would have to travel less distance to potential employment (Draft EIR, page 6-16).

### Geometric Design Hazard and Emergency Access

Roadway improvements and changes to emergency access under Alternative 4 would be the same as the Project. As the Project impacts were determined to be less than significant, this Alternative 4 would similarly result in less than significant impacts related to roadway geometric design and emergency access (Draft EIR, page 6-17).

### Other Environmental Issues

Alternative 4 would reduce other environmental impacts relative to the Project. Construction impacts would be reduced since less grading would be required. While daily construction intensity would remain the same, the overall construction duration would be reduced, which would reduce construction energy consumption and construction greenhouse gas emissions. While daily construction noise would be the same as the Project, the



duration of construction noise generation would be reduced. Additionally, the likelihood of encountering unanticipated subterranean cultural or archaeological resources would be reduced due to the reduced depth of excavation. During operations, the reduced vehicle trips would lead to reductions in mobile source emissions, which would reduce impacts in the categories of air quality and greenhouse gas emissions. Impacts in other environmental categories would be similar to those of the Project (Draft EIR, page 6-17).

## Finding

Alternative 4 would result in similar traffic and circulation impacts when compared to the Project. Although VMT may be further reduced under Alternative 4, the significance determination for traffic and circulation would not change relative to the Project and would remain less than significant. Alternative 4 would reduce some environmental impacts relative to the Project, including certain construction impacts and operational air quality and greenhouse gas emission impacts. Impacts in other environmental categories would be similar to those of the Project. Alternative 4 would include large unit multi-family residential with open space amenities and would therefore meet objective 1. It would also include for-sale housing in accordance with objective 2, though to a lesser extent than the Project considering the significant reduction in units. Alternative 4 would not maximize the number of units and therefore would not meet objectives 3 or 5. This alternative would generally meet objectives 4 and 6, as the Project site and location would remain unchanged relative to the Project. However, the County would have to provide the additional housing units elsewhere to meet its housing goals so urban sprawl would not be reduced to the extent achieved by the Project. The provision of a mixed-use project would provide a transition between the commercial and single-family residences, thereby meeting objective 7. Overall, Alternative 4 would meet the basic Project objectives considering it would meet five of the seven Project objectives (Draft EIR, page 6-17).

Alternative 4 would provide fewer housing units when compared to the Project, thus reducing the extent to which this alternative would achieve the Project's objectives and contribute to the County's RHNA. Additionally, Alternative 4 would not reduce or avoid any potentially significant and unavoidable environmental impacts of the Project. For these reasons, the County rejects Alternative 4.

## 6.3 Environmentally Superior Alternative

Alternative 1 (No Project/No Build Alternative) would result in no environmental impacts due to no development occurring on the site and would thus be the environmentally superior alternative. However, it would not meet any of the Project objectives. Section 15126.6(e)(2) of the CEQA Guidelines states that if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. The purpose of the Project's EIR is to focus solely on traffic and circulation, and no potentially significant traffic or circulation impacts were identified. As such, no alternative to reduce significant traffic or circulation impacts is warranted. In addition, all other potential impacts of the Project would be less than significant with mitigation. Ultimately, the Project would be environmentally superior relative to the Alternative 2 (No Project/Commercial Development) and Alternative 3 (No Project/Mixed Use Development) considering those two alternatives do not substantially decrease any Project impacts yet would increase air quality and greenhouse gas impacts relative to the Project. Alternative 4 (No Project/Reduced Mixed Use Development Alternative) would result in reduced construction impacts, as well as reduced operational air quality and greenhouse gas impacts, relative to the Project. For these reasons, aside from Alternative 1, Alternative 4 would be considered an environmentally superior alternative. Alternative 4 is considered superior due to reductions in construction activities associated with a smaller subterranean parking

garage and due to reductions in operational vehicle trips, leading to fewer air emissions and greenhouse gas emissions throughout the life of the project (Draft EIR, pages 6-17 and 6-18). However, as described above in Section 6.2.4, the County rejects Alternative 4 in favor of the Project. Alternative 4 would provide fewer housing units when compared to the Project and would not reduce or avoid any potentially significant and unavoidable environmental impacts of the Project.

## 7 Conclusion

The mitigation measures listed in conjunction with each of the findings set forth above, as implemented through the MMRP, will eliminate or reduce to a less-than-significant level the adverse environmental impacts of the Project. As demonstrated above, the County rejects Alternatives 1 through 4 in favor of the proposed Project.

Taken together, the EIR which consists of the Initial Study, Draft EIR, Final EIR, and the MMRP provide an adequate basis for approval of the Project.

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# **Exhibit A**

## Mitigation Monitoring and Reporting Program

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# Mitigation Monitoring and Reporting Program

California Public Resources Code Section 21081.6 requires that, upon certification of an Environmental Impact Report (EIR), “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.”

This exhibit contains the mitigation monitoring and reporting program (MMRP) that has been developed for The View Residential Project (“Project”). This MMRP has been developed in compliance with Public Resources Code Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines.

As described in Chapter 1.0, Introduction, of the Draft EIR, The View Residential Project EIR has been specifically prepared pursuant to the Superior Court of California, County of Los Angeles Court Order dated October 10, 2019 for the United Homeowners Association II vs County of LA et al case No. BS172990 (Court Order). As indicated in the Court Order, the Superior Court found that the previously prepared mitigated negative declaration (MND) for the Project was CEQA compliant with the exception of Traffic and Circulation. Pursuant to the Public Resources Code section 21168.9, the Superior Court required an EIR be prepared “addressing the significance of environmental impacts regarding Traffic and Circulation.” The mitigation measures shown in this MMRP are associated with environmental topical areas that were already litigated and found to be CEQA compliant.

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**  
**PROJECT NO. R2015-01232-(2) / TTM NO. 073082 / ENV NO. 201500089**

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
MM-1	Aesthetics	Prior to issuance of any building permit, the project applicant shall prepare a site lighting plan for review and approval by the County of Los Angeles Director of Regional Planning, or designee. The lighting plan shall be prepared by a licensed electrical engineer and shall be in compliance with applicable standards of the Los Angeles County Code. The lighting plan shall demonstrate that all exterior lighting has been designed and located so that all direct rays are confined to the property in a manner meeting the approval of the Director of Regional Planning, or designee.	Approval of a site lighting plan (Revised Exhibit "A").	Prior to issuance of a building permit.	Applicant and subsequent owner(s)	Department of Regional Planning
MM-3	Air Quality	Prior to issuance of any grading permit the applicant shall prepare a grading plan for review and approval by the County of Los Angeles Director of Regional Planning, or designee, that includes a note indicating that at the conclusion movement of any earth material of 10,000 cubic yards or the authorized volume, whichever is greater, the project applicant shall perform power washing to the Windsor Hills Elementary School building(s) and playground equipment. The grading plan shall be prepared by a licensed civil engineer and shall be in compliance with applicable standards of the Los Angeles County Code. The grading plan shall further demonstrate that all construction vehicle wheels shall be water sprayed and/or washed, in a manner meeting the approval of the Director of Regional Planning, or designee, to limit dust traveling offsite.	Approval of a grading plan (Revised Exhibit "A").	Prior to issuance of a grading permit.	Applicant and subsequent owner(s)	Department of Regional Planning
MM-3.1	Air Quality	Prior to issuance of any grading permit the applicant shall implement a dust suppression program to prevent the migration of dust particles to the adjacent residential area. Fugitive dust emission reduction shall be demonstrated in a manner meeting the approval of the Director of Public Health.	Approval of a grading plan (Revised Exhibit "A").	Prior to issuance of a grading permit.	Applicant and subsequent owner(s)	Departments of Public Health, Regional Planning

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**  
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MM-3.2	Air Quality	Prior to issuance of any grading permit the applicant shall prepare and submit to the Director of Public Health an air quality assessment verifying that the future occupants of the project will not be exposed to significant air toxics, fumes and other hazards associated with fires and the proximity to the Baldwin Hills Oil Fields.	Approval of a grading plan (Revised Exhibit "A").	Prior to issuance of a grading permit.	Applicant and subsequent owner(s)	Departments of Public Health, Regional Planning
MM-4	Biological Resources	Within five (5) days prior to land-clearing activities between February 1 through August 31, a qualified biologist shall conduct a nesting survey to identify any direct or indirect impacts to actively nesting birds. If direct or indirect impacts are identified, the biologist shall specify the appropriate mitigation measure(s) for these impacts. Such measures may include avoidance of occupied nests, staging work areas outside an established buffer area, modified scheduling of grading and clearing and monitoring of active nests during construction. If direct or indirect impacts are identified, the biologist shall specify the appropriate mitigation measure(s) for these impacts. Such measures may include avoidance of occupied nests, staging work areas outside an established buffer area, modified scheduling of grading and clearing and monitoring of active nests during construction.	Conduct pre-construction nesting bird survey.	Prior to issuance of a grading permit.	Applicant and subsequent owner(s)	Department of Regional Planning

**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**  
**PROJECT NO. R2015-01232-(2) / TTM NO. 073082 / ENV NO. 201500089**

MM-5	Cultural Resources	<p>Prior to the issuance of any grading permit, applicants shall provide written evidence to the County of Los Angeles that a County certified archaeologist has been retained to observe grading activities greater than six feet in depth and salvage and catalogue archaeological resources as necessary. The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the project applicant, for exploration and/or salvage. Prior to the release of the grading bond the applicant shall obtain approval of the archaeologist's follow-up report from the County. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Applicant shall prepare excavated material to the point of identification. Applicant shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the County.</p>	<p>Provide written evidence to the Director of Regional Planning, or designee that a qualified archaeologist has been retained.</p>	<p>Prior to issuance of a grading permit.</p>	<p>Applicant and subsequent owner(s)</p>	<p>Department of Regional Planning</p>
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**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**  
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MM-5 cont.	Cultural Resources	<p>Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County or its designee, all in a manner meeting the approval of the County. Unanticipated discoveries shall be evaluated for significance by a County-certified archaeologist. If the archaeological resources are found to be significant, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the County of Los Angeles, or its designee, on a first refusal basis; and provide a comprehensive final report including appropriate records for the California Department of Parks and Recreation (Building, Structure, and Object Record; Archaeological Site Record; or District Record, as applicable).</p>	<p>Provide written evidence to the Director of Regional Planning, or designee that a qualified archaeologist has been retained.</p>	<p>Prior to issuance of a grading permit.</p>	<p>Applicant and subsequent owner(s)</p>	<p>Department of Regional Planning</p>
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**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**  
**PROJECT NO. R2015-01232-(2) / TTM NO. 073082 / ENV NO. 201500089**

MM-5.1	Cultural Resources	<p>Prior to the issuance of any grading permit, applicants shall provide written evidence to the County of Los Angeles that a County certified paleontologist has been retained to observe grading activities greater than six feet in depth and salvage and catalogue paleontological resources as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontologist resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the paleontological resources are found to be significant, the paleontologist observer shall determine appropriate actions, in cooperation with the project applicant, for exploration and/or salvage. Prior to the release of the grading bond the applicant shall obtain approval of the paleontologist's follow-up report from the County. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Applicant shall prepare excavated material to the point of identification. Applicant shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the County.</p>	<p>Provide written evidence to the Director of Regional Planning, or designee that a qualified paleontologist has been retained.</p>	<p>Prior to issuance of a grading permit.</p>	<p>Applicant and subsequent owner(s)</p>	<p>Department of Regional Planning</p>
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**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**  
**PROJECT NO. R2015-01232-(2) / TTM NO. 073082 / ENV NO. 201500089**

MM-5.1	Cultural Resources	<p>Applicant shall pay curatorial fees if an applicable fee program has been adopted by the Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County or its designee, all in a manner meeting the approval of the County. Unanticipated discoveries shall be evaluated for significance by a County-certified a paleontologist. If the paleontological resources are found to be significant, then the project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; submit materials to the County of Los Angeles, or its designee, on a first refusal basis; and provide a comprehensive final report including appropriate records for the California Department of Parks and Recreation.</p>	<p>Provide written evidence to the Director of Regional Planning, or designee that a qualified paleontologist has been retained.</p>	<p>Prior to issuance of a grading permit.</p>	<p>Applicant and subsequent owner(s)</p>	<p>Department of Regional Planning</p>
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**MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**  
**PROJECT NO. R2015-01232-(2) / TTM NO. 073082 / ENV NO. 201500089**

MM-5.2	Cultural Resources	<p>If human remains are encountered during excavation activities, all work shall halt and the County Coroner shall be notified (California Public Resources Code §5097.98). The Coroner will determine whether the remains are of forensic interest. If the Coroner, with the aid of the County-approved Archaeologist, determines that the remains are prehistoric, s/he will contact the Native American Heritage Commission (NAHC). The NAHC shall be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 7050.5 of the California Health and Safety Code. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed if feasible, and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials (California Health and Safety Code §7050.5). If the landowner rejects the MLD's recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance (California Public Resources Code §5097.98).</p>	If human remains are encountered during excavation activities, contact the County Coroner.	During grading activities.	Applicant and subsequent owner(s)	County Coroner, Qualified Archaeologist
MM-5.3	Cultural Resources	<p>If items, areas or other resources of significance associated with tribal cultural resources are identified, all work shall halt and the Gabrieleno Band of Mission Indians, Kizh Tribal Territory, Kizh Nation, shall be notified. Avoidance and treating of the items with dignity shall occur. The Gabrieleno Band of Mission Indians' representative shall determine whether the items are of cultural interest. If the representative determines there is a cultural resource, there shall be permanent conservation easement(s) and/or protecting the items in place.</p>	Avoidance of cultural resources.	During grading activities.	Applicant and subsequent owner(s)	Department of Regional Planning, Gabrieleno Band of Mission Indians
MM-13.1	Noise	<p><b>Acoustical Analysis.</b> Submit an acoustical analysis by a certified acoustical engineer to include analysis of mobile and point sources and their impact on the proposed project and neighbors, sensitive receptors (i.e., schools) and risk populations (i.e., the elderly, people with chronic health issues, etc...) to determine whether additional noise-suppression methods are required.</p>	Prior to issuance of grading Permits file an acoustical analysis of mobile and point sources.	Prior to issuance of a grading permit.	Applicant and subsequent owner(s)	Department of Public Health, Environmental Health Division

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MM-13.2	Noise	<p><b>Construction Activities.</b> Construction activities shall not be permitted on any national holiday or on any Sunday. All construction equipment shall use properly operating mufflers. Any powered equipment or powered hand tool that produces a maximum noise level exceeding 75 dBA at a distance of 50 feet from said source shall be prohibited unless a means exists to reduce such noise below 75 dBA. The use of a temporary noise barrier during construction is considered a reasonable and feasible measure, as described below, if the 75 dBA Noise Ordinance requirement cannot be achieved by other means. A temporary noise barrier shall be installed along the southern site boundary when heavy equipment is being used within 160 feet of said boundary. The barrier height shall be 10 feet above grade. If sound blankets are installed on a support framework, the edges shall overlap sufficiently to cover any gaps, and the areal density of the framework and fabric shall be at least 3.5 pounds per square foot to provide adequate stiffness to the array.</p>	<p>Prior to issuance of grading Permits, the plans shall include notes indicating compliance with the County of Los Angeles Noise Standards and the listed notes.</p>	<p>Prior to issuance of a grading permit and during grading activities.</p>	<p>Applicant and subsequent owner(s)</p>	<p>Department of Public Health, Environmental Health Division</p>
MM-13.3	Noise	<p><b>Additional Construction Noise Controls.</b> For all mobile construction equipment operating within 250 feet of adjacent residential receptors, and for all stationary construction equipment operating on the project site, additional noise attenuation techniques shall be employed to ensure that noise remains within levels allowed by the County of Los Angeles noise restrictions. Prior to issuance of grading permits, the Applicant shall submit a mitigation plan prepared by a qualified engineer or other acoustical expert for review and approval by the departments of Regional Planning and Public Health that identifies noise control measures that achieve a minimum 20 dBA reduction in construction-related noise levels. The mitigation plan may include use of vibratory pile drivers or other pile driving noise controls, sound curtains, engineered equipment controls, or other methods. Noise control requirements shall be noted on project construction drawings and verified by the Building and Safety Division during standard inspection procedures.</p>	<p>Prepare and file a mitigation plan that identifies that achieve a minimum 20 dBA reduction in construction-related noise.</p>	<p>Prior to issuance of a grading permit.</p>	<p>Applicant and subsequent owner(s)</p>	<p>Department of Regional Planning, Department of Public Health, Environmental Health Division.</p>

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MM-13.4	Noise	<b>Neighbor Notification.</b> Provide notification to occupants adjacent to the project site at least 24 hours prior to initiation of construction activities that could significantly affect outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures. The notification shall include a telephone number for local residents to call to submit complaints associated with construction noise. The notification shall also be posted on La Brea Avenue and Overhill Drive adjacent to the project site, and shall be easily viewed from adjacent public areas.	Post a notice of anticipated hours and duration of construction and a description of noise reduction measures easily-viewed from public areas adjacent to the site.	Prior to issuance of a grading permit.	Applicant and subsequent owner(s)	Department of Regional Planning
MM-19	Mitigation Compliance	As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account as required.	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	Department of Regional Planning