BOARD OF SUPERVISORS | Hilda L. Solis First District | Holly J. Mitchell Second District | Lindsey P. Horvath Third District | Janice Hahn Fourth District | Kathryn Barger Fifth District

Chief Executive Office.

COUNTY OF LOS ANGELES
Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, CA 90012
(213) 973-1101 ceo.lacounty.gov

CHIEF EXECUTIVE OFFICER
Joseph M. Nicchitta

"To Enrich Lives Through Effective and Caring Service"

~~September 29, 2~~ November 10, 2026 **REVISED**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**NOTICE OF INTENTION TO PURCHASE,
PURCHASE AGREEMENT,
TWO-YEAR LICENSE AGREEMENT,
APPROVE APPROPRIATION ADJUSTMENT,
ESTABLISH AND APPROVE CAPITAL PROJECT NO. 7A008
900 FAIR OAKS AVENUE, SOUTH PASADENA
(APN: 5318-015-017)
FISCAL YEAR 2026-27
(FIFTH DISTRICT) (3-VOTES)**

SUBJECT

Approval of the recommended actions would authorize the County of Los Angeles (County) to publish a Notice of Intention to Purchase (Notice of Intention), certify the 2nd Addendum and make findings under the California Environmental Quality Act (CEQA), and after a notice period, if approved by the Board of Supervisors (Board), would establish a capital project, approve an appropriation adjustment, authorize the Chief Executive Office (CEO) to acquire on behalf of the County from Hamasho, Inc. (Seller), certain real property located at 900 Fair Oaks Avenue, South Pasadena (APN: 5318-015-017) (Property), consummate the proposed acquisition of the Property, and approve a two-year license agreement (License) with Inclusive Action for the City (IAC) to manage and maintain the Property immediately upon purchase. This item will be brought back to the Board to request approval of a specific project and to secure the necessary CEQA clearance.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the proposed publication of the Notice of Intention is not a project or is exempt under CEQA for the reasons stated in this Board letter and in the record.

2. Approve the Notice of Intention, in the form enclosed as Enclosure A, which provides notice of the date the Board will meet to receive comment and consummate the purchase of the Property for a purchase price of $6,400,000, plus associated title and escrow fees of approximately $10,000, and an independent consideration of $100, for a total not to exceed amount of $6,410,100, and identifies the Property and the Seller.

3. Instruct the Executive Office, Board of Supervisors, to publish the Notice of Intention in accordance with Government Code Section 6063, which will state the date following the publishing period that the Board will meet to consummate the purchase.

AT THE BOARD MEETING SET BY THE NOTICE OF INTENTION TO PURCHASE, FOLLOWING THE GOVERNMENT CODE SECTION 6063 PUBLISHING PERIOD, IT IS RECOMMENDED THAT THE BOARD:

1. Certify that the 2nd Addendum to the previously certified Final Program Environmental Impact Report (FPEIR), prepared by the City of South Pasadena (City) for the General Plan and Downtown Specific Plan Update & 2021-2029 Housing Element Implementation Programs, has been completed in compliance with CEQA, and reflects the independent judgment and analysis of the County; find that the Board has reviewed and considered the information contained in the 2nd Addendum along with the FPEIR and Addendum; find that the recommended actions to acquire the Property and implement the 900 Fair Oaks Avenue Project (Project), including interim activities, are within the scope of the previously certified FPEIR and the Addendum prepared by the City as lead agency, as well as the 2nd Addendum prepared by the County prior to approving the Project and that there will be no new significant impacts as a result of implementation of the Project; adopt the City's mitigation measures as applicable; and approve the 2nd Addendum; further, in the alternative, find that the proposed Project, and related recommended actions herein are statutorily exempt from CEQA, pursuant to Public Resources Code Section 21155.4 and State CEQA Guidelines Section 15182, Public Resources Code Section 21083.3 and State CEQA Guidelines Section 15183 and Public Resources Code Section 21080(b) (4) and State CEQA Guidelines Section 15269(c). In addition, find that continued use of the parking lot, as an interim use, is exempt from CEQA, pursuant to sections 15061(b)(3) and 15301 of the State CEQA Guidelines and Class 1 of the County Environmental Document Reporting Procedures and Guidelines. Determine that these findings are supported by the reasons stated herein and in the record of the proposed Project.

2. Approve and authorize the Chief Executive Officer, or his designee, to execute the Purchase and Sale Agreement (Agreement), approved as to form by County Counsel, Enclosure B, to purchase the Property for $6,400,000, plus associated title and escrow fees of approximately $10,000, and independent consideration of $100, and any additional costs incurred during the transaction for a total amount not to exceed $6,410,100.

3. Authorize the Chief Executive Officer, or his designee, to take all further actions necessary and appropriate to complete the transaction on behalf of the County, including opening and management of escrow, any administrative adjustments to the transfer documents, execution of all the requisite documentation for the completion of the acquisition and acceptance of the deed conveying title to the Property to the County; and authorize the Chief Executive Officer, or his designee, to execute any and all agreements, contracts, applications, and documents necessary for the County's occupancy and operation of the Property following acquisition, upon approval as to form by County Counsel.

4. Establish and approve the Land Bank Pilot Program Site No. 5, Capital Project (CP) No. 7A008.

5. Authorize and direct the Chief Executive Officer, or his designee, to execute a gratis and exclusive License, approved as to form by County Counsel, and substantially in the same form as Enclosure C, with IAC to maintain and manage the Property on a short-term basis, pursuant to the terms of the consultant's Services Agreement dated May 3, 2024, between IAC and the County.

6. Instruct the County's Office of the Assessor to place the Property under the complete ownership of the County and remove the Property from the tax roll effective upon the transfer of title to the County.

7. Approve the enclosed appropriation adjustment as Enclosure D to transfer American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Funds (CLFRF)-enabled funding in the total amount of $6,411,000 to the Land Bank Pilot Program Site No.5, CP No. 7A008, as follows: $493,000 from Land Bank Pilot Program Site No.1, CP No. 7A001; $2,982,000 from Land Bank Pilot Program Site No.2 CP No. 7A002; $2,019,000 from Land Bank Pilot Program Site No.3, CP No. 7A006; and $917,000 from Land Bank Pilot Program Site No.4, CP No. 7A007; and to transfer $3,240,000 in Affordable Housing net County cost (NCC) funding from the Land Bank Pilot Program Site No.5, CP No. 7A008, to Land Bank Pilot Program Site No.2, CP No. 7A002.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find that the Notice of Intention and related recommendations are not a project under CEQA, certify the 2nd Addendum to the previously certified Environmental Impact Report (EIR); and find that that the remaining recommended actions included in this Board letter, including the proposed purchase transaction, approval of the Project License, and related recommendations are either within the scope of the previously certified Final Program EIR, or in the alternative, are exempt or subject to streamlining under CEQA.

The Board established the Land Bank Pilot Program (Land Bank Pilot) on June 14, 2022, to create new opportunities for affordable housing in areas experiencing and set to experience rapid gentrification and displacement. The Board allocated $25 million toward the program.

On May 3, 2024, the Chief Executive Office Homeless Initiative, now the Department of Homeless Services and Housing (HSH), entered into a Consultant Services Agreement (HI-024-002) with IAC, a community development financial institution, to administer and manage the Land Bank Pilot.

IAC identified project partners, HSH, IAC, and its authorized subcontractors, CEO-Real Estate Division (RED), Department of Public Works (DPW), and County Counsel (collectively, the Project Team), and created an advisory working group. The Project Team developed a robust, data-driven parcel assessment process to identify and recommend sites for acquisition. They facilitated an open, public call for parcel submissions. The Project Team presented to the Affordable Housing Coordinating Committee in October 2024 and April 2025, and held numerous briefings with deputies from the Board offices. The Project Team conducted pertinent due diligence investigations.

Upon acquisition of the Property, if approved by the Board, the County will enter into a gratis, two-year license with IAC with two, one-year renewal options, pursuant to which IAC or its authorized subcontractors, would maintain and secure the Property, as authorized in the existing contract dated May 3, 2024, between the County and IAC (HI-024-002). Any revenue generated during the term of the License would be deposited into the Affordable Housing Programs Budget. Concurrently, IAC, in collaboration with HSH, would release a Request for Qualifications, and later a site-specific Request for Proposals, to solicit development proposals from developers. Ultimately, if the recommended

actions herein are approved, the County would enter into a proposed exclusive negotiation agreement and later, a proposed ground lease with a developer to build affordable housing at the Property.

HSH has proposed purchasing the Property so that it may develop affordable housing and prevent loss of property to market rate luxury housing in a community at risk of displacement. Further, the Property meets the County's Land Bank Pilot selection criteria, as the site is: 0.5 acres or larger for efficient ground-up development and higher unit density; vacant or underutilized; and near existing or planned Metro rail and bus rapid transit lines to facilitate transit access.

The Property is approximately 26,808 square feet of land, consisting of an improved parking lot with no buildings on the Property. The proposed Project is assumed to consist of an affordable mixed-use housing development. ~~of up to 142 units and a height of approximately 81 feet.~~ The proposed Project could also include ~~4,695 square feet of~~ community-serving commercial space and/or amenity space primarily to serve Project residents, with parking provided in accordance with code. It is anticipated the building would include sustainability features consistent with County and City policies and setbacks on the eastern side to step down to the residential community to the east. The proposed Project could include minor landscaping and security lighting with construction anticipated to take approximately 24 months. Prior to construction, during the License period, the Property may be used on an interim basis as a revenue-generating parking lot. Minor repairs, including the removal of a block wall, may occur.

The County and any partners will work in collaboration with the City of South Pasadena regarding the proposed development, applicable land use and permitting requirements, community engagement, and will proceed consistently with the City of South Pasadena's zoning and development requirements where feasible, subject to State law and County code.

HSH recommends acquiring the Property as part of the Land Bank Pilot for future development as affordable housing to serve the surrounding area and nearby communities.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan North Star 1 - "Make Investments That Transform Lives" (North Star 1) – provides that LA County is a highly responsive organization investing in solutions that address our most complex societal challenges (health, jobs, housing, food insecurity, and recidivism) affecting our most vulnerable communities – one person at a time.

The acquisition of the Property is consistent with North Star 1, Focus Area Goal C, Strategy i: Support efforts that prevent displacement, increase access to housing stability, develop more affordable housing, sustain homeownership opportunities, and enhance the effectiveness of the County's homeless rehousing system; and Focus Area Goal D. Support Vulnerable Populations: Address conditions which drive interactions with the County's child welfare, homeless rehousing, carceral, law enforcement and justice systems.

The acquisition also supports Countywide Strategic Plan North Star 3 - "Realize Tomorrow's Government Today" (North Star 3) – ensures we provide an increasingly dynamic and complex environment, challenges collective abilities to respond to public needs and expectations. LA County is an innovative, flexible, effective, and transparent partner focused on advancing the common good and being fiscally responsible. The proposed acquisition of the Property is consistent with Focus Area Goal G Internal Controls and Processes and Strategy ii Manage and Maximize County Assets.

The proposed acquisition of the Property supports the above goals and objectives by acquiring a property that, once developed, would support the County's efforts to prevent displacement of individuals and families, and increase housing stability. The proposed acquisition of the Property

and its subsequent development will also provide affordable housing and will assist in mitigating the housing emergency in the region.

FISCAL IMPACT/FINANCING

The purchase price of $6,400,000 is supported by a fair market appraisal completed by a licensed appraiser.

To date, the Land Bank Pilot Program Site No.5, CP No. 7A008, has a current total budget of $3,240,000 in Affordable Housing funding.

Approval of the enclosed appropriation adjustment will execute the following fund transfers to adjust the Project financing:

- A total of $6,411,000 ARPA CLFRF-enabled funding will be transferred to Land Bank Pilot CP No 5, CP No. 7A008, as follows:

  - $493,000 from Land Bank Pilot Program Site No.1, CP No. 7A001;
  - $2,019,000 from Land Bank Pilot Program Site No.3, CP No. 7A006;
  - $917,000 from Land Bank Pilot Program Site No.4, CP No. 7A007; and
  - $2,982,000 from Land Bank Pilot Program Site No.2, CP No. 7A002.

- A total of $3,240,000 in Affordable Housing NCC will be transferred out of Land Bank Pilot CP No.5, CP No. 7A008, and reallocated to Land Bank Pilot Program Site No.2, CP No. 7A002.

Following approval of the appropriation adjustment, the net revised total appropriation for Land Bank Pilot CP No.5, CP No. 7A008, will reflect an overall increase of $3,171,000, establishing a final revised Project budget of $6,411,000.

Under the proposed License and its consultant services agreement with HSH, IAC would be responsible for the maintenance and security of the Property following the proposed acquisition for a two-year period. Sufficient program funds have been budgeted for site maintenance and security. As the site is currently a parking lot, the Project Team is exploring pathways to potentially continue to operate the Property as a revenue-generating parking lot, which could potentially offset or eliminate maintenance and security costs.

There is no NCC impact associated with the recommended actions.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Section 25353 of the California Government Code authorizes the Board to purchase real property necessary for the use of public purposes. Pursuant to Government Code Sections 6063 and 25350, a Notice of Intention will be published for the intended action to purchase real property, and a Board meeting will be held on, ~~October 27, 2026~~, December 8, 2026, or thereafter, following the three-week publishing period to receive comments prior to consummating the proposed acquisition.

Additionally, as required by Government Code Section 65402, notice of the proposed acquisition was submitted to the City by letter dated July 5, 2026. The City responded and found that the acquisition of the Property for the County's use conforms to the City's General Plan.

The Project Team completed pertinent environmental due diligence assessments, surveys, studies, reports, and materials for the Property to ensure that the Property meets all the requirements for acquisition in accordance with the County's real estate acquisition policy. DPW has reviewed all the environmental assessments, surveys, studies, and due-diligence reports and materials, including a Phase I environmental site assessment, that have been ordered and to be performed for the Property, and will ensure that the Property meets all the requirements for acquisition in accordance with the County's real-estate acquisition policy.

County Counsel has reviewed the proposed Agreement, and the grant deed related to the proposed acquisition and approved them as to form. County Counsel has also reviewed associated real estate documents and encumbrances on title.

ENVIRONMENTAL DOCUMENTATION

Approval of the publication of the Notice of Intention to Purchase the Property and related actions and the continued use as interim parking under the proposed exclusive License are not a project under CEQA because the activity is not included in the definition of a project, pursuant to section 21065 of the California Public Resources Code (PRC) and is organizational or administrative activity of government, pursuant to State CEQA Guidelines Section 15378(b)(5) that will not result in direct or indirect physical changes in the environment. This activity is also exempt from CEQA, pursuant to State CEQA Guidelines Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the proposed action would have a significant effect on the environment.

The recommended actions related to the approval of the proposed property purchase and sale transaction, approval of Land Bank Pilot Program Site No. 5, approval of CP No. 7A008, as described herein, exclusive License and related recommendations are within the scope of prior environmental documents and 2nd Addendum to the City's previously certified EIR for the General Plan and Downtown Specific Plan Update & 2021-2029 Housing Element Implementation Programs project. In the alternative, these activities are exempt from CEQA, as identified below.

The Property is within the Downtown Specific Planning area of the City for which a Program Environmental Impact Report (PEIR) was certified September 23, 2023, by the City, as lead agency under CEQA. The PEIR also addressed an update to the General Plan Update and Housing Element Implementation Programs. An addendum was prepared by the City in July 2025, and addressed updated zoning. The City certified a PEIR, adopted Findings of Fact, a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (MMRP).

The PEIR addressed the impacts of future development within the planning area. The reasonably foreseeable affordable housing Project falls within the assumptions of anticipated development as evaluated in the PEIR and the conditions identified in State CEQA Guidelines Section 15162, which would require preparation of additional environmental documentation are not anticipated. No subsequent EIR is required. Therefore, consistent with CEQA Sections 15164(a), an addendum to the PEIR (Enclosure E) is appropriate to document the changes from the City's project; further, consistent with State CEQA Guidelines Section 15168(c) regarding later activities within the Scope of a Program EIR, and following preparation of 2nd Addendum to the PEIR, no further analysis is needed.

Consistent with Public Resources Code Section 21155.4 and State CEQA Guidelines Section 15182, the reasonably anticipated Project is located within a Transit Priority Area. While details of a specific project have not yet been confirmed, it is reasonably anticipated that the Project would comply with

the specific plan (including allowable density bonus consistent with State law). The Project is consistent with the use designation, density, and building intensity of the most recent Sustainable Communities Strategy adopted by the Southern California Association of Governments as it is located within a high resource area (i.e., in proximity to transit and in proximity to goods and services). An affordable housing project at 900 Fair Oaks Avenue is reasonably anticipated to be consistent with the Downtown Specific Plan including consideration of State Density Bonus Law. As noted above, the conditions identified in State CEQA Guidelines Section 15162 are not anticipated, and, therefore, a subsequent EIR is not required. A checklist of issues was prepared to document that no additional substantial impacts are foreseeable from those included in the City's EIR.

In the alternative, the Project is exempt from CEQA and is subject to streamlining provisions. Public Resources Code Section 21083.3 and State CEQA Guidelines Section 15183 specifies that projects consistent with an existing Community Plan or zoning for which an EIR was certified do not require additional environmental review except as may be needed to examine project-specific environmental effects. As noted above, the affordable housing project would comply with the Specific Plan and applicable zoning including State Density Bonus Law; it would also comply with the General Plan. There are no impacts peculiar to the parcel; the site is an improved parking lot in an urban area surrounded by urban uses. There are no significant effects not analyzed in the PEIR and there no reasonably foreseeable significant off-site impacts or cumulative impacts not accounted for in the PEIR. No impacts are anticipated to be more severe as a result of substantial new information. Mitigation measures from the PEIR would be implemented as applicable. While no significant and unavoidable impacts were identified in the analysis contained in 2nd Addendum (and therefore no Statement of Overriding Considerations is necessary), the County will require that the following applicable mitigation measures are included in the future housing project: MM BIO-1 (nesting bird surveys), MM BIO-2 (tree trimming outside nesting season or survey and avoid nests), MM CUL-1 (archaeologist review and monitoring as indicated), MM GEO-1 (paleontologist to review if artifacts are found), MM-NOI-1 (acoustical report prior to building permit demonstrating 65 CNEL exterior noise level), MM NOI-2 (acoustical report prior to building permit demonstrating habitable rooms with 45 dBA CNEL), MM NOI-4 (acoustical report demonstrating closest residential receptor would meet 80 dBA Leq 8 hour construction and incorporation of measures as appropriate to reduce construction noise and vibration), MM-NOI-7 (requirements for construction equipment — mufflers, staging away from noise sensitive uses and construction deliveries to comply with code).

The proposed affordable housing project is anticipated to be consistent with the Downtown Specific Plan, General Plan and zoning, for which a PEIR and Addendum and 2nd Addendum were prepared, and the County would require that mitigation measures from the PEIR be implemented as applicable. Therefore, additional environmental review is not necessary.

The proposed affordable housing project, as analyzed by the County under CEQA and described herein, would be statutorily exempt as an emergency project undertaken to address the homelessness emergency, pursuant to PRC Section 21080(b)(4) and State CEQA Guidelines Section 15269(c), which include specific actions to prevent or mitigate an emergency. On January 10, 2023, the Board unanimously voted to proclaim a local emergency for homelessness in the County. On October 30, 2018, the Board declared a shelter crisis to address homelessness in unincorporated LA County. This proposed use would provide permanent affordable housing that would address the homeless emergency by providing housing for people that would allow them to avoid or move from temporary shelters.

Continued interim use of the Property as a surface parking lot and interim maintenance activities under the proposed exclusive License is also exempt under State CEQA Guidelines Section 15061 because it can be seen with certainty that the actions will not have a significant effect on the

environment and is categorically exempt under State CEQA Guidelines Section 15301 and County of Los Angeles Environmental Document Reporting Procedures and Guidelines Class 1 which apply to operation, leasing or licensing of an existing facility. Parking at the site already exists and would remain the same under the proposed License arrangement. Based on the records of the proposed Project, it will comply with all applicable regulations, there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled, pursuant to Government Code Section 65962.5, or indications that it may cause a substantial adverse change in the significance of a historic resource that would make the exemption inappropriate.

The location of the documents and other materials constituting the record upon which the Board's decision in this matter is based, including the Final Program EIR Addenda (and exemption analysis), the City's MMRP and related documents are available and can be viewed at RED located at 500 West Temple St., Los Angeles, CA. 90012, and at the following link: https://file.lacounty.gov/SDSInter/lac/1213878_RealEstateFiles.zip. The PEIR and MMRP are also available at the following link: https://www.southpasadenaca.gov/Your-Government/Department-Service-Areas/Community-Development/Planning-Division/General-Plan. The custodian of such documents and materials is RED's Section Chief.

Documentation in support of the exemption and streamlining provisions under CEQA is included with the 2nd Addendum.

Upon the Board's approval of the recommended actions in this Board letter, the CEO will file both a Notice of Determination and a Notice of Exemption with the Registrar-Recorder/County Clerk and with the Governor's Office of Land Use and Climate Innovation, pursuant to Public Resources Code Section 21152 and will post the Notices to the County's website in accordance with section 21092.2.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The proposed acquisition of the Property will ensure housing services increase in this vital location.

Respectfully submitted,



Joseph M. Nicchitta
Chief Executive Officer

JMN:JG:JTC
JLC:MGR:RH:ja

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Assessor
Auditor-Controller

Enclosure A

REVISED

NOTICE OF INTENTION
TO PURCHASE PROPERTY

NOTICE IS HEREBY GIVEN that it is the intention of the Board of Supervisors of the County of Los Angeles, State of California, through delegated authority to its Chief Executive Officer, or his designee, to purchase real property from Hamasho Inc. (Seller) located at 900 Fair Oaks Avenue, South Pasadena, California as further described in the legal description attached hereto as Exhibit "A" (collectively the "Property") for the purchase price of Six Million, Four Hundred Thousand Dollars ($6,400,000).

This matter will be considered by the Board of Supervisors of the County of Los Angeles on ~~October 27, 2026~~, December 8, 2026, at 9:30 AM, in the Hearing Room of the Board, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California. The meetings of the Board are accessible live online at https://bos.lacounty.gov/board-meeting-agendas/live-broadcast/.

For more information, or copies of the maps showing the location of the Property to be acquired, please contact Michael G. Rodriguez at (213) 974-4246 or mgrodriguez@ceo.lacounty.gov.

Si no entiende esta Noticia, o necesita mas informacion por favor llame al numero (213) 974-4208.

EDWARD YEN, Executive Officer
Board of Supervisors, County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

DAYWN R. HARRISON
County Counsel

By _____
Amy Cooper, Deputy County Counsel

Exhibit A

Legal Description of the Land

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 6, 7 AND 8 IN BLOCK "F" OF THE RAYMOND VILLA TRACT NO. 1, IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 91 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5318-015-017

PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS

This Purchase and Sale Agreement and Joint Escrow Instructions (this "**Agreement**") is effective as of _____ (the "**Effective Date**"), by and between HAMASHO, INC., a California corporation ("**Seller**"), and COUNTY OF LOS ANGELES, a body politic and corporate ("**County**"). Each of Seller and County are occasionally referred to herein as a "**Party**" and collectively as the "**Parties**."

RECITALS

A. Seller is the fee owner of certain real properties located at 900 Fair Oaks Avenue in the City of South Pasadena, County of Los Angeles, State of California (collectively the "Property"), consisting of an improved parking lot and situated on approximately 26,837 square feet of land, as more particularly described on Exhibit A attached hereto (the "**Land**").

B. Seller desires to sell the Property (as defined in Section 1, *infra*) to County, and County desires to purchase the Property from Seller, upon the terms and conditions set forth in this Agreement.

C. The Board of Supervisors (the "**Board**") for the County has made the findings and determinations that it has deemed necessary to comply with the California Environmental Quality Act, Cal. Pub. Res. Code §§ 21000 *et seq*. and has authorized the purchase of the Property by County.

NOW, THEREFORE, in consideration of the foregoing Recitals, which are hereby incorporated into this Agreement as if set forth in full herein and deemed a contractual part hereof, the mutual covenants and promises hereinafter set forth, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by County and Seller, each intending to be legally bound, do hereby covenant and agree as follows:

AGREEMENT

1. **Purchase and Sale; Property**. Seller agrees to sell and convey to County, and County agrees to purchase and accept from Seller, at the price and upon the terms, provisions and conditions set forth in this Agreement, all of Seller's right, title and interest in the Land, free and clear of all liens, encumbrances, assessments, easements, and taxes, together with all of Seller's right, title and interest in all of the following items in respect of the Land (collectively, the "**Property**"):

1.1. all rights, privileges, easements, appurtenances, and other estates pertaining or appurtenant to the Land, including, without limitation, all easements, rights, mineral rights, oil and gas rights, water, water rights, water and other utility meters, air rights, off-site parking rights, and any rights-of-way and other appurtenances used or connected with the beneficial use or enjoyment of the Land and all of Seller's right, title and interest, if any, in and to all roads and alleys adjoining or servicing the Land (collectively, the "**Appurtenances**");

1.2. all existing buildings, improvements and fixtures, if any, located on the Land, including, without limitation, heating, ventilation and air condition, electrical and other utility systems and facilities, if any, serving the existing buildings (collectively, the "**Improvements**" and together with the Land and Appurtenances, the "**Real Property**");

1.3. all personal property, equipment, supplies and fixtures, if any, located on the Real Property on the Effective Date and used in connection with the ownership, operation or maintenance of, or otherwise relating to, the Real Property (collectively, the "**Personal Property**"). Seller shall not remove any Personal Property, located on the Real Property as of the Effective Date, from the Real Property prior to the Closing;

1.4. all contracts and agreements, if any, existing on the Effective Date, as listed on Exhibit B (collectively, the "**Contracts**"), in each case to the extent (a) County elects to receive assignment of such Contract by written notice to Seller during the Due Diligence Period, (b) such Contracts are assignable without consent or cost (other than any consents that either Party may obtain and costs that either Party may agree to pay, in each case, without any obligation to do so) and (c) such Contracts remain in effect subsequent to the Closing (Seller shall terminate effective prior to the Close of Escrow any Contracts not being assigned to County at the Close of Escrow pursuant to the preceding clauses (a) or (b));

1.5. all leases (including any guaranties thereof), rental agreements, license agreements and other agreements for the occupancy of the Real Property, or other possessory interests by third parties on the Property, if any, existing on the Effective Date, as listed on Exhibit C (collectively, the "**Leases**"), in each case to the extent such Leases (a) remain in effect subsequent to the Closing, or (b) relate to a tenant who remains in possession of any portion of the Real Property on the Closing Date; and

1.6. all intangible property used and necessary in connection with the Real Property, including, without limitation, all warranties, guaranties, development rights, entitlements, governmental permits, licenses, certificates, other governmental approvals, deposits, refund rights and credits with governmental, quasi-governmental or utility agency, if any, which benefit the Real Property and/or the Personal Property, all surveys, reports, plans, specifications, drawings, appraisals, reports and studies, and all applications, plans, drawings, designs, sigs, logos, trade names, trademarks, service marks, styles or similar intellectual property owned by Seller with respect to the Property, all social media accounts (if any) with respect to the Property, all marketing and merchandising materials (including, but not limited to, signs, advertisements, brochures, project names, logos, and all computer source disk materials for the foregoing items) (collectively, the "**Intangible Property**").

2. **Purchase Price; Independent Consideration**.

2.1. **Purchase Price**. The purchase price for the Property is Six Million Four Hundred Thousand Dollars and Zero Cents ($6,400,000.00) (the "**Purchase Price**").

2.1.1. **Independent Consideration**. Within fourteen (14) Business Days (as defined in Section 3.4.4.3) after the Effective Date, County shall deliver to Commerce Escrow Company,1055 Wilshire Blvd Suite 1000, Los Angeles, CA 90017, Attn: Robert Minsky, Telephone Number (213) 484-0855 Ext. 4047, Email: robertminski@comescrow.com (the "**Escrow Company**"), the sum of one hundred dollars ($100.00) (the "**Independent Consideration**"), which Escrow Company shall immediately release and deliver to Seller as independent consideration for County's rights under this Agreement and for Seller providing to County the Due Diligence Period within which to perform County's Investigation of the Property. Seller shall, in all events, retain the Independent Consideration, but the Independent Consideration shall be applied as a credit against the Purchase Price at the Closing (defined in Section 5.1).

2.1.2. **Purchase Price Balance**. Provided that all of the other conditions precedent to County's obligation to purchase the Property are timely satisfied, then one (1) business day prior to the Closing Date, County shall deposit into Escrow (as defined in Section 5.1) the balance of the Purchase Price (i.e., the Purchase Price less the Independent Consideration) (the "**Purchase Price Balance**").

3. **Condition of Property.**

3.1 **Due Diligence Materials**. Seller previously provided County with a copy of certain due diligence materials listed on Schedule 3(a) attached hereto (collectively, the **"Due Diligence Materials"**). Notwithstanding the foregoing, if, after Seller initially provides the Due Diligence Materials to County, but prior to the Closing or termination of this Agreement, any new, modified or supplemented Due Diligence Materials shall come into Seller's possession or control, then, within [three (3) Business Days] thereafter, Seller shall make such new, modified or supplemented Due Diligence Materials available to County and County's Representatives (as defined in Section 3.3). If Seller provides any new, modified, or supplemented Due Diligence Materials after the Due Diligence Deadline, the Closing shall be extended to the extent reasonably necessary to accommodate County's review and approval of such new, modified or supplemented Due Diligence Materials.

3.1. **Preliminary Title Report**. Not more than seven (7) Business Days after the Effective Date, Seller shall provide County a preliminary title report or title commitment (in either case, the "**PTR**") for the Property issued by the Title Company (as defined in Section 5.1), and a legible and complete copy of each and every document referenced in the PTR. From the Effective Date and until the earlier of the Closing Date or the date of termination of this Agreement, Seller shall send County a copy of any correspondence concerning the Property that Seller receives from any Governmental Authority or that Seller sends to any Governmental Authority.

3.2. **County's Inspections**. During the Due Diligence Period (defined in ins Section 3.3) and thereafter prior to any termination of this Agreement, County and County's elected and appointed officers, employees, agents, attorneys, lenders, consultants, and contractors (collectively, "**County's Representatives**") may, during normal business hours and upon not less than one (1) Business Day prior notice (which may be oral notice) to Seller's representative, Rex Hamano; email: rexhamano@gmail.com ("**Seller's Representative**,") enter upon the Real Property solely to conduct such inspections, investigations and tests as County deems appropriate in its sole and absolute discretion. The inspections, investigations, tests, retests and activities referred to in the immediately-preceding sentence, and any borings and invasive testing activities described below, are referred to in this Agreement, collectively, as "**County's Inspections**." Prior to entering upon the Real Property for the first time to conduct any invasive or destructive testing, including without limitation a Phase II environmental survey, County shall obtain the written approval of Seller's Representative, in his reasonable discretion, of such invasive or destructive testing. County's right of entry to premises occupied by Tenants under Leases at all times prior to the Closing shall be subject to required prior notification, if any, of Tenants under Leases, and Seller shall coordinate the timing of County's Inspections with the Tenants. Such coordination shall be limited to requesting access from Tenants consistent with their existing Leases, and Seller shall not be responsible for, or have any obligation to take legal or other action as a result of, any lack of cooperation by any Tenant. In conducting County's Inspections, County and County's Representatives shall use reasonable care and consideration and shall use its good faith efforts to schedule the date(s) and time(s) of County's Inspections so as not to unreasonably interfere with the operations of the Tenants or Tenants' use of their leased premises. In connection with County's Inspections, County shall immediately restore the Property

to substantially the same condition as it was in prior to the inspection or test at County's sole expense unless such non-restoration is approved in writing by Seller in its reasonable discretion. If County or County's Representatives undertake any borings or other disturbance of the soil, the soil shall be replaced and, if Seller shall reasonably require, recompacted to its condition immediately prior to any such borings or other disturbance and County shall obtain at its own expense a certificate from a licensed soils engineer that certifies that such disturbance has been recompacted to such condition. County shall cause County's Inspections, including, without limitation, all investigations, borings, and invasive testing activities, to be conducted; (i) in a safe and professional manner; (ii) so as not to create any dangerous or hazardous condition on or about the Property, (iii) in compliance with any and all applicable laws, statutes, ordinances, orders, rules, regulations, codes, demands or other directives or requirements of any local, state or federal Governmental Authority (collectively, "**Applicable Laws**"); (iv) in compliance with the terms of the Leases and in a manner that does not unreasonably disturb any Tenant or the business being conducted on the Property; (v) only after obtaining all permits required to be obtained with respect to such activities; and (vi) in a manner that does not cause any damage (except to the extent restoration is not required, as described above), loss, cost or expense to, or claims against Seller or the Property. Seller shall have no obligation to repair any problems or defects disclosed by County's Inspections. A representative of Seller may accompany County during the County's Inspections at County's election. County shall have the right to meet with governmental officials having jurisdiction over the Property, subject to prior written notice to Seller of, and a reasonable right of Seller's representative (and/or Seller's counsel) to attend, any such meetings or to participate in any such calls. County shall not contact or communicate with any Tenant until after County's delivery to Seller of written notice approving the .

3.3. **County's Due Diligence Approvals**.

3.3.1. **Due Diligence Review**. County's obligations under this Agreement, including, but not limited to, its obligations to purchase the Property on the Closing Date, are subject to the approval or confirmation by County, in County's sole and absolute discretion, of County's due diligence investigations of the Property, including without limitation, review and approval of the Due Diligence Materials and County's Inspections, during the period (the "**Due Diligence Period**") from the Effective Date through 5:00 pm Pacific time on _____ (the "**Due Diligence Deadline**"). If, during the Due Diligence Period, County determines that it is dissatisfied, in County's sole and absolute discretion, for any reason or no reason whatsoever, with any aspects of the Property and/or its condition or suitability for County's intended use, or with any of the Due Diligence Materials or the results of County's Inspections, then County may terminate this Agreement, and the Escrow created pursuant hereto, by delivering written notice to Seller and Title Company on or before the Due Diligence Deadline of County's election to terminate (a "**Termination Notice**"), in which event this Agreement, the Escrow, and the rights and obligations of the Parties hereunder shall terminate, other than the Surviving Obligations (as defined in Section 5.5), and neither Party shall have any further right or obligation hereunder other than the Surviving Obligations.

3.3.2. **Assumed Contracts**. County shall, on or prior to the Due Diligence Deadline, advise Seller of which Contracts, if any, County elects to assume. Other than the Contracts that County has so elected to assume, Seller shall terminate all other Contracts effective as of the Closing, including the month to month agreement with Perfect Parking (the "**Parking Agreement**").

3.3.3. **Leases**. County agrees to accept the Property at the Closing subject to the continuing possession of the Real Property by tenants under Leases in effect as of the Closing Date that are in possession of their premises at the Closing (collectively, "**Tenants**").

3.3.3.1. Seller shall not amend, modify or terminate any Lease or enter into any new Lease, at any time prior to the Closing, that will not terminate on or before the Closing Date without County's prior written consent, which consent may be granted or withheld in County's sole and absolute discretion.

3.3.3.2. Within five (5) Business Days after the Effective Date, Seller shall deliver to each Tenant a form of estoppel certificate with a request that the Tenant complete, sign and return the estoppel certificate to County not later than the date that is fifteen (15) calendar days after the date of delivery to such Tenant. The estoppel certificate requested from Tenants shall be substantially in the form attached hereto as Exhibit I, or in such other form as is reasonably acceptable to County, provided that, if Tenant's Lease shall prescribe a different form of estoppel certificates, such prescribed form of estoppel certificate may instead be requested from that Tenant. Seller shall promptly forward to County all Tenant completed estoppel certificates and, upon County's request, provide updates to County as to the status of receipt of the estoppel certificates. If County is dissatisfied in any respect with any disclosures by Tenants in estoppel certificates received during the Due Diligence Period, or with the failure of any Tenant to complete and return an estoppel certificate during the Due Diligence Period, County's sole recourse shall be to terminate this Agreement during the Due Diligence Period. If an estoppel certificate is received by County from a Tenant after the Due Diligence Period, but prior to the Closing, it shall be a condition precedent to County's Closing obligations that such estoppel certificate does not disclose material and adverse information concerning the Property, or material and adverse information inconsistent with any material representation and warranty of Seller in this Agreement, not known to County prior to expiration of the Due Diligence Period. Except to the extent expressly provided in the immediately-preceding sentence, after the Due Diligence Period, County's obligations under this Agreement are not contingent in any respect upon County's receipt, or the content, of any estoppel certificates. Seller's sole obligation with respect to this Section 3.4.3.2 shall be to request tenant estoppel certificates from all Tenants, use commercially reasonable efforts (which shall not require incurring any costs other than costs of mailing and nominal clerical costs) to obtain a signed estoppel certificate from all Tenants in the applicable forms specified in this Section 3.4.3.2 and promptly forward all signed estoppel certificates to County.

3.3.4. **Title Review**.

3.3.4.1. County shall have until the Due Diligence Deadline to deliver to Seller written notice ("**County's Title Notice**") of County's approval, conditional approval, or disapproval, in County's sole and absolute discretion, of any matter in the PTR or disclosed by the Survey.

3.3.4.2. Seller shall have five (5) Business Days after receipt of County's Title Notice or County's deemed disapproval ("**Seller Response Period**"), to provide County with a written response ("**Seller's Title Response**") stating that Seller shall: (a) cause the matters disapproved by County to be removed of record, or commit to cause the Title Company to endorse over such matters pursuant to an endorsement or endorsements acceptable to County, in County's sole and absolute discretion, or otherwise cure such matters, prior to the Closing, and to give County and the Title Company written notice of those matters that have been or will be cured on or before the Closing; or (b) not cause such matters to be so cured. If Seller

does not, during the Seller Response Period, deliver a Seller's Title Response that is satisfactory to County in County's sole discretion, then Seller shall be deemed to have elected not to cure any matters disapproved by County. Notwithstanding the foregoing, Seller shall be obligated to remove as exceptions to title to the Property as of the Closing all delinquent tax liens for the Property, mechanics' liens (attributable to work not contracted for by County), mortgages, deeds of trust, financing statements, judgment liens, and other monetary encumbrances recorded against the Property (collectively, "**Monetary Liens**") or encumbrances and all claims to fee title or leasehold or other possessory interests in the Property, other than those arising from County's Inspections. Title Company shall use the proceeds of the Purchase Price otherwise due to Seller in order to remove Monetary Liens continuing to encumber the Property immediately prior to the Closing.

3.3.4.3. If Seller does not state in Seller's Title Response that it shall cause all of the matters disapproved by County to be cured prior to the Closing Date, then County may, by not later than ten (10) Business Days after receipt of Seller's Title Response, (x) terminate this Agreement, in which case this Agreement, the Escrow and the rights and obligations of the parties hereto shall terminate, or (y) terminate its disapproval of those matters that Seller does not elect to cure by delivering written notice of such waiver (the "**Title Approval Notice**") to Seller and the Title Company. If County does not deliver the Title Approval Notice in such case, County shall be deemed to have terminated this Agreement. A "**Business Day**" shall mean any day of the year that is not a County holiday (as such County holidays are disclosed on https://www.lacounty.gov/government/about-la-county/county-holidays/) and any other day in which commercial banks are either not required to open or are authorized to close in Los Angeles, California.

3.3.4.4. If the Title Company issues any supplement or amendment to the PTR after the Due Diligence Deadline, then County may issue a supplement to its County's Title Notice within ten (10) Business Days after County's receipt of legible copies of the title documents referenced in such supplement and, if such supplement includes disapproval of any matter, then Seller shall respond within five (5) Business Days with a supplement to Seller's Title Response.

3.3.5. County's failure to either disapprove or approve in writing any of the items described in this Section 3.4 within the time period allotted to such item shall be deemed to constitute County's disapproval of same.

4. **Prorations and Apportionments**.

4.1. Seller shall be responsible for the payment of all Taxes and all installments of special assessments that are (a) currently issued, (b) due and payable, and (c) accruing against the Property from January 1, 2024 through 11:59 p.m. Pacific time on the date immediately preceding the Closing Date on the basis of a 365-day year. Seller shall pay only the first installment of Taxes for the Current Tax Period. For Taxes during the period from and after the Closing Date, Seller will not be responsible for any portion of an increase in real, supplemental or personal property Taxes or assessments resulting from the sale of the Property to County and County shall be solely obligated for payment of the same, if any, and agrees to hold Seller harmless from any liability relating to the same; County acknowledges that any such supplemental taxes may reference the Current Tax Period but will, nonetheless, remain the sole responsibly of Seller. The phrase "**Current Tax Period**" refers to the fiscal year of the applicable taxing authority in which the Closing occurs. All Tax prorations shall be based upon the latest available tax and assessment statement(s) and, accordingly, if the amount of any such real estate Taxes for the

Current Tax Period cannot be ascertained at the Closing as the result of the unavailability of any Tax statement for such period, then the proration shall be computed on the amount of the preceding fiscal year's Tax, with no adjustment to be made post-closing. The term "**Tax**" or "**Taxes**" means all ad valorem taxes, fees, levies, or other assessments (general or special) imposed by a governmental authority against or on the Property. Notwithstanding the foregoing, the Parties expressly understand and agree that Seller shall not be responsible or in any way liable for any Taxes during any period in which Seller does not own the Property. Any Taxes (including taxes for the Current Tax Period) that have been prepaid by Seller shall not be prorated, but Seller shall have the sole right after the Closing Date to apply for a refund of any such Taxes paid by Seller attributable to the period after County's acquisition of the Property (including, without limitation, by applying to the Los Angeles County Treasurer for a refund, pursuant to California Revenue and Taxation Code Section 5096.7, for Seller's payment of the first installment of property Taxes for the Current Tax Year); provided, however, any levies and/or assessments (general or special) identified by County through a written notice to the Escrow Company prior to the Closing shall be prorated through the date of Closing, and County shall pay any such amounts following the Closing. Any refund or rebate of Taxes resulting from a tax protest, challenge, or appeal (an "**Appeal**") for the period either prior to the Closing Date or for Taxes prepaid by Seller and attributable for the period after the Closing Date shall belong to Seller, whether received before or after Closing, and Seller shall have the sole authority to prosecute such Appeals. County agrees to reasonably cooperate with Seller with respect to any tax protest, challenge, or appeal, and with the process of requesting and obtaining any refund of Taxes.

4.2. Subject to Sections 4.3 and 4.4, all revenues and expenses, if any, of the Property shall be prorated and apportioned as of the Proration Time so that Seller shall bear all expenses incurred by Seller with respect to the Property through and including the period preceding the Proration Time and shall have the benefit of all income with respect to the Property through and including the period preceding the Proration Time. Any revenue or expense amount which cannot be ascertained with certainty as of the Proration Time shall be prorated on the basis of the parties' reasonable estimates of such amount and shall be the subject of a final proration thirty (30) calendar days after the Closing, or as soon thereafter (but not later than one hundred eighty (180) calendar days after the Closing) as the precise amounts can be ascertained. Either Party owing money to the other Party based on any adjustments to the prorations shall promptly pay such sum upon demand, together with interest at the maximum legal rate if payment is not made within ten (10) calendar days following such demand. A proposed estimated statement of such prorations shall be delivered by Escrow Company to County and Seller at least three (3) days prior to the Closing Date, and County and Seller shall use diligent efforts to reach agreement as to prorations and to deliver to Escrow Company a statement setting forth their agreed prorations at least two (2) Business Days prior to the Closing Date.

4.3. Expenses to be prorated shall include payments under Leases, Contracts, water, sewer, gas, electricity, telephone and other utility charges, if any, unfixed meter charges, if any (apportioned on the basis of the last meter reading), license and permit fees, owner's association dues and charges, if any, and other expenses customarily prorated in Los Angeles County, California. County shall use commercially reasonable efforts to cause the transfer of all utilities to the name of County as of the Closing Date, and Seller shall use commercially reasonable efforts to have all utility meters read as of the Closing Date.

4.4. Rents payable under the Leases, and any other revenues received with respect to the Property, shall be prorated as of the Proration Time and based on the actual number of days in the month in which the Closing occurs. County shall receive a credit on the Closing Statement (as defined in Section 5.2.8) for all rent payable under the Leases, and other Property

revenue, for the month in which the Closing Date occurs and received by Seller to the extent attributable to any period following the Closing. No proration will be made with respect to any delinquent rents of any kind receivable from the Leases, or other Property revenues, for any period before Closing. All amounts collected by County subsequent to Closing relating to delinquent rents (or other Property revenues) will be promptly remitted to Seller; provided, however, all rents (or other Property revenues) received by County after Closing will be applied first to the rental (or other revenue) period in which the Closing occurred, second to any current rental (or other revenue) period following the Closing and third to satisfy delinquent rental (or other revenue) obligations for any period before Closing not prorated at Closing. Seller will retain all ownership rights relating to any such delinquent rents or other Property revenues attributable to the period prior to Closing; if County has not collected the same within thirty (30) calendar days from the Closing, then Seller may take such action as it deems necessary to collect such delinquent rents (or other Property revenues), including the commencement of an action against the tenants under the Leases or any other person liable for such delinquent rents or revenues, but not including any action for unlawful detainer or other action seeking to terminate such tenant's lease or occupancy of its premises or seeking to terminate any other Contract assigned to County at Closing.

4.5. County shall be credited and Seller shall be charged with the balance of any security deposits then held by Seller under the Leases. In the event that Seller holds any letters of credit as a tenant security deposit, then prior to the Closing Seller shall (i) execute and deliver to Escrow Company such assignment and/or transfer documents as may be called for under such letters of credit for the transfer of such letters of credit to County, and (ii) at County's option, either deliver into Escrow or deliver to County, upon confirmation of the Closing, the originals of such letters of credit. County and Seller shall each be responsible for fifty percent (50%) of the amount of the transfer fee required under such letters of credit.

4.6. County and Seller each agree to deposit with Escrow Company or otherwise make arrangements with Escrow Company with respect to such Party's share of the prorations.

4.7. All prorations, unless otherwise provided herein, shall be on an accrual basis and based upon actual elapsed calendar days. County and Seller shall allow the other access upon reasonable prior written notice to their respective records relating to the Property to verify the prorations and adjustments provided in this Agreement.

4.8. In addition to the foregoing, County and Seller shall cooperate reasonably with respect to the exchange and/or delivery of any and all Leases (including any originals),Contracts (including any originals), items evidencing and/or relating to the Intangible Property, and keys to County on or about the Closing Date.

4.9. The provisions of this Section 4 shall survive the Closing and the delivery and recording of the Deed (as defined in Section 5.1).

5. **Opening and Closing**.

5.1. **Opening; Closing Date and Place**. Within three (3) Business Days after the Effective Date, County and Seller shall deposit one (1) fully executed original Agreement into escrow (the "**Escrow**") with Escrow Company. Commonwealth Land Title Insurance Company shall act as the title company (the "**Title Company**") with respect to the transaction provided for in this Agreement. The Title Company is located at: 601 S. Figueroa Street, 40th floor, Suite 4000,

Los Angeles, CA 90017 and the primary contact person is Cheryl Greer, Email: cgreer@cltic.com; Telephone: (213) 330-3080. For purposes of this Agreement, the "**Closing**" shall be defined as the date (the "**Closing Date**") on which the grant deed in the form of Exhibit D attached hereto (the "**Deed**"), conveying the Real Property to County, is recorded in the Official Records of Los Angeles County, California. The Closing Date shall occur on the date that is thirty-five Business Days after the Effective Date, or such other date as Seller and County may agree in writing. Time is of the essence with respect to each of the dates specified above. All funds necessary to consummate the Closing (the "**Funds**") shall be deposited by County into Escrow no later than one (1) Business Day prior to the Closing Date.

5.2. **Seller's Closing Deliveries**. At or before the Closing Date (except as otherwise set forth herein), Seller shall execute, acknowledge and/or deliver, as applicable, the following items into Escrow (collectively, the "**Seller's Deliveries**"):

5.2.1. The Deed, executed and acknowledged by Seller;

5.2.2. A bill of sale in the form of Exhibit E attached hereto (the "**Bill of Sale**"), duly executed by Seller;

5.2.3. An assignment and assumption in the form of Exhibit F attached hereto ("**General Assignment**"), executed by Seller;

5.2.4. A Certificate of Non-Foreign Status in the form of Exhibit G attached hereto ("**FIRPTA**"), executed by Seller;

5.2.5. A California FTB Form 593-C ("**Form 593-C**"), executed by Seller;

5.2.6. A California Natural Hazard Disclosure Statement in accordance with California Civil Code Section 1102;

5.2.7. A letter signed by Seller and addressed to the Tenants under the Leases, if any, advising the Tenants of the sale of the Property to County and directing that all future rent payments and other charges are to be forwarded to County at an address to be supplied by County;

5.2.8. A closing statement prepared by the Escrow Company, reflecting all credits, prorations, apportionments and adjustments contemplated hereunder (the "**Closing Statement**"), executed by Seller; and

5.2.9. Such evidence of Seller's authority, the owner's affidavit in the form of Exhibit H attached hereto and other documents reasonably required by the Escrow Company.

5.3. **County's Closing Deliveries**. At or before Closing, County shall execute, acknowledge and/or deliver, as applicable, the following items into Escrow (collectively, the "**County's Deliveries**"):

5.3.1. The Purchase Price Balance;

5.3.2. County's share of any prorations and expenses as provided in Section 4;

5.3.3. The General Assignment, executed by County;

5.3.4. The Closing Statement, executed by County;

5.3.5. Such evidence of County's authority and other documents reasonably required by the Escrow Company; and

5.3.6. A Certificate of Acceptance ("**Certificate of Acceptance**"), executed by County.

5.4. **Closing Expenses**. At Closing, Seller shall pay: (i) all documentary transfer taxes required to be paid as to the Deed, if any; (ii) all costs regarding the satisfaction and discharge of any Seller Liens (as defined in Section 6.1); (iii) the premium for the CLTA Policy (as defined in Section 6.1); and (iv) one-half of the Escrow fees and the recording charges with respect to the Deed, if any. At Closing, County shall pay: (1) the additional premium costs to obtain an ALTA Policy (as defined in Section 6.1), if requested by County, and any endorsements desired by County; (2) the cost of any Survey ordered by County; and (3) one-half of the Escrow fees and the recording charges with respect to the Deed, if any. Each Party shall be responsible for its own attorney fees (if any). Any Closing expenses not specified herein shall be paid as customary in Los Angeles County. Each Party's obligation to pay costs under this Section 5.4 shall survive the Closing and the delivery and recording of the Deed.

5.5. **County's Conditions Precedent to Closing**. County's obligation to consummate the transaction contemplated by this Agreement is subject to the satisfaction of the following conditions (the "**County Conditions Precedent**"):

5.5.1. The due performance by Seller of each and every undertaking and agreement to be performed by it pursuant to this Agreement, in all material respects, and the truth of each representation and warranty made by Seller in this Agreement in all material respects at the time as of which the same is made and as of the Closing Date as if made on and as of the Closing Date.

5.5.2. That at no time on or before the Closing Date shall have occurred a bankruptcy or any other event of dissolution with respect to Seller.

5.5.3. Seller shall have delivered Seller's Deliveries into Escrow in accordance with Section 5.2 above.

5.5.4. The Title Company shall unconditionally commit to County at Closing to issue the Title Policy to County pursuant to Section 6 herein.

5.5.5. County shall have obtained all approvals required by any Governmental Authority (including County) having jurisdiction over the acquisition of the Property, in compliance with all Applicable Laws.

In the event that any of the County Conditions Precedent are not satisfied as of the Closing Date (a) County may waive such contingency by giving written notice thereof to the Escrow Company and proceed with the Closing (provided, however, Section 5.5.5 is a nonwaivable County Condition Precedent), or (b) in the absence of such waiver, this Agreement, the Escrow, and the rights and obligations of the Parties hereunder shall terminate, other than the Surviving Obligations (as hereinafter defined), and neither Party shall have any further right or obligation

hereunder other than the Surviving Obligations; provided, however, that notwithstanding the foregoing, if the failure of condition is the result of a default by Seller or County of their respective obligations under this Agreement, the disposition of the Parties' respective rights and remedies shall be governed by Section 8 below. "**Surviving Obligations**" shall mean, collectively: (x) any indemnities and any other indemnification obligations of Seller to County, or of County to Seller, under this Agreement that are designated by their terms to survive the termination of this Agreement or the Closing hereunder; (y) those costs, expenses, and payments specifically stated herein to be the responsibility of County or Seller, respectively, and (z) and any other obligations by the Parties under this Agreement that are designated by their terms to survive the termination of this Agreement or the Closing, it being the intention of the Parties that the Parties shall nonetheless be and remain liable for their respective obligations under clauses (x) through (z) above, notwithstanding the termination of this Agreement for any reason or the Closing hereunder.

5.6. **Seller's Conditions Precedent to Closing**. Seller's obligation to consummate the transaction contemplated by this Agreement is subject to the satisfaction of the following conditions (the "**Seller Conditions Precedent**"):

5.6.1. The due performance by County of each and every undertaking and agreement to be performed by it pursuant to this Agreement, in all material respects, and the truth of each representation and warranty made by County in this Agreement in all material respects at the time as of which the same is made and as of the Closing Date as if made on and as of the Closing Date.

5.6.2. That at no time on or before the Closing Date shall have occurred a bankruptcy or any other event of dissolution with respect to County.

5.6.3. County shall have delivered County's Deliveries into Escrow in accordance with Section 5.3 above.

In the event that any of the Seller Conditions Precedent are not satisfied as of the Closing Date (a) Seller may waive such contingency by giving written notice thereof to the Escrow Company and proceed with the Closing, or (b) in the absence of such waiver, this Agreement and the obligations of the Parties hereunder shall terminate (other than the Surviving Obligations), and neither Party shall have any further right or obligation hereunder other than the Surviving Obligations; provided, however, if the failure of condition is a result of a default by Seller or County of their respective obligations under this Agreement, the Parties' respective rights and remedies shall be governed by Section 8 below.

5.7. **Escrow Company Actions at Closing**. At Closing, upon the Escrow Company's receipt of (i) the Purchase Price Balance and applicable prorations and expenses, (ii) the County's Deliveries and the Seller's Deliveries, (iii) the final Closing Statement approved and signed by County and Seller, and (iv) final authorization from each of Seller and County to proceed with Closing, Seller and County hereby instruct the Escrow Company to:

5.7.1. Prorate all matters referenced in Section 4 based upon the Closing Statement delivered to the Escrow Company and signed by the Parties.

5.7.2. Disburse from funds deposited by County with the Escrow Company towards payment of all items chargeable to the account of County pursuant to this Agreement (as reflected in the Closing Statement), including the payment of the Purchase Price

and all other amounts required to be paid by County to Seller pursuant to this Agreement, net of any amounts required to be paid by Seller to County pursuant to this Agreement and the approved Closing Statement, and disburse the balance of such funds, if any, to County.

5.7.3. Record the Deed, together with the Certificate of Acceptance, and deliver to the County Assessor any off-record transfer tax declaration and/or change of ownership statement that may be required by law.

5.7.4. Issue the Title Policy to County.

5.7.5. Deliver to Seller: (i) copies of all documents recorded at Closing by the Title Company; (ii) one (1) fully executed original of the General Assignment; and (iii) a certified copy of the approved Closing Statement; and

5.7.6. Deliver to County: (i) copies of all documents recorded at Closing by the Title Company; (ii) one (1) fully executed original of each of the Bill of Sale and the General Assignment; (iii) a certified copy of the approved Closing Statement; (iv) a copy of each of the FIRPTA and Form 593-C; (v) a copy of each estoppel certificate described in Section 3.4.3.2; and (vi) a copy of each letter described in Section 5.2.7.

5.8. **Operation of the Property Prior to the Closing Date**. Between the Effective Date and the Closing Date, Seller shall continue to operate and maintain the Property in the usual and ordinary course of business consistent with past practices. Seller shall take no action, and shall not cause any third party to take, any action that would materially alter or affect the condition of the Property. Seller shall not enter into, amend, or terminate any leases, licenses or occupancy agreements without obtaining prior County's written consent, which shall be subject to County's sole and absolute discretion. Seller shall not enter into or amend any contract that is not reasonably necessary for the normal operation of the Property and that cannot be terminated on thirty (30) or fewer days' notice, or waive, compromise or settle any rights of Seller under any contract or other agreement affecting the Property without, in each case, obtaining County's prior written consent, which shall be subject to County's sole and absolute discretion. Seller shall keep in full force and effect all of the existing insurance policies maintained by Seller respecting the Property or policies providing similar coverage to the existing insurance policies.

5.9. **1031 Exchange**. Seller may elect to consummate the transaction contemplated in this Agreement, as part of a so-called like-kind exchange (the "**Exchange**") pursuant to Section 1031 of the Internal Revenue Code of 1986, as amended (the "**Code**"). In the event Seller so elects, then Buyer agrees to cooperate in such Exchange, provided that (a) the Closing shall not be delayed or affected by reason of the Exchange nor shall the consummation or accomplishment of the Exchange be a condition precedent or condition subsequent to Seller's obligations under this Agreement; (b) the Exchange shall be affected through a qualified intermediary and neither party shall be required to acquire or hold title to any real property for purposes of consummating the Exchange; and (c) the Seller shall pay any additional costs that would not otherwise have been incurred by Buyer had the transaction contemplated by this Agreement not been consummated through the Exchange. Neither party shall by this Agreement or acquiescence to the Exchange have its rights under this Agreement affected or diminished in any manner, or be responsible for compliance with or deemed to have warranted to the other party that the Exchange in fact complies with section 1031 of the code.

6. **Title Policy; Permitted Exceptions**.

6.1. A condition precedent to County's obligation to purchase the Property shall be the willingness of the Title Company to issue to County at the Closing, a standard CLTA owners policy of title insurance ("**CLTA Policy**"), or equivalent form acceptable to County, in the face amount of the Purchase Price and dated as of the date the Deed is recorded, indicating title to the Property to be vested of record in County, subject solely to the Permitted Exceptions (as defined in this Section 6.1), and containing endorsements and additional coverages as reasonably requested by County; provided, however, County may elect to obtain from the Title Company an ALTA extended coverage owner's policy of title insurance insuring fee title to the Property vested in County (an "**ALTA Policy**"), subject only to the Permitted Exceptions. The selected policy (whether it be a CLTA Policy or an ALTA Policy) shall be referred to herein as the "**Title Policy**," and the issuance of the Title Policy shall be a condition to the Closing for the benefit of County. "**Permitted Exceptions**" shall mean collectively, (a) the lien of all non-delinquent general and special real property taxes and assessments, which will be prorated at the Closing pursuant to Section 4.1, and (b) any other title or survey conditions, defects, objections or matters that have been approved or deemed approved by County in accordance with this Agreement. Notwithstanding anything to the contrary in this Agreement, Seller shall have no obligation to eliminate or cure County's title objections or any other title exceptions other than Monetary Liens. The provisions of this Section 6.1 shall survive termination of this Agreement or the Closing and delivery and recording of the Deed; provided, however, that the "Permitted Exceptions" shall in no event include any existing mortgage liens, mechanics liens or other monetary liens created or assumed by Seller against the Property (collectively, "**Seller Liens**").

6.2. In the event that County elects to obtain an ALTA Policy, County shall pay the difference in cost between a CLTA Policy and an ALTA Policy and the cost of the Survey. County shall pay the cost of any endorsements to the CLTA Policy or ALTA Policy that County may elect to obtain.

7. Representations, Warranties, Covenants and Acknowledgments.

7.1. **Seller Representations and Warranties**. Seller warrants, represents, covenants and agrees, which warranties, representations, covenants and agreements shall survive the Close of Escrow for a period of one (1) year, that:

7.1.1. Seller is a duly formed, duly organized and validly existing Limited Liability Company, a California Limited Liability Company, and in good standing under the laws of its jurisdiction of formation, and is authorized to transact business in the State of California. Seller has the full power and authority to enter into, be bound by and comply with the terms of this Agreement and has obtained all necessary consents and approvals to enter into and consummate the transaction contemplated hereby. Upon execution and delivery of this Agreement on behalf of Seller, this Agreement shall constitute the valid and binding obligation of Seller, enforceable against Seller in accordance with its terms, subject to equitable principles and principles governing creditors' rights generally.

7.1.2. Seller is not a "foreign person" within the meaning of Section 1445(f) of the Internal Revenue Code of 1986, as amended.

7.1.3. To Seller's knowledge, neither the entering into this Agreement nor the consummation of this sale (a) constitutes a violation or breach by Seller of any contract or other instrument to which it is a party, or to which it is subject, or by which any of its assets or properties may be affected, or a violation of any judgment, order, writ, injunction or decree issued against or imposed upon it, or (b) will result in a violation of any Applicable Laws.

7.1.4. No consent, waiver, approval or authorization is required from any person or entity (that has not already been obtained) in connection with the execution and delivery of this Agreement or the performance by Seller of its obligations under this Agreement.

7.1.5. There are no legal actions, suits or similar proceedings pending and served, or, to Seller's knowledge, threatened in writing against Seller or the Property which could adversely affect the value of the Property or Seller's ability to consummate the transactions contemplated hereby. As of the Effective Date and as of the Closing Date, the Property is not subject to any outstanding decree, injunction, judgment, order, ruling, assessment or writ.

7.1.6. Seller has not (a) commenced a voluntary case, or had entered against it a petition, for relief under any federal bankruptcy act or any similar petition, order or decree under any federal or state law relative to bankruptcy, insolvency or other relief for debtors, (b) caused, suffered or consented to the appointment of a receiver, trustee, administrator, conservator, liquidator or similar official in any federal, state or foreign judicial or non-judicial proceedings, to hold, administer and/or liquidate all or substantially all of its property, or (c) made an assignment for the benefit of creditors.

7.1.7. Seller is not entering into the transactions contemplated by this Agreement with the actual intent of hindering, delaying or defrauding any person or entity, including any present or future creditor. Seller is solvent, able to pay its own debts as and when they become due, and adequately capitalized to conduct its business and affairs as a going concern, and the transactions contemplated hereby will not render it insolvent. The consideration that Seller is receiving in connection with the transactions contemplated by this Agreement is reasonably equivalent to, or exceeds, the assets that Seller is transferring or otherwise disposing of in connection herewith.

7.1.8. Seller has not received any written notice of condemnation of any portion of the Property, or of any special assessment affecting the Property (other than as shown in the PTR), and, to the knowledge of Seller, no such condemnation or special assessment, has been threatened or proposed.

7.1.9. To Seller's knowledge, there are no (a) unpaid obligations that could give rise to a mechanics' materialmen's or other lien on the Property, (b) unsatisfied mechanics' or materialmen's or other lien rights concerning the Property, except as shown in the PTR, and (c) encumbrances, claims, covenants, conditions, restrictions, easements, rights of way, options, judgments or other matters affecting the Property, except as shown in the PTR.

7.1.10. To Seller's knowledge, Seller has not received any written notice of any current or pending litigation or condemnation proceeding affecting Seller or the Property.

7.1.11. To Seller's knowledge (a) the copies of the Leases and Contracts provided by Seller to County are true, correct and complete in all material respects and are the ones used by Seller in the ordinary course of its business, (b) Seller is not in breach of, or default under, any Leases or Contract, and (c) to Seller's knowledge, no Tenant is in breach of or default under any Lease and no counterparty to any Contract is in breach of or default under such Contract.

7.1.12. Seller is in compliance with all applicable anti-money laundering and anti-terrorist laws, regulations, rules, executive orders and government guidance, including the reporting, record keeping and compliance requirements of the BSA, as amended by The

International Money Laundering Abatement and Financial Anti-Terrorism Act of 2001, Title III of the Patriot Act, and other authorizing statutes, executive orders and regulations administered by OFAC, and related Securities and Exchange Commission, or other agency rules and regulations.

7.1.13. Except for this Agreement, Seller has not entered into any contracts (other than contracts that have terminated prior to the Effective Date), or granted any options, rights of first offer, rights of first refusal or similar rights (in each case, whether oral or written), for the sale, assignment or transfer of all or any portion of the Property.

7.1.14. Other than the Leases, there are no leases, licenses or other agreements for use or occupancy of any portion of the Property that will be in force after the Closing. As of Closing, no person or entity other than County is in or entitled to possession of the Property, except for Tenants pursuant to the terms of their Leases. As of the Closing, there shall be no commissions or tenant improvement cost obligations for which County is responsible. No person or entity other than Seller and the Tenants under Leases is in or entitled to possession of the Real Property or any improvements thereon.

7.1.15. Seller has not received any written notice to the effect that, and Seller does not otherwise have knowledge that, the Property or the current use, occupation and condition thereof is not in compliance with Applicable Laws (other than violations which have been cured) or that there has been or may be an investigation of the Property by any governmental authority having jurisdiction over the Property. To Seller's knowledge, the conveyance of the Real Property to County will not violate any laws and will include all rights necessary to permit continued compliance by the Real Property with all Applicable Law. To Seller's knowledge, Seller has received no written notice that the Property is in violation of any easement, covenant, condition, restriction or similar provision in any instrument or record or other unrecorded agreement affecting the Property.

7.1.16. Seller has not received written notice of, and does not otherwise have knowledge of, (a) any violation of Environmental Laws concerning the Property (other than any violation disclosed in any Phase I or Phase II environmental site assessment delivered by Seller to County during the Due Diligence Period), or (b) the presence or release of Hazardous Substances on or from the Property that would give rise to any obligation to report, monitor or remediate or which would reasonably be likely to pose a material threat to the environment or person or property (other than as disclosed in any Phase I or Phase II environmental site assessment delivered by Seller to County during the Due Diligence Period). For purposes of this Agreement, the following terms and references shall have the indicated meanings:

"**Environmental Law**" means any present and future federal, state and local laws, statutes, ordinances, rules, regulations and the like, as well as common law, relating to the safety, welfare and protection of human health or the environment or any natural resource, relating to any Hazardous Substances, relating to liability for or costs of other actual or threatened danger to the safety, welfare or human health or the environment or any natural resource and includes, but is not limited to, the following statutes, as amended, any successor thereto, and any regulations adopted and publications promulgated pursuant thereto, and any state or local statutes, ordinances, rules, regulations and the like addressing similar issues: the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (as amended, including, but not limited to, the Superfund Amendments and Reauthorization Act of 1986, "**CERCLA**"), 42 U.S.C. §9601 et seq; the Emergency Planning and Community Right-to-Know Act of 1986; the Hazardous Materials Transportation Act, as amended, 49 U.S.C. §1801 et seq; the Resource Conservation and Recovery Act, as amended (including, but not limited to, Subtitle

I relating to underground storage tanks), 42 U.S.C. §6901 et seq; the Solid Waste Disposal Act; the Clean Water Act; the Clean Air Act; the Toxic Substances Control Act; the Safe Drinking Water Act; the Occupational Safety and Health Act of 1970, 29 U.S.C. Section 651 et seq.; the California Hazardous Waste Control Law, California Health and Safety Code Section 25100 et seq.; the Hazardous Substance Account Act, California Health & Safety Code Section 25300 et seq.; the Safe Drinking Water and Toxic Enforcement Act of 1986, California Health and Safety Code Section 25249.5 et seq.; the Porter-Cologne Water Quality Control Act, California Water Code Section 13000 et seq.; the California Air Resources Law, California Health and Safety Code Section 39000 et seq.; the Federal Water Pollution Control Act; the Federal Insecticide, Fungicide and Rodenticide Act; the Endangered Species Act; the National Environmental Policy Act; and the River and Harbors Appropriation Act. The term "**Environmental Law**" also includes, but is not limited to, any present and future federal, state and local laws, statutes ordinances, rules, regulations and the like, as well as common law conditioning transfer of property upon a negative declaration or other approval of a Governmental Authority of the environmental condition of the Property; requiring notification or disclosure of Releases of Hazardous Substances or other environmental condition of the Property to any Governmental Authority or other Person, whether or not in connection with transfer of title to or interest in property; imposing conditions or requirements in connection with permits or other authorization for lawful activity; relating to nuisance, trespass or other causes of action related to the Property; and relating to wrongful death, personal injury, or property or other damage in connection with any physical condition or use of the Property.

"**Hazardous Substances**" shall mean and include any chemical, compound, material, fixture, waste or substance that is now or hereafter defined or listed in, or otherwise classified pursuant to, any Environmental Laws as a "hazardous substance," "hazardous material," "hazardous waste," "extremely hazardous waste," "infectious waste," "toxic substance," "toxic pollutant" or any other formulation intended to define, list, or classify substances by reason of deleterious properties such as ignitability, corrosivity, reactivity, carcinogenicity, or toxicity, including any petroleum, gasoline, motor oil, diesel fuel, other petroleum by-products, natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixture of natural gas and such synthetic gas). "Hazardous Substances" shall include, without limitation, any hazardous or toxic substance, material or waste or any chemical, compound or mixture which is (a) asbestos, (b) designated as a "hazardous substance" pursuant to Section 1317 of the Federal Water Pollution Control Act (33 U.S.C. Section 1251 et seq.), (c) defined as a "hazardous waste" pursuant to Section 6903 of the Federal Resource Conversation and Recovery Act, (42 U.S.C. Section 6901 et seq.), (d) defined as "hazardous substances" pursuant to Section 9601 of the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Section 9601 et seq.), or (e) listed in the United States Department of Transportation Table (49 CFR 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR part 302); or in any and all amendments thereto in effect as of the Closing Date; or such chemicals, compounds, mixtures, substances, materials or wastes otherwise regulated under any applicable local, state or federal Environmental Laws.

7.1.17. To Seller's actual knowledge, Seller is in compliance with the requirements of Executive Order No. 13224, 66 Fed. Reg. 49079 (Sept. 23, 2001) (the "**Order**") and other similar requirements contained in the rules and regulations of the office of Foreign Assets Control, Department of the Treasury ("**OFAC**") and in any enabling legislation or other Executive Orders or regulations in respect thereof (the Order and such other rules, regulations, legislation, or orders are collectively called the "**Orders**").

7.1.18. Neither Seller, nor to Seller's actual knowledge, any beneficial owner of Seller (a) is listed on the Specially Designated Nationals and Blocked Persons List maintained by OFAC pursuant to the Order and/or on any other list of terrorists or terrorist organizations maintained pursuant to any of the rules and regulations of OFAC or pursuant to any other applicable Orders (such lists are collectively referred to as the "**Lists**") or (b) is a person who has been determined by competent authority to be subject to the prohibitions contained in the Orders; or (c) is owned or controlled by, or acts for or on behalf of, any person on the Lists or any other person who has been determined by competent authority to be subject to the prohibitions contained in the Orders.

7.1.19. By providing copies of the Due Diligence Materials to County, Seller has provided or made available to County all due diligence materials that materially affect the Property and that were in Seller's possession or control, including but not limited to all soils reports, reports pertaining to hazardous materials or other environmental conditions, government permits, licenses, approvals and significant correspondence with any Governmental Authority, architectural and civil or structural engineering documents, and other studies, reports and information that relate to the Property.

For purposes of this Agreement, whenever the phrase "to Seller's knowledge," or the "knowledge" of Seller or words of similar import are used, it shall be deemed to refer to facts within the actual knowledge of Rex Hamano, without duty of inquiry. Seller represents and warrants to County that the foregoing individual is the employee or representative of Seller most knowledgeable with respect to the subject matter of the representations, warranties and other agreements herein that are qualified by Seller's knowledge. The representations and warranties of Seller set forth in this Agreement are made as of the Effective Date and are remade as of the Closing Date, shall not be deemed to be merged into or waived by the instruments delivered at the Closing Date, and shall survive the Close of Escrow for a period of two (2) years; provided, however, if any representation and warranty of Seller that was true when made shall become untrue as of the Closing Date, County's sole remedy shall be to terminate this Agreement by written notice to Seller and Escrow Company and receive from Escrow Company and/or Seller, within three (3) Business Days following delivery of County's termination notice. Notwithstanding the foregoing, if any representation of Seller provided herein becomes untrue in any material respect as a result of a default by Seller of an express provision of this Agreement, County shall have the remedies provided in Section 8.

7.2. **County Representations and Warranties**. County warrants, represents, covenants and agrees, which warranties, representations, covenants and agreements shall survive the Close of Escrow for a period of two (2) years, that:

7.2.1. County is a body corporate and politic.

7.2.2. County has the full power and authority to enter into and comply with the terms of this Agreement and has, or at Closing will have, obtained all necessary consents and approvals required for County to enter into and consummate the transaction described in this Agreement.

7.2.3. This Agreement, and all instruments referenced herein to be executed by County in connection with the transaction described in this Agreement, are, or at the time of Closing will be, duly authorized, executed and delivered by County, and are, or at Closing will be, legal, valid and binding obligations of County and do not, and at the time of Closing will

not, violate any provisions of any agreement or judicial order to which County is a party or to which County is subject.

7.2.4. The execution and delivery of this Agreement, and consummation of the transaction described in this Agreement, will not, to County's knowledge, constitute a default under any contract or agreement to which County is a party.

For purposes of this Agreement, whenever the phrase "to County's knowledge," or the "knowledge" of County or words of similar import are used, they shall be deemed to refer to facts within the actual knowledge of Michael Rodriguez, without duty of inquiry. County represents and warrants to Seller that the foregoing individual is the employee or representative of County most knowledgeable with respect to the subject matter of the representations, warranties and other agreements herein that are qualified by County's knowledge.

7.3 **Survival**. The representations and warranties of County set forth in this Agreement are made as of the Effective Date and are remade as of the Closing Date, shall not be deemed to be merged into or waived by the instruments delivered at the Closing Date, and shall survive the Closing for a period of two (2) years.

8. **Rights and Remedies Upon Default**.

8.1 **Seller's Remedies Upon Default of County**. If the Closing does not occur because of a default under or breach of this Agreement on the part of County, Seller may terminate this Agreement, in which case neither Party shall have any further right or obligation hereunder other than the Surviving Obligations, and thereupon, Seller shall have all rights and remedies at law or in equity, including, without limitation, the right to seek damages (except for any punitive, speculative, consequential, or special damages).

8.2 **County's Remedies Upon Default of Seller**. If the Closing does not occur because of a default under or breach of this Agreement on the part of Seller, County may: (i) terminate this Agreement, in which case neither Party shall have any further right or obligation hereunder other than the Surviving Obligations, and thereupon, County shall have all rights and remedies at law or in equity, including, without limitation, the right to seek damages (except for any punitive, speculative, consequential, or special damages); or (ii) pursue the remedy of specific performance of Seller's obligations to proceed to Closing under Section 5. Seller acknowledges the unique and special character of the Property and its utility to County and agrees that specific performance is an appropriate remedy for Seller's default under this Agreement. The foregoing options are mutually exclusive and are the exclusive rights and remedies available to County at law or in equity in the event the sale of the Property is not consummated because of Seller's default under or breach of this Agreement. Notwithstanding anything to the contrary contained herein, in the event that the remedy of specific performance is unavailable to County due to Seller's conveyance of the Property to a third-party prior to the termination of this Agreement, County shall have available all remedies at law or in equity against Seller.

8.3 The provisions of this Section 8 shall survive termination of this Agreement.

9.0 **Casualty or Condemnation**.

9.1 In the event that, after the Effective Date and prior to the Close of Escrow, a material portion of the Property (as hereinafter defined) is destroyed or damaged, or any portion of the Real Property is subject to a taking by a governmental authority, County shall have the

right, exercisable by written notice to Seller within ten (10) Business Days after County's receipt of written notice of such damage or destruction, either (a) to terminate this Agreement, less one-half (1/2) of any Escrow termination charges, in which event any other funds or documents in Escrow shall be returned to the Party depositing the same and this Agreement shall terminate except for Surviving Obligations, or (ii) to accept the Property in its then condition and to proceed with the Closing. Unless County terminates this Agreement pursuant to its rights in the immediately-preceding sentence (or as otherwise provided in this Agreement), County shall be bound to purchase the Property for the full Purchase Price as required by the terms hereof, without regard to the occurrence or effect of any damage to the Property or destruction of any improvements thereon or condemnation (or any issuance by a governmental authority with jurisdiction of a notice of intent to adopt a resolution of necessity to condemn) of any portion of the Property or the improvements thereon ("**Loss**"). In the event of any Loss after the Effective Date and prior to the Close of Escrow, County shall be entitled, at the Closing, to a credit against the Purchase Price due hereunder equal to the amount of any insurance proceeds or condemnation awards collected by Seller as a result of any such damage or destruction or condemnation, plus the amount of any insurance deductible, less any sums expended by Seller toward the restoration or repair of the Property or in collecting such insurance proceeds or condemnation awards. If the proceeds or awards have not been collected as of the Closing, then Seller's rights to claim and receive such proceeds or awards shall be assigned to County, except to the extent needed to reimburse Seller for sums expended prior to the Close of Escrow to repair or restore the Property or to collect any such proceeds or awards. For purposes of this Section 9.1, damage to the Property shall be deemed to involve a material portion thereof if the estimated cost of restoration or repair of such damage, as reasonably estimated by County and Seller shall exceed five percent (5%) of the Purchase Price.

9.2 Notwithstanding anything to the contrary in the foregoing, if, prior to the Closing any damage to the Real Property occurs as the result of a release of Hazardous Substances to, on, under or in the Property (by a party other than County or a County's Representative), County shall have the option to terminate this Agreement upon written notice to Seller given not later than twenty (20) Business Days after County's receipt of written notice thereof from Seller.

10. **Binding Effect**. This Agreement shall be binding upon, shall inure to the benefit of, and shall be enforceable by, the Parties and their respective successors and permitted assigns.

11. **Governing Law**. This Agreement shall be governed by and construed under and in accordance with the laws of the State of California. Any litigation with respect to this Agreement shall be conducted in the County of Los Angeles, California

12. **Time of Essence** Time shall be deemed of the essence with respect to consummating the transactions contemplated under this Agreement on the Closing Date and with respect to all other obligations of County and Seller hereunder.

13. **Counterparts**. This Agreement may be executed in one or more counterparts each of which shall be deemed an original but all of which shall constitute one and the same Agreement. The Parties contemplate that they may be executing counterparts of this Agreement transmitted by facsimile or email in PDF format and agree and intend that a signature by email in PDF format shall bind the Party so signing with the same effect as though the signature were an original signature

14. **Waiver**. Except as otherwise provided herein, the failure of Seller or County to insist upon or enforce any of their respective rights hereunder shall not constitute a waiver thereof.

15. **Construction**. Each Party acknowledges that the Parties have participated equally in the drafting of this Agreement and that accordingly, no court construing this Agreement shall construe it more stringently against one Party than the other.

16. **Headings**. The captions used herein have been included for convenience of reference only and shall not be deemed to vary the content of this Agreement or limit the provisions or scope of any section or paragraph hereof.

17. **Severability.** Wherever possible, each provision of this Agreement shall be interpreted in such manner as to be effective and valid under applicable law, but in the event that any provision of this Agreement shall be prohibited by or invalid under such law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Agreement.

18. **Broker**. Upon the Closing, Seller shall pay real estate brokerage commissions to Cushman & Wakefield ("**Seller's Broker**") with respect to this transaction, in accordance with Seller's separate agreement with Seller's Broker (the "**Broker Agreement**"), and Seller hereby agrees to indemnify and hold County free and harmless from such commission obligations payable to Seller's Broker. The Parties hereby warrant that they have dealt with no other real estate broker in this transaction and that no other broker or other person is entitled to any commission, finder's fee or other similar compensation by virtue of the Parties entering into or consummating this Agreement. Each Party hereby defends and indemnifies the other Party against any claims, losses, liability and damages, including reasonable attorneys' fees and costs, in connection with any commissions, finders' fees or other similar compensation sought, based upon some obligation of the indemnifying Party with respect to this transaction. County shall receive from Seller's Broker, within ten (10) days after the execution of this Agreement, an amount equal to one half of one percentage point (0.5%) of the Purchase Price. This Section 18 shall survive the Closing.

19. **Assignment**. This Agreement shall not be assigned by County without the prior written consent of Seller. Notwithstanding the foregoing, County may assign this Agreement to an affiliate of County without Seller's consent. Any permitted assignee shall succeed to all of County's rights and remedies hereunder and no such assignment shall relieve County from its liability under this Agreement.

20. **Merger**. All prior statements, understandings, letters of intent, representations and agreements between the Parties, oral or written, are superseded by and merged in this Agreement, which alone fully and completely expresses the agreement between Seller and County in connection with this transaction and which is entered into after full investigation, neither Party relying upon any statement, understanding, representation or agreement made by the other not embodied in this Agreement.

21. **General Rules of Interpretation**. Words and phrases contained herein shall be construed according to the context and the approved usage of the English language, but technical words and phrases, and such others as have acquired a peculiar and appropriate meaning by law, or are defined in this Agreement, are to be construed according to such technical, peculiar, and appropriate meaning or definition. Whenever the context requires, all words used in the singular will be construed to have been used in the plural, and vice versa, and each gender will

include any other gender. As used in this Agreement, the word "includes or "including" means including without limitation, the word "or" is not exclusive and the words "herein," "hereof," "hereto" and hereunder refer to this Agreement as a whole unless the context otherwise requires, and references herein: (a) to articles, paragraphs, sections and exhibits mean the articles, paragraphs, sections and exhibits which are part of this Agreement as amended, supplemented or modified from time to time to the extent permitted by the provisions thereof and by this Agreement, (b) to an agreement, instrument or other document means such agreement, instrument or other document as amended, supplemented or modified from time to time to the extent permitted by the provisions thereof and by this Agreement, and (c) to a statute means such statute as amended, supplemented or replaced from time to time. The exhibits, schedules, addenda, and attachments which are attached to this Agreement are made a part of this Agreement.

22. **Date of Performance**. If the date of the performance of any term, provision or condition of this Agreement shall happen to fall on a Saturday, Sunday or other non-Business Day, the date for the performance of such term, provision or condition shall be extended to the next succeeding Business Day immediately thereafter occurring.

23. **Third Parties**. This Agreement shall not be deemed to confer in favor of any third parties any rights whatsoever as third-party beneficiaries, the Parties intending by the provisions hereof to confer no such benefits or status.

24. **Acceptance of the Deed**. The delivery by Seller of the Deed into Escrow, and the recording thereof by the Title Company in accordance with the terms and conditions of this Agreement, shall be deemed to be the full performance and discharge of every agreement, obligation, and covenant, guaranty, representation, or warranty on the part of Seller and County, respectively, to be performed pursuant to the provisions of this Agreement in respect of the Property, except for the Surviving Obligations. Certain provisions of this Agreement, as expressly provided herein, shall survive Closing or termination. This Section 24 shall survive the Closing.

25. **Notices**. All notices, elections, consents, approvals, demands, objections, requests or other communications which Seller or County may be required or desire to give pursuant to, under or by virtue of this Agreement (collectively, "**Notices**") must be in writing and sent by (a) personal delivery, (b) registered or certified mail, return receipt requested, with postage prepaid, or (c) nationally recognized overnight courier service that provides receipted delivery service, delivery charges prepaid, addressed to the respective party at the address for each set forth below. Notices shall be deemed received, and the time period for which a response to any such notice must be given or any action taken with respect thereto (including cure of any prospective Event of Default) shall commence to run upon the earlier of (a) if personally delivered or sent by overnight courier, on the date of delivery if delivered before 5:00 p.m. on a Business Day, and otherwise on the next Business Day, or (b) if mailed, on the date of delivery as shown on the sender's registered mail or certified mail receipt. Rejection or other refusal to accept or the inability to deliver because of changed address of which no notice was given shall be deemed to constitute receipt of the Notice. Seller or County may designate another addressee or change its address for notices and other communications hereunder by a notice given to the other in the manner provided in this Section 25.

To County: County of Los Angeles
Chief Executive Office
Real Estate Division
555 W. Fifth St., 36th Floor,

Los Angeles, CA 90013
Attn: Joyce Chang, Senior Manager
Telephone: (213) 974-4300
Email: jchang@ceo.lacounty.gov

With a copy to: County of Los Angeles
Office of the County Counsel
648 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012-2713
Attn: Real Property Division

To Seller: c/o Rex Hamano
1800 Oak Street Unit 509,
Torrance, CA 90501
Telephone: 213 – 200-8519
Email: rrexhamano@gmail.com

With copies to: Lamb & Kawakami, LLP
229 Avenue I, Suite 200
Redondo Beach, CA 90277
Attn: Kevin J. Lamb
Telephone: (213) 630-5510
Email: klamb@lkfirm.com

26. **No Modification**. This Agreement constitute the entire agreement between the Parties with respect to the transactions contemplated hereby and supersedes all prior understandings or agreements between the Parties as to the subject matter hereof. No term or provision of this Agreement may be changed or waived, discharged or terminated orally, but only by an instrument in writing signed by the Party against which enforcement of the change, waiver, discharge or termination is sought.

27. **Rights of the Escrow Company**. If there is any dispute as to whether the Escrow Company is obligated to deliver any monies and/or documents which it now or hereafter holds (collectively, the "**Escrowed Property**") or as to whom any Escrowed Property are to be delivered, the Escrow Company shall not be obligated to make any delivery, but, in such event, may hold same until receipt by the Escrow Company of an authorization, in writing, signed by all of the parties having an interest in such dispute directing the disposition of same; or, in the absence of such authorization, the Escrow Company may hold any Escrowed Property until the final determination of the rights of the parties in an appropriate proceeding. Within three (3) Business Days after receipt by the Escrow Company of a copy of a final judgment or order of a court of competent jurisdiction, certified by the clerk of such court or other appropriate official, the Escrowed Property shall be delivered as set forth in such judgment or order. A judgment or order under this Agreement shall not be deemed to be final until the time within which to take an appeal therefrom has expired and no appeal has been taken, or until the entry of a judgment or order from which no appeal may be taken. If such written authorization is not given or proceeding for such determination is not begun and diligently continued, the Escrow Company shall have the right to bring an appropriate action or proceeding for leave to deposit the Escrowed Property in

court, pending such determination. In the event that the Escrow Company places any Escrowed Property in the registry of the governing court in and for Los Angeles County, California and files an action of, interpleader, naming the Parties, the Escrow Company shall be released and relieved from any and all further obligation and liability hereunder or in connection herewith. If, without gross negligence on the part of the Escrow Company, the Escrow Company shall become a party to any controversy or litigation with respect to the Escrowed Property or any other matter respecting this Agreement, Seller and County shall jointly and severally hold the Escrow Company harmless from any damages or losses incurred by the Escrow Company by reason of or in connection with such controversy or litigation. The provisions of this Section 28 shall survive the Closing or termination of this Agreement.

28. **Solicitation of Consideration**. It is improper for any County officer, employee or agent to solicit consideration in any form from Seller with the implication, suggestion or statement that Seller's provision of the consideration may secure more favorable treatment for Seller in the award of this Agreement or that Seller's failure to provide such consideration may negatively affect the County's consideration of the Seller's offer to sell the Property. Seller shall not offer or give, either directly or through an intermediary, consideration in any form to a County officer, employee or agent who has had any involvement in the negotiation, consummation or administration/management of this Agreement. Seller shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County Manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (213) 974-0914 or (800) 544-6861. Failure to report such solicitation may result in the Seller's submission being eliminated from consideration.

29. **No Offer or Binding Contract**. The Parties agree that the submission of an unexecuted copy or counterpart of this Agreement by one Party to another is not intended by either Party to be, or be deemed to be a legally binding contract or an offer to enter into a legally binding contract. The Parties shall be legally bound pursuant to the terms of this Agreement only if and when the Parties have been able to negotiate all of the terms and provisions of this Agreement in a manner acceptable to each of the Parties in their respective sole discretion, and both Seller and County have fully executed and delivered this Agreement.

[Signatures on following page(s)]

IN WITNESS WHEREOF, Seller and County have caused this Agreement to be executed and delivered, as of the Effective Date.

"**Seller**"

HAMASHO, INC.,
a California corporation

By: _____
Name: Rex Hamano, President

"**County**"

COUNTY OF LOS ANGELES,
a body politic and corporate

JOSEPH M. NICCHITTA

Chief Executive Officer

By:_____
Name: John T Cooke
Title: Assistant Chief Executive Officer

ATTEST:

DEAN C. LOGAN
Register-Recorder/County Clerk

By:_____
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON
County Counsel

By:_____
Amy Cooper,
Deputy County Counsel

IN WITNESS WHEREOF, Seller and County have caused this Agreement to be executed and delivered, as of the Effective Date.

"**Seller**"

HAMASHO, INC.,
a California corporation

By: _____
Name: Rex Hamano, President

"**County**"

COUNTY OF LOS ANGELES,
a body politic and corporate

JOSEPH M. NICCHITTA

Chief Executive Officer

By:_____
Name: John T. Cooke
Title: Assistant Chief Executive Officer

ATTEST:

DEAN C. LOGAN
Register-Recorder/County Clerk

By:_____
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON
County Counsel

By:_____
Amy Cooper,
Deputy County Counsel

ACCEPTANCE BY ESCROW COMPANY

The undersigned hereby accepts the duties of the Escrow Company, as escrow agent under that certain Agreement of Purchase and Sale between HAMASHO, INC., as Seller, and the County of Los Angeles, as County, dated [_____], and relating to the property located at 900 Fair Oaks Avenue, South Pasadena, California, as more particularly described in said Agreement, subject to and in accordance with all the terms and conditions thereof.

Dated _____, 20__

Commerce Escrow Company

By: _____
Robert Minsky
Its Duly Authorized Representative

Exhibit A

Legal Description of the Land

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 6, 7 AND 8 IN BLOCK "F" OF THE RAYMOND VILLA TRACT NO. 1, IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 91 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5318-015-017

Exhibit B

Contracts

None

Exhibit C

Leases

None

Exhibit D

Form of Grant Deed

RECORDING REQUESTED BY **COUNTY OF LOS ANGELES** **WHEN RECORDED MAIL TO**: County of Los Angeles 555 W. Fifth St., 36th Floor Los Angeles, CA 90012 Attention: Joyce Chang, Senior Manager	

Space above this line for Recorders use

ASSESSOR'S IDENTIFICATION NUMBER: 5318-015-017

THE UNDERSIGNED GRANTOR DECLARES: DOCUMENTARY TRANSFER TAX IS $0.00; CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA; GOVERNMENTAL AGENCY ACQUIRING TITLE, R & T 11922.

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, HAMASHO, INC., a California corporation ("**Grantor**"), does hereby grant to the COUNTY OF LOS ANGELES, a body politic and corporate ("**Grantee**"), all of Grantor's rights, title and interests to that certain real property located at 900 Fair Oaks Avenue, in the City of South Pasadena, County of Los Angeles, State of California, legally described on Exhibit A, attached hereto and incorporated herein by this reference (the "**Property**"), together with all improvements thereon and appurtenances thereto.

[signature on next page]

IN WITNESS WHEREOF, Grantor has caused this Grant Deed to be executed as of the ___ day of _____, 20__.

"Grantor"

HAMASHO, INC.,
a California corporation

By: _____
Name: Rex Hamano
Title: President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss:
COUNTY OF _____)

On _____, 20__ before me, _____
(insert name and title of the officer),

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

[Seal]

Exhibit A (to Grant Deed)

Legal Description of the Property

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 6, 7 AND 8 IN BLOCK "F" OF THE RAYMOND VILLA TRACT NO. 1, IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 91 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5318-015-017

Exhibit E

Form of Bill of Sale

BILL OF SALE

THIS BILL OF SALE (this "**Bill of Sale**") is made as of _____, by and between Hamasho, Inc., a California corporation ("**Seller**"), and County of Los Angeles, a body politic and corporate ("**County**").

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, Seller does hereby quitclaim, remise, release, sell, and deliver to County, pursuant to that certain Agreement of Purchase and Sale dated as of _____, between Seller and County (the "**Agreement**"), all of Seller's right, title and interest, if any, in and to all (collectively, the "**Personal Property**") personal property, machinery, equipment, and fixtures (if any) located on and used in connection with the ownership and operation of, or otherwise relating to, the real property located in the City of South Pasadena, County of Los Angeles, State of California, as more particularly described on Exhibit A attached hereto (the "**Real Property**"). The Personal Property is conveyed to County free and clear of all liens, claims, and encumbrances, and accepted by, County in its "AS IS" condition, with no warranties or representations, as further set forth in the Agreement. The Agreement is incorporated herein and by this reference made a part hereof.

[SIGNATURE ON NEXT PAGE]

IN WITNESS WHEREOF, Seller has executed this Bill of Sale as of the date first set forth above.

Dated: _____

HAMASHO, INC.,
a California corporation

By: _____
Name: Rex Hamano
Title: President

Exhibit A (to Bill of Sale)

Legal Description of the Real Property

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 6, 7 AND 8 IN BLOCK "F" OF THE RAYMOND VILLA TRACT NO. 1, IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 91 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5318-015-017

Exhibit F

Form of General Assignment

ASSIGNMENT AND ASSUMPTION

THIS ASSIGNMENT AND ASSUMPTION (this "**Assignment**") is made as of this ___ day of _____, 202_, by and between HAMASHO, INC., a California corporation ("**Assignor**") and COUNTY OF LOS ANGELES, a body politic and corporate ("**Assignee**").

RECITALS

A. Assignor and Assignee have entered into that certain Agreement of Purchase and Sale dated _____ (the "**Purchase Agreement**"), for the purchase and sale of certain real property more particularly described on Schedule 1 hereto (the "**Real Property**"); and

B. This Assignment is being made pursuant to the terms of the Purchase Agreement for the purpose of assigning to Assignee all of Assignor's rights, title and interest in and to the Leases (defined below), the Contracts (defined below) and the Intangible Personal Property (defined below).

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. Assignor hereby grants, conveys, transfers, and assigns to Assignee all of Assignor's right, title, and interest in and to the following:

8.1. All leases, license agreements, and other agreements for occupancy of the Real Property identified on Schedule 2 attached hereto (the "**Leases**"); provided, however, that Assignor hereby retains all contract rights under the Leases that accrued prior to the transfer of the Real Property to Assignee, including without limitation, any and all rights and causes of action to recover past-due rent or other charges due under the Leases;

8.2. All service agreements, maintenance agreements, and other contracts listed on Schedule 3 attached hereto (the "**Contracts**"); and

8.3. any and all intangible property used and necessary in connection with the Real Property, including, without limitation, surveys, reports, plans and specifications, contract rights, warranties, guaranties, licenses, permits, entitlements, governmental approvals and certificates of occupancy (if any) that benefit the Real Property (collectively, the "**Intangible Property**").

2. Assignee hereby assumes and agrees to perform (or cause to be performed) all of Assignor's obligations under the Leases and Contracts.

3. This Assignment shall be binding on and inure to the benefit of the parties herein, their successors-in-interest and assigns.

4. This Assignment shall be governed by and construed in accordance with the laws of the State of California without reference to choice of law principles which might indicate that the law of some other jurisdiction should apply.

5. Nothing contained herein shall be deemed or construed as relieving the Assignor or Assignee of their respective duties and obligations under the Purchase Agreement. In addition, it is expressly understood and agreed by and between the parties hereto that any liability of Assignor hereunder shall be limited as set forth in the Purchase Agreement.

6. This Assignment may be executed in any number of counterparts, each of which shall be deemed an original for all purposes, and all of which shall constitute one and the same instrument as if all parties had signed the same signature page.

[Remainder of page intentionally left blank,
signatures commence on following page]

IN WITNESS WHEREOF, this Assignment is made as of the day and year first above written.

ASSIGNOR:

HAMASHO, INC.,
a California corporation

By:_____
Name: Rex Hamano
Title:President

ASSIGNEE:

COUNTY OF LOS ANGELES,
a body politic and corporate

JOSEPH M NICCITTA

Acting Chief Executive Officer

By:_____
Name: John T. Cooke
Title: Assistant Chief Executive Officer

ATTEST:

DEAN C. LOGAN
Registrar-Recorder/County Clerk

By:_____
Deputy

APPROVED AS TO FORM:

DAWYN R. HARRISON
County Counsel

By:_____
Amy Cooper, Deputy

Schedule 1

Purchase Agreement

Schedule 2

Leases

Schedule 3

Contracts

Exhibit G

CERTIFICATE OF NON-FOREIGN STATUS

Section 1445 of the United States Internal Revenue Code (the "Code") provides that a transferee of a U.S. real property interest must withhold tax if the transferor is a foreign person. For U.S. tax purposes (including Section 1445), the owner of a disregarded entity that has legal title to a U.S. real property interest under local law, and not the disregarded entity itself, is treated as the transferor of the property. Hamasho, Inc., a California corporation ("Seller") is conveying certain U.S. real property rights to the County of Los Angeles, a body politic and corporate ("Transferee"). Seller is owned one hundred percent (100%), either directly or indirectly, by _____ ("Transferor"). To inform Transferee that withholding of tax will not be required upon the transfer of a U.S. real property interest to Transferee by Seller, Transferor hereby certifies to Transferee the following:

1. Seller is a disregarded entity and Transferor is not a disregarded entity (each as such term is defined in Section 1.1445-2(b)(2)(iii) of the Income Tax Regulations promulgated thereunder).

2. Transferor is not a foreign person, foreign corporation, foreign partnership, foreign trust, or foreign estate (as these terms are defined in the Code and the Income Tax Regulations promulgated thereunder).

3. Transferor's United States employer identification number is: _____.

4. Transferor's office address is: _____.

[*Signature page follows*.]

Under penalty of perjury, I declare that I have examined this certification and to the best of my knowledge and belief, it is true, correct and complete.

Dated as of: _____, 20___

TRANSFEROR:

_____

By:_____
Name:_____
Title:_____

Exhibit H

Form of Owner's Affidavit

Los Angeles County, California
Order/File No. _____
That certain real property described on Exhibit "A" attached hereto (the "**Land**")

The undersigned (hereafter "**Owner**") does hereby state that the following facts and statements are true and correct to its actual knowledge:

1. That the person executing this Affidavit is fully authorized and qualified to make this Affidavit on Owner's behalf.

2. That during the period of one hundred eighty (180) days immediately preceding the date of this Affidavit, neither Owner nor its agents has caused any work to be done or any materials to be furnished in connection with the erection, repair, or removal of any building or other structure on the Land or in connection with the improvement of the Land, which has not been paid for in full prior to the close of escrow.

3. The following are all of the persons or entities having leases or other occupancy rights affecting the Land or are tenants under leases with rights of possession only: NONE.

4. The undersigned has not entered into any unrecorded sale contracts, deeds, mortgages, rights of first refusal or purchase options affecting the Land or improvements thereon, which are presently in effect and will survive the transfer to the County of Los Angeles, a body politic and corporate ("**County**"), except as set forth in that certain preliminary title report _____ (with an effective date of _____, 20__) (the "**Title Commitment**") and the purchase agreement with County.

5. In order to effectuate a New York style closing, Owner will not voluntarily create any defect, lien, encumbrance, adverse claim, or other matter (each a "**Title Defect**") being filed or recorded against the Land between the effective date of the last date down of the Title Commitment and the date of recording of the Grant Deed pursuant to which County acquires the Land (the "**Gap Period**"). In consideration of the Company (as defined below) issuing its policy or policies of title insurance, without an exception on Schedule B thereof for any Title Defect arising or being recorded during the Gap Period, Owner hereby agrees to promptly defend, remove, bond, or otherwise dispose of any Title Defect arising or recorded during the Gap Period, and to indemnify and hold harmless the Company against actual loss or damage, including attorneys' fees, which the Company may sustain under its policy or policies of title insurance by reason of such Title Defect; provided that the liability of Owner under this Section 5 shall cease six (6) weeks after the date of the above described policy or policies of title insurance.

This Affidavit is made with the intention that _____ (the "**Company**") and its policy issuing agents will rely upon it in issuing their title insurance policies and endorsements. Any statement "to the undersigned's knowledge" (or similar phrase) shall mean the present actual knowledge (excluding constructive, implied or imputed knowledge) of [_____], who is familiar with the facts and circumstances regarding the undersigned's use and possession of the Land (but such individual shall not have any liability in connection herewith). Notwithstanding anything to the contrary herein, any cause of action for a breach of this Affidavit shall survive, until

any obligations under a title policy issued by the Company in reliance of this Affidavit have terminated pursuant to the terms of such policies at which time this Affidavit shall terminate; provided, however, that in no event shall Owner be liable under this Affidavit for any loss or damage arising out of any actions taken by, or at the direction of County or any of County's affiliates, agents, invitees or licensees.

[Signature Page Immediately Follows]

Owner declares under penalty of perjury that the foregoing is true and correct to its actual knowledge.

Dated this ____ day of _____, 20__.

"Owner":

_____,
_____

By: _____
Name: _____
Its: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss:
COUNTY OF _____)

On _____, 20__ before me, _____
(insert name and title of the officer),

personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____

[Seal]

Exhibit "A" (to Owner's Affidavit)

Legal Description of the Land

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 6, 7 AND 8 IN BLOCK "F" OF THE RAYMOND VILLA TRACT NO. 1, IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 91 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5318-015-017

Exhibit I

Form of Tenant Estoppel

Tenant Estoppel Certificate

TO: _____ ("**Landlord**")
_____
_____
_____

and: County of Los Angeles ("**County**")
Chief Executive Office
Real Estate Division
555 W. Fifth St., 36th Floor
Los Angeles, California 90013
Attn: Joyce Chang, Senior Manager

Re: that certain [NAME OF LEASE AGREEMENT] dated as of _____ (the "**Lease**"), by and between Landlord and _____, a _____, ("**Tenant**") regarding _____ [DESCRIPTION OF LEASED PROPERTY] (the "**Premises**")

Except as otherwise defined herein, each capitalized term shall have the meaning ascribed to it in the Lease. Tenant hereby certifies to County and Landlord as follows:

1. The Lease constitutes the entire agreement between Landlord and Tenant with respect to the Premises, is in full force and effect, and has not been modified, changed, altered, supplemented, assigned, extended or amended in any respect, except _____. A true, correct and complete copy of the Lease is attached hereto as **Exhibit A**.

2. [Base Rent] has been paid to the first day of the current month and all [Additional Rent] has been paid and collected in a current manner. There is no prepaid rent except $_____.

3. The amount of the security deposit delivered under the Lease is $_____, and such security deposit is held in the form of [cash/letter of credit].

4. [Base Rent] is currently payable in the amount of $ _____ per month, exclusive of Tenant's share of taxes and operating expenses. [Additional Rent] is currently payable in the amount of $ _____ per month. The Base Rent will increase to $_____ on _____.

5. The Lease [commenced on _____, ___ and] terminates on _____, 20__, unless sooner terminated in accordance with the terms of the Lease.

6. Tenant has no options to extend the term of the Lease, except _____.

7. Tenant has accepted possession and is in occupancy of the Premises.

8. There are no defaults on the part of Landlord under the Lease, and there are no events currently existing that would, with the lapse of time or the giving of notice or both, give Tenant the right to cancel or terminate the Lease. To Tenant's knowledge, Tenant has no defense as to its obligations under the Lease and no charge, lien, claim, or set-off against Landlord or otherwise. All conditions of the Lease to be performed by Landlord and necessary to the enforceability of the Lease have been satisfied, except _____.

9. Tenant is not entitled to any rent concessions, rebates or abatements (including any unpaid allowance or other contribution for improvements to the Premises), except as follows: _____.

10. Tenant has no right or option pursuant to the said Lease or otherwise to purchase all or any part of the Premises or the building of which the Premises are a part. Tenant has no right or option pursuant to the said Lease or otherwise to lease any additional space in the building of which the Premises are a part, except as set forth in the Lease.

11. Tenant has not assigned, transferred, or otherwise encumbered its interest under the Lease, or subleased or licensed any portion of the Premises, except _____.

12. There are no actions pending against Tenant or any guarantor of Tenant's obligations under the Lease pursuant to the bankruptcy or insolvency laws of the United States or any state.

13. Tenant represents and warrants that is has not used, generated, released, discharged, stored or disposed of any hazardous waste, hazardous substances, toxic waste, toxic substances or related materials (collectively, "**Hazardous Materials**") on, under, in or about the Premises, or transported any Hazardous Materials to or from the Premises, other than Hazardous Materials used in the ordinary and commercially reasonable course of Tenant's business in compliance with all applicable laws.

14. The statements contained herein may be relied upon by the Landlord and by any actual or prospective purchaser of the property of which the Premises is a part (including County) and its lenders and each of the foregoing's successors and assigns.

15. Each statement describing the Lease and the Premises set forth above is accurate.

16. There are no other agreements written or oral between the undersigned and the Landlord with respect to the Lease and/or the Premises and building.

17. Signature to this Tenant Estoppel Certificate if transmitted by e-mail, facsimile, .pdf or other electronic imaging shall be valid and effective to bind Tenant.

If a blank in this document is not filled in, the blank will be deemed to read "none."

If Tenant is a corporation or other entity, the undersigned signatory is duly appointed officer or other signatory and has the authority to bind the Tenant.

[*signature on next page*]

Tenant declares under penalty of perjury that the foregoing is true and correct to its actual knowledge.

Dated this _____ day of _____, 20___.

TENANT

_____,
a _____

By: _____
Name:
Its:

Exhibit A (to Form of Tenant Estoppel)

Lease

Schedule 3A

(Due Diligence Items Delivered)

LICENSE AGREEMENT

This License Agreement (this "**License**") is effective as of _____ (the "**Effective Date**"), by and between COUNTY OF LOS ANGELES, a body corporate and politic ("**Licensor**"), and INCLUSIVE ACTION FOR THE CITY, a California nonprofit public benefit corporation ("**Licensee**"). Each of Licensor and Licensee are sometimes referred to herein individually as a "**Party**" and collectively as the "**Parties**."

RECITALS

A. Licensor is the owner of certain real property located at 900 Fair Oaks Avenue in the City of South Pasadena, County of Los Angeles, State of California, consisting of approximately 26,808 square feet of land, as more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "**Property**").

B. Licensor and Licensee are parties to that certain Consultant Services Agreement dated May 3, 2024 (the "**Services Agreement**"), pursuant to which Licensee is providing certain services to assist Licensor in identifying, acquiring and facilitating the development of real property with affordable housing.

C. Pursuant to the Services Agreement, the Parties desire to enter into this License for the maintenance and security of the Property upon the terms and conditions set forth herein.

NOW, THEREFORE, for and in consideration of the foregoing Recitals, which are hereby incorporated into this License as if set forth in full herein and deemed a contractual part hereof, the mutual promises, covenants, and conditions set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto and each of them do agree as follows:

1. GENERAL PROVISIONS.

1.1 Licensor hereby grants to Licensee a license to enter upon and do the following on the Property:

(a) Licensee may enter into one or more parking agreement(s) with County-approved vendors and sublicensees for the use of the Property as a revenue generating public parking lot. Prior to entering into said parking agreement(s) Licensee shall provide County with the name and contact information for their proposed parking vendor(s) for County's approval. County shall approve or deny said parking vendor(s) and sublicensees within ten (10) business days.

(b) Licensee agrees that any and all net revenues remaining after applying any revenues generated by a parking agreement to the payment expenses incurred by Licensee attributable to the operations and management of the Property (including without limitation, costs of insurance, security and reasonable overhead costs incurred by Licensee) shall be remitted to the County on a quarterly basis. Any such payments shall be delivered to the County by certified check made payable to the County of Los Angeles within thirty (30) days of the end of any applicable quarter at the address shown in Section 10 of this License, or to any other address to be provided by the County, and will include a breakdown of the monthly revenue collected by Licensee for the Property along with any expenses for the operation and maintenance of the

Property. Said payment received will be deposited by County into the Affordable Housing Programs Budget.

(c) Licensee shall keep and maintain the Property in a clean, neat, sanitary graffiti-free, and sightly condition and repair, and commensurate with the conditions existing at the time this License is executed, pursuant to and in accordance with all Legal Requirements. As used in this License, the term "**Legal Requirements**" means all applicable federal, state and local laws, statutes, common law, codes, rules and regulations of any government authority have jurisdiction over the Property or the parties hereto.

(d) Licensee shall perform such landscaping, cutting and mowing of grass and weeds with respect to the Property as shall be reasonably required for the safe and uninterrupted use of the Property.

(e) Licensee shall furnish or provide services or utilities to the Property as shall be reasonably required for the safe and uninterrupted use of the Property and, without limiting the generality of the foregoing, as shall be required by any Legal Requirements.

(f) Licensee shall maintain and manage the Property, including, without limitation, repair, maintenance, demolition and/or removal in a manner and to an extent as Licensee deems necessary or appropriate in its commercially reasonable discretion, but in any event in a manner and to an extent that shall allow the safe, sanitary, secure and attractive maintenance of the Property in accordance with all Legal Requirements. Notwithstanding the foregoing, Licensee shall not be obligated to make any repairs or maintenance to the Property that are in the nature of capital improvements.

(g) Licensee shall hire security services and install security devices as Licensee determines to be commercially reasonably required for the safe and uninterrupted use of the Property.

(h) Licensee shall have the right, but not the obligation, to perform any of the foregoing maintenance and security activities itself or using such service providers, vendors or contractors as Licensee shall reasonably determine in accordance with the Services Agreement.

1.2 The Property shall be used only by Licensee, its officers, directors, owners, trustees, agents, assigns, employees, contractors, subcontractors, suppliers, service providers, vendors, materialmen, invitees or any other person or entity involved in any manner in the exercise of the rights under this License (collectively, the "**Licensee Parties**") for the purpose of its maintenance and security as provided herein, for due diligence study of the Property, to meet its obligations under the Services Agreement and for such related and incidental purposes or activities as are related thereto.

1.3 Licensee shall use, and shall cause Licensee Parties to use, the Property in compliance with all Legal Requirements. In addition, Licensee covenants and agrees that it will not, and will use reasonable efforts to not allow any Licensee Party to commit waste, loss or damage to the Property.

2. TERM.

The term of this License (the "**Term**") shall commence on the date that Licensor delivers

the Property to Licensee following Licensors closing on the acquisition of the Property (the "**Commencement Date**"), and shall terminate two years thereafter, but no later than January 1, 2029 (the "**Termination Date**"), unless sooner terminated by the Parties in accordance with the terms of this License.

Licensee shall have two one-year options to extend this License, subject to County approval. Prior to exercising each option, Licensee shall notify County in writing no less than 60 days prior to the Termination Date with their written request to exercise their option. County shall notify Licensee no later than 15 business days prior to the Termination Date if Licensee's one year option is approved.

3. CANCELLATION.

Either Party shall have the right to terminate this License for any reason, by providing the non-terminating Party with sixty (60) days' prior written notice.

4. UTILITIES; SERVICES.

Licensee shall be solely responsible for all utilities and services associated with the use and operation of the Property.

5. TAXES.

The interest (as defined in California Revenue and Taxation Code Section 107) in the Property created by this License may be subject to property taxation if created. The party in whom any such property interest is vested may be subject to the payment of the property taxes levied on the interest.

Licensee shall pay, prior to delinquency, all increases in lawful taxes, assessments, special assessments, fees, and/or charges that may, during the Term, be levied or assessed against the Property arising solely as a result of Licensee's specific use or operation of the Property during the Term, or as a result of any improvements made by Licensee to the Property during the Term.

6. INDEMNIFICATION.

6.1 Licensee shall indemnify, defend, and hold harmless the Licensor, from and against any and all liability, loss, injury or damage including (but not limited to) demands, claims, actions, fees, costs and expenses (including attorney and expert witness fees), arising from or connected with or relating to this License, except for such loss or damage arising from the sole negligence or willful misconduct of the County Indemnitees.

7. INSURANCE.

Licensee shall, at its sole cost and expense, obtain and maintain in effect at all times during the Term, insurance required by Licensor, in the amount and coverages specified in and issued by insurance companies as described in Exhibit B. Licensee shall report to Licensor any accident or incident relating to Licensee's entry that involves injury or property damage which may result in the filing of a claim or lawsuit against Licensee and/or Licensor in writing within three (3) business days of occurrence.

8. SEVERABILITY.

In the event that any provision herein contained is held to be invalid, void, or illegal by any court of competent jurisdiction, the same shall be deemed severable from the reminder of this License and shall in no way affect, impair or invalidate any other provision contained herein. If any such provision shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

9. WAIVER.

No breach of any provision hereof can be waived unless in writing. Waiver of any one breach of any provision shall not be deemed to be a waiver of any breach of the same or any other provision hereof.

10. ADDRESS FOR NOTICES.

Any notice required to be given under the terms of this License or any law applicable thereto may be addressed to the respective party as follows:

To Licensor:
County of Los Angeles
Chief Executive Office-Real Estate Division
555 West Fifth Street, 36th Floor
Los Angeles, CA 90013
Attn: Joyce L. Chang, Senior Manager

AND

County of Los Angeles
Homeless Services and Housing
320 W. Temple St., 7th Floor
Los Angeles, CA 90013
Attn: Vani Dandillaya

To Licensee:

Inclusive Action for the City
2900 E Cesar E Chavez Ave,
Los Angeles, CA 90033
Attention: Austin Pritzkat-Jackson
Email: austin@inclusiveaction.org

With a copy to: Somos Law Group
304 South Broadway, Suite 350
Attn: Tetlo Emmen, Esq.
Email: Tetlo@somosgroup.org

Any payment required to be made by Licensee under the terms of this License may be addressed to the respective party as follows:

County of Los Angeles
Auditor-Controller, Administrative Services,
500 West Temple Street, Room 603
Los Angeles, California 90012
Attn: Franchise/Concessions Section

11. ENTIRE AGREEMENT.

This License constitutes the entire agreement between the Parties relating to the subject matter of this License, and supersedes any prior understanding whether oral or written and may be modified only by further written agreement between the Parties hereto. The non-enforceability, invalidity, or illegality of any provision of this License shall not render the other provisions thereof unenforceable, invalid, or illegal.

12. AUTHORITY.

12.1 Licensee. Each individual executing this License on behalf of Licensee represents and warrants that he or she is duly authorized to execute and deliver this License on behalf of Licensee, and that this License is binding upon Licensee in accordance with its terms.

12.2 Licensor. Each individual executing this License on behalf of Licensor represents and warrants that he or she is duly authorized to execute and deliver this License on behalf of Licensor, and that this License is binding upon Licensor in accordance with its terms.

13. INTERPRETATION.

Each Party hereto acknowledges that all Parties hereto have participated equally in the drafting of this License and that accordingly, no court construing this License shall construe it more stringently against one Party than the other.

14. FURTHER ASSURANCES.

Each Party agrees that it will execute and deliver such other documents and take such other action as may be reasonably requested by the other Party to effectuate the purposes and intention of this License.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties hereto have executed this License as of the date first written above.

LICENSOR:

COUNTY OF LOS ANGELES,
a body corporate and politic

JOSEPH M. NICCHITTA
CHIEF EXECUTIVE OFFICER

By: _____
John T. Cooke
Assistant Chief Executive Officer

ATTEST:

DEAN C. LOGAN
Registrar-Recorder\County Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DAWYN R. HARRISON,
County Counsel

By: _____
Amy Cooper, Deputy County Counsel

LICENSEE:

INCLUSIVE ACTION FOR THE CITY,
a California nonprofit public benefit corporation

By: _____
Rudy Espinoza
Chief Executive Officer

EXHIBIT A

Legal Description of the Property

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOTS 6, 7 AND 8 IN BLOCK "F" OF THE RAYMOND VILLA TRACT NO. 1, IN THE CITY OF SOUTH PASADENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 1 PAGE 91 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 5318-015-017

EXHIBIT B

Insurance Requirements

GENERAL INSURANCE PROVISIONS - LICENSEE REQUIREMENTS

Without limiting the Licensee's indemnification of Licensor and during the term of this License, and until all of its obligations pursuant to this License have been met, Licensee shall provide and maintain at its own expense insurance coverage satisfying the requirements specified in this License. These minimum insurance coverage terms, types and limits (the "**Required Insurance**") also are in addition to and separate from any other contractual obligation imposed upon Licensee pursuant to this License. The Licensor in no way warrants that the Required Insurance is sufficient to protect the Licensee for liabilities, which may arise from or relate to this License.

A. **Evidence of Coverage and Notice to Licensor**

- Certificate(s) of insurance coverage ("**Certificate**") satisfactory to Licensor, and a copy of an Additional Insured endorsement confirming Licensor and its Agents (defined below) has been given Insured status under the Licensee's General Liability policy, shall be delivered to Licensor at the address shown below and provided prior to the start day of this License.

- Renewal Certificates shall be provided to Licensor not less than 10 days prior to Licensee's policy expiration dates. The Licensor reserves the right to obtain complete, certified copies of any required Licensee insurance policies at any time.

- Certificates shall identify all Required Insurance coverage types and limits specified herein, reference this License by name or number, and be signed by an authorized representative of the insurer(s). The Insured party named on the Certificate shall match the name of the Licensee identified in this License. Certificates shall provide the full name of each insurer providing coverage, its National Association of Insurance Commissioners ("**NAIC**") identification number, its financial rating, the amounts of any policy deductibles or self-insured retentions exceeding twenty five thousand ($25,000.00) dollars, and list any Licensor required endorsement forms.

- Neither the Licensor's failure to obtain, nor the Licensor's receipt of, or failure to object to a non-complying insurance certificate or endorsement, or any other insurance documentation or information provided by the Licensee, its insurance broker(s) and/or insurer(s), shall be construed as a waiver of any of the Required Insurance provisions.

- Certificates and copies of any required endorsements, notices of cancellation shall be delivered to:

County of Los Angeles
Chief Executive Office
Real Estate Division
320 West Temple Street
7th Floor Los Angeles, CA 90012

Licensee also shall promptly notify Licensor of any third-party claim or suit filed against Licensee, which arises from or relates to this License, and could result in the filing of a claim or lawsuit against Licensee and/or Licensor.

B. **Additional Insured Status and Scope of Coverage**

The Licensor, which is the County of Los Angeles, its Special Districts, Elected Officials, Officers, Agents, Employees and Volunteers (collectively County and its Agents), shall be provided additional insured status under Licensee's General Liability policy with respect to liability arising from or connected with the Licensee's acts, errors, and omissions arising from and/or relating to the Licensee's operations on and/or its use of the Premises.

Licensor's additional insured status shall apply with respect to liability and defense of suits arising out of the Licensee's acts or omissions, whether such liability is attributable to the Licensee or to the Licensor. The full policy limits and scope of protection also shall apply to the Licensor as an additional insured, even if they exceed the Licensor's minimum Required Insurance specifications herein. Use of an automatic additional insured endorsement form is acceptable providing it satisfies the Required Insurance provisions herein.

C. **Cancellation of Insurance**

Except in the case of cancellation for non-payment of premium, Licensor's insurance policies shall provide, and Certificates shall specify, that Licensor shall receive not less than thirty (30) days advance written notice by mail of any cancellation of the Required Insurance. Ten (10) days prior notice may be given to Licensor in event of cancellation for non-payment of premium.

D. **Failure to Maintain Insurance**

Licensee's failure to maintain or to provide acceptable evidence that it maintains the Required Insurance shall constitute a material breach of the License, upon which County immediately may suspend or terminate this License. County, at its sole discretion, may obtain damages from Licensee resulting from said breach. Alternatively, the County may purchase the Required Insurance and without further notice to Licensee, pursue Licensee reimbursement.

Use of the Property shall not commence until Licensee has complied with the insurance requirements, and shall be suspended during any period that Licensee fails to maintain said policies in full force and effect.

E. **Compensation for County Costs**

In the event that Licensee fails to comply with any of the indemnification or insurance requirements of this License, and such failure to comply results in any costs to County, Licensee shall pay full compensation for all reasonable costs incurred by County.

F. **Insurer Financial Ratings**

Insurance is to be provided by an insurance company authorized to do business in California and acceptable to the Licensor, with an A.M. Best rating of not less than A:VII, unless otherwise approved by the Licensor.

G. Licensee's Insurance Shall Be Primary

Licensee's insurance policies, with respect to any claims related to this License, shall be primary with respect to all other sources of coverage available to Licensor. Any Licensor maintained insurance or self-insurance coverage shall be in excess of and not contribute to any Licensee coverage.

H. Waiver of Subrogation

To the fullest extent permitted by law, the Licensee hereby waives its and its insurer(s) rights of recovery against Licensor under all required insurance policies for any loss arising from or related to this License. The Licensee shall require its insurers to execute any waiver of subrogation endorsements, which may be necessary to affect such waiver.

I. Deductibles and Self-Insured Retentions (SIRs)

Licensee's policies shall not obligate the Licensor to pay any portion of any Licensee deductible or SIR. The Licensor retains the right to require Licensee to reduce or eliminate policy deductibles and SIRs as respects the Licensor, or to provide a bond guaranteeing Licensee's payment of all deductibles and SIRs, including all related claims investigation, administration and defense expenses. Such bond shall be executed by a corporate surety licensed to transact business in the State of California.

J. Claims Made Coverage

If any part of the Required Insurance is written on claims made basis, any policy retroactive date shall precede the start date of this License. Licensee understands and agrees it shall maintain such coverage for a period of not less than three (3) years following License expiration, termination or cancellation.

K. Application of Excess Liability Coverage

Licensee may use a combination of primary and excess insurance policies which provide coverage as broad as ("follow form" over) the underlying primary policies, to satisfy the Required Insurance provisions.

L. Separation of Insureds

All liability policies shall provide cross-liability coverage as would be afforded by the standard ISO (Insurance Services Office, Inc.) separation of insureds provision with no insured versus insured exclusions or limitations.

III. INSURANCE COVERAGE TYPES AND LIMITS

A. **Commercial General Liability insurance** (providing scope of coverage equivalent to ISO policy form CG 00 01), naming Licensor and its Agents as an additional insured, with limits of not less than:

General Aggregate:	$ 2 million
Products/Completed Operations Aggregate:	$ 1 million
Personal and Advertising Injury:	$ 1 million
Each Occurrence:	$ 1 million

B. **Automobile Liability insurance** (providing scope of coverage equivalent to ISO policy form CA 00 01) with limits of not less than $1 million for bodily injury and property damage, in combined or equivalent split limits, for each single accident. Insurance shall cover liability arising out of Licensee's use of autos pursuant to this License, including owned, leased, hired, and/or non-owned autos, as each may be applicable.

C. **Workers Compensation and Employers' Liability insurance** or qualified self- insurance satisfying statutory requirements, which includes Employers' Liability coverage with limits of not less than $1 million per accident. If applicable to Licensee's operations, coverage also shall be arranged to satisfy the requirements of any federal workers or workmen's compensation law or any federal occupational disease law.

D. **Commercial Property Insurance.** Such insurance shall:

- Provide coverage for Licensor's property and any improvements and betterments; this coverage shall be at least as broad as that provided by the Causes-of-Loss Special Form (ISO form CP 10 30), excluding earthquake and including flood and ordinance or law coverage.

- Be written for the full replacement cost of the property, with a deductible no greater than $250,000 or 5% of the property value, whichever is less. Insurance proceeds shall be payable to the Licensee and Licensor as their interests may appear.

E. **Crime Insurance.** A Fidelity Bond or Crime Insurance policy with limits of not less than $ 100,000.00 per occurrence. Such coverage shall protect against all loss of money, securities, or other valuable property entrusted by the County to Contractor, and apply to all of Contractor’s directors, officers, agents and employees who regularly handle or have responsibility for such money, securities or property. The County and its Agents shall be named as an Additional Insured and Loss Payee as its interests may appear. This insurance shall include third party fidelity coverage, include coverage for loss due to theft, mysterious disappearance, and computer fraud/theft, and shall not contain a requirement for an arrest and/or conviction.

PINK

BOARD OF SUPERVISORS
BA FORM 04162026 OFFICIAL COPY

September 29, 2026

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

DEPARTMENT OF CHIEF EXECUTIVE OFFICER

AUDITOR-CONTROLLER:

THE FOLLOWING APPROPRIATION ADJUSTMENT IS DEEMED NECESSARY BY THIS DEPARTMENT. PLEASE CONFIRM THE ACCOUNTING ENTRIES AND AVAILABLE BALANCES AND FORWARD TO THE CHIEF EXECUTIVE OFFICER FOR RECOMMENDATION OR ACTION.

ADJUSTMENT REQUESTED AND REASONS THEREFORE
FY 2026-27
3 - VOTES

SOURCES	USES
BA DETAIL - SEE ATTACHMENT PAGE 1	**BA DETAIL - SEE ATTACHMENT PAGE 1**
SOURCES TOTAL $ 9,651,000	**USES TOTAL $ 9,651,000**

JUSTIFICATION

Reflects the realignment of $6,411,000 of American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Funds (CLFRF) from various capital projects to enable the funding of ARPA CLFRF funded Land Bank Pilot Program via ARPA's revenue loss provisions for the purchase of property in South Pasadena. Also reflects the realignment of $3,240,000 of net County cost between two capital projects.

James Yun
Digitally signed by James Yun
Date: 2026.07.15 16:55:53 -07'00'

AUTHORIZED SIGNATURE JAMES YUN, MANAGER, CEO

BOARD OF SUPERVISOR'S APPROVAL (AS REQUESTED/REVISED)

REFERRED TO THE CHIEF EXECUTIVE OFFICER FOR---

☐ ACTION
☑ RECOMMENDATION

AUDITOR-CONTROLLER

BY Andrea Turner
Digitally signed by Andrea Turner
Date: 2026.07.15 17:13:03 -07'00'

B.A. NO. 011

DATE 7/15/26

☑ APPROVED AS REQUESTED
☐ APPROVED AS REVISED

CHIEF EXECUTIVE OFFICER

BY Matthew J. Diaz
Digitally signed by Matthew J. Diaz
Date: 2026.07.15 18:10:51 -07'00'

DATE 7/15/26

COUNTY OF LOS ANGELES

REQUEST FOR APPROPRIATION ADJUSTMENT

FY 2026-27

3 - VOTES

SOURCES		USES	
VARIOUS CAPITAL PROJECTS		VARIOUS CAPITAL PROJECTS	
LAND BANK PILOT PROGRAM SITE #1		**LAND BANK PILOT PROGRAM SITE #5**	
A01-CP-6006-65099-7A001		A01-CP-6006-65099-7A008	
CAPITAL ASSETS - LAND		CAPITAL ASSETS - LAND	
DECREASE APPROPRIATION	**493,000**	**INCREASE APPROPRIATION**	**6,411,000**
VARIOUS CAPITAL PROJECTS		VARIOUS CAPITAL PROJECTS	
LAND BANK PILOT PROGRAM SITE #2		**LAND BANK PILOT PROGRAM SITE #2**	
A01-CP-6006-65099-7A002		A01-CP-6006-65099-7A002	
CAPITAL ASSETS - LAND		CAPITAL ASSETS - LAND	
DECREASE APPROPRIATION	**2,982,000**	**INCREASE APPROPRIATION**	**3,240,000**
VARIOUS CAPITAL PROJECTS			
LAND BANK PILOT PROGRAM SITE #3			
A01-CP-6006-65099-7A006			
CAPITAL ASSETS - LAND			
DECREASE APPROPRIATION	**2,019,000**		
VARIOUS CAPITAL PROJECTS			
LAND BANK PILOT PROGRAM SITE #5			
A01-CP-6006-65099-7A008			
CAPITAL ASSETS - LAND			
DECREASE APPROPRIATION	**3,240,000**		
VARIOUS CAPITAL PROJECTS			
LAND BANK PILOT PROGRAM SITE #4			
A01-CP-6006-65099-7A007			
CAPITAL ASSETS - LAND			
DECREASE APPROPRIATION	**917,000**		
SOURCES TOTAL	**$ 9,651,000**	**USES TOTAL**	**$ 9,651,000**

Andrea Turner

Digitally signed by Andrea Turner
Date: 2026.07.15 17:12:38 -07'00'

BA 011 7/15/26

Enclosure E

2ND ADDENDUM

FINAL ENVIRONMENTAL IMPACT REPORT

CITY OF SOUTH PASADENA GENERAL PLAN AND DOWNTOWN SPECIFIC PLAN UPDATE & 2021–2029 HOUSING ELEMENT IMPLEMENTATION PROGRAMS (SCH NO. 2018011050)

AND EXEMPTIONS DOCUMENTATION

900 FAIR OAKS AVENUE PROJECT LOS ANGELES COUNTY LAND BANK PILOT PROGRAM SITE #5 LAND ACQUISITION AND AFFORDABLE HOUSING

Prepared for:
County of Los Angeles

Prepared by:
Sirius Environmental

July 2026

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Attachment

A. Homeless Emergency, Background Documentation

1. SUMMARY

The following document provides CEQA documentation for a proposed Pilot Land Banking project that includes a reasonably foreseeable affordable housing project to be located at 900 Fair Oaks Avenue in the City of South Pasadena. (Unless otherwise noted, references in this document to CEQA Guidelines are to the State CEQA Guidelines.) This document presents several paths for environmental review:

1. Addendum to the City of South Pasadena *General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs Final Environmental Impact Report* (State CEQA Guidelines Sections 15162, 15164 and 15168). The County has prepared an addendum tiering from the City's previously certified EIR and Addendum in order to confirm that the proposed 900 Fair Oaks Avenue project will not result in impacts that require preparation of subsequent environmental documentation under CEQA.
2. Statutory Exemption for a Project Consistent with a Specific Plan (Public Resources Code Section 21155.4 and CEQA Guidelines Section 15182) -- South Pasadena Downtown Specific Plan.
3. Statutory Exemption for a Project Consistent with a General Plan or Zoning (Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183) -- South Pasadena General Plan and Housing Element and City of South Pasadena Zoning.
4. Statutory Exemption for an Emergency Project (Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15269(c)).
5. Statutory Exemption based on Common Sense (CEQA Guidelines Section 15061(b)(3)) – for interim parking use on the site prior to construction of the reasonably foreseeable affordable housing project.
6. Categorical Exemption for interim parking use on the site (CEQA Guidelines Section 15301 – Class 1 Existing Facilities, CEQA Guidelines Section 15300.2 inapplicability of exceptions and Class 1 of the County of Los Angeles Environmental Document Reporting Procedures and Guidelines).

This document includes the following sections:

- Section 1 Summary provides an overview of the document to follow.
- Section 2 Background provides an overview of housing issues in the City of Pasadena and recent state law regarding housing and summarizes the 2023 Final Environmental Impact Report prepared for the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs including the Findings of Fact, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program and also summarizes Addendum #1 to the 2023 Final EIR that addresses zoning updates to reflect the land use changes in the General Plan, Downtown Specific Plan and 2021 – 2029 Housing Element.
- Section 3 Addendum presents the basis for an addendum to the *General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs Final Environmental Impact Report*
- Section 4 evaluates each of the applicable exemptions.
- Section 5 presents a description of the City of South Pasadena General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs as well as the reasonably foreseeable 900 Fair Oaks Avenue Project. This entire project description is the basis of the Addendum to the 2023 Final EIR as well as for the statutory exemptions pursuant to Public Resources Code Sections 21155.4 and 21083.3 and CEQA Guidelines Sections 15182 and 15183. The

description of the reasonably foreseeable 900 Fair Oaks Avenue project applies to the emergency project exemption. The description of the potential interim parking use applies to the Class 1 categorical exemption and the common sense exemption.

- Section 6 compares impacts of the 900 Fair Oaks Avenue project to those identified in the 2023 Final Program EIR. This impact comparison is applicable to the Addendum documentation (CEQA Sections 15162, 15164 and 15168) as well as the Statutory Exemptions pursuant to CEQA Guidelines Section 15182 – Consistency with a Specific Plan and 15183 – Consistency with a General Plan or Zoning (and their corresponding Public Resources Code Sections 21155.4 and 21083.3).
- Section 7 identifies the Lead Agency and Report Author.

2. INTRODUCTION TO ADDENDUM AND EXEMPTION DOCUMENTATION

A. Background

Context

The City was the subject of a Court Order[1] to bring its Housing Element into compliance with State housing law, pursuant to Government Code Section 65754. In April 2022, a lawsuit was filed alleging that the City was in violation of State Planning Law because the City had not adopted a 6th Cycle Housing Element by the State's statutory deadline of October 15, 2021. In August 2022, a Court Order was entered on the lawsuit requiring certain actions by the City within certain time period to bring the Housing Element into compliance with Section 65754 of the Government Code. As part of this Court Order, environmental documentation pursuant to Government Code Section 65759(a) et. seq. (which is separate from the CEQA process) was prepared and consisted of an Initial Study and Environmental Assessment (EA). To comply with the Court, Order the Housing Element had to be completed before May 31, 2023. On May 16, 2023, the City received a letter from the California Department of Housing and Community Development (HCD) stating that the revised Housing Element (dated May 5) was found to be compliant with State housing law. On March 17, 2023, the Planning Commission considered the Housing Element, Initial Study, and EA, among other documentation, and adopted a resolution recommending the City Council adopt the EA and approve the Housing Element. On May 30, 2023, the City the Council adopted the EA and approved the 2021–2029 Housing Element. Subsequently zoning code updates were adopted to reflect the Housing Element and the General Plan and Downtown Specific Plan Update.

In addition to City actions to update their planning documents, state law has been changed over time to facilitate development of housing in particular development of affordable housing. For projects that are 100% affordable (excluding a managers unit) and located within ½ mile of a major transit stop, State Density Bonus law (AB 1763 [2019] and AB 2345 [2020]) allows unlimited density and allowable heights to be increased by up to three stories or 33 feet; in addition, no parking is required. Additional incentives -- increased FAR, setback reductions, and other ministerial standard concessions are also available for affordable housing projects.

Further, SB 79 (Government Code Section 65912.155 through 65912.162.1), which generally goes into effect July 1, 2026, identifies additional development standards within 0.5 miles of "transit-oriented development (TOD) stops" on land zoned for residential, mixed, or commercial uses. Specifically, the bill provides guaranteed height, floor area ratio (FAR), and density standards for multi-family housing to encourage five to nine-story developments near transit. In some areas, including within the DTSP planning area, State Density Bonus Law together with existing zoning already allow for more height and density than SB 79. SB 79 imposes affordability requirements for projects with more than 10 units and labor requirements for buildings over 85 feet tall. Implementation of SB 79 is not expected to result in substantial new environmental impacts since it generally helps facilitate housing units that could already be constructed in areas that allow residential uses. SB 79 supports the build-out of the City of South Pasadena's RHNA in areas where development is anticipated, as discussed and analyzed in the applicable environmental documents that address City of South Pasadena planning and zoning actions (see discussion below), and will not generate development not already contemplated in these documents.

[1] Stipulated Judgment (*Californians For Homeownership V. City of South Pasadena, LASC Case Nos. 22STCP01388 & 22STCP01161*).

2023 Final Program EIR

The City of South Pasadena, City Council, acting on behalf of the City of South Pasadena certified on September 27, 2023, the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs Final Program Environmental Impact Report (2023 Final Program EIR), State Clearinghouse Number 2018011050. The 2023 Final Program EIR which consists of the Draft EIR and Appendices dated July 2023, and the Final Program EIR, including Responses to Comments and Clarifications and Revisions, dated September 2023, and found that the Final EIR was completed in compliance with the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] Section 21000, et seq.). The City Council certified that it received, reviewed, and considered the information contained in the 2023 Final Program EIR. At the time of certification, the City Council adopted a Mitigation Monitoring and Reporting Program, Findings of Fact and a Statement of Overriding Considerations.

The 2023 Final Program EIR analyzed the General Plan (GP) and Downtown Specific Plan (DTSP) Update & 2021 – 2029 Housing Element Implementation Programs (HEIP). The City Council determined, based on the 2023 Final Program EIR, that the GP and DTSP & HEIP would have the following types of impacts (where construction and operational impacts are not separately discussed the impacts are the same for each):

- No impacts: agriculture and forestry resources and mineral resources.

- Less than significant, no mitigation required: aesthetics (scenic vistas, scenic resources, light and glare), air quality (CO hotspots; odors), biological resources (movement of native fish and wildlife, wildlife corridors; local policies and ordinances protecting biological resources; habitat conservation plans), cultural and tribal cultural resources (human remains), energy (efficiency, obstruct state or local plans), geology and soils (risk related to earthquakes; soil erosion, unstable geological unit, expansive soils, septic systems), greenhouse gas emissions (conflict with plans), hazards and hazardous materials (transport, schools, airport land use, interfere with emergency evacuation planning, wildland fires), hydrology and water quality (water quality standards, decrease groundwater, interfere with drainage, flood hazard and tsunami, obstruct water quality control plan), land use and planning (physically divide community, conflict with land use plan), noise (operational traffic, airport noise), population and housing (induce indirect unplanned growth, displacement), public services and recreation (fire, police, schools, parks, other; use of recreational facilities, construction of recreational facilities), transportation (operational conflict with plans, consistency with VMT regulations, geometric design hazards, emergency access), utilities and service systems (expanded water or wastewater facilities; water supplies; solid waste), wildfire.

- Impacts for which mitigation measures will reduce project impacts to less-than-significant levels: air quality (sensitive receptors), biological resources (sensitive species; riparian and sensitive habitats; wetlands; nursery sites), cultural and tribal resources (archeological resources, tribal cultural resources), geology and soils (paleontological resources), hazards and hazardous materials (release of hazardous materials; hazardous sites), noise (interior operational noise levels; operational stationary sources; construction and operational groundborne vibration and noise).

- Impacts for which mitigation measures will reduce impacts, but not feasibly or effectively to less-than-significant levels (significant and unavoidable): aesthetics (visual character), air quality (consistency with air quality management plan; cumulative criteria pollutants), cultural resources (historic), greenhouse gas emissions (emissions), noise (construction; on-site transportation noise), population and housing (direct unplanned population growth – SCAG forecast due to RHNA).

The Board approval package for the 2023 Final Program EIR included a Mitigation Monitoring and Reporting Program (MMRP), the CEQA Findings and Facts in Support of Findings for the Final EIR (Findings), and a Statement of Overriding Considerations.

Mitigation Monitoring and Reporting Plan

The MMRP, prepared pursuant to PRC Section 21081.6 and State CEQA Guidelines Section 15097, identified the implementation phase for each mitigation measure in the 2023 Final Program EIR (generally: prior to building permit, pre- construction, during construction); the implementation party (the City of South Pasadena or the Applicant/Developer) and the responsible party (South Pasadena Community Development Department in all cases).

CEQA Findings and Facts

The 2023 City Council approval included the Findings, pursuant to PRC Section 21081 and State CEQA Guidelines Section 15091. This document provided specific information regarding the significant environmental effects associated with the GP and DTSP & HEIP. The City of South Pasadena Findings comply with the CEQA requirement that one of three possible findings be identified, and that rationale be provided for each finding:

1. Changes or alterations were required in, or incorporated into, the project that avoided or substantially lessened the significant environmental effect as identified in the Final EIR.

2. Such changes or alterations were within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes were adopted by such other agency or could and should be adopted by such other agency.

3. Specific economic, legal, social, technological, or other considerations, including provision for employment opportunities for highly trained workers, made infeasible the mitigation measures or project alternatives identified in the Final EIR.

The Findings document 1) provides evidence to support each finding, 2) identifies significant effects that cannot be mitigated to below the level of significance, and 3) provides findings for each of the alternatives considered in the 2023 Final Program EIR. The Findings identified unmitigated significant adverse impacts: aesthetics (visual character), air quality (consistency with air quality management plan; cumulative criteria pollutants), cultural resources (historic), greenhouse gas emissions (emissions), noise (construction; on-site transportation noise), population and housing (direct unplanned population growth – SCAG forecast due to RHNA). Feasible mitigation measures were identified to reduce effects to levels considered less than significant: air quality (sensitive receptors), biological resources (sensitive species; riparian and sensitive habitats; wetlands; nursery sites), cultural and tribal resources (archeological resources, tribal cultural resources), geology and soils (paleontological resources), hazards and hazardous materials (release of hazardous materials; hazardous sites), noise (interior operational noise levels; operational stationary sources; construction and operational groundborne vibration and noise).

Statement of Overriding Considerations

Effects that could not be reduced to less-than-significant levels were addressed in the Statement of Overriding Considerations. For these significant and unavoidable impacts identified in the Findings the City Council found that the benefits provided to the public outweigh the identified significant adverse environmental impacts and that each of the benefits separately and individually outweighs the

unavoidable adverse environmental effects identified in the 2023 Final Program EIR and therefore found those impacts to be acceptable.

The Statement of Overriding Considerations identified the following specific benefits the City Council considered in its decision to approve the project:

- **Comprehensive Update:** The current General Plan was last updated and adopted by the City in 1998. The General Plan Update presents an opportunity to re-evaluate the City's values; address broader issues; and respond to the changing economic, environmental, legal, and social settings. The update was developed with extensive public input and participation and better articulates the City's vision for ultimate development. The General Plan Updates include goals of protecting the characteristics that make South Pasadena a desirable place to live, reflect an understanding of current community goals, address continued growth pressures in the San Gabriel Valley and the demand for more diverse mobility and housing choices; and respond to evolving regional and environmental issues.

- **Citywide Vision:** The General Plan Update reflects the collective vision of residents, business owners, stakeholders, community groups, City staff and leaders, and was developed with the following guiding principles (these principles are identified as the project objectives in the 2023 Final Program EIR):

    - Provide sufficient capacity for housing development in compliance with State policy mandates. Address the shortage of housing for lower-income households and promote an inclusive residential environment that welcomes all people into the community.
    - Preserve natural areas, enhance parks and open spaces to provide enriching recreational opportunities and ensure access to those spaces for people of all ages and abilities.
    - Attract and retain high value, high-wage jobs within the creative sector, diversify the local economy, promote and support local businesses, increase local tax base to help fund vital public services.
    - Direct new growth to the downtown area along Mission Street and Fair Oaks Avenue, as well as opportunity sites such as the Ostrich Farm District, while ensuring the continued character of existing residential areas.
    - Develop clear and precise standards that offer predictable outcomes and processes.
    - Encourage pedestrian-oriented mixed-use development, while providing new and enhancing existing public spaces and gathering places, creating vibrant cultural hubs that weave creative expression into everyday life.
    - Provide safe access for all street users—pedestrians, cyclists, public transit users, and motorists—of all ages and abilities. Support an integrated multi-modal network and efficiently manage parking to support wider community goals.
    - Increase individual, institutional, and business capacity to survive and adapt to any chronic stress or acute shocks and be able to recover and thrive.
    - Create environments that encourage safe and healthy lifestyles and maximize the opportunities for physical activity. Design the public and semi-public realm to foster social interaction and develop good programming to draw people out of their homes and into the community.
    - Create a vibrant cultural center by weaving creative expressions into everyday life.

  These principles are embodied by the proposed General Plan Update and would improve livability and the quality of life of all residents, businesses, employees and visitors in South Pasadena.

- **Land Use Compatibility:** The Land Use Policy Map in the General Plan Update preserves the City's established low density residential neighborhoods by designating these areas to reflect existing development densities. Future development and redevelopment are also anticipated and promoted in specific focus areas which would benefit from redevelopment, revitalization and new investment through changes in existing land uses or increases in densities/intensities.

  Specifically, the General Plan Update establishes the Downtown Specific Plan which outlines a vision for the transformation of an approximately 20-block area of Downtown South Pasadena focused on Fair Oaks Avenue and Mission Street. Over the past decades, even though Fair Oaks Avenue has remained economically alive, it has seen significant decline in its quality of place due to sprawl buildings and poor landscape. Mission Street by contrast has retained its historic character particularly around the Metro A Line Station, and new infill along with successful retail businesses have made it one of the most important destinations in the city. The DTSP vision identifies a series of distinct planning strategies to guide the social and economic future of Fair Oaks and Mission Street, for the benefit of the community.

- **Economic Stability:** The Our Prosperous Community Chapter responds to the City's need to maintain and enhance the fiscal health of the local economy, and to support uses that provide high-quality jobs, generate tax revenues, and diversify South Pasadena's tax base. By allowing mixed use developments and increased intensities in the City's downtown area, commercial districts and near the METRO A Line station in the Land Use Policy Map, the City would sustain a resilient and thriving local economy, as well as protect its employment base.

- **Open Space Protection:** The General Plan Update preserves the open space resources in the City by designating these areas as Preserves and Parks and Open Spaces. These designations would preclude any future development in parks, drainage channels, and public recreational facilities and promote long-term protection of these areas for open space.

- **Housing Needs:** The Housing Element was developed to meet the City's existing and future housing needs, as defined by the Regional Housing Needs Allocation. The update also increases housing opportunities in the City and promotes the development of Accessory Dwelling Units, mixed-use development and multi-family development in commercial areas and the redevelopment of under-utilized property in existing multi-family zones to the current housing stock. It also seeks to protect existing residents in rental properties through the creation of a comprehensive series of Tenant Protection Programs.

  Specifically, the Project will implement various programs set forth in the City's adopted Housing Element, including, but not limited to:

  - *Program 2.e - Facilitate Density Bonus for Projects with On-site Affordable Housing* by updating the City's density bonus ordinance
  - *Program 2.h - Incentivize Special-Needs Housing* by updating zoning ordinance to address the Employee Housing Act
  - *Program 2.m – Update Inclusionary Housing Regulations* to adjust program requirements
  - *Program 3.a - Rezone and Redesignate Sites to Meet RHNA*
  - *Program 3.b - Mixed-Use Developments and Adaptive Re-Use* to establish mixed- use standards in the DTSP area.
  - *Program 3.n – Zoning Changes*

- **Sustainability:** The General Plan Update responds to regional concerns for resource protection and environmental sustainability by promoting mixed use developments, alternative transportation systems, higher density/intensity uses near the rail station, energy and water conservation, solid waste reduction, and vehicle trip reduction. Goals and policies in the Our Accessible Community, Our Well Planned Community and Our Resilient Community chapters, along with the implementation actions for these goals and policies would create a more sustainable community in South Pasadena for the benefit of existing and future residents.

Prior Addendum (2025 Addendum)

Following voter approval of Measure SP in the November 2024 election (repealing a 1983 ballot initiative restriction on building heights), in July 2025 the City of South Pasadena prepared an Addendum to the 2023 Final Program EIR to address amendments to the General Plan and zoning (amendments to two General Plan Elements -- Land Use Element and the Housing Element; amendments to the DTSP and zoning including South Pasadena Municipal Code Chapter 36). The amendments slightly reduced the density in areas within the DTSP (the National Register Historic District and Mission Street West of Orange Grove from 70 dwelling units (du)/acre to 50 du/acre, and Fair Oaks - Downtown from 110 du/acre to 90 du/acre), increase residential density at certain large congregational and private school sites to 50 du/acre, and reduce the area in the RM zone covered by the Housing Overlay Zone, while increasing heights in zoning districts with densities of more than 50 du/acre and in all districts within the DTSP. The 2025 Addendum indicated:

> *Based on … the information contained in this Addendum, there is no evidence that the proposed project requires major changes to the PEIR. Comparison of the previous project with the proposed Amendments project indicates that there are no significant new environmental impacts associated with implementation of Amendments. In addition, there is no substantial evidence that the circumstances under which the project is undertaken have substantially changed and there is no evidence of new or more severe environmental impacts arising out of the Amendments to the policy documents. The Amendments to these policy documents are considered in the same context of compliance with the City's Regional Housing Needs Assessment (RHNA), as it has been allocated to require planning for additional housing development amid a statewide housing shortage.*

B. Purpose of this Addendum and Exemption Documentation

The purpose of this second Addendum to the 2023 Final Program EIR is to provide analysis and to document that the reasonably foreseeable 900 Fair Oaks Avenue residential project would not result in substantial changes to impacts identified in the 2023 Fian Program EIR. This 2nd Addendum evaluates impacts of the reasonably anticipated development, per the description provided in this document, as well as the circumstances under which development would occur to document that 1) there are no new significant environmental impacts that were not identified in the original 2023 Final Program EIR, and that 2) impacts would not be more severe. This document has been prepared in accordance with CEQA, specifically State CEQA Guidelines (Title 14, Cal. Code Regs., 15000 et seq.) Sections 15162, 15164 and 15168.

This documentation also presents and analyzes the applicable statutory exemptions:

- Public Resources Code Section 21155.4 and CEQA Guidelines Sections 15182 – Projects Consistent with a Specific Plan.
- Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 – Projects Consistent with a General Plan or Zoning.

- Public Resources Code Section 21080(b) and CEQA Guidelines Section 15269 – Emergency Project.
- CEQA Guidelines Section 15061(b)(3) -- Common Sense Exemption applicable to an interim parking use.
- CEQA Guidelines Section 15301 – Existing Facilities categorical exemption with respect to the proposed is also applicable with respect to the interim parking use.

While no specific proposed development has been confirmed, this document describes and analyses a reasonably foreseeable affordable residential project to be located at 900 Fair Oaks Avenue in the City of South Pasadena. It is anticipated that the overall General Plan Update, Downtown Specific Plan and 2021 – 2029 Housing Element Implementation Programs will continue to be undertaken as anticipated in the 2023 Final Program EIR. **Section 3** of this document presents and analyzes the components of the 2nd Addendum to the 2023 Final EIR and **Section 4** presents documentation of applicable exemptions. **Section 5** presents a description of the City of South Pasadena General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs as well as the reasonably foreseeable 900 Fair Oaks Avenue Project. **Section 6** compares impacts of the 900 Fair Oaks Avenue project to those identified in the 2023 Final Program EIR. This impact comparison is applicable to the Statutory Exemptions pursuant to Public Resources Code 21155.4 and State CEQA Guidelines Section 15182 – Consistency with a Specific Plan; and Public Resources Code Section 21083.3 and State CEQA Guidelines Section 15183 – Consistency with a General Plan or Zoning.

3. ADDENDUM

A. CEQA Requirements for Subsequent Environmental Review

When an Addendum is Appropriate

An Addendum to an EIR is the appropriate tool to evaluate the environmental effects associated with changes or additions when such changes would not result in new or increased significant adverse impacts.

According to Section 15164(a) of the CEQA Guidelines, "the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." An addendum may be prepared if only minor technical changes or additions are necessary. A brief explanation of the decision not to prepare a subsequent EIR must also be provided in the addendum, findings or the public record.

Section 15162 of the Guidelines lists the conditions that would require the preparation of a subsequent EIR or negative declaration rather than an addendum. These include the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or 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 EIR or 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 measures 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.

Unlike a subsequent EIR, per Section 15162, a supplement to an EIR may be prepared per Section 15163 under the following conditions.

(a) The Lead or Responsible Agency may choose to prepare a supplement to an EIR rather than a subsequent EIR if:

(1) Any of the conditions described in Section 15162 would require the preparation of a subsequent EIR, and

(2) Only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

A supplement to an EIR may be distinguished from a subsequent EIR by the following: a supplement augments a previously certified EIR to the extent necessary to address the conditions described in section 15162 and to examine mitigation and project alternatives accordingly. It is intended to revise the previous EIR through supplementation. A subsequent EIR, in contrast, is a complete EIR, which focuses on the conditions described in section 15162.

The reasonably anticipated 900 Fair Oaks Avenue project is described in **Section 5** of this Addendum and would be within the assumptions for construction and operation analyzed in the 2023 Final Program EIR. The reasonably anticipated 900 Fair Oaks Avenue project has been reviewed by the County of Los Angeles in light of Sections 15162 and 15163 of the Guidelines. As the CEQA Lead Agency, the County of Los Angeles has determined, based on the analysis presented herein, that none of the conditions apply which would require preparation of a subsequent or supplemental EIR and that an Addendum to the certified 2023 Final Program EIR is the appropriate environmental documentation under CEQA for the reasonably anticipated 900 Fair Oaks Avenue project. **Section 6** discusses issue-by-issue how the impacts anticipated for the reasonably anticipated 900 Fair Oaks Avenue project would be within those previously identified in the 2023 Final Program EIR. The Mitigation Monitoring and Reporting Program (MMRP) adopted with the 2023 Final Program EIR would continue to apply, as appropriate, to the reasonably anticipated 900 Fair Oaks Avenue project to ensure that all significant impacts remain less than significant where it is feasible to mitigate such impacts.

Later Activities Within the Scope of a Program EIR

With respect to program EIRs and later activities, CEQA Section 15168(c) indicates that later activities should be "*examined in the light of the program EIR to determine whether an additional environmental document must be prepared":*

(1) If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading to either an EIR or a negative declaration. That later analysis may tier from the program EIR as provided in Section 15152.

The 900 Fair Oaks Avenue project would not have effects that were not previously examined. The 2023 Final Program EIR programmatically evaluates development within identified planning areas. This addendum provides additional evaluation of an individual reasonably anticipated development that would be consistent with the planning documents evaluated in the 2023 Final Program EIR and documents that there are no new effects that were not examined in the 2023 Final program EIR.

(2) If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence

> *in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.*

As discussed above no subsequent EIR would be required and as documented in this addendum the activities are within the scope of the project covered by the 2023 Final Program EIR. No new environmental document beyond this addendum is required.

> *(3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into later activities in the program.*

Implementation of the 900 Fair oaks Avenue project would comply with applicable mitigation measures identified in the 2023 Final Program EIR. No alternatives would apply.

> *(4) Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR.*

Impacts of the 900 Fair oaks Avenue project would be within the impacts of construction and operation evaluated in the 2023 Final Program EIR. This addendum provides a written checklist in order to document the County's determination that the 900 Fair oaks Avenue project would result in environmental impacts within those evaluated in the 2023 Final Program EIR.

> *(5) A program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed project description and analysis of the program, many later activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.*

The 2023 Final EIR and First Addendum identify assumptions with respect to anticipated development under buildout conditions. In this case, consistent with 15168(c)(4) a written checklist has been prepared to document how the proposed 900 Fair oaks Avenue would result in impacts within those evaluated in the 2023 Final Program EIR.

B. Mitigation Measures

The 2023 Final Program EIR identifies mitigation measures that would reduce the potentially significant impacts of the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs. These mitigation measures were required as part of the approval process. These mitigation measures are listed in **Table 1** and will continue to be implemented as applicable and appropriate to each individual building/construction activity undertaken within the planning area and committed as noted in the individual analyses in **Section 6** of this document.

While no significant adverse impacts were identified in the analysis (see **Section 6**), the County will require that the following mitigation measures are included in the future housing project (see details of measures in **Table 1**): MM BIO-1 (nesting bird surveys), MM BIO-2 (tree trimming outside nesting season or survey and avoid nests), MM CUL-1 (archaeologist review and monitoring as indicated), MM GEO-1 (paleontologist to review if artifacts are found), MM-NOI-1 (acoustical report prior to building permit demonstrating 65 CNEL exterior noise level), MM NOI-2 (acoustical report prior to building

permit demonstrating habitable rooms with 45 dBA CNEL), MM NOI-4 (acoustical report demonstrating closest residential receptor would meet 80 dBA Leq 8 hour construction and incorporation of measures as appropriate to reduce construction noise and vibration), MM-NOI-7 (requirements for construction equipment — mufflers, staging away from noise sensitive uses and construction deliveries to comply with code).

Table 1
Mitigation Measures

Air Quality

MM AQ-1: The Applicant/Developer for residential land use projects in the City within 500 feet of a major sources of toxic air contaminants (TACs) (e.g., warehouses, industrial areas, freeways, and roadways with traffic volumes over 100,000 vehicle per day), as measured from the property line of the project to the property line of the source/edge of the nearest travel lane, shall conduct and submit a health risk assessment (HRA) to the City of South Pasadena Community Development Department. The HRA shall be prepared in accordance with policies and procedures of CEQA and the SCAQMD. If the HRA shows that the incremental cancer risk exceeds ten in one million (10E-06), PM10 concentrations exceed 2.5 μg/m3, PM2.5 concentrations exceed 2.5 μg/m3, or the appropriate noncancer hazard index exceeds 1.0, the Applicant/Developer shall be required to identify and demonstrate that mitigation measures are capable of reducing potential cancer and non-cancer risks to an acceptable level (i.e., below ten in one million or a hazard index of 1.0), including appropriate enforcement mechanisms, prior to issuance of a grading permit. Measures to reduce risk may include but are not limited to:

- Air intakes located away from high volume roadways and/or truck loading zones.
- Heating, ventilation, and air conditioning systems of the buildings provided with appropriately sized maximum efficiency rating value (MERV) filters (e.g., MERV 12 or better).

If the HRA cannot demonstrate that the acceptable risk level can be achieved, then no residential land uses may be developed within 500 feet of the TAC source.

Biological Resources

MM BIO-1: A qualified biologist shall conduct nesting bird surveys in areas with potentially suitable habitat prior to any construction or site preparation activities that would occur during the nesting and breeding season of native bird species (typically March 1 through August 15). The survey area shall include all potential bird nesting areas within 200 feet of any disturbance. The survey shall be conducted no more than three days prior to commencement of activities (i.e., grubbing or grading).

If active nests of bird species protected by the MBTA and/or the *California Fish and Game Code* (which, together, apply to all native nesting bird species) are present in the impact area or within 200 feet of the impact area, a temporary buffer shall be placed a minimum of 200 feet around the nest site. This temporary buffer may be greater or lesser depending on the bird species and type of disturbance, as determined by the biologist and/or applicable regulatory agency permits.

Clearing and/or construction within the buffer shall be postponed or halted until juveniles have fledged and there is no evidence of a second nesting attempt. The biologist shall serve as a construction monitor during those periods when disturbance activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur.

MM BIO-2: Trimming or removal activities of mature or significant trees will be conducted between August 16 (for nesting birds) or October 1 (for bats) and February 28, outside of the breeding seasons for native bird and bat species. If activities trimming or removal activities must be conducted during the breeding season, qualified biologist shall survey the tree to be impacted to assess the presence or absence of any active bird nest and a qualified bat specialist shall conduct bat surveys within these areas (plus a 100-foot buffer as access allows) to identify potential habitat that could provide daytime and/or nighttime roost sites and any maternity roosts or bat maternity roost. If either are determined to be present, trimming or removal activities will be postponed until after the breeding season has concluded, or until otherwise deemed acceptable by the qualified biologist due to a discontinuation of nesting bird activity or bat roost vacancy.

MM BIO-3: Within six months of the adoption of the General Plan and Downtown Specific Plan Update, the City shall develop a list of fire-resistant plant species that excludes exotic plant species with a high or moderate rating on the California Invasive Plant Council's invasive plant inventory. This fire-resistant plant list shall be the basis of any requirements or recommendations to residents, businesses, and/or developers of future projects in hillside areas that require fire- resistant construction and landscaping**.**

MM BIO-4: If the disturbance limits of any future development project are within 500 feet of native vegetation located in the Arroyo Seco drainage corridor, the Applicant/Developer shall have a biological assessment conducted. A biological assessment shall also be conducted for all future development on or immediately adjacent to vacant, naturally vegetated parcels. All assessments shall be conducted by a qualified biologist and shall identify all potential sensitive biological resources, analysis shall place emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species, and sensitive

Table 1
Mitigation Measures

habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts. and Analysis shall provide recommendations for focused surveys (if warranted) and/or avoidance or minimization conditions for project implementation. The assessment shall be reviewed and approved by the City prior to initiation of any site disturbance activities (including, but not limited to, equipment and materials staging, grubbing, and fence installation). As a condition of project approval, the City shall require the Applicant/Developer to adhere to all recommendations of the biological assessment such that project-level impacts are not expected to reduce regional populations of plant and wildlife species to below self-sustaining levels.

MM BIO-5: If project construction activities of any future development project have the potential to impact (e.g., dredge and fill, demolition, dewatering or other discharge) a channel/drainage that conveys water during rainfall events, at a minimum, or as recommended by the qualified biologist conducting an assessment per MM BIO-4 above (if also applicable), shall conduct a jurisdictional delineation to determine if impacted channel/drainage meets definition of State and federal regulations. If the delineation report, prepared by a qualified biologist, indicates potential regulated drainage(s), subsequent consultation with appropriate regulatory agencies (depending on the agency jurisdiction[s]) and acquisition of permits, if required, prior to initiation of any site disturbance activities (including, but not limited to, equipment and materials staging, grubbing, and fence installation). As a condition of project approval, the City shall require the Applicant/Developer to adhere to all permit conditions.

Cultural Resources

MM CUL-1: Prior to the issuance of a grading permit, Applicants for future development projects shall demonstrate to the City Community Development Department that a qualified Archaeologist has been retained by the applicant to attend the pre-grading meeting with the construction contractor to establish, based on the site plans, appropriate procedures for monitoring earth-moving activities during construction. The Archaeologist shall determine when monitoring of grading activities is needed. If any archaeological resources are discovered, construction activities must cease within 50 feet of the discovery, or as determined by the Archaeologist, and they shall be protected from further disturbance until the qualified Archaeologist evaluates them using standard archaeological protocols. The Archaeologist must first determine whether an archaeological resource uncovered during construction is a "Tribal Cultural Resources" pursuant to Section 21074 of the California Public Resources Code, or a "unique archaeological resource" pursuant to Section 21083.2(g) of the California Public Resources Code or a "historical resource" pursuant to Section 15064.5(a) of the State CEQA Guidelines. If the archaeological resource is determined to be a "Tribal Cultural Resource", "unique archaeological resource" or a "historical resource", the Archaeologist shall formulate a Mitigation Plan in consultation with the Applicant and the City Community Development Department that satisfies the requirements of the above- listed Code sections. Upon approval of the Mitigation Plan by the City, the Project shall be implemented in compliance with the Plan.

If the Archaeologist determines that the resource is not a "Tribal Cultural Resource", "unique archaeological resource" or "historical resource," s/he shall record the site and submit the recordation form to the California Historical Resources Information System (CHRIS) at the South Central Coastal Information Center (SCCIC). The Archaeologist shall prepare a report of the results of any study prepared as part of a testing or mitigation plan, following accepted professional practice. The report shall follow guidelines of the California Office of Historic Preservation. Copies of the report shall be submitted to the City and to the CHRIS at the SCCIC at the California State University, Fullerton.

Geology and Soils

MM GEO-1: Should potential paleontological resources be found during ground-disturbing activities for any individual project implemented under the General Plan and DTSP Update & 2021–2029 Housing Element, ground-disturbing activity in the immediate vicinity of the find shall be temporarily halted and a qualified paleontologist will be hired to evaluate the resource. If the potential resource is found not to be significant by the paleontologist, construction activity in the area of the find can resume. If the resource is found to be significant, the paleontologist shall determine appropriate actions, in consultation with the City and the developer (if present), for further exploration and/or salvage. A Disposition of the Recovered Paleontological Resources and Mitigation Report shall be prepared by the qualified paleontologist and submitted to the City. Any recovered fossils shall be deposited in an accredited institution or museum, such as the Natural History Museum of Los Angeles County.

Hazards and Hazardous Materials

MM HAZ-1: Prior to the issuance of a grading permit, Applicants for future development projects shall:

- Investigate the project site to determine whether it or immediately adjacent areas have a record of hazardous material contamination via the preparation of a Phase I Environmental Site Assessment, which shall be submitted to the City Community Development Department for review. If the Phase I ESA concludes there are recognized environmental conditions that indicate the potential for on-site contamination, the Applicant shall direct the performance of a subsurface investigation appropriate in scope to the likely contaminants (e.g., water, soil, soil vapor). The results of the investigation shall be submitted to the City.

Table 1
Mitigation Measures

- If contamination is identified on the site, the City, in accordance with appropriate regulatory oversight agencies (e.g., California Toxic Substances Control, Los Angeles Regional Water Quality Control Board), shall determine the need for further investigation and/or remediation of the site. If further investigation or remediation is required, it shall be the responsibility of the Applicant(s) to complete such investigation and/or remediation to the satisfaction of the City and the local oversight agency(ies).
- Closure reports or other reports that document the successful completion of required remediation activities, if any, shall be submitted to and approved by acceptable to the City (as the Certified Uniform Program Agency) and the local oversight agency(ies) prior to the issuance of a grading permit for the proposed site development.

MM HAZ-2: In the event that previously unknown or unidentified soil and/or groundwater contamination that could present a threat to human health or the environment is encountered during construction, construction activities in the immediate vicinity of the contamination shall cease immediately and the City shall be notified. If contamination is encountered, the Applicant for the proposed development shall be responsible for preparing and implementing a Risk Management Plan that (1) identifies the contaminants of concern and the potential risk each contaminant would pose to human health and the environment during construction and post-development and (2) describes measures to be taken to protect workers and the public from exposure to potential site hazards. Such measures could include, but not be limited to, physical site controls during construction, remediation, long-term monitoring, post-development maintenance or access limitations, or some combination thereof. Depending on the nature of contamination, if any, appropriate oversight agencies shall be notified. If determined necessary by the oversight agency(ies), a Site Health and Safety Plan that meets California Occupational Safety and Health Administration requirements shall be prepared and in place prior to commencement of work in any contaminated area.

Noise

MM NOI-1: Prior to the issuance of a building permit for new residential or mixed-use development projects, the Project Applicant/Developer shall submit an acoustical report or other substantial evidence to the City of South Pasadena Community Development Department, or designee, that demonstrates that the project will satisfy the 65 dBA CNEL exterior noise level standard, including identification of reasonable and feasible noise mitigation measures if determined necessary. It is the responsibility of the City of South Pasadena Community Development Department, or designee, to ensure that any necessary mitigation measures are fully and properly implemented.

MM NOI-2: Prior to the issuance of a building permit for new residential or mixed-use development projects, the Project Applicant/Developer shall submit an acoustical report or other substantial evidence to the City of South Pasadena Community Development Department, or designee, that demonstrates that the interior noise levels in all habitable rooms will satisfy the California Building Code 45 dBA CNEL interior noise level standard, including identification of reasonable and feasible noise mitigation measures if determined necessary. It is the responsibility of the City of South Pasadena Community Development Department, or designee, to ensure that any necessary mitigation measures are fully and properly implemented.

MM NOI-3: Prior to the issuance of a building permit and/or certificate of occupancy for non- residential development projects, the Project Applicant/Developer shall submit an acoustical report or other substantial evidence to the City of South Pasadena Community Development Department, or designee, that demonstrates:

- Exterior noise levels at adjacent property lines will satisfy the South Pasadena Municipal Code Section s19A.7(b), 19A.12, and 19.21(c) exterior noise level limits, and satisfy any conditions of approval. The site-specific acoustical report shall identify the necessary measures, if any, required to reduce exterior noise levels to below the South Pasadena Municipal Code Section 19A.7(b), 19A.12, and 19.21(c) exterior noise level limits, and satisfy any conditions of approval.
- Acoustical isolation between units has been included in the project design for residential dwelling units situated above non-residential uses.

MM NOI-4: Prior to the issuance of a building permit for new development, the Project Applicant/ Developer shall submit a final acoustical report to the City of South Pasadena Community Development Department, or designee, that demonstrates:

- Exterior construction noise levels at the closest sensitive receiver locations will satisfy the FTA 80 dBA Leq residential and 85 dBA Leq commercial 8-hour construction noise level standards and the County of Los Angeles 0.01 in/sec root-mean-square velocity (RMS) vibration standard. The site-specific report shall identify the necessary reduction measures, if any, required to reduce exterior noise and vibration levels to below FTA noise and County of Los Angeles vibration thresholds.
- Measures to reduce construction noise and vibration levels, such as but not limited to those provided below, shall be incorporated in the final acoustical report:
    - Install temporary construction noise barriers at the project site boundary that break the line of sight for occupied sensitive uses for the duration of construction activities. The noise control barrier(s) must provide a solid face from top to bottom and shall:

Table 1
Mitigation Measures

- Provide a minimum transmission loss of 20 dBA and be constructed with an acoustical blanket (e.g., vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts;
- Be properly maintained with any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.

- Install sound dampening mats or blankets to the engine compartments of heavy mobile equipment (e.g., graders, dozers, heavy trucks). The dampening materials must be capable of a 5 dBA minimum noise reduction, must be installed prior to the use of heavy mobile construction equipment, and must remain installed for the duration of the equipment use.
- Construction activities requiring pile driving within 400 feet, large bulldozers within 100 feet, loaded trucks within 50 feet, or jackhammers within 25 feet of nearby sensitive land uses (e.g., residential, school) shall be minimized, or alternative equipment or methods shall be used, unless the vibration levels are shown to be less than the County of Los Angeles RMS threshold of 0.01 in/sec.

MM NOI-5: The Project Applicant/Developer of any site-specific development within 25 feet of an historic resource shall engage a qualified structural engineer to conduct a pre-construction assessment of the structural integrity of the nearby historic structure(s) and, prior to the issuance of a building permit, submit evidence to the City of South Pasadena Community Development Department, or designee, that the operation of vibration-generating equipment associated with the new development would not result in structural damage to the adjacent historic building(s). If recommended by the pre-construction assessment, ground borne vibration monitoring of nearby historic structures shall be required.

MM NOI-6: Prior to the issuance of a building permit for new development projects within 50 feet of the Metro A Line, the Project Applicant/Developer shall submit a final vibration study to the City of South Pasadena Community Development Department, or designee, which shall identify and require implementation of reasonable and feasible vibration reduction measures to avoid exceeding the 72 VdB residential and 75 VdB non-residential vibration level standards.

MM NOI-7: The Project Applicant/Developer for new development shall be responsible for ensuring that following requirements are implemented by the contractor throughout the construction period. Construction contractors shall be required to implement the following measures to reduce noise levels from construction activity:

- equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards, and all stationary construction equipment shall be placed so that emitted noise is directed away from the noise-sensitive use nearest the construction activity;
- locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receiver nearest to the construction activity; and
- limit haul truck deliveries to the same hours specified for construction equipment by Section 19A.13(a) of the South Pasadena Municipal Code. The contractor shall design delivery routes to minimize the exposure of sensitive land uses to delivery truck noise.

SOURCE: *General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs* MMRP, 2023

C. Summary Comparison of Significant Impacts Identified in 2023 Final Program EIR Compared to Impacts of Reasonably Anticipated 900 Fair Oaks Avenue Project

Unavoidable significant adverse impacts identified in the 2023 Final Program EIR as compared to impacts of the reasonably anticipated 900 Fair Oaks Avenue project are summarized in **Table 2** below.

Table 2
Comparison of Significant Impacts
2023 Final Program EIR Compared to Impacts of
Reasonably Anticipated 900 Fair Oaks Avenue Project

Issue Area	2023 Final Program EIR	Reasonably Anticipated 900 Fair Oaks Avenue Project
Aesthetics (visual character)	Structures on vacant lands and replacement of older developments would likely have a different architectural style and may be more intense than the pre-existing land use. Increased urbanization could be expected as properties are developed and/or redeveloped with higher intensity/density uses. The	Consistent with The DTSP and state density bonus law, at about seven stories and 81 feet tall, the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analyzed herein, would be taller than the one and two-story story residential development

Table 2
Comparison of Significant Impacts
2023 Final Program EIR Compared to Impacts of
Reasonably Anticipated 900 Fair Oaks Avenue Project

Issue Area	2023 Final Program EIR	Reasonably Anticipated 900 Fair Oaks Avenue Project
	combination of proposed policies to increase density in selected areas of the City to meet the RHNA allocation and the State Density Bonus Law would result in taller structures and increased density. Due to State mandated housing- and land use-related programs and regulations and the court-ordered ballot initiative to repeal the height limit on selected sites, the change in visual character in the City was considered to be potentially transformational and adverse. To balance preservation of existing uses and land use transitions where development or redevelopment occur, the focus areas and potential housing sites were primarily situated in those portions of the City where change is desired to both diversify land uses and take advantage of proximity to the Metro A Line Station. While some factors (i.e., RHNA allocations and State legislation) are not in the City's control; in consideration for the community's point of view the direct and indirect effects of the Project were considered to be a significant and unavoidable impact to visual character.	to the east as well as one and two-story commercial development to the west. It could therefore result in an adverse impact as anticipated by the 2023 Final Program EIR. The site is located within ½ mile of a major transit stop at the Fair Oaks Avenue and Mission Street Metro A-Line and therefore as indicated in the 2023 Final Program EIR is well-positioned to take advantage of transit. CEQA section 21099(d)(1) indicates that aesthetic impacts for residential projects located within a Transit Priority Area (within 0.5 miles of a major transit stop) shall not be considered significant.
Air Quality (consistency with air quality management plan; cumulative criteria pollutants)	Because the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs identify future land uses and do not contain specific development proposals, construction-related emissions are speculative and could not be accurately determined at the program level. Therefore, regional and local criteria pollutant emissions for construction activity were not quantified, and were conservatively identified as significant and unavoidable impacts. Estimated operational activities from buildout (area sources, energy sources, mobile sources, and stationary sources) would result in criteria air pollutant emissions exceeding the SCAQMD thresholds for VOCs. Potential for conflict with the AQMP because: 1) air emissions could create and increase in the severity of air quality violations within the air basin; and 2) buildout would exceed the 2020–2045 RTP/SCS demographic projections (because of the RHNA) and consequently air emissions that are included in the 2022 AQMP	Details of project construction are not known. Evaluation of template projects was undertaken as part of the 2024 RTP/SCS EIR; that analysis shows that construction projects with fewer than 160 workers, 19 pieces of heavy equipment and 150 one-way truck trips and less than an acre would not have the potential to result in significant construction impacts. It is anticipated that project construction would require fewer workers, equipment and one-way truck trips than this template project, because of the size of the site and size of project. Therefore, project construction would not be expected to generate significant construction emissions. During construction, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas. Operational impacts of substantially larger residential projects do not result in significant impacts because of on-going increasingly stringent emissions controls.

Table 2
Comparison of Significant Impacts
2023 Final Program EIR Compared to Impacts of
Reasonably Anticipated 900 Fair Oaks Avenue Project

Issue Area	2023 Final Program EIR	Reasonably Anticipated 900 Fair Oaks Avenue Project
Cultural Resources (historic)	The 2023 Final Program EIR could not be certain that a significant adverse effect to one or more existing or future identified historic resources would not occur, despite application of applicable local, State and Federal regulations.	There is no building located on the site and therefore no impact to historical resources would occur. The 900 Fair Oaks Avenue project would not change other impacts identified in the 2023 Final Program EIR.
Greenhouse Gas emissions (emissions)	Because the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs identify future land uses and do not contain specific development proposals, construction-related GHG emissions are speculative and cannot be accurately determined at this stage of the programmatic level. Therefore, GHG emissions related to construction activity were not quantified and were assumed to be significant and unavoidable. At the program level, estimated operational GHG emissions would exceed both an SCAQMD threshold and a service population threshold. While the operational emissions are highly conservative, operational GHG emissions are considered significant as the Project may generate GHG emissions that would have a significant and unavoidable impact on the environment.	Reasonably anticipated development at 900 Fair Oaks Avenue, per the description provided in this document and analyzed herein, would fall within the assumptions made in the 2023 Final Program EIR. While impacts of the reasonably anticipated development would be less than significant (due to project size and proximity to transit), it would contribute to the impact identified in the 2023 Final Program EIR.
Noise (construction; on-site transportation noise)	Construction noise levels at receiver locations within 50 feet and 200 feet where pile driving is necessary, are anticipated to exceed FTA noise thresholds. The increase in traffic noise levels due to the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs at adjacent uses would not result in a noticeable change in noise levels (i.e., 3 dBA) where noise levels exceed 65 dBA CNEL. However, residential uses would experience future exterior noise levels greater than the *normally acceptable* compatibility criteria identified in the existing General Plan Safety and Noise Element. While it may be possible to satisfy the exterior noise standards for some projects, the transportation noise levels may still exceed the exterior 65 dBA CNEL standard for some projects. Therefore, the exterior on-site transportation noise impact is considered significant and unavoidable.	The closest residential property lines are about 50 feet from the 900 Fair Oaks Avenue site; residential structures are about 70 feet or more from the site. It is not anticipated that pile driving would be required.
Population and Housing (unplanned growth – SCAG forecast due to RHNA)	Buildout would exceed the population and housing growth projections presented in the SCAG 2020-2045 RTP/SCS. This is solely because the 2020-2045 RTP/SCS projections are inconsistent with the 6th Cycle RHNA.	Reasonably anticipated development at 900 Fair Oaks Avenue, per the description provided in this document and analyzed herein, would fall within the assumptions made in the 2023 Final Program EIR and could contribute to the impact identified in the 2023 Final program EIR. However, SCAG has moved away from assessing consistency based on specific

Other impacts analyzed in the 2023 Final Program EIR were determined to be less than significant (see **Table 3** below for a summary comparison of all impacts analyzed in the 2023 Final Program EIR compared to impacts of the reasonably anticipated 900 Fair Oaks Avenue Project): agriculture and forestry resources; mineral resources; aesthetics (scenic vistas, scenic resources, light and glare); air

quality (CO hotspots, odors and sensitive receptors); biological resources (movement of native fish and wildlife, wildlife corridors, local policies and ordinances protecting biological resources, habitat conservation plans and sensitive species; riparian and sensitive habitats; wetlands; nursery sites), cultural and tribal cultural resources (human remains and archeological resources, tribal cultural resources), energy (efficiency, obstruct state or local plans), geology and soils (risk related to earthquakes; soil erosion, unstable geological unit, expansive soils, septic systems and paleontological resources); greenhouse gas emissions (conflict with plans); hazards and hazardous materials (transport, schools, airport land use, interfere with emergency evacuation planning, wildland fires and release of hazardous materials; hazardous sites); hydrology and water quality (water quality standards, decrease groundwater, interfere with drainage, flood hazard and tsunami, obstruct water quality control plan); land use and planning (physically divide community, conflict with land use plan); noise (operational traffic, airport noise and interior operational noise levels; operational stationary sources; construction and operational groundborne vibration and noise); population and housing (induce indirect unplanned growth, displacement); public services and recreation (fire, police, schools, parks, other; use of recreational facilities, construction of recreational facilities); transportation (operational conflict with plans, consistency with VMT regulations, geometric design hazards, emergency access); utilities and service systems (expanded water or wastewater facilities; water supplies; solid waste) and wildfire.

As discussed in the detailed analyses below, the mitigation measures identified in the 2023 Final Program EIR, as may be applicable to the 900 Fair Oaks Avenue project would reduce impacts to a less than significant level for the same issues that are reduced to a less than significant level in the 2023 Final Program EIR.

D. Incorporation by Reference

The following documents were referenced in the preparation of this documentation, and are incorporated herein by reference, consistent with Section 15150 of the *Guidelines*:

- General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs Draft Program Environmental Impact Report (July 2023)

- General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs Final Program Environmental Impact Report (September 2023)

- Addendum to the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs Final Program Environmental Impact Report (July 2025)

These documents are available for review at Los Angeles County, Chief Executive Office (CEO) Real Estate Division (RED), 213-974-4300.

E. Summary of Effects

Section 6 of this document includes a detailed evaluation of any potential change in effects associated with development of the reasonably anticipated 900 Fair Oaks Avenue project for each CEQA environmental issue area, organized consistent with the Appendix G of the State CEQA Guidelines. As summarized above, impacts would either be comparable or reduced as compared to those identified in the certified EIR. Therefore, as discussed in this document, the reasonably anticipated 900 Fair Oaks Avenue project would not trigger any of the conditions that require the preparation of a Subsequent or Supplemental EIR in Sections 15162 and 15163 of the CEQA Guidelines, and therefore an Addendum to the 2023 Final Program EIR is the appropriate CEQA document to address these changes.

While no significant environmental impacts were identified for the 900 Fair Oaks Avenue project (see **Section 6**), the County will require that the following mitigation measures are included in the future housing project (see details of measures in **Table 1**): MM BIO-1 (nesting bird surveys), MM BIO-2 (tree trimming outside nesting season or survey and avoid nests), MM CUL-1 (archaeologist review and monitoring as indicated), MM GEO-1 (paleontologist to review if artifacts are found), MM-NOI-1 (acoustical report prior to building permit demonstrating 65 CNEL exterior noise level), MM NOI-2 (acoustical report prior to building permit demonstrating habitable rooms with 45 dBA CNEL), MM NOI-4 (acoustical report demonstrating closest residential receptor would meet 80 dBA Leq 8 hour construction and incorporation of measures as appropriate to reduce construction noise and vibration), MM-NOI-7 (requirements for construction equipment — mufflers, staging away from noise sensitive uses and construction deliveries to comply with code).

In addition, as discussed in the following section, the project is eligible for exemption from CEQA in accordance with Public Resources Code Section 21155.4 and CEQA Guidelines Section 15182 (Consistency with Specific Plan); Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 (Consistency with General Plan and Zoning) and Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15269(c) (Emergency Conditions associated with homelessness in the County). The interim parking use is also eligible for an exemption based on Common Sense (CEQA Guidelines Section 15061(b)(3)) and CEQA Guidelines Section 15301 – Class 1 Existing Facilities including CEQA Guidelines Section 15300.2 inapplicability of exceptions and Class 1 of the County of Los Angeles Environmental Document Reporting Procedures and Guidelines).

4. APPLICABLE EXEMPTIONS

A. Statutory Exemptions

Projects Consistent with Specific Plan (Public Resources Code Section 21155.4 and CEQA Guidelines Section 15182)

Public Resources Code Section 21155.4

CEQA exempts residential projects that implement specific plans.

> *21155.4. (a) Except as provided in subdivision (b), a residential, employment center, as defined in paragraph (1) of subdivision (a) of Section 21099, or mixed-use development project, including any subdivision, or any zoning, change that meets all of the following criteria is exempt from the requirements of this division:*
>
> > *(1) The project is proposed within a transit priority area, as defined in subdivision (a) of Section 21099.*
> >
> > *(2) The project is undertaken to implement and is consistent with a specific plan for which an environmental impact report has been certified.*
> >
> > *(3) The project is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy for which the State Air Resources Board, pursuant to subparagraph (H) of paragraph (2) of subdivision (b) of Section 65080 of the Government Code, has accepted a metropolitan planning organization's determination that the sustainable communities strategy or the alternative planning strategy would, if implemented, achieve the greenhouse gas emissions reduction targets.*
>
> *(b) Further environmental review shall be conducted only if any of the events specified in Section 21166 have occurred.*

See discussion of 15182 below.

CEQA Guidelines Section 15182

> *(a) General. Certain residential, commercial and mixed-use projects that are consistent with a specific plan adopted pursuant to Title 7, Division 1, Chapter 3, Article 8 of the Government Code are exempt from CEQA, as described in subdivisions (b) and (c) of this section.*
> *(b) Projects Proximate to Transit.*
> *(1) Eligibility. A residential or mixed-use project, or a project with a floor area ratio of at least 0.75 on commercially-zoned property, including any required subdivision or zoning approvals, is exempt if the project satisfies the following criteria:*
> *(A) It is located within a transit priority area as defined in Public Resources Code section 21099(a)(7);*
> *(B) It is consistent with a specific plan for which an environmental impact report was certified; and*
> *(C) It is consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in either a sustainable communities strategy or an alternative planning strategy for which the State Air Resources Board has accepted the determination that the*

sustainable communities strategy or the alternative planning strategy would achieve the applicable greenhouse gas emissions reduction targets.

The reasonably anticipated 900 Fair Oaks Avenue residential project is located within a Transit Priority Area (i.e. within 0.5 miles of an existing or planned major transit stop that includes rail stations and major bus intersections -- the Metro A-Line Station is 0.4 miles to the west of the site, in addition the Fair Oaks Avenue is a High Quality Transit Corridor with frequent bus service). While no specific proposed development has been confirmed, it is reasonably anticipated that the project would comply with the specific plan (including allowable density bonus consistent with state law). The project is consistent with the use designation, density and building intensity of the most recent Sustainable Communities Strategy as it is located within a high resource area (i.e. in proximity to transit and in close proximity to goods and services).[2]

(2) Limitation. Additional environmental review shall not be required for a project described in this subdivision unless one of the events in section 15162 occurs with respect to that project.
(3) Statute of Limitations. A challenge to a project described in this subdivision is subject to the statute of limitations periods described in section 15112.

See above discussion of CEQA Section 15162 and why additional review is not required.

(c) Residential Projects Implementing Specific Plans.
(1) Eligibility. Where a public agency has prepared an EIR on a specific plan after January 1, 1980, a residential project undertaken pursuant to and in conformity to that specific plan is exempt from CEQA if the project meets the requirements of this section. Residential projects covered by this section include but are not limited to land subdivisions, zoning changes, and residential planned unit developments.
2) Limitation. If after the adoption of the specific plan, an event described in Section 15162 occurs, the exemption in this subdivision shall not apply until the city or county which adopted the specific plan completes a subsequent EIR or a supplement to an EIR on the specific plan. The exemption provided by this section shall again be available to residential projects after the lead agency has filed a Notice of Determination on the specific plan as reconsidered by the subsequent EIR or supplement to the EIR.
(3) Statute of Limitations. A court action challenging the approval of a project under this subdivision for failure to prepare a supplemental EIR shall be commenced within 30 days after the lead agency's decision to carry out or approve the project in accordance with the specific plan.
(d) Fees. The lead agency has authority to charge fees to applicants for projects which benefit from this section. The fees shall be calculated in the aggregate to defray but not to exceed the cost of developing and adopting the specific plan including the cost of preparing the EIR.

As noted above, an affordable housing project at 900 Fair Oaks Avenue, is reasonably anticipated to be consistent with the Downtown Specific Plan including consideration of State Density Bonus Law. As addressed above, the conditions identified in CEQA Section 15162 are not anticipated to occur and therefore additional environmental review is not required.

[2] https://rdp.scag.ca.gov/helpr/?page=Main-Page#data_s=id%3AdataSource_2%3A169%2Cid%3AdataSource_5-2020_Annual_Land_Use_8516-0%3A3714112

Projects Consistent with General Plan and Zoning (Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183)

Public Resources Code Section 21083.3

(a) If a parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density of development and an environmental impact report was certified for that zoning or planning action, the application of this division to the approval of any subdivision map or other project that is consistent with the zoning or community plan shall be limited to effects upon the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.

(b) If a development project is consistent with the general plan of a local agency and an environmental impact report was certified with respect to that general plan, the application of this division to the approval of that development project shall be limited to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report.

(c) Nothing in this section affects any requirement to analyze potentially significant offsite impacts and cumulative impacts of the project not discussed in the prior environmental impact report with respect to the general plan. However, all public agencies with authority to mitigate the significant effects shall undertake or require the undertaking of any feasible mitigation measures specified in the prior environmental impact report relevant to a significant effect which the project will have on the environment or, if not, then the provisions of this section shall have no application to that effect. The lead agency shall make a finding, at a public hearing, as to whether those mitigation measures will be undertaken.

(d) An effect of a project upon the environment shall not be considered peculiar to the parcel or to the project, for purposes of this section, if uniformly applied development policies or standards have been previously adopted by the city or county, with a finding based upon substantial evidence, which need not include an environmental impact report, that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect.

(e) Where a community plan is the basis for application of this section, any rezoning action consistent with the community plan shall be a project subject to exemption from this division in accordance with this section. As used in this section, "community plan" means a part of the general plan of a city or county which (1) applies to a defined geographic portion of the total area included in the general plan, (2) complies with Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 of the Government Code by including or referencing each of the mandatory elements specified in Section 65302 of the Government Code, and (3) contains specific development policies adopted for the area included in the community plan and identifies measures to implement those policies, so that the policies which will apply to each parcel can be determined.

(f) No person shall have standing to bring an action or proceeding to attack, review, set aside, void, or annul a finding of a public agency made at a public hearing pursuant to subdivision (a) with respect to the conformity of the project to the mitigation measures identified in the prior environmental impact report for the zoning or planning action, unless he or she has participated in that public hearing.

However, this subdivision shall not be applicable if the local agency failed to give public notice of the hearing as required by law. For purposes of this subdivision, a person has participated in the public hearing if he or she has either submitted oral or written testimony regarding the proposed determination, finding, or decision prior to the close of the hearing.

(g) Any community plan adopted prior to January 1, 1982, which does not comply with the definitional criteria specified in subdivision (e) may be amended to comply with that criteria, in which case the plan shall be deemed a "community plan" within the meaning of subdivision (e) if (1) an environmental impact report was certified for adoption of the plan, and (2) at the time of the conforming amendment, the environmental impact report has not been held inadequate by a court of this state and is not the subject of pending litigation challenging its adequacy.

See discussion of CEQA Section 15183 below.

CEQA Guidelines Section 15183

CEQA Section 15183 indicates that projects consistent with an existing Community Plan or zoning for which an EIR was certified do not require additional environmental review except as may be needed to examine project-specific environmental effects:

(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

As noted above the affordable housing project at 900 Fair Oaks Avenue would comply with the Specific Plan and applicable zoning including state density bonus law.

(b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:
(1) Are peculiar to the project or the parcel on which the project would be located,
(2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent,
(3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
(4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

There are no impacts peculiar to the parcel; the site is an improved parking lot in an urban area surrounded by urban uses. As documented in **Section 6**, there are no significant effects not analyzed in the 2023 Final Program EIR and no significant off-site impacts or cumulative impacts not accounted for in the 2023 Final Program EIR. No impacts are anticipated to be more severe as a result of substantial new information.

(c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be

prepared for the project solely on the basis of that impact.

There are no impacts peculiar to the parcel or project. Mitigation measures from the 2023 Final Program EIR would be implemented as applicable. Therefore, additional environmental review is not necessary.

(d) This section shall apply only to projects which meet the following conditions:
(1) The project is consistent with:
(A) A community plan adopted as part of a general plan,
(B) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or
(C) A general plan of a local agency, and
(2) An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.

The project would be consistent with the Downtown Specific Plan and zoning (the site is designated and zoned Mixed Use Core), and an EIR was certified in 2023.

(e) This section shall limit the analysis of only those significant environmental effects for which:
(1) Each public agency with authority to mitigate any of the significant effects on the environment identified in the EIR on the planning or zoning action undertakes or requires others to undertake mitigation measures specified in the EIR which the lead agency found to be feasible, and
(2) The lead agency makes a finding at a public hearing as to whether the feasible mitigation measures will be undertaken.

While no significant environmental impacts were identified for the 900 Fair Oaks Avenue project, the County will require that the following mitigation measures are included in the future housing project (see details of measures in **Table 1**): MM BIO-1 (nesting bird surveys), MM BIO-2 (tree trimming outside nesting season or survey and avoid nests), MM CUL-1 (archaeologist review and monitoring as indicated), MM GEO-1 (paleontologist to review if artifacts are found), MM-NOI-1 (acoustical report prior to building permit demonstrating 65 CNEL exterior noise level), MM NOI-2 (acoustical report prior to building permit demonstrating habitable rooms with 45 dBA CNEL), MM NOI-4 (acoustical report demonstrating closest residential receptor would meet 80 dBA Leq 8 hour construction and incorporation of measures as appropriate to reduce construction noise and vibration), MM-NOI-7 (requirements for construction equipment — mufflers, staging away from noise sensitive uses and construction deliveries to comply with code).

Emergency Exemption (CEQA Section 21080(b) and CEQA Guidelines Section 15269)

Public Resources Code Section 21080

(b) This division [CEQA] does not apply to any of the following activities:
…
(4) Specific actions necessary to prevent or mitigate an emergency.

CEQA Guidelines Section 15269

> *Emergency Projects*
>
> *The following emergency projects are exempt from the requirements of CEQA.*
> *...*
> *(c) Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.*

Homelessness in the County of Los Angeles experienced a large increase from 2016 to 2023, with 2024 remaining similar to 2023 and 2025 seeing a small (4%) countywide decrease (see also **Attachment A** for more discussion of the homeless emergency). According to the 2023 Greater Los Angeles Homeless Count, the County of Los Angeles had at the time of the count (January 2023) approximately 75,518 people experiencing homelessness countywide. In 2025 the overall homeless count was 72,308 countywide; countywide unsheltered homelessness decreased from 2024 by 9.5% while sheltered homelessness increased 8.5%. The County of Los Angeles represents approximately 25 percent of the State of California's population, but over 40 percent of the state's unhoused population. On January 10, 2023, the Los Angeles County Board of Supervisors unanimously voted to proclaim a local emergency for homelessness in the County of Los Angeles. The proclamation outlines the extent of the emergency situation and the need to immediately undertake all means possible to alleviate the conditions. On October 30, 2018, the LA County Board of Supervisors declared a shelter crisis to address homelessness in unincorporated LA County.

The County is undertaking multiple parallel efforts that are addressing the emergency conditions. However, the situation remains dire (considerably above pre-pandemic levels) and continuing extreme efforts are needed at every level to continue to quickly provide a variety of housing types to stem the tide of homelessness as people continue to fall into homelessness every day in the County of Los Angeles.

The Land Bank Pilot Program and future construction of affordable housing projects are one avenue being undertaken to address the homeless emergency. While the project is more long-term, all steps in the provision of affordable housing address the emergency. Thus, the project may be eligible for the emergency project exemption.

Common Sense Exemption (CEQA Guidelines Section 15061(b)(3))

> *The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.*

The interim continued use of the site as a parking lot would not result in any change in impacts. In addition to this Statutory Exemption, one Categorical Exemption would apply to the continued use of the parking lot, see below.

B. Categorical Exemption

Class 1 Categorical Exemption (State CEQA Guidelines 15301, County of Los Angeles Environmental Document Reporting Procedures and Guidelines Class 1) and Exceptions to Categorical Exemptions (State CEQA Guidelines Section 15300.2)

CEQA Guidelines Section 15301 – Existing Facilities

> *Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use.*

(The County of Los Angeles Environmental Document Reporting Procedures and Guidelines Class 1 language is similar to this language.)

Prior to construction of a residential development (after a few minor repairs, including parking lot resurfacing and maintenance and/or improvements such as removal of a block wall, and potential construction of a fence) the site may be used on an interim basis as a revenue-generating parking lot. Interim maintenance and use of the existing surface parking lot would be eligible for a Class 1 Exemption (CEQA Guidelines Section 15301 **--** Existing Facilities) as the existing use would remain with no expansion in use. There would be no impacts compared to the existing use and therefore no mitigation measures would apply.

CEQA Guidelines Section 15300.2

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located--a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

None of the Exceptions to the use of categorical exemptions, found at Section 15300.2 of the State CEQA Guidelines would apply to invalidate the Class I categorical exemption for interim parking use. Based on the record, the County has determined the following:

(a) the site is paved and surrounded by urban uses and not located in a sensitive environment;

(b) the project would not create significant cumulative impacts by contributing to impacts of successive projects of the same type in the same place (see detailed discussion of cumulative impacts in **Section 6**, Subsection V Mandatory Findings of Significance);

(c) there is nothing unusual about the site or the project and therefore there is no potential for the project to result in a significant effect on the environment due to unusual circumstances;

(d) the site is paved and not within the viewshed of a scenic highway, and therefore the project would not result in damage to a scenic resource (see also **Section 6**, Subsection A);

(e) the site is not on a list compiled pursuant to Section 65962.5 of the Government Code (see **Section 6**, Subsection I);

(f) the site is a paved surface parking lot and contains no historical resources, while there are historical resources nearby the project would not change the significance of any historical resource (see **Section 6**, Subsection E).

5. DESCRIPTION OF REASONABLY ANTICIPATED PROJECT

A. Project Location and Background

The City of South Pasadena is located on the western edge of the San Gabriel Valley area of Los Angeles County, approximately 5 miles northeast of downtown Los Angeles (see **Figure 1**). The City is surrounded by several municipalities, including the City of Pasadena to the north; the City of San Marino to the east; the City of Alhambra to the south; the City of Los Angeles to the southwest; and the City of Los Angeles neighborhoods, including Garvanza and Highland Park, to the west. The planning area for the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs includes approximately 3.5 square miles, or 2,272 acres, within the incorporated City limits. The City's estimated 11,156 residential dwelling units (DUs), housing the City's population of 25,580, are comprised of nearly equal number of single-family and multi-family units.

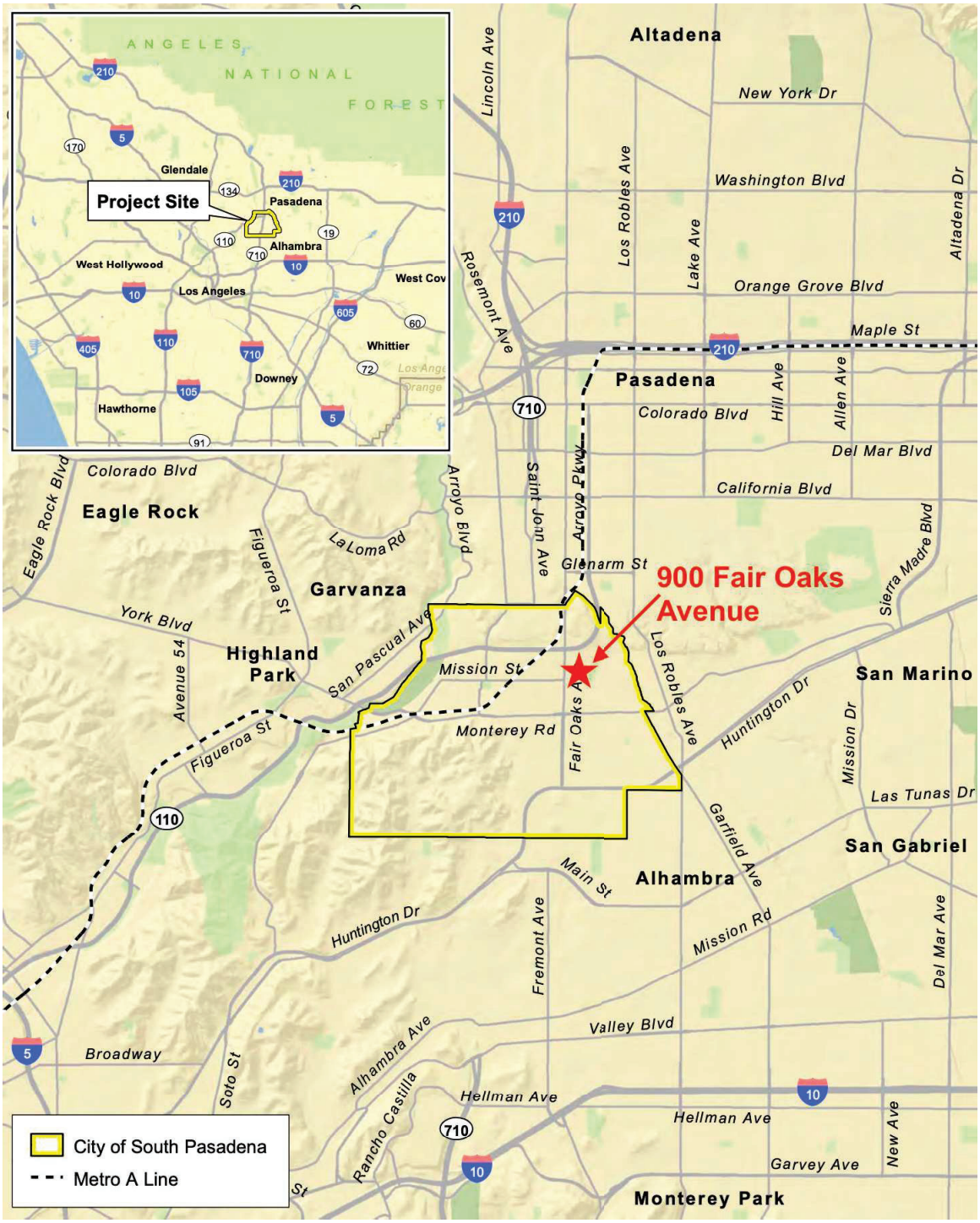
The City's land use pattern is well established and largely built out, with limited available vacant or underutilized land throughout the City. The City's development character is predominantly low- and mid-rise residential, with low- to mid-rise neighborhood-serving retail uses, office buildings, and civic uses generally located along its main corridors: Mission Street, Fair Oaks Avenue, Huntington Drive, Fremont Avenue, and Monterey Road. The City's circulation network is largely a grid system of north/south and east/west roads. The exception to the grid system is the southwest quadrant of the City that has curvilinear streets developed to fit the topography of the area.

Regional access to the City is provided predominantly by State Route 110 (SR-110, Arroyo Seco Parkway), which transects the City. Interstate 210 (I-210) and SR-134 also provide regional access, with the nearest ramps situated approximately 1 mile north of the northern City boundary. The Los Angeles County Metropolitan Transportation Authority (Metro) A Line also provides transit/rail access to downtown Los Angeles, City of Pasadena, and the northern San Gabriel Valley.

B. 2023 Final Program EIR

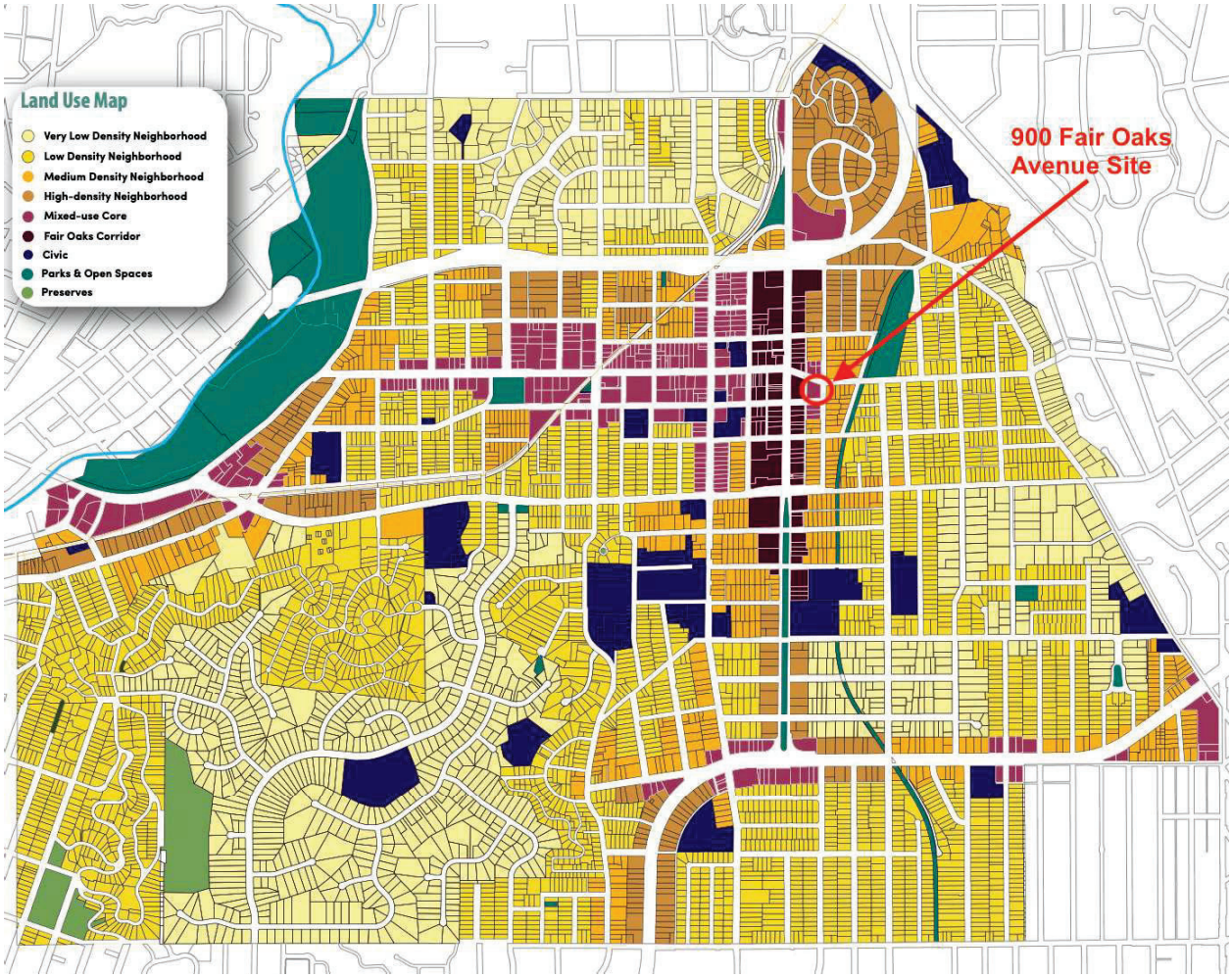
The 2023 Final Program EIR evaluated the General Plan and Downtown Specific Plan Update & 2021 - 2029 Housing Element Implementation Programs. The General Plan Land Use Map is shown in **Figure 2**. The General Plan and DTSP Update each include nine chapters, and each of the chapters features an overarching goal, with policies and actions based on the goal. The guiding principles of each of the nine chapters are as follows:

- **Our Natural Community.** Live in balance with our natural environment. Preserve the natural areas and increase the quantity and access to open space.
- **Our Prosperous Community.** Attract and retain high-value, high-wage jobs within the creative sector, diversify the local economy, promote and support local businesses, and increase the local tax base to help fund vital public services.
- **Our Well Planned Community.** Direct new growth to the downtown area along Mission Street and Fair Oaks Avenue while protecting the stable residential areas from runaway growth. Develop clear and precise objective standards that offer predictable outcomes and processes. Encourage pedestrian-oriented mixed-use development, while providing new and enhancing existing public spaces and gathering places.
- **Our Accessible Community.** Provide safe access for all street users–pedestrians, cyclists, public transit users, and motorists–of all ages and abilities. Support an integrated multi-modal network and efficiently manage parking to support wider community goals.



Source: 2023 Final Program EIR

Figure 1
Project Location



Source: 2023 Final Program EIR

Figure 2
South Pasadena Land Use Map

- **Our Resilient Community.** Increase individual, institutional, and business capacity to survive, adapt to any chronic stress or acute shocks and be able to recover and thrive.
- **Our Healthy Community.** Create environments that encourage healthy lifestyles and maximize opportunities for physical activity. Well-designed public and semi-public realms foster social interaction, and good programming can draw people out of their homes and into the community.
- **Our Safe Community.** Provide a safe environment for people of all ages, minimize threats to life and damage to structures, and increase awareness and be prepared for any emergency.
- **Our Active Community.** Add to and enhance City parks and open spaces to provide enriching recreational opportunities.
- **Our Creative Community.** Become a vibrant cultural center by weaving creative expressions into everyday life.

The nine chapters listed above, their guiding principles, and their contents (i.e., policies, actions), reflect the public visioning process while balancing State-mandated legislative requirements (including the 2021–2029 Housing Element Implementation Programs), the City's budget, and feasibility of future activities. Policies and actions that support each goal also provide guidance for the City's ongoing operations, daily actions, decision-making activities, maintenance activities, regulation enforcement, monitoring, services provision, and other governmental activities.

The 2021–2029 Housing Element includes the following six overarching goals:

- **Goal 1.0–Conserve the Existing Housing Stock and Maintain Standards of Livability**: Conserve and maintain the existing housing stock so that it will continue to meet livability standards and sustain the community's housing needs.
- **Goal 2.0–Encourage and Assist in the Provision of Affordable Housing**: Facilitate the development of deed-restricted affordable housing units in locations distributed throughout the city in order to provide housing for a diverse community, including low- income households that are least able to afford adequate housing.
- **Goal 3.0–Provide Opportunities to Increase Housing Production**: Provide adequate sites for residential development with appropriate land use designations and zoning provisions, objective design standards, and energy efficiency requirements, and ensure efficient and transparent review processes for residential development, including accessory dwelling units, to accommodate the City's share of the regional housing needs.
- **Goal 4.0–Compliance with State Housing Laws**: Adopt and implement policies and regulations that comply with State laws to facilitate housing for people living with disabilities or experiencing homelessness, and to accelerate the approval processes for housing projects, particularly projects that include affordable housing units.
- **Goal 5.0–Promote Fair Housing While Acknowledging the Consequences of Past Discriminatory Housing Practices**: Acknowledging that throughout much of the 20th century, discriminatory housing and lending practices excluded non-white people from purchasing housing in the city, and that such history continues to have implications for the community's racial and cultural diversity today. Promote fair housing through policies and programs to promote inclusion of low-and moderate-income households.
- **Goal 6.0–Expand and strengthen tenant protections for South Pasadena's existing renters**: South Pasadena renters are important members of the community and make up about 53.5% of the city's population. The City's efforts to advance housing that is affordable to people of all income levels must include not only longer-term strategies like facilitating housing production, but also policies and programs that help South Pasadena's existing renters remain in (or return to) their homes and their broader community. To that end, the City is committed to ensuring that all

of its renter households maintain housing stability and affordability so that they can stay and thrive in South Pasadena.

Each of these goals has supporting policies that guide decision-making. Several programs are identified to support the goals and policies, with an eight-year objective, funding source(s), responsible agency(ies), and timeframe presented for each program.

For the 2021–2029 Housing Element, the Southern California Association of Governments (SCAG) determined that the City of South Pasadena's Regional Housing Needs Assessment (RHNA) allocation was 2,067 units (almost 33 times the previous cycle). A local government's identified RHNA includes both the existing and projected housing needs of the locality. Additionally, the State Department of Housing and Community Development (HCD) recommended the 2021–2029 Housing Element demonstrate capacity for an approximately 34 percent surplus of units beyond the RHNA allocation. The 2023 Final program EIR evaluated a total of 2,775 new dwelling units as being developed along with 430,000 square feet of non-residential uses.

Housing Element Implementation Programs included the following:

- Program 2.e – Facilitate Density Bonus for Projects with On-site Affordable Housing
- Program 2.h – Incentivize Special-Needs Housing
- Program 2.m – Update Inclusionary Housing Regulations
- Program 2.n – Citywide Height Limit Ballot Initiative
- Program 3.a – Rezone and Redesignate Sites to Meet RHNA
- Program 3.b – Mixed-Use Developments and Adaptive Re-Use – to encourage high density residential use.
- Program 3.n – Zoning Changes to facilitate increased densities by reducing constraints
- Program 5.b – Encourage a Variety of Housing Types

C. 2025 Addendum

Following voter approval of Measure SP, which repealed a 1983 ballot initiative's restrictions on heights citywide, the City set new height limits consistent with allowable densities. The City amended land use policy documents: 1) slightly reduced density in areas within the DTSP (the National Register Historic District and Mission Street West of Orange Grove from 70 dwelling units/acre to 50 dwelling units/acre, and Fair Oaks - Downtown from 110 dwelling units/acre to 90 dwelling units/acre), 2) increased residential density at certain large congregational and private school sites to 50 dwelling units/acre, and 3) reduced the area in the RM zone covered by the Housing Overlay Zone, and 4) increased the heights in zoning districts with densities of more than 50 dwelling units/acre and in all districts within the DTSP. Heights were increased as follows: Maximum density 50 dwelling units/acre = Maximum Height of 50 feet; Maximum density of 70 dwelling units/acre = Maximum Height of 60 feet; Maximum density of 90 dwelling units/acre = Maximum height of 70 feet. State Density Bonus Law provides for additional height of up to three additional stories or up to 33 additional feet.

D. 900 Fair Oaks Avenue Project

Location of Site

The site of the 900 Fair Oaks Avenue project is approximately 26,808 square feet, consisting of an improved parking lot with no buildings (see **Figure 3**). The site has a land use designation of Mixed-Use Core and is located at the eastern edge of the Downtown Specific Plan area. The site was occupied by homes from 1910 to about 1940-1948 when the present parking lot was developed.

The 900 Fair Oaks Avenue site is located within an area that primarily includes commercial and residential land uses (see **Figure 4**). Land uses surrounding the site are as follows:

- To the north across Mission Street is a surface parking lot and residential apartments (three to four stories).
- To the east across Brent Avenue are single and multi-family (duplex) uses.
- To the south across El Centro Street is a surface parking lot.
- To the west, across an alley (Rayment Lane) is a currently vacant Rite Aid Pharmacy, a restaurant (Fanta Sea Grill), and a nail salon.

The site is located within a Tier 2 SB 79 Transit Oriented Development Zone (see **Figure 5**).

The 2023 Final Program EIR evaluated a total of 1,230 dwelling units in the Fair Oaks Avenue (880 dwelling units) and Mission Street (350 dwelling units) Corridors. The 2023 Final Program EIR indicates:

> *Mission Street is the City's historic main street and contains some of its most important buildings, including the City's civic center. Fair Oaks Avenue is a major north-south arterial through the City. Over the past few decades, even though Fair Oaks Avenue has remained economically viable, it has seen a decline in quality due to the sprawl of buildings and lack of landscaping. Mission Street by contrast has retained its historic character, particularly around the Metro A Line Station, and new infill along with successful retail businesses have made it one of the most important destinations in the City. The Mission Street and Fair Oaks Avenue corridors in the Downtown area offers opportunities for housing for people across the income spectrum, jobs, arts and culture, local serving retail, and gathering places for residents and visitors*.

Site Acquisition

The proposed action includes the purchase of the 900 Fair Oaks Avenue site as part of the CEO-HI (CEO-Homeless Initiative) Land Bank Pilot Program (Pilot Program). The Los Angeles County Board of Supervisors established the Pilot Program on June 14, 2022, to create new opportunities for affordable housing in areas experiencing and set to experience rapid gentrification and displacement. The goal of the Land Bank Pilot Program is to acquire vacant and underutilized properties for the development of affordable housing. In addition to approving purchase of the site, the Board of Supervisors is anticipated to approve an affordable housing project for the site.



Figure 3
Aerial View of 900 Fair Oaks Avenue Site and Vicinity



Figure 4
View North Along Brent Avenue

Affordable housing projects are desperately needed to provide for People Experiencing Homelessness (PEH) to move from the shelter system into a more long-term solution that allows them to start to build or rebuild their lives. Without affordable housing PEH remain in shelters for substantially longer periods of time and people newly falling into homelessness are not able to find shelter. Moving people from shelters to affordable housing allows the shelters to function properly as short-term solutions. Affordable housing is needed as urgently as shelters in order to provide people with hope and a realistic means to reenter/contribute to society.

Project Description -- Reasonably Foreseeable Affordable Housing Project

The County of Los Angeles proposes to acquire the site with the intention of facilitating affordable housing development. While no specific development has been confirmed, it is reasonably anticipated that an affordable mixed-use housing development of up to 142 units (up to approximately 150,000 square feet) and a height of approximately 81 feet could be developed on the site. Such a development could reasonably be anticipated to include 4,695 square feet of community-serving commercial space and/or amenity space primarily to serve the residents; no parking is required by Code. The project would include sustainability features consistent with County and City policies. In order to be sensitive to community concerns expressed through the General Plan and Downtown Specific Plan process, it is anticipated that the building would include setbacks on the eastern side to step down to the residential community to the east. The development would include minor landscaping and security lighting.

As noted above, the site is well-served by transit, with numerous bus lines in the area and a Metro A-Line station located about 0.4 miles to the west of the site.

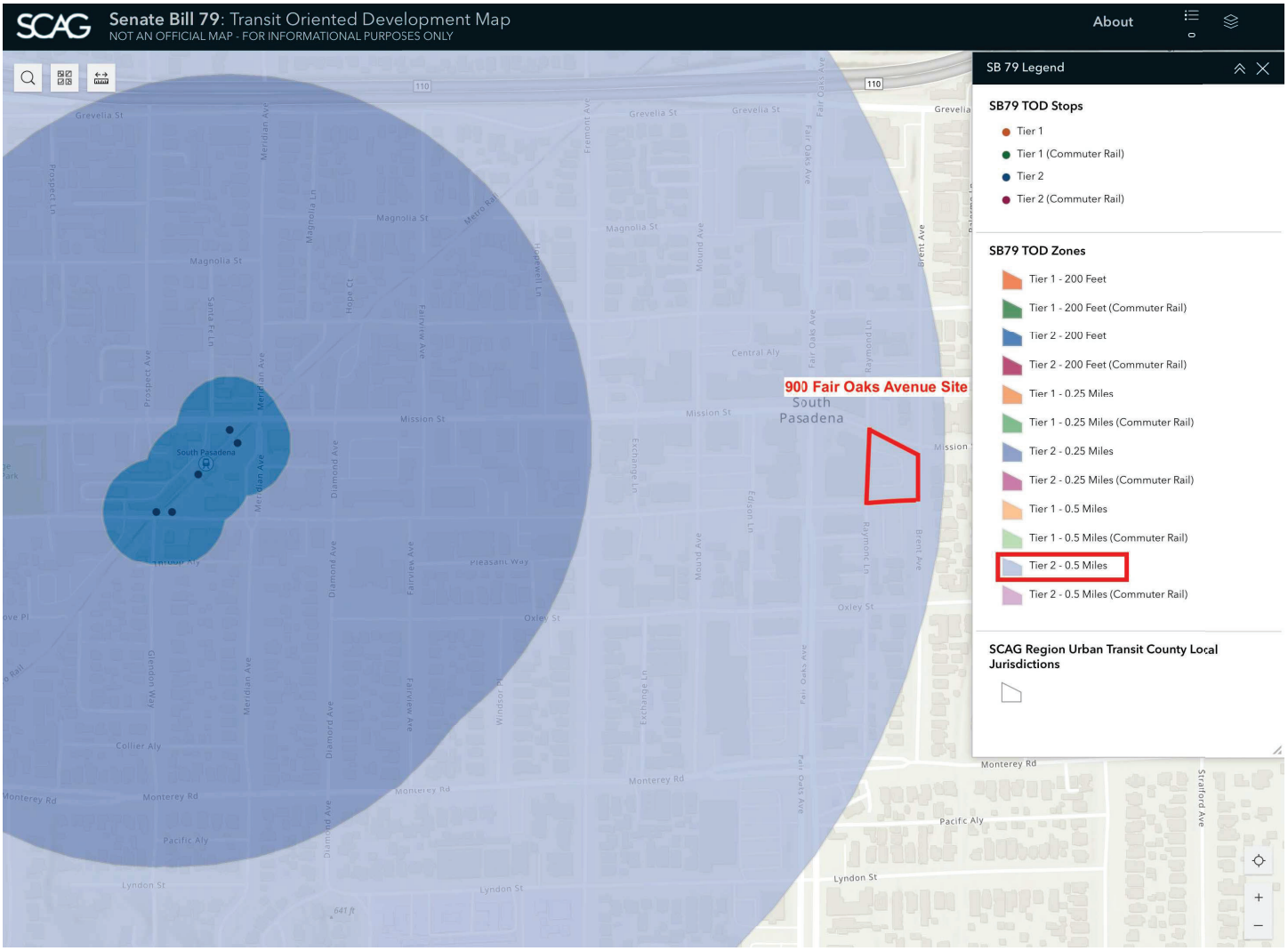


Figure 5
South Pasadena
SB 79 Transit Oriented Development Zone

Pre-Construction and Construction

Prior to construction of a residential development (after a few minor repairs and/or improvements such as removal of a block wall, and potential construction of a fence) the site could be used on an interim basis as a revenue-generating parking lot.

There are approximately ten ornamental trees on the site and additional trees in the parkways surrounding the site. The ornamental trees on site would be removed. The ornamental trees in the parkways could be impacted by construction and/or as a result of repair of sidewalks and/or the need to remove trees where roots are impacting sidewalks. Parkway trees that are removed would be replaced as feasible.

It is anticipated that staging would occur on-site except minor staging for utility connections off-site. A temporary construction fence would surround the site. The site is relatively small (0.62 acres) and therefore use of heavy equipment will be constrained as is typical for a small urban site. A building foundation design and construction method have not been identified but could include localized foundation piles extending to some depth but more likely spread footings or mat slab foundation extending up to 10 feet to 20 feet below grade. However, the quantity of earth that would be disturbed is anticipated to be relatively minor. Construction is anticipated to take approximately 24 months.

The County will require that the following mitigation measures are included in a future housing project as project design features (see details of measures in **Table 1** above): MM BIO-1 (nesting bird surveys), MM BIO-2 (tree trimming outside nesting season or survey and avoid nests), MM CUL-1 (archaeologist review and monitoring as indicated), MM GEO-1 (paleontologist to review if artifacts are found), MM-NOI-1 (acoustical report prior to building permit demonstrating 65 CNEL exterior noise level), MM NOI-2 (acoustical report prior to building permit demonstrating habitable rooms with 45 dBA CNEL), MM NOI-4 (acoustical report demonstrating closest residential receptor would meet 80 dBA Leq 8 hour construction and incorporation of measures as appropriate to reduce construction noise and vibration), MM-NOI-7 (requirements for construction equipment — mufflers, staging away from noise sensitive uses and construction deliveries to comply with code).

Operational Characteristics

With up to approximately 142 units, the residential occupancy is reasonably anticipated to be up to approximately 340 people (2.4 persons per unit). Employment would be minor and limited to an on-site manager and approximately 5 employees in the community/commercial space.

The reasonably anticipated development, per the description provided in this document and analyzed herein, would be an affordable housing project in an urban area and would operate similar to other apartment buildings in the area. It is located in an area with easy access to goods and services as well as jobs. The 900 Fair Oaks Avenue site is located within a Transit Priority Area (TPA) and is well served by transit. It is anticipated that it would generate up to an estimated 591 daily weekday vehicle trips.[3,4]

[3] A Transit Priority Area is an area within one-half mile of a major transit stop that is existing or planned. Section 21064.3 of the Public Resources Code (PRC) defines a "major transit stop" as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

[4] As identified in the Los Angeles Department of Transportation (LADOT) Transportation Assessment Guidelines, July 2020 (page 3-10), family affordable housing generates 4.16 trips per unit per day. This would result in an estimate of 591 trips per day for 195 units. The same table indicates an affordable family development would generate 0.52 trips per unit during the am peak hour and 0.38 trips per unit during the pm peak hour resulting in 74 trips during the am peak hour and 54 trips during the pm peak hour.

However, proximity to light rail and transit and limited availability of parking would be expected to reduce that number.

Discretionary Actions

The currently proposed action by the Board of Supervisors, acting on behalf of the County of Los Angeles, includes authorizing the Chief Executive Officer or her designee to purchase the project site as part of the Land Bank Pilot Program and to establish and approve an affordable housing project as identified above. Future actions may include executing an exclusive negotiating agreement (ENA) with a developer, authorizing a ground lease agreement, and potentially funding approval(s) for the affordable housing project.[5] One or more of these future actions may be a discretionary decision on the part of the County and subject to further environmental review.

[5] Per Government Code section 25351: Whenever the board of supervisors of a county decides to go out to bid to construct a county building, expand an existing building, expand the use of an existing building, or enter into a lease of an existing building within the incorporated territory of a city, the board shall notify in writing, at least 60 days prior to going to bid or entering into a lease, the city clerk of the city where the building is to be constructed, expanded, or leased.

6. ENVIRONMENTAL SETTING AND IMPACT ANALYSIS

The 2023 Final Program EIR and the associated Findings of Fact and Statement of Overriding Considerations determined that the proposed General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs would result in significant and unavoidable impacts in the issue areas identified below. The following discussion also compares impacts of the reasonably anticipated 900 Fair Oaks Avenue project to the conclusions of the 2023 Final Program EIR. As discussed below, the analysis does not identify significant unavoidable impacts for the 900 Fair Oaks Avenue project, but mitigation would be implemented as indicated in each detailed issue analysis. The County will require that the following mitigation measures are included in the future housing project (see details of measures in **Table 1** above): MM BIO-1 (nesting bird surveys), MM BIO-2 (tree trimming outside nesting season or survey and avoid nests), MM CUL-1 (archaeologist review and monitoring as indicated), MM GEO-1 (paleontologist to review if artifacts are found), MM-NOI-1 (acoustical report prior to building permit demonstrating 65 CNEL exterior noise level), MM NOI-2 (acoustical report prior to building permit demonstrating habitable rooms with 45 dBA CNEL), MM NOI-4 (acoustical report demonstrating closest residential receptor would meet 80 dBA Leq 8 hour construction and incorporation of measures as appropriate to reduce construction noise and vibration), MM-NOI-7 (requirements for construction equipment — mufflers, staging away from noise sensitive uses and construction deliveries to comply with code).

1) Aesthetics. Structures on vacant lands and replacement of older developments would likely have a different architectural style and may be more intense than the pre-existing land use. Increased urbanization could be expected as properties are developed and/or redeveloped with higher intensity/density uses. The combination of proposed policies to increase density in selected areas of the City to meet the RHNA allocation and the State Density Bonus Law would result in taller structures and increased density. Due to State mandated housing- and land use-related programs and regulations and the court-ordered ballot initiative to repeal the height limit on selected sites, the change in visual character in the City was considered to be potentially transformational and adverse. To balance preservation of existing uses and land use transitions where development or redevelopment occur, the focus areas and potential housing sites were primarily situated in those portions of the City where change is desired to both diversify land uses and take advantage of proximity to the Metro A Line Station. While some factors (i.e., RHNA allocations and State legislation) are not in the City's control; in consideration for the community's point of view the direct and indirect effects of the land use regulations evaluated in the 2023 Final Program EIR were considered to be a significant and unavoidable impact to visual character.

   Consistent with the DTSP and state density bonus law, at up to about seven stories and 81 feet tall, the 900 Fair Oaks Avenue project would be taller than the one and two-story story residential development to the east, three to four story residential development to the northeast, as well as one and two-story commercial development to the west. The site is located within ½ mile of a major transit stop at the Fair Oaks Avenue and Mission Street Metro A-Line and therefore as indicated in the 2023 Final Program EIR is well-positioned to take advantage of transit. CEQA section 21099(d)(1) indicates that aesthetic impacts for residential projects located within a Transit Priority Area (within 0.5 miles of a major transit stop) shall not be considered significant.

2) Air Quality. Because the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs identify future land uses and do not contain specific development proposals, construction-related emissions are speculative and could not be accurately determined at the program level. Therefore, regional and local criteria pollutant emissions for construction activity were not quantified and were conservatively identified as significant and unavoidable impacts. Estimated

operational activities from buildout (area sources, energy sources, mobile sources, and stationary sources) would result in criteria air pollutant emissions exceeding the SCAQMD thresholds for VOCs. Potential for conflict with the AQMP because: 1) air emissions could create and increase in the severity of air quality violations within the air basin; and 2) buildout would exceed the 2020–2045 RTP/SCS demographic projections (because of the RHNA) and consequently air emissions that are included in the 2022 AQMP.

Details of project construction are not known. Evaluation of template projects was undertaken as part of the 2024 RTP/SCS EIR; that analysis shows that construction projects with fewer than 160 workers, 19 pieces of heavy equipment and 150 one-way truck trips and less than an acre would not have the potential to result in significant construction impacts. It is anticipated that project construction would require fewer workers, equipment and one-way truck trips than this template project, because of the size of the site and size of project. Therefore, project construction would not be expected to generate significant construction emissions. During construction, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas. Operational impacts of relatively small scale – less than 200 units -- residential projects in proximity to transit do not result in significant impacts because of on-going increasingly stringent emissions controls and reduced use of cars.

3) Cultural Resources -- Historic Resources. The 2023 Final Program EIR could not be certain that a significant adverse effect to one or more existing or future identified historic resources would not occur, despite application of applicable local, State and Federal regulations.

   There is no building located on the site and therefore no impact to historical resources would occur. The 900 Fair Oaks Avenue project would not change other impacts identified in the 2023 Final Program EIR.

4) Greenhouse Gas Emissions. Because the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs identify future land uses and do not contain specific development proposals, construction-related GHG emissions are speculative and cannot be accurately determined at this stage of the programmatic level. Therefore, GHG emissions related to construction activity were not quantified and were assumed to be significant and unavoidable. At the program level, estimated operational GHG emissions would exceed both an SCAQMD threshold and a service population threshold. While the operational emissions are highly conservative, operational GHG emissions are considered significant as the Project may generate GHG emissions that would have a significant and unavoidable impact on the environment.

   Reasonably anticipated development at 900 Fair Oaks Avenue, per the description provided in this document and analyzed herein, would fall within the assumptions made in the 2023 Final Program EIR. Impacts of the reasonably anticipated 900 Fair Oaks Avenue development would be less than significant (due to project size and consistency with state, regional and local policies – including proximity to transit).

5) Noise. The 2023 Final Program EIR indicates that construction noise levels at receiver locations within 50 feet and 200 feet where pile driving is necessary, are anticipated to exceed FTA noise thresholds. The increase in traffic noise levels due to the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs at adjacent uses would not result in a noticeable change in noise levels (i.e., 3 dBA) where noise levels exceed 65 dBA CNEL. However, residential uses would experience future exterior noise levels greater than the *normally acceptable* compatibility criteria identified in the existing General Plan Safety and Noise Element. While it may be possible to satisfy the exterior noise standards for some projects, the transportation noise levels may still exceed the exterior 65 dBA CNEL standard for some projects. Therefore, the exterior on-site transportation noise impact is considered significant and unavoidable.

   The closest residential property lines are about 50 feet from the 900 Fair Oaks Avenue site; residential structures are about 70 feet or more from the site. It is not anticipated that pile driving would be required. Therefore, significant impacts are not anticipated.

6) Population and Housing. Buildout would exceed the population and housing growth projections presented in the SCAG 2020-2045 RTP/SCS. This is solely because the 2020-2045 RTP/SCS projections are inconsistent with the 6th Cycle RHNA.

   Reasonably anticipated development at 900 Fair Oaks Avenue, per the description provided in this document and analyzed herein, would fall within the assumptions made in the 2023 Final Program EIR and could contribute to the impact identified in the 2023 Final Program EIR. However, SCAG has moved away from assessing consistency based on specific densities and looks towards consistency with reginal policies, importantly location of residential development in proximity to transit and jobs which the 900 Fair Oaks Avenue project would address and therefore would be consistent with SCAG policies and impacts would be less than significant.

The Statement of Overriding considerations indicates that the South Pasadena City Council found that economic, legal, social, technological, and other considerations outweighed the significant and unavoidable impacts. The Statement of Overriding Considerations identified specific benefits the City Council considered in its decision to approve the project (see **Section 1 Introduction** for more details).

These overriding considerations are applicable to the reasonably anticipated 900 Fair Oaks Avenue project as it would specifically address the housing needs a critical component of the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs.

All remaining impacts were found to be no impact, less than significant or less than significant with mitigation incorporated as summarized in **Table 3** below. The 900 Fair Oaks Avenue project, with the mitigation measures previously included in the 2023 Final Program EIR, impacts previously identified as significant would not be worsened, and no new significant or potentially significant impacts to the physical environment would occur. Accordingly, the analyses included herein support the County's conclusion, pursuant to State CEQA Guidelines Section 15164, that an Addendum is appropriate, and supports a determination by the County that no subsequent EIR is required. These conclusions also support CEQA Exemptions under Public Resources Code Section 21155.4 and CEQA Guidelines Section 15182 and Public Resources Code Section 21083.3 and CEQA Guidelines Section15183.

Table 3
Summary of Impacts – 2023 Final Program EIR Compared to Impacts of the Reasonably Anticipated 900 Fair Oaks Avenue

Impact	Level of Significance 2023 Final Program EIR	Level of Significance 900 Fair Oaks Avenue Project
Aesthetics		
Scenic vista, scenic resources.	Less than significant impact. Implementation of the General Plan and DTSP Update & 2021– 2029 Housing Element Implementation Programs would result in less than significant impacts related to scenic vistas, and no mitigation was required. The 2023 Final Program also found that there would be no adverse impacts to scenic resources within a scenic highway.	Less than significant impact. While the 900 Fair Oaks project would be visible in short and medium range views it would not significantly impact scenic vistas or scenic resources in a scenic highway.
Degradation of visual character.	Significant and unavoidable impact. The 2023 Final program EIR indicates that due to State mandated housing- and land use-related programs and regulations and the court-ordered ballot initiative to repeal the height limit on selected sites, the change in visual character in the City may be considered adverse to some segments of the community. No feasible mitigation was identified.	Less than significant impact. At seven stories and up to 81 feet tall the 900 Fair Oaks project would be dissimilar to surrounding development. However, the building would be a residential use, on an infill site within a within a TPA and therefore the impact is not considered significant (CEQA Section 21099(d)(1). It is anticipated that the building would include setbacks on the eastern side to step down to the residential community to the east.
Increase in light and glare.	Less than significant impact. Any new light sources would be required to comply with the South Pasadena Municipal Code standards (Section 36.300.090) for exterior lighting, which require a lighting plan to be submitted to the City and defines that lighting fixtures shall be appropriate in scale, intensity, and height to the use they are serving. Because both the geographic extent and physical scale of proposed land use changes are limited, a substantial increase in nighttime light and glare over the existing ambient levels was not anticipated.	Less than significant impact. The reasonably anticipated 900 Fair Oaks project, per the description provided in this document and analyzed herein, would be a source of light in the area, but the area is urbanized and already has some sources of light; it is anticipated that lighting would comply with Code and that impacts would be less than significant.
Agricultural and Forest Resources		
There are no agricultural or forest resources on-site.	No impact. These issues were dismissed in the 2023 Final Program EIR.	No Impact. There are no agricultural or forest resources in the project vicinity.
Air Quality		
Conflict with Plans	Significant and unavoidable impact. Potential for conflict with the AQMP because: 1) total air emissions from all development could create and increase in the severity of air quality violations within the air basin; and 2) buildout would exceed the 2020–2045 RTP/SCS demographic projections and consequently air emissions that are included in the 2022 AQMP.	Less than significant impact. Due to scale of project emissions would be less than significant. Project would be consistent with SCAG goals to locate residential development near transit and job centers.
Air emissions during construction.	Significant and unavoidable impact. Without specific development proposal, regional and local criteria pollutant emissions for construction activity were not quantified; it was conservatively assumed that construction-related emissions of future development	Less than significant. Details of project construction are not known. Evaluation of template projects was undertaken as part of the 2024 RTP/SCS EIR; that analysis shows that small projects on less than an acre would not have the potential to result in significant construction impacts.

Table 3
Summary of Impacts – 2023 Final Program EIR Compared to Impacts of the Reasonably Anticipated 900 Fair Oaks Avenue

Impact	Level of Significance 2023 Final Program EIR	Level of Significance 900 Fair Oaks Avenue Project
	projects would result in significant and unavoidable impacts.	
Air emissions during operation.	Significant and unavoidable impact. Operational activities at buildout (area sources, energy sources, mobile sources, and stationary sources) would result in volatile organic compound (VOC) emissions in excess of standards.	Less than significant impact. Operational impacts of small-scale residential projects in proximity to transit do not result in significant impacts.
Sensitive receptors.	Less than significant impact. New residential units near State Route 110 could be exposed to pollutants. Although not required under CEQA, the City will require a site-specific health risk evaluation be conducted for future projects meeting certain criteria (MM AQ-1).	Less than significant impact. The 900 Fair Oaks site is not located in proximity to SR 110 or other substantial sources of pollutants.
Odors	No impact. Land uses associated with odors are not anticipated.	No impact. Residential land uses are not associated with odors.
Biological Resources		
Sensitive species.	Less than significant impact with mitigation. Coopers hawk and western mastiff bat have potential to occur in the area. Nesting surveys required (MM BIO-1).	Less than significant impact. Several ornamental trees are located on the site that could provide nesting habitat for birds. Regulatory compliance (Migratory Birds Treaty Act reflected in MM BIO-1) would be sufficient to address potential impacts.
Sensitive habitats.	Less than significant impact with mitigation. Use of fire-resistant landscaping on hillsides could impact special status plant species and habitats. Also, development near stands of native vegetation could impact special status plant and wildlife.	No impact. There are no sensitive habitats on the site.
Wetlands.	Less than significant impact with mitigation. Naturally occurring drainages would generally not be impacts but jurisdictional concrete-lined drainage facilities could be impacted.	No impact. There are no natural or other drainage facilities that could be considered jurisdictional.
Cultural Resources		
Historic Resources.	Significant and unavoidable impact. Individual development projects are not known; impacts have the potential to occur when sites with older buildings are redeveloped.	No impact. There are no structures on the site.
Archeological resources and Tribal Cultural Resources.	Less than significant impact with mitigation. Potential to encounter unknown resources with grading in previously undisturbed soil.	Less than significant impact. Substantial excavation in previously undisturbed soils is not anticipated. Regulatory compliance would address potential for unknown finds.
Human remains.	Less than significant impact. Regulatory compliance would address impacts.	Less than significant impact. Regulatory compliance would address impacts.
Energy		
Wasteful, inefficient or unnecessary energy consumption. Obstruct state or local plans related to renewable energy or energy efficiency.	Less than significant impact. Regulatory compliance would ensure efficient use of energy and no obstruction of plans..	Less than significant impact. Regulatory compliance would ensure efficient use of energy and no obstruction of plans.

Table 3
Summary of Impacts – 2023 Final Program EIR Compared to Impacts of the Reasonably Anticipated 900 Fair Oaks Avenue

Impact	Level of Significance 2023 Final Program EIR	Level of Significance 900 Fair Oaks Avenue Project
Geology and Soils		
Seismicity, erosion, unstable soils.	Less than significant with mitigation. As a result of compliance with existing regulations and mitigation impacts related to being located in a seismically active region and any potential for unstable soils would be less than significant.	Less than significant impact with mitigation. Similar impacts due to the same site conditions and compliance with existing regulations and required mitigation measures. (CEQA has been clarified to indicate that impacts of the environment on the project are not considered impacts under CEQA as long as the project does not exacerbate the condition.)
Paleontological resources.	Less than significant impact with mitigation. Excavation deeper than in the past could impact unknown resources.	Less than significant impact. No resources were identified within the City. Substantial excavation in previously undisturbed soils is not anticipated. Regulatory compliance would address potential for unknown finds.
Greenhouse Gas Emissions		
GHG emissions and consistency with applicable plans.	Significant and unavoidable impact. Emissions associated with buildout would exceed SCAQMD thresholds.	Less than significant impact. The 900 Fair Oaks project is addressing the primary GHG reduction strategy identified by state, regional and local agencies – location of housing near transit and jobs. In addition, the project would include sustainable features.
Hazards and Hazardous Materials		
On-site hazardous materials associated with former uses of the property including older buildings with asbestos and lead based paint; accident conditions; hazardous materials within ¼ mile of schools.	Less than significant impact with mitigation. Construction involving the demolition of existing buildings, grading, and excavation, could result in the potential release of hazardous materials.	Less than significant impact. A Phase 1 assessment prepared for the site did not identify the potential for contamination.
Routine transport of hazardous materials; emergency response plan; wildland fires.	Less than significant impact. No airports nearby. Regulatory compliance would address transport and hazards nears schools and wildland fires.	Less than significant impact. No airports nearby. Regulatory compliance would address transport and hazards nears schools and wildland fires.
Proximity to airports.	No impact. No airports nearby.	No impact. No airports nearby.
Hydrology and Water Quality		
Water quality standards; groundwater recharge; drainage capacity and erosion and flooding; flood hazard, tsunami, seiche.	Less than significant impact. The project primarily addresses redevelopment off developed sites. Regulatory compliance would address water quality and groundwater recharge issues. Portions of the City are within the Devil's Gate Dam inundation area most of the city is flat and therefore hazards form mudflows are less than significant and would be addressed by regulatory compliance..	Less than significant impact. The project primarily addresses redevelopment off developed sites. Regulatory compliance would address water quality, groundwater recharge and erosion issues.
Land Use and Planning		
Potential to divide a community and	Less than significant impact. The anticipated increased density was found to have a less	No impact. The affordable housing project would be on a small site and would have no

Table 3
Summary of Impacts – 2023 Final Program EIR Compared to Impacts of the Reasonably Anticipated 900 Fair Oaks Avenue

Impact	Level of Significance 2023 Final Program EIR	Level of Significance 900 Fair Oaks Avenue Project
consistency with applicable plans.	than significant impact on the potential to physically divide communities and would be consistent with applicable plans.	potential to divide communities, and the anticipated affordable housing would be consistent with applicable plans.
Mineral Resources		
Loss of mineral resources.	No impact. There are no mineral resources known to exist in the City.	No impact. There are no mineral resources known to exist in the City.
Noise		
Increase in ambient noise levels.	Significant and unavoidable impact. Construction noise within 50 feet of a construction site was determined to be significant and unavoidable. Within 200 feet if pile driving were needed. As a result of increased vehicle trips operational noise would increase but by a less than significant amount. However, impacts to new development in proximity to heavily travelled roadways could be significant.	Less than significant impact. Existing homes are located more than 50 feet from the site. The site is located sufficiently distant from existing noise sources that a significant impact is not anticipated.
Increase in groundborne vibration.	Less than significant impact with mitigation. Large scale equipment has the potential to result in significant vibration.	Less than significant impact. Given the size of the site, large equipment is not anticipated and no pile driving is anticipated.
Aviation noise.	No impact. There are no airports nearby.	No impact. There are no airports nearby.
Population and Housing		
Unplanned growth.	Significant unavoidable impact. Buildout would exceed the population and housing growth projections presented in the SCAG 2020-2045 RTP/SCS. This is solely because the 2020-2045 RTP/SCS projections are inconsistent with the 6th Cycle RHNA.	Less than significant impact. Reasonably anticipated development at 900 Fair Oaks Avenue would fall within the assumptions made in the 2023 Final Program EIR and could contribute to the impact identified in the 2023 Final Program EIR. However, SCAG has moved away from assessing consistency based on specific densities and looks towards consistency with reginal policies, importantly location of residential development in proximity to transit and jobs.
Displace housing or people.	No impact. The 2023 Final Program FEIR found that with require relocation assistance there would be no impact as a result of the relatively low level of displacement anticipated.	No impact. There is no housing or other use on the site.
Public Services		
Impact to fire, police, schools, libraries and parks.	Less than significant impact. Construction of new facilities would not be required to address future growth. Regulatory compliance would also address the issues.	Less than significant impact. 900 Fair Oaks project would be within the assumptions analyzed in the 2023 Final Program EIR. The building is anticipated to include community-serving facilities.
Recreation		
Impact on recreational facilities.	Less than significant impact. Project construction and operation would not create a demand for parks and recreational facilities, and anticipated growth would not include new recreational facilities. Payment of Quimby fees would address issues.	Less than significant impact. The 900 Fair Oaks Avenue project would be within the growth assumptions analyzed in the 2023 Final Program EIR.

Table 3
Summary of Impacts – 2023 Final Program EIR Compared to Impacts of the Reasonably Anticipated 900 Fair Oaks Avenue

Impact	Level of Significance 2023 Final Program EIR	Level of Significance 900 Fair Oaks Avenue Project
Transportation and Traffic		
Conflict with plans and policies addressing circulation.	No impact. The land use regulations would not be inconsistent with plans and policies related to circulation.	No impact. The 900 Fair Oaks project would be consistent with the DTSP and would not conflict with polices addressing circulation.
Conflict with VMT guidance.	Less than significant impact. The new plans promote compact development and encourage fewer and shorter trips. VMT per service population and per capita would be less than existing and future without the new planning documents.	Less than significant impact. As an affordable housing project within a Transit Priority Area, the 900 Fair oaks project would have a less than significant impact on VMT.
Hazards due to geometric design.	No impacts. No changes that could affect geometric design and traffic hazards were identified.	No impacts. No changes that could affect geometric design and traffic hazards were identified.
Inadequate emergency access.	Less than significant impact. Regulatory compliance would ensure travel lanes remain available to emergency vehicles.	Less than significant impact. Regulatory compliance would ensure travel lanes remain available to emergency vehicles.
Tribal Cultural Resources		
Adverse change in Tribal Cultural Resources.	Addressed under Cultural Resources – Archeological Resources.	
Utilities and Service Systems		
Impacts to water, wastewater, storm water and solid waste.	Less than significant impact. Based on developed area and regulatory compliance, the 2023 Final Program EIR concludes less than significant impacts to utilities.	Less than significant. The proposed 900 Fair Oaks Avenue project would be within the growth assumptions of the 2023 Final Program EIR. Impacts would be similar to those identified in the 2023 Final Program EIR.
Wildfire		
Impair emergency response, exacerbate wildfire risk, risks downstream.	Less than significant impact. While areas of the city are in high fire risk areas less than significant impacts were anticipated to result from the land use regulatory changes.	No impact. The 900 Fair Oaks site is not located in a high risk wildfire area.

A. AESTHETICS

The potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analyzed herein, to result in new or substantially more adverse significant impacts to aesthetics was evaluated in relation to the 2023 Final Program EIR analysis.

(a) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to substantial adverse effects on a scenic vista?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Implementation of the General Plan and DTSP Update & 2021– 2029 Housing Element Implementation Programs would result in increased density in certain areas of the City of South Pasadena, and State Density Bonus Law provides for up to three additional stories or up to 33 additional feet. Nonetheless, the San Gabriel mountains rise over 6,000 feet and would remain visible from most areas of the City and many north-south public streets despite intensification of land uses. The 2023 Final Program also noted that although there would be an intensification of uses in some areas of the City and some may consider the proposed land use plan to be transformational, it is expected that the existing level of visual obstruction by intervening development in the City would be overall similar to the existing condition. The number of projects that would elect to meet the density bonus requirements that would enable a height increase are not expected to be numerous enough to result in a substantial increase in obstructions of the San Gabriel Mountains throughout most of the City. Therefore, impacts related to views and view resources would be less than significant.

900 Fair Oaks Avenue Project

Construction and Operation

While the 900 Fair Oaks project would be visible in short and medium range views it would not significantly impact scenic vistas or scenic resources in a scenic highway.

Conclusion

There would be no new or substantially greater impacts than those identified in the 2023 Final Program EIR.

(b) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to substantially damaging scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

The most notable scenic resource in the City visible from SR-110 (designated the Arroyo Seco Historic Parkway under the National Scenic Byway Program) is the City of South Pasadena "rock sign" situated on a grassy slope in Arroyo Park next to Arroyo Drive, near the western portal of the SR-110 into the City. This sign and the surrounding area would not be altered as a result of implementation of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs. As such, the potential change in land uses from the limited portion of SR-110 that would be visible to passing motorists within the northern portion of the City, would not be considered substantially damaging to a scenic resource. Therefore, there would be no adverse impacts related any scenic resources within a State scenic highway. Impacts would be less than significant and no mitigation is required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

While the 900 Fair Oaks Avenue Project would be taller than surrounding properties it would not substantially impact views from SR 110 and would be consistent with the analysis in the 2023 Final Program EIR. Impacts would continue to be less than significant.

(c) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to: In non-urbanized areas, substantially degrading the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). In an urbanized area, project conflict with applicable zoning and other regulations governing scenic quality?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

The 2023 Final Program EIR acknowledged that due to State mandated housing- and land use-related program and regulations and the court-ordered ballot initiative to repeal the height limit on selected sites, the future change in visual character in the City may be considered adverse to some segments of the community. As discussed above, although there would be an intensification of uses in some areas of the City that some would consider to be transformational, the overriding intent of the General Plan and DTSP Update & 2021– 2029 Housing Element Implementation Programs is to ensure maintenance of the City's character through high-quality, context-specific design and enhancement of the public realm. To balance preservation of existing uses and land use transitions where development or redevelopment occur, the focus areas and potential housing sites are primarily situated in those portions of the City where change is desired to both diversify land uses and take advantage of proximity to the Metro A Line Station. Although some factors (i.e., RHNA allocations and State legislation) are not in the City's control, in consideration for the community's point of view on this issue, the direct and indirect effects would be considered a significant and unavoidable impact to visual character. There are no feasible mitigation measures to reduce this impact, as it is the result of State mandates superseding City planning control or requirements of a court order.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

Construction and operation of the 900 Fair Oaks Avenue project activities would be similar to those evaluated in the 2023 Final Program EIR. Grading and construction activities may be visible form surrounding areas and as the building rises it would be visible form further away. At up to seven stories and up to 81 feet the building would be taller than the generally one to three to four story buildings in the immediate area. However, the building would be a residential use, on an infill site within a within a Transit Priority Area (TPA) and therefore the impact is not considered significant (CEQA Section 21099(d)(1). Therefore, the building would have less-than-significant impacts with respect to visual character and quality of public views.

(d) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to creating a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

The General Plan Update identifies five focus areas where the most substantive changes in development would occur. The 2021–2029 Housing Element Implementation Programs identifies additional potential housing sites outside of the focus areas. Additionally, development areas are located along major arterial corridors with both vehicular and light rail and are already subject to the most intensive light and glare from existing land uses. The established residential neighborhoods throughout the City were identified as remaining largely unchanged. Proposed land uses that would be particularly light- or glare-intensive (such as a sports arena) are not planned in the City. Additionally, most of the land area in the City is currently developed. Any new light sources would be required to comply with the South Pasadena Municipal Code (SPMC) standards (Section 36.300.090) for exterior lighting, which require a lighting plan to be submitted to the City and defines that lighting fixtures shall be appropriate in scale, intensity, and height to the use they are serving. Because both the geographic extent and physical scale of proposed land use changes are limited, a substantial increase in nighttime light and glare over the existing ambient levels was not anticipated. Therefore, impacts were identified as less than significant impacts and no mitigation was required.

900 Fair Oaks Avenue Project

Construction and Operation

The reasonably anticipated 900 Fair Oaks project, per the description provided in this document and analyzed herein, would be a source of light in the area, but the area is urbanized and already has some sources of light; it is anticipated that lighting would comply with Code and that impacts would continue to be less than significant.

Conclusion

There could be some security lighting of the site during construction, and the building once completed could have landscape and security lighting consistent with the SPMC. Impacts of the 900 Fair Oaks Avenue project with respect to light and glare would be less than significant, the same as those of the 2023 Final Program EIR.

B. AGRICULTURAL AND FOREST RESOURCES

The potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analyzed herein, to result in new or substantially more adverse significant impacts to agricultural and forest resources compared to General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs was evaluated in relation to five questions recommended for consideration by the State CEQA Guidelines.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to any of the following:

(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?
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?
(d) Result in the loss of forest land or conversion of forest land to non-forest use?
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

There are no agricultural or timberland uses in the City of South Pasadena that could be impacted by the General Plan and DTSP Update & 2021 – 2029 Housing Element Implementation Programs, therefore there would be no impacts to these resources.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would not convert farmland or forest land, nor would it conflict with existing zoning for agricultural or forestry uses or a Williamson Contract. As under the 2023 Final Program EIR, the 900 Fair Oaks Avenue project would have no impacts with respect to agricultural and forest resources.

C. AIR QUALITY

Air quality impacts of the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analyzed herein, were evaluated with regard to the analyses included in the 2023 Final Program EIR. The potential for the reasonably anticipated 900 Fair Oaks Avenue project to result in new or substantially more adverse significant impacts to air quality was evaluated in relation to four questions recommended for consideration by the State CEQA Guidelines.

(a) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to conflict with or the potential to obstruct implementation of the applicable air quality plan?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

The 2023 Final Program EIR identified the potential for conflict with the AQMP because: 1) total air emissions from all development could create and increase in the severity of air quality violations within the air basin; and 2) buildout would exceed the 2020–2045 RTP/SCS demographic projections and consequently air emissions that are included in the 2022 AQMP.

Construction

The 2023 Final Program EIR indicates that during construction activities associated with individual projects, emissions of CO, VOCs, NOx, SOX, PM10, and PM2.5 would likely be released through the burning of fossil fuels in construction equipment, grading fugitive dust, asphalt paving, and the application of architectural coatings during painting activity. Because the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs identify future land uses and do not contain specific development proposals, construction-related emissions were not quantified. The 2023 Final Program EIR indicates that construction of future development projects have the potential to result in significant and unavoidable impacts.

Operation

Operational activities would result in emissions of CO, VOCs, NO_X, SOX, PM10, and PM2.5. Operation-related emissions are expected from the following sources: area sources, energy sources, mobile sources, and stationary sources. The estimated operational-source regional (mass) emissions were estimated for \ 2,775 dwelling units and 430,000 square feet of non-residential uses. Emissions of Volatile Organic Compounds (VOC) were identified as exceeding the SCAQMD threshold (124 lbs per day compared to the threshold of 55 lbs per day), primarily as a result of area sources (92 lbs per day). All other pollutants were indicated to be below the thresholds. Impacts from VOC emissions were identified as significant.

The estimated population, household, and employment growth at buildout would exceed the projections of the 2020–2045 RTP/SCS. Therefore, the 2023 Final Program EIR identified a potential conflict with respect to consistency with the AQMP. However, it's not clear that full buildout would occur by 2040 and therefore the analysis contained in the 2023 Final Program EIR is conservative

900 Fair Oaks Avenue Project

Construction

While details of project construction are not known, evaluation of template projects was undertaken as part of the 2024 RTP/SCS EIR; that analysis shows that small projects on less than an acre would not have the potential to result in significant construction impacts.

Operation

Due to scale of the 900 Fair Oaks project, emissions would be less than significant. The 900 Fair Oaks project would be consistent with SCAG goals to locate residential development near transit and job centers and therefore impacts would be less than significant.

Conclusion

Impacts related to consistency with the AQMP would be less than impacts described in the 2023 Final Program EIR and would be less than significant.

(b) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the potential to result in a cumulatively considerable net increase of any criteria pollutant for which the project region air basin is non-attainment under an applicable federal or state ambient air quality standard?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

The Los Angeles County portion of the South Coast Air Basin is designated nonattainment for the National Ambient Air Quality Standards for ozone and particulate matter less than 2.5 micrometers (PM2.5) and designated nonattainment for the California Ambient Air Quality Standards for ozone, nitrogen dioxide, particulate matter less than 10 micrometers (PM10), and PM2.5.

2023 Final Program EIR

Construction

As noted above, the 2023 Final Program EIR did not estimate construction emissions but did conclude that construction of future development projects have the potential to result in significant and unavoidable impacts.

Operation

As noted above, the 2023 Final program EIR indicated that operational activities would result in emissions of CO, VOCs, NO_X, SOX, PM10, and PM2.5. The estimated operational-source regional (mass) emissions were estimated for 2,775 dwelling units and 430,000 square feet of non-residential uses. Emissions of VOCs were identified as exceeding the SCAQMD threshold (124 lbs per day compared the

threshold of 55 lbs per day), primarily as a result of area sources (92 lbs per day). All other pollutants were indicated to be below the thresholds. Therefore, the 2023 Final Program EIR found that operational impacts would be significant for VOCs.

900 Fair Oaks Avenue Project

Construction

Details of project construction are not known. Evaluation of template projects was undertaken as part of the 2024 RTP/SCS EIR; that analysis shows that construction projects with fewer than 160 workers, 19 pieces of heavy equipment and 150 one-way truck trips and less than an acre would not have the potential to result in significant construction impacts. It is anticipated that project construction would require fewer workers, equipment and one-way truck trips than this template project, because of the size of the site and size of project. Therefore, project construction would not be expected to generate significant construction emissions.[6] During construction, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas. In addition, as of 2026, the California Air Resources Board (CARB) OFFROAD equipment inventory database estimates that approximately 74 percent of in-use off-road equipment in the construction and mining industry that are active within the South Coast Air Basin already meet Tier 4 Final standards (which substantially reduce particulate especially diesel particulate emissions), demonstrating that this equipment is readily available and is substantially in use.[7]

Operation

Due to scale of the 900 Fair Oaks project, emissions would be less than significant. The 900 Fair Oaks project would be consistent with SCAG goals to locate residential development near transit and job centers and therefore impacts would be less than significant.

Conclusion

Criteria pollutant emissions associated with the 900 Fair Oaks Avenue project would be less than those evaluated for the 2023 Final Program EIR and would be less than significant.

6 https://scag.ca.gov/sites/default/files/2024-05/23-3052-peir-2024-draft-3-3-air-quality.pdf; page 3.3-49 and 3.3-65

7 California Air Resources Board, *Off-Road Web Platform – Mobile Emissions Toolkit for Analysis (META) Off-Road Tool*, Accessed June 11, 2026. Available at: https://arb.ca.gov/emfac/offroad/meta/off-road

(c) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the potential to expose sensitive receptors to substantial pollutant concentrations?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

Sensitive land uses in proximity to the 900 Fair Oaks Avenue site include residential uses to the east. The closest property line is about 50 feet from the site, and the closest home is about 70 feet from the site.

2023 Final Program EIR

Construction

The 2023 Final Program EIR indicated that localized emission concentrations were conservatively assumed to in a significant impact relative to toxic air contaminants.

Operation

The 2023 Final Program EIR did not identify significant localized impacts from operation. However, it notes that potential residential units in parcels in the northernmost portion of the DTSP focus areas and nearby areas have the potential to be located along the SR-110 where it traverses the City. Although not required under CEQA (as it is an impact of the environment on the project rather than an impact of the project on the environment), the City will require that applicants of individual future projects that would include sensitive land uses within 500 feet of SR-110 have a health risk assessment (HRA) prepared and that measures be included in the project to minimize exposure to TACs. Development of residential, commercial, and office uses are not land uses listed by CARB as having a high potential for the generation of toxic air contaminants due to the lack of diesel emissions or other toxic emissions.

900 Fair Oaks Avenue Project

Construction

Evaluation of the South Coast Air Quality Management District (SCAQMDs) Localized Significance Thresholds (LSTs) was undertaken for template as part of the 2024 RTP/SCS EIR; that analysis shows that construction projects with fewer than 160 workers, 19 pieces of heavy equipment and 150 one-way truck trips and less than an acre would not have the potential to result in significant LST construction impacts. [8]

Operation

The 900 Fair Oaks Avenue site is not within 500 feet of SR-110 or other major sources of toxic air contaminants and therefore MM AQ-1 is not applicable. Due to its relatively small size, it is not

[8] https://scag.ca.gov/sites/default/files/2024-05/23-3052-peir-2024-draft-3-3-air-quality.pdf; page 3.3-65

anticipated that the 900 Fair Oaks project would result in operational emissions in excess of SCAQMD's LSTs.

Conclusion

Emissions associated with the 900 Fair Oaks Avenue project would be less than those evaluated in the 2023 Final Program EIR and impacts would be less than significant.

(d) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to other emissions such as those leading to odors adversely affecting a substantial number of people?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

The 2023 Final Program EIR notes that land uses generally associated with odor complaints include: agricultural uses (livestock and farming); wastewater treatment plants, food processing plants; chemical plants; composting operations; refineries; landfills, dairies; and fiberglass molding facilities. None of those uses were anticipated to occur. Potential sources of operational odors include disposal of miscellaneous commercial refuse, which occurs in the existing condition. Consistent with City requirements, all refuse would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations, thereby precluding substantial generation of odors due to temporary holding of refuse on-site. Moreover, SCAQMD Rule 402 acts to prevent occurrences of odor nuisances. Therefore, the Project would not create or result in objectionable odors affecting a substantial number of people. There would be no impact, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction

The 900 Fair Oaks Avenue project would include the same types of construction activities as would occur for any urban construction. Impacts related to construction odors would be the same as those that could occur with project anticipated in the 2023 Final Program EIR; impacts would continue to be less than significant.

Operation

The 900 Fair Oaks Avenue project would include generally the same types of operational uses as projects anticipated in the 2023 Final Program EIR and would not create or introduce objectionable odors affecting a substantial number of people. Therefore, impacts related to operational odors would be the same as those identified in the 2023 Final Program EIR and would continue to be less than significant.

Conclusion

The 900 Fair Oaks Avenue project would have similar emissions, including odor emissions, as compared to the 2023 Final Program EIR and impacts would continue to be less than significant.

D. BIOLOGICAL RESOURCES

The potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analyzed herein, to result in new or substantially more adverse significant impacts to biological resources than analyzed in the 2023 Final Program EIR was evaluated in relation to six questions recommended for consideration by the State California Environmental Quality Act Guidelines.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following:

(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 Wildlife or U.S. Fish and Wildlife Service (USFWS)?

(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

(c) Have a substantial adverse effect on federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

(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?

	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Special Species. Habitat potentially suitable for native wildlife species in the City of South Pasadena is limited to the ornamental vegetation in developed areas and the native soils and vegetation in the undeveloped open space areas. Habitat potentially suitable for native plant species is restricted to the undeveloped, naturally vegetated open space areas. Cooper's hawk and western mastiff bat are special status wildlife species with potential to occur in the large trees that are located throughout the City. Removal, trimming, or other disturbance of occupied trees may result in loss or harm to individuals of these species and may negatively affect the local population. Potential impacts to Cooper's hawk and western mastiff bat would be avoided with implementation of mitigation measure (MM) BIO-1 and MM BIO-2. No other special status plant or wildlife species have potential to occur in the ornamental vegetation associated with the developed areas in the City of South Pasadena. The proposed General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would mostly direct future development to occur in areas of existing development, and would limit development of otherwise undeveloped, naturally-vegetated open space that may be used by special status plant or wildlife species.

Riparian/Wetland. The General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would mostly direct future development to areas of existing development, limiting development of naturally-occurring drainage features, and therefore minimizing potential impacts to any vegetated riparian or wetland habitat. Cement-lined jurisdictional drainage features are dispersed across the City and impacts to those features could occur. Mitigation identified in the 2023 Final Program EIR would address such impacts.

Wildlife Corridors and Nurseries. Wildlife movement is already greatly restricted within the City of South Pasadena due to existing urban development in most areas. Wildlife movement is likely confined to the Arroyo Seco along the western boundary of the City and within the vacant, naturally vegetated open space areas in the southwestern portion of the City. The General Plan and DTSP Update would direct future development to occur in areas of existing development, and not to areas of undeveloped, naturally vegetated open space. Therefore, implementation of the Project would not reduce the amount of available undeveloped, naturally vegetated open space used by wildlife for migration. As noted above mitigation would address impacts to nesting birds and bat maternity roots.

900 Fair Oaks Avenue Project

Construction and Operation

Special Species. There are no or large or significant trees on or bordering the site and therefore there are no potential impacts to Cooper's hawk and western mastiff bats would be anticipated. The site is not within 500 feet of the Arroyo Seco. Impacts to common nesting birds would be addressed through compliance with the Migratory Birds Treat Act (MBTA). MM BIO-1 through MM BIO-4 are not applicable to the site. Nonetheless, MM- BIO-1 and MM BIO-2 would be implemented as part of the project.

Riparian/Wetland. There are no wetland or riparian features or cement-lined jurisdictional drainage features that could be impacted by the 900 Fair Oaks Avenue project. Therefore, mitigation (MM BIO-5) identified in the 2023 Final Program EIR is not applicable.

Wildlife Corridors and Nurseries. As noted above mitigation to address Cooper's hawk and western mastiff bats is not needed. Compliance with the MBTA would address other nesting birds. No mitigation is necessary..

Conclusion

Impacts to biological resources would be less for the 900 Fair Oaks Avenue project as to those evaluated in the 2023 Final Program EIR. Impacts would be less than significant, and no mitigation would be required.

(e) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

The City of South Pasadena has a detailed tree preservation ordinance. The General Plan Update includes actions, consistent with the City's tree preservation ordinance, that direct all removed trees to be replaced and a minimum number of new trees to be planted annually regardless of the number of trees removed. Furthermore, actions of the General Plan and DTSP Update would improve the health of existing trees due to implementing new Best Management Practices designed to benefit tree health. Because all development within the City would be required to comply with the policies and regulations set forth in the City's tree preservation ordinance, there would not be a potential conflict with this local policy. There would be a less than significant impact, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction and Operation

The 900 Fair Oaks Avenue site includes a number of small ornamental trees. The reasonably anticipated future project, per the description provided in this document and analyzed herein, would comply with City requirements as appropriate.

Conclusion

Impacts related to local policies or ordinances protecting biological resources would be the same for the 900 Fair Oaks Avenue project as evaluated for the 2023 Final Program EIR in the 2023 Final Program EIR and would be less than significant.

(f) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

There are no adopted, approved, or proposed Habitat Conservation Plans (HCP); Natural Community Conservation Plans (NCCP); or other approved local, regional, or State habitat conservation plans that cover habitats located within the City of South Pasadena. There would, therefore, be no conflict with any such provisions and no impact would occur with the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs or with future development pursuant to these plans. No mitigation is required.

900 Fair Oaks Avenue Project

Construction and Operation

No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been adopted covering the Medical Center or adjacent areas. Therefore, the 900 Fair Oaks Avenue project would not conflict with any such plans, and no impacts would occur during construction or operation, the same as for the 2023 Final Program EIR.

Conclusion

Impacts related to adopted habitat plans and natural community conservation plans would be the same for the 900 Fair Oaks Avenue project as evaluated in the 2023 Final Program EIR, no impact would occur.

E. CULTURAL RESOURCES

The potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document, to result in new or substantially more adverse significant impacts to cultural resources was evaluated in relation to the 2023 Final Program EIR, required mitigation measures and three questions recommended for consideration by the State CEQA Guidelines. The 2023 Final Program EIR did not separately address Tribal Cultural Resources (TCRs); TCRs are part of the evaluation of archeological resources.

(a) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to causing a substantial adverse change in the significance of a historical resource as defined in §15064.5?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Development under the General Plan and DTSP Update & 2021–2029 Housing Element could result in substantial adverse changes to historical resources. In the instance that a project results in the demolition of a historical resource, or substantial alterations to a historical resource that are not in conformance with the Secretary of the Interior's Standards, a significant impact would occur. Unless it is possible to relocate the resource in question to an appropriate receiver site, demolition is generally considered to be a significant unavoidable impact. City policies would facilitate the required increase in housing opportunities, while preventing adverse changes to and protection of historical resources. The City's established historic preservation policies and procedures, combined with existing State and local preservation laws and regulations, would minimize the impact to the extent feasible. Nevertheless, for the City to become compliant with State housing element law it was necessary to broaden the pool of suitable sites identified for potential housing development beyond the focus areas to generally encompass more parcels in total. Also, there are State regulations that allow by-right development via a ministerial action under specific circumstances. Therefore, it cannot be certain that a significant adverse effect to one or more existing or future identified historic resources would not occur. Therefore, potential effects are considered to be a significant and unavoidable impact to historic resources. There are no feasible mitigation measures to reduce this impact, as it is the result of State mandates superseding certain aspects of the City's planning control for some parcels that include those with existing, or potentially future, eligible or known historic resources.

900 Fair Oaks Avenue Project

Construction and Operation

There are no buildings on the 900 Fair Oaks Avenue site and therefore there would be no direct impacts to an historical building. Several of the homes to the east are identified as historic properties, and the scale of a seven-story building across Brent Avenue could impact historic properties, but not such that the significance of the historic properties would be significantly impacted.

Conclusion

Impacts to historical resources for the 900 Fair Oaks Avenue project would be less than identified in the 2023 Final Program EIR and would be less than significant.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (c) Disturb any human remains, including those interred outside of formal cemeteries?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Archeological Resources and Tribal Cultural Resources. The 2023 Final Program EIR indicates that one previously recorded prehistoric archaeological site has been identified within the City; that archaeological site would not be impacted by the General Plan and DTSP Update & 2021–2029 Housing Element Project. The City is almost completely built out and is in a highly developed, urban area of Los Angeles County. Because there are few vacant parcels, future development would largely occur in areas of the City that are already developed and/or built out. As many of these sites are likely already disturbed, implementation of the General Plan and DTSP Update & 2021–2029 Housing Element is not anticipated to introduce a substantial amount of new development that would impact archaeological resources. However, grading and construction activities in undeveloped areas, or redevelopment that requires deeper or more extensive soil excavation than in the past, could potentially cause the disturbance of previously unknown/unrecorded archaeological resources that may include Tribal Cultural Resources. In general, any development that requires grading, excavation of undisturbed or shallowly disturbed ground, or excavation to levels below current building foundations has the potential to encounter unknown archaeological resources.

Human Remains. The proposed General Plan and DTSP Update & 2021–2029 Housing Element would not directly disturb any human remains, including those interred outside of dedicated cemeteries. As discussed above, future development would largely occur in areas of the City that are already developed and/or built out. As many of these sites are likely already disturbed, implementation of the General Plan and DTSP Update & 2021–2029 Housing Element is not anticipated to introduce a substantial amount of new development that would potentially impact human remains. However, any development that requires grading, excavation of undisturbed or shallowly disturbed ground, or excavation to levels below current building foundations has the potential to encounter undiscovered unknown remains. Destruction of pre-historic or historic remains can result in the loss of information important to the history of the State, the region, or the immediate locality. Destruction of recent human remains could result in destruction of evidence associated with a crime. If human remains (including native American remains) are encountered, the discovery is required to comply with Section 5097.98 of the *California Public Resources Code* and Section 7050.5 of the *California Health and Safety Code*. Although soil-disturbing activities associated with development in accordance with the General Plan and DTSP Update & 2021–2029 Housing Element could encounter undiscovered human remains, compliance with existing regulations would reduce potential impacts to human remains to a less than significant level, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction and Operation

Archeological Resources. The reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analyzed herein, is expected to have relatively little excavation, confined to spread footings or mat slab up to 10 feet to 20 feet below grade. If excavation were to encounter unexpected archaeological, including Tribal Cultural resources, such resources must be evaluated in accordance with federal, State, and local guidelines, including those set forth in California Public Resources Code Section 21083.2. California Health and Safety Code Section 7050.5, Public Resource Code 5097.98, and CEQA Guidelines Section 15064.5(e) address how unexpected finds of human remains are to be handled. These regulations would reduce impacts to a less than significant level and

therefore mitigation measure MM CUL-1 is not necessary to reduce impacts to less than significance. Nonetheless, this measure would be implemented as part of the project.

Human Regains. As indicated in the 2023 Final Program EIR, it is not anticipated that human remains would be encountered, but if they are, compliance with California law would address any issues.

Conclusion

Impacts to archeological resources (including Tribal Cultural Resources) would be the same for the 900 Fair Oaks Avenue project as evaluated for the 2023 Final Program EIR in the 2023 Final Program EIR.

F. ENERGY

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction

Fuel energy consumed during construction would be temporary in nature and there are no unusual development characteristics in the City that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the region or State. Construction equipment would conform to applicable CARB emissions standards, which promote equipment fuel efficiencies. Construction contractors would be required to comply with the provisions of Section 2485 the California Code of Regulations (CCR), which prohibits diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Construction activities would be required to comply with all applicable local and State regulations related to recycling of construction and demolition debris. Therefore, construction of future projects would not result in inefficient, wasteful, or unnecessary fuel consumption.

Operation

Transportation. Because the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs would improve the VMT/capita and VMT/service population while accommodating anticipated growth, promote the use of multi-modal forms of transportation—which includes mass transit and non-automobile related transportation—accommodate alternative-fueled transportation options, as well as complementary mixed-use land use development, future use of energy due to increased traffic associated buildout would not result in inefficient, wasteful, or unnecessary fuel consumption.

Energy Demand. The General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs would develop new residential and non-residential buildings that would meet the current Title 24 Energy Efficiency Standards and CALGreen standards in effect at the time of construction. New construction is required include or promote all-electric design and solar electric generation on all new construction and would further encourage conversion from natural gas to electric and added solar electric generation in existing buildings. In addition, residents and businesses in the City have adopted electricity generation from the Clean Power Alliance that is overwhelmingly carbon free. Impacts would be less than significant impacts with respect to wasteful, inefficient, or unnecessary consumption of energy resources, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction

As indicated in the 2023 Final Program EIR, construction activities would be required to comply with all applicable local and State regulations related to recycling of construction and demolition debris. Therefore, construction would not result in inefficient, wasteful, or unnecessary fuel consumption and impacts would continue to be less than significant.

Operation

The 900 Fair Oaks Avenue project would be an affordable housing project near transit, which is the type of development highly favored by State, regional and City plans and policies because of low VMT/per capita rates and an overall efficient land use plan that encourages energy and water conservation (consumption of water also requires use of energy to treat and transport). Any structure would be required to comply with the most recent energy efficiency standards ensuring an efficient building.

Conclusion

Impacts to energy consumption, renewable energy and energy efficiency would be similar for the 900 Fair Oaks Avenue project as evaluated in the 2023 Final Program EIR and would continue to be less than significant with no mitigation required.

G. GEOLOGY AND SOILS

Impacts with respect to geology and soils of the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document, were evaluated with regard to the 2023 Final Program EIR. The potential for the reasonably anticipated 900 Fair Oaks Avenue project to result in new or substantially more adverse significant impacts to geology and soils was evaluated in relation to six questions recommended for consideration by the State CEQA Guidelines.

In 2015, the California Supreme Court in *California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD)*, held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of a project. However, if a project exacerbates a condition in the existing environment, the lead agency is required to analyze the impact of that exacerbated condition on the environment, which may include future residents and users within the Project Area. Analysis of the Appendix G questions takes in to account the decision from *CBIA v. BAAQMD*.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following:

(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:
- *i)* Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
- *ii)* Strong seismic ground shaking?
- *iii)* Seismic-related ground failure, including liquefaction?
- *iv)* Landslides?

(b) Result in substantial soil erosion or the loss of topsoil?

(c) Being located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed 900 Fair Oaks Avenue project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?

(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Seismic Hazards

Active and potentially active faults that cross the City of South Pasadena include the Raymond fault and the Upper Elysian Park blind thrust. Other faults located near the City (within approximately 10 miles) include the Eagle Rock, Sierra Madre, Hollywood, and Santa Monica faults. A potential for surface fault rupture hazard exists along the faults underlying the City. “Active” faults (demonstrated offset of Holocene materials [less than 10,000–12,000 years ago] or significant seismic activity) and “potentially active” faults (Pleistocene [greater than 12,000 but less than 1,600,000 years ago]), as defined by the CGS, must be considered as potential sources for fault rupture. Through compliance with existing regulations, including earthquake construction and retrofitting, impacts related to surface rupture of a known active fault and impacts related to strong groundshaking would be less than significant, and no mitigation is required.

The California Geologic Society broadly identifies areas of seismic-induced liquefaction and landslide risk pursuant to the Seismic Hazards Mapping Act. There are several discrete areas within the southwest portion of the City designated as potentially susceptible to either liquefaction or landslide. These potential geotechnical risks would be addressed by the site-specific geotechnical report required pursuant to both the City Building Code and the policies and actions in the General Plan Update. Through compliance with existing regulations and application of proposed policies and actions related to secondary seismic hazards, there would be less than significant impacts related to ground failure, including liquefaction and landslides, and no mitigation is required.

Soil Erosion

Construction activities produce loose soils, which would be subject to erosion if the surface areas were to be left uncovered and exposed to weather conditions. Grading, excavation, and trenching for construction may expose soils to short-term wind and water erosion, which could result in increased particulate matter (i.e., PM10) in the air and/or increased sediment runoff in surface waters. For development or redevelopment projects over one acre, compliance with the current State Water Resources Control Board's National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with the Construction and Land Disturbance Activities (Construction General Permit) would be required. Compliance with the Construction General Permit is also required pursuant to Section 23.12 of the SPMC. Section 23.13 of the SPMC requires that all construction activities not subject to the Construction General Permit comply with the requirements of the City's watershed management program, defined in Chapter 23, Stormwater and Urban Runoff Pollution Control, of the SPMC. Through compliance with State and local stormwater runoff permitting and management requirements, there would be less than significant impacts related to soil erosion, and no mitigation is required.

Soil Conditions

Secondary seismic hazards related to the underlying geologic unit include several types of ground failure that can occur as a result of severe ground shaking. These hazards include landslides, collapse, ground lurching, shallow ground rupture, and liquefaction. The probability for each type of ground failure depends on the severity of the earthquake, the site's distance from the fault, the local topography, and subsoil and groundwater conditions, among other factors. In addition, there can be soil engineering characteristics inherent in the underlying sediments on a site that can adversely affect structures if not appropriately managed during construction, including subsidence, hydroconsolidation, and other forms of collapse. Potential hazards to future development and redevelopment pursuant to the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs due to the characteristics of the underlying geologic unit or soils, including expansive soils would be identified during the preparation of required geotechnical investigations and/or soils reports (Section 36.540.090 of the SPMC) for individual projects, with recommendations on the soil expansion index that needs to be considered in the design and construction of structures and infrastructure. Typically, through compliance with existing regulations, there would be a less than significant impact related to location on expansive soils, and no mitigation is required.

Use of Septic Tanks

The vast majority of the City is served by the municipal sewer system. Future development and redevelopment would be required to connect to the public sewer system where existing sewer lines are available, as required under the California Plumbing Code. While the majority of the City is served by the sewer system, there are septic tanks that remain in the Altos de Monterey area in the southwest portion of the City. Redevelopment of a site with a septic tank would require abandonment of the septic tank and connection to the public sewer system under the California Plumbing Code. Also, compliance with Order No. R4-2004-0146 of the Los Angeles Regional Water Quality Control Board (RWQCB) is required to regulate the type of discharge; surface overflows; disposal of wastes in geologically unstable areas; odors; and groundwater pollution, including annual inspections, connection to public sewer system within six months of availability, and monitoring. The regulations protect shallow groundwater and adjacent water bodies. Through compliance with regulations, no development or redevelopment under the General Plan Update would use septic tanks or alternative wastewater disposal systems. There would be no impact, and no mitigation is required.

Paleontological Resources

The proposed General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would not directly destroy a unique paleontological resource or unique geologic feature. Future development would largely occur in areas of the City that are already developed and/or built out. However, nine fossil localities have been identified within or near the City. Therefore, as with archaeological resources, grading and construction activities in undeveloped areas, or redevelopment that requires deeper or more extensive soil excavation than in the past, could potentially cause the disturbance of previously unknown paleontological resources. In general, any development that requires grading, excavation of undisturbed or shallowly disturbed ground, or excavation to levels below current building foundations has the potential to encounter unknown paleontological resources. In the event an unanticipated paleontological resource is encountered, MM GEO-1 would require that ground-disturbing activities are halted, and a qualified paleontologist would be hired to evaluate the find. If the resource is determined to be significant, the paleontologist shall determine appropriate actions, in consultation with the City and the developer (if present), for further exploration and/or salvage. With implementation of MM GEO-1, there would be less than significant impacts to potential paleontological resources.

900 Fair Oaks Avenue Project

Construction and Operation

Seismic Hazards and Soil Conditions

Consistent with the 2023 Final Program EIR compliance with existing regulations, impacts related to surface rupture of a known active fault and impacts related to strong groundshaking would be less than significant, and no mitigation is required. The site is relatively flat, not located in a landslide or liquefaction area and the development would be required to comply with applicable regulations. Therefore, impacts related to ground failure, including liquefaction and landslides, would be less than significant and no mitigation is required.

Soil Erosion

The 900 Fair Oaks Avenue project would comply with applicable codes including Section 23.13 of the SPMC that requires that all construction activities not subject to the Construction General Permit comply with the requirements of the City's watershed management program, defined in Chapter 23, Stormwater and Urban Runoff Pollution Control, of the SPMC. Therefore, impacts would be less than significant without mitigation.

Use of Septic Tanks

The 900 Fair Oaks Avenue project would connect to the existing sewer system and would have no impact related to septic tanks and alternative waste disposal systems.

Paleontological Resources

Construction of the 900 Fair Oaks Avenue project would require relatively little excavation. Compliance with California law (Public Resources Code Section 5097.5 specifies that unauthorized removal of paleontological remains is a misdemeanor and California Penal Code Section 622.5 sets penalties for damage or removal of paleontological resources) would reduce potential impacts to unknown resources to a less-than-significant level. Therefore, mitigation measure MM GEO-1 is not necessary to reduce

impacts to a less than significant level. Nonetheless, this measure would be implemented as part of the project.

Conclusion

Impacts related to seismic activity, soil conditions, slopes and erosion would be similar for the 900 Fair Oaks Avenue project as evaluated for the 2023 Final Program EIR and would be less than significant. Impacts to paleontological resources would be less due to minor amounts of excavation and impacts would be less than significant no mitigation required.

H. GREENHOUSE GAS EMISSIONS

Greenhouse gas emissions associated with the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document, were evaluated based on a review of the 2023 Final Program EIR. The potential for the reasonably anticipated 900 Fair Oaks Avenue project to result in new significant impacts related to greenhouse gas emissions was evaluated in relation to two questions recommended for consideration by the State CEQA Guidelines.

There are no adopted CEQA thresholds for greenhouse gas (GHG) emissions as of the time of the 2023 Final Program EIR or this analysis. Under CEQA, project evaluation of GHG emissions can "tier off" a programmatic analysis of GHG emissions which meets the State CEQA Guidelines Section 15183.5 requirements for a qualifying programmatic analysis. State and regional plans and programs (2022 Scoping Plan, 2024 RTP/SCS) provide strategies for GHG emissions reductions. The County has adopted Title 31 of the County's Code of Ordinances (the Los Angeles County Green Building Code), which adopts by reference the CALGreen Code except as modified by Title 31. In addition, the City of South Pasadena Climate Action Plan and the County Climate Action Plan both provide detailed GHG emission reduction strategies. As such, if a project is designed in accordance with these policies and regulations, it would result in a less-than-significant impact, because it would be consistent with the overarching local and regional plans and regulations for reducing GHG emissions.

Does the proposed 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (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?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

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Emissions. The General Plan and DTSP Update & 2021–2029 Housing Element identify future land uses and do not contain specific development proposals; therefore, construction-related emissions were

determined to be speculative, and the 2023 Final program EIR did not quantify emissions. GHG emissions related to construction were assumed to be a significant and unavoidable impact.

Plans and Policies. Construction activities were not separately addressed from operation with respect to consistency with plans and policies.

Operation

Emissions. Operational emissions associated with buildout of the General Plan Update & 2021–2029 Housing Element were quantified from mobile, area, energy, water, waste and estimated to be 17,885 metric tons of CO2 equivalent per year (MTCO2e/yr) or 2 MTCO2e/yer per service population. This was compared against a SCAQMD recommended threshold for non-industrial projects of 3,000 MTCO2e/yr and an efficiency threshold of 1.3 MTCO2e/per/service population/year. This efficiency threshold was calculated using linear interpolation between the 2020 target of 6.6 MTCO2e/service population/year and the 2045 target. The 2045 target is an 80 percent reduction in the 2020 target, consistent with the requirement of Executive Order B-55-18 to achieve carbon neutrality by 2045. The service population is the sum of residents and employees. By far the largest fraction of emissions was attributed to mobile sources (13,750 MTCO2e/yr). The analysis notes that credit was not taken for electric and hybrid vehicles, solar electric power generation, increased energy efficiency of new appliances. Based on this analysis, impacts with respect to GHG emissions were found to be significant and unavoidable.

Plans and Policies. The SCAG 2020–2045 RTP/SCS includes sustainable development strategies to: focus growth near destinations and mobility options; promote diverse housing choices; leverage technology innovations; support implementation of sustainability policies; and promote a green region. When taking into consideration the compact land use pattern, redevelopment primarily targeted to the proposed focus areas, and proximity to transit, the land use regulations were found to be consistent. The General Plan and DTSP Update & 2021–2029 Housing Element was found to be consistent with all applicable RTP/SCS goals and consistent with SB 375 and to not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions and the impact was found to be less than significant, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

Emissions and Plans and Policies. The 2022 Scoping Plan identifies CEQA screening criteria: Infill housing projects—especially those serving low-income communities near transit—are generally viewed qualitatively as consistent with state goals. While no specific proposed development has been confirmed, the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document ana analyzed herein, addresses the 2022 Scoping Plan and RTP/SCS priority strategy of locating low-income multi-family housing in infill locations in proximity to jobs and transit. It is anticipated that the building would incorporate efficient appliances and that it would be an all-electric building. Therefore, impacts related to GHG emissions would be less than significant.

I. HAZARDS AND HAZARDOUS MATERIALS

Hazards and hazardous materials of the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document, were evaluated based on a review of the 2023 Final Program EIR. The potential for the reasonably anticipated 900 Fair Oaks Avenue project to result in new or substantially

more adverse significant impacts related to hazards and hazardous materials was evaluated in relation to seven questions recommended for consideration by the State CEQA Guidelines.

Hazardous waste can pose a potential or substantial hazard to human health or the environment when improperly managed. Designated hazardous waste possesses at least one of four defined characteristics– ignitability, corrosivity, reactivity, or toxicity–or appears on special U.S. Environmental Protection Agency lists.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (a) Creating a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (b) Creating 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? (c) Emitting hazardous emissions or handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (d) Being 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?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

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Construction

Routine Transport. Construction activities associated with new development pursuant to the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs, or public or infrastructure projects, would commonly involve the use of hazardous materials for construction, such as paints, thinners, solvents, acids, curing compounds, grease, oils, and other chemicals, which could pose risks to construction workers or lead to soil and groundwater contamination, if not properly stored, used, or disposed. Through compliance with existing regulations impacts would be less than significant no mitigation required.

Accident Conditions. Hazardous materials are common to typical construction activities, and compliance with existing hazardous material regulations on the storage, use, and disposal of hazardous materials at construction sites would prevent hazards to the public or environment through reasonably foreseeable upset or accident conditions.

Hazardous Emissions near Schools and Contaminated Sites. Construction impacts were not separately assessed from operational impacts.

Operation

Routine Transport. Operation of future development pursuant to the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs is not expected to utilize or generate hazardous materials or wastes in quantities that would pose a significant hazard to the public. The anticipated increase in residential units would not use, store, or generate hazardous materials or wastes in quantities that would pose a significant hazard to the public, similar to the existing conditions. Hazardous materials could be stored and used at individual sites and may create a public health and safety hazard through routine transport, use, or disposal. However, the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would not substantively alter this risk when compared with the existing land uses in the City. Therefore, impacts were found to be less than significant no mitigation required.

Accident Conditions. In addition to hazardous materials that may be stored on sites, there may be sites in impacted by hazardous materials or hazardous wastes from historic use that are not identified on current databases. Therefore, MM HAZ-1 requires that a Phase I Environmental Site Assessment (ESA) be prepared for future development projects and appropriate action to be taken as needed (MM HAZ-2). Impacts were identified as less than significant with mitigation.

Hazardous Emissions Near Schools. All schools in the City of South Pasadena are located near residential or civic land uses where hazardous materials use is limited. However, given the modest size of the City, some existing schools are within 0.25 mile of one or more focus areas, which would have a mixed-use land use designation and may include retail, and office uses that could handle materials classified as hazardous. Compliance with existing regulations related to transport, use, and disposal of hazardous materials would ensure that any schools located within 0.25 mile of a proposed development site that would have hazardous materials typical of urban environments would not be adversely affected.

Contaminated Sites. There are a total of 18 sites in the City identified on the list of leaking underground storage tank (LUST) sites from the SWRCB's GeoTracker database, which are concentrated along Fair Oaks Avenue, Mission Street, and Huntington Drive. In addition, there are seven SWRCB CPS sites and five DTSC Cleanup Sites identified via the GeoTracker database, which is not part of the Cortese list. Of these, one CPS site is in the "site assessment" phase, and one DTSC site is "active" and undergoing a voluntary cleanup. The remaining CPS sites have a status of either "open-inactive" or "completed-case closed". The remaining DTSC sites have a status of "no further action", "certified O&M-land use restrictions only", or "refer: other agency" and are not undergoing cleanup activities. These findings are typical of urban environments with uses such as gas stations, automotive repair facilities, dry cleaners, medical facilities, and municipal facilities and do not ordinarily represent conditions that are hazardous to the general public. As discussed above, completion of a Phase I will be required as appropriate to each site with follow up as indicated necessary.

900 Fair Oaks Avenue Project

Construction

Routine Transport, Accident Conditions. As noted in the 2023 Final Program EIR compliance with existing regulations impacts would be less than significant no mitigation required.

Hazardous Emissions near Schools and Contaminated Sites. The 900 Fair Oaks Avenue project would not result in hazardous emissions including within ¼ mile of a school; a Phase I conduced for the site

indicates no potential for contamination and no further investigation was recommended.[9] Nonetheless, MM HAZ-1 and MM HAZ-2 (as applicable) would be implemented as part of the project.

Operation

Routine Transport and Accident Conditions. The anticipated residential units would not use, store, or generate hazardous materials or wastes in quantities that would pose a significant hazard to the public. Impacts were found to be less than significant no mitigation required. A Phase I Environmental Site Assessment (ESA) indicated no potential for site contamination. Therefore, impacts would be less than significant.

Hazardous Emissions Near Schools and Contaminated Site. The 900 Fair Oaks Avenue project would not result in hazardous emissions including within ¼ mile of a school; a Phase I conduced for the site indicates no potential for contamination and no further investigation was recommended.[10] Therefore mitigation measures MM HAZ-1 and MM HAZ-2 are not needed to reduce impacts to less than significance.

Conclusion

Impacts related to routine transport, accident conditions, hazardous emissions near schools and contaminated sites would be the same or less than evaluated in the 2023 Final Program EIR. Impacts for all of these issues would be less than significant with no mitigation required.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (e) Being 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? (f) Impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan? (g) Exposing people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

[9] Phase I Environmental Site Assessment Report, Parking Lot, 900 Fair Oaks Avenue, NV5, April 10, 2026
[10] Phase I Environmental Site Assessment Report, Parking Lot, 900 Fair Oaks Avenue, NV5, April 10, 2026

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Construction and Operation

Airport Land Use. The nearest airport is the San Gabriel Valley Airport, located at 4233 Santa Anita Avenue, El Monte, approximately six miles east-southeast of the City of South Pasadena at the nearest points. There would be no impact, and no mitigation is required.

Emergency Response Plan. The General Plan Update includes actions to update the City's Hazard Mitigation Plan to address disaster recovery in the business community, explore the development of a Business Disaster Assistance Center, develop a rapid response team to support safe evacuation in the hillside areas, and periodically review and update the City's post-disaster recovery plan. Also, the City has an Emergency Management Program, which includes all elements necessary to respond quickly and effectively to major emergencies. These elements include: Emergency Operations Plan, Emergency Operations Center, Emergency Response Program, and Public Education Program. With implementation of the relevant policies and actions and continued implementation of the City's emergency response programs, impacts related to emergency response and evacuation were found to be less than significant, and no mitigation required.

Risk Due to Wildfires. Implementation of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would not exacerbate existing fire hazards in the area; however, additional development and population could be located in wildfire hazard areas. Through compliance with State and local fire code requirements, continued implementation of the City's emergency response programs, and implementation of applicable policies impacts related to significant wildfire risk would be less than significant.

900 Fair Oaks Avenue Project

Construction and Operation

Airport Land Use. As for the entire City of South Pasadena, the 900 Fair Oaks site is not within the vicinity of an airport. There would be no impact, and no mitigation is required.

Emergency Response Plan. As for the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs, implementation of relevant policies and actions and continued implementation of the City's emergency response programs, impacts related to emergency response and evacuation would be less than significant, and no mitigation is required.

Risk Due to Wildfires. The 900 Fair Oaks Avenue site is not located in a wildfire hazard area. There would be no impacts related to significant wildfire risk.

Conclusion

Impacts related to airport safety, emergency response plans and wildfire risk would be similar or less for the 900 Fair Oaks Avenue project as compared to those identified in the 2023 Final Program and would be no impact (airport land use and wildfire risk) or less than significant (emergency response planning).

J. HYDROLOGY AND WATER QUALITY

Hydrology and water quality impacts of the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document, were evaluated in relation to the 2023 Final Program EIR. The potential for the reasonably anticipated 900 Fair Oaks Avenue project to result in new or substantially more adverse significant impacts related to hydrology and water quality was evaluated in relation to five questions recommended for consideration by the State CEQA Guidelines.

In 2015, the California Supreme Court in *California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD)*, held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of a project. However, if a project exacerbates a condition in the existing environment, the lead agency is required to analyze the impact of that exacerbated condition on the environment, which may include future residents and users within the Project Area. Analysis of the Appendix G questions in this impact analysis will apply to the decision from *CBIA v. BAAQMD*. The following analysis recaps the 2023 Final Program EIR; potential impacts of the environment on a project are evaluated in light of the CBIA v. BAAQMD decision.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (a) Violation of any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (b) Substantially decreasing groundwater supplies or interfering substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

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Construction

Water Quality Standards. Storm water runoff from individual construction sites could contain pollutants such as soils and sediments that are released during grading and excavation activities and petroleum-related pollutants due to spills or leaks from heavy equipment and machinery. Other common pollutants that may result from construction activities include solid or liquid chemical spills; concrete and related cutting or curing residues; wastes from paints, stains, sealants, solvents, detergents, glues, acids, lime, plaster, and cleaning agents; and heavy metals from equipment. Construction activities could include demolition of existing structures for new development or replacement, new development, road improvements and realignments, installation and realignment of utilities, and the potential replacement of utilities. Construction runoff would flow into the storm drain inlets in the City or in the surrounding area and would enter receiving water bodies. Construction activities that disturb one or more acres of land are subject to the Construction General Permit. Construction activities that disturb less than one acre, CALGreen requires a storm water soil loss prevention plan (also referred to as an erosion control plan) to be developed that prevents the pollution of storm water runoff, and this can be achieved by through compliance with the City's storm water management ordinance. Therefore, all construction activities

would be required to meet permitting requirements, at either the State or local level, to effectively control storm water runoff pollution control and ensure applicable waste discharge requirements, are not violated, which would reduce short-term, construction-related water quality impacts to surface water and groundwater to a less than significant level, and no mitigation is required.

Groundwater Supplies. Potential development under the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would be mostly redevelopment of existing, fully developed sites, that would result in minimal increase in impervious surfaces. The vacant parcels available for development, including in the focus areas, occupy less than one percent of the City's land area. The development of this very small increment of land area would not result in the creation of substantial interference to groundwater recharge. There are no groundwater recharge facilities within the City, and existing parks and open space areas would not be altered. The 2023 Final Program EIR identified less than significant impact with respect to groundwater recharge, and no mitigation was required.

Operation

Water Quality Standards. Future development pursuant to the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would have the potential to increase non-point-source runoff, and associated pollutants, from residential, office/retail, utility, and roadway uses. All proposed projects would be required to comply with applicable requirements of the Los Angeles County MS4 permit, implemented via the City's storm water management ordinance (Chapter 23 of the SPMC). This includes preparation of a Standard Urban Storm Water Mitigation Plan (SUSMP), which must include a drainage concept and storm water quality plan that reduces peak storm water runoff discharge rates; conserves natural areas; minimizes storm water pollutants of concern; protects slopes and channels; provides storm drain system stenciling and signage; properly designs outdoor material storage areas and trash storage areas; and provides proof of ongoing BMP maintenance through structural or treatment-control BMPs. Section 23.14 et. seq. of the SPMC contains requirements for storm water pollution control measures for both construction and operation of development/redevelopment projects to comply with the current MS4 permit. These requirements lessen the water quality impacts of development by using smart growth practices and integrate LID design principles to mimic predevelopment hydrology through infiltration, evapotranspiration, and rainfall harvest and use. The City's LID ordinance and Green Streets policies have been adopted in accordance with Los Angeles RWQCB requirements under the MS4 permit to ensure storm water runoff meets the WDRs. Through compliance with State and local regulations, impacts related to operational water quality standards and waste discharge requirements would be less than significant, and no mitigation was required.

Groundwater Supplies. Operational impacts were not discussed separately from construction impacts.. See above discussion.

900 Fair Oaks Avenue Project

Construction and Operation

Water Quality Standards. Compliance with existing regulations, relevant to construction and operation, would reduce short-term, construction-related water quality impacts to surface water and groundwater to a less than significant level, and no mitigation is required.

Groundwater Supplies. The existing 900 fair Oaks Avenue site is substantially paved as an existing parking lot. Redevelopment with a residential use would not substantially change impervious surfaces and impacts to groundwater recharge.

Conclusion

Impacts related to water quality, waste discharge and groundwater recharge would be similar for the 900 Fair Oaks Avenue project as compared to those impacts discussed in the 2023 Final Program EIR. Impacts would be less than significant, no mitigation required.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (c) Substantially altering the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would: (i) result in substantial erosion or siltation on- or off-site? (ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (iii) 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? (iv) impede or redirect flood flows?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

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Construction and Operation

Changes in drainage patterns would be confined to individual development sites and would not affect major underground storm drain lines and concrete-lined drainages in the City. Most development sites would be redevelopment of existing, fully developed sites, the change in drainage patterns on these sites would be nominal. All development must be conducted in compliance with applicable State and local regulations, which prevent substantial erosion and alteration of site drainage patterns by controlling the volume and direction of runoff. Since drainages in the City are concrete-lined, no alteration in the course of these channels would occur from future development. Impacts would be less than significant, and no mitigation is required.

The construction of new impervious surfaces would reduce the amount of rainwater that could infiltrate the soils, potentially increasing storm water runoff due to reductions in infiltration. This would occur primarily through the introduction of new structures, driveways, parking lots, walkways, and other site improvements on vacant properties. Due to the nominal potential for increased runoff volumes and the City's storm water management requirements, there would be less than significant impacts related to altering the drainage pattern, substantially increasing surface water runoff, or the capacity of the municipal storm drain system, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction and Operation

The 900 Fair Oaks Avenue project is substantially paved; no substantial alteration to the drainage system on the site or in the vicinity is anticipated. Compliance with applicable State and local regulations would prevent substantial erosion and alteration of site drainage patterns by controlling the volume and direction of runoff.

Conclusion

Impacts related to erosion and siltation, runoff and flooding, and stormwater capacity and quality would be similar for the 900 Fair Oaks Avenue project as compared to those identified in the 2023 Final Program EIR and would be less than significant with no mitigation required.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

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Flood Hazard. The City of South Pasadena is not located within the 100-year flood hazard area, as mapped by FEMA. Future development pursuant to the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs, including housing or other structures, would not be exposed to flood hazards. Structures that would be built as part of future development would not impede or redirect flood flows. Impacts would be less than significant, and no mitigation is required.

A seiche is the formation of large waves in landlocked bodies of water due to seismic activity. In the event of an earthquake, a seiche can occur and potentially cause major flooding and water inundation damage. There are no large open water bodies in or near the City that could be susceptible to seiche. There would be no impacts.

Tsunami (sea waves) hazards do not affect the City due to the City's elevation and distance from the ocean. The City is located outside the tsunami inundation areas in the Los Angeles County Tsunami Inundation Maps prepared by the California Department of Conservation. There would be no impacts.

Mudflows are fluid masses of rock, earth, and other debris saturated with water and with the consistency of wet cement. They develop when water rapidly accumulates in the ground, such as during heavy rainfall or rapid snowmelt, changing the earth into a flowing river or slurry of mud. Mountainous areas are

susceptible to mudflows. The foothills of the San Gabriel Mountains are located approximately five miles to the north-northwest. As such, there is no mudflow hazard from this area. Most of the City is relatively flat, with steeper hillside areas primarily in the southwest portion of the City.

As discussed above, portions of the City within and adjacent to the Lower Arroyo Seco are within the mapped inundation area for a failure of Devil's Gate Dam. The land use regulation changes would not result in a release of pollutants in the event of such an inundation as there is no proposed change in land use designations in the portions of the City in the inundation zone. There would be no impact.

Development in hillside areas (sites within an average slope of 20 percent or greater) requires a Hillside Development Permit as a discretionary zoning approval of the City. Future development or redevelopment within the areas subject to a Hillside Development Permit, largely in the southwest portion of the City, would also be required to prepare site-specific geotechnical investigations that include analysis of slope stability, erosion, subsidence, groundwater effects, and earthquakes as it pertains to the site's unique topography, to identify these hazards and provide appropriate construction recommendations, as necessary. Compliance with erosion-control measures required for a Hillside Development Permit would reduce the potential for mudflow from development sites with steep slopes. Therefore, mudflow hazards in the City would be less than significant levels, and no mitigation is required.

Water Quality Control and Sustainable Groundwater. The San Gabriel Basin, the City's source of groundwater, is defined by the California Department of Water Resources as very low priority pursuant to the 2014 Sustainable Groundwater Management Act. As such, there is currently no sustainable groundwater management plan applicable to the City. The increase in demand for potable water associated with buildout of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs is not expected to result in depletion of local groundwater resources because the Main San Gabriel Basin is managed by the Watermaster. Continued management of the groundwater basins by the Watermaster would also prevent overdraft conditions or other adverse impacts to local groundwater. Therefore, implementation of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would not obstruct implementation of groundwater management of the Basin. There would be a less than significant impact, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

Because of the site location, the 900 Fair Oaks Avenue project would have less than significant impact with respect to flood hazard (no impacts with respect to tsunami, seiche and mudflows) and risk of release of pollutants similar to the analysis presented in the 2023 Final Program EIR. Consistent with the analysis presented in the 2023 Final Program EIR, the 900 Fair Oaks Avenue project would have less than significant impacts with respect to groundwater management and no mitigation is required.

K. LAND USE AND PLANNING

Land use and planning impacts of the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document, were evaluated in light of the 2023 Final Program EIR. The potential for the reasonably anticipated 900 Fair Oaks Avenue project to result in new or substantially more adverse significant impacts related to land use and planning was evaluated in relation to two questions recommended for consideration by the State CEQA Guidelines.

(a) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the potential to physically divide an established community?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

The planned development and redevelopment is meant to revitalize neighborhoods, rather than divide them, and will enable more residential development or mixed-use development (i.e., residential and commercial). The new land use regulations identify carefully calibrated and designed growth within areas that can accommodate the bulk of anticipated growth while conserving the established residential neighborhoods and meeting the City's required RHNA allocation and RHNA surplus with an enhanced variety of housing. The City's design guidelines and design review process and zoning regulations, and the DTSP's form-based code, would help ensure that proposed intensification of land uses on selected parcels would not be of sufficient size, scale, and/or massing to divide the surrounding community. In some instances, addition of new streets may be necessary to break up the large-scale super-blocks into pedestrian-oriented blocks, or complete a block with missing buildings, open space, or infrastructure. However, any new streets would create a greater sense of place and community, rather than dividing an existing community. Additionally, the DTSP street standards require that new streets shall be designed as Complete Streets to ensure a walkable scale and safety for all users. The development pattern in the City would not be substantively altered. Therefore, implementation of development pursuant to the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would not result in division of any existing, established communities. There would be a less than significant impact, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be located on a small site, and while substantially taller than surrounding development it would not divide an established community. Therefore, the 900 Fair Oaks Avenue project would result in a less than significant impact related to physical division of an established community, the same as the 2023 Final Program EIR.

(b) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to causing a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

The General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs was found to be consistent with all State planning priorities. The primary focus of the new land use regulations is to direct carefully calibrated growth to five focus areas within the City. These focus areas were selected in part to conserve the established residential neighborhoods, and also because they are the more urban areas of the City with existing infrastructure, near transit service, and are therefore appropriate for the greatest concentration of infill redevelopment, ensuring efficient use of land and environmental resources.. The General Plan and DTSP Update has been prepared in accordance with State requirements for General Plans and specific plans pursuant to Sections 65300 et. seq. of the Government Code. The 2021–2029 Housing Element Implementation Programs were prepared in accordance with all current State requirements that apply specifically to housing elements, as one of the mandated General Plan elements, including but not limited to SB 375, SB 330, SB166, AB 1233, and AB 1397.

The General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs was found to be consistent with SCAG's 10 goals presented in the 2020– 2045 RTC/SCS. Zoning code updates were undertaken subsequent to the 2023 Final Program EIR to implement the land use plan and were addressed in the 1st Addendum (2025) and include changes necessary to implement the proposed land use plan, which in turn implements the RHNA allocation and HCD-recommended surplus. As the RHNA is a SCAG program, consistency with the RHNA program supports consistency with the policies of the 2020–2045 RTC/SCS. This is because the new land use regulations promote a land use pattern with increasing density, a mix of housing types and land uses, and places the highest density proximate to local and regional, multi-modal transportation systems. There would be no impact, and no mitigation was required.

The General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would not result in land use incompatibilities, including with adjacent jurisdictions. Impacts would be less than significant, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be consistent with the General Plan, Downtown Specific Plan and Housing Element. The site is designated and zones Mixed Use Core. It would also be consistent with the plans analyzed in the 2023 Final Program EIR. Therefore, there would be no change in the impacts

related to consistency with applicable land use plans, policies, and regulations; impacts would continue to be less than significant.

L. MINERAL RESOURCES

The potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document, to result in new or substantially more adverse significant impacts to mineral resources was evaluated in relation to the 2023 Final Program EIR and two questions recommended for consideration by the State CEQA Guidelines.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (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? (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?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

The 2023 Final Program EIR indicates that there are no mineral resources in the City of South Pasadena. Therefore, there is no impact on mineral resources of value to the region and the residents of the state.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project is within the city of South Pasadena where no mineral resources have been identified. Therefore, the 900 Fair Oaks Avenue project impacts would be the same as those of the 2023 Final Program EIR, with no impacts on mineral resources of value to the region and the residents of the state.

M. NOISE

The potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document, to result in new or substantially more adverse significant impacts related to noise was evaluated in relation to the 2023 Final Program EIR and three questions recommended for consideration by the State CEQA Guidelines.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (b) Generation of excessive groundborne vibration or groundborne noise levels?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction

Impacts to Sensitive Receptors

Noise generated by construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that, when combined, can reach high levels. The 2023 Final Program EIR identifies a summary of construction reference noise level measurements adjusted to describe a common reference distance of 50 feet. Noise levels generated by heavy construction equipment, not including pile driving equipment, can range from approximately 68 dBA to in excess of 80 dBA when measured at 50 feet. Hard site conditions are used in the construction noise analysis, which result in noise levels that attenuate (or decrease) at a rate of 6 dBA for each doubling of distance from a point source (i.e., construction equipment).

Mobile construction equipment, such as a dozer pass-by, typically generates the highest construction noise levels during construction activities. As such, the highest construction reference noise level of 79.6 dBA Leq was used in the 2023 Fianl Program EIR analysis to determine potential impacts at sensitive receiver locations adjacent to development within the focus areas. Pile driving activity is represented by the FHWA Roadway Construction Noise Model (RCNM) reference noise level of 94.0 dBA Leq at 50 feet and was used in the analysis to determine potential impacts for future development that could require this construction method.

The 2023 Final Program EIR indicates that the highest reference construction noise level of 79.6 dBA Leq at 50 feet would satisfy the identified (FTA) criteria of 80 dBA Leq residential and 85 dBA Leq commercial, 8-hour construction noise level thresholds at distances greater than 50 feet. However, at distances of 50 feet or less, construction noise levels could exceed these thresholds at nearby receiver locations. Therefore, construction noise levels at receiver locations within 50 feet of construction activities, such as existing residential, retail, and office uses in the focus areas, are considered a potentially significant noise impact. Pile driving within 200 feet of receiver locations was considered potentially significant. While mitigation measures were identified to reduce noise levels, impacts remain significant and unavoidable.

Vibration

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used and distance to the affected structures and soil type. It is expected that ground-borne

vibration from construction activities would cause only intermittent, localized intrusion. Ground-borne vibration levels resulting from construction activities were estimated by data published by the FTA. Construction activities that would have the potential to generate low levels of ground-borne vibration include mobile equipment activities and pile driving, among others.

The County's vibration perception threshold of 0.01 in/sec RMS was used in the analysis to assess the human perception of vibration levels due to construction activities. This analysis focuses on whether construction activities would result in a perceptible level of vibration. Based on the reference vibration levels provided by the FTA, a large bulldozer represents the highest source of typical construction-related (non-pile driving) vibration with a reference velocity of 0.089 in/sec PPV at 25 feet. At distances ranging from 25 to 400 feet from the site of construction activity, typical construction (i.e., non-pile driving) vibration velocity levels are expected to range from less than 0.001 to 0.089 in/sec PPV. The large bulldozer values equate to perceived vibration levels ranging from 0.001 to 0.063 in/sec RMS. Impact pile driving would generate higher vibration levels ranging from 0.010 to 0.640 in/sec PPV, or 0.007 to 0.454 in/sec RMS.

Compared with the County of Los Angeles construction vibration perception threshold 0.01 in/sec RMS, the typical construction activities (i.e., non-pile-driving) associated with future development projects would exceed the vibration standard at receiver locations within 25 feet for jackhammers, 50 feet of loaded trucks, and 100 feet of large bulldozers, if used. Therefore, MM NOI-4 requires that the use of loaded trucks, large bulldozers, and jackhammers at construction sites nearby sensitive land uses (e.g., residential, school) shall be minimized to the maximum extent feasible unless the vibration levels are shown to be less than the County threshold of 0.01 in/sec RMS. Similarly, pile driving vibration levels would exceed the County construction vibration standard of 0.01 in/sec RMS at receiver locations within 400 feet of the pile locations if impact pile drivers are used during Project construction. MM NOI-4 also requires pile driving activity within 400 feet of nearby sensitive land uses (e.g., residential, school) be minimized, or alternative methods be used, unless the vibration levels are shown to be less than the County threshold of 0.01 in/sec RMS.

Additionally, vibration levels exceeding standards have the potential to damage fragile historic structures. Therefore, MM NOI-5 requires a pre-construction assessment of possible structural damage for construction activity within 25 feet of a historic building, as identified on the City of South Pasadena Historic Resources Survey at that time. The construction vibration levels at the site of the closest sensitive receivers are unlikely to be sustained during the entire construction period but would occur only during the times that heavy construction equipment is operating adjacent to the construction site perimeter. Further, construction would be restricted to daytime construction hours, unless otherwise permitted by the City, thereby reducing potential vibration impacts during the sensitive nighttime hours. With implementation of MMs NOI-4 and NOI-5, the construction-related vibration impacts at nearby sensitive receiver locations would be reduced to a less than significant level impact during the worst-case construction activities at the site boundary.

Operation

Traffic-Generated Increases in Noise

Noise level measurements were taken in February 2018 during typical weekday conditions at sensitive receiver locations in throughout the City. These baseline noise level measurements are used in this analysis as the COVID-19 pandemic was affecting traffic and light rail use at the time the updated analysis was prepared. Noise contours were developed to assess the traffic-related, CNEL (24-hour weighted) noise levels associated with future development under the General Plan and DTSP Update &

2021–2029 Housing Element. The future with the new land use regulations traffic noise levels at adjacent land uses would not result in a noticeable change in noise levels (3 dBA) when noise levels exceed 65 dBA CNEL and therefore would not exceed the threshold. Based on the significance criteria for off-site noise impacts, the increases in noise levels at the nearest sensitive receptors due to traffic noise alone represent a less than significant impact under the future (2040) with land use regulations scenario, and no mitigation was required.

New Residential Uses

The proposed residential uses within the focus areas would experience future exterior noise levels greater than the *normally acceptable* exterior noise level compatibility criteria identified in the existing General Plan Safety and Noise Element. Based on this and the proximity of future noise-sensitive land uses to SR-110 and the Metro A Line, the transportation-related noise impacts at future uses within the five focus areas defined would be expected to exceed 65 dBA CNEL, which was identified as a significant impact. Therefore, MM NOI-1 requires that prior to issuance of a building permit applicants of future projects with residential units submit an acoustical report to the City, which identifies reasonable and feasible measures to achieve a 65 dBA CNEL exterior noise level. Measures to achieve the required exterior noise level could include features such as sound walls, selective patio/balcony orientation, site configuration, and architectural fenestration to deflect sound. While it may be possible to satisfy the exterior noise standards for some projects, the transportation noise levels may still exceed the exterior 65 dBA CNEL standard for some projects. Therefore, the exterior on-site transportation noise impact is considered significant and unavoidable in the 2023 Final Program EIR. However, this is an impact of the environment on a project and is generally not considered an impact under CEQA.

The interior noise levels of future developments in the focus areas and elsewhere in the City must comply with the California Building Code interior noise level standards. The interior noise level is the difference between the predicted exterior noise level at the building facade and the noise reduction of the structure. Typical building construction provides a noise reduction of approximately 12 dBA with windows open and a minimum 25 dBA noise reduction with windows closed. However, sound leaks, cracks, and openings within the window assembly can greatly diminish its effectiveness in reducing noise. Several methods are used to improve interior noise reduction, including: (1) weather-stripped solid core exterior doors; (2) upgraded dual glazed windows; (3) mechanical ventilation/air conditioning; and (4) exterior wall/roof assembles free of cut outs or openings.

To provide the necessary interior noise level reduction, all future buildings developed with residential units would be required to provide a windows-closed condition and a means of mechanical ventilation (e.g., air conditioning) such that the residents of those buildings can achieve a 45 dBA CNEL environment. As previously discussed, the estimated traffic noise contours indicate some focus areas would experience exterior noise levels, which exceed 70 dBA CNEL at the building facade. With typical building construction and a windows-closed condition, a minimum 25 dBA CNEL reduction is achievable for residential dwelling units. However, the minimum 25 dBA CNEL with standard building construction may result in interior noise levels greater than 45 dBA CNEL, which would be considered a significant impact. Therefore, MM NOI-2 requires that applicants of future residential and mixed-use projects submit an interior noise analysis, which demonstrates that the interior noise level meets 45 dBA CNEL. With implementation of MM NOI-2, traffic noise impacts on future development would be less than significant.

Stationary Sources

Residential land uses would be noise-sensitive receiving land uses and are not expected to include any specific type of stationary noise sources beyond the typical noise sources (e.g., heating, ventilating and air conditioning [HVAC] units) associated with existing residential land use in the City of South Pasadena. Project-related stationary source (operational) noise could be generated by the operation of potential commercial/retail and office uses pursuant to the General Plan and DTSP Update & 2021–2029 Housing Element. Such noise sources could include HVAC units, loading dock activities, outdoor restaurant dining and music activities, and parking lot vehicle movements. It is noted that these potential noise sources are consistent with type of existing stationary noise sources observed in the City. The land use regulations include actions to require mixed-use structures to minimize the transmission of noise generated by commercial uses affecting residential uses, minimize stationary noise impacts on sensitive receptors, and require control of noise from construction activities, private developments/residences, landscaping activities, and special events. However, because the stationary source noise levels due to operation of future commercial/retail and office uses would vary depending on the tenant, the impacts due to operation of non-residential uses are considered potentially significant. Therefore, MM NOI-3 requires that the applicant of future projects with non-residential uses that are near noise-sensitive land uses submit an acoustical report, which demonstrates that exterior noise levels at adjacent noise-sensitive land use property lines satisfy Section 19A.7(b), 19A.12, and 19.21(c) of the SPMC. With implementation of MM NOI-3, on-site operational noise impacts from stationary sources would be less than significant.

Vibration – Proximity to A-Line

Some residential and non-residential uses within the focus areas are anticipated to be located within 50 feet of the Metro A Line railroad tracks and may experience vibration levels greater than 70 VdB, which can exceed the residential 72 VdB and non-residential 75 VdB criteria for frequent rail events. This would be considered a significant impact. Therefore, MM NOI-6 requires that the applicant of future projects within 50 feet of the A Line submit a Vibration Study, which identifies all reasonable and feasible measures to avoid exceeding a 72 VdB residential and 75 VdB non-residential vibration level. With implementation of MM NOI-6, operational vibration impacts would be less than significant.

900 Fair Oaks Avenue Project

Construction

Impacts to Sensitive Receptors

At just 0.6 acres, the site is relatively small and would not accommodate larger construction equipment such as large bulldozers. No pile driving is anticipated for the reasonably foreseeable 900 Fair Oaks Avenue project. The closest residential property line is about 50 feet from the site, and the closest residential structure is about 70 feet from the site. The 2023 Final Program EIR indicates that construction within 50 feet of residential receptors would require mitigation to reduce. Since the closest properties are 50 feet or more from the site no mitigation (MM NOI-4 and MM NOI-7) is necessary to reduce impacts to a less than significant level. Nonetheless, MM NOI-4 and MM NOI-7 will be implemented as part of the project.

Vibration

While large pieces of construction activities would have the potential to generate low levels of ground-borne vibration, it is not anticipated that the reasonably foreseeable construction activities would include use of large pieces of equipment because of the size of the site. The site is not within 25 feet of an historic resource and therefore mitigation measure MM NOI-5 is not applicable.

Operation

Traffic-Generated Increases in Noise

As indicated in the 2023 Final Program EIR, significant noise impacts from all the traffic generated at buildout are not anticipated. Therefore, as the 900 Fair Oaks Avenue project is consistent with the new planning regulations a less than significant impact would occur.

New Residential Uses

The 2023 Final program EIR includes mitigation measures to ensure that projects achieve the required exterior noise level of 65 dBA (MM NOI-1) as well as required interior noise levels of 45 dBA (MM NOI-2). These measures address impacts of the environment on the project and are not impacts under CEQA, further these mitigation measures generally address existing regulations; therefore, these measures are not needed to reduce impacts. Nonetheless, mitigation measures MM NOI-1 and MM NOI-2 will be included in the project.

Stationary Sources

The 2023 Final Program EIR indicates that stationary noise sources associated with residential use would be less than significant. MM NOI-3 requires that the applicant of future projects with non-residential uses that are near noise-sensitive land uses submit an acoustical report; this measure would not be applicable to the 900 Fair Oaks Avenue project.

Vibration – Proximity to A-Line

The 900 Fair Oaks site is not within 50 feet of the Metro A Line railroad tracks and would not experience vibration levels greater than 70 VdB. Therefore, MM NOI-6 is not applicable. The Metro A-Line is about 0.4 miles from the site and no impact is anticipated.

Conclusion

The 2023 Final Program EIR identifies construction noise as significant and unavoidable due to the potential for construction occurring within 50 feet of sensitive receptors and pile driving within 200 feet of sensitive receptors. Construction-related vibration I impacts are identified as less than significant with mitigation. On-site stationary noise impacts from non-residential uses are identified as less than significant with mitigation. Impacts of locating residential use near existing sources of high traffic noise are found to be significant with respect to exterior noise levels and less than significant with mitigation with respect to interior noise levels. For the 900 Fair Oaks Avenue project impacts related to noise would generally be less than those identified in the 2023 Final Program EIR. Both construction and operational noise and vibration are anticipated to be less than significant with no mitigation needed to ensure impacts are less than significant.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (c) For a project located within-the vicinity of a private airstrip or-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?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

There are no public or private airports in the vicinity of the City of South Pasadena. The nearest airport is the San Gabriel Valley Airport, located at 4233 Santa Anita Avenue, El Monte, approximately six miles east-southeast of the City at the nearest points. There are no private airstrips in or near the City; thus, no noise from airstrips would occur. There would be no impact, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The same as the 2023 Final Program EIR, the 900 Fair Oaks Avenue project would have no impacts related to private and public airport noise.

N. POPULATION AND HOUSING

Population and housing impacts were evaluated with regard to the 2023 Final Program EIR. The potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and the analysis provided herein, to result in new or substantially more adverse significant was evaluated in relation to two questions recommended for consideration by the State CEQA Guidelines.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (a) Inducing substantial unplanned 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)? (b) Displacing substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Forecast Growth. The 2023 Final Program EIR found that the household and population growth in the City of South Pasadena (at buildout) would exceed the SCAG projections (for 2045) by 2,136 DUs (19.2 percent) and 5,079 persons (18.8 percent), respectively. SCAG's projections in the 2020 – 2045 RTP/SCS are based in part on coordination between the City and SCAG during preparation of the RTP/SCS and reflects the anticipated growth in the City prior to release of the unexpectedly high 6th Cycle RHNA. At that time, the City would have provided to SCAG demographic projections based on the proposed 589 DUs and 430,000 sf of non-residential formerly envisioned for the City. The 2020–2045 RHNA was approved by SCAG's Regional Council on September 3, 2020. While preparation of the 6th Cycle RHNA partially overlapped preparation of the RTP/SCS, the 6th Cycle RHNA preparation continued beyond its adoption and was approved by HCD almost seven months later on March 22, 2021. Therefore, the SCAG 2020–2045 RTP/SCS projections are internally inconsistent with the SCAG 6th Cycle RHNA. Accommodating this RHNA allocation results in a substantial unplanned population growth. Therefore, buildout of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs was found to result in a significant and unavoidable impact related to population growth. There are no feasible mitigation measures to avoid or reduce this impact, because any such mitigation would reduce the potential housing stock to be constructed and thereby risk placing the City in violation of State law and susceptible to a variety of penalties, including monetary fines.

Displacement. Redevelopment projects that occur on developed or underutilized lots may involve some displacement of local housing stock or population in the San Gabriel Valley. However, the City's vacant housing stock and the County's vacant housing stock are expected to provide sufficient alternative accommodation for displaced households and residents, and significant displacement is not anticipated in the County. As such, displacements that may occur would not necessitate construction of housing elsewhere, as a net increase in housing would be accommodated in the City. No significant impacts related to displacement would occur with the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs and no mitigation was required.

900 Fair Oaks Avenue Project

Construction and Operation

Forecast Growth. In 2024 SCAG prepared Connect SoCal 2024 that updates the 2020 – 2024 RTP/SCS. In the most recent RTP/SCS SCAG moves away from focusing on specific demographic targets and focuses more on consistency with RTP/SCS policies, primary among those being policies to focus growth near transit and jobs. The 900 Fair Oaks Avenue project would be consistent with all the new land use regulations as well as SCAG policies and therefore would have no impact related to growth (in fact a beneficial impact) as compared to the significant unavoidable impact identified in the 2023 Final Program EIR.

Displacement. The site is currently developed with a surface parking lot and therefore no impact related to displacement of people or housing would occur as compared to a less than significant impact identified in the 2023 Final Program EIR.

Conclusion

Impacts related to population and housing therefore would be less for the 900 Fair Oaks Avenue project as compared to those identified in the 2023 Final Program EIR.

O. PUBLIC SERVICES

Public Services impacts of the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analysis provided herein, were evaluated based on a review of the 2023 Final Program EIR and one question (relevant to each public service) recommended for consideration by the State CEQA Guidelines.

(a) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to 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: (i) Fire protection? (ii) Police protection? (iii) Schools (iv) Parks (v) Other public facilities		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

2023 Final Program EIR

Construction and Operation

The General Plan Update includes policies and actions to provide a high level of fire protection services in the community, including continuing to secure adequate equipment and personnel while partnering with partner agencies. The General Plan Update calls for maintaining a current Emergency Operations plan, with a review and update every five years. For areas at risk of brush fires, policies and actions direct the use of fire-resistant building materials and ensuring adequate fire flows and emergency access as a condition of approval. These actions are consistent with the SPMC fire code standards. Therefore, with implementation of the identified policies and actions and the requirements of the SPMC, the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs was determined to result in less than significant impacts to fire protection and emergency medical services and would not cause a need for new or physically altered facilities. Thus, no mitigation was required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be within the growth assumptions included in the 2023 Final Program EIR and would also comply with applicable policies and code requirements. Therefore, consistent with the findings of the 2023 Final Program EIR, the 900 Fair Oaks Avenue project would not require the addition of a new fire station or the expansion, consolidation, or relocation of an existing fire station to maintain service and impacts. Impacts related to fire protection and emergency medical services would be similar for the 900 Fair Oaks Avenue project as compared to those identified in the 2023 Final Program EIR and would be less than significant.

POLICE PROTECTION

2023 Final Program EIR

Construction and Operation

The General Plan Update includes policies and actions to provide a high level of police protection services in the community, including maintaining an average emergency response time of less than three minutes; reducing opportunities for criminal activity through physical design standards, recreation opportunities, educational programs, and counseling services; incorporating natural surveillance principles and best practices into development codes and review processes; and emphasizing and prioritizing crime prevention strategies such as pedestrian-scale lighting in targeted areas. The General Plan Update calls for maintaining a current Emergency Operations Plan, with a review and update every five years. Therefore, with implementation of the identified policies and actions and the requirements of the SPMC, the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs was found to result in less than significant impacts to police protection services, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be within the growth assumptions included in the 2023 Final Program EIR and would also comply with applicable policies and code requirements. Therefore, consistent with the findings of the 2023 Final Program EIR, the 900 Fair Oaks Avenue project would not require the addition of a new police station or the expansion, consolidation, or relocation of an existing police station to maintain service and impacts. Impacts related to police protection services would be similar for the 900 Fair Oaks Avenue project as compared to those identified in the 2023 Final Program EIR and would be less than significant.

SCHOOLS

2023 Final Program EIR

Construction and Operations

As allowed under the SB 50, school districts serving the City of South Pasadena can assess school impact fees based on the floor area of new dwelling units and non-residential developments. These fees are used to fund school services and facilities needed to provide the necessary school services. Future development would need to pay school impact fees prior to issuance of building permits. These fees are subject to changes on an annual basis, as deemed appropriate by the South Pasadena Unified School District (SPUSD), and will be determined at the time individual projects are processed/reviewed. As part of this fee program, information on individual development projects would have to be submitted to the school districts that would serve each development to determine applicable school impact fees and to allow the school districts to analyze potential demand for school services and the facility needs of the development. In addition to SB 50 fees, State and local bond measures have been passed, and may be passed in the future, to fund additional school facilities.

As provided under California Education Code Section 17620 and California Government Code Section 65970, the payment of statutory school fees is presumed to fully mitigate a project's impacts on schools. California Government Code Section 65995(h) states that payment of fees is "full and complete mitigation of the impacts". The California Education Code and California Government Code do not require the dedication of land or payment of fees in excess of statutorily established school fees. Thus, impacts on school services from future residential development would be less than significant with payment of required SB 50 fees, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction, Operations and Conclusion

Consistent with the findings of the 2023 Final Program EIR, the 900 Fair Oaks Avenue project would pay applicable fees and impacts would be the same as identified in the 2023 Final Program EIR and less than significant.

LIBRARIES

2023 Final Program EIR

Construction and Operations

The South Pasadena Public Library (SPPL) would continue to evaluate library space with regard to adequacy of levels of service as the City grows in the future. The City's growth requirement capital fee assessed on all new residential and commercial development is intended in part to support library services. When and if it is determined that additional library facilities are required, they would be subject to project-specific environmental review pursuant to CEQA. A likely path to provide expanded library services has already been identified and would also involve reuse of an existing space; however, at this time, there is not enough data to determine the precise scenario for expanding library services that would ultimately be implemented. As such, the environmental effects of such expansion are not reasonably captured in this 2023 Final Program EIR and would be analyzed as a separate project in the future, if implemented. Construction-related impacts that would be anticipated from new development would be similar to those addressed for buildout of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs. With implementation of identified policies and actions and the requirements of the SPMC, the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs was found to result in less than significant impacts to library services, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction, Operations and Conclusion

Consistent with the findings of the 2023 Final Program EIR, the 900 Fair Oaks Avenue project impacts with respect to new or physical altered libraries would be the same as identified in the 2023 Final Program EIR and less than significant.

PARKS

2023 Final Program EIR

Construction and Operations

The 2023 Final Program EIR indicates that the City of South Pasadena would strive to meet and maintain acceptable parkland standards, defined in the General Plan Update as 5 acres per 1,000 residents. The City recognizes that providing adequate, or abundant, parks and other open spaces have substantial benefits both to its residents and to the environment. The General Plan Update, as a policy document, has outlined the priorities and methods for ensuring that park facilities are provided and improvements necessary to meet the long-range demand are implemented. Therefore, from a policy level, there would be no impact. Site-specific improvement plans would be evaluated pursuant to CEQA at the time the park development is proposed. Construction-related impacts that would be anticipated from new park development would be similar to those addressed for buildout of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs. Therefore, with implementation of the identified policies and actions, the 2023 Final Program EIR indicates that the proposed General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would result in less than significant impacts to parks services, and no mitigation was required.

900 Fair Oaks Avenue project

Construction, Operations and Conclusion

Consistent with the findings of the 2023 Final Program EIR, the 900 Fair Oaks Avenue project impacts with respect to new physically altered park facilities would be the same as identified in the 2023 Final Program EIR and less than significant.

P. RECREATION

The potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document ana analyzed herein, to result in new or substantially more adverse significant impacts to recreation was evaluated in relation to the 2023 Final Program EIR and two questions recommended for consideration by the State CEQA Guidelines.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (a) Increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (b) Inclusion of on-site recreational facilities or requirement for the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Increased use of Existing Parks. The 2023 Final Program EIR indicates that to meet the standard of 5 acres of parks per 1,000 residents for future growth, the estimated 6,882 residents generated with buildout of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would require approximately 44.3 acres of parks and other recreational facilities. The City of South Pasadena currently provides approximately 4.6 acres of parks per 1,000 residents, which exceeds the State/Quimby Act standard of 3 acres per 1,000 residents. Under this standard, the City's approximately 118 acres of parks and recreation facilities would meet the State standard even when considering the projected growth. Therefore, the need to add parkland to meet the City's standard is solely a function of the high standard for recreation being sought. However, when considering that the State standard would be met (for what is considered adequate parkland) in combination with the likely expansion of parks in the City, the addition of an estimated 6,882 residents (assuming no residential vacancies) would not 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. Therefore, with implementation of the identified policies and actions, the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs was found to result in less than significant impacts to park conditions, and no mitigation was required.

New Park Facilities. The 2023 Final Program EIR indicates that new parks or park expansions that would be constructed by the City or are part of individual development projects are expected to occur within the developed areas of the City, including infill vacant lots. Many of the methods that may be used to create additional parkland involve the strategic and creative use of existing lands in the City as the City is largely built out. The development of new parks and recreational facilities would be a beneficial impact in the City by meeting existing and future demands. New parks and recreational facilities would result in environmental impacts as discussed under the various sections of the 2023 Final Program EIR. There are several policies and actions pertaining to recreation facilities that focus on the sustainable long-term operation and maintenance of these facilities, both environmentally and financially. Individual park projects would be subject to separate CEQA review once specific development plans are identified. Therefore, with implementation of the identified policies and actions the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs was found to result in less than significant impacts to park construction, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project is anticipated to include 4,695 square feet of community-serving commercial space and/or amenity space primarily to serve the residents. Consistent with the findings of the 2023 Final Program EIR, the 900 Fair Oaks Avenue project impacts would result in less than significant impacts with respect to existing parks and recreational facilities and new facilities; impacts would be the same as identified in the 2023 Final Program EIR and less than significant.

Q. TRANSPORTATION

Transportation and traffic impacts of the project were evaluated in light of the 2023 Final Program EIR and the potential for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document ana analyzed herein, to result in new or substantially more adverse significant impacts related to transportation and traffic was evaluated in relation to four questions currently recommended for consideration by the State CEQA Guidelines.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Plan Consistency. The Our Accessible Community element of the General Plan and DTSP Update is consistent with the planning goals of the 2020–2045 RTP/SCS and Metro's Long Range Transportation Plan (LRTP). The four priorities identified in the Metro LRTP include:

1. We envision better transit, with seamless trips for riders traveling across LA to learn, work or play;
2. Our vision is less congestion, where traffic flows more freely and travel times are more certain;
3. We will team up to make complete streets, which area safety and more accessible for everyone; and
4. We will increase access to opportunity to better connect everyone to what they need most.

The Metro LRTP is a roadmap for how Metro will plan, build, operate, maintain, and partner for improved mobility in the next 30 years; as such, Metro is the primary agency implementing the LRTP. The City of South Pasadena land use regulations include policies to support transit, bicyclist, and pedestrian transportation. These supporting polices combined with the intensification of land uses in proximity to light rail and bus transit demonstrates consistency of the General Plan and DTSP with Metro's LRTP. Additionally, under the Complete Streets Act, general plans are required to include planning for complete streets—that is, streets that meet the needs of all users of the roadway, including pedestrians, bicyclists, users of public transit, motorists, children, the elderly, and the disabled. The General Plan and DTSP Update are consistent with the Complete Streets Act by supporting the City's Complete Streets Policy. The General Plan and DTSP Update include extensive policies and actions focusing on roadways, complete streets, transit, and bicyclist and pedestrian travel as a key component of the overall land use plan and planning program for the City into the future. Therefore, impacts related to consistency with plans and polices addressing the circulation system was found to be less than significant.

Vehicle Miles Travelled. The City of South Pasadena is represented by five traffic analysis zones in the SCAG travel demand model. The allocation of land uses to these zones for purposes of analysis is not meant to reflect the precise distribution of land uses that would or should eventually be developed but is a representation of a reasonably foreseeable buildout scenario based on the above assumptions for purposes of modeling VMT. The real-life distribution of land uses that would generate VMT will vary. Also, this modeling is analyzing the VMT generation of all land uses based on the existing circulation system. In reality, individual projects would be built incrementally over time and, where necessary, circulation improvements would be implemented by Public Works. The results of the transportation analysis indicate the Future Year 2040 With Project would have a lower VMT per capita and VMT per service population than the Future Year 2040 Baseline (see **Table 4** below).

Table 4: Existing and Future VMT Per capita and Per Service Population for the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs

Scenario	Home- Based VMT	Population	VMT/ Capita	Total VMT	Service Population	VMT/Service Population
Existing Baseline No Project	371,493	25,580	14.5	961,265	39,280	24.5
Existing Baseline With Project	349,757	32,093	10.9	1,152,534	47,761	24.1
Future Year 2040 Baseline No Project	324,479	25,580	**13.5**	911,531	39,280	**23.2**
Future Year 2040 With Project	344,985	32,083	**10.1**	1,066,474	47,761	**22.3**

Furthermore, the policies and actions of the General Plan and DTSP Update promote the reduction of VMT both explicitly and as supportive of actions to reduce vehicle travel. Therefore, the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs would not conflict or be inconsistent with VMT reduction guidance (Section 15064.3(b) of the State CEQA Guidelines). The 2023 Final Program EIR determined that there would be less than significant impacts, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction and Operation

Plan Consistency. The 900 Fair Oaks Avenue project would be within the assumptions of the 2023 Final Program EIR and consistent with policies of the General Plan and DTSP Updates, as well as regional and state policies designed to reduce VMT. Therefore, consistent with the analysis in the 2023 Final Program EIR impacts related to consistency with plans and policies addressing the circulation system would be less than significant.

Vehicle Miles Travelled. The 900 Fair Oaks Avenue project is located within a Transit Priority Area (TPA) and could generate an estimated 591 daily weekday vehicle trips.[11,12] However, proximity to light rail and transit and limited availability of parking would be expected to reduce that number. OPR recommends presuming projects within 0.5 miles of transit and residential development that is 100 percent affordable be assessed as having a less than significant transportation impact.[13] The County's Transportation Impact Analysis Guidelines indicate that projects with 100% of the units (excluding the manager's unit) set aside for lower income households need not undertake further analysis.[14] The 900 Fair Oaks Avenue project would be within the assumptions of the 2023 Final Program EIR and consistent with policies of the General Plana and DTSP Updates, as well as regional and state policies designed to reduce VMT. Therefore, impacts related to VMT would be less than significant.

Conclusion

The 900 Fair Oaks Avenue project would be within the assumptions of the 2023 Final Program EIR and consistent with policies of the General Plan and DTSP Updates, as well as regional and state policies designed to reduce VMT. Therefore, impacts related to VMT would be the same as identified in the 2023 Final Program EIR and would be less than significant.

[11] A Transit Priority Area is an area within one-half mile of a major transit stop that is existing or planned. Section 21064.3 of the Public Resources Code (PRC) defines a "major transit stop" as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

[12] As identified in the Los Angeles Department of Transportation (LADOT) Transportation Assessment Guidelines, July 2020 (page 3-10), family affordable housing generates 4.16 trips per unit per day. This would result in an estimate of 591 trips per day for 195 units. The same table indicates an affordable family development would generate 0.52 trips per unit during the am peak hour and 0.38 trips per unit during the pm peak hour resulting in 74 trips during the am peak hour and 54 trips during the pm peak hour.

[13] Technical Advisory, On Evaluating Transportation Impacts in CEQA, Governor's office of Planning and Research, December 2018, pages 11 and 14.

[14] Los Angeles County Public Works, Transportation Impact Analysis Guidelines, July 23, 2020; page 7

(c) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to substantially increasing hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Roadway and other transportation improvements that may be implemented in the future would involve only existing streets, ramps, driveways, and sidewalks. In some instances, addition of new streets may be necessary to break up the large-scale super-blocks into pedestrian-oriented blocks, or complete a block with missing buildings, open space, or infrastructure. No new major streets or other substantial alterations to the existing roadway network could be accommodated as the City is essentially built out. The proposed growth that could be implemented involves the same land uses already developed within the City, and as part of the City's transportation pattern. Therefore, these land uses would not be considered incompatible. The 2023 Final Program EIR indicates that the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would result in no impacts related to substantially increasing a hazard due to a design feature or incompatible uses, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be consistent with the assumptions of the 2023 Final Program EIR and would have less- than-significant impacts related to traffic hazards due to geometric design, the same as under the 2023 Final Program EIR.

(d) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to inadequate emergency access?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction

Construction activities on public rights-of-way could temporarily block traffic and access near the construction zones. Compliance with Section 36.310.090 of the SPMC in the design and construction of future projects would always maintain emergency access to individual parcels. Impacts on traffic flows for emergency response or evacuation would be less than significant during construction activities, and no mitigation is required.

Operation

Evacuation routes include major roadways in the City of South Pasadena, with SR-110 and Interstate 210 freeways serving as primary regional exit routes. Transportation improvements contemplated by the City would be implemented with the goal of safer and more efficient traffic movement. This would include traffic during an emergency or evacuation. The 2023 Final Program EIR indicated there would be no impact related to operation of future transportation improvements, and no mitigation was required.

Access to individual development sites would be made available through existing or planned on-site roadways/driveways, as required under Section 36.310.090 "Driveways and Site Access" of the South Pasadena Municipal Code (SPMC). Section 36.310.090 of the SPMC defines requirements for all access from public streets to private properties that ensure adequate and safe access by vehicular and other traffic. Compliance with the California Fire Code (incorporated in to the SPMC) requirements for emergency lane width, vertical clearance, and distance would provide adequate emergency access to all new development implemented pursuant to the General Plan and DTSP Update and public and infrastructure projects. There would be no impact related to operation of future land uses, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be consistent with the assumptions of the 2023 Final Program EIR and would have less- than-significant impacts related to emergency access, the same as under the 2023 Final Program EIR.

R. TRIBAL CULTURAL RESOURCES

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to causing a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: (i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

Impacts related to Tribal Cultural Resources were not separately addressed from Archeological Resources in the 2023 Final Program EIR and are addressed in the discussion of Cultural Resources, Archeological Resources (see Section E. Cultural Resources above); impacts to Cultural Resources, Archeological Resources were found to be less than significant with mitigation. No resources were identified within the City. Substantial excavation in previously undisturbed soils is not anticipated for the 900 Fair Oaks project and therefore regulatory compliance would address the potential for unknown finds. Nonetheless, MM CUL-1 will be included in the project.

S. UTILITIES

Utilities and service systems impacts of the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analyzed herein, were evaluated with regard to the 2023 Final Program EIR. The potential for the reasonably anticipated 900 Fair Oaks Avenue project to result in new or substantially more adverse significant impacts to utilities and service systems was evaluated in relation to five questions recommended for consideration by the State CEQA Guidelines.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (a) Requiring or resulting in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications, the construction or relocation of which could cause significant environmental effects? (c) Resulting 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?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Water Treatment and Distribution. Water pressure within the downtown area averages about 45 pounds per square inch (psi) during peak use hours, with lower pressures occurring in the eastern portion. Water pressure of 50 to 70 psi is desirable. These pressures are low but unavoidable given the current water distribution system equipment and configuration. The City anticipates that future development may encounter problems associated with low water pressures that can only be remedied on a system-wide basis. Some of the possible pressure and flow rate remedies identified include modifications to the lines entering and leaving the Grand and Garfield reservoirs; enlarging, replacing, or adding water lines, adding pumping stations, and increase usage of MWD water. Also, after implementation of some of the recommended system- wide improvements, all new development may require on-site pumps for two- or three-story buildings. The City's is developing plans to identify other water distribution system issues including low pressure areas and provide recommendations for resolution.

Water infrastructure improvements would be directly related to the pace of development, and the policies and actions of the General Plan Update (which is inclusive of infrastructure-related issues within the DTSP) have been designed to address this. The Our Planned Community chapter requires the City to create a long-term plan to update infrastructure to not only accommodate growing population/businesses, but also the effects of climate change. This would include upgrading the water system to provide proper pressure throughout the City. This General Plan Update chapter also requires the City to adopt an ordinance that requires on-site non-potable water systems for all development, and to adopt zero net water building codes. These requirements would reduce the demand for water, and therefore the demands on the water distribution system. This chapter also includes an action to require applicants of future development projects to pay fair share Water and Sewer Impact Fees for improvements to the water distribution and sanitary sewer systems. The purpose of this fee is to mitigate unfavorable impacts on the City's water and sewer systems attributed to new development, and the fees collected are applied toward the costs of new or expanded public water and sewer facilities.

The 2023 Final Program EIR found that new or expanded water infrastructure may be necessary to serve future development projects. The need for, and environmental impacts of, additional water distribution infrastructure would be addressed in the required project-level California Environmental Quality Act (CEQA) review. If significant impacts associated with installation of the necessary infrastructure are identified, mitigation measures would be required. Through compliance with the City's plan review processes; application of the Water and Sewer Impact Fee (Section 16B of the SPMC); implementation of applicable General Plan Update policies and actions (which are inclusive of infrastructure-related issues within the DTSP); and identification of and, if necessary, mitigation for, environmental impacts associated with new or expanded water distribution infrastructure, there would be a less than significant impact and no mitigation was required. The 2023 Final Program EIR found that impacts would be less than significant.

Wastewater Collection and Treatment. Based on the wastewater loadings published by the Los Angeles County Sanitation District (LACSD), it was conservatively estimated that buildout could generate approximately 662,329 gpd, or 0.66 mgd. This volume of additional wastewater could be fully accommodated by either the Whittier Narrows or Los Coyotes Wastewater Reclamation Plants (WRPs). Specifically, this wastewater generation would represent approximately 13.0 percent of the Whittier Narrows WRP's remaining capacity of 5.1 mgd, and approximately 4.1 percent of the Los Coyotes WRP's remaining capacity of 16.2 mgd. Therefore, implementation of the proposed General Plan and DTSP Update 2021–2029 Housing Element Implementation Programs would not result in the need for new or expanded wastewater treatment facilities or a determination by the LACSD that there would be inadequate capacity in addition to existing commitments. Also, consistent with the Connection Fee program of LACSD's Wastewater Ordinance, all new users of the LACSD sewerage system must pay their fair share of the costs for providing additional conveyance, treatment, and disposal facilities.

Regarding the City's sewer system, similar to the analysis of the water distribution system above, the City has recently completed a large sewer system improvement program. Any additional improvements to the sewer system would be directly related to the pace of development and the policies and actions of the General Plan Update (which is inclusive of infrastructure-related issues within the DTSP) have been designed to address this. The Our Planned Community chapter requires the City to create a long-term plan to update infrastructure to not only accommodate growing population/businesses, but also the effects of climate change. This General Plan Update chapter also requires the City to adopt zero net water building codes, which would also reduce wastewater generation. This chapter includes an action to require applicants of future development projects to pay fair share Water and Sewer Impact Fees for improvements to the water distribution and sanitary sewer systems. The purpose of this fee is to mitigate unfavorable impacts on the City's water and sewer systems attributed to new development, and the fees collected are applied toward the costs of new or expanded public water and sewer facilities.

As part of the City's plan review process, the Public Works Department conducts a review of wet utility (i.e., water and wastewater) infrastructure needs. The applicants of future development projects would be responsible for installing all new or replacement sewer-related infrastructure on the property and within the proposed structure(s) deemed required by the City and remitting the sewer impact fee calculated by the City for that project. The City would be responsible for continuing to manage the Water and Sewer Impact Fee Fund and implement the necessary improvements to the sanitary sewer system.

In summary, new or expanded wastewater infrastructure may be necessary to serve future development projects. The need for, and environmental impacts of, additional wastewater infrastructure would be addressed in the required project-level CEQA review. If significant impacts associated with installation of the necessary infrastructure are identified, mitigation measures would be required. Through compliance with the City's plan review processes; application of the Water and Sewer Impact Fee (Section 16B of the

SPMC); implementation of applicable General Plan Update policies and actions; and identification of and, if necessary, mitigation for, environmental impacts associated with new or expanded wastewater infrastructure, there would be a less than significant impact and no mitigation was required.

Storm Water Drainage. Changes in drainage patterns would be confined to individual development sites and would not affect major underground storm drain lines and concrete-lined drainages in the City. Most development sites would be redevelopment of existing, fully developed sites, the change in drainage patterns on these sites would be nominal. All development must be conducted in compliance with applicable State and local regulations, which prevent substantial alteration of site drainage patterns by controlling the volume and direction of runoff. Since drainages in the City are concrete-lined, no alteration in the alignment of these channels would occur from future development. Impacts would be less than significant, and no mitigation is required.

Dry Utilities (Electrical, Natural Gas, and Telecommunications). Southern California Edison (SCE) provides electrical services and Southern California Gas (The Gas Company) provides natural gas services in the City. South Pasadena uses the Clean Power Alliance (CPA) for electricity generation at the 100 percent renewable level, wherein the City purchases electricity from the CPA but uses the physical plant and billing processes of SCE. Telecommunications (i.e., telephone, television, and/or internet) services are provided by several companies, including, but not limited to, Spectrum, AT&T, and EarthLink. There is a backbone of dry utility infrastructure throughout the City. Electric and natural gas services are regulated by the California Public Utilities Commission (CPUC), which requires that these utilities provide services as required by the public. Telecommunications services are provided on demand in a free market system. The need for new, expanded, and/or relocation dry utilities would be determined as part of future individual projects and dependent on the conditions at each project site. The environmental impacts (e.g., air quality and noise) of constructing these facilities is within the range of assumptions applied to the analysis in the 2023 Final Program EIR. Impacts would be less than significant, and no mitigation was required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be within the assumptions analyzed in the 2023 Final Program EIR and would have less than significant impacts with respect to water treatment and distribution; wastewater collection and treatment; storm water and dry utility infrastructure capacity. As under the 2023 Final Program EIR, the impacts would be less than significant.

(b) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to having sufficient water supplies available to serve the proposed 900 Fair Oaks Avenue project and reasonably foreseeable future development during normal, dry, and multiple dry years?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Based on the 2020 water demand factor of 124 gallons per capita per day (gpcd) from the City's 2020 Urban Water Management Plan (UWMP), the total estimated water demand for the additional population (assuming no residential vacancies) is calculated to be 2.62 af (0.85 mgd). The actual water demand in fiscal year 2019-2020 was 3,546 afy; therefore, the additional population would result in a total average day water demand of about 3,549 af. It is anticipated the City will be able to meet its average day demand in 2045 with its total water supply of 4,163 af. While there would be non-residential growth and additional landscaping, residential growth would be the source of most additional water demand and therefore is used for analysis purposes only to determine whether projected growth could reasonably be expected to have adequate water supplies. Water supply sufficiency would be assessed on a project-by-project basis based on State and other regulations in place at that time and the City's current UWMP. The City has historically met all its water demands with groundwater production, treated imported water from MWD, and purchased water from the City of Pasadena. Even with the City's historically reliable water supply, the City included a Water Conservation and Supply Shortage Plans and Enforcement (Ordinance No. 2268) in its 2020 UWMP identifying actions to be taken to respond to a severe or extended water shortage. If water supplies are temporarily insufficient to meet customer demand, the City may implement its Water Conservation and Supply Shortage Plans and Enforcement (Ordinance No. 2268).

Active and effective groundwater management enables water producers in the San Gabriel Basin to historically meet water demands, including during single and multiple dry years. Based on the demonstrated reliability of water resources available to the City, including the City's access to the San Gabriel Basin water supplies, including imported replacement water and the City's access to treated imported water from MWD and purchased water from the City of Pasadena, the City has sufficient and reliable water supplies to meet its future demands from 2020 to 2045, including during single and five consecutive year droughts. There would be adequate water supplies to support buildout of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs from existing entitlements and resources. There would be a less than significant impact, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be within the assumptions analyzed in the 2023 Final Program EIR and would have less than significant impacts with respect to water supply. As under the 2023 Final Program EIR, the impacts would be less than significant.

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the following: (d) Generating solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (e) Compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operation

Solid Waste Generation. As the City of South Pasadena is served by a private waste hauler, the City's waste can be disposed, after sorting and recycling at one of Athens Material recovery Facilities (MRFs), at any landfill with capacity that can accept the municipal waste. Review of CalRecycle documents show that in 2019 City- generated municipal waste of approximately 21,482 tons was disposed at landfills, transformation facilities, and used for alternative daily cover.

Based on the 2021 reporting year disposal rate targets (4.4 pounds per person per day [PPD] per capita and 15.8 PPD per employee), at buildout of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs the estimated 6,882 residents would generate approximately 30,281 PPD of solid waste, or approximately 5,526 tons per year. The estimated 1,978 employees would generate approximately 31,252 PPD of solid waste, or approximately 5,704 tons per year. This equates to approximately 11,230 tons per year (approximately 30.8 tons per day) of additional solid waste requiring disposal in 2040, assuming full buildout. Compared to the 2019 solid waste disposal after application of source reduction and recycling efforts, this would represent an approximate 52 percent increase in municipal solid waste generation requiring disposal. It is noted that these figures are for analysis purposes only, as they assume no additional source reduction programs would be enacted by the City or that additional sorting and/or transformation technologies would not be developed to further reduce the waste stream, which is unlikely. It is also noted that these figures assume population growth with no residential vacancies, which is also unlikely.

Compliance with Regulations. As of December 2020, the County's 10 municipal landfills have a permitted daily capacity of 27,765 tons and an estimated remaining permitted capacity of 142.67 million tons, with remaining life estimates of between 9 and 35 years. The City's estimated daily solid waste increase requiring disposal (approximately 30.8 tons) represents approximately 0.11 percent of the County landfill's daily capacity and the annual solid waste increase (approximately 11,230 tons) approximately 0.01 percent of the remaining permitted capacity. As such, it is not anticipated that the City's additional waste stream would exceed the capacity of these landfills. Also, in addition to in-County landfills, Athens can dispose of any available landfill at the time of disposal, including those out-of-County.

The City is currently exceeding its CalRecycle-defined per capita and per employee disposal rates. The City will continue to implement a variety of solid waste reduction, recycling, and re-use measures to

continue to meet its obligation under AB 939, and to meet upcoming obligations under AB 341 and AB 1826. Our Well Planned Community chapter of the General Plan Update includes policies and actions to facilitate waste prevention, recycling, and composting. These including requiring the City to develop a Zero Waste Plan, requiring multi-family and commercial properties to have on-site recycling containers as well an organics recycling program, requiring construction sites to separate waste for proper diversion, and reuse or recycling, where feasible. Therefore, there would be less than significant impacts related to landfill capacity and solid waste regulations, and no mitigation is required.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would be within the assumptions analyzed in the 2023 Final Program EIR and would have less than significant impacts with respect to solid waste generation and consistency with applicable regulations. As under the 2023 Final Program EIR, the impacts would be less than significant.

T. WILDFIRE

Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to being located in or near state responsibility areas or lands classified as very high fire hazard severity zones, and andy of the following: (a) Substantially impairing an adopted emergency response plan or emergency evacuation plan? (b) Due to slope, prevailing winds, and other factors, exacerbating wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (c) Requiring the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (d) Exposing people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Construction and Operations

The City of South Pasadena is located in a highly urbanized area; while there are high risk areas in the southwest portion of the city, the land use policy changes addressed in the 2023 Final Program EIR did not change these areas. Therefore, impacts related to wildfire were considered less than significant.

900 Fair Oaks Avenue Project

Construction, Operation and Conclusion

The 900 Fair Oaks Avenue project would have no impacts with respect to wildfire as it is located some distance from the high wildfire risk area.

U. GROWTH INDUCING IMPACTS

2023 Final Program EIR

Since the City of South Pasadena is largely built out, the roadway and utility infrastructure systems are in place. Improvements to roads and other infrastructure would be implemented either to alleviate existing issues or in support of anticipated future growth. Extension of water and sewer lines (i.e., laterals), if needed, would be part of individual future projects and provide services to those developments. However, extensions or replacements of wet utilities (water and sewer infrastructure), dry utilities (i.e., electric, natural gas, telecommunications), or roadway improvements that would serve only the existing and proposed uses and would not serve other nearby areas may be an inducement to further (i.e., unplanned) development either within or near the City. Because the City is almost entirely built out and the existing open space areas are not proposed for development, there would be no development of or encroachment on an isolated or adjacent area of open space.

Implementation of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs would induce population growth within the City of South Pasadena by facilitating directed growth in five strategic focus areas for infill development as well as potential housing development outside the focus areas. The analysis in the 2023 Final Program EIR assumes the buildout of up to 2,775 additional dwelling units and 430,000 square feet of non-residential uses, comprised of retail and office development. This is estimated to generate up to an additional 6,882 residents and 1,978 jobs. Buildout of would exceed Southern California Association of Governments (SCAG) 2040 projections (identified in the 2020 – 2045 RTP/SCS) by 18.8 percent, 19.2 percent, and 30.8 percent, respectively, and would be considered an inducement of substantial population growth.

The land use plan is consistent with SCAG policies to encourage higher-density and mixed-use development, particularly near transit centers such as the Metro A Line Station and the Metro bus lines along Fair Oaks Avenue and Huntington Drive.

Implementation of the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs Project, which is, by definition, would result in significant environmental impacts after mitigation, as discussed below. This is considered a significant and unavoidable growth-inducing impact.

900 Fair Oaks Avenue Project

The 900 Fair Oaks Avenue project would be consistent with zoning taking into account State density bonus law. The affordable housing project would meet a dire need for housing in the area and would not be growth inducing.

V. MANDATORY FINDINGS OF SIGNIFICANCE

Mandatory Findings of Significance were evaluated with respect to the 2023 Final Program EIR, and the three questions recommended by the State CEQA Guidelines.

(a) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to the potential to substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially 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?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

The 2023 Final Program EIR was found to not substantially 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, substantially 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. The General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs have the potential to significantly impact historic resources as infill sites are redeveloped. However, no specific resources have been identified as impacted at the programmatic planning stage.

900 Fair Oaks Avenue Project

The 900 Fair Oaks Avenue project would not substantially 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, substantially 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 reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to impacts, which are individually limited, but cumulatively considerable? ("Cumulatively considerable "means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

Other than the six issue areas where project impacts alone were determined to be significant (see below), the 2023 Final Program EIR did not identify impacts that would be *individually limited* but cumulatively considerable. All issue areas where impacts were found to be less than significant were determined to not contribute to any cumulatively considerable impact:

Aesthetics. The 2023 Final Program EIR found that the overall land use pattern would be maintained and the contribution to cumulative impacts to scenic vistas would not be considerable. Views from SR 110 would not be substantially damaged and would not contribute to a considerable impact to scenic highways. The change in visual character was determined to be significant and therefore the impact is greater than a considerable contribution to a cumulative impact. Existing ambient lighting is typical of an urban area, and the contribution would not be substantially different and would not be a considerable contribution to a cumulative impact.

Agricultural Resources. There would be no impacts to agriculture and forestry resources.

Air Quality. Short term construction impacts and long-term operational impacts were found to be significant and therefore greater than a considerable contribution to a cumulative impact. Impacts to sensitive receptors were found to be less than significant and not cumulatively considerable. No impacts with respect to odors were identified as none of the uses typically associated with odors are anticipated.

Biological Resources. The City of South Pasadena is substantially urbanized and most development would be infill; with mitigation impacts related to sensitive species and wetland and riparian habitats would not be considerable. The potential impact to wildlife movement would not be considerable because of the urban nature of the area. Compliance with tree preservation policies would ensure impacts with respect to local policies and ordinances protecting trees would not be considerable. There would be no impacts with respect to HCPs and NCCPs.

Cultural Resources. Impacts to historic resources were found to be significant and therefore greater than a considerable contribution. Impacts to archeological and tribal cultural resources are usually site specific. With mitigation impacts would not result in a considerable contribution to cumulative impacts.

Energy. Compliance with state energy regulations as well as a denser land use pattern would ensure that energy use is efficient and does not result in a considerable contribution to a cumulative impact.

Geology and Soils. Geologic and soil impacts are generally site-specific and there is little, if any, cumulative relationship between development projects. Compliance with applicable regulations would ensure impacts are not cumulatively considerable with respect to seismic-related impacts soil conditions and septic tanks. Impacts to paleontological resources are generally site specific, mitigation would ensure that impacts would not be cumulatively considerable.

Greenhouse Gas Emissions. GHG emissions were identified to be significant and therefore a greater impact than a considerable contribution to cumulative impacts. Impacts related to consistency with plans and polices was identified as less than significant and would not be cumulatively considerable.

Hazards and Hazardous Materials. Existing regulations for a variety of activities and uses relate to the protection of public health and safety at all levels of government. Future development projects would also need to be made part of emergency planning efforts for natural or manmade disasters that may occur in

the area. Compliance of individual projects with pertinent regulations would preserve public health and safety and would prevent hazards to existing and future developments. Thus, future growth is not expected to present significant risks to public health and safety with compliance with regulations. Future growth would also be subject to review and approval by the SPFD, other jurisdictional fire departments/agencies, and the County Fire Department for fire safety and preparedness, as well as the provision of adequate emergency access and evacuation. Compliance with pertinent requirements of the fire agencies would prevent the creation of fire hazards and would reduce wildland fire hazards.

Hydrology and Water Quality. Cities in the County have adopted programs for long-term storm water pollution mitigation through the requirement for SUSMPs for individual developments. Waste Discharge Requirements, also impose guidelines for individual developments that may lead to discharges into the storm drain system or surface water bodies. Also, the Los Angeles River has an 824-square-mile watershed. Runoff originating within the City (3.4 square miles) represents a minor portion (0.4 percent) of the total runoff volume when compared to the water volumes handled by the Los Angeles River as a whole. Runoff from future development activity would be a minor amount of the total runoff from the City. Therefore, no cumulative adverse impacts related to water quality would occur. Individual developments would coordinate with their respective water service providers to allow them to provide water service in a timely and adequate manner. The water service provider's groundwater supplies are controlled by the Main San Gabriel Basin Watermaster, who is responsible for monitoring groundwater levels and water quality, including the operating safe yields of the basin and extraction limits and amounts. Continued management of the groundwater basin would prevent overdraft conditions, water quality problems, and other impacts on groundwater resources and therefore there would not be a cumulative adverse impact. All development within Los Angeles County is subject to development in compliance with SUSMP and local municipal code standards for reducing storm drain capacity impacts. Storm drain infrastructure is incrementally improved with project-specific design plans that are subject to the review and approval of local jurisdiction. Project-specific design and utility improvements would prevent negative impacts to regional drainage channel capacity. Therefore, no cumulative impacts related to changes in drainage patterns or inadequate storm drainage would occur. There would be no potential introduce a new risk of pollutant release due to dam inundation. Therefore, no cumulative impacts related to dam inundation would occur. Seiche hazards would affect local areas downstream of a water body or reservoir and would not create cumulative impacts and there would be no impacts relative to tsunami, or potential mudflow hazards.

Land Use. The General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs are expected to have less-than-significant cumulative land use impacts. They would not divide existing communities or introduce incompatible uses, as long as development follows City standards, regulations, general plans, and zoning codes. Future projects would be reviewed for consistency with applicable land use policies and needed infrastructure and public facilities would support growth.

Mineral Resources. There would be no impacts on mineral resources and therefore no cumulatively considerable contribution to impacts on mineral resources.

Noise. Future development in the City and the surrounding area would add new mobile and stationary noise sources, resulting in increased noise levels. The analysis of buildout of the proposed General Plan and DTSP Update & 2021–2029 Housing Element includes cumulative traffic volumes in the region by 2040. Thus, mobile noise impacts account for cumulative noise impacts and impacts were found to be less than significant. Noise and vibration impacts related to the Metro A Line and construction activity would be limited geographically to the alignment of the A Line within the City of South Pasadena and individual construction sites, respectively. Therefore, these noise and vibration sources would not contribute to a cumulatively significant impact due to the effects of noise attenuation.

Population and Housing. Growth is generally anticipated to proceed in accordance with applicable land use plans. While some unplanned growth may occur, it is not anticipated that South Pasadena would result in a cumulatively considerable contribution to such growth. No significant cumulative adverse impacts related to displacement would occur with the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs.

Public Services. This cumulative demand for fire protection services would require additional personnel and resources at individual agencies to provide the same level of service and maintain existing response times. Mutual aid agreements among local agencies would help address fires regardless of jurisdictional boundary and would provide the needed fire or emergency services. Essentially, each participating agency has the resources of all other participating agencies available for emergency response. Individual developments are required to comply with pertinent provisions of the California Fire Code to prevent the creation of fire hazards, to promote fire safety, and to facilitate emergency response. Compliance with these existing regulations would avoid potential significant cumulative impacts on fire protection service levels. The SPPD also participates in a mutual aid program similar to the fire department. Therefore, there would not be a significant cumulative impact on police protection. Cumulative impacts to schools would be addressed through payment of school fees and there would be no cumulatively considerable contribution to an impact. Impacts to local libraries and parks generally would be localized and less than significant impact and would not result in a cumulatively considerable contribution.

Parks and Recreation. Cumulative impacts on parks and recreational facilities would be less than significant. Nearby jurisdictions use Quimby Act requirements to ensure residential developers either pay park fees, dedicate parkland, or provide recreational facilities to meet project-generated demand. The new land use regulations would create only a small additional park demand—about seven acres—so they would not result in a cumulatively considerable need for parks. Although population growth through 2040 would increase use of existing parks and recreational facilities, regional agencies and nearby jurisdictions are expected to maintain or expand facilities as needed, preventing substantial physical deterioration.

Transportation. Future development and regional growth are expected to increase vehicle trips and congestion in and around the City of South Pasadena. However, regional transportation improvements identified by SCAG—such as expanded transit, freeway lanes, bus rapid transit, high-speed rail, and dedicated truck lanes—are incorporated into traffic forecasts. The General Plan, DTSP Update, and Housing Element programs include policies that support regional circulation planning across multiple travel modes, so cumulative impacts related to transportation plans and policies are expected to be less than significant. The VMT analysis also accounts for cumulative regional conditions and finds less-than-significant impacts under CEQA. There would not be a cumulatively considerable contribution to traffic hazards, incompatible uses, or emergency access, and any construction-related emergency access impacts would be temporary and not cumulatively considerable.

Tribal Cultural Resources. Addressed under Cultural Resources, Archeological Resources.

Utilities. Water supply: The City's 2020 Urban Water Management Plan found that the Main San Gabriel Groundwater Basin and other water sources can reliably meet projected demand through 2045, including under dry-year conditions and project buildout. Water and wastewater infrastructure: Future projects would be reviewed through City processes, impact fees, General Plan policies, and project-level CEQA review. These measures would avoid significant cumulative impacts to water distribution and wastewater conveyance systems. Wastewater treatment: Although regional growth would increase wastewater flows, the Whittier Narrows and Los Coyotes Water Reclamation Plants have remaining capacity. The City's projected buildout would represent a relatively small share of that capacity, and LACSD connection fees

would fund needed system improvements. Solid waste: Future growth may reduce landfill capacity over time, but recycling and waste reduction programs, CalRecycle oversight, and available regional landfill capacity mean the project's contribution would be minimal. Dry utilities: Natural gas, telecommunications, and community choice energy services are provided on demand by large regional providers, so growth is not expected to cause adverse cumulative impacts or require significant new or expanded dry utility infrastructure.

Wildfire. The City of South Pasadena is in an urbanized area and is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones, the 2023 Final Program EIR found that impacts related to wildfire would not be cumulatively considerable.

900 Fair Oaks Avenue Project

The 900 Fair Oaks Avenue project would not have impacts that are *individually limited* but cumulatively considerable:

Aesthetics. While impacts to visual character could be considered significant, the site is within a TPA and therefore aesthetic impacts are not considered significant.

Agricultural Resources. As for the 2023 Final Program EIR the 900 Fair Oaks Avenue project would have no impact and would not contribute to a cumulative impact related to agricultural resources.

Air Quality. Given the size of the project, emissions are anticipated to be below thresholds applicable to cumulatively considerable contributions.

Biological Resources. The 900 Fair Oaks Avenue project site includes ornamental trees that could contain nesting birds. Compliance with the MBTA would reduce impacts to less than significance and the 900 Fair Oaks Avenue project would not result in a considerable contribution to a cumulative impact related to biological resources.

Cultural Resources. The 900 Fair Oaks Avenue project would not include substantial excavation; regulatory compliance would reduce impacts and therefore would not result in a considerable contribution to a cumulative impact related to cultural resources.

Energy. The 900 Fair Oaks Avenue project would adhere to the applicable state, regional and local regulations that would improve energy efficiency and therefore would not result in a considerable contribution to a cumulative impact related to energy.

Geology and Soils. The 900 Fair Oaks Avenue project would adhere to all relevant plans, codes, and regulations with respect to project design and construction, which would reduce project-specific and cumulative geologic impacts. With limited excavation and compliance with regulatory requirements impacts to paleontological resources would not be considerable. Therefore, the 900 Fair Oaks Avenue project, would not result in a considerable contribution to a cumulative impact related to geology, seismicity, soils and paleontological resources.

Greenhouse Gas Emissions. The 900 Fair Oaks Avenue project would be consistent with applicable GHG reduction policies at the state, regional and local level. In particular location of affordable housing in proximity to transit satisfies many key goals. Its incremental contribution to cumulatively significant GHG emissions also would not be cumulatively considerable.

Hazards and Hazardous Materials. The 900 Fair Oaks Avenue project and all development in the vicinity would also be subject to the same local, regional, state, and federal regulations pertaining to hazards and hazardous materials. As a result, with adherence to these regulations, the 900 Fair Oaks Avenue project would not result in a considerable contribution with respect to hazards and hazardous materials.

Hydrology and Water Quality. The 900 Fair Oaks Avenue project would comply with state and local regulations to address drainage, erosion and water quality. Therefore, it would not result in a cumulatively considerable contribution to impacts related to hydrology and water quality.

Land Use. As for the 2023 Final Program EIR, the 900 Fair Oaks Avenue project result in similar land uses as today and would be consistent with the adopted land use plans and zoning, and the 900 Fair Oaks Avenue project would not result in a cumulatively considerable contribution to impacts related to land use.

Mineral Resources. As for the 2023 Final Program EIR, the 900 Fair Oaks Avenue project would not contribute to a cumulative impact on mineral resources.

Noise. The 900 Fair Oaks Avenue project would use the same construction methods discussed in the 2023 Final Program EIR. The project would result in less than significant impacts related to construction noise and vibration, in addition these impacts are expected to be localized to the immediate vicinity. The site is not in proximity to existing high noise sources. The 900 Fair Oaks Avenue project would not be expected to result in a cumulatively considerable contribution to noise or vibration.

Population and Housing. The 900 Fair Oaks Avenue project would locate affordable housing in proximity to transit consistent with state, regional and local polices. The site is a surface parking lot and no people or housing would be displaced. Therefore, the 900 Fair Oaks Avenue project would not contribute to cumulatively significant growth.

Public Services. The 900 Fair Oaks Avenue project would be consistent with the assumptions in the 2023 Final Program EIR. Therefore, the 900 Fair Oaks Avenue project would not contribute to cumulatively significant demand for fire and emergency medical services, police protection, schools, and libraries.

Parks and Recreation. The 900 Fair Oaks Avenue project would be consistent with the assumptions in the 2023 Final Program EIR. Therefore, the 900 Fair Oaks Avenue project would not result in a considerable contribution to cumulatively significant impact on existing parks or demand for parks and recreation.

Transportation. The 900 Fair Oaks Avenue project is an affordable housing project in proximity to transit. Impacts with respect to plans and policies and VMT would be less than significant; there would be no impacts with respect to hazards due to geometric design and less than significant impacts with respect to emergency access. The 900 Fair Oaks Avenue project would not result in a cumulatively considerable contribution to traffic impacts.

Tribal Cultural Resources. Addressed under Cultural Resources above.

Utilities. The 900 Fair Oaks Avenue project would be consistent with the assumptions in the 2023 Final Program EIR. Therefore, the 900 Fair Oaks Avenue project would not contribute to cumulatively significant impacts on water infrastructure and supply, wastewater generation, or solid waste disposal impacts.

Wildfire. The 900 Fair Oaks Avenue project is located within an urban area and not in proximity to areas subject to wildland fires. Therefore, it would have no impacts related to wildfire and would not contribute to cumulative impacts.

(c) Does the reasonably anticipated 900 Fair Oaks Avenue project require Subsequent or Supplemental CEQA Documentation with respect to environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		
	Yes	No
New Significant Environmental Effect Caused by a Change in the Project or Circumstances	☐	☐
Substantial Increase in the Severity of a Previously Identified Significant Effect Caused by a Change in the Project or Circumstances	☐	☐
New or Substantially More Severe Significant Impacts Shown by New Information	☐	☐
Ability to Substantially Reduce a Significant Effect Shown by New Information but Declined by Proponent	☐	☐

2023 Final Program EIR

The 2023 Final Program EIR identified the following significant adverse impacts that could not be reduced below a level of significance:

1) Aesthetics. Structures on vacant lands and replacement of older developments would likely have a different architectural style and may be more intense than the pre-existing land use. Increased urbanization could be expected as properties are developed and/or redeveloped with higher intensity/density uses. The combination of proposed policies to increase density in selected areas of the City to meet the RHNA allocation and the State Density Bonus Law would result in taller structures and increased density. Due to State mandated housing- and land use-related programs and regulations and the court-ordered ballot initiative to repeal the height limit on selected sites, the change in visual character in the City was considered to be potentially transformational and adverse. To balance preservation of existing uses and land use transitions where development or redevelopment occur, the focus areas and potential housing sites were primarily situated in those portions of the City where change is desired to both diversify land uses and take advantage of proximity to the Metro A Line Station. While some factors (i.e., RHNA allocations and State legislation) are not in the City's control; in consideration for the community's point of view the direct and indirect effects of the Project were considered to be a significant and unavoidable impact to visual character.

2) Air Quality. Because the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs identify future land uses and do not contain specific development proposals, construction-related emissions are speculative and could not be accurately determined at the program level. Therefore, regional and local criteria pollutant emissions for construction activity were not quantified and were conservatively identified as significant and unavoidable impacts. Estimated operational activities from buildout (area sources, energy sources, mobile sources, and stationary sources) would result in criteria air pollutant emissions exceeding the SCAQMD thresholds for VOCs. Potential for conflict with the AQMP because: 1) air emissions could create and increase in the severity of air quality violations within the air basin; and 2) buildout would exceed the 2020–2045 RTP/SCS demographic projections (because of the RHNA) and consequently air emissions that are included in the 2022 AQMP.

3) Cultural Resources -- Historic Resources. The 2023 Final program EIR could not be certain that a significant adverse effect to one or more existing or future identified historic resources would not occur, despite application of applicable local, State and Federal regulations.

4) Greenhouse Gas Emissions. Because the General Plan and DTSP Update & 2021–2029 Housing Element Implementation Programs identify future land uses and do not contain specific development proposals, construction-related GHG emissions are speculative and cannot be accurately determined at this stage of the programmatic level. Therefore, GHG emissions related to construction activity were not quantified and were assumed to be significant and unavoidable. At the program level, estimated operational GHG emissions would exceed both an SCAQMD threshold and a service population threshold. While the operational emissions are highly conservative, operational GHG emissions are considered significant as the Project may generate GHG emissions that would have a significant and unavoidable impact on the environment.

5) Noise. Construction noise levels at receiver locations within 50 feet and 200 feet where pile driving is necessary, are anticipated to exceed FTA noise thresholds. The increase in traffic noise levels due to the General Plan and Downtown Specific Plan Update & 2021 – 2029 Housing Element Implementation Programs at adjacent uses would not result in a noticeable change in noise levels (i.e., 3 dBA) where noise levels exceed 65 dBA CNEL. However, residential uses would experience future exterior noise levels greater than the *normally acceptable* compatibility criteria identified in the existing General Plan Safety and Noise Element. While it may be possible to satisfy the exterior noise standards for some projects, the transportation noise levels may still exceed the exterior 65 dBA CNEL standard for some projects. Therefore, the exterior on-site transportation noise impact is considered significant and unavoidable.

6) Population and Housing. Buildout would exceed the population and housing growth projections presented in the SCAG 2020-2045 RTP/SCS. This is solely because the 2020-2045 RTP/SCS projections are inconsistent with the 6th Cycle RHNA.

900 Fair Oaks Avenue Project

The 900 Fair Oaks Avenue project would not cause substantial adverse effects on human beings, either directly or indirectly:

1. Aesthetics. Consistent with The DTSP and state density bonus law, at about seven stories and 81 feet tall, the 900 Fair Oaks Avenue project would be taller than the one and two-story story residential development to the east as well as one and two-story commercial development to the west. It could therefore result in an adverse impact as anticipated by the 2023 Final Program EIR. The site is located within ½ mile of a major transit stop at the Fair Oaks Avenue and Mission Street Metro A-Line and therefore as indicated in the 2023 Final Program EIR is well-positioned to take advantage of transit. CEQA section 21099(d)(1) indicates that aesthetic impacts for residential projects located within a Transit Priority Area (within 0.5 miles of a major transit stop) shall not be considered significant.

2. Air Quality. Details of project construction are not known. Evaluation of template projects was undertaken as part of the 2024 RTP/SCS EIR; that analysis shows that construction projects with fewer than 160 workers, 19 pieces of heavy equipment and 150 one-way truck trips and less than an acre would not have the potential to result in significant construction impacts. It is anticipated that project construction would require fewer workers, equipment and one-way truck trips than this template project, because of the size of the site and size of project. Therefore, project construction

would not be expected to generate significant construction emissions. During construction, appropriate dust control measures would be implemented as part of the proposed project during each phase of development, as required by SCAQMD Rule 403 - Fugitive Dust. Specifically, Rule 403 control requirements include, but are not limited to, applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the project site, and maintaining effective cover over exposed areas. Operational impacts from mobile sources of residential projects in proximity to transit do not result in significant impacts because of on-going increasingly stringent emissions controls and reduced use of cars.

3. Cultural Resources -- Historic Resources. There is no building located on the site and therefore no impact to historical resources would occur. The 900 Fair Oaks Avenue project would not change other potential impacts to historical resources (at other sites), as identified in the 2023 Final Program EIR.

4. Greenhouse Gas Emissions. Reasonably anticipated development at 900 Fair Oaks Avenue, per the description provided in this document ana analyzed herein, would fall within the assumptions made in the 2023 Final Program EIR. Impacts of the reasonably anticipated development would be less than significant (due to project size, proximity to transit and consistency with applicable plans and policies).

5. Noise. The closest residential property lines are about 50 feet from the 900 Fair Oaks Avenue site; residential structures are about 70 feet or more from the site. It is not anticipated that pile driving would be required.

6. Population and Housing. Reasonably anticipated development at 900 Fair Oaks Avenue would fall within the assumptions made in the 2023 Final Program EIR and could contribute to the impact identified in the 2023 Final Program EIR. However, SCAG has moved away from assessing consistency based on specific densities and looks towards consistency with reginal policies, importantly location of residential development in proximity to transit and jobs, which the project would do.

W. CONCLUSION

The reasonably anticipated 900 Fair Oaks Avenue project is described in **Section 5** of this Addendum and would be within the assumptions analyzed in the 2023 Final Program EIR as well as the 2025 1st Addendum addressing rezoning. The reasonably anticipated 900 Fair Oaks Avenue project has been reviewed by the County of Los Angeles in light of Sections 15162 and 15163 of the Guidelines. As the CEQA Lead Agency, the County of Los Angeles has determined, based on the analysis presented herein, that none of the conditions (identified in Section 1) apply which would require preparation of a subsequent or supplemental EIR and that an Addendum to the 2023 Final Program Final EIR is the appropriate environmental documentation under CEQA for the reasonably anticipated 900 Fair Oaks Avenue project. In addition, the project is eligible for exemption from CEQA in accordance with Public Resources Code Section 21155.4 and CEQA Guidelines Section 15182 (Consistency with Specific Plan); Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 (Consistency with General Plan and Zoning) and Public Resources Code Section 21080(b)(4) and CEQA Guidelines Section 15269(c) (Emergency Conditions associated with homelessness in the County). The interim parking use is also eligible for an exemption based on Common Sense (CEQA Guidelines Section 15061(b)(3)) and CEQA Guidelines Section 15301 – Class 1 Existing Facilities including CEQA Guidelines Section

15300.2 inapplicability of exceptions and Class 1 of the County of Los Angeles Environmental Document Reporting Procedures and Guidelines).

Section 6 discusses issue-by-issue how the impacts anticipated for the reasonably anticipated 900 Fair Oaks Avenue project, per the description provided in this document and analyzed herein, would be within those previously identified in the 2023 Final Program EIR.

As discussed throughout this Addendum (see in particular the summary presented in **Table 3** and detailed analysis in **Section 6**), the reasonably anticipated 900 Fair Oaks Avenue project would result in environmental impacts within those analyzed for every issue; no significant unavoidable impacts were identified for the 900 Fair Oaks Avenue project alone.

While no significant environmental impacts were identified for the 900 Fair Oaks Avenue project, the County will require that the following mitigation measures are included in the future housing project (see details of measures in **Table 1**): MM BIO-1 (nesting bird surveys), MM BIO-2 (tree trimming outside nesting season or survey and avoid nests), MM CUL-1 (archaeologist review and monitoring as indicated), MM GEO-1 (paleontologist to review if artifacts are found), MM-NOI-1 (acoustical report prior to building permit demonstrating 65 CNEL exterior noise level), MM NOI-2 (acoustical report prior to building permit demonstrating habitable rooms with 45 dBA CNEL), MM NOI-4 (acoustical report demonstrating closest residential receptor would meet 80 dBA Leq 8 hour construction and incorporation of measures as appropriate to reduce construction noise and vibration), MM-NOI-7 (requirements for construction equipment — mufflers, staging away from noise sensitive uses and construction deliveries to comply with code).

7. REPORT PREPARATION

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Los Angeles Conservancy
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Ms. Lockwood is an environmental consultant with over 25 years' experience in the preparation of environmental documents pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). She has been the Project Manager for major projects and technical task leader on complex projects involving noise, air quality, energy, and hazardous wastes/materials issues. Ms. Lockwood has broad knowledge and understanding of State and local planning regulations and regional planning documents in Southern California. She has participated in the preparation of environmental documentation for over 500 projects.

Ms. Lockwood has experience with a wide variety of projects, issues and communities and using this experience is able to quickly identify and address issues of potential concern before they become major problems. Her technical background allows her to review complex documentation and identify potential analytic flaws. For these reasons, Ms. Lockwood is frequently asked by lead agencies, larger consulting firms, and lawyers to provide detailed review and recommendations concerning CEQA and NEPA documents, including providing overall advice concerning approach and content of environmental documents, critical review of completed documents/analyses as well as providing specific review of more complex projects and/or issues.

In January 2006, Ms. Lockwood started the small environmental consulting firm of Sirius Environmental (Sirius). Sirius (WBE/SBE/VSBE) is an environmental consulting firm that provides CEQA and NEPA related services. Sirius Environmental was formed to focus on project and program management of projects and programs requiring a detailed understanding of CEQA and NEPA and requiring responsive, individualized management. Sirius Environmental provides support to developers, engineers, consulting firms and public agencies in the preparation of clear, accurate technical reports and documents that meet the increasingly demanding needs of communities and their decision makers.

Ms. Lockwood's areas of technical specialty are land use, energy conservation, noise, air quality, greenhouse gas emissions and hazardous materials. She has overseen the preparation of numerous technical analyses for a variety of projects – small and large. She is familiar with land use regulation and prepares policy consistency analyses for projects in complex regulatory environments as well as aesthetic analyses for projects in urban and rural environments.

Ms. Lockwood is an experienced CEQA and NEPA project manager. She has overseen the preparation of comprehensive environmental documents for a variety of different projects, managing complex technical analyses and providing advice to clients regarding effective mitigation strategies. She is familiar with recent case law with respect to environmental documentation. She undertakes public outreach for controversial projects in a number of sensitive communities.

Ms. Lockwood provides QA/QC for a variety of projects including transportation projects (Regional Transportation Plans, Mid-Coast Corridor Transit Project, Orange Line Extension), policy documents (City of Los Angeles CEQA staff training, Updated Thresholds Guide) and plans (Mobility Element, Hollywood Community Plan, Boyle Heights Community Plan).

Attachment A
Homeless Emergency
Background Documentation

Los Angeles County Homeless Emergency

Heidi Behforouz, MD (hbeforouz@dhs.lacounty.gov)

Revised September 2025

The Homelessness Emergency in Los Angeles County

Street-based homelessness is a long-standing challenge for Los Angeles County. However, its continued growth, the rising comorbid complexities of undertreated medical, mental health, and substance use disorders facing this population, coupled with its disproportionate reliance on public social services, make homelessness a public health emergency. Homelessness not only threatens the wellbeing of those who are without a home, but also threatens the economic stability of impacted communities as well. Recently, Los Angeles County has had the highest number of homeless residents in the United States.[1]

In general, in the United States, there are an increasing number of people experiencing homelessness (PEH), including an increasing number who have jobs. Inflation, unaffordable housing, medical debt as well as substance abuse and mental health issues are pushing more people into homelessness.[2]

In February 2022, the Los Angeles and South Coast region (49.9%) and the San Francisco Bay Area (22.2%) had the highest shares of unhoused individuals, followed by the Sacramento Region (7.2%).[2] Los Angeles County specifically is home to more than 40% of unhoused Californians, based on point-in-time data.[3] This is in part due to its dense population, high housing costs, and general lack of affordable housing.

According to the 2023 Greater Los Angeles Homeless Count, the County of Los Angeles had at the time of the count (January 2023) approximately 75,518 PEH countywide (a 9% increase from the previous year), including approximately 46,260 in the City of Los Angeles (a 10% increase from the previous year). The 2024 Greater Los Angeles Homeless Count showed PEH slightly decreased from 2023 (in 2024 there were 75,312 people experiencing homelessness in the County and 45,252 homeless in the City of Los Angeles).[4,5] In 2025 the overall homeless count was 72,195 countywide and 43,699 in the City of Los Angeles; countywide unsheltered homelessness decreased 9.5% while sheltered homelessness increased 8.5% (City of Los Angeles unsheltered homelessness decreased 7.9% and sheltered homelessness increased 4.7%).[6] **Table 1** shows the demographic breakdown of PEH in Greater Los Angeles County 2014 to 2023 (including Pasadena, Long Beach and Glendale).

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1 The U.S Department of Housing and Urban Development, Office of Community Planning and Development. December 2022. The 2022 Annual Homelessness Assessment Report (AHAR) to Congress. https://www.huduser.gov/portal/sites/default/files/pdf/2022-AHAR-Part-1.pdf

2 "More of America's homeless are clocking into jobs each day," Washington Post, July 29, 2024.

3 Davalos, M., & Kimberlin, S. March 2023. Who is experiencing homelessness in California? California Budget and Policy Center. https://calbudgetcenter.org/resources/who-is-experiencing-homelessness-in-california/

4 https://www.lahsa.org/documents?id=8170-los-angeles-county-hc2024-data-summary

5 https://www.lahsa.org/documents?id=8152-city-of-los-angeles-hc2024-data-summary

6 https://www.lahsa.org/news?article=1044-declining-homelessness-is-now-a-trend-in-los-angeles-county

Table 1: Size and Characteristics of LA County PEH Population 2015 to 2023

Year[1]	2015	2016	2017	2018	2019	2020	2021[2]	2022	2023
Total Count[3]	44,359	46,874	55,048	52,765	58,936	66,436	67,790	69,144	75,518
Gender									
Male (incl. trans.)	66%	66%	68%	68%	68%	67%	66.5%	66%	68%
Female (incl. trans.)	33%	33%	32%	31%	31%	32%	32.5%	33%	31%
Age Group[4]									
<18	10%	8%	9%	9%	9%				
18-24	8%	8%	6%	6%	6%				
25-54	57%	60%	61%	59%	61%				
55-61	17%	16%	16%	16%	15%				
62+	8%	9%	8%	10%	9%				
<18						12%	11%	10%	
18-29						15%	14%	13%	
30-39						20%	22%	24%	
40-49						19%	19%	20%	
50-59						22%	21%	20%	
60-69						11%	11%	11%	
70+						2%	2%	3%	
<18									9%
18-24									5%
25-34									19%
35-44									23%
45-54									19%
55-64									18%
65-69									4.2%
70+									2%
Race/Ethnicity									
American Indian/ Alaska Native	3%	3%	1%	1%	2%	1%	1%	1%	1%
Asian	2%	2%	1%	1%	2%	1%	1%	1%	2%
Black	39%	39%	40%	36%	33%	34%	32%	30%	32%
Latino/x	27%	27%	35%	35%	36%	36%	40%	44%	43%
Native Hawaiian/ Other Pacific Islander	.2%	.2%	.3%	.4%	.6%	.3%	.3%	.2%	.5%
White	25%	25%	20%	25%	25%	25%	23%	21%	19%
Multi-racial	5%	5%	2%	1%	2%	2%	2.5%	3%	3%
Shelter Status									
Unsheltered	70%	75%	73%	75%	75%	72%	71%	70%	73%
Sheltered	30%	25%	27%	25%	25%	28%	29%	30%	27%
Chronic Homelessness[5]									
Chronically Homeless	34%	31%	31%	27%	28%	38%	39.5%	41%	45%

1 Point in time counts (for total counts) and demographic surveys (for demographic data) were conducted in late January of the year indicated.
2 Since the point in time count and demographic survey were not conducted in 2021 due to the Covid-19 pandemic, 2021 estimates were calculated by averaging the values for 2020 and 2022.
3 Total count data are for all of LA County. Demographic estimates are for the LA CoC only, which excludes Glendale, Pasadena and Long Beach. Percentages do not always add to 100% due to rounding. Source: https://www.lahsa.org/homeless-count/
4 Available age groupings for age data have changed over the years. beginning in 2020, 10-year age grouping became available, which allowed for more precise age adjustment of mortality rates.
5 Chronic homelessness is defined as homelessness of at least 12 months duration (continuous, or at least four separate occasions in the last three years that add up to 12 months), and presence of a qualifying disability.
SOURCE: Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County 2014 – 2022, County of Los Angeles Public Health, May 2024.

The recent reductions in unsheltered counts reflect the success of encampment resolution programs, such as Inside Safe and Pathway Home, which bring people inside rapidly. Since their inception, the two signature programs have combined to place 6,317 people in interim housing and have permanently housed 1,449 people. Additionally, the number of permanent housing placements reached an all-time high of nearly 27,994 in 2024, representing a 2.5% increase from the previous year. This resulted, in part, from the 2,960 permanent supportive housing units created in 2024 — many of which were made possible by Prop HHH. This record performance has pushed the total number of housing placements since 2017 over 125,000. Other innovations include Master Leasing, active system management, and key policy changes that enable more people to obtain the necessary documents to secure housing. These changes contributed to a 23.5% increase in the number of people transitioning from interim housing to permanent housing, totaling 11,146 individuals.[7]

According to the January 2023 Point-in-Time Count there were 71,320 PEH in Los Angeles County Continuum of Care (which excludes Glendale – 195 PEH in 2023 and 179 in 2024[8], Long Beach – 3,447 PEH in 2023 and 3,376 in 2024[9], and Pasadena – 556 PEH in both 2023 and 2024[10]) including both those who are unsheltered (52,307) and those residing in temporary shelters.[11] According to the Los Angeles Homeless Services Authority (LAHSA), as of October 2023, within the Lo Angeles County Continuum of Care, there were[12]:

- 484 sites with a total of 17,010 beds available (including shelter beds and other forms of interim housing) within the Los Angeles County Continuum of Care. This number did not include project Homekey (PHK) sites (added since 2021) operating as interim housing that included 24 sites with 1,922 beds which brings the total to 18,932 beds as 526 locations.
- As of October 2023, 18 sites (661 beds) were in the pipeline, including PHK brings the total to 24 sites and 1,101 beds in the pipeline.
- LAHSA reports that there are 374 sites with 14,272 beds (including PHK) that provide supportive housing (over 90% of which were identified as targeted to single individuals).
- As of October 2023, there were an additional 196 sites (including PHK) with 10,454 beds in the pipeline.
- In addition to shelters and supportive housing, LAHSA identifies 22 Safe Parking sites with 494 spaces.
- In addition to these resources the Winter Shelter Program (WSP) and Augmented Winter Shelter Program (AWSP) provides shelter and meals November 1 through March 31 at six sites with a total of 264 beds.
- In addition to the site-based interim housing programs for families experiencing homelessness, there were approximately 453 motel or hotel vouchers Countywide that enable families to access motels or hotels as short-term interim housing. (The total number of vouchers reflects an availability of resources at any point in Fiscal Year 2022-23. The actual number of used vouchers may fluctuate pending actual need on a day-to-day basis.)

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7 https://www.lahsa.org/news?article=1044-declining-homelessness-is-now-a-trend-in-los-angeles-county
8 https://www.glendaleca.gov/government/departments/community-services-parks/human-services/homeless-services/homeless-count-archive
9 https://www.pasadenahomelesscount.org
10 https://www.pasadenahomelesscount.org
11 https://storymaps.arcgis.com/stories/400d7b75f18747c4ae1ad22d662781a3
12 Ibid.

In addition, Long Beach (the City of Long Beach and its partners) provides approximately 1,300 beds, Pasadena has approximately 235 shelter beds[13], and Glendale provides about 100 shelter beds.[14]

In a December 2023 audit, the City of Los Angeles estimated the number of PEH (46,260) exceeded the number of interim housing beds (16,100) by nearly three times.[15]

Countywide, the number of available beds falls far short of the demand placed on the system by the estimated excess of 75,000 PEH (representing slightly less than one percent [0.78%] of the overall population of Los Angeles County).[16] The scale of the crisis is hard to understand. If the PEH were a separate City, it would be the 31st largest (out of 159) falling between Bellflower and Lakewood.[17]

The County of Los Angeles represents approximately 25 percent of the State of California's population, but over 40 percent of the state's unhoused population. The City of Los Angeles represents 9.6 percent of the State of California's population, but nearly 25 percent of the state's unhoused population.

To address the large number of PEH, on December 12, 2022, the City of Los Angeles, through it's mayor, Karen Bass, declared a state of emergency on homelessness.[18] In solidarity with the City, On January 10, 2023 the Los Angeles County Board of Supervisors proclaimed a local emergency for homelessness in the County of Los Angeles.[19] The Governor of California, Gavin Newsom, has also expressed interest in reducing homelessness across California and asked state lawmakers to join him in his effort.

On July 25, 2024 Governor Newsom, following a recent US Supreme Court decision (Grants Pass[20]), issued an Executive Order (EO N-1-24[21,22]) ordering state agencies and departments to adopt clear policies that urgently address homeless encampments while respecting the dignity and well-being of all Californians.[23] This EO directs state agencies to move urgently to address dangerous encampments while supporting and assisting the individuals living in them — and provides guidance for cities and counties to do the same. It is not yet clear how this order will affect Los Angeles County and whether it will place increased demands on the existing shelter beds, but it remains true that there is a substantial deficit in the number of shelter beds (tens of thousands) to currently house the PEH in Los Angeles County. There remains a shelter crisis and significant homeless emergency that could be exacerbated by this EO.

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13 https://www.pasadenahomelesscount.org/_files/ugd/a904d1_a4c7ca8e9c82413bb1e0ad50cca8df05.pdf
14 https://www.glendaleca.gov/home/showpublisheddocument/75630/638568316821530000
15 https://controller.lacity.gov/landings/interim-housing-audit
16 https://worldpopulationreview.com/us-counties/ca/los-angeles-county-population
17 https://worldpopulationreview.com/us-counties/ca/los-angeles-county/cities
18 City of Los Angeles, Mayor Karen Bass. December 12, 2023. Declaration of Local Emergency. 20221212 Mayor Emergency Declaration Homelessness Crisis signed by clerk.pdf (lacity.gov)
19 Motion by Supervisors Lindsey P. Horvath and Kathryn Barger. January 10, 2023. Proclamation of a Local Emergency for Homelessness in the County of Los Angeles
20 https://www.supremecourt.gov/opinions/23pdf/23-175_19m2.pdf
21 https://www.gov.ca.gov/2024/07/25/governor-newsom-orders-state-agencies-to-address-encampments-in-their-communities-with-urgency-and-dignity/
22 https://www.gov.ca.gov/wp-content/uploads/2024/07/2024-Encampments-EO-7-24.pdf
23 https://www.gov.ca.gov/2024/07/25/governor-newsom-orders-state-agencies-to-address-encampments-in-their-communities-with-urgency-and-dignity/

Mortality Among People Experiencing Homelessness

The Covid-19 pandemic and the parallel rise in fentanyl trafficking brought widespread disruption and death to People experiencing homelessness (PEH) in LA County and widened the gap in mortality between PEH and the general population. Both factors likely also had broader indirect effects on other causes of death, including Coronary Heart Disease (CHD), transportation-related injury, and homicide. Over the past eight years, the mortality rate among PEH has increased approximately 30% faster than the total population of PEH. Nevertheless, this mortality trend has varied from year to year, and 2022 was marked by a welcomed plateauing of the all-cause mortality rate, which increased by only 2% from 2021, after a devastating increase of 56% from 2019 to 2021. This steep increase, along with the plateau that followed was driven primarily by the rate of drug overdose deaths, mostly from the synthetic opioid fentanyl. [24]

In 2023, there were a total of 900 deaths of unhoused people in the City of Los Angeles[25]:

- Most common mode of death: Accident (75%)
- 40 unhoused people were murdered in 2023, which is 12% of all homicides in the City of LA. Unhoused people are only about 1% of the population.
- At least 73% of deaths were in streets or areas without proper utilities, such as tents, parking lots, parks, RVs, and vacant buildings.
- Most common place of death: Street/Freeway/Tunnel/Sidewalk
- Black people were 31% of deaths. Black people are only 8% of the City's general population but are 33% of the City's unhoused population.
- Council Districts 14 and 1 had the highest numbers of deaths as well as some of the highest unhoused populations.
- January, February, and March were the deadliest months.

The mortality rate among people experiencing homelessness (PEH) is higher than the mortality rate of the general population. The mortality rate among homeless individuals is influenced by demographic characteristics. For example, homeless youth and homeless women, have an especially high risk of early death when compared to the general population. Lack of shelter and the presence of a chronic illness also increased the likelihood of mortality in homeless individuals by 2.7-fold when compared to sheltered homeless individuals.[26] The ongoing health risks facing the homeless is an emergency involving clear and imminent danger. Rapid construction of interim housing (IH), shelters with services, as well as permanent supportive housing (PSH) are necessary to prevent and/or mitigate these emergency conditions.

As climate change worsens, it has become more lethal for people who cannot seek relief. According to David Eisenman, a professor specializing in climate change at the UCLA Fielding School of Public Health, heat-related illness and death are "notoriously" undercounted because patients in emergency rooms are frequently diagnosed with other medical conditions, such as

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24 Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County 2014 – 2022, County of Los Angeles Public Health, May 2024.

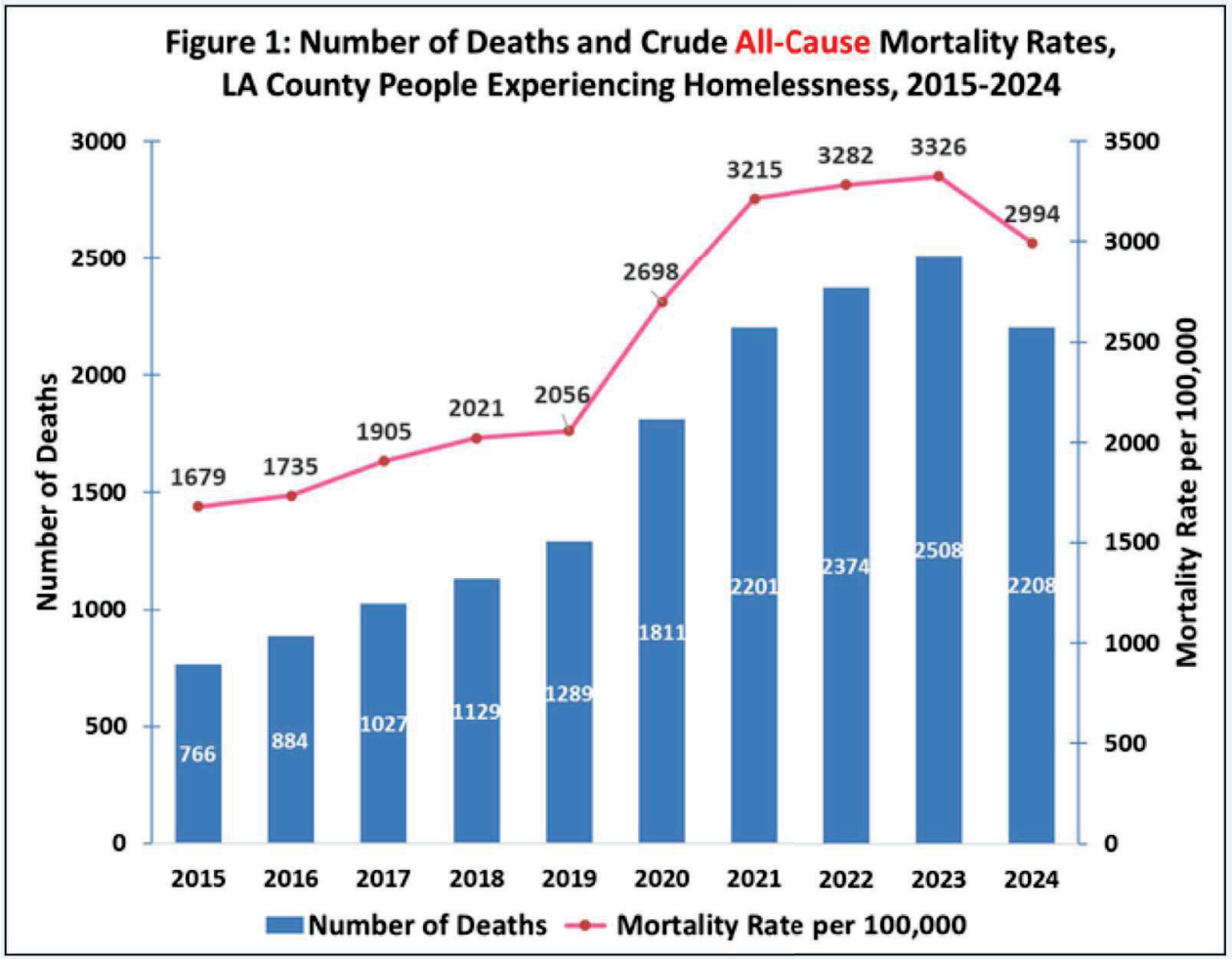
25 This dataset was obtained from the LA County Medical-Examiner Coroner 2023.

26 Los Angeles County Department of Public Health, Center for Health Impact Evaluation. Mortality Among People Experiencing Homelessness in Los Angeles County One year before and after Covid-19 Pandemic April 2022

dehydration and kidney failure, without any mention of their high temperatures and exposure to heat.[27]

The number of homeless deaths has increased dramatically in recent years (from 658 in 2014 to 2,508 in 2023), before dipping in 2024 (to 2,208), see **Figure 1** below (note, as data becomes available number of deaths is often revised upwards in subsequent years).

The 1,811 PEH deaths in Los Angeles County in calendar year 2020, represented a sharp (40%) increase from 2019 (see **Table 2** below) and 56% between 2019 and 2021. From 2021 to 2022, , the overall mortality rate increased by 2% from 3,215 per 100,000 people to 3,282 per 100,000 people. **Figure 2** shows how cause-specific mortality has changed 2014 to 2022[28].



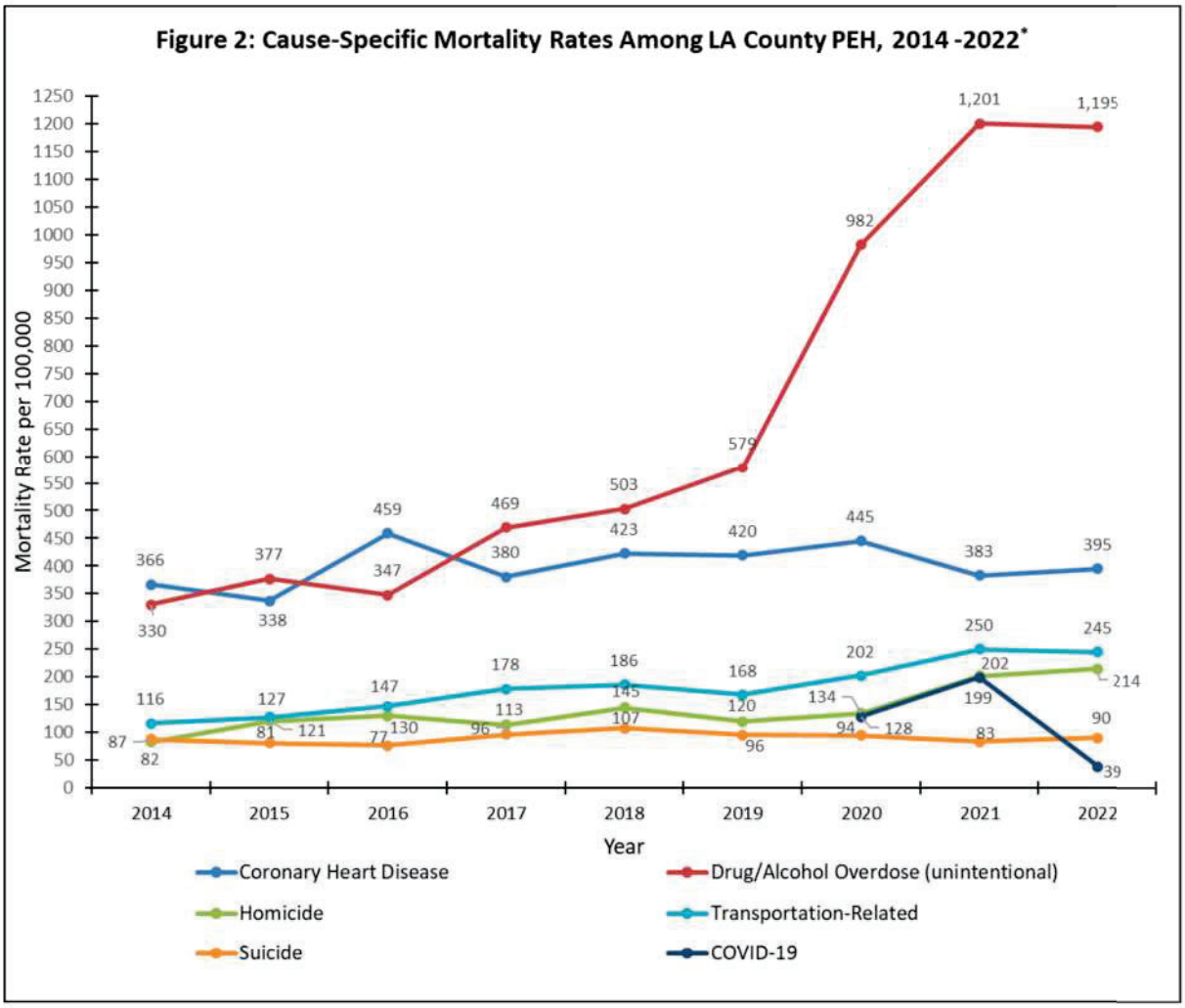
[27] Lin, S. February 19, 2023. Heat Waves are Killing more L.A. Homeless People. *Los Angeles Times.* https://www.latimes.com/california/story/2023-02-19/la-me-homeless-heat-deaths#:~:text=About%20150%20people%20die%20every,Los%20Angeles%20Urban%20Cooling%20Collaborative .

[28] Mortality Rates and Causes of Death Among People Experiencing Homelessness in Los Angeles County 2014 – 2011, County of Los Angeles Public Health, May 2024.

Table 2: Number and Characteristics of Los Angeles County PEH Deaths, One Year Before Pandemic vs. First Year of Pandemic

Characteristic	Pre-Pandemic Numbers 4/01/19-3/31/20	Post-Pandemic Numbers 4/1/20-3/31/21	Absolute Increase	% Increase
All deaths	1271	1988	717	56%
	Gender			
Male	1037	1618	581	56%
Female	233	370	137	59%
	Age			
18-29	85	175	90	106%
30-49	373	633	260	70%
50-64	585	842	257	44%
65+	228	338	110	48%
	Race/Ethnicity			
Black/African American	325	515	190	58%
Asian	16	34	18	113%
Hispanic/Latinx	486	820	334	69%
White	426	592	166	39%
Other[1]	18	27	9	50%
	Cause of Death			
Drug Overdose	402	715	313	78%
Coronary Heart Disease	239	309	70	29%
COVID-19	0	179	179	NA
Traffic Injury	113	150	37	33%
Homicide	70	104	34	49%
Suicide	55	64	9	16%
Other Unintentional Injuries	54	57	3	6%

[1] Includes American Indian/Alaska Native, Native Hawaiian/Pacific Islander, multiracial, and refused/unknown



* COVID-19 entered the top five causes in 2020 but by 2022 it had fallen out of the top ten. Since there was no homeless count in 2021 due to the COVID-19 pandemic, we used the average of the 2020 and 2022 counts to approximate the 2021 PEH population for all 2021 mortality rates.

The recent (2021 to 2022) plateau (see **Figure 1**) in the overall mortality rate can be attributed largely to a leveling off of the rate of drug overdose deaths, the leading cause of death among PEH for the past six years, and a sharp decline in Covid-19 mortality. From 2021 to 2022, the distribution of doses of naloxone, an opioid overdose reversal medication, saw a two-and-a-half-fold increase in communities most affected by fentanyl overdoses, and the number of reported naloxone-induced overdose reversals nearly doubled. These efforts likely contributed to the rapid leveling-off of the overdose mortality rate in 2022.[29]

In the first year of the pandemic, age group deaths increased more among younger PEH than among older PEH. The number of deaths among those aged 18-29 more than doubled from 85 in the pre-pandemic to 175 in the post-pandemic onset year. Among 30-49 year-olds, there were 260 more deaths in the post-pandemic onset year, representing a 70% increase. Both the absolute and relative increases in deaths among those aged 30-49 exceeded those among 50-64 year-olds and among those aged 65+. Gender Relative increases in deaths were similar among males (56%) and

[29] http://publichealth.lacounty.gov/phcommon/public/media/mediapubhpdetail.cfm?prid=4699

females (59%) although the absolute increase was much greater among males (581) than females (137). This can largely be attributed to the fact that the homeless population in LA County has historically consisted of approximately 2 males for every 1 female. The six leading causes of PEH deaths, in the pre-pandemic year, in ranked order, were drug overdose (OD) (32%), coronary heart disease (CHD) (19%), traffic injury (9%), homicide (6%), suicide (4%), and other unintentional injuries (4%). In the post-pandemic onset year, these six causes maintained their relative rankings, but Covid-19 became the third leading cause of death, with 179 (9%) deaths. Among the other leading causes of death, Overdose (OD) saw the greatest relative increase of 78% from the pre- to post-pandemic onset year, followed by homicide (49%), traffic injury (33%), CHD (29%), suicide (16%) and other unintentional injuries (6%).

Deaths among young unhoused people ages 18 to 29 more than doubled in the first year of the pandemic. The findings show that deaths among young unhoused people increased at a greater rate than their older counterparts. Overdose deaths among unhoused people ages 18-29, also more than doubled from the pre- to post- pandemic onset year. The primary cause for overdosing was fentanyl use. Young people were left out of Covid resources because they were more likely to survive. Therefore, young people were forced further and further into isolation which exacerbated drug use and using alone, which is how the overdose deaths kept rising. Without the necessary investment of early intervention, young PEH will become the chronically ill and chronically homeless.

By far the greatest contributor to the increase in PEH deaths in the first year of the pandemic was drug overdose (OD). These OD deaths increased the most among those aged 18-29 and 30-49 and among Latinx and Black PEH, although increases were also considerable among White PEH. The increase in OD deaths was slightly greater among men than among women. The drug type with the greatest increase in OD death involvement was fentanyl, which rose from 27% to 45% from the pre-to post-pandemic onset year.[5] This increase in fentanyl-involved deaths was relatively similar across all racial/ethnic groups, among both men and women, and across all age groups. Despite this large increase in fentanyl involved deaths, there was no decrease in deaths involving methamphetamine, which contributed to about three quarters of all deaths across both years. Methamphetamine involvement in OD deaths differed somewhat by race/ethnicity, with the highest percentages among White PEH and the lowest among Black PEH. Notably, 18-29 year-olds were the demographic group with the greatest increase in methamphetamine-involved deaths.

The first year of the Covid-19 pandemic coincided with a steeper increase in PEH deaths than seen in previous years in LA County. While Covid-19 became a leading cause of death among PEH in the post-pandemic onset year, the overall increase was driven to an equal or larger degree by increases in OD, homicide, CHD, and traffic injury deaths. It appears the Covid-19 pandemic may have exacerbated stressors already present in the lives of PEH, leading to increases in other causes of death, even as Covid-19 prevention efforts redoubled in this population. Thus, as the pandemic subsides, disproportionally high mortality will likely persist among PEH unless a broad array of preventive measures are implemented including, housing placements, substance use prevention and treatment, physical and mental health treatment, and enhanced safety measures in areas where PEH congregate.

For the combined years of 2021 and 2022, people experiencing homelessness were almost four times more likely to die than the LA County population as a whole. This mortality gap has increased since it was first analyzed for the combined years of 2017 to 2019, when people experiencing homelessness were slightly under three times more likely to die. The mortality gaps for specific causes of death have also increased. In 2021-22, unhoused individuals were 41 times

more likely to die from an overdose and about 18 times more likely to die of both homicide and traffic-related injuries compared to all LA County residents.[30]

The exact causes of mortality among the homeless population in Los Angeles County are diverse[31]:

- *Overdose*. Drug and alcohol overdose continues to be the leading cause of death among unhoused individuals in 2022, accounting for 37% of all deaths. Overdose was the leading cause of death among males and females, and among Whites, Latinx, and Blacks. Despite the recent leveling off of the overdose mortality rate among people experiencing homelessness, the percentage of overdose deaths involving fentanyl continued to rise through 2022 for all racial and ethnic groups and for both males and females, signifying. that the risk of fentanyl overdose is very high among unhoused people who use drugs.

- *Coronary Heart Disease*. The second leading cause of death continues to be coronary heart disease, accounting for 12% of deaths. Coronary heart disease was the leading cause of death among those 70 and older, the second leading cause of death among males, and the third leading cause among females. After a gradual upward trend in coronary heart disease mortality from 366 per 100,000 people in 2014 to 445 per 100,00 people in 2020, the coronary heart disease mortality rate decreased in 2021—during the height of the Covid-19 pandemic—and then increased slightly in 2022 to 395 per 100,000 people.

- *Transportation-related injuries*. In 2022 8% of deaths were from transportation-related injuries, which remained the third leading cause of death among unhoused individuals. The transportation-related injury mortality rate plateaued in 2022 after increasing steadily from 2014 to 2021. Assuming a relatively stable distribution of road traffic deaths among people experiencing homelessness over time, one of these deaths occurred approximately every other day over the course of 2021 and 2022. Ninety-five percent of those deaths were among pedestrians and cyclists and two-thirds occurred between 9 p.m. and 9 a.m.

- *Homicide*. Homicide was the fourth leading cause of death, with a rate of 214 per 100,000 people in 2022, the highest rate since these trends have been monitored. The proportion of homicide deaths was more than twice as high among males compared to females and was two to three times higher among Black and Latinx unhoused people compared to White unhoused individuals. In 2021 and 2022, two-thirds of homicide deaths involved firearms.

- *Suicide*. The overall suicide rate among people experiencing homelessness has remained relatively stable over time. However, from 2020 to 2022 the suicide rate almost doubled among unhoused people aged 18-29, and in 2022 this was the age group with the highest suicide rate. In 2021 and 2022, 5% of suicide deaths involved firearms.

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30 http://publichealth.lacounty.gov/phcommon/public/media/mediapubhpdetail.cfm?prid=4699
31 Ibid.

- *Covid-19*. The Covid-19 mortality rate peaked in 2021 when it was the fifth leading cause of death among people experiencing homelessness. In 2022, the Covid-19 mortality decreased substantially such that it was no longer among the top 10 causes of death among unhoused people that year.

Unfortunately, the unhoused in Los Angeles were more likely to die on sidewalks, in vacant lots, on park benches and on the beach — a rash of profoundly lonely and yet very public deaths. As the number of homeless individuals in the county continues to increase, so does the number of residents at a higher risk for early death because of their lack of housing and their consequential struggles.

Aging Homeless Population

There has been an increase in senior homelessness. Not only with seniors experiencing mental illness or substance abuse problems, but seniors are being pushed into the streets due to rising rents. Over 40% of Californians in adult-only households who came in contact with the homelessness response system in the 2021-22 fiscal year were aged 50 and older. Financial and medical emergencies later in life can push those who were already struggling to make ends meet into homelessness. Challenges in accessing support and social safety net programs for older adults in crisis and inadequate benefit amounts are also a driving factor.[2] Navigating sidewalks in wheelchairs and walkers, aging PEH are not only dealing with mobility issues, but also cognitive and chronic problems like diabetes. Many contracted Covid-19 or couldn't work because of pandemic restrictions. Academics project the number of seniors experiencing homelessness will nearly triple over the next decade, challenging policymakers from Los Angeles to New York to imagine new ideas for sheltering the last of the baby boomers as they get older, sicker, and less able to pay spiraling rents. Advocates say much more housing is needed, especially for extremely low-income people.[32]

Older adults are more likely to have underlying health conditions and disabilities that may be exacerbated by the additional stressors of being unhoused. Experiencing homelessness is already tied to severe health declines as research shows unhoused adults develop similar rates of geriatric conditions as housed adults who are 20 years older. The distinctive circumstances older adults face, require more assistive services to obtain and maintain housing. As such, older unhoused Californians have significant implications for current homeless intervention practices as specific service needs should be integrated with other service systems and funding sources[2]

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32 America's homeless population is getting older - Los Angeles Times (latimes.com) By Anita Snow Associated Press April 26, 2022

Chronic Disease

The emergence of chronic illnesses in a person does not stop because an individual has become homeless. Chronic illnesses range from mild, occasional symptoms to debilitating, progressive conditions. Chronic diseases often require ill individuals to adjust their lifestyles, employment, and medical care to meet their needs.[33] However, a lack of consistent housing and access to essential medical treatment from doctors can seriously exacerbate chronic illnesses in the homeless. A variety of non-communicable chronic illnesses are prevalent in PEH individuals, such as chronic obstructive pulmonary disease (COPD), arthritis, diabetes, seizures, and musculoskeletal disorders.[34] Homeless individuals also commonly experience respiratory tract infections as well as oral and dental issues resulting from a lack of access to proper care.

Moreover, without a permanent address or ready access to a birth certificate and identification, seemingly routine tasks become considerable barriers when seeking services, benefits, and jobs. As previously mentioned, many homeless people suffer from chronic illnesses such as diabetes.[35] Diabetic patients require access to refrigeration to store their insulin properly, and homelessness denies diabetic patients' reliable access to a refrigerator. Simply taking a pill twice a day suddenly becomes a logistical challenge.

Communicable Disease Risk

Homeless individuals contend with a higher risk of contracting certain communicable diseases such as Tuberculosis (TB). TB is an extremely infectious and dangerous respiratory illness that spreads through exposure to infected air droplets. The conditions in which homeless individuals often live do not have proper ventilation, are subject to overcrowding, and continuously shifting groups of people—all of which favor the spread of TB.[36]

The homeless population is particularly susceptible to certain diseases that can spread in unhygienic conditions when people sleep on the street. Typhus is a disease spread by rats that is often associated with cramped unhygienic conditions. Flea-borne typhus cases have been increasing across LA County. Recently, there were two outbreaks in metropolitan Los Angeles: one in the neighboring communities of Eagle Rock and Glassell Park and the other in the neighboring communities of Wholesale District and Boyle Heights.[37] *Bartonella quinate*, scabies, Hepatitis A (HAV), and Norovirus can result from inadequate care (or access) for personal hygiene. Typhus, HAV, and various skin and soft tissue infections (SSTI's) are possible results of inadequate access to proper resting places. Many risk factors, such as increased exposure to pathogens, weakened immune systems, and decreased healthcare access, increase the homeless population's susceptibility to infectious diseases. Many of these factors can be mitigated by access to the services available in stable housing.[38]

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33 Institute of Medicine and US Committee on Health Care for Homeless People, *Homelessness, Health, and Human Needs* (Washington, D.C.: National Academy Press, 1988), accessed September 09, 2020, https://www.ncbi.nlm.nih.gov/books/NBK218236/

34 "Chronic Illnesses/Diseases and Mortality," The Homeless Hub, accessed September 16, 2020, https://www.homelesshub.ca/about-homelessness/health/chronic-illnessesdiseases-and-mortality)

35 C. Y. Liu, S. J. Chai, and J. P. Watt, "Communicable Disease among People Experiencing Homelessness in California," *Epidemiology and Infection* 148 (2020): accessed September 10, 2020, doi:10.1017/s0950268820000722)

36 Division of Tuberculosis Elimination, "How TB Spreads," Centers for Disease Control and Prevention, March 11, 2016, accessed September 16, 2020, https://www.cdc.gov/tb/topic/basics/howtbspreads.htm)

37 Los Angeles County Department of Public Health. November 15, 2022. LAC DPH Health Advisory: Increases of Flea-Borne Typhus. http://publichealth.lacounty.gov/eprp/lahan/alerts/LAHANtyphus111622.pdf

38 C. Y. Liu, S. J. Chai, and J. P. Watt, "Communicable Disease among People Experiencing Homelessness in California," *Epidemiology and Infection* 148 (2020), accessed September 10, 2020, doi:10.1017/s0950268820000722)

Various behavioral risks also place members of the LA homeless community at a higher risk for certain diseases. Once again, access to sustainable housing, with the addition of mental health services and counseling, can help halt or lessen these risky behaviors, helping stop the spread of these potentially deadly diseases. High-risk sexual activities, sometimes in exchange for money, shelter, or drugs, can result in various sexually transmitted infections (STI's) such as Syphilis, Gonorrhea, and HIV. Substance use is also a risk factor for certain blood-borne diseases, including Hepatitis A, B, and C, HIV, and Methicillin resistant *Staphylococcus aureus*, otherwise known as Staph Infection.

The Covid-19 pandemic increased the homeless population substantially. More than 60,000 people were experiencing homelessness in Los Angeles prior to the pandemic and climbed to more than 75,000 in 2023/2024. People continue to lose their jobs, and some of the Covid-19 government support was delayed, decreased, and/or failed to materialize. Between January 2020 and April 2023, there were 24,574 Covid cases among PEH, with 380 Covid-19 related deaths. 4,008 PEH sought care at a hospital and 3,832 were admitted.[39]

As the demand for shelter beds changes, the number of shelters (and other forms of more permanent housing) is increasing. The capacity of each shelter continues to be assessed to ensure that people can be safely housed.

Beginning April 2023, reduced household income due to pandemic-related job loss, illness or death were no longer grounds for deferring rent. Tenant advocates indicate that many renters are still grappling with the pandemic's aftermath as well as other economic factors. Without renter protections, they fear that L.A. County could see a further wave of evictions. [40] In addition, the recent Executive Order and other similar actions to remove homeless encampments may put additional pressure on the shelter system. While homelessness has recently plateaued the region continues to struggle to address the homelessness crisis because of the large number of people who need housing.

Substance Use and Mental Illness

Despite recent progress, substance use and mental illness remain two of the major health issues plaguing the Los Angeles County homeless community. Substance use disproportionately impacts the homeless and is, in many cases, their primary reason for homelessness. A survey by the United States Conference of Mayors found that 68% of cities reported that substance abuse was the single largest cause of homelessness for single adults.[41] Los Angeles County Supervisor Kathryn Barger released the following statement regarding the 2022 Greater Los Angeles Homeless Count results provided by the Los Angeles Homeless Service Authority (LAHSA): "LAHSA's homelessness tally and finding that 39% of people experiencing homelessness reported experiencing serious mental illness or substance abuse are both guesstimates, at best. I think both of these numbers are much bigger than what's being reported. The California Policy

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39 Los Angeles County Department of Public Health. April 17, 2023. Summary Report on Covid-19 among People Experiencing Homelessness (PEH) in Los Angeles County. SummaryReport_People_Experiencing_Homelessness.pdf (lacounty.gov)

40 Barajas, J. March 30, 2023. As Covid-19 Protections End, LA Renters and Landlords Brace for Possible Eviction Wave. LAist. https://laist.com/news/housing-homelessness/los-angeles-covid-19-protections-expire-renters-landlords-possible-eviction-wave

41 National Coalition for the Homeless, 2020. *Substance Abuse and Homelessness*. [ebook] Washington, DC: National Coalition for the Homeless. Available at: <https://www.nationalhomeless.org/factsheets/addiction.pdf> [Accessed 16 September 2020].

Lab at UCLA, for example, found that the percentage of people experiencing mental health illness and substance abuse addiction is closer to 50%."

Substance use can lead individuals to take part in risky behaviors that put them at risk for assault, contracting diseases, and premature death.[8] One study estimated one-third of homeless individuals in the United States name mental illness as the cause of homelessness.[42] Previous psychiatric hospitalizations can also be linked to unsanitary practices, with a recorded 28% of homeless individuals with a previous hospitalization reporting that they've eaten food from trashcans and a recorded 8% using food from the trash as a primary source of food.[43]

The cost of mental illness among the homeless is high, and as a result, a vicious cycle of hospital-to-street-to-jail-cell has been occurring in Los Angeles. In other words, patients are released from psychiatric hospitals with nowhere to go, therefore returning to the streets of Los Angeles.[44] Without maintained treatment, the mentally ill relapse, and sometimes end up receiving treatment in prison. In fact, the decreased availability of psychiatric beds has been correlated with an increased prevalence of crime and arrest rates. The cost of treating mental illness in prisons is not cost-effective. This results in a high financial cost to Los Angeles County and further burdens the mentally ill with unchecked illness.

How Homelessness Hurts Individuals

The United Nations recognized the right to "adequate housing" as a fundamental human right almost three decades ago.[45] When individuals lack a consistent and secure place to live and sleep, the effects on their health are detrimental and accumulative in nature. More than 80% of homeless people have at least one chronic medical issue, such as high blood pressure, heart disease, diabetes, and infectious diseases.[46] Over half of homeless individuals have a mental health condition such as schizophrenia, bipolar disorder, post-traumatic stress disorder, and others, and up to an estimated 60% have substance-use disorders. Without appropriate treatment and care, many of these individuals will succumb to their mental illness and addictions, leaving them vulnerable not only to a justice system that all too often criminalizes poverty, but also vulnerable to worsening mental states and early mortalities.[47]

Besides their health, PEH are constantly forced to worry about their environment and physical safety. In one study of homeless individuals, 32% of women, 27% of men, and 38% of

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42 Julia Dickson-Gomez et al., "The Relationship between Housing Subsidies and Supportive Housing on Neighborhood Distress and Housing Satisfaction. Does Drug Use Make a Difference?" Substance Abuse Treatment, Prevention, and Policy 11

43 C. Y. Liu, S. J. Chai, and J. P. Watt, "Communicable Disease among People Experiencing Homelessness in California," *Epidemiology and Infection* 148 (2020), accessed September 10, 2020, doi:10.1017/s0950268820000722)

44 E. Fuller Tory, Dr., "Homeless Mentally Ill Facts and Figures," Mental Illness Policy Org, January 23, 2019, accessed September 16, 2020, https://mentalillnesspolicy.org/consequences/homeless-mentally-ill.html)

45 Office of the United Nations High Commissioner for Human Rights, 2020. *The Right to Adequate Housing*. [online] Geneva: United Nations. Available at: <https://www.ohchr.org/Documents/Publications/FS21_rev_1_Housing_en.pdf>

46 Valvassori P, Sar EM, Chipon-Scheopp N, Messer K. Chronic Disease Management in the Homeless. National Health Care Council for the Homeless website. http://www.nhchc.org/wp-content/uploads/2014/06/chronic-disease-combo-hch-conf-es.pdf . 2014. Accessed September 2020

47 National Coalition for the Homeless, 2020. *Substance Abuse and Homelessness*. [ebook] Washington, DC: National Coalition for the Homeless. Available at: <https://www.nationalhomeless.org/factsheets/addiction.pdf> [Accessed 16 September 2020].

transgender individuals reported physical or sexual assault in the previous year.[48] Among homeless women with mental illness, the lifetime risk of violent victimization is 97%.[49]

These constant comorbid burdens, stressors, and barriers to assistance shorten the lifespan of homeless individuals. Studies have shown that the average lifespan of unhoused people can be cut short by as much as 36 years, and the mortality rate can be four to nine times higher than the housed general population.[50,51] Further, a ten-year study in Boston found that homeless individuals sleeping unsheltered have a ten-fold increased mortality rate compared to the general Massachusetts population.[52]

How Homelessness Hurts Communities

Rising numbers of chronically homeless individuals affect our communities in a variety of ways, especially impacting publicly funded services. Homeless individuals use emergency rooms three times more and are hospitalized five times more than housed individuals. 80% of these visits are for an illness that could have been treated with regular primary care for far cheaper.[53,54, 55] Meanwhile, these frequent visits tie up and overwhelm local 911, Police, Fire, and EMS systems. Once hospitalized, often in County safety-net hospitals, the care rendered will go unreimbursed if the individual lacks health insurance, adding to the financial strain on already stretched safety-net systems. The economic impact on community property values, lost workforce productivity, and the increased burden on local jails—which must provide health services without the benefit of leveraging federal funds available when such services are provided in the community, cause the costs to continue to multiply.

Recent Progress

While the challenges are considerable, our efforts within health services have led to some early successes. Studies nationally and locally, including a 2017 RAND Corporation study which looked at the Department of Health Services' Housing for Health division, have shown that homeless individuals within Los Angeles who frequently utilize acute care services require fewer services once housed.[56] Essentially, housing helps stabilize an individual's social environment and

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48 National Sexual Violence Resource Center, 2020. *Housing, Homelessness, And Sexual Violence Statistics*. [PDF] National Sexual Violence Resource Center. Available at: <https://www.nsvrc.org/sites/default/files/NSAC11_Handouts/NSAC11_Handout_With_Statistics.pdf> [Accessed 16 September 2020].

49 End Sexual Violence. 2020. *Connecticut Alliance To End Sexual Violence*. [online] Available at: <https://endsexualviolencect.org> [Accessed 16 September 2020]

50 "Premature Mortality," Nhchc.org, October 2011, |PAGE|, accessed September 16, 2020, http://www.nhchc.org/wp-content/uploads/2011/10/Premature-Mortality.pdf)

51 Cdc.gov. 2020. *Life Stages & Populations | Features | CDC*. [online] Available at: <https://www.cdc.gov/features/lifestages.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Ffeatures%2Fhomelessness%2Findex.html> [Accessed 16 September 2020].

52 Roncarati, J., Baggett, T., O'Connell, J., Hwang, S., Cook, E., Krieger, N. and Sorensen, G., 2018. Mortality Among Unsheltered Homeless Adults in Boston, Massachusetts, 2000-2009. *JAMA Internal Medicine*, 178(9), p.1242.

53 HEALTHCARE COST AND UTILIZATION PROJECT, 2020. *Characteristics Of Homeless Individuals Using Emergency Department Services In 2014*. [online] Rockville, MD: Agency for Healthcare Research and Quality. Available at: <https://www.hcup-us.ahrq.gov/reports/statbriefs/sb229-Homeless-ED-Visits-2014.pdf> [Accessed 16 September 2020].

54 2020. *Housing and The Role of Hospitals*. [ebook] American Hospital Association. Available at: www.hpoe.org/Reports-HPOE/2017/housing-role-of-hospitals.pdf [Accessed 16 September 2020].

55 Greendoors.org. 2020. *The Costs of Homelessness | Green Doors*. [online] Available at: <https://www.greendoors.org/facts/cost.php> [Accessed 16 September 2020].

56 Hunter, Sarah B., Melody Harvey, Brian Briscombe, and Matthew Cefalu, *Evaluation of Housing for Health Permanent Supportive Housing Program*. Santa Monica, CA: RAND Corporation, 2017. https://www.rand.org/pubs/research_reports/RR1694.html

reduces daily stressors. This allows for more regular and appropriate engagement in life-sustaining choices such as visiting a primary care physician or mental health provider. In addition, our interim housing continuum under the Department of Health Services' Housing for Health division has provided a stable, clinically enriched environment where PEH with chronic disease can safely access the care and environment necessary to manage their health conditions.

However, Los Angeles lacks sufficient facilities which allow clinically complex individuals to come off the streets into interim housing and seek care when they are ready. Although some facilities are open extended hours, and even 24 hours a day, they often lack the clinical services necessary to help support a client's initial intensive needs. Facilities that do have the clinical capability to serve complex clients, keep normal business hours or have other restrictions that limit their accessibility. For example, clinics with bans on pets, a lack of secure storage space, prohibition of tent or car habitation, and an absence of gender-mixed housing—allowing partners to stay together -- hinder individuals from using clinic services.

Several dedicated funding sources have been approved in the last few years at the state and local levels to address the homeless crisis:

- Almost $2 billion in funding by California's Homeless Housing, Assistance and Prevention (HHAP) Grant Program, spread over four rounds
- $1.2 billion local (City of Los Angeles) bond measure (Measure HHH) approved in November 2016, generated over ten years.
- County-wide Measure H, approved in March 2017, provides a 0.25 percent sales tax, generating $355 million annually for ten years to fund homeless services and prevention.

The Los Angeles County budget for the 2023-2024 fiscal year (FY) increased to $43 billion. On February 7, 2023 (four weeks after declaring a local emergency on homelessness), the Board of Supervisors unanimously approved a $609.7 million budget for the Los Angeles County Homeless Initiative for fiscal year 2023-24, the largest investment in any given year to date to prevent and address homelessness. This budget will help fund a heightened focus on three key missions for the County in collaboration with cities and other local partners:

- Reducing encampments to bring unsheltered people indoors
- Increasing interim and permanent housing placements
- Ramping up mental health and substance use disorder services for people experiencing homelessness

In addition to the $609.7 million budget funded by 2023-24 Measure H and state Homeless Housing, Assistance and Prevention (HHAP) grants, the Board simultaneously approved an additional $76.9 million to expand housing and services that the County provides in collaboration with local cities, as well as for innovative new programs. The FY 2023-24 Homeless Initiative Funding Recommendations approved by the Board do not encompass all the County's investments to address and prevent homelessness but represents a significant portion.

Ensuring that current funding is being spent on programming with an evidence-based, researched, impact on decreasing the prevalence of homelessness is a paramount concern for Los Angeles County as a whole.

Most of the PEH that the homeless system helps house, stay housed. Eighty-eight percent of the people placed in permanent housing through the Los Angeles Homeless Services Authority (LAHSA) system in 2018 have not returned to homelessness, with similar results in 2021.[57] In FY 2021-2022, the rehousing system helped 15,733 people move into permanent housing.[35] And many more people occupied interim housing in FY 2021-2022: 29,180 people experiencing homelessness in LA County were sheltered, up from 26,750 the previous year, an 8% increase.[35] To reduce the risk of Covid-19 spread, providers and the county reduced the total bed capacity of the "A Bridge Home" program.

A summary of total changes in shelter units and beds (including emergency shelters, transitional housing and safe haven) and permanent housing sites and beds (including PSH, other permanent housing and rapid re-housing) between 2019 and 2024 is shown in **Table 3** below.[58] Also shown in **Table 3** is the annual point in time homeless count. Note that the annual homeless count includes people in shelters but people in PSH are not included in the count as they are permanently housed.

Table 3: 2019 - 2024 PEH Count and Housing Inventory Count, Los Angeles County Continuum of Care (C of C)

		2019	2020	2021	2022	2023	2024	2019 to 2024 Increase	
								No	%
Greater LA PEH[a]		58,936	66,436	67,790	69,144	75,518	75,312	16,376	27.7
LA C of C PEH		56,257	63,706	--	65,111	71,320	71,201	14,944	26.6
Shelters	Units	10,528	12,344	17,740	18,462	19,439	20,887	10,359	98.4
	Beds	15,617	19,159	24,516	25,263	24,898	26,642	11,025	70.6
PSH	Units	21,221	23,106	25,658	30,781	27,031	28,590	7,369	34.7
	Beds	28,887	30,806	33,592	35,537	34,214	36,744	7,857	27.2

[a] Greater Los Angeles PEH includes Pasadena, Glendale and Long Beach; housing inventory does not include these cities

Between 2019 and 2024 the total number of shelter units in the Los Angeles County Continuum of Care (which does not include Pasadena, Glendale and Long Beach) increased by 98.4% and the number of shelter beds by 70.6%. During the same time period the homeless population of Los Angeles County Continuum of Care increased 26.6%.

However, as can be seen from **Table 3**, even with the significant gains in shelter units/beds and permanent housing slots, the number of PEH in Los Angeles County continues to be substantially greater than the number of beds available.

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[57] Los Angeles County Chief Executive Office, Homeless Initiative. September 2023. *Los Angeles County Homeless Initiative Impact Dashboard.* https://homeless.lacounty.gov/impact-dashboard/

[58] Los Angeles Homeless Services Authority, Housing Inventory Counts: https://www.lahsa.org/documents?q=Housing%20count&doctype=&scope=&progtype=&projtype=&sort=Trending

People continue to fall into homelessness faster than the rehousing system can move them out. Data previously presented to the Executive Committee on Regional Homeless Alignment showed more than 60,000 people accessed homeless services for the first time in 2024. In addition, reductions to rental subsidies and other funding in the new fiscal year (2025-2026) threaten the rehousing system's ability to maintain its rate of permanent housing in the years to come.[59]

How Shelters and Permanent Housing Projects Address the Emergency

Given the severity of the homelessness emergency, the most immediate intervention necessary for the safety of homeless Angelenos, as well as Angelenos facing housing insecurity, is access to shelter. Not only will access to a shelter allow the homeless a chance to rejoin the general population but shelter also removes common risk factors. Shelters provide individuals with the resources necessary to maintain hygiene, helping to stop the spread of certain communicable diseases. Shelters often provide access to resources aimed at finding affordable housing options. Which may allow residents to find more permanent housing, thereby continuously freeing up space for new residents.

Today's shelters are generally free of the restrictions that so commonly stop the homeless from using interim housing services. Shelters are generally staffed around the clock by workers, many of whom have previously been homeless. Shelters generally provide meals, sleep areas, bathrooms with showers, transportation to appointments, counseling, and numerous other services and activities. Shelters immediately beneficially impact homelessness in the surrounding areas.

Some shelter projects provide substance use disorder treatment, including the use of Medication-Assisted Treatment (MAT) and the opioid reversal agent naloxone. Access to these services continues to be expanded. Services are not always co-located with housing, forcing individuals to choose between searching for housing and consistent treatment. Shelters that provide on-site substance use disorder treatment and counseling help prevent opioid overdoses and decrease deaths. These risks have a high probability of imminently occurring without the provision of shelters and services.

To meaningfully and sustainably intervene in public health crises negatively affecting the Los Angeles homeless population, new shelters that are open 24/7, with low entry barriers, continue to be urgently required. The County continues to pursue the construction of shelter facilities to provide service essential to public health, safety, and welfare to mitigate the emergency conditions outlined above.

Access to shelter and services is immediately necessary to minimize the spread of infectious diseases, thereby increasing the lifespan of residents, as well as increasing quality of life. Access to safe, sustainable shelter is a proven method for reducing the morbidities and mortalities associated with homelessness and is generally a more cost-effective form of intervention than seeking to treat the health issues caused by unchecked homelessness.

However, shelters are not a long-term solution for PEH.

Need for Permanent Housing

[59] ttps://www.lahsa.org/news?article=1044-declining-homelessness-is-now-a-trend-in-los-angeles-county

Los Angeles County's shortfall of affordable homes among renter households at or below 50 percent of area median income (AMI) declined from 581,823 in 2014 to 494,446 in 2022.[60] The unsurprising reality is that even these expanded resources are not yet sufficient to meet the growing need for affordable homes and related services. As discussed throughout this paper, homelessness continues to be an emergency in Los Angeles County. Severe housing cost burden—households paying more than 50 percent of household income on rent and utilities—continues to be the unfortunate norm among the county's lowest-income households -- 89 percent of deeply low-income (DLI) households, 69 percent of extremely low-income (ELI) households, and 44 percent of very low-income (VLI) households were severely cost burdened in 2022.[61] Since 2014, the rate of severe cost burden has declined for DLI, ELI, and Low-Income households and has increased for VLI, Moderate, and Above Moderate households. People of color are more likely to experience housing cost burdens than their white counterparts, with Black renter households experiencing the highest rate of cost burden at 60 percent.[62]

Permanent Supportive Housing (PSH) projects generally provide for PEH to move from the shelter system into a long-term solution that allows them to start to build or rebuild their lives. Permanent Affordable Housing can allow some people to avoid the shelter system entirely. Provision of affordable housing directly addresses the homelessness emergency by providing housing that can prevent people from falling into homelessness and lift others out of homelessness. Without permanent housing PEH remain in shelters for substantially longer periods of time and people newly falling into homelessness are not able to find shelter. Moving people from shelters to permanent housing allows the shelters to function properly as short-term solutions. Supportive and affordable housing is needed as urgently, if not more urgently, as shelters in order to allow people to regain and/or continue their lives and contribute to society.

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60 California Housing Partnership, 2024 Los Angeles County Annual Affordable Housing Outcomes Report, June 28, 2024

61 DLI is 0-15% of AMI, ELI is 15-30% of AMI, and VLI is 30-50% of AMI.

62 Cost burden is paying more than 30 percent of households income on rent and utilities.

Summary

In 2023 the County of Los Angeles had approximately 75,518 people experiencing homelessness countywide. In 2025 the number had decreased to 72,308 (a 4% decrease).

It was previously estimated that if the inflow into homelessness stops, our existing rehousing system if fully deployed, could end homelessness in Los Angeles County in three to four years.[63] During the crisis, Los Angeles County has been housing the homeless population at record numbers.[64] Nonetheless, the number of PEH continues to far exceed the resources available to house them temporarily let alone permanently. Each affordable housing project (as well as shelters and other forms of assistance such as permanent supportive housing) for the foreseeable future is urgently needed to address the homeless emergency in Los Angeles County. While each affordable housing project may not take people off the street (although in some cases it could), it is anticipated that permanent housing will either take people from the shelter system or provide for others who are in danger of falling into homelessness. The homeless population, especially those who are unsheltered, lives in precarious, extreme and dangerous conditions that expose them to the elements as well as other health and safety issues. Immediate action is needed to address this ongoing emergency condition that affects over 72,000 people in Los Angeles County.

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63 Los Angeles County Chief of Executive Office. January 23, 2023. Report Back on Proclamation of a Local Emergency for Homelessness in the County of Los Angeles. https://file.lacounty.gov/SDSInter/bos/supdocs/177569.pdf

64 We have designed the crises: LA Homeless Services Director Resigns Isai Rocha April 25, 2022 'We Have Designed the Crisis:' L.A. Homeless Services Director Resigns (laweekly.com)

HEIDI L. BEHFOROUZ, M.D. Physician leader, consultant, and clinician, has focused her career on the health issues of vulnerable populations. She is currently Medical Director of Housing for Health at Los Angeles County Department of Health Services (LAC DHS) - the second largest safety net organization in United States. Here, she oversees the county's clinical initiatives to improve the health and wellbeing of the largest homeless population in the United States. In LA County, she also served as the Medical Director for the Care Connection Program, a primary care clinic-anchored complex care management program that connects community health workers to care management teams within the medical home. She is a board-certified internist who practices primary care at the STAR clinic in Skid Row, Los Angeles.
She is Founder and past Executive Director of Partners In Health's Prevention and Access to Care and Treatment (PACT) project in Boston, Massachusetts which employed community health workers (CHWs) to advocate for the health and wellbeing of inner city residents infected with or at risk for HIV and other chronic diseases. In the PACT model, CHWs provided home- based health promotion and harm reduction services and complemented the efforts of primary care providers to improve health literacy, medication adherence, self-management behaviors, and health care utilization patterns in the highest risk subset of patients with chronic disease. After one year, 70% of HIV/AIDS patients enrolled in PACT achieved clinically significant improvements in health status with a net 16% reduction in total Medicaid expenditures after two years of enrollment. This program was cited by AHRQ and HRSA as a best-practice complex care management intervention and has since been adapted for the care of patients with other chronic diseases (diabetes, mental illness, pulmonary disease) and psychosocial complexity. This model has also been successfully replicated in other settings, including New York City, California's Inland Empire, Miami, and Navajo nation. Dr. Behforouz continues to provide consultation in complex care management to accountable care organizations, managed care organizations, health departments, and community-based organizations around the country.

Dr. Behforouz is committed to the transformation of primary care to better serve the needs of the most vulnerable patients in our communities and has been privileged to champion the role of community health workers in effecting lasting change in our health care delivery system and health of our communities.