



INITIAL STUDY FOR NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT PLN-12-00282

PROJECT NAME: City of Downey 2014-2021 Housing Element Update

PROJECT LOCATION: City of Downey (Citywide)

PROJECT APPLICANT: City of Downey
Community Development Department
Planning Division
11111 Brookshire Avenue
Downey, CA 90241

LEAD AGENCY: City of Downey
Community Development Department
Planning Division
11111 Brookshire Avenue
Downey, CA 90241

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PUBLIC REVIEW PERIOD: April 5, 2013 to April 26, 2013

This Negative Declaration and Initial Study Checklist have been prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Section 15000, et seq.).

Written comments regarding this Negative Declaration shall be made to the Lead Agency listed above prior to 5:00 p.m. on the last day of the Public Review Period.

SECTION I. INTRODUCTION**1. Description of project:****a) Overview and the Regional Housing Needs Allocation (RHNA)**

The proposed project consists of the adoption of the updated City of Downey General Plan Housing Element, referred to herein as the “project”, “Housing Element”, or “Element”. State law requires every City and County to adopt a general plan containing at least seven mandatory elements (chapters). One required element is the Housing Element, which must be updated every eight years. The proposed updated Housing Element covers the planning period of 2014 to 2021.

Section 65583 of the Government Code sets forth the specific components to be contained in a community's Housing Element. These requirements include obligation on the part of the local jurisdictions to provide their “fair share” of regional housing needs. Local governments and Councils of Governments (COGs) are required to determine existing and future housing need and the allocation of said need must be approved by the California Department of Housing and Community Development (HCD). Downey is a member of the Southern California Association of Governments (SCAG) COG and SCAG is responsible for preparing the RHNA for the six-county territory that it represents.

The project consists of the adoption of the 5th cycle Housing Element update for the City of Downey. The housing allocation for each jurisdiction is divided into four household income categories used in Federal and State programs: Very Low (50 percent of AMI); Low (50-80 percent of AMI); Moderate (80-120 percent of AMI); and Above-Moderate Income (over 120 percent of AMI). The allocations are further adjusted to avoid an over-concentration of lower income households in any one jurisdiction.

HCD established the planning period for the current RHNA from January 1, 2014 to September 30, 2021. For the 2014-2021 planning period, SCAG allocated to Downey a total of 814 units, including 210 for very low income, 123 for low income, 135 for moderate income, and 346 for above-moderate income households.

State law requires that all Housing Elements address four key topic housing areas: special needs groups, constraints, resources, and planning. Each of these groups are discussed in detail below.

b) Special Needs Groups

State law recognizes that certain households have more difficulty in finding adequate and affordable housing due to special circumstances. Special needs populations include the elderly, persons with disabilities, female headed households, large households and farm workers. Many often have lower incomes as a result of their condition. Each of these population groups, as well as their appropriate housing needs is described in the Housing Element.

c) Housing Constraints

The Housing Element identifies constraints on the production of new housing, including

governmental, environmental, and market constraints. By identifying these constraints, the City recognizes possible barriers to housing development and can adopt policies and programs in the Housing Element to remove or significantly reduce those barriers.

The City of Downey Housing Element identifies the following circumstances that may act as barriers to development:

- Land Use Controls
- Residential Development Standards
- Provisions for a variety of housing types: multi-family rental housing, mobile homes/manufactured housing, second units, transitional housing and emergency housing, and housing for persons with disabilities
- Development Impact and Planning Entitlement Fees
- Building codes and enforcement
- Local processing and permit procedures
- On-and off-site improvement requirements
- Construction cost
- Land availability and cost
- Financing

d) Housing Resources and Availability of Sites

As discussed above, Downey’s RHNA for the 2014-2021 planning period is 814 housing units (see Table 1).

TABLE 1: REGIONAL HOUSING NEEDS ALLOCATION 2014-2021

Income Group	Number of Units	Percent of Total
Very Low	210	26 %
Low	123	15%
Moderate	135	17%
Above Moderate	346	42%
Total	814	100%

Source: Regional Housing Needs Assessment, SCAG October 2012.

The Housing Resources portion of the Housing Element focuses on development opportunities. The most critical component of the Housing Resources section is the sites inventory, which identifies locations available to support new housing at all income categories.

The Housing Element for the 2008-2014 planning period was adopted in 2010, and certified by HCD, but the City was unable to complete the rezoning in order to accommodate sites the City’s RHNA (see Table 2).

Specifically, per Program 5 of the previous Housing Element, Land Use Element/Zoning, the Downey Landing Specific Plan was not amended in order to accommodate residential units.

In January 2006, changes to Housing Element law, including Assembly Bill 1233, have created additional incentive for jurisdictions to achieve a compliant Element. AB 1233 requires “communities that failed to comply with requirements to make available

sufficient sites to meet their regional housing need in the previous planning period must, within the first year of the new planning period, zone or rezone enough sites to accommodate the RHNA not accommodated from the previous planning period.” Consequently, the City is required to plan for the current planning period of 2014-2021 as well as any un-accommodated shortfall identified from the previous (2008-2014) planning period. The 2008-2014 RHNA for Downey is shown in Table 2.

TABLE 2: REGIONAL HOUSING NEEDS ALLOCATION 2008-2014

Income Group	Number of Units	Percent of Total
Very Low	277	25%
Low	174	16%
Moderate	187	17%
Above Moderate	470	42%
Total	1,108	100%

Source: Regional Housing Needs Assessment, SCAG July 2007.

The two planning period allocations combined result in a housing needs allocation as shown in Table 3. The total fair share allocation for Downey for the combined planning periods is 1,922 units.

TABLE 3: COMBINED 2008-2014 AND 2014-2021 RHNA

	Very Low	Low	Moderate	Above Moderate	Total
2008-2014 RHNA	277	174	187	470	1,108
2014-2021 RHNA	210	123	135	346	814
Total	487	297	322	816	1,922

Source: Regional Housing Needs Assessment, SCAG July 2007.

Because the RHNA process establishes January 1, 2006 as the baseline for growth projections for the Housing Element planning period of 2008-2014, jurisdictions may count any new units built or approved since January 1, 2006 toward their 2008-2014 RHNA allocation. Therefore, any units built or approved from 2006 to the present may be credited toward the City’s 2008-2014 RHNA allocation of 1,108 units. AB 1233 focuses on units that are accommodated specifically on rezoned sites, the shortfall would primarily include lower income units that were to be accommodated on sites in the amended Downey Landing Specific Plan. Table 4 below, presents the number of units that the City must address in their 2014-2021 sites inventory, including any shortfall from the 2008-2014 planning period.

TABLE 4: 2014-2021 RHNA INCLUDING AB 1233 SHORTFALL

	Very Low	Low	Moderate	Above Moderate	Total
2008-2014 RHNA	277	174	187	470	1,108
2008-2014 Units Accommodated by Credits	9	55	1	125	190
2008-2014 Units Accommodated by Sites Appropriately Zoned	0	0	186 ^(a)	345 ^(a)	531
Subtotal	268	119	0	0	387
2014-2021 RHNA	210	123	135	346	814
TOTAL	478	242	135	346	1,201

Source: Regional Housing Needs Assessment, SCAG July 2007.

Notes:

^(a) 2008-2014 Moderate and Above Moderate RHNA allocations were accommodated on land zoned R-1 and R-3.

As shown in Table 4, between 2008 and 2014, the City approved or developed 190 units, including 9 units with covenants for very low income, 55 units with covenants for low income, 1 unit with a covenant for moderate income, and 125 units for above moderate income households. Additionally, within the 2008-2014 Housing Element, the Housing Resources section demonstrated appropriate sites to accommodate the City's remaining moderate income allocation of 186 units and remaining above moderate income allocation of 345 units. The sites identified in the 2008-2014 sites inventory included land zoned R-1 (up to 8.7 dwelling units per acre), R-3 (up to 24 dwelling units per acre) and parcels located in the City's Second Unit Overlay (SUD) district.

Based on the requirements of AB 1233, as shown in Table 4, for the 2014-2021 planning period the City must make available sites to accommodate a total of 1,201 units, including 478 units for very low income, 242 units for low income (a total of 720 lower income units), 135 units for moderate income, and 346 units for above moderate income. This total illustrates the City's RHNA allocation for the 2014-2021 planning period as well as unaddressed carry over units from the 2008-2014 planning period.

Table 5 provides a summary of the strategies the City has identified to facilitate the development of new residential units to accommodate their remaining RHNA allocation.

TABLE 5: ACCOMMODATION OF THE 2014-2021 RHNA

	Very Low	Low	Moderate	Above Moderate	Total
Remaining RHNA	478	242	135	346	1,201
R-1 Zoned Parcels	0	0	0	144	144
R-3 Zoned Parcels	0	0	135 ^(a)	135 ^(a)	270
Second Unit Overlay	0	117 ^(b)	117 ^(b)	0	234
Downtown Downey Specific Plan	478	125	0	118	735
TOTAL ^(c)	0	0	(117)	(51)	(182)

Notes:

^(a) Densities of 24 units per acre are appropriate to facilitate the development of moderate and above moderate income housing; therefore the unit potential have been divided evenly between the two income categories.

^(b) The Second Unit Overlay is intended to provide housing options for lower income households including low and moderate income households; therefore, the units potential have been divided evenly between the two income categories.

^(c) Parentheses indicate a surplus of units.

As shown in Table 5, the City is able to accommodate the remaining RHNA allocation of 1,201 units. Based on the permitted densities, vacant land zoned R-1 can accommodate 144 above-moderate income units, and land zoned R-3 can accommodate 270 units divided evenly between the moderate and above-moderate income categories (see Figure 2). The City's existing Second Unit Overlay is appropriate to accommodate the low and moderate income categories. An estimated 234 units are possible on areas within the overlay (see Figure 3). Finally, the City has identified the Downtown Downey Specific Plan area with permitted densities at 40 and 75 dwelling units per acre to accommodate its remaining lower income RHNA. The Specific Plan area can accommodate a total of 735 units (see Figure 4).

e) Resources to Meet Housing Needs

A variety of potential funding sources are available to finance housing activities in Downey. In previous years, the primary source of funds for affordable housing activities in Downey was the Redevelopment Agency (RDA) housing set-aside fund. Since the dissolution of the RDA, the 2010-2014 Implementation Plan allocated other funding sources for housing programs during that period, as indicated below:

- Housing Improvement Program
- Affordable Housing Program
- Underutilized Sites Program
- First Time Homebuyer Program
- Prioritize Housing Program Activities

f) Housing Plan

The Housing Plan section of the Element establishes the goals, policies, and programs that would guide City decision-making on housing issues. The Housing Plan is the crux of the project and provides the foundation for environmental review as these goals are consistent with goals and policies of the Downey Vision General Plan update. The goals, policies, and programs of the Housing Plan are intended to promote the production of housing, and therefore, may result in the direct or indirect environmental impacts based on the nature of residential development. The goals and policies of the Housing Plan are:

Goal 1: Preserve and Improve Existing Housing

- | | |
|-------------|---|
| Policy 1.1: | Monitor and enforce building and property maintenance code standards in residential neighborhoods. |
| Policy 1.2: | Promote the repair, revitalization, and rehabilitation of residential structures which have fallen into disrepair. |
| Policy 1.3: | Promote increased awareness among property owners and residents of the importance of property maintenance to long-term housing values and neighborhood quality. |
| Policy 1.4: | Provide a high quality of services to maintain the appearance of neighborhoods and quality of life of residents. |
| Policy 1.5: | Pursue comprehensive neighborhood preservation strategies for portions of the community that need reinvestment. |

Goal 2: Encourage a variety of housing types to meet the existing and future needs of City residents.

- | | |
|-------------|---|
| Policy 2.1: | Provide adequate sites and zoning to encourage and facilitate a range of housing to address the regional fair share allocation. |
| Policy 2.2: | Encourage infill development and recycling of land to provide adequate residential sites. |

Policy 2.3: Facilitate and encourage the development of affordable housing for seniors, large families, and other identified special housing needs.

Policy 2.4: Assist private and nonprofit developers in providing affordable housing to low-income residents and special needs groups.

Goal 3: Provide Housing Assistance Where Needed

Policy 3.1: Use public financial resources, as feasible, to support the provision of housing for lower income households and special needs groups.

Policy 3.2: Provide rental assistance to address existing housing problems and provide homeownership assistance to expand housing opportunities.

Policy 3.3: Support the conservation of mobile home parks, government-subsidized housing, and other sources of affordable housing.

Policy 3.4: Further public-private partnerships to develop, rehabilitate and maintain affordable housing.

Goal 4: Remove Governmental Constraints

Policy 4.1: Review development fees annually to ensure that fees and exactions do not unduly constrain the production and maintenance of housing.

Policy 4.2: Provide for streamlined, timely, and coordinated processing of residential projects to minimize holding costs and encourage housing production.

Policy 4.3: Utilize density bonuses, fee reductions, or other regulatory incentives to minimize the effect of governmental constraints.

Policy 4.4: Utilize the Housing Authority as a tool to provide sites and assist in the development of affordable housing.

Goal 5: Promote Equal Housing Opportunities

Policy 5.1: Encourage the use of barrier-free architecture in new housing developments.

Policy 5.2: Provide Fair Housing Services.

The following Housing Element programs that promote housing and that are key for environmental analysis and include the following:

Program 5 – Housing Opportunity Sites

The Downey Land Use Element and Zoning Code provide for a variety of residential land uses to accommodate the City's 2014-2021 RHNA. The Zoning Code includes provisions for second units on R-1 and R-2 zoned lots in the City's Second Unit Development Overlay (SUD) districts, development of additional units on R-1 and R-3 zoned sites that are currently underutilized, and future residential development within the

Downtown Downey Specific Plan area. The adopted Downtown Downey Specific Plan, which includes five land use districts, allows for mixed use development and promotes new residential development at densities up to 75 dwelling units per acre. To encourage and facilitate the development of a variety of housing types, the City will provide information on housing opportunity sites identified in the Housing Element and any additional areas of the City to interested developers.

Program 6 - Second Unit Zoning

The City has many large lots (7,500 square feet and above) that are underutilized and that can accommodate additional housing. To facilitate affordable rental units for families, the City allows second unit developments. There are 24 designated second unit development areas, 17 of which have potential to accommodate new development. In the R-1 zone, the second unit must be a detached structure; otherwise, it can be attached to the primary unit. In all cases, however, the secondary units cannot be sold separately from the primary unit and the owner must live in one of the units.

Recently adopted amendments to the second unit zoning program (November 2008) include allowing second units administratively and permitting a reduction in the required lot size (from 10,000 sq. ft. to 7,500 sq. ft.) to qualify for a second unit, thus increasing opportunities to construct second units in the City. Second units, also known as “granny flats,” are a practical method for a family to maximize the available land on their own lot. By utilizing land and utilities, a family minimizes construction costs. The City is capitalizing on the Zoning Code by increasing the stock of affordable units while maintaining the existing single-family neighborhoods.

Development of second unit housing provides lower-income households an affordable housing opportunity typically within a single-family neighborhood setting. Therefore, the City will continue to allow for second units to be constructed within the Second Unit Overlay districts. To ensure greater participation on behalf of Downey residents in the program, the City is committing to a public outreach program to encourage second unit development, including advertising second unit development opportunities on the City’s website, in local newspapers, in local utility bills, and at various community centers, including the Public Library. The City is also committed to monitoring the effectiveness of this program by conducting annual monitoring to determine the level of program participation by Downey residents.

Program 9 - Section 8 Rental Assistance

The Section 8 program provides rent subsidies to very low income households. Prospective renters secure housing from HUD-registered apartments that accept the certificates. HUD then pays the landlords the difference between what the tenant can afford (30 percent of their income) and the payment standard negotiated for the community. The City maintains an on-going memorandum of understanding (MOU) with the Los Angeles County Housing Authority, which provides rental assistance programs in the City of Downey. The City’s Housing Division keeps record on the number of households in Downey that participate in the Section 8 program. On average, there are approximately 620 households that participate in this program annually. The Housing Division regularly refers and provides general qualification and program information to interested individuals. While the City is not directly responsible for the administration of this program, staff can direct residents to the County website, and provide information on the program at City Hall, on the City website and in public places.

Program 19 - Lot Consolidation

Parcels identified as part of the Downtown Downey Specific Plan zone range in size from approximately 0.5 acres to 2.5 acres and in some cases are narrow or shallow in size, which could be seen as an additional constraint to the development of housing. To encourage the development of residential and mixed-use projects, the City offers incentives to encourage lot consolidation including a reduction in the minimum lot size/dimensions. Also, when feasible, staff encourages applicants to utilize the Lot Line Adjustment process to consolidate parcels, which is an administrative process with lower fees. To encourage lot consolidation and to promote more intense residential and mixed use development on vacant and underutilized sites within the Downtown Downey Specific Plan area, the City may also offer to subsidize a portion of development fees. The City will promote the program at City Hall, on its website and will evaluate requests for funding on a case-by-case basis.

Program 20 - Reasonable Accommodation for Persons with Disabilities

Pursuant to Government Code Section 65583, the City of Downey is obligated to remove potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities. The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain restrictions or requirements from the local government to ensure equal access to housing opportunities. Cities and counties are required to consider requests for accommodations related to housing for people with disabilities and provide the accommodation when it is determined to be “reasonable” based on fair housing laws and case law interpreting the statutes. The City of Downey encourages and promotes accessible housing for persons with disabilities. This includes the retrofitting of existing dwelling units and enforcement of the State accessibility standards for new residential construction.

The City is committed to assisting residents in need of reasonable accommodation and offers financial assistance through the Housing Rebate and Grant Program, and will continue to direct eligible residents to apply for funds. Applicants can apply for grants or a rebate to complete improvement projects that remove constraints to their living facilities. In general, City staff takes into consideration the provisions of the Americans with Disabilities Act (ADA) in the review and approval of housing projects and grants modifications and deviations from the Municipal Code to accommodate the needs of persons with disabilities. The City anticipates that they will have formal reasonable accommodations prepared by 2013; however, in the instance that formal procedures are not implemented during the 2008-2014 planning, the City would ensure that they are implemented within one year of Housing Element adoption.

Program 22 - Fair Housing

The City will continue to contract with a Fair Housing Foundation to provide residents with fair housing services using Community Development Block Grant (CDBG) funds. Fair housing services provided by the Fair Housing Foundation include counseling and mediation between tenants and landlords. The Fair Housing Foundation also conducts seminars and information activities throughout the region. The City will refer fair housing complaints to the Fair Housing Foundation as appropriate. The City will assist in

program outreach through placement of fair housing program multilingual brochures at the public counter, City library, post office, and other community locations.

2. Surrounding Land Uses and Setting:

The City of Downey is a 12.8 square mile community that is located in the southeastern part of Los Angeles County. According to California Department of Finance estimates, on January 1, 2012, the population of the City of Downey was 112,201 persons. The City of Downey is located about 12 miles southeast of downtown Los Angeles and is bounded by: Rio Hondo River on the west; Telegraph Road on the north; the San Gabriel River on the east; and Gardendale Street and Foster Road on the south. Cities bordering Downey include: Pico Rivera on north and Santa Fe Springs on the northeast, Norwalk on the east, Bellflower and Paramount on the south, South Gate on the southwest and west, and Commerce on the northwest.

Regional access to and from the City of Downey is provided by the Santa Ana (I-5) Freeway; Glen Anderson Freeway (I-105) Freeway; the San Gabriel River Freeway (I-605) Freeway; and the Long Beach Freeway (I-10); and MTA Green Line Light Rail passenger train services at the Lakewood Boulevard Station.

Residential uses are scattered throughout the City of Downey. Low Density Residential uses are located in the north, east, south and west corners within City boundaries. Medium Density Residential uses are located primarily in the center of the City, abutting neighborhood commercial uses. Majority of the commercial uses are located on the southeast side of the City.

The City has identified the Downtown Specific Plan as a key growth area. Within the downtown area there is a mix of uses including single-family housing, multi-family housing, retail, professional office, medical, and underutilized/vacant parcels. Currently, higher density development is concentrated along Downey Avenue and Firestone Boulevard; however, there are underutilized parcels scattered in each district of the Downtown Specific Plan.

3. Discussion in addition to the explanations of the answers on the checklist:

The adoption of the updated Housing Element would not in itself result in any environmental impact as the project is a policy document on housing issues. Further, the adoption of the element would not result in any change in the physical conditions that exist in the City. Potential housing units were counted for each parcel in the City under the current maximum General Plan densities permitted, for vacant or underutilized parcels, and in all areas of the City where housing is permitted in one form or another.

The adoption of the updated Housing Element would not change nor conflict with any of the existing policies presented in the General Plan. The Environmental Impact Report (EIR) prepared for the Downey Vision 2025 General Plan, adopted in 2005, documents a residential "build out" of 36,915 units, or 1,314 units above the City's existing (2010) housing stock of 35,601. The City of Downey was allocated a total of 1,201 units through the RHNA as shown in Table 5. Based on the amount of residentially zoned vacant and underutilized land, and non-residentially zoned land that have been identified as "residential development opportunity areas," it was determined that a total of approximately 1,383 units can feasibly developed during the planning period of the

updated Element under the governance of the current municipal code and within the adopted Downtown Specific Plan area.

The sites identified would more than accommodate the City's remaining RHNA of 1,201 units. This is less than the total housing unit build-out analyzed in the Downey Vision 2025 General Plan and related environmental documents. Of the approximately 1,383 units that can be feasibly developed within the planning period, the City anticipates new development in the mixed use districts established in the Downtown Downey Specific Plan, adopted in September 2010. The Specific Plan anticipates full build out by 2025 to add approximately 735 new dwelling units. Furthermore, environmental impacts from the anticipated 735 units proposed in the Downtown Specific Plan area have been previously documented and accounted for in the EIR that was prepared for the Downtown Downey Specific Plan, adopted in September 2010.

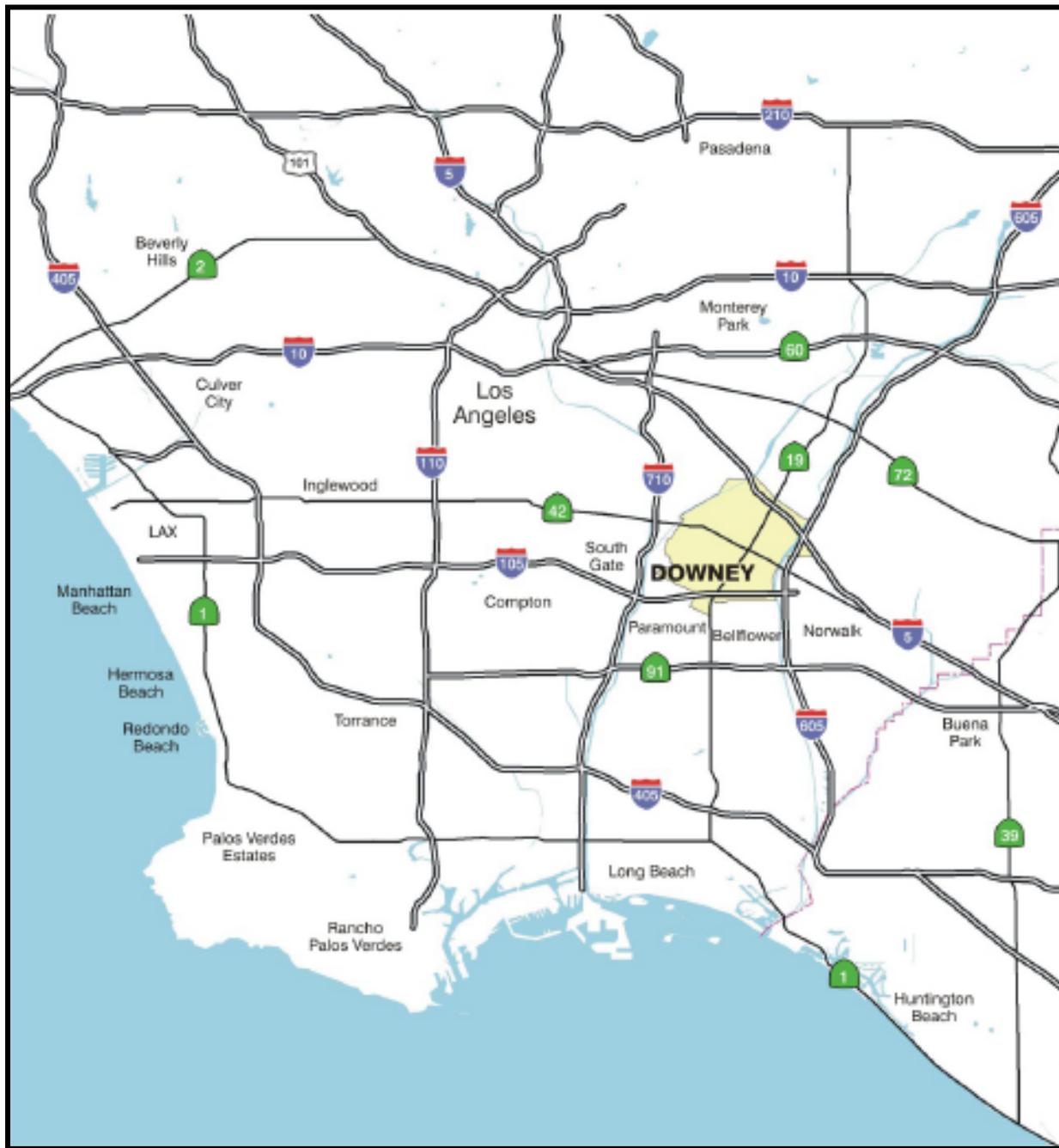
4. Tiering:

A "tiered" environmental impact analysis ("tiering") involves the incorporation by reference of generalized discussion from a previous Environmental Impact Report or Negative Declaration into a subsequent environmental document in order to focus the discussion on the action under review. Section 15152 of the California Environmental Quality Act encourages lead agencies to tier environmental analyses to avoid repetitive discussion within subsequent environmental documents and focus on issues directly related to the topic of evaluation and specific site(s) of concern. Using the tiering process does not allow for avoidance in discussion related to issues directly affected by an action, but does not limit the examination of issues to those that were not addressed in a previous EIR, and may incorporate measures designed to reduce or avoid the environmental situations where the proposed action is consistent with the General Plan. This initial study would primarily tier from the EIR that was prepared Downey Vision 2025 General Plan.

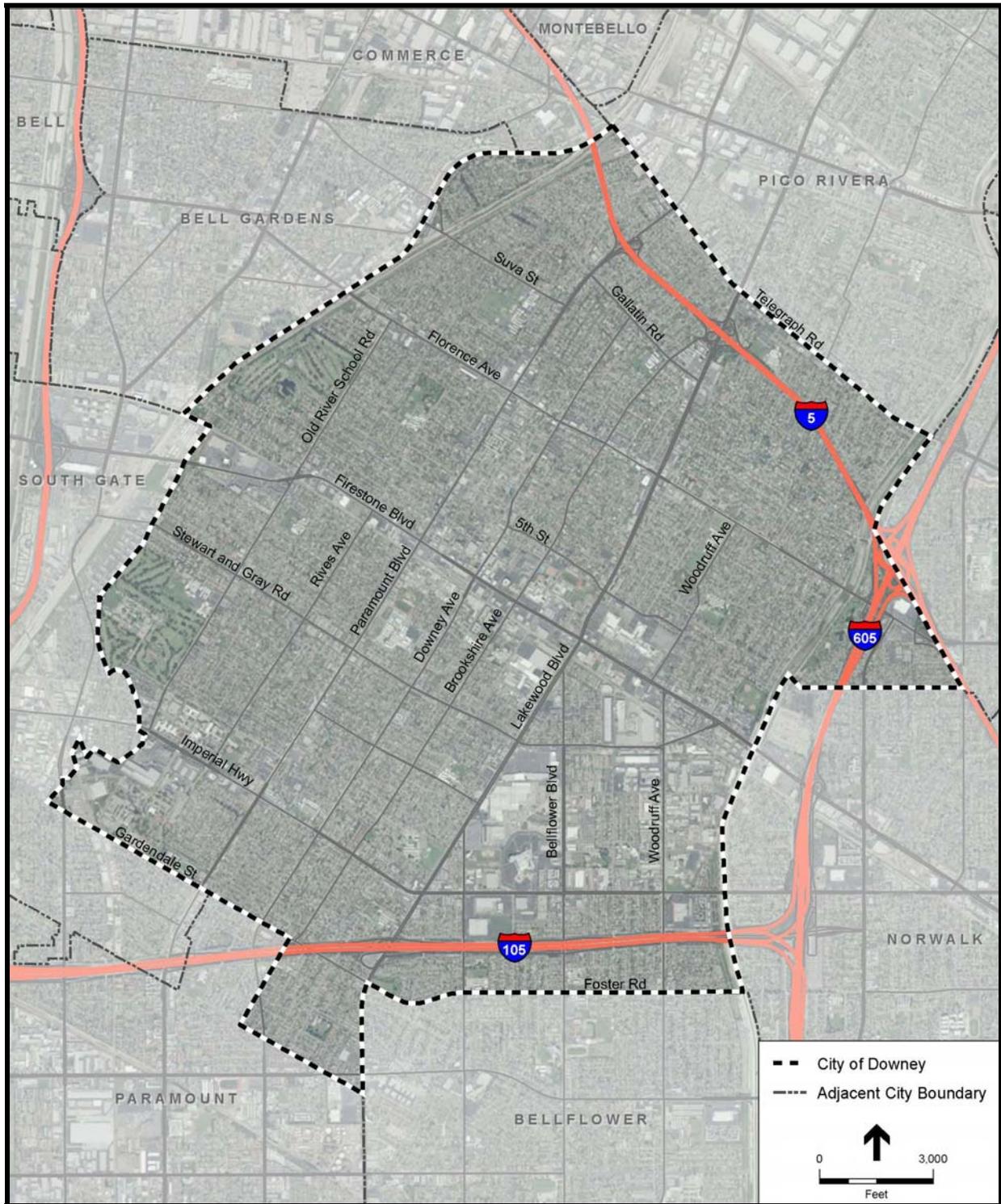
5. Other public agencies whose approval is required: (e.g., permits, financing approval, or participation agreement.)

The State Department of Housing and Community Development would be requested to certify the updated Housing Element for compliance with State law

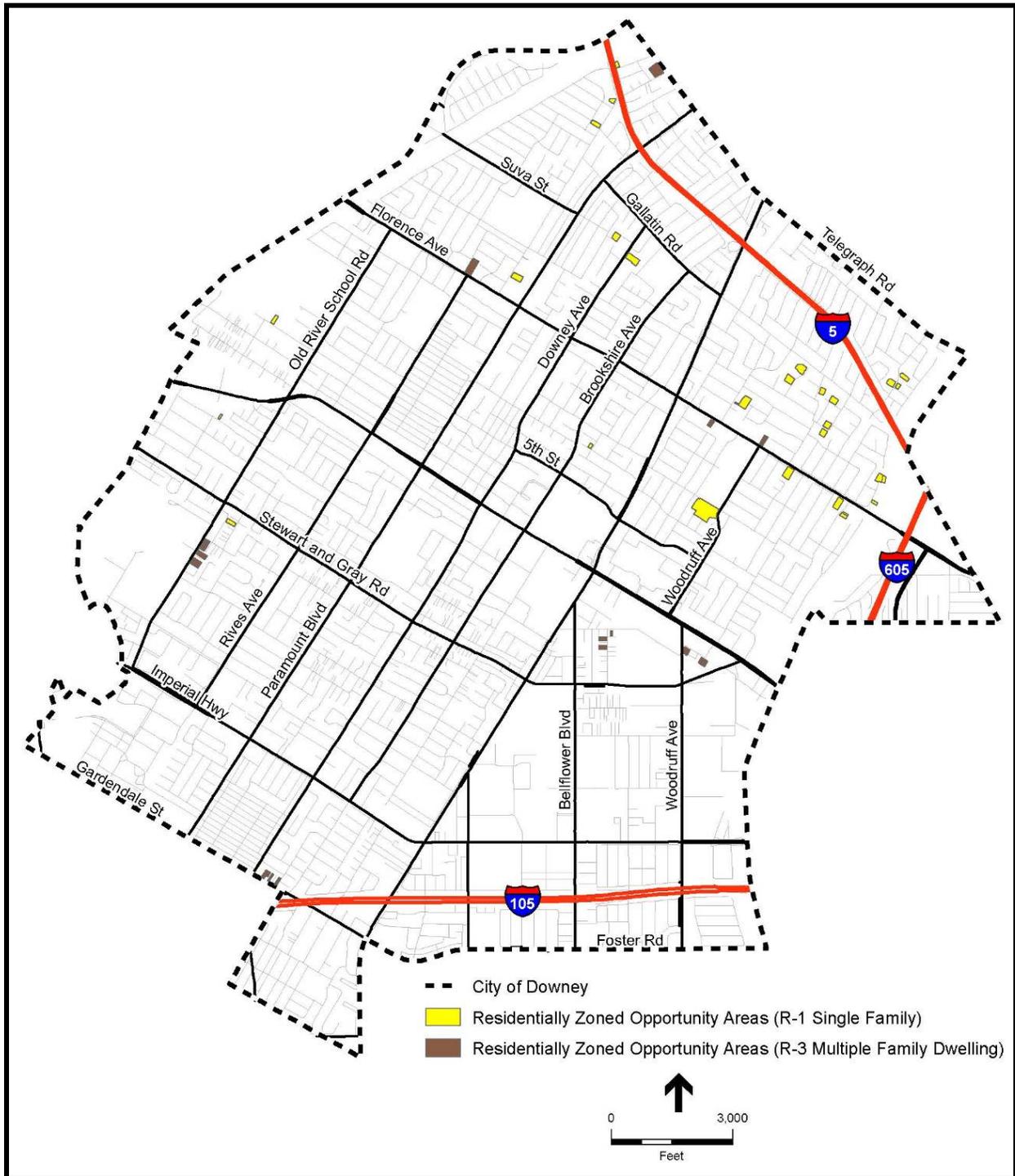
6. Location Map:



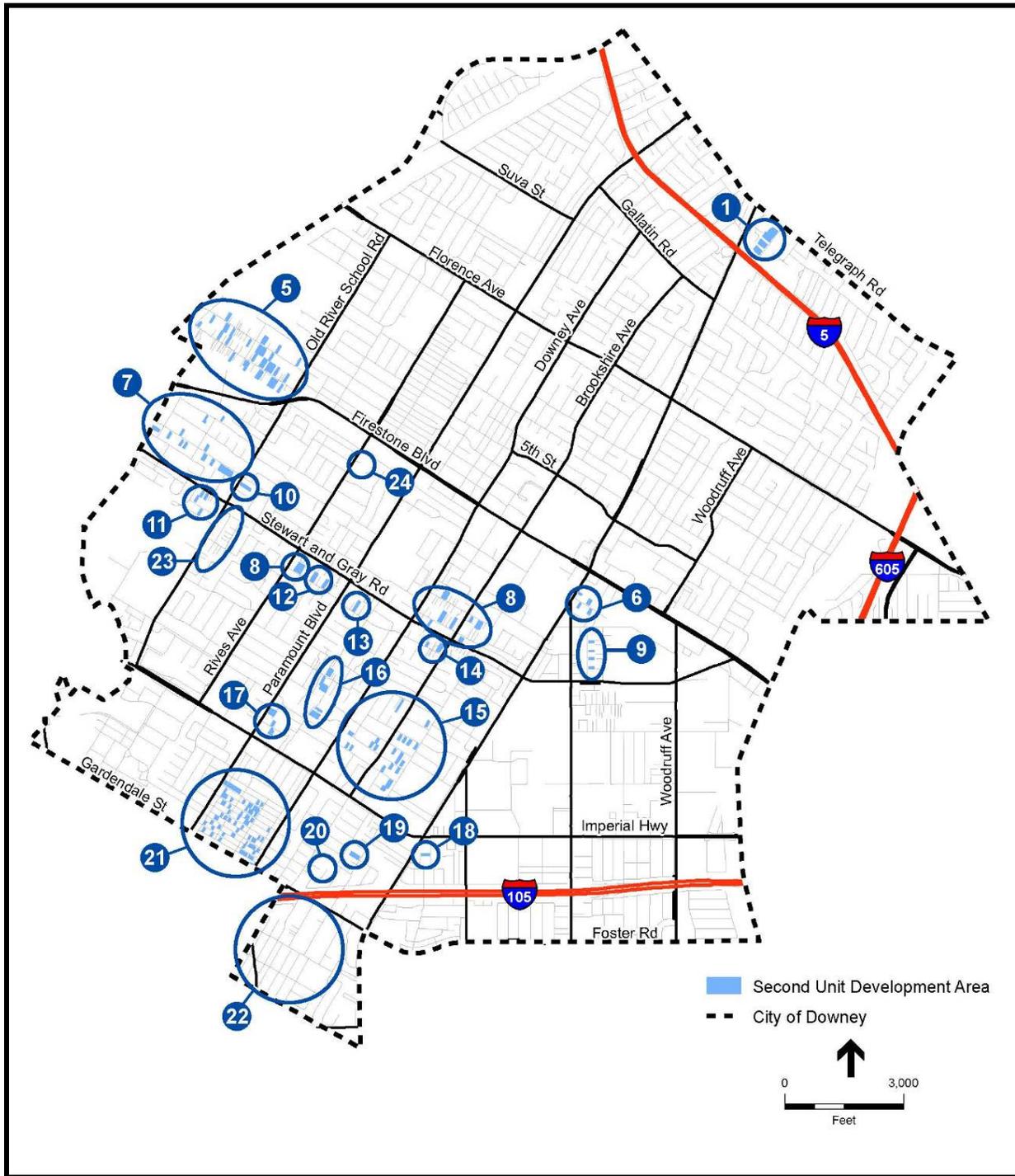
City of Downey Location in Regional Context



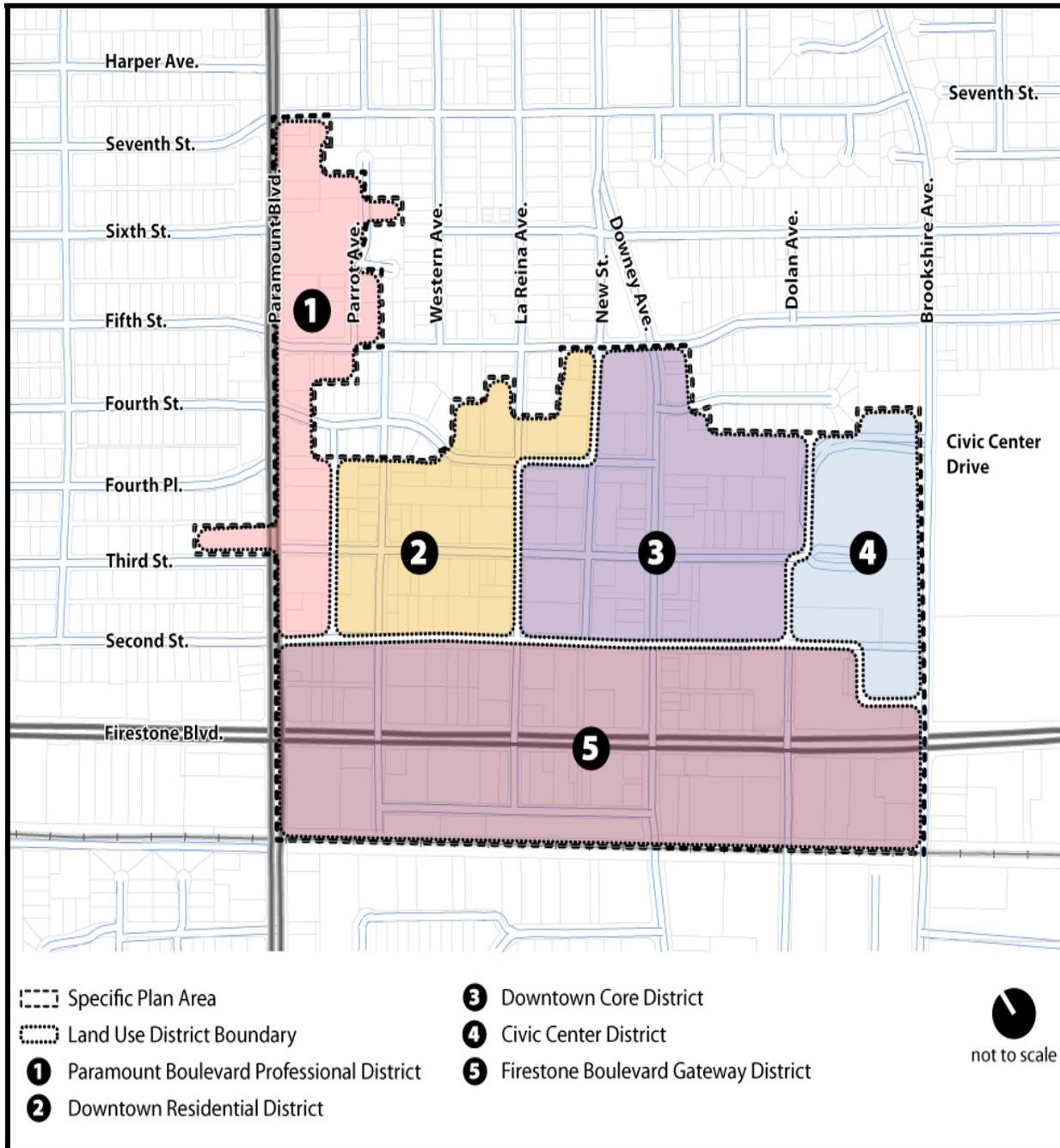
City of Downey



Residentially Zoned Sites



Second Unit Overlay Areas



Downtown Downey Specific Plan

**SECTION II. ENVIRONMENTAL FACTORS
POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist in section III.

- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Land Use and Planning |
| <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Population and Housing |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Hydrology & Water Quality | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or “potentially significant unless mitigated”. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature: Original signed by:
David Blumenthal, Senior Planner
for the City of Downey

Date: March 27, 2013

SECTION III. INITIAL STUDY CHECKLIST AND ENVIRONMENTAL EVALUATION

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and answers are provided according to the analysis undertaken as part of the Initial Study. They outline the following issues:

- | | |
|------------------------------------|--|
| 1. Aesthetics | 10. Mineral Resources |
| 2. Agriculture Resources | 11. Noise |
| 3. Air Quality | 12. Population and Housing |
| 4. Biological Resources | 13. Public Services |
| 5. Cultural Resources | 14. Recreation |
| 6. Geology and Soils | 15. Transportation and Traffic |
| 7. Hazards and Hazardous Materials | 16. Utilities and Service Systems |
| 8. Hydrology and Water Quality | 17. Mandatory Findings of Significance |
| 9. Land Use and Planning | |

The analysis considers the project’s short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, there are four possible responses. They include:

- No Impact.** Future development arising from the project’s implementation will not have any measurable environmental impact on the environment and no additional analysis is required.
- Less Than Significant Impact.** The development associated with project implementation will have the potential to impact the environment; these impacts, however, will be less than the levels or thresholds that are considered significant and no additional analysis is required.
- Potentially Significant Impact Unless Mitigated.** The development will have the potential to generate impacts which will have a significant effect on the environment; however, mitigation measures will be effective in reducing the impacts to levels that are less than significant.
- Potentially Significant Impact.** Future implementation will have impacts that are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Response:

(a and b): The City of Downey, which is located in southeast Los Angeles County, is an urban environment. There are no scenic vistas, scenic resources or scenic highways within the City boundaries or any visible from within the City.¹ No impact would occur.

(c): The adoption of the updated Housing Element would not in itself substantially degrade the existing visual character or quality of the City and its surroundings. Development pursuant to the General Plan Housing Element would not adversely affect existing visual character of the housing opportunity areas because of the requirements of the municipal code for projects to undergo a design review process, which would ensure that these developments would respect the aesthetic value of the site and surrounding character. No impacts on aesthetic resources would occur.

(d): The adoption of the updated Housing Element would not itself create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Issues related to substantial light and glare resulting from the anticipated future growth and development would be considered at the development review stage to ensure that the visual character and quality of sites is maintained either through zoning code requirements and/or the City’s Design Review Board. No impacts on aesthetic resources would occur.

2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

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| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use or a Williamson act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a through c): The City of Downey is an urbanized area that is mostly built out with only infill development potential. There are no agricultural lands within the City’s boundaries. Furthermore, the City’s General Plan (Vision 2025) does not include provisions for agricultural uses in the future. While the City has a variety of zoning districts, in which agricultural uses are only allowed in the Open Space (O-S) zone, which would not be impacted by the Housing Element since housing is not a permitted use in the zone.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

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| a. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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¹ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004 p. 8-1.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

(a): The City of Downey is located within the South Coast Air Basin. Air quality in the Basin is poor due to its geographic configuration and substantial amount of pollutant emissions. The Basin is considered a “non-attainment” area for ozone and fine particulate matter (PM^{2.5}).² The Basin is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD) who has primary responsibility for the non-vehicle related air quality management. The California Air Resources Board (CARB) has primary oversight regarding vehicle related emissions. In a joint effort, SCAQMD and CARB adopted the 2012 Air Quality Management Plan (AQMP), creating policies and programs to address regional air quality. The plan builds upon the approaches taken from the 2007 AQMP for the South Coast Air Basin.

The AQMP contains a number of land use measures and goals that are considered air quality positive. These include intensification of land uses near points of multiple transportation system access, mixed land uses to encourage non-vehicular mobility between homes, jobs and goods/services, and economic revitalization of depressed and blighted urban core areas. The project would not result in direct development. Residential development constructed pursuant to the needs of the project would be approved in accordance with the provisions of the Zoning Code and in consistency with the General Plan. In accordance with City policy, air quality assessments will be prepared on a case by case basis to evaluate air quality impacts. Impacts due to conflicts with the AQMP would be less than significant.

(b): The project would not result in direct development. Individual residential projects developed to fulfill project needs would be evaluated on a project by project basis to ensure that air quality issues are addressed. Furthermore, the EIR that was prepared for the Downey Vision 2025 General Plan includes several mitigation measures intended to reduce air quality impacts from construction that would already apply to new residential construction projects. Impacts would be less than significant.

(c): The adoption of the updated Housing Element would not in itself result in a cumulatively considerable net increase of any criteria pollutant. Impacts associated with criteria pollutants resulting from the anticipated growth and development of the City have been addressed in the EIR that was prepared for the Downey Vision 2025 General Plan. It was determined that air impacts by nature are cumulative and an analysis of long-term operational impacts related to mobile source (vehicle) emissions from build out of the General Plan, which contribute to most ozone precursors, indicated that there would be a less than significant impact.³ Furthermore, depending on the nature of each individual proposed residential project, cumulative air quality impacts would be addressed in supplemental environmental documentation. Impacts would be less than significant.

² South Coast Air Quality Management District. 2012 Air Quality Management Plan. December 2012. pg ES-2.

³ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004. p. 1-8.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(d): Sensitive receptors include children, the elderly, pregnant women, and those with existing health problems that are affected by air pollution.⁴ The project promotes development of housing for sensitive receptors. Effects on sensitive receptors have been evaluated in the City’s General Plan, including impacts due to air emission from traffic.⁵ No impact to sensitive receptors was found in the General Plan EIR. The project is consistent with the General Plan and is not proposing any changes to land use. Impacts would be less than significant.

(e): The project will not directly result in the creation of objectionable odors. There are no significant impacts associated with the creation of objectionable odors resulting from the proposed development of the City’s vacant or underutilized residentially zoned lands. The project is a policy document related to the provision of housing, which is not generally a use that produces objectionable odors. No impact would occur.

4. BIOLOGICAL RESOURCES. Would the project:

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| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Conflict with any local policies or ordinances protecting biological resources? (i.e. tree preservation ordinance). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a): There are no species identified as a candidate, sensitive, or special species in local, regional, state, or federal documents within the City of Downey. No impact would occur.

⁴ California Air Resources Board. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005. p.1.

⁵ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004. p. 5-15.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(b): The Housing Element would not in itself have a substantial effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Portions of the San Gabriel River and Rio Hondo River Flood Control Channels are located at the east and west ends of the City, where concrete channel bed has been removed and natural vegetation has returned.⁶ The proposed development would not be placed in the either flood control channels. No impact would occur.

(c): There are no federally protected wetlands as defined by Section 404 of the Clean Water Act identified in the City of Downey. No impact would occur.

(d): The movement of any native resident or migratory fish or wildlife species or established native resident migratory wildlife corridors, or the uses of native wildlife nursery sites have not been identified in the City of Downey.⁷ The project would not impact the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors. No impact would occur.

(e): The City of Downey does not have any local ordinance to protect biological resources. No impact would occur.

(f): There is no adopted Habitat Conservation Plan, Natural Community Plan or other habitat conservation plan. No impact would occur.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines 5064.85?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines 5064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response:

(a): The project would not directly cause a significant change in any historical resource as it is a policy document without proposal for development and would not conflict or demolish any of the City’s significant historical resources as listed in the Design Element of the General Plan. In addition, per Policy 3.6.10.C of the Downtown Specific Plan, prior to any proposed development within the Specific Plan, a qualified historian or architectural historian would conduct a site-specific survey.⁸ Impacts on historical resources were analyzed in the General Plan EIR, it was determined that impacts on historical resources would be conducted at the development review stage prior to individual project approval. Development that would occur under the Housing Element would comply with all applicable policies listed in the General Plan and Specific Plan. Implementation of the plans and policies addressed in the Design Element of the General Plan and Downtown Specific Plan would reduce impacts to less than significant. Furthermore, as with all construction in the City, should any be discovered on

⁶ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Initial Study. March 2004. p. C-18.

⁷ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Initial Study. March 2004. p. C-19.

⁸ City of Downey, Downtown Downey Specific Plan Draft EIR. September 2010. p. 1-15.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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future development sites, the applicant is required to comply with the provisions set forth Section 15064.5 of Title 14, Chapter 3 of the California Code of Regulations (CEQA Guidelines).

(b): The project would not directly cause a significant change of archaeological resources as it is a policy document without proposal for development. The project promotes residential development to meet the City’s RHNA that would include development on vacant and developed sites, primarily in the Downtown Specific Plan area. According to the Downey Vision General Plan Initial Study, archaeological resources are not typically encountered within the City of Downey. The Downtown Downey Specific Plan EIR analyzed construction-related impacts to archaeological resources. The Specific Plan EIR found impacts to archaeological resources to be less than significant after implementation of Policy 3.6.10. D, which states if archaeological resources are identified during construction, all activity must stop.⁹ Implementation of Downtown Downey Specific Plan EIR Policy 3.6.10.D would reduce potential impacts to a less than significant level. Furthermore, as with all construction in the City, should any be discovered on future development sites, the applicant is required to comply with the provisions set forth Section 15064.5 of Title 14, Chapter 3 of the California Code of Regulations (CEQA Guidelines).

(c): The project would not directly or indirectly destroy a unique paleontological resource or unique geologic feature as it is a policy document without proposal for development. The project promotes residential development to meet the City’s RHNA that would include development on vacant and developed sites, primarily the Downtown Specific Plan area. According to the Downey Vision General Plan Initial Study, paleontological resources are not typically encountered within the City of Downey; previous development within the City of Downey has not revealed any paleontological resources. The Downtown Downey Specific Plan EIR analyzed construction-related impacts to paleontological resources. The Downtown Downey Specific Plan EIR found that impacts to paleontological resources to be less than significant after implementation of Policy 3.6.10.E, which states if paleontological resources are identified during construction, all activity must stop.¹⁰ Implementation of Downtown Downey Specific Plan EIR Policy 3.6.10.E would reduce potential impacts to a less than significant level. Furthermore, as with all construction in the City, should any be discovered on future development sites, the applicant is required to comply with the provisions set forth Section 15064.5 of Title 14, Chapter 3 of the California Code of Regulations (CEQA Guidelines).

(d): The project would not directly impact any human remains. Construction pursuant the project may impact remains but since burial within the City of Downey have occurred in the Downey Cemetery since the 1880s, human remains are not typically encountered during construction. The Downtown Downey Specific Plan EIR analyzed impacts to human remains. In addition, the Downtown Specific Plan EIR found that impacts to human remains would be less than significant after implementation of California Health and Safety Code Section 7050.5. This statute requires halting of all ground disturbing activities upon discovery of human remains and review by the County Coroner. Implementation of the California Health and Safety Code Section 7050.5 would reduce potential impacts to a less than significant level.

6. GEOLOGY AND SOILS. Would the project:

- a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

⁹ City of Downey, Downtown Downey Specific Plan Draft EIR. September 2010. p. 1-16.
¹⁰ City of Downey, Downtown Downey Specific Plan Draft EIR. September 2010. p. 1-16.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a1 and a2): The adoption of the updated Housing Element would not in itself expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction and landslides. According to the State Department of Conservation, Department of Mines and Geology, there are no areas within the City of Downey that are delineated on Alquist-Priolo Earthquake fault zone.

The Downey Vision General Plan Initial Study states development per the General Plan must comply with California Building Code (CBC) standards, which require construction methods that minimize the effects of earthquakes on structures. The project is not proposing development beyond what was analyzed in the General Plan Initial Study. The element would be in compliance with the General Plan and impacts would be less than significant.

(a3): All properties within the City of Downey are located within the liquefaction hazard zone, which requires that a geotechnical soils report be prepared during plan check for future construction to address seismic hazards, including liquefaction. Hazards due to liquefaction are not expected to increase due to changes in groundwater table levels, since the groundwater table levels are not expected to rise above target levels. The City recognizes the potential impacts to housing due to liquefaction and includes Policy 5.2.1 and Program 5.2.1.5 in the Safety Element of the General Plan, which require geotechnical reports for all development projects to address soil liquefaction hazards. ¹¹ The project does not propose any changes to the safety portions of the General Plan. Compliance with General Plan Safety Element Goals, Programs and Policies would reduce impacts related to liquefaction to a less than significant level.

(a4): Landslides are not considered a potential hazard since the City of Downey has a relatively flat topography with no steep hills or slopes. No impacts would occur.

(b): The project would not directly result in soil erosion or loss of topsoil as no development is proposed. Residential development proposed in accordance with the project may result in soil erosion and loss of top soil.

¹¹ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Appendix A. July 28, 2004. p. A-3.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Standard erosion-control practices during construction including compliance with the National Pollution Discharge Elimination System (NPDES) permitting process and the use of Best Management Practices (BMP) would reduce potential impacts to a level of less than significant. Impacts due to soil erosion would be less than significant after implementation of standard erosion-control practices.

(c): The adoption of the updated Housing Element would not in itself result in project that would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse. The State Division of Mines and Geology designated all areas within the City a liquefaction zone, which, as stated above in 6(a)(3), would require geotechnical reports for potential construction projects. Per Public Resources Code Section 2693(c), individual development geotechnical/soils reports would include measures to reduce seismic risk to acceptable levels to address potential impacts related to liquefaction to address impacts related to liquefaction.¹² Compliance with the Safety Element and government code would reduce potential impacts to a less than significant level.

(d): The adoption of the updated Housing Element would not in itself result in the projects that would be located on expansive soils, creating substantial risk to life or property. All of the soil types in Downey can be compacted to a degree that does not hinder site development.¹³ By adhering to accepted soils engineering and grading practices, the risk of settlement for future development proposed in the Element would be reduced to less than significant levels. Therefore, impacts related to expansive soils from the proposed project would be less than significant.

(e): The City of Downey is an urban area that is served by a sanitary sewer system. New septic tanks are prohibited within the City. Therefore, none of the housing development envisioned in the updated Element would be served by septic tanks or alternative wastewater disposal systems. No impact would occur.

7. GREENHOUSE GAS EMISSION. Would the project:

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Response:

(a): Atmospheric gases, which allow solar radiation into the atmosphere but prevent heat from escaping, thus warming the Earth’s atmosphere, are often referred to as greenhouse gases. Greenhouse gases (GHGs) are released into the atmosphere by both natural and anthropogenic (human) activity. The principal greenhouse gases resulting from anthropogenic activity that enter and accumulate in the atmosphere are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases such as hydrofluorocarbons. The accumulation of these gases in the atmosphere at levels in excess of natural activity levels increases the Earth’s temperature result in changing climatic conditions in different parts of the planet, including California.

Future residential development in Downey will be designed and constructed in accordance with the provisions of the Municipal Code and the land use policies of the General Plan. The proposed Housing Element does not change any land use policy or any building regulations that would raise or otherwise change development levels that could contribute to an increase in greenhouse gases.

¹² City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Initial Study. March 2004. p. C-21.

¹³ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Initial Study. March 2004. p. C-22.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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The Downey General Plan, however, identifies programs and policies in the Air Quality Element that would contribute to better air quality in the City. Air Quality General Plan implementation measures that reduce greenhouse gas emissions include:

Program 1.6.1.2: Examine and promote land uses that encourage telecommuting, thus reducing VMT (vehicle miles traveled) as required by the air quality plan.

Policy 2.3.1: Encourage the use of public transit.

Program 2.3.1.8: Encourage Downey businesses to provide employee information to public transit authorities to assist in their planning for public transit services.

Program 2.3.2.1: Promote the development of park and ride facilities.

Program 2.3.2.2: Promote ridesharing through provision of information to the public.

Program 2.3.2.3: Promote transit-oriented developments.

Program 2.3.2.6: Encourage efforts to shift the time of day trips away from peak commuter hours through the use of flex-time, staggered working hours, and other means.

Policy 2.6.1: Encourage bicycling as an attractive alternative to vehicular transportation.

Policy 2.6.2: Encourage walking as an alternative to vehicular transportation.

The proposed Housing Element update would not change or conflict with any of these programs or policies. Since the document is a framework for development it is specifically intended to facilitate the development of housing as allowed by existing land use policy. The housing opportunity locations directly encourage jobs/housing proximity, higher density development along transit corridors, and mixed-use development, per adopted General Plan land use policy. As the development intensity is likely to increase on the identified housing opportunity locations, there is potential for increased energy consumption and an increase in GHG emissions. However, the proposed development on the housing opportunity locations on an aggregate basis would not exceed the total housing unit build-out anticipated by the 2025 Downey Vision General Plan update and would not significantly increase GHG emissions Citywide.

Review of future projects would continue to be carried out to ensure that the projects are consistent with all General Plan goals, objectives, and policies, including those that help the City contribute to regional GHG reduction efforts. The 2010 California Building Code regulations, adopted by Downey in January 2011, would further increase energy efficiency in new residential buildings, thus reducing total energy demand and thereby reducing the level of greenhouse gas emissions generated from coal, natural gas, and oil-based energy sources. Development of housing under the Housing Element would also be subject to all increasing development and energy efficiency standards, such as the 2010 California Building Code. The Housing Element is designed to be in compliance with the all General Plan implementation measures related to Air Quality, as well as the standards set forth in the 2010 Building Code. Impacts would be less than significant.

(b): A variety of standards and regulations have been passed in California since the 1970s that either directly or indirectly affect greenhouse gas emissions and climate change. Of those regulations, Assembly Bill 32, the California Climate Solutions Act of 2006 (AB 32), is considered the most important legislation designed to decrease greenhouse gas emissions in California history. AB 32 requires that statewide greenhouse gas emissions be reduced to 2000 levels by the year 2010, 1990 levels by the year 2020, and to 80 percent less than 1990 levels by year 2050. These reductions will be accomplished through an enforceable statewide cap on greenhouse gas emissions that will be phased in starting in 2012. In 2008, Senate Bill 375 (SB 375) was adopted

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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to implement AB 32 goals for reduction of transportation-based greenhouse gas emissions through the direct linkage between regional transportation and land use/housing planning.

As discussed in Section 3(a) above, the housing opportunity locations identified in the updated Housing Element are located in areas with existing development where jobs and services are available and primarily along major transit corridors. As such, the targeted housing sites would help achieve the goals of reducing vehicular trips and thereby help reduce total vehicular-based greenhouse gas emissions. The 2014-2021 Housing Element is consistent with the City’s General Plan and Municipal Code, and does not conflict with AB 32, SB 375, or any plans or programs that have been adopted to achieve those legislative mandates. In addition, the City is participating with the Southern California Association of Governments (SCAG) Regional Transportation Plan and Sustainable Communities Strategy in the development of the region-wide Sustainable Communities Strategy to implement SB 375 by reducing vehicular-based greenhouse gas emissions. Impacts would be less than significant.

8. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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Response:

(a): The adoption of the updated Housing Element and the potential residential development of the City do not involve the routine transport, use, or disposal of hazardous materials. Residential development is characterized by the use of common hazardous materials and household hazardous wastes (HHW) such as paints and motor oil. Impacts would be less than significant.

(b and d): The project does not have the potential to release hazardous materials into the environment. Government Code Section 65962.5 requires the State of California Department of Toxic Substance Control to maintain a list of known sites that contain hazardous waste and substances (Cortese List). On January 23, 2013, the City consulted the Cortese List, none of the proposed residential sites identified in residential development opportunity areas in the Element were on the DTSC Hazardous Waste and Substances Site List. Furthermore, residential development is not typified by the use of hazardous materials or wastes. Impacts would be less than significant.

(c): The project would not directly emit hazardous materials within one-quarter mile of a school. Residential development is not typified by the use of hazardous materials or wastes. Impacts to schools would be less than significant.

(e and f): The City of Downey is not located within an airport land use plan nor is it within two miles of a private airstrip. No impact would occur.

(g): The project does not include any goal or policy that would affect the normal operations of the City emergency services. Increases in population due to increase in housing supply are anticipated and are subject to standard development impact fees and community assessments to ensure that emergency response services can meet additional demand. Downey Vision 2025 General Plan Update includes Policy 5.1.1 to prepare for protecting life and property in the event of a natural and non-natural disaster. The Housing Element is designed to be consistent with the General Plan. This includes the City’s emergency response plan. Impacts would be less than significant after implementation of the General Plan existing plan and policy.

(h): There are no wild lands in the City of Downey. The Housing Element would not in itself expose people or structures to a significant risk of loss, injury or death involving wildland fires. No impacts would occur.

9. HYDROLOGY AND WATER QUALITY. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Substantially alter the existing drainage pattern of the site or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a through f): The adoption of the updated Housing Element would not in itself violate any water quality standards or waste discharge requirement. Water quality issues associated with anticipated growth and development of the City have been addressed in the EIR that was prepared for the Downey Vision 2025 General Plan. The EIR found all construction within the City of Downey would be required to comply with the NPDES. This includes retaining storm water from the impervious areas created by the project and allowing it to recharge into the ground. By retaining the water onsite, there would be no violations to water quality standards, no additional impact to the storm water system, and no alterations to existing drainage patterns from potential residential development. Impacts due to water quality would be less than significant after compliance with NPDES permitting.

(g and h): Since the Army Corp of Engineers completed raising the channel levees in 2000, no properties within Downey are considered by FEMA to be within a 100-year flood zone. Furthermore, areas designated for future development do not fall within 100-year floodplain and are not subject to specialized flood construction requirements. Thus, the Element would have no impact relative to the risk of property and life resulting from construction within the 100-year flood plain.¹⁴ No impacts would occur.

(i): The City of Downey is located between the San Gabriel River and the Rio Hondo Channel. According to the EIR that was prepared for the Downey Vision 2025 Comprehensive General Plan Update, both of these flood control channels have been designed to meet or exceed the discharge capacity for a 100-year flood. The Downey Vision 2025 EIR concludes that there are no concerns with a potential levee break on either channel.¹⁵ Additionally, no other dam/levees in the vicinity of the City (i.e., Whittier Narrows) present a potential for failure or impact to the City.¹⁶ The project is consistent with the General Plan as it is not proposing new residential

¹⁴ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Initial Study. March 2004, p. C-25.

¹⁵ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004. p. 5-59.

¹⁶ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004. p 5-59.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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development beyond development analyzed under the General Plan EIR. Therefore, impacts due to dam inundation and flooding would be less than significant.

(j): The City of Downey is relatively flat and is not located near a dam, lake, or ocean. As such, no impacts from a seiche, tsunami, or mudflow would occur.

10. LAND USE AND PLANNING. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a): The proposed Housing Element sets forth policies and programs to encourage housing development consistent with the adopted land use, circulation, and infrastructure policies of the existing Downey General Plan. As such, Housing Element adoption and implementation will not provide for new land uses or infrastructure systems such as new roadways or flood control channels that would divide or disrupt neighborhoods. No impact will occur.

(b): The updated Housing Element is consistent with all other elements of the Downey Vision 2025 General Plan including its policies, established residential densities, and the allowance of mixed commercial residential uses in the downtown and in other areas of the City. No impact would occur.

(c): As previously indicated in 4(f), there is no adopted Habitat Conservation Plan, Natural Community Plan, or other habitat conservation plan within Downey. No impact would occur.

11. MINERAL RESOURCES. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a): There are no known mineral resources within the City. No impact would occur.

(b): The City does not delineate any important mineral resources in its General Plan or any other plan. No impact would occur.

12. NOISE. Would the project result in:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Exposure of persons to or generation of noise levels in | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a): The project promotes the production of housing to achieve the City’s RHNA. The City regulates noise through Section 4606.5 of the Municipal Code. As specified in the City of Downey Ordinance No 4606, no construction would occur between the hours of 9:00 p.m. and 7:00 a.m. The Noise Element of the General plan establish acceptable noise levels for land uses for interior residential standards at a minimum of 45 db(A) and below and exterior standards at 60 db(A).¹⁷ The project would comply with the standards set forth in the Municipal Code and the Noise Element of the 2025 General Plan. With adherence to these standards, impacts would be less than significant.

(b): Because the project is a policy document, it would not directly expose persons to excessive ground vibrations. Residential land uses constructed pursuant to Housing Element are not common sources of excessive vibration. See Section 12(d) below for a discussion of construction impacts. Impacts would be less than significant.

(c): The project would not directly increase ambient noise levels throughout the City since it does not involve any construction activity. However, any residential development pursuant to the Housing Element policy has the potential to incrementally increase local ambient noise levels. The General Plan EIR indicates compliance with the City of Downey Noise Ordinance would ensure that temporary or periodic increases in noise levels would be considered less than significant. The project does not propose an increase in residential density beyond that already analyzed in the General Plan EIR; impacts would be less than significant.

(d): The project would not directly cause a temporary or periodic noise increases. Residential development constructed pursuant to the project may cause temporary noise impacts. Construction noise is anticipated to cause temporary increases in ambient noise levels and potentially ground vibrations. In the General Plan EIR,

¹⁷ City of Downey, Downey Vision 2025 General Plan Chapter 6. Noise. January 25, 2005. p. 6-4.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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impacts due to construction activities were found to be less than significant after implementation of construction noise limitations as indicated in the Municipal Code.¹⁸ Compliance with the noise limitations set forth in the municipal code would reduce impacts to less than significant.

(e and f): The City of Downey is not located within an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. No impacts would occur.

13. POPULATION AND HOUSING. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response:

(a): The project promotes the production of housing and, therefore, may indirectly induce population growth. The EIR prepared for the Downey Vision 2025 General Plan documents a residential “build out” of 36,915 units and a maximum population of 121,063 residents. This build out figure includes all vacant and developed residential land. According to the 2010 Census, the average household size in Downey was 3.48 persons per unit. The City of Downey was allocated a total of 1,201 units through the RHNA as shown in Table 5 of the Project Description. Based on the amount of residentially zoned vacant and underutilized land, and non-residentially zoned land that have been identified as “residential development opportunity areas,” it was determined that a total of approximately 1,383 units can be feasibly accommodated during the planning period of the updated Element under the governance of the current municipal code and within the adopted Downtown Specific Plan area. If the City’s total RHNA allocation of 1,201 units is developed and added to the existing (2010) housing stock of 35,601 units the total count is 36,802 units. This total is less than the total housing unit build out analyzed in the Downey Vision 2025 General Plan EIR and related environmental documents. Moreover, based on the 2010 Census average household size, 3.48 persons per household, adding 1,201 units would increase the population by approximately 4,179 residents. If this anticipated population is added to the City’s 2012 population of 112,201, the total population count of 116,380 residents would be within the General Plan’s estimated build out population of 121,063 residents. Therefore, the project promotes housing consistent with adopted City policies. Impacts would be less than significant.

(b): The adoption of the updated Housing Element would not result in the displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. The City is largely built out with most residential development consisting of infill development. No impact would occur.

(c): The adoption of the updated Housing Element would not result in the displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere. The City is largely built out with most residential development consisting of infill development. One principal objective of the element is to facilitate housing production for future residents in the City. No aspect of the project involves the displacement of any number of people. No impact would occur.

¹⁸ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004. p. 5-98.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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14. PUBLIC SERVICES.

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

1) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a1): The Downey Fire Department provides fire protection services for the City. Housing development facilitated by Housing Element policies could place increased demand on fire protection services; however, as shown in discussion 13(a), the population increase that could occur under the Housing Element does not exceed that which was evaluated by the EIR prepared for the Downey Vision 2025 General Plan. In addition, City of Downey’s development impact fees apply to all new development and are designed to offset the potential impact to public services on new development. As such, all new development would be required to pay any fees required by the fire department. With payment of mandatory fees, impacts on fire services would be reduced. Further, as the number of housing units proposed in the Housing Element (1,383 units) do not exceed the maximum build out analyzed in the EIR prepared for the Downey Vision 2025 General Plan, fire protection facilities and staff serving the area appears to be adequate for the planned development and land uses and would not require new or altered facilities. No impact would occur.

(a2): The Downey Police Department provides police protection services for the City, and the Police Chief is responsible for the operation of the Police Department. Housing development facilitated by Housing Element policies could place increased demand on police protection services; however, as shown in 13(a), the population and housing net increases proposed by the Housing Element do not exceed those proposed and evaluated by the EIR prepared for the Downey Vision 2025 General Plan. In addition, City of Downey’s development impact fees apply to all new development and are designed to offset the potential impact to public services from new development. As such, all new development would be required to pay any fees required by the police department. With mandatory fees required by the police department, impacts on police services would be avoided. Further, as the number of housing units proposed in the Housing Element (1,383 units) exceed the maximum build-out analyzed in the EIR prepared for the Downey Vision 2025 General Plan, police protection facilities and staff serving the area appears to be adequate for the planned development and land uses would not require new or altered facilities. No impact would occur.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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(a3): The adoption of the updated Housing Element would not in itself result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities. However, residential development constructed pursuant to the Housing Element may incrementally increase students and place increased demands on local schools. Nevertheless, the developer is required to pay school impact fees, which the Downey Unified School District has adopted to mitigate any known impacts. No impact would occur.

(a4): The adoption of the updated Housing Element would not in itself result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities. Over time, however, new residences constructed pursuant to the Housing Element have the potential to increase demand for and use of park and recreational facilities and services. Additional parks are likely to be developed over the years and in additional areas where residential growth occurs. Environmental effects associated with the development of such future parks would be assessed and reduced to less than significant through the City’s routine parks planning process, including compliance with CEQA. Existing regulations and standard conditions, as well as mitigation measures related to parks and recreation are located in Section 5.8, *Recreation*, of the EIR prepared for the Downey Vision 2025 General Plan to reduce all significant impacts to a level of less than significant.

(a5): The Housing Element does not plan for substantial growth beyond that already anticipated by the General Plan, and therefore, no impacts on other public facilities would occur.

15. RECREATION.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Response:

(a): As discussed in Section 14(a)(4) above, the project would result in the indirect need for recreational facilities due to the promotion of housing development. Impacts would be less than significant with implementation of General Plan Goals, Policies, and Implementation Measures. ¹⁹

(b): The project does not include recreational facilities. The construction and expansion of recreational facilities may occur as a result of the new residential development. Those new or expanded park facilities are subject to CEQA review and would be evaluated on a project-by-project basis to determine impacts on the environment. Impacts would be less than significant.

16. TRANSPORTATION/TRAFFIC. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

¹⁹ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Appendix A. July 2004. p. A-16.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
agency for designated roads or highways?				
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response:

(a): As a policy document, the Housing Element does not propose any changes or modifications to existing ordinances, plans or policies related to the circulation system within the City of Downey. Increase in traffic resulting from the anticipated growth and development of the City have been addressed in the EIR prepared for the Downey Vision 2025 General Plan. The traffic impacts of any new residential development would be addressed in separate site-specific studies. The Housing Element would have no impact on the existing local or regional transportation plans. If the transportation strategies identified in the Circulation Element and General Plan EIR are implemented and successful, the proposed changes would provide sufficient capacity through the City’s transportation network to accommodate the traffic forecasted for long-range growth in and outside of Downey, and would achieve the City’s level of service standards. The General Plan has established goals, policies, and implementation measures to reduce all significant impacts to a level of less than significant.²⁰

(b): The project would not directly impact any roadway designated in the Congestion Management Plan (CMP). Impacts resulting from the anticipated growth and development of the City on the level of service for roads or highways have been addressed in the EIR prepared for the Downey Vision 2025 General Plan. The General Plan EIR states the General Plan update would not exceed the threshold of 50 vehicle trips at the intersection of Lakewood Boulevard and Firestone Boulevard, which is on the CMP System. The project is not proposing increases to any CMP facility outside of those analyzed in the General Plan EIR. Impacts would be less than significant.

(c): The adoption of the Housing Element would not have any impact on air traffic patterns, given the nature and location of the anticipated residential development outside of the established airport flight pattern and new residential development infilling on existing parcels within densities allowed by the General Plan Land Use Element and Downtown Downey Specific Plan area. No impact would occur.

(d): The adoption of the Housing Element, a policy document, does not involve construction or physical design. Circulation features would be analyzed on a project-by-project basis and would be subject to review and approval by the City’s Public Works Department to ensure that hazards related to circulation design features do not occur. Therefore, hazards due to specific design features or incompatibility uses are not likely. No impact would occur.

(e): The General Plan Safety Element establishes policies to provide adequate emergency response.²¹ In addition, the City requires that proposals for new development be submitted to the Fire Department for review to

²⁰ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004. p. 5-233 – 5-239.

²¹ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Appendix A. July 2004. p. A-4.

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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ensure that site design allows adequate access for Department personnel in case of structural fire. All housing development proposals pursuant to the Housing Element policy would be subject to such review. Emergency access would continue to be a primary consideration in the design of all future improvements to the City's transportation network. Impacts would be less than significant.

(f): None of the policies or implementation measures contained in the updated Housing Element conflict with the adopted policies, plans, or programs supporting alternative modes of transportation (e.g., bus turnouts or bicycle racks).

17. UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Response:

(a, b, and e): Housing development facilitated by the Housing Element policies could place increased demand on wastewater treatment services and facilities; however, as discussed in 13(a), the population and housing unit increases proposed by the Housing Element do not exceed those analyzed within the General Plan EIR update. All new residential development pursuant to the Housing Element policies and programs would be required to comply with existing water quality standards and waste discharge regulations set forth by the Regional Water Quality Control Board (RWQCB) to ensure that there is a not a significant effect on the environment. Impacts would be less than significant.

(c): The adoption of the updated Housing Element would not in itself require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Issues relative to environmental impacts resulting from the construction of expansion of existing wastewater pipelines have been addressed in the EIR for the Downey Vision 2025 General Plan. The

Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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goals, policies, and programs listed under Utilities and Service Systems in the Appendix A of the EIR for Downey Vision 2025 General Plan update would mitigate impacts to less than significant level.²² In accordance with the implementation of the goals, policies, and programs addressed in the General Plan, impacts would be less than significant.

(d): The project is designed to promote the development of housing to meet the RHNA for Downey. Increase in population due to new housing development could increase demand on water resources. Downey gets 100 percent of its water from groundwater, although emergency sources of water are available for purchase from the Metropolitan Water District (MWD).²³ Population growth has been accounted for and factored in the Urban Water Management Plan (UWMP), and indicates that water sources are available to provide water for future growth. The project is not recommending any increase in land use or population in excess of the approved General Plan. Therefore, impacts to water supplies would be less than significant.

(f): As a policy document, the Housing Element would not in itself result in impacts to solid waste facilities. However, impacts related to landfill capacity and solid waste disposal needs resulting from the anticipated population growth (approximately 4,179 residents) have been addressed in the EIR for the General Plan. The General Plan EIR indicates implementation of policies and programs list in Appendix A under Utilities and Services Systems, compliance with the City’s existing regulations and standard conditions, and diversion programs would help reduce impacts on solid waste and would guide future provision of solid waste disposal services within the City.²⁴ In compliance with the General Plan EIR, impacts would be less than significant.

(g): A Housing Element is not a project subject solid waste regulation as the project is a policy document, involving no new construction. Anticipated future residential development (1,383 units) and impacts related to solid waste have been addressed in the EIR prepared for the General Plan. The General Plan EIR indicates that the existing regulations and standard conditions such as compliance with AB 39 and California Solid Waste Reuse and Recycling Access Act of 1991, as well as the goals, policies, and programs listed in Appendix A under Policy 4.7.1, would serve to reduce impacts related to solid waste.²⁵ In compliance with General Plan EIR, impacts would be less than significant.

18. MANDATORY FINDINGS OF SIGNIFICANCE.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- b. Does the project have impacts that are individually limited, but cumulatively considerable? “Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the

²² City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Appendix A. July 2004. p A-23–A-24.

²³ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004. p 5-250-5-251.

²⁴ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR. July 2004. p 5-250-5-251.

²⁵ City of Downey, Downey Vision 2025 – Comprehensive General Plan Update Draft EIR Appendix A. July 2004. p. A-24.

	Potentially Significant Impact - EIR Analysis Is required	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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effects of probable future projects)?

- c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Response:

(a): The adoption of the updated Housing Element would not in itself have the potential to degrade the quality of environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. All aforementioned environmental impacts that could result from the anticipated growth and development of the City have been addressed in the EIR for the Downey Vision 2025 Comprehensive General Plan Update. Policies and implementation measures would reduce all significant impacts to a level of less than significance.

(b): All cumulative environmental impacts that could result from the anticipated growth and development of the City have been addressed in the EIR for the Downey Vision 2025 General Plan. The updated Housing Element does not introduce impacts that have not been addressed in the EIR for the Downey Vision 2025 General Plan. General Plan goals, policies, and implementation measures would reduce all cumulatively significant impacts to a level of less than significant.

(c): The Housing Element is a policy document that addresses various issues related to housing needs of the City of Downey. No aspect of the document, including its implementation measures has the ability to cause substantial adverse effects on human beings, either directly or indirectly. No Impact would occur.

SECTION IV. REFERENCES

1. ACRONYMS

Air Quality Management Plan	AQMP
Carbon Dioxide	CO ₂
Assembly Bill 32, the California Climate Solutions Act of 2006	AB 32
Best Management Practices	BMP
California Air Resources Board	CARB
Community Development Block Grant	CDBG
Congestion Management Plan	CMP
Councils of Governments	COGs
Energy and Atmosphere	EA
Environmental Impact Report	EIR
Greenhouse gases	GHGs
Household Hazardous Wastes	HHW
Housing and Community Development	HCD
Leadership in Energy and Environmental Design	LEED
Materials and Resources	MR
Memorandum of Understanding	MOU
Methane	CH ₄
Metropolitan Water District	MWD
National Pollution Discharge Elimination System	NPDES
Nitrous Oxide	N ₂ O
Ozone and Fine Particulate Matter	PM ^{2.5}
Regional Housing Needs Allocation	RHNA
Regional Water Quality Control Board	RWQCB
Second Unit Overlay	SUD
Senate Bill 375, Sustainable Communities and Climate Protection Act of 2008	SB 375
South Coast Air Quality Management District	SCAQMD
Southern California Association of Governments	SCAG
Sustainable Sites	SS
Uniform Building Code	UBC
Urban Water Management Plan	UWMP
Water Efficiency	WE

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California Air Resources Board. Air Quality and Land Use Handbook: A Community Health Perspective. April 2005. pg1.
 City of Downey. Downey Vision 2025 General Plan, Chapter 6: Noise. January 25, 2005. P 6-4
 City of Downey. Downey Vision 2025 General Plan Draft EIR. July 2004.
 City of Downey. Downtown Downey Specific Plan – Draft EIR. September 2010.
 City of Downey. General Plan Downey Vision 2025 Draft EIR Initial Study. March 2004.
 South Coast Air Quality Management District. 2012 Air Quality Management Plan. December 2012

4. HOUSING ELEMENT UPDATE GOALS, POLICIES, AND PROGRAMS

Goal 1: Preserve and Improve Existing Housing

- Policy 1.1: Monitor and enforce building and property maintenance code standards in residential neighborhoods.
- Policy 1.2: Promote the repair, revitalization, and rehabilitation of residential structures which have fallen into disrepair.
- Policy 1.3: Promote increased awareness among property owners and residents of the importance of property maintenance to long-term housing values and neighborhood quality.
- Policy 1.4: Provide a high quality of services to maintain the appearance of neighborhoods and quality of life of residents.
- Policy 1.5: Pursue comprehensive neighborhood preservation strategies for portions of the community that need reinvestment.

Goal 2: Encourage a variety of housing types to meet the existing and future needs of City residents.

- Policy 2.1: Provide adequate sites and zoning to encourage and facilitate a range of housing to address the regional fair share allocation.
- Policy 2.2: Encourage infill development and recycling of land to provide adequate residential sites.
- Policy 2.3: Facilitate and encourage the development of affordable housing for seniors, large families, and other identified special housing needs.

- Policy 2.4: Assist private and nonprofit developers in providing affordable housing to low-income residents and special needs groups.

Goal 3: Provide Housing Assistance Where Needed

- Policy 3.1: Use public financial resources, as feasible, to support the provision of housing for lower income households and special needs groups.
- Policy 3.2: Provide rental assistance to address existing housing problems and provide homeownership assistance to expand housing opportunities.
- Policy 3.3: Support the conservation of mobile home parks, government-subsidized housing, and other sources of affordable housing.
- Policy 3.4: Further public-private partnerships to develop, rehabilitate and maintain affordable housing.

Goal 4: Remove Governmental Constraints

- Policy 4.1: Review development fees annually to ensure that fees and exactions do not unduly constrain the production and maintenance of housing.
- Policy 4.2: Provide for streamlined, timely, and coordinated processing of residential projects to minimize holding costs and encourage housing production.
- Policy 4.3: Utilize density bonuses, fee reductions, or other regulatory incentives to minimize the effect of governmental constraints.
- Policy 4.4: Utilize the Housing Authority as a tool to provide sites and assist in the development of affordable housing.

Goal 5: Promote Equal Housing Opportunities

- Policy 5.1: Encourage the use of barrier-free architecture in new housing developments.
- Policy 5.2: Provide Fair Housing Services.

Program 5 – Housing Opportunity Sites

The Downey Land Use Element and Zoning Code provide for a variety of residential land uses to accommodate the City's 2014-2021 Regional Housing Needs Allocation (RHNA). The Zoning Code includes provisions for second units on R-1 and R-2 zoned lots in the City's Second Unit Development Overlay (SUD) districts, development of additional units on R-1 and R-3 zoned sites that are currently underutilized, and future residential development within the Downtown Downey Specific Plan area. The adopted Downtown Downey Specific Plan, which includes five land use districts allows for mixed use development, which promotes new residential development at densities up to 75 du per acre. To encourage and facilitate the development of a variety of housing types, the City will provide information on housing opportunity sites identified in the Housing Element and any additional areas of the City to interested developers.

Program 6 - Second Unit Zoning

The City has many large lots (7,500 square feet and above) that are underutilized and that can accommodate additional housing. To facilitate affordable rental units for families, the City allows second unit developments. There are 24 designated second unit development areas, 17 of which have potential to accommodate new development. In the R-1 zone, the second unit must be a detached structure; otherwise, it can be attached to the primary unit. In all cases, however, the secondary units cannot be sold separately from the primary unit and the owner must live in one of the units.

Recently adopted amendments to the second unit zoning program (November 2008) included allowing second units administratively and permitting a reduction in the required lot size (from 10,000 sq. ft. to 7,500 sq. ft.) to qualify for a second unit, thus increasing opportunities to construct second units in the City. Second units, also known as “granny flats,” are a practical method for a family to maximize the available land on their own lot. By utilizing land and utilities, a family minimizes construction costs. The City is capitalizing on the Zoning Code by increasing the stock of affordable units while maintain the existing single-family neighborhoods.

Development of second unit housing provides lower-income households an affordable housing opportunity typically within a single-family neighborhood setting. Therefore, the City will continue to allow for second units to be constructed within the Second Unit Overlay.

To ensure greater participation on behalf of Downey residents in the program, the City is committing to a public outreach program to encourage second unit development, including advertising second unit development opportunities on the City’s website, in local newspapers, in local utility bills, and at various community centers, including the Public Library.

The City is also committed to monitoring the effectiveness of this program by conducting annual monitoring to determine the level of program participation by Downey residents.

Program 9 - Section 8 Rental Assistance

The Section 8 program provides rent subsidies to very low income households who overpay for housing. Prospective renters secure housing from HUD-registered apartments that accept the certificates. HUD then pays the landlords the difference between what the tenant can afford (30 percent of their income) and the payment standard negotiated for the community. The City maintains an on-going memorandum of understanding (MOU) with the Los Angeles County Housing Authority, which permits the Authority to provide rental assistance programs in the City of Downey. The City’s Housing Division keeps record on the number of households in Downey that participate in the Section 8 program. On average, there are approximately 620 households that participate in this program annually. The Housing Division regularly refers and provides general qualification and program information to interested individuals. While the City is not directly responsible for the administration of this program, Staff can direct residents to the County website and provide information on the program at City Hall, on the City website and in public places.

Program 19 - Lot Consolidation

Parcels identified as part of the Downtown Downey Specific Plan zone range in size from

approximately 0.5 acres to 2.5 acres and in some cases are narrow or shallow in size, which could be seen as an additional constraint to the development of housing. To encourage the development of residential and mixed-use projects, the City offers incentives to encourage lot consolidation including: a reduction in the minimum lot size/dimensions. Also, when feasible Staff encourages applicants to utilize the Lot Line Adjustment process to consolidate parcels, which is an administrative process with lower fees. To encourage lot consolidation and to promote more intense residential and mixed use development on vacant and underutilized sites within the Downtown Downey Specific Plan area, the City may also offer to subsidize a portion of development fees. The City will promote the program at City Hall, on its website and will evaluate requests for funding on a case by case basis.

Program 20 - Reasonable Accommodation for Persons with Disabilities

Pursuant to Government Code Section 65583, the City of Downey is obligated to remove potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels and for persons with disabilities. The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain restrictions or requirements from the local government to ensure equal access to housing opportunities. Cities and counties are required to consider requests for accommodations related to housing for people with disabilities and provide the accommodation when it is determined to be “reasonable” based on fair housing laws and case law interpreting the statutes. The City of Downey encourages and promotes accessible housing for persons with disabilities. This includes the retrofitting of existing dwelling units and enforcement of the State accessibility standards for new residential construction.

The City is committed to assisting residents in need of reasonable accommodation and offers financial assistance through the Housing Rebate and Grant Program, and will continue to direct eligible residents to apply for funds. Applicants can apply for grants or a rebate to complete improvement projects that remove constraints to their living facilities. In general, City Staff takes into consideration the provisions of the Americans with Disabilities Act (ADA) in the review and approval of housing projects and grants modifications and deviations from the Municipal Code to accommodate the needs of persons with disabilities. The City anticipates that they will have formal reasonable accommodations prepared by 2013, however in the instance that formal procedures are not implemented during the 2008-2014 planning period due to Staff cutbacks, the City would ensure that they are implemented within one year of Housing Element adoption.

Program 22 - Fair Housing

The City will continue to contract with a Fair Housing Foundation to provide residents with fair housing services using Community Development Block Grant (CDBG) funds. Fair housing services provided by the Fair Housing Foundation include counseling and mediation between tenants and landlords. The Fair Housing Foundation also conducts seminars and information activities throughout the region. The City will refer fair housing complaints to the Fair Housing Foundation as appropriate. The City will assist in program outreach through placement of fair housing program multilingual brochures at the public counter, City library, post office, and other community locations.

GENERAL PLAN GOALS, POLICIES, AND IMPLEMENTATION MEASURES

The following goals, policies, and implementation measures of the General Plan and Specific Plan are referenced in the Initial Study:

Downtown Downey Specific Plan

- Policy 3.6.10.C: Site Specific Historical Survey and Evaluation**, which states that all areas slated for development or other ground-disturbing activities in the Specific Plan area that contain structures 45 years or older at the time of project initiation shall be completed for all structures on a proposed project site or immediate vicinity that are 45 years older at the time of project initiation or if sufficient time has passed to obtain a scholarly perspective on the events or individuals associated with the resource to understand its historical importance.
- Policy 3.6.10.D: Halt Work for Accidental Discovery of Historical Materials**, which states that should prehistoric or historic subsurface cultural resources be discovered during construction, all activity in the vicinity of the find shall stop and a qualified archaeologist shall be contacted to assess the significance of the find finding according to CEQA Guidelines Section 15064.5.
- Policy 3.6.10.E: Halt Work for Accidental Discovery of Paleontological Resources**, which states that in the event of paleontological resources are discovered, the lead agency shall notify a qualified paleontologist.

Hazards and Hazardous Materials

- Policy 5.1.1:** The City shall prepare for protecting life and property in the event of natural and non natural disasters.

Geology and Soils

- Policy 5.2.1:** The City shall promote programs that minimize hazards in the event of a major earthquake.

Air Quality

- Program 1.6.1.2:** Examine and promote land uses that encourage telecommuting, thus reducing VMR (vehicle miles traveled) as required by the air quality plan.
- Policy 2.3.1:** Encourage the use of public transit.
- Program 2.3.1.8:** Encourage Downey businesses to provide employee information to public transit authorities to assist in their planning for public transit services.
- Program 2.3.2.1:** Promote the development of park and ride facilities.
- Program 2.3.2.2:** Promote ridesharing through provision of information to the public.

- Program 2.3.2.3: Promote transit-oriented developments.
- Program 2.3.2.6: Encourage efforts to shift the time of day trips away from peak commuter hours through the use of flex-time, staggered working hours, and other means.
- Policy 2.6.1: Encourage bicycling as an attractive alternative to vehicular transportation.
- Policy 2.6.2: Encourage walking as an alternative to vehicular transportation.

Utilities and Service Systems

- Policy 4.7.1: The City shall require recycling and source reduction in residential, commercial and industrial areas of the City.