

Draft Candidate Findings
Los Angeles County Housing Element Update Project
August 2021
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**DRAFT CANDIDATE FINDINGS OF FACT
for
LOS ANGELES COUNTY HOUSING ELEMENT UPDATE PROJECT
SCH No. 2021010016**

I. INTRODUCTION

a. Findings of Fact

The following Candidate Findings of Fact (Findings) are made for the Los Angeles County Housing Element Update Project (Project or Proposed Project). The environmental effects of the Proposed Project are addressed in the Final Environmental Impact Report (FEIR) dated August 2021, which is incorporated by reference herein.

The California Environmental Quality Act (CEQA) (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 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 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).

The Findings have been submitted by the County of Los Angeles (County) Department of Regional Planning as Candidate Findings to be made by the decision-making body. They are attached to allow readers of this report an opportunity to review the applicant's position on this matter. It is the exclusive discretion of the decision-maker certifying the EIR to determine the adequacy of the proposed Candidate Findings. It is the role of staff to independently evaluate the proposed the Candidate Findings, and to make a recommendation to the decision-maker regarding their legal adequacy.

b. Record of Proceedings

For purposes of CEQA and these Findings, the Record of Proceedings for the project consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (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 Draft EIR;
- The Final EIR;
- All written comments submitted by agencies or members of the public during the public review comment period on the Draft EIR;
- All responses to the written comments included in the Final EIR;
- The Mitigation Monitoring and Reporting Program;
- The reports and technical memoranda included or referenced in any responses to comments in the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference 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 Public Resources Code Section 21167.6(e).

c. 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 document that constitute the record of proceedings are on the County's website. The draft EIR and final EIR

are also placed on the County's website at <https://planning.lacounty.gov/housing/eir>. This information is provided in compliance with the Public Resources Code 21081.6(a)(2) and the CEQA Guidelines 15091(e).

II. PROJECT SUMMARY

a. Project Objectives

The purpose of the Proposed Project is to address the housing needs and objectives of the County to meet State Housing Law requirements. The following goals have been established for which the Project addresses:

1. A wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly for persons with special needs, including but not limited to extremely low, very low and lower income households, seniors, persons with disabilities (including those with developmental disabilities), large households, female-headed households, people experiencing homelessness and at risk of homelessness, and farmworkers.
2. Communities with equitable access to employment opportunities, community facilities and services, and amenities.
3. A housing supply that ranges broadly in costs to enable all households, regardless of income, to secure adequate housing.
4. A comprehensive system of support services and housing that prevents and ends homelessness.
5. Opportunities for extremely low, very low, low, and moderate income households and those with special needs to attain and maintain affordable and adequate housing.
6. Neighborhoods with a stable supply of housing that is affordable to residents of all income levels and facilitates aging in place.
7. Protection against residential displacement.
8. Neighborhoods and housing environments that are livable, healthy, and safe for all residents.
9. An adequate supply of housing preserved and maintained in sound condition.
10. Accessibility to adequate housing for all persons without discrimination in accordance with state and federal fair housing laws.
11. Alignment of housing production with state and local sustainability goals in order to protect natural resources, reduce greenhouse gas emissions, and foster climate

resilience.

12. Planning for and monitoring the long-term affordability of adequate housing.

b. Project Description

The Proposed Project would include an update to the Los Angeles County Housing Element and associated components. The Housing Element serves as a policy guide to address the comprehensive housing needs of the unincorporated areas. The primary focus of the Housing Element is to ensure decent, safe, sanitary, and affordable housing for current and future residents of the unincorporated areas, including those with special needs. The Proposed Project consists of an adequate sites inventory; rezoning program; analysis of constraints and barriers; goals, policies, and implementation programs; amendments to Title 22 of the County Code; and amendments to the General Plan Land Use Element. These components are described in more detail below:

- **Adequate Sites Inventory:** The Regional Housing Needs Allocation (RHNA) is mandated by state law to quantify future housing growth throughout the state. The RHNA allocation for the County for the 2021–2029 planning period is approximately 90,052 units, which is broken down by income category to accommodate the estimated growth need at various income levels. As required by state law, the Housing Element must identify the County's ability to accommodate this estimated growth through available sites and appropriate land use and zoning.
- **Rezoning Program:** It is determined that the County's inventory of residential sites will be insufficient to accommodate future housing needs. As such, as part of the Proposed Project, the County includes a rezoning program to accommodate its RHNA in the Housing Element. The areas were selected using a mapping application that the County developed.
- **Constraints and Barriers:** The Housing Element update will identify the specific standards and processes of potential and actual governmental constraints and evaluate their impact on the supply and affordability of housing.
- **Goals, Policies and Implementation Programs:** The Housing Element update will also include goals, policies, and implementation programs to address housing needs.
- **Amendments to Title 22:** The Zoning Code will be amended to add development standards pertaining to floor area dedicated to residential use in mixed use projects in the Mixed Use Development Zone (MXD).
- **Amendments to the General Plan Land Use Element:** The Land Use Legend will be amended to (1) add a minimum allowable residential density to certain land use designations; (2) establish that the allowable residential density specified by the General Commercial (CG) land use designation in the General Plan will also apply to the commercial land use designations in certain community-based plans, where such land use designations do not currently specify the allowable residential density; and (3) clarify that in designations that allow mixed uses (CR, CG, CM, MU and MU-R), the

maximum Floor Area Ratio only applies to the commercial component, while the residential component is subject to the allowable density.

While the general rezoning program is included as part of the Proposed Project, no specific rezoning would occur or be adopted as part of the Proposed Project. Rezoning would be adopted and implemented as a part of future discretionary actions such as area plan updates, transit-oriented district (TOD) specific plans, or other projects. Any future development facilitated by the Proposed Project, including development as part of the rezoning program, would be subject to future discretionary permits and CEQA evaluation.

III. ENVIRONMENTAL REVIEW PROCESS AND PUBLIC PARTICIPATION

The lead agency approving the project and conducting environmental review under the California Environmental Quality Act (California Public Resources Code Sections 21000, et seq., and the Guidelines promulgated thereunder in California Code of Regulations, Title 14, Sections 15000 et seq. (CEQA Guidelines), hereinafter collectively, (CEQA) shall be the County of Los Angeles (County). The County as lead agency shall be primarily responsible for carrying out the project. In compliance with Section 15082 of the CEQA Guidelines, the County published a Notice of Preparation on January 5, 2021, which began a 30-day period for comments on the appropriate scope of the EIR. Consistent with Public Resources Code Section 21083.9, the County hosted the virtual Scoping Meeting on Saturday, January 23, 2021, from 10:00 a.m. to 11:30 a.m. Registration was made available through the County's website at <https://planning.lacounty.gov/housing/involved> and Spanish translation was made available. The purpose of these meetings was to seek input and concerns from the public regarding the environmental issues that may potentially result from the project.

The County published a draft EIR on June 9, 2021, in compliance with CEQA. Pursuant to CEQA Guidelines Section 15085, upon publication of the draft EIR, the County filed a Notice of Completion with the Governor's Office of Planning and Research, State Clearinghouse, indicating that the draft EIR had been completed and was available for review and comment by the public. The County also posted a Notice of Availability of the draft EIR at this time pursuant to CEQA Guidelines Section 15087. During the public review period, the County received comments on the environmental document. After the close of public review period, the County provided responses in writing to all comments received on the draft EIR.

IV. SUMMARY OF IMPACTS

Impacts associated with specific issues areas (e.g., noise, transportation, air quality) resulting from approval of the project and future implementation are discussed below. The proposed project would not result in significant and unavoidable impacts for any issue area.

The Final EIR concludes that the project will have **no significant impacts** and require no mitigation measures with respect to the following issues:

- Agriculture and Forestry Resources

- Mineral Resources

The Final EIR concludes that the project will have **less than significant impacts** and require no mitigation measures with respect to the following issues:

- Aesthetics
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

The Final EIR concludes that the project will have potentially **significant impacts of the project that will be mitigated to below a level of significance** with respect to the following issues:

- Biological Resources
- Cultural Resources (Impacts C-2 and C-3)

The Final EIR concludes that the project will have potentially **significant and unavoidable impacts, even with the implementation of mitigation measures**, with respect to the following issues:

- Air Quality
- Cultural Resources (Impact C-1)
- Noise and Vibration
- Transportation and Traffic

V. FINDINGS REGARDING SIGNIFICANT IMPACTS

In making each of the findings below, the County has considered the Plans, Programs, and Policies discussed in the Final EIR. The Plans, Programs, and Policies discussed in the Final EIR are existing regulatory plans and programs the project is subject to, and, likewise, are explicitly made conditions of the project's approval.

a. Findings Regarding Impacts that Can Be Mitigated to Below a Level of Significance

The County, having independently reviewed and considered the information contained in the Final EIR and the record of proceedings, finds pursuant to CEQA Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1), adopts the following findings regarding the significant effects of the project, as follows:

Changes or alterations have been required in, or incorporated into, the project that mitigate, or avoid, or substantially lessen the significant effects on the environment as identified in the Final EIR. The basis for this conclusion follows.

i. Biological Resources

Impact B-1: The Project rezoning program contains some areas that are generally located within 1 mile of sensitive plant and wildlife biological resources as defined and mapped by the California Natural Diversity Database (CNDDB). Therefore, implementation of the Proposed Project could potentially indirectly impact sensitive plant and/or sensitive wildlife species.

Facts in Support of Finding: MM BIO-1 would require surveys on a project-by-project basis, as applicable, to ensure that no sensitive species are present. MM BIO-2 would also ensure that no direct mortality to special-status species would occur during implementation of construction activities by requiring pre-construction surveys (and construction monitoring where warranted) for special-status species, as applicable. With implementation of MM BIO-1 and MM BIO-2, impacts to special-status species would be considered less than significant with mitigation.

ii. Biological Resources

Impact B-2: The Proposed Project could indirectly impact sensitive plant and/or sensitive wildlife species due to future pollution or disturbance resulting from construction of new housing in areas proposed for rezoning.

Facts in Support of Finding: MM BIO-1 would require surveys on a project-by-project basis, as applicable, to ensure that no sensitive species are present. MM BIO-2 would also ensure that no direct mortality to special-status species would occur during implementation of construction activities by requiring pre-construction surveys (and construction monitoring where warranted) for special-status species, as applicable. MM BIO-1 and MM BIO-2 would ensure impacts associated with riparian or sensitive vegetation communities would be less than significant. Therefore, the Proposed Project would have less-than-significant impacts with mitigation related to riparian habitat or sensitive natural communities.

iii. Biological Resources

Impact B-3: Because not all wetland features were captured within available reference data for the EIR, the Proposed Project has the potential to significantly impact wetlands.

Facts in Support of Finding: MM BIO-1 includes a general survey, which would evaluate whether wetlands are located within a specific parcel(s) to be developed. Should that site visit determine that there is a wetland feature, then a formal jurisdictional delineation would be required. MM BIO-3 would require the project applicant of future projects to obtain the requisite permits from the regulatory agencies. Thus, with implementation of MM BIO-1 and MM BIO-3, potential impacts to federally protected wetlands would be less than significant with mitigation.

iv. Cultural Resources

Impact C-2: The Project could result in the unanticipated discoveries of archaeological resources within the Planning Areas identified as part of development activities in accordance with the Proposed County Housing Element Update. If such unanticipated discoveries were encountered, impacts to the encountered resources could be potentially significant.

Facts in Support of Finding: With the implementation of MM C-3, which requires that all Project construction personnel take the Workers Environmental Awareness Program (WEAP) training for the proper identification and treatment of inadvertent discoveries, and MM C-4, which requires the retention of an on-call qualified archaeologist to address inadvertent discoveries and requires all construction work occurring within 100 feet of the find shall immediately stop until the qualified archaeologist, meeting the Secretary of Interior's Professional Qualification Standards for Archaeology, can evaluate the significance of the find, potentially significant impacts to unknown archaeological resources would be reduced to less than significant. Impacts would therefore be less than significant with mitigation incorporated.

v. Cultural Resources

Impact C-3: The Project includes areas within the rezoning program that include geologic units with moderate to high paleontological sensitivity. Therefore, there is the potential for the Project to significantly impact paleontological resources.

Facts in Support of Finding: Implementation of MM C-5, requires that prior to the commencement of any grading activity for individual proposed rezoning component, the applicant shall retain a qualified paleontologist to ensure the implementation of a paleontological monitoring program. The implementation of the MM would reduce impact to a less than significant level.

b. Findings Regarding Impacts that Are Unavoidable

The County, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings and pursuant to Public Resource Code Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3), makes the finding that the project would result in impacts that are significant and unavoidable.

vi. Air Quality

Impact AQ-1: Future residential development projects resulting from implementation of the Proposed Project have the potential to exceed the South Coast Air Quality Management District's (SCAQMD) criteria pollutant mass daily thresholds. The Proposed Project would potentially conflict with Consistency Criterion No. 1 which relates to the frequency or severity of existing air quality violations or possible contribution to new violations, or delay the timely attainment of air quality standards of the interim emissions reductions. Therefore, impacts related to the Proposed Project's potential to conflict with or obstruct implementation of the applicable air quality plan would be potentially significant due to the potential conflict with Criterion No. 1.

Facts in Support of Finding: MM AQ-1 through MM AQ-5 and MM TRA-1 through MM TRA-7, which would be applied to reduce potential construction and operational emissions, are not accurately quantifiable given the nature of the Proposed Project. Regarding the potential to conflict with the various SCAQMD and Antelope Valley Air Quality Management District (AVQMD) applicable air quality plans, with implementation of MM AQ-1 through MM AQ-5 and MM TRA-1 through MM TRA-7, potential impacts would remain significant and unavoidable.

vii. Air Quality

Impact AQ-2: Construction of future residential development projects greater than the screening 235-unit scenario would potentially exceed the SCAQMD and AVAQMD mass daily thresholds for VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5}. As such, construction criteria air pollutant emission impacts are potentially significant. Also, future development projects greater than the modeled residential development scenarios would have the potential to create operational criteria air pollutant emission impacts that are potentially significant.

Facts in Support of Finding: MM AQ-1 and MM AQ-2 would reduce potential construction emissions from development of future residential development facilitated by the Proposed Project; however, the effectiveness of the mitigation measures is not accurately quantifiable given the nature of the development. Similarly, MM AQ-3 through MM AQ-5 and MM TRA-1 through MM TRA-7 would reduce potential operational emissions, including VOC and CO emissions; however, the effectiveness of the mitigation measures is not accurately quantifiable given the nature of the Proposed Project. Accordingly, the potential of the future residential development to violate any air quality standard or contribute substantially to an existing or projected air quality violation remains significant and unavoidable.

viii. Air Quality

Impact AQ-3: Based on the construction and operational emissions generated by future residential development greater than SCAQMD and AVAQMD screening scenarios, the

Proposed Project would potentially result in a cumulatively considerable increase in emissions of nonattainment pollutants. Therefore, the cumulative air quality impact of the Proposed Project would be potentially significant.

Facts in Support of Finding: The same mitigation measures applied to reduce potential construction and operational emissions and associated impacts for Threshold AQ-2 apply to AQ-3. With implementation of MM AQ-1 through MM AQ-5 and MM TRA-1 through MM TRA-7, potential impacts would remain significant and unavoidable as the effectiveness of the mitigation measures is not accurately quantifiable given the nature of the Proposed Project.

ix. Air Quality

Impact AQ-4: Due to the speculative nature of development under the Proposed Project, including the levels of potential toxic air contaminant (TAC) emissions in relation to the location of sensitive receptors, the potential associated health risk (including cancer risk and chronic hazard index) cannot be estimated with a level of accuracy. As such, the potential health risk of exposing sensitive receptors to construction-generated TAC emissions, primarily diesel particulate matter (DPM), is considered potentially significant.

Facts in Support of Finding: MM AQ-1 would reduce diesel particulate matter associated with construction from future residential development facilitated by the Proposed Project. However, the effectiveness of the mitigation measure is not accurately quantifiable given the nature of the Proposed Project. In addition, potential health risk is dependent on numerous variables including proximity to the closest sensitive receptors in addition to the amount of DPM (exhaust PM₁₀) generated by the individual project. Therefore, due to the speculative nature of development under the Proposed Project and the associated uncertainty of potential impacts, potential health risk associated with construction activities that would occur as a result of Proposed Project implementation would be significant and unavoidable.

x. Cultural Resources

Impact C-1: The Project includes areas in the rezoning program that have properties over 45 years old that have not yet been evaluated for historical significance. Therefore, impacts to these properties would be potentially significant.

Facts in Support of Finding: Future residential development projects resulting from the implementation of the Proposed Project would involve demolition. If an historical resource is demolished to achieve the stated Project goals, that action would result in a significant unavoidable impact. While the Project would require the implementation of MM C-1 and MM C-2, which would minimize impacts to historic resources, these measures do not mitigate demolition to a level of less than significant. As a result, potential impacts relative to historic resources are considered significant and unavoidable.

xi. Noise and Vibration

Impact N-1: The Project has the potential to expose persons to or generate noise levels in excess of established noise standards. Future residential development facilitated by the

Proposed Project will be subject to discretionary permits and future analysis that will determine on a project-by-project basis appropriate mitigation measures to address traffic and non-traffic noise exposure and compatibility with existing land use. Impacts related to noise land use compatibility are considered potentially significant.

Facts in Support of Finding: Implementation of the noise-related policies contained within the County General Plan in addition to MM N-1, which requires project applicants to retain an acoustical engineer to conduct acoustical analysis, would reduce exterior noise compatibility impacts. While interior noise levels are required to achieve the 45 dBA CNEL interior noise limit of Title 24 and Title 25, exterior noise levels may still exceed the County noise land use compatibility criteria, despite exterior noise attenuation (i.e., walls and/or berms). Therefore, impacts related to exterior noise compatibility would remain significant and unavoidable.

xii. Noise and Vibration

Impact N-2: Future residential development facilitated by the Proposed Project will lead to demolition, construction, and railroad associated with new housing that could result in impacts related to groundborne vibration or groundborne noise levels. Demolition and construction activities could generate vibration through the use of drills, jackhammers, pile drivers, operation of compressors and generators, cement mixing, and general truck idling. Furthermore, implementation of the Proposed Project may add new sensitive uses in areas adjacent to existing and future railroad lines.

Facts in Support of Finding: Implementation of MM N-2 would reduce vibration impacts associated with construction activities to the extent feasible. However, due to the potential for proximity of construction activities to sensitive uses and potential longevity of construction activities, their potential would remain potentially significant and unavoidable. Also, implementation of MM N-3 would reduce potential train-related vibration impacts to new residential uses below the thresholds (i.e., below 0.08 RMS in/sec for residential uses). Nonetheless, proximity and operation of existing railroads to these newly created receptors may still exceed relevant thresholds and despite application of feasible mitigation measures may remain potential impacts there are significant and unavoidable.

xiii. Noise and Vibration

Impact N-3: Under the Proposed Project, aggregate stationary source noise emission from a site-specific development could pose a significant and potentially unavoidable impact if customary project design features or noise mitigation cannot feasibly reduce the anticipated change in outdoor noise level to an increase that is less perceptible and annoying, such as only 5 dB.

Facts in Support of Finding: Future housing development facilitated by the Proposed Project's rezoning program will be subject to discretionary permits and future analysis that will determine appropriate mitigation measures on a project-by-project basis.

Despite the application of future project-level mitigation measures, noise impacts due to the Proposed Project were determined to remain significant and unavoidable.

xiv. Noise and Vibration

Impact N-4: Under certain conditions, site-specific development implemented under the Project has the potential to generate construction noise emission that could represent a potentially significant impact if customary construction noise mitigation cannot feasibly reduce the anticipated change in outdoor noise level to an increase that is less perceptible and annoying, such as only 5 dB. Future housing development facilitated by the Proposed Project's rezoning program will be subject to discretionary permits and future analysis that will determine appropriate mitigation measures on a project-by-project basis.

Facts in Support of Finding: Implementation of MM N-4 would reduce impacts associated with construction activities to the extent feasible. However, due to the potential for proximity of construction activities to sensitive uses and potential longevity of construction activities, their impact would be significant and unavoidable.

xv. Transportation and Traffic

Impact T-2: The Proposed Project would facilitate future residential development project that would undergo transportation analysis that evaluates VMT under the updated criteria as part of the project-specific environmental analysis required for future rezoning. Consequently, there would be projects that may not meet the screening criteria once specific details regarding trip generation, availability of transit service, and/or efficiency metrics are identified at the time individual project is proposed. Those projects could result in significant VMT impacts.

Facts in Support of Finding: The implementation of mitigation measures would reduce transportation impacts; including MM TRA-1 through MM TRA-6 with MM TRA-7, Regional VMT Reduction Program (when the program is established and available). However, the Proposed Project's overall VMT impacts would remain significant and unavoidable because it is not possible to guarantee at this time that VMT impacts can be reduced to a less-than-significant level, even with mitigations.

VI. FINDINGS REGARDING MITIGATION MEASURES WHICH ARE THE RESPONSIBILITIES OF ANOTHER AGENCY (CEQA 21081(a)(2) AND CEQA GUIDELINES 15091 (a)(s))

The County, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, finds pursuant to CEQA Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2) that there are no changes or alterations which could reduce significant impacts that are within the responsibility and jurisdiction of another public agency.

VII. FINDINGS REGARDING ALTERNATIVES (CEQA 21081(a)(3) and CEQA Guidelines 15091 (a)(3))

In accordance with Section 15126.6(a) of the Guidelines, an environmental impact report (EIR) must contain a discussion of "a range of reasonable alternatives to a project, or the

location of a project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Section 15126.6(f) further states that "the range of alternatives in an EIR is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." Thus, the following discussion focuses on project alternatives that are capable of eliminating significant environmental impacts or substantially reducing them as compared to the proposed project, even if the alternative would impede the attainment of some project objectives, or would be more costly. In accordance with Section 15126.6(f)(1) of the Guidelines, among the factors that may be taken into account when addressing the feasibility of alternatives are: (1) site suitability; (2) economic viability; (3) availability of infrastructure; (4) general plan consistency; (5) other plans or regulatory limitations; (6) jurisdictional boundaries; and (7) whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

As required in Section 15126.6(a), in developing the alternatives to be addressed in this section, consideration was given to an alternative's ability to meet most of the basic objectives of the project. Because the Housing Element Update Project will cause potentially significant environmental effects, the County must consider the feasibility of any environmentally superior alternatives to the project, evaluating whether these alternatives could avoid or substantially lessen the potentially significant environmental effects while achieving most of the objectives of the project.

The County, having reviewed and considered the information contained in the Final EIR and the Record of Proceedings, and pursuant to Public Resource Code Section 21081(a)(3) and State CEQA Guidelines Section 15091(a)(3), makes the following findings with respect to the alternatives identified in the Final EIR (SCH No. 2021010016):

Specific economic, legal, social, technological, or other considerations, including considerations of the provision of employment opportunities for highly trained workers, make infeasible the alternatives identified in the Final EIR (SCH No. 2021010016) as described below.

"Feasible" is defined in Section 15364 of the CEQA Guidelines to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." The CEQA statute (Section 21081) and Guidelines (Section 15019(a)(3)) also provide that "other" considerations may form the basis for a finding of infeasibility. Case law makes clear that a mitigation measure or alternative can be deemed infeasible on the basis of its failure to meet project objectives or on related public policy grounds.

a) Alternatives under Consideration

The project alternatives are summarized below along with the findings relevant to each alternative.

1. No Project Alternative

CEQA Guidelines, Section 15126.6(e), requires that an EIR evaluate a “no project” alternative along with its impact. The purpose of describing and analyzing a no project alternative is to allow a lead agency to compare the impacts of approving the project to the impacts of not approving it. Under the No Project/No Development Alternative, the Project would not be implemented, and the site would remain in its current condition.

Potentially Significant Effects:

The No Project Alternative would result in the continuation of existing conditions and planned development of the County. No new significant environmental impacts or an increased severity of environmental impacts identified in the General Plan EIR would occur under this alternative because it would retain the current General Plan land use designations and policy provisions. The No Project Alternative would result in reduced environmental impacts to all environmental topics, with the exception of agriculture, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, land use and planning, and mineral resources. Because the No Project Alternative would not rezone all parcels identified in the Proposed Project for higher density residential uses, this alternative would not generate new construction in the same manner as the Proposed Project and development would occur as analyzed in the General Plan EIR.

Findings and Supporting Facts:

The County finds that although this alternative would reduce impacts associated with the project, other considerations such as not meeting any of the project objectives, make the No Project Alternative infeasible and is therefore rejected on such grounds.

The No Project Alternative would not meet any of the project objectives as set forth in Section 3.3.1 of the Final EIR and in Section II above.

2. Reduced Buffer Alternative

The Proposed Project includes parcels identified based on the County’s mapping application, which considers state law for eligible RHNA allocation sites and General Plan goals and policies. Upon review of sites selected through this process, the County reviewed maps to understand the distribution of the RHNA eligible sites. In some instances, the RHNA eligible sites resulted in gaps of parcels that were not RHNA eligible, but if not rezoned they would have resulted in spot-zoning. Additionally, the County considers the gap parcels to provide a 15-30% buffer for the

RHNA allocation in the event the RHNA eligible sites are not developed as 100% affordable units. The County also considers the gap parcels for 17,785 units of moderate and above moderate-income housing units. As such, the County included the gap parcels to avoid spot zoning, provide a buffer for the RHNA allocation, and provide parcels for moderate and above moderate-income housing. The Reduced Buffer Alternative considers the removal of the buffer parcels for a reduction in overall dwelling units allowed through the Proposed Project's rezoning program.

Potentially Significant Effects:

The Reduced Buffer Alternative would have similar, albeit reduced, impacts compared to the Proposed Project. However, this alternative would not eliminate any mitigation measures required under the Proposed Project. The Reduced Buffer Alternative would result in reduced environmental impacts to all environmental topics, with the exception of agriculture, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, and transportation.

Findings to Support Facts:

The County finds that although this alternative would reduce potential environmental impacts. However, other considerations, such as not fully meeting most of the project objectives, make the Reduced Buffer Alternative infeasible, and is therefore rejected on such grounds.

More specifically, this alternative would not eliminate significant and unavoidable environmental impacts. Further, state guidance on implementation of Government Code section 65863 (Senate Bill 166, No Net Loss Law) recommends that jurisdictions create a buffer in the Housing Inventory of at least 15% to 30% more capacity than required, especially for capacity to accommodate the lower-income RHNA. This alternative would remove this a portion of this buffer, and thus, would not align with the State's guidance ensure maintenance of identified sites and could result in spot-zoning.

VIII. Statement of Overriding Considerations

Pursuant to Public Resources Code Section 21081(b) and State CEQA Guidelines section 15093(a) and (b), the County is required to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. The County finds that the adoption and implementation of the Housing Element Update (Project) would have the following substantial overriding benefits.

1. The Project facilitates the development of a wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly for persons with special needs, including but not limited to extremely low, very low and lower income households, seniors, persons with disabilities, large

- households, single-parent households, people experiencing homelessness and at risk of homelessness, and farmworkers.
2. The Project promotes equitable community access to employment opportunities, community facilities and services, and amenities.
 3. The Project involves the development of a housing supply that ranges broadly in housing costs to enable all households, regardless of income, to secure adequate housing.
 4. The Project provides a comprehensive system of support and housing that is aimed to prevent and ends homelessness.
 5. The Project improves a housing delivery system that provides assistance to extremely low, very low, lower and moderate income households and those with special needs.
 6. The Project provides neighborhoods with a stable supply of housing that is affordable in the long term to residents of all income levels and facilitates aging in place.
 7. The Project enhances neighborhoods and housing environments by promoting livable, healthy, and safe housing for all residents.
 8. The Project promotes an adequate supply of housing preserved and maintained in sound condition.
 9. The Project involves the development of an accessible housing supply for all persons without discrimination in accordance with state and federal fair housing laws.
 10. The Project addresses planning and monitoring goals for long-term affordability of adequate housing.

For the foregoing reasons, the County finds that the Project's unavoidable potential significant environmental impacts are outweighed by these considerable benefits.