

## **ADDENDUM**

TO

### MITIGATED NEGATIVE DECLARATION State Clearing House No. 2021090102

#### **Project Title**

City of Beverly Hills 2021-2029 Housing Element

#### **Lead Agency and Address**

City of Beverly Hills  
Community Development Department  
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Beverly Hills, CA 90210

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#### **Project Location**

The Project encompasses the entire City of Beverly Hills.

#### **Background**

This document is an Addendum to the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the update of the Housing Element of the General Plan for the 2021-2029 planning period (6<sup>th</sup> Cycle), which was adopted by the City of Beverly Hills on October 12, 2021 (the “original Project”) per City Council Resolution No. 21-R-13370 (State Clearinghouse No. 2021090102). An amended version of the Housing Element for the 2021-2029 planning period was subsequently re-adopted by the City of Beverly Hills on February 21, 2023 (the “Amended Housing Element”) per City Council Resolution No. 23-R-13449. The IS/MND document, inclusive of exhibits, is hereby incorporated by reference.

The IS/MND for the original Project studied the potential environmental effects on aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, recreation,

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<sup>1</sup> The previously adopted Initial Study/Mitigated Negative Declaration for the 2021-2029 Housing Element update can be found at: [www.beverlyhills.org/environmental](http://www.beverlyhills.org/environmental).

public services, transportation, tribal cultural resources, utilities and service systems, wildfire, and mandatory findings of significance. The IS/MND found that the original Project would not result in significant impacts to agriculture and forest resources, and mineral resources, and less than significant impacts, with certain mitigations, related to aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, transportation, public services, recreation, tribal cultural resources, utilities and service systems, and wildfire.

Since the adoption of the IS/MND, the City has made revisions to the Project, in order to address the comments provided by the State Department of Housing and Community Development (HCD), as provided most recently in a comment letter dated December 15, 2023. This addendum to the adopted IS/MND addresses the minor technical changes or additions made to the amended version of the 2021-2029 Housing Element adopted on February 21, 2023 (the “Amendments”), which will be considered by the City Council.

### **Statutory Requirements**

Section 15164 of the California Environmental Quality Act (CEQA) Guidelines allows for a lead agency to prepare an addendum to an adopted negative declaration or environmental impact report (EIR) if only minor technical changes or additions are necessary or if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. Pursuant to CEQA Section 15162, no subsequent negative declaration shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project that will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Addendum evaluates the Amendments and demonstrates that the project revisions consist of the addition and/or revision of information and minor technical changes, and therefore, do not meet any of the requirements set forth in Section 15162. This Addendum will be considered by the decision making body in conjunction with consideration of the Amendments to the adopted 2021-2029 Housing Element (last adopted on February 21, 2023).

### **Project Description**

The State of California requires every jurisdiction to include a Housing Element in its General Plan. The Housing Element must contain an analysis of the housing needs of all economic segments of the community, including persons with special needs, as well as goals, policies, programs and objectives to address those needs. It is a guide for providing housing opportunities and services for all household types and income groups in the City. State law requires that the City update its Housing Element every eight years, with this update to cover the 2021-2029 planning period, also known as the 6<sup>th</sup> Housing Element Cycle.

As required by State law, the Housing Element includes a Housing Plan, which establishes goals, policies, programs and quantified objectives for addressing the City's housing needs during the 8-year Housing Element planning period. The Housing Plan is based upon the City's analysis of a variety of issues that affect current and future residents of Beverly Hills, and contains policies and programs to address and guide the future development of housing in the City. The Housing Element data and analysis is presented in five appendices to the Housing Element:

- Appendix A includes analysis of the City's demographic characteristics and housing needs and an assessment of fair housing conditions;
- Appendix B includes analysis of potential constraints, including both governmental and non-governmental constraints, to meeting the City's housing needs;
- Appendix C includes an evaluation of resources and opportunities available to address housing needs, including a suitable sites inventory which demonstrates adequate zoning capacity to accommodate the Regional Housing Needs Assessment ("RHNA") allocation;
- Appendix D provides a review of the City's accomplishments during the previous planning period and the effectiveness of current policies and programs in meeting housing needs; and
- Appendix E describes the public participation process for the Housing Element update.

A summary of the changes included in the Amendments to the adopted Housing Element is provided below:

### **Revisions to the Housing Plan**

The majority of revisions made to the 2021-2029 Housing Element since it was last adopted on February 21, 2023 consist of amending the policies and programs in the Housing Plan by providing a greater level of detail regarding the policy commitments, adding more information about actions the City has taken (or is currently undertaking) in relation to such policies and programs, adding further actions and commitments to existing implementation programs, revisions to the sites inventory, and adding more specific timelines for when the City will implement and accomplish certain actions in the programs. In addition, the Housing Plan was revised with more robust information and policies/programs related to the Affirmatively Furthering Fair Housing (AFFH) discussion, which is contained in Appendix A of the Housing Element. The changes in the Housing Plan include, but are not limited to the following:

- Policy H 3.7 has been added to require that the City provide assistance and services to low-income, disabled, and senior citizen households to promote aging-in-place. Services provided include in-home assistance and installation of minor features for accessibility, and further information is provided in the related Implementation Program 11.8.
- Implementation Program (“Imp”) 9.2 has been updated with further background information on the Rent Stabilization Division’s current work related to monitoring and enforcing habitability standards in rent-stabilized multi-family residential buildings;
- Imp. 9.3 has been updated with more details regarding the Handyworker Program and the goal to re-establish this program by 2025, and a commitment was added to provide alternative programs by 2026 if such program is not re-established, with specific information about a proposed alternative program with a local agency or non-profit organization. The program also includes a commitment that if the City does not establish an alternative program with a partner organization, the City will provide funding to subsidize eligible repairs, and a target to serve at least 5 low-income households per year;
- Imp. 9.4 has been updated to include additional information about the Historic Incentive Permit and the Adaptive Reuse/Conversion program within the Mixed Use Overlay Zone. (MU Overlay Zone). A quantified objective was also added for at least 6 projects to utilize Historic Incentive Permits, including adaptive reuse/conversion projects;
- Imp. 9.5 has been revised to reflect the adoption of the City’s inclusionary housing ordinance, and commits the City to evaluate revisions to the ordinance, especially as related to condominium conversions by the end of 2026;
- Imp. 9.6 has been revised to include more extensive background information regarding the City’s Rent Stabilization Division, and the services provided by this team to the community. This program has also been updated with additional actions that the City will complete, and specific timeframes for completion, including the establishment of a housing inspection program and pilot program to offset rent increases by 2024;

- Imp. 9.7 has been revised for clarity and to add information about the City’s commitment to coordinating with a housing service provider to monitor housing resources;
- Imp. 10.1 regarding Density Bonus regulations has been revised for clarity and to update the specified timeframes for actions;
- Imp. 10.2 has been revised to add more information regarding the City’s affordable housing program and update this section with more recent information, including information on a contract for a third-party housing administrator;
- Imp. 10.3 regarding the Housing Trust Fund program has been revised to update timeframes appropriately, and clarify action item language;
- Imp. 10.4 has been updated with the most current accessory dwelling unit (ADU) permitting information, and includes specific timeframes for amending the City’s ADU regulations as follows:
  - The City shall adopt an ordinance to revise ADU regulations by 2024 in single-family residential zones to exceed state required minimums (such as height and floor area);
  - The City shall adopt an ordinance by the end of 2024 to allow an additional ADU beyond state law requirements on single-family residential properties that are at least 13,000 square feet in size, and deed-restrict at least one ADU on such property as a rental unit;
  - The City will create a program to monitor ADU production each year by affordability level, and if there is not an average of 20 new ADUs per year by the end of 2025 (including by affordability level), the City will take actions to close this gap in production, including but not limited to:
  - Revisions to ADU regulations in 2026 to allow greater flexibility for ADU development;
  - Adopt an ordinance by the end of 2026 to allow an additional ADU beyond state requirements on properties less than 13,000 square feet in size and deed-restrict at least one ADU on such property as a rental unit;
  - Adopt an ordinance by the end of 2027 to allow an additional ADU beyond state requirements and the additional local ADU allowances for properties greater than 13,000 square feet in size, with a requirement to include a deed-restricted affordable ADU for at least a 5-year period or other development incentives on properties greater than 13,000 square feet in area;
  - Identify sites for rezoning or other strategies as needed/appropriate to accommodate ADU capacity and cover any gap in production;
  - The City will provide pre-checked ADU plans for use by the public by the end of 2025; and

- The City shall adopt regulatory incentives by 2026 to further encourage ADU production if the City does not permit 20 or more new ADUs each year;
- Imp. 10.5 has been updated to include more information related to the City's ongoing sustainability and climate action initiatives;
- Imp. 10.6 has been updated with information regarding a program to perform outreach and promote the use of SB 4 provisions by religious institutions in the City, which allow the construction of housing units on religious sites. The program has been updated with further information regarding a development partnership between the City and an affordable housing developer to construct 352 units of affordable housing on the City-owned site located at 9268-9298 W. 3rd Street (known as the Credit Union Site). The program has also been updated to include information and commitments regarding two other City-initiated affordable housing development projects on other City-owned or City-controlled sites: 8401-8423 Wilshire Blvd (the Reeves Metro Site) and 111 N. Gale Drive (the Gale Yard Site). The Gale Yard Site is proposed to be developed with market-rate and affordable housing uses, including at least 125 affordable housing units. The Reeves Metro Site is proposed to be developed with at least 80 affordable housing units. The program has been updated with commitments related to these proposed affordable housing projects, including specific commitments and milestones for each project. These include:
  - Credit Union Site
    - The City shall re-issue the RFP for affordable housing on other City-owned sites if project entitlements for the Credit Union Site are not approved by the end of 2026;
    - The City will facilitate the issuance of entitlements and building permits, and provide funding for the project as needed;
    - The City will construct and complete an affordable housing project by the end of the planning period with an estimated total of 352 lower income housing units;
  - Gale Yard Site
    - The City shall enter into an agreement with a developer to create a redevelopment plan for the Gale Yard site that will include 125 affordable housing units;
    - The City shall acquire additional sites adjacent to the Gale Yard if such sites become available;
    - If the project entitlements for the Gale Yard site are not approved by the end of 2027, the City will propose to develop the 125 affordable housing units on alternate site(s);
  - Reeves Metro Site

- The City shall purchase the Reeves Metro site as soon as it becomes available and no later than the beginning of 2027, and shall acquire additional adjacent sites if these become available;
- The City shall enter into an agreement with a developer to create a redevelopment plan for the Reeves Metro site that will include 80 affordable housing units;
- If the project entitlements for the Reeves Metro site are not approved by the end of 2028, the City will propose to develop the 80 affordable housing units on alternate site(s);
- Alternative Actions for Three Projects
  - A program to monitor the City’s progress on these affordable housing projects, and alternative actions to accommodate any shortfall of lower income housing units identified by the end of 2026, such as identifying and/or rezoning additional sites to accommodate lower income housing units and expanding the Mixed Use Overlay Zone area.
- Imp. 11.1 has been revised extensively to include policies that address the identified fair housing issues existing in the City, as discussed within Appendix A of the Housing Element, in the Affirmatively Furthering Fair Housing (AFFH) discussion section. This program now includes a chart to clarify how the City will address fair housing issues, and includes references to other relevant implementation programs contained in the Housing Plan. More specifically, the programs are grouped under the following topic areas: Fair Housing Outreach and Enforcement, New Housing in High Opportunity Areas, Housing Mobility, Place-Based Strategies for Neighborhood Improvement, and Tenant Protection and Anti-Displacement. In order to respond to the comment in the December 2023 HCD letter regarding the Racially Concentrated Areas of Affluence (RCAA), the following goals and targets have been added to Imp. 11.1:
  - Facilitate the construction of at least one affordable housing project with a minimum of 15 affordable housing units on a religious institution site(s) through SB 4 provisions;
  - Facilitate the development of 150 affordable housing units in the highest resource areas of the City, including the RCAA, with a specific target to develop 50% of the 150 ADUs projected for the planning period in the RCAA; and
  - Create other housing mobility choices in the RCAA, including: 75 ADUs constructed through the additional ADU option beyond state law allowances on lots greater than 13,000 square feet in area, match 20 participants for homesharing opportunities in the RCAA, facilitate an affordable housing project on a religious institution site, and permit at least 30 Ancillary Living Quarters (ALQs) within single-family residences in the RCAA. An ALQ is a living area located within a single-family residential structure that includes an efficiency kitchen and access to a bathroom.

- Imp. 11.1 has also been updated with further actions and specific programs to support the above targets.
- Imp. 11.2 has been updated to include a reference to the proposed affordable housing development partnership to construct 352 units of lower income housing on the Credit Union Site, and has been revised to add a target to incentivize the development of at least 250 units of senior housing and to state that the City will continue to work on other development proposals for affordable housing on City-owned sites;
- Imp. 11.3 has been revised to clarify action items identified and to add more information about the senior case management program currently conducted by the City;
- Imp. 11.4 has been revised to clarify action items identified and to add commitments to perform outreach regarding the availability of Alternative Living for the Aging (ALA) services;
- Imp. 11.5 has been revised to include a commitment to amend the zoning code regulations related to group homes (or community care facilities) to ensure these do not create constraints on persons with disabilities and to allow group homes for 7 or more persons with disabilities in all residential zones and other housing types of the same form. The program also includes a commitment to amend the definition of “family” to ensure this does not create constraints on persons with disabilities, and change the zoning standards as may be necessary to create objective standards for group homes. The program also includes additional information related to the City’s commitment to provide minor home improvement and repair services;
- Imp. 11.6 has been updated with information related to the City’s effort to provide services to people experiencing homelessness, including a program to partner with Step Up on Second to provide 30 units of permanent supportive housing and up to 280 nights of motel stays for the unhoused per year, through 2033;
- Imp. 11.7 has been revised to clarify action items identified and to refine the language related to the emergency shelter zoning amendment and add a timeline for this to be completed within one year of the adoption of the Housing Element;
- Imp. 11.8 has been created specifically to address aging in place goals, and provides information about the current actions undertaken by the City to support aging in place, and commits the City to the following:
  - The City will continue to contract for services with Jewish Family Service of Los Angeles throughout the planning period;
  - The City will seek to ensure that at least 25% of the households served by this program are low-income households;
  - The City will explore whether Jewish Family Service can provide minor repair services; and
  - The City will target to serve up to 100 households per year, including at least 25% low income households and senior citizen households;



- Imp. 12.1 has been revised with minor language changes, and to add in a commitment to amend the zoning code to remove constraints related to the redevelopment of commercial shopping centers. The program was also revised to add further commitments related to the Mixed Use Overlay Zone regulations, including:
  - Periodically updating the adaptive reuse program through 2028 to provide more flexible regulations;
  - Funding a study with a budget of at least \$250,000 for Fiscal Year (FY) 2024-25 to provide recommendations of potential changes to the Mixed Use Overlay Zone;
  - Conducting outreach meetings to educate property owners in the Mixed Use Overlay Zone;
  - Amending the density limit for conversion/adaptive reuse projects;
  - Monitoring the production of housing units for the adaptive reuse program, and proposing alternative actions if production is not on pace with assumptions by the end of 2026, including:
    - Amending the regulations to create a ministerial review process for adaptive reuse projects, and to allow the addition of mezzanine levels to existing buildings and allowing more flexibility for legally nonconforming uses and the location of uses within conversion/adaptive reuse projects; and
    - Alternative actions to be completed if there is a shortfall of lower income affordable housing units as a result of the projects on City-owned sites or the adaptive reuse program, including identifying and/or rezoning additional sites to accommodate affordable housing unit capacity and expanding the Mixed Use Overlay Zone area.
- Imp. 12.3 has been updated with more recent information regarding approved and proposed projects and the allowable vs. approved densities on site, and has been revised to clarify action items.

The policies and programs have been revised based on the comments provided by HCD, which are intended to help address potential constraints to and further incentivize the development of housing in the City, as well as commit to specific actions to achieve the stated goals of the Housing Element. As detailed above, the changes mostly consist of adding further background information and context, and new action items and timeframes for such actions to be completed. While certain programs may require amendments to zoning code language or development standards, none of the minor changes to programs will result in the modification of development patterns or change the pattern of land uses established in the General Plan Land Use Element. Therefore, the changes to the Housing Plan will not result in changes to the significance findings in any of the environmental issue areas studied in the IS/MND.

**Revisions to the Affirmatively Furthering Fair Housing (AFFH) Discussion and Assessment of Fair Housing (Appendix A of the Housing Element)**

The AFFH discussion section of the Housing Element in Appendix A is a new requirement for this cycle of the Housing Element Update, per Assembly Bill (AB) 686. This bill requires that the Assessment of Fair Housing (AFH) includes the following:

- Include a program that affirmatively furthers fair housing and promotes housing opportunities throughout the community;
- Conduct an assessment of fair housing including a summary of fair housing issues and analysis using available federal, state, and local knowledge and data; and
- Link the Housing Element Land Inventory and Identification of Sites to the evaluation resulting from the AFH and AFFH analysis.

The AFFH section revisions incorporate the following information:

- Addition of information related to regional and local trends regarding housing, income, jobs, discrimination, segregation, racial/ethnic demographics, persons with disabilities, familial status, housing needs and housing burdens, displacement, and population distribution in the City and analysis of the relationship between this data;
- Addition of analysis regarding the distribution of potential suitable sites for development throughout the City, and the relationship between this distribution and population characteristics, housing types and conditions, and resources available;
- Addition of information regarding resources within the City and adjacent areas, including employment resources and data and scores related to access to opportunity assets;
- Revision to the summary of fair housing issues and the policies and programs to address these issues (a chart of the programs are contained in Implementation Program 11.1 in the Housing Plan), including the addition of specific targets and milestones for housing mobility and choices in the identified RCAA;
- Additional information regarding the City's unhoused populations and programs for assistance, including local knowledge from City reports;
- Addition of local knowledge regarding housing overpayment data, housing conditions of the existing housing stock in the City and programs to ensure habitability is maintained, and the history of the development patterns and zoning regulations in the City that have contributed to the development of an RCAA;
- Addition of information regarding the environmental conditions in the City;
- Addition of information regarding the City's current improvement programs and the planned locations of improvements to demonstrate equal investment into various areas of the City;

- Addition of information regarding the City’s Rent Stabilization program, and Affordable Housing placement program, including the services provided to renters in the City and programs to prevent displacement of existing residents;
- Addition of information regarding the City’s compliance with fair housing law;
- The update and addition of data tables regarding the sites inventory distribution; and
- The addition of maps with data related to fair housing issues and both regional and local trends for these issues;

Since this discussion only intends to provide greater background information and context in addition to the information already included, and also includes action items to be completed by the City. The programs aim to facilitate and incentivize the production of affordable housing to address previous patterns of unequal access, and may require the addition or modification of development standards, and none of these changes will result in the modification of development patterns or change the pattern of land uses established in the General Plan Land Use Element. Therefore, the changes to the AFFH will not result in changes to the significance findings in any of the environmental issue areas studied in the IS/MND.

**Revisions to the Discussion of Potential Constraints on Housing Production and Conservation (Appendix B of the Housing Element)**

Appendix B discusses all of the potential constraints that may affect the production and conservation of housing in the City. In response to HCD’s comments, this discussion has been revised to include more information and explanation about current development trends, and cross references to information included elsewhere in the Housing Element. These revisions have been made to include the following information:

- The revision of information for greater clarity and accuracy, including updates to reflect information about the Mixed Use Overlay Zone;
- The revision of information related to a multi-family residential or mixed use projects proposed and approved to reflect recent project updates and to add additional projects;
- The addition of information related to the City’s efforts to start updating the Mixed Use Overlay Zone, including conducting outreach meetings with property owners;
- The revision to example fee tables for different types of housing projects for greater accuracy; and
- The addition of clarifying language and references to updated implementation programs for consistency between Appendix B and the Housing Plan.

Since this discussion only intends to provide greater background information and context regarding housing constraints, none of these changes will result in the modification of development patterns or change the pattern of land uses established in the General Plan Land Use Element. Therefore, the changes will not result in changes to the significance findings in any of the environmental issue areas studied in the IS/MND.

**Revisions to the Sites Inventory (Appendix C of the Housing Element)**

State Housing Element law requires each city and county to identify and analyze existing and projected housing needs in its jurisdiction and prepare goals, policies, and programs to encourage the development, improvement, and preservation of housing (Government Code 65580-65589). The programs developed are meant to help the city meet its “fair share” of housing needs, as determined by the State and allocated by the Southern California Association of Governments (SCAG) through the Regional Housing Needs Assessment (RHNA) Allocation. The City’s RHNA for the 2021-2029 planning period is a total of 3,104 units.

The sites inventory, also known as the “land inventory”, is a list of parcels that the City has identified as land that is suitable and available for residential development. The sites inventory must include enough parcels that can accommodate the City’s RHNA allocation of a total 3,104 units, which is further divided into unit allocations at different levels of affordability, including units that are affordable to very low, low, moderate, and above moderate rate units. State law pertaining to Housing Elements has added more requirements for the sites inventory for the 6th Cycle than in previous housing cycles, including a requirement to provide substantial evidence that the level of housing development anticipated by the sites inventory will reasonably occur during the upcoming planning period (2021 to 2029) and that the calculation of the residential unit capacity on each site is realistic, based on market conditions and similar types of developments that have been completed. As a result of these requirements, the sites inventory has been revised after an individualized review of the parcels that included a windshield survey and online research. Most significantly, the sites inventory has been revised by breaking down sites into the following categories, found in seven different “tabs” (included as Exhibit A to Appendix C of the revised Housing Element document):

1. Underutilized Sites (Tab 1)
2. Potential Conversion/Adaptive Reuse Sites (Tab 2)
3. Developer Interest List (Tab 3)
4. Approved Projects (Tab 4)
5. Submitted Projects (Tab 5)
6. City-owned Site for Affordable Housing Project (Tab 6)
7. Accessory Dwelling Units (Tab 7)

In order to comply with state law requirements, screening criteria based on site-specific characteristics (e.g. improvement to land ratio, age of existing buildings, existing building height, lot coverage) has been developed to determine whether a site is likely to be redeveloped and to provide additional support and substantial evidence that the level of housing development will reasonably occur. A narrative to support the likelihood of development of nonvacant sites and to demonstrate that existing uses on nonvacant sites are not an impediment to redevelopment has also been augmented. This narrative includes information regarding development trends in the City for 100% non-residential (commercial) only projects, which demonstrate a low demand for the development of new commercial buildings and a strong trend towards new developments with residential uses (either new 100% multi-family residential or mixed use projects). In addition, this narrative includes information regarding the broad categories of existing uses on sites on which

applications for redevelopment have been submitted, as well as information regarding general trends for commercial uses (such as auto-related uses, bank uses) in the context of current market conditions. This information demonstrates that the various types of existing uses on nonvacant sites in the Mixed Use Overlay Zone are not acting as impediments to redevelopment of the sites.

The majority of sites in Tab 1 are located within the Mixed Use Overlay Zone, and sites were kept in Tab 1 upon meeting at least three out of the six screening criteria. The thresholds for such criteria were based on proposed or approved mixed use development projects in nearby cities (West Hollywood, Santa Monica, and Pasadena), and this data is available in Exhibit B attached to Appendix C. Similarly, screening criteria were developed for Tab 2, which is focused on identifying sites that may be more suitable for a conversion/adaptive reuse mixed use development. These criteria were based on research of adaptive reuse scholarly articles and news articles that detail the types of building and site characteristics that make this type of development more feasible. Sites that met at least four of the six criteria were kept in the list, in order to be more conservative on the estimated development potential for this type of mixed use development. The “Adaptive Reuse Uptake Filter” has also been developed and applied to the list of sites in Tab 2 that substantially reduces the total unit calculation on each site in order to further ensure that the estimate the total number of units on these sites is conservative. Additionally, descriptions of each building listed on Tab 2 has been provided as further information and support for inclusion on the Adaptive Reuse list. Background information related to the distribution of sites by level of affordability within Tabs 1 and 2, and research regarding adaptive reuse trends, market conditions, and a case study has also been added. The subsequent sections discussing the rest of the sites inventory tabs have been updated with more recent project and permitting data and descriptions about each category of the sites inventory. References to implementation programs have also been revised for consistency, and the residential sites summary (Table C-1) has also been updated to reflect the revised unit counts within the sites inventory. Tab 6 has also been updated to include additional City-owned or City-controlled sites on which affordable housing projects are proposed in the future. The three sites in Tab 6 that would be able to accommodate at least 557 lower income affordable housing units.

As a result of these revisions to the sites inventory, the total number of units that could be constructed on the parcels listed in the inventory has decreased from 7,930 units to 6,272 units. However, the City sites on the inventory still exceed the required RHNA numbers and meet quantified objectives included in the Housing Element.. The changes to Appendix C consisted of the addition of further background information and adjustments to the unit allocations in the sites inventory, with a reduction to the total number of sites under Tab 2 and the addition of sites under Tab 6. The updates incorporated into the Amended Housing Element will not result in the modification of development patterns or change the pattern of land uses established in the General Plan Land Use Element. Therefore, the changes to the sites inventory will not result in changes to the significance findings in any of the environmental issue areas studied in the IS/MND.

### **Revisions to the Discussion of Public Participation (Appendix E of the Housing Element)**

Appendix E of the Housing Element contains information on the public outreach efforts undertaken by the City throughout the Housing Element update process. This section has been revised to reflect the City’s most recent outreach efforts, which have been primarily focused on

the effort to begin exploring updates to the Mixed Use Overlay Zone, consistent with the action items noted in Implementation Program 12.1 of the Housing Plan. Information regarding past and planned outreach activities related to the update of the Mixed Use Overlay Zone has been added, including information about past community meetings, and public hearings with the City Council and Planning Commission. Furthermore, information regarding public comments and correspondence received by the City has been added, and a summary of how the Housing Element addresses the content of these comments has also been included.

### **Other Minor Revisions and Addition of Information**

Generally, other minor changes to the Housing Element appendices were made for consistency or clarity, including changes related to formatting and minor language changes.

As detailed in the above sections, the Amendments to the adopted 2021-2029 Housing Element consist of minor changes and revisions, as well as the addition of new information.

### **Review of Environmental Impacts and Determination**

An analysis of the Amendments, changes in circumstances, and any new information since the certification of the previous IS/MND has been completed to determine if any new environmental impacts could occur. The environmental analysis and conclusions provided in the IS/MND remain current and applicable to the Amendments. All potential impacts in the CEQA Environmental Checklist were considered during the preparation of this Addendum, and it has been determined that no new or substantial increase in impacts would result from the minor revisions made to the 2021-2029 Housing Element. Nothing in the Amendments will result in greater impacts to the aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, utilities and service systems or mandatory findings of significance topic areas studied in the project's IS/MND. The fact that the refined sites inventory was narrowed, and the amount of housing accommodated is reduced from 7,930 to 6,272, demonstrates that potential impacts of the contemplated Amendments are reduced from those contemplated in the IS/MND.

Further, the modifications proposed for the Housing Element are minor and none of the conditions outlined in CEQA Section 15162 have occurred as explained below, specifically:

- (1) No substantial changes are proposed in the project that will require major revisions of the previous negative declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The Amendments include only minor technical changes and the addition of further information to the adopted Housing Element. The vast majority of these changes reflect revisions to the policies and programs in the Housing Plan, an expanded discussion and addition of data related to Affirmatively Furthering Fair Housing (AFFH) and an Assessment of Fair Housing, and revisions to the sites inventory based on a new set of

screening criteria. The Amendments do not include modifications to development patterns or changes in the pattern of land uses established in the General Plan, and do not include changes that affect where housing and public service uses are allowed to be constructed in the City. The previous version of the sites inventory included all of the parcels in the Mixed Use Overlay Zone, which was adopted in 2020, and a small number of multi-family residentially zoned parcels. The current version of the sites inventory has been updated to narrow the inventory and remove sites that were previously identified to accommodate housing units, and the total number of units that could potentially be accommodated in the sites inventory has been revised from 7,930 to 6,272 units. The development potential analyzed in the adopted IS/MND was for the maximum potential development of all of the sites included in the sites inventory, which has not changed as a result of removing parcels from the sites inventory. Three City-owned or City-controlled sites were added to the sites inventory, which include two sites in the Mixed Use Overlay Zone, one site in the Public Service Zone, and a portion of one site in the R4 Multiple Residential Zone. The two sites located in the Mixed Use Overlay Zone were previously assessed as part of the Negative Declaration (ND) adopted for the Mixed Use Overlay Zone, and were previously included in prior versions of the sites inventory. Since the Public Service Zone allows public services uses, and municipal facilities, and the R4 Multiple Residential Zone allows multi-family uses, there are no changes to the the development patterns or changes in the pattern of land uses established in the General Plan. The proposed City-initiated projects for affordable housing on these sites are consistent with the land uses contemplated for these zones, and environmental analysis for the specific project proposal will be conducted in the future. The Amendments do not propose or contemplate specific development projects. Although goals and policies in the plan may result in future actions that could have environmental effects, there is not any information available to allow for meaningful environmental analysis at this time. Environmental review of any implementing actions and projects would occur at that time when project details are known. The adoption of the Amendments to the adopted Housing Element will not result in any direct changes to the physical environment.

- (2) No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

It has been determined that no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and thus no major revisions of the previous negative declaration are necessary. The Amendments include only minor technical changes and the addition of information to the adopted Housing Element, and will not cause any significant effects to the environment. Since both the adopted Housing Element and the Amendments result in a sites inventory that includes a surplus of housing units to accommodate the City's RHNA allocation, and do not require any changes in land use designations, they are therefore within the scope of the current General Plan

development scenario. Thus, no significant changes have occurred since adoption of the IS/MND for the adopted 2021-2029 Housing Element.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:

- a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

Analysis of the Amendments indicates that there is no new information of substantial importance, which was not known at the time the IS/MND was adopted in October 2021 that shows the project will have significant effects on the environment, or effects that will be substantially more severe than shown in the IS/MND.

- b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

No significant effects were previously identified and no EIR was previously prepared.

- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

No significant or potentially significant effects were identified for the previously adopted IS/MND. The Amendments do not include changes to the development potential, but rather consist of an overall reduction in the number of sites and number of units included in the inventory. The development potential analyzed in the adopted IS/MND was for the maximum potential development of all of the sites included in the sites inventory, which has not changed as a result of removing parcels from the sites inventory. Three City-owned or City-controlled sites were added to the sites inventory, which include two sites in the Mixed Use Overlay Zone, one site in the Public Service Zone, and a portion of one site in the R4 Multiple Residential Zone. The two sites located in the Mixed Use Overlay Zone were previously assessed as part of the Negative Declaration (ND) adopted for the Mixed Use Overlay Zone, and were previously included in prior versions of the sites inventory. Since the Public Service Zone allows public services uses, and municipal facilities, and the R4 Multiple Residential Zone allows multi-family uses, there are no changes to the the development patterns or changes in the pattern of land uses established in the General Plan. The proposed City-initiated projects for affordable housing on these sites are consistent with the land uses contemplated for these zones, and environmental analysis as may be required for the specific project proposal will be conducted in the future. Environmental review of any implementing actions and projects would occur at that time when project details are known. As a result, no additional mitigation measures or alternatives were necessary. However, the previously adopted mitigation measures, as



set forth in the attached Mitigation Monitoring and Reporting Program, which was previously adopted, will remain applicable to the Project.

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No significant effects were identified for the adopted IS/MND, however, the IS/MND concluded that less than significant impacts, with certain mitigations, would result for aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, transportation, public services, recreation, tribal cultural resources, utilities and service systems, and wildfire. The Amendments do not include changes to the development potential, but rather consist of an overall reduction in the number of mixed use sites and number of units included in the inventory. The development potential analyzed in the adopted IS/MND was for the maximum potential development of all of the sites included in the sites inventory, which has not changed as a result of removing parcels from the sites inventory. Three City-owned or City-controlled sites were added to the sites inventory, which include two sites in the Mixed Use Overlay Zone, one site in the Public Service Zone, and a portion of one site in the R4 Multiple Residential Zone. The two sites located in the Mixed Use Overlay Zone were previously assessed as part of the Negative Declaration (ND) adopted for the Mixed Use Overlay Zone, and were previously included in prior versions of the sites inventory. Since the Public Service Zone allows public services uses, and municipal facilities, and the R4 Multiple Residential Zone allows multi-family uses, there are no changes to the the development patterns or changes in the pattern of land uses established in the General Plan. The proposed City-initiated projects for affordable housing on these sites are consistent with the land uses contemplated for these zones, and environmental analysis as may be required for the specific project proposal will be conducted in the future. Environmental review of any implementing actions and projects would occur at that time when project details are known. As a result, no additional mitigation measures or alternatives were necessary. However, the previously adopted mitigation measures, as set forth in the attached Mitigation Monitoring and Reporting Program, which was previously adopted, will remain applicable to the Project.

**Conclusion**

Given the analysis presented in this Addendum, it is therefore found that the Amendments to the adopted 2021-2029 Housing Element would not result in a measurable increase in environmental impacts over what was previously analyzed in the adopted IS/MND for the adopted 2021-2029 Housing Element. There are no changes with respect to the circumstances under which the project is undertaken that will require revisions to the previous IS/MND. Therefore, pursuant to CEQA Guidelines Section 15164, an Addendum to the IS/MND is appropriate and has been prepared to document the minor technical changes and addition of information that have been included in the Amendments to the Housing Element of the City of Beverly Hills General Plan.

*Chloe Chen*

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CHLOE CHEN, SENIOR PLANNER

March 12, 2024

## **MITIGATION MONITORING AND REPORTING PROGRAM**

The Final Initial Study-Mitigated Negative Declaration prepared and adopted by the City of Beverly Hills identifies certain mitigation measures that will be implemented to reduce the impacts associated with the 2021-2029 Beverly Hills Housing Element Update. The California Environmental Quality Act (CEQA) requires a responsible agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in section 21081.6(a)(1) of the Public Resources Code:

*... the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.*

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined as part of adopting a mitigated negative declaration.

The mitigation monitoring table lists those mitigation measures that may be included as conditions of approval for the project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The project applicant will have the responsibility for implementing the measures, and the various City of Beverly Hills departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

2021-2029 Beverly Hills Housing Element  
**Mitigation Monitoring and Reporting Program**

| Mitigation Measure  | Action Required  | When Monitoring to Occur  | Monitoring Frequency   | Responsible Agency or Party  | Compliance Verification |               |
|---|--|---|--|--|-------------------------|---------------|
|   |  |   |  |  | Initial                 | Date Comments |
| <b>Biological Resources</b>   |  |   |  |  |                         |               |
| <b>MM-BR-1.</b> Applicable projects must comply with General Plan Implementation Program 2.2 to conduct a biological survey prior to the disturbance of any area where there is potential for a special-status biological species, avian migratory or raptor species, or other protected species to be present and undergo consultation with appropriate State and Federal Agencies if appropriate.   | Any future project applicant for a project located in any area where there is a potential for special-status biological species to be present shall conduct a pre-construction biological survey. The City shall verify and review completion of the survey results. If appropriate, the Applicant shall undergo consultation with appropriate State and Federal Agencies and provide verification to the City for review. | Review and verification prior to issuance of any construction permit. | Review and verification once prior to issuance of any construction permit. After each additional survey (as necessary).  | Project Applicant, Community Development Department                          |                         |               |
| <b>MM-BR-2.</b> If, during the course of construction for a housing project, it is necessary to trim or remove vegetation that could impact nesting birds or raptors, the work shall be completed in compliance with the Migratory Bird Treaty Act (16 USC Sections 703-712)  | The Applicant shall verify that any trimming or removal of vegetation will not impact nesting birds or raptors. If that cannot be verified, the Applicant shall complete a nesting bird survey, which will be reviewed and verified by the City. The City shall ensure that work is completed in compliance with the Migratory Bird Treaty Act   | Review and verification prior to issuance of any construction permit. | Review and verification once prior to issuance of any construction permit. After each additional survey (as necessary).  | Project Applicant, Community Development Department                          |                         |               |
| <b>Cultural Resources</b>   |  |   |  |  |                         |               |
| <b>MM-CR-1.</b> In the event that any prehistoric or historic subsurface archaeological features or deposits are discovered during the course of construction, the project applicant must notify City officials, and temporarily suspend or redirect earth disturbing work within a 100 meter radius of a potential resource. Work shall not resume in the area until after the find is appropriately mitigated. Potential mitigations could include: | The Project Applicant shall notify the Community Development Department if a feature or deposit is uncovered. Work shall be temporarily suspended or redirected. The applicant shall provide proof to the City that a certified archaeologist has investigated and has made appropriate recommendations.   | During ground disturbing construction activities.                     | Ensure measure is identified on Project plans prior to issuance of grading or construction permits. Continuously throughout ground disturbing construction activities. | Project Applicant, Construction Contractor, Community Development Department |                         |               |

2021-2029 Beverly Hills Housing Element  
**Mitigation Monitoring and Reporting Program**

| Mitigation Measure  | Action Required  | When Monitoring to Occur                           | Monitoring Frequency                                 | Responsible Agency or Party                                | Compliance Verification Initial Date Comments |
|---|--|--|--|--|---|
| <ul style="list-style-type: none"> <li>Retaining a qualified professional archeologist to assess the nature, extent, and significance of the archeological features or deposits.</li> <li>If the features and/or deposits are determined to be significant by the archeologist, the archaeologist shall identify appropriate actions to mitigate impacts to the features and/or deposits including but not limited to, avoidance, documentation, or other appropriate actions.</li> <li>Requiring the qualified professional archeologist to provide all workers associated with earth disturbing work an orientation regarding directions to be taken if cultural resources are discovered.</li> <li>Undertaking a data collection effort to map archeological features/deposits</li> <li>Curation of the artifacts as specified by the archeologist.</li> </ul> |  |  |  |  |   |
| <p><b>MM-CR-2.</b> Projects must adhere to the requirements of State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. If human remains are unearthed during construction, State Health and Safety Code Section 7050.5 states that pursuant to Public Resources Code Section 5097.98, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition of the remains. If the remains are determined to be of Native American descent, then the coroner must notify the Native American Heritage Commission within the prescribed time period.</p>   | <p>If human remains are found and/or exposed, the Project Applicant shall document and submit written proof that the procedures listed in this mitigation measure have been implemented and complied with.</p> | <p>During all project construction activities.</p> | <p>Continuously throughout project construction.</p> | <p>Project Applicant, Community Development Department</p> |   |