AGENDA

MEETING OF THE CITY COUNCIL

Monday, April 11, 2022 ~ 7:00 PM

City Council Chambers
211 Eighth Street
Seal Beach, California

JOE KALMICK
MAYOR
First District

MIKE VARIPAPA
MAYOR PRO TEM
Third District

THOMAS MOORE
COUNCIL MEMBER
Second District

SCHELLEY SUSTARSIC
COUNCIL MEMBER
Fourth District

SANDRA MASSA-LAVITT
COUNCIL MEMBER
Fifth District

This Agenda contains a brief general description of each item to be considered. No action or discussion shall be taken on any item not appearing on the agenda, except as otherwise provided by law. Supporting documents, including agenda staff reports, and any public writings distributed by the City to at least a majority of the Council Members regarding any item on this agenda are available on the City’s website at www.sealbeachca.gov.

City Council meetings are broadcast live on Seal Beach TV3 and on the City’s website www.sealbeachca.gov. Check the SBTV3 schedule for rebroadcast of — meetings are available on-demand on the website (starting 2012).meeting

In compliance with the Americans with Disabilities Act of 1990, if you require disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk’s office at (562) 431-2527 at least 48 hours prior to the meeting.
CALL TO ORDER
PLEDGE OF ALLEGIANCE
COUNCIL ROLL CALL
APPROVAL OF AGENDA & WAIVER OF FULL READING OF RESOLUTIONS
ORDINANCES
By motion of the City Council this is the time to notify the public of any changes to the agenda and/or rearrange the order of the agenda.

PRESENTATIONS / RECOGNITIONS
• OCTA I-405 Widening Update
• Sexual Assault Awareness Month Proclamation

ORAL COMMUNICATIONS
At this time members of the public may address the Council regarding any items within the subject matter jurisdiction of the City Council. Pursuant to the Brown Act, the Council cannot discuss or take action on any items not on the agenda unless authorized by law. Matters not on the agenda may, at the Council’s discretion, be referred to the City Manager and placed on a future agenda.
Those members of the public wishing to speak are asked to come forward to the microphone and state their name for the record. All speakers will be limited to a period of five (5) minutes. Speakers must address their comments only to the Mayor and entire City Council, and not to any individual, member of the staff or audience. Any documents for review should be presented to the City Clerk for distribution.

CITY ATTORNEY REPORT  Craig A. Steele, City Attorney

CITY MANAGER REPORT  Jill R. Ingram, City Manager

COUNCIL COMMENTS
General Council Member comments and reporting pursuant to AB 1234.

COUNCIL ITEMS
A. City Council Appointment to the Recreation and Parks Commission – District Three - It is the request of Council Member Varipapa that the City Council appoint Tom McLaughlin to the Recreation and Parks Commission, as a representative for District Three.

B. At the Request of Council Member Moore - IT & City Hall Phone System Update

CONSENT CALENDAR
Items on the consent calendar are considered to be routine and are enacted by a single motion with the exception of items removed by Council Members.

C. Approval of the March 28, 2022 City Council Minutes - That the City Council approve the minutes of the Regular City Council meeting held on March 28, 2022.

D. Demands on City Treasury (Fiscal Year 2022) April 11, 2022 - Ratification.
E. Professional Services Agreement with Lisa Wise Consulting, Inc. - That the City Council adopt Resolution 7269: 1. Approving a Professional Services Agreement with Lisa Wise Consulting, Inc., for $119,100; and, 2. Authorizing Lisa Wise Consulting, Inc. to provide professional services revising portions of Title 11 of the Municipal Code to implement the 2021-2029 Housing Element; and, 3. Authorizing and directing the City Manager to execute the Amendment.

F. West Orange County Water Board Fiscal Year 2022-2023 Operating Budget - That the City Council adopt Resolution 7270 approving the Fiscal Year 2022-2023 budget of the West Orange County Water Board (WOCWB).

G. Approval of Memorandum of Understanding Between the City of Seal Beach and the Seal Beach Pickleball Association - That the City Council adopt Resolution 7271: 1. Approving a Memorandum of Understanding (MOU) between the City of Seal Beach and the Seal Beach Pickleball Association (SBPA); and, 2. Authorizing the City Manager to execute the MOU, make minor technical adjustments as needed, and extend the MOU on an annual basis up to three times.

H. Authorizing Execution of a Public Works Purchase Order with MurCal, Inc. for Purchase of Murphy Electrical Control Panels at City’s Sewer Pump Station No. 35 and Lampson Well Site - That the City Council adopt Resolution 7272: 1. Approving the purchase for MurCal (Murphy) Electrical Control Panels; and, 2. Approving a public works purchase order to purchase Murphy electrical control panels, in the amount of $95,110.18; and, 3. Authorizing the City Manager to execute a public works purchase order on behalf of the City.

ITEMS REMOVED FROM THE CONSENT CALENDAR

PUBLIC HEARING – None

UNFINISHED / CONTINUED BUSINESS – None

NEW BUSINESS

I. First Reading of Ordinance Adopting a Military Equipment Use Policy per California Assembly Bill 481 - That the City Council: 1. Introduce for first reading, by title only, and waive further reading of Ordinance 1694, “An Ordinance of the Seal Beach City Council Establishing a Military Equipment Use Policy”; and, 2. Schedule the second reading of Ordinance 1694 for April 25, 2022.

J. Notice of Intent to Overrule the Airport Land Use Commission (ALUC) for Orange County Finding of Housing Element Inconsistency - That the City Council: 1. Adopt Resolution 7273 notifying the Orange County Airport Land Use Commission and the Division of Aeronautics of the California Department of Transportation of the City’s intention to find that the General Plan 2021-2029 Housing Element is consistent with the purposes of the State Aeronautics Act and overrule the Orange County Airport Land Use Commission’s determination that the Housing Element is inconsistent with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan; and, 2. Authorize the City
Manager to submit Resolution 7273 to the Orange County Airport Land Use Commission and the State Division of Aeronautics, and schedule a public hearing pursuant to Public Utilities Code Section 21676.

ADJOURNMENT

Adjourn the City Council to Monday, April 25, 2022 at 5:30 p.m. to meet in closed session, if deemed necessary.
SEXUAL ASSAULT AWARENESS MONTH
APRIL 2022

Whereas, Sexual Assault Awareness Month (SAAM) calls attention to the fact that sexual violence is widespread and impacts millions of adults, teenagers, and children; and,

Whereas, the goal of Sexual Assault Awareness Month is to raise public awareness about sexual violence and educate communities on how to prevent it; and,

Whereas, rape, sexual assault, and sexual harassment harm our community, and statistics show that one out of every six American women have been victims of attempted or completed rape, and one out of every ten men; and,

Whereas, child sexual abuse prevention must be a priority to confront the reality that what is reported is that one in nine girls and one in ten boys under the age of 18 experience sexual abuse or assault at the hands of an adult; and,

Whereas, sexual assault affects individuals across all ages, abilities, sexual orientations, gender identities, and of all racial, social, religious, ethnic, and economic backgrounds; and,

Whereas, the National Sexual Violence Resource Center is promoting thirty days of SAAM with this year’s theme “Building Safe Online Spaces Together”; and,

Whereas, Together, we can make a difference to build inclusive, safe, and respectful online spaces, and to promote the safety of others, and showing survivors they are believed and supported.

NOW, THEREFORE, BE IT PROCLAIMED, by the Seal Beach City Council that the City of Seal Beach recognizes April 2022 as Sexual Assault Awareness Month and hopes that each day of the month and year is an opportunity to create change for the future.

In Witness whereof, I hereby affix my signature and the seal of the City of Seal Beach this Eleventh Day of April in the year Two Thousand and Twenty-Two

Joe Kalmick, Mayor

Mayor Pro Tem: Mike Varipapa
City Council Members:
Thomas Moore
Schelly Sustarsic
Sandra Massa-Lavitt
DATE: April 11, 2022

TO: Honorable Mayor and City Council

THRU: Jill R. Ingram, City Manager

FROM: Gloria D. Harper, City Clerk

SUBJECT: City Council Appointment to the Recreation and Parks Commission – District Three

SUMMARY OF REQUEST:

It is the request of Council Member Varipapa that the City Council appoint Tom McLaughlin to the Recreation and Parks Commission, as a representative for District Three.

BACKGROUND:

In accordance with Government Code Section 54974(a), whenever an unscheduled vacancy occurs on any board, commission, or committee for which the legislative body has the appointing power, an unscheduled vacancy notice shall be posted and appointment to the board, commission, or committee shall not be made by the legislative body for at least 10 working days after the posting of the notice. The notice of resignation for Tom Payne was received by the City Clerk's Office on March 23, 2022, and the required Notice of Vacancy was posted on March 23, 2022. Additionally, notwithstanding subdivision (a), the legislative body may, if it finds that an emergency exists, fill the unscheduled vacancy immediately, as is the case with the Recreation and Parks Commission vacancy.

The term of this appointment expires December 2022.

ENVIRONMENTAL IMPACT:

There is no environmental impact related to this item.

LEGAL ANALYSIS:

The City Attorney has reviewed and approved as to form.
**FINANCIAL IMPACT:**

There is no financial impact for this item.

**STRATEGIC PLAN:**

This item is not applicable to the Strategic Plan.

**MEASURE BB:**

This item is not applicable to Measure BB, the Seal Beach Neighborhood and Essential Services Protection Measure.

**RECOMMENDATION:**

It is the request of Council Member Varipapa that the City Council appoint Tom McLaughlin to the Recreation and Parks Commission, as a representative for District Three.

**SUBMITTED BY:**

Gloria D. Harper

**NOTED AND APPROVED:**

Jill R. Ingram

Gloria D. Harper, City Clerk

Jill R. Ingram, City Manager

**ATTACHMENTS:**

A. Tom McLaughlin Application
CITY OF SEAL BEACH

Boards – Commissions – Committees

Application

Name: Thomas McLoughlin

Address: [Redacted] Seal Beach CA 90740

Phone Number: [Redacted] Cell Phone: [Redacted]

Email Address: [Redacted]

Who is your Council Representative? Mike Vapisapa

Please check the areas of interest:

☑ Community & Recreation
☐ Environmental

☐ Building & Planning
☐ Public Safety

☐ Beach & Water Quality
☐ Infrastructure

☐ Other: Please briefly describe: [Redacted]

Provide a brief background of your experience and/or education that would qualify you for an appointment to a City board, commission, or committee:

Resident of Seal Beach since 2011. I've worked for the Santa Monica Police Department for 21 years. Currently volunteer and serve on the Board of Directors for the Santa Monica Family YMCA, Santa Monica Bay Area Human Relations Council, and Santa Monica Police Activities League. I have an interest in recreation, parks, and wellbeing.

Signature: [Signature]

Applications will be kept on file in the Office of the City Clerk for a period of 2 years.

{Office Use Only}

Date Received: [Redacted] Received By: [Redacted] District No. [Redacted]
DATE: April 11, 2022

TO: Honorable Mayor and City Council

THRU: Jill R. Ingram, City Manager

FROM: Gloria D. Harper, City Clerk

SUBJECT: Approval of the March 28, 2022 City Council Minutes

SUMMARY OF REQUEST:

That the City Council approve the minutes of the Regular City Council meeting held on March 28, 2022.

BACKGROUND AND ANALYSIS:

This section does not apply.

ENVIRONMENTAL IMPACT:

There is no environmental impact related to this item.

LEGAL ANALYSIS:

No legal analysis is required for this item.

FINANCIAL IMPACT:

There is no financial impact for this item.

STRATEGIC PLAN:

This item is not applicable to the Strategic Plan.

MEASURE BB:

This item is not applicable to Measure BB, the Seal Beach Neighborhood and Essential Services Protection Measure.
RECOMMENDATION:

That the City Council approve the minutes of the Regular City Council meeting held on March 28, 2022.

SUBMITTED BY:   NOTED AND APPROVED:

Gloria D. Harper        Jill R. Ingram
Gloria D. Harper, City Clerk  Jill R. Ingram, City Manager

Prepared by: Dana Engstrom, Deputy City Clerk

ATTACHMENTS:

A. Minutes
Seal Beach, California
March 28, 2022

The City Council met in regular session at 7:00 p.m. in the City Council Chambers. Council Member Massa-Lavitt led the Pledge of Allegiance.

ROLL CALL
Present: Mayor Kalmick
Council Members: Varipapa, Moore, Sustarsic, Massa-Lavitt
Absent: None

City Staff: Craig A. Steele, City Attorney
Jill R. Ingram, City Manager
Patrick Gallegos, Assistant City Manager
Philip Gonshak, Police Chief
Joe Bailey, Chief, Marine Safety Department
Alexa Smittle, Director of Community Development
Sherry Johnson, Interim Director of Finance/City Treasurer
Steve Myrter, Director of Public Works/City Engineer
Gloria D. Harper, City Clerk
Dana Engstrom, Deputy City Clerk
Ron Roberts, Orange County Fire Authority

APPROVAL OF AGENDA & WAIVER OF FULL READING OF RESOLUTIONS AND ORDINANCES

Council Member Massa-Lavitt moved, second by Council Member Sustarsic, to approve the agenda.

City Clerk Harper read into the record that two (2) communications were received after the posting of the agenda regarding various agenda items that were distributed to City Council and made available to the public.

City Clerk Harper took a roll call vote to approve the agenda.

AYES: Kalmick, Moore, Sustarsic, Varipapa, Massa-Lavitt
NOES: None
ABSENT: None
ABSTAIN: None
Motion carried

PRESENTATIONS / RECOGNITIONS

- Proclamation Honoring Longtime Resident Virginia Haley Celebrating Her 105th Birthday
• FIRST Point Diversion Program
• Telecommunications Week

PUBLIC COMMUNICATIONS
Mayor Kalmick opened oral communications. Speakers: Bill Ayers, Joyce Ross-Parque, John Kochevar, and an anonymous speaker. Mayor Kalmick then closed oral communications.

CITY ATTORNEY REPORT
City Attorney Steele had no items to report.

CITY MANAGER REPORT
City Manager Ingram had no items to report.

COUNCIL COMMENTS

Council Member Moore thanked Associate Engineer David Spitz for coordinating the meeting with Orange County Transportation Authority (OCTA) and College Park West residents to discuss freeway project work in the neighborhood. He indicated that he attended the Americana Awards honoring Deb Machen as Seal Beach’s Citizen of the Year. Additionally, he noted that he participated in the Run Seal Beach event and a Leisure World Committee meeting where traffic enforcement, the Leisure World Shuttle, and water conservation was discussed.

Council Member Massa-Lavitt reminded residents to be aware of mosquitoes as it starts warming up and noted that there have already been a couple of birds in Orange County that tested positive for the West Nile virus. She also noted that there is known cases with flea-borne typhus and encouraged residents that own cats to please keep them indoors. She announced that Orange County Vector Control will make house calls to perform inspections and encouraged residents to take advantage of the benefits the agency provides. She also attended an Orange County Sanitation District meeting where they discussed undertaking a lot of repairs and rebuilds. Additionally, she noted that she attended a meeting with Leisure World that was very productive, and she was glad that City staff was able to hear firsthand from the Leisure World staff about the popularity of the shuttle service and how thankful residents are for the service.

Mayor Pro Tem Varipapa thanked City Manager Ingram and the City Clerk’s office for all their efforts over the past two years in making virtual meetings a success - noting working during a pandemic has had many challenges, and all the departments did a great job over the last two years. Additionally, he expressed his appreciation for the catalytic converter etching event coordinated by the Seal Beach Police Department due to the ongoing catalytic converter thefts in the area. He requested updates regarding Orange County Transportation Authority (OCTA) and Orange County Sanitation District projects at a future Council meeting.
Council Member Sustarsic thanked all the City departments for all that was done to keep the City going during the pandemic. Additionally, she expressed her appreciation for Associate Engineer David Spitz for his ongoing efforts with the Almond Avenue sound wall and his coordination with the I-405 project team. She indicated that she attended an Airport Land Use Committee meeting and Good Morning Los Alamitos - an open house type event with department information and upcoming events.

Mayor Kalmick thanked Community Development Director Alexa Smittle, who is working diligently to get the City’s Housing Element approved by the State and to get a Local Coastal Plan in place. He expressed his gratitude to City staff for continuing City operations and for the great work performance for the past two years during the pandemic, working remotely, managing while many employees and their family members were ill, and working in City Hall during very challenging times. Additionally, he noted that he attended the Americana Awards honoring Deb Machen, an Orange County Fire Authority meeting, a Southern California Association of Governments meeting, and an Orange County Council of Governments meeting.

COUNCIL ITEMS
There were no council items.

CONSENT CALENDAR
Council Member Massa-Lavitt moved, second by Council Member Sustarsic, to approve the recommended actions on the consent calendar.

A. Approval of the March 14, 2022 City Council Minutes - That the City Council approve the minutes of the Regular City Council meeting held on March 14, 2022.

B. Demands on City Treasury (Fiscal Year 2022) March 28, 2022 - Ratification.


D. Second Reading and Adoption of Ordinance 1693 - That the City Council adopt Ordinance 1693 titled "An Ordinance of the City of Seal Beach Readopting the Current City Council District Map as the New Official City Council District Map of the Boundaries of City Council Election Districts based on the Results of the 2020 U.S. Census."

E. Letter of Support -- (Nguyen) Oil Spill Legislative Bill Package - That the City Council authorize the Mayor to execute a letter of support for Assemblymember Janet Nguyen’s legislative bill package (AJR 24, AJR 25, AB 1657 and AB 1658), which aims to address and prevent future oil spills off the shorelines in California including off of the City of Seal Beach.

F. Professional Services Agreement with HF&H Consultants, LLC for Senate Bill 1383 Contracting Assistance - That the City Council adopt Resolution 7260: 1. Approving the Professional Services Agreement with HF&H Consultants, LLC, to provide contracting assistance for Senate Bill 1383; and, 2. Authorizing the City Manager to
execute the Agreement for $75,000, and to authorize a 20% contingency ($15,000) for additional work that cannot be precisely determined in advance but that may be incurred due to the complexity of the negotiations.

G. Approving and Authorizing Amendment No. 1 to the Professional Services Agreement with Stantec Consulting Services, Inc., for Lampson Avenue Bike Lane Gap Closure, CIP ST1811 - That the City Council adopt Resolution 7261: 1. Approving Amendment No. 1 to the professional services agreement dated April 27, 2020 with Stantec Consulting Services, Inc., to authorize additional utility coordination and right-of-way certification services, increase compensation by $18,500 for the additional services for a revised total contract not-to-exceed amount of $163,426, and extend the contract term to and including December 30, 2023; and, 2. Authorizing the City Manager to execute Amendment No. 1.

H. Periodic Review of Local Emergency Proclamation and Supplements Related to the COVID-19 Pandemic, and Determine that Supplements 3-10, Inclusive, Are No Longer Necessary to Protect Public Health and Safety and May Be Rescinded - The City Manager and City Attorney recommend that the City Council review the current state of emergency due to the COVID-19 pandemic and rescind the remaining Supplemental Orders through the adoption of Resolution 7262.

I. Notice of Completion for the Lampson Avenue Drainage Project, CIP SD2101 - That the City Council adopt Resolution 7263: 1. Accepting the Lampson Avenue Drainage Project, CIP SD2101, by Wright Construction Engineering Corp in the amount of $189,373.60; and, 2. Directing the City Clerk to file a “Notice of Completion” with the Orange County Clerk-Recorder within fifteen (15) days from the date of acceptance and to release retention 35 days after recordation of the Notice of Completion contingent upon no claims being filed on the Project.

J. Approving and Authorizing Amendment No. 1 to the Utility Agreement UK102097 with Orange County Transportation Authority for I-405 Improvement Project New Sewer Construction - That the City Council adopt Resolution 7264: 1. Approving Amendment No. 1 to the Utility Agreement No. UK102097 dated February 27, 2017 with Orange County Transportation Authority (OCTA) to increase compensation by $40,000 for a revised total of $80,000 for the I-405 Improvement Project; and, 2. Authorizing the City Manager to execute Amendment No. 1 to Utility Agreement No. UK102097; and, 3. Approving Budget Amendment 22-09-03 recognizing $40,000 from the Orange County Transportation Authority for the I-405 Improvement Project.

K. Approval of a Special Services Agreement with Liebert Cassidy Whitmore for Orange County Employment Relations Consortium Membership - That the City Council adopt Resolution 7265: 1. Approving an agreement for special services between the City of Seal Beach and Liebert Cassidy Whitmore; and, 2. Authorizing the City Manager to execute an agreement for special services with Liebert Cassidy Whitmore.

L. Notice of Completion for Police Department Outside Locker Replacement
Project, CIP BG2103 - That the City Council adopt Resolution 7266: 1. Accepting the Police Department Outside Locker Replacement Project, CIP BG2103, by Vincor Construction, Inc., in the amount of $49,650.85; and, 2. Directing the City Clerk to file a “Notice of Completion” with the Orange County Clerk-Recorder within fifteen (15) days from the date of acceptance and to release retention 35 days after recordation of the Notice of Completion contingent upon no claims being filed on the Project.

M. Awarding and Authorizing Execution of a Professional Services Agreement with Alexander’s Contract Services, Inc. for a Water Meter Reading Services Pilot Program - That the City Council adopt Resolution 7267: 1. Approving and awarding a one-year professional services agreement to Alexander’s Contract Services, Inc. for the Water Meter Reading Services Pilot Program in the amount of $42,818.40 and, 2. Authorizing the City Manager to execute the one-year professional services agreement for the Water Meter Reading Services Pilot Program to Alexander’s Contract Services, Inc.

N. Awarding and Authorizing Execution of a Maintenance Services Agreement with National Plant Services, Inc. for Closed Circuit Television (CCTV) Inspection of Sanitary Sewers - That the City Council adopt Resolution 7268: 1. Approving, specifications, and contract documents for the Closed Circuit Television (CCTV) Inspection of Sanitary Sewers; and, 2. Approving and awarding a Maintenance Services Agreement for the Closed Circuit Television (CCTV) Inspection of Sanitary Sewer to National Plant Services, Inc., in the amount of $564,560 for a three-year term; and, 3. Authorizing the City Manager to execute the Maintenance Services Agreement for the Closed Circuit Television (CCTV) Inspection of Sanitary Sewer to National Plant Services, Inc.; and, 4. Authorize the City Manager to approve payments for additional work requests in connection with the performance of the services in the cumulative not-to-exceed amount of $30,000 for the three-year term.

City Clerk Harper took a roll call vote to approve the consent calendar.

AYES: Kalmick, Varipapa, Sustarsic, Moore, Massa-Lavitt
NOES: None
ABSENT: None
ABSTAIN: None
Motion carried

ITEMS REMOVED FROM CONSENT CALENDAR
There were no items removed from the Consent Calendar

PUBLIC HEARING
There were no public hearing items.

UNFINISHED/CONTINUED BUSINESS
There were no unfinished/continued business items.
NEW BUSINESS
There were no new business items.

ADJOURNMENT
Mayor Kalmick adjourned the City Council meeting at 8:07 p.m., to Monday, April 11, 2022 at 5:30 p.m. to meet in closed session, if deemed necessary.

______________________
Gloria D. Harper, City Clerk
City of Seal Beach

Approved: __________________________
       Joe Kalmick, Mayor

Attested: ______________________
       Gloria D. Harper, City Clerk
City of Seal Beach
Fiscal Year 2022
Warrant Listing for Council Meeting 4-11-2022

Approve by Minute Order Demands on Treasury:

Warrants-A/P: Checks 23047 - 23185 $460,026.46
             Electronic Funds Transfer 1344 - 1369 $292,900.05
             Bank Draft:
                   Payroll State & Federal Taxes 108,017.57
                   ICMA 25,268.68
                   CalPERS Pension 110,950.55
                   City of Seal Beach Flex Spending 1,547.14
                   Voided Checks (10,000.00)
$988,710.45  Year-to-Date: $32,605,474.10

Payroll: Payroll Direct Deposit $377,739.70
Total Payroll: $377,739.70  Year-to-Date: $8,660,549.93

Note: Year-to-date amounts are actual cash disbursements and do not reflect actual expenditures
due to year-end accruals.

Respectfully submitted by:

[Signature]
Sherry Johnson, CPA
Interim Director of Finance/City Treasurer

[Signature]
Date 4.14.22
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Bank Code APBW General Summary

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3/31/2022 2:05:45 PM
### All Bank Codes Check Summary

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<td><strong>173</strong></td>
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SUMMARY OF REQUEST:

That the City Council adopt Resolution 7269:

1. Approving a Professional Services Agreement with Lisa Wise Consulting, Inc., for $119,110; and,

2. Authorizing Lisa Wise Consulting, Inc. to provide professional services revising portions of Title 11 of the Municipal Code to implement the 2021-2029 Housing Element; and,

3. Authorizing and directing the City Manager to execute the Amendment.

BACKGROUND AND ANALYSIS:

On February 7, 2022, the City Council adopted the 2021-2029 Housing Element, amending the General Plan, pursuant to State law. A key component of the document is the identification of sites that are suitable to accommodate housing units. Under State law, jurisdictions must maintain an inventory of potential housing sites commensurate with their Regional Housing Needs Assessment (RHNA) allocation. For the 2021-2029 cycle, the City of Seal Beach (City) has been assigned a total of 1,243 units. Of those, 258 must be affordable at very low-income levels, 201 at low-income levels, 239 at moderate-income levels, and remaining 545 units may be at above moderate-income levels.

The 2021-2029 Housing Element identifies 11 sites to accommodate the required RHNA allocation. However, seven of the sites do not currently allow for residential uses, and the remaining sites have other restrictions on housing that will need to be evaluated to ensure adequate capacity is available to implement the Housing Element. For most, if not all sites, modifications to the existing zoning are anticipated. One of the major tasks for this process will be to create a mixed-use zoning standard that allows for up to 40 units per acre. Ultimately, an amendment
of Title 11 of the Municipal Code, which is where the Zoning Ordinance resides, will be required.

Staff is seeking approval of a Professional Services Agreement with Lisa Wise Consulting (Attachment 2) to assist with the zoning amendment. As shown in the Scope of Services, this process includes not only the technical work of creating a new zone or zones, and revising certain existing designations, but also public outreach including stakeholder interviews, a community workshop, and website materials for a dedicated webpage. This outreach, as well as established policies from within the General Plan, will inform the changes that will be recommended to the Planning Commission and City Council to implement the Housing Element.

Recent legislative changes made by Assembly Bill 1398 require a jurisdiction to adopt a Housing Element that is found to be in “substantial compliance with State law” by the applicable statutory deadline, which for Seal Beach was February 12, 2022. Compliance is determined by the Department of Housing and Community Development (HCD), otherwise known as “certification”. If this deadline is achieved, the jurisdiction has three years to update its zoning code to create the required number of housing sites. If this deadline is not achieved, the update must be completed more expeditiously – in Seal Beach’s case, by October 2022. Like most of the Southern California Association of Governments (SCAG) region, the City adopted its Housing Element, but does not yet have certification. At the time of this report, staff has not received feedback from HCD.

Though certification remains unknown, staff strongly recommends initiating the effort to complete the rezoning in a timely manner, in accordance with Government Code 65583(c)(1)(A). An environmental analysis under the California Environmental Quality Act (CEQA) must also be performed as a part of this effort, with a contract to be presented to the City Council at a later date.

**ENVIRONMENTAL IMPACT:**

The proposed Agreement is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15061(b)(3) of the State CEQA Guidelines which states that CEQA only applies to projects that have potential for causing a significant effect on the environment. Approval of the professional services agreement will not have a significant effect on the environment. The Zoning Code amendment itself will include separate environmental review.

**LEGAL ANALYSIS:**

The City Attorney has reviewed and approved as to form.

**FINANCIAL IMPACT:**

The contract amendment will approve an additional expenditure of up to $119,110 in professional services from Account 103-300-0231-51301. This Account is
funded through fee collection for General Plan updates; the contract does not impact the General Fund.

**STRATEGIC PLAN:**

This project implements the Housing Element, which was a priority of the Strategic Plan.

**MEASURE BB:**

This item is not applicable to Measure BB, the Seal Beach Neighborhood and Essential Services Protection Measure.

**RECOMMENDATION:**

That the City Council adopt Resolution 7269:

1. Approving a Professional Services Agreement with Lisa Wise Consulting, Inc., for $119,110; and,

2. Authorizing Lisa Wise Consulting, Inc. to provide professional services revising portions of Title 11 of the Municipal Code to implement the 2021-2029 Housing Element; and,

3. Authorizing and directing the City Manager to execute the Amendment.

**ATTACHMENTS:**

A. Resolution 7269
B. Professional Services Agreement with Lisa Wise Consulting, Inc.
RESOLUTION 7269

A RESOLUTION OF THE SEAL BEACH CITY COUNCIL APPROVING THE PROFESSIONAL SERVICES AGREEMENT WITH LISA WISE CONSULTING, INC.

WHEREAS, the City of Seal Beach (City) desires consultant services to revise portions of Title 11 of the Municipal Code in order to implement the 2021-2029 Housing Element through a zoning code update; and

WHEREAS, Lisa Wise Consulting, Inc. (Consultant) has demonstrated experience with municipal planning including drafting and revisions of municipal zoning codes in California; and

WHEREAS, pursuant to the Seal Beach City Charter, Seal Beach Municipal Code Chapter 3.20 establishes a central purchasing system including procedures for competitive bidding and exemptions from competitive bidding; and

WHEREAS, Seal Beach Municipal Code Section 3.20.025(C) provides for an exemption from competitive bidding requirements for purchases of professional services, including without limitation, architectural services; bond services; election services; engineering services; insurance services; legal services; public relations services; real estate services; and solid waste disposal services; and

WHEREAS, City and Consultant wish to enter into the Agreement for the term of one year, and a not-to-exceed contract amount $119,110, as provided herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEAL BEACH DOES HEREBY RESOLVE:

Section 1. The City Council hereby approves the Professional Services Agreement with Lisa Wise Consulting, Inc. as set forth in Exhibit “A”, attached hereto and incorporated herein by this reference as through set forth in full, for a one-year term and a total not-to-exceed contract amount of $119,110.

Section 2. The Council hereby directs the City Manager to execute the Professional Services Agreement on behalf of the City.
PASSED, APPROVED AND ADOPTED by the Seal Beach City Council at a regular meeting held on the 11th day of April, 2022 by the following vote:

AYES: Council Members____________________________________________________

NOES: Council Members____________________________________________________

ABSENT: Council Members__________________________________________________

ABSTAIN: Council Members__________________________________________________

______________________________
Joe Kalmick, Mayor

ATTEST:

____________________________
Gloria D. Harper, City Clerk

STATE OF CALIFORNIA  }
COUNTY OF ORANGE    } SS
CITY OF SEAL BEACH   }

I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing resolution is the original copy of Resolution 7269 on file in the office of the City Clerk, passed, approved, and adopted by the City Council at a regular meeting held on the 11th day of April, 2022.

____________________________
Gloria D. Harper, City Clerk
This Professional Service Agreement ("the Agreement") is made as of April 11, 2022 (the “Effective Date”), by and between Lisa Wise Consulting, Inc., a California Corporation ("Consultant"), and the City of Seal Beach ("City"), a California charter city, (collectively, “the Parties”).
RECITALS

A. City desires certain professional services related to revising and updating portions of Title 11 of the Municipal Code (known as the “Zoning Code”) to implement the 2021-2029 Housing Element.

B. Pursuant to the authority provided by its City Charter and Seal Beach Municipal Code § 3.20.025(C), City desires to engage Consultant to provide professional Zoning Code services in the manner set forth herein and more fully described in Section 1.0.

C. Consultant represents that the principal members of its firm are qualified professional municipal consultants with expertise in developing zoning code regulations and are fully qualified to perform the services contemplated by this Agreement in a good and professional manner; and it desires to perform such services as provided herein.

NOW THEREFORE, in consideration of the Parties' performance of the promises, covenants, and conditions stated herein, the Parties hereto agree as follows.

AGREEMENT

1.0 Scope of Services

1.1. Consultant shall provide those services (collectively “Services”) set forth in the “Scope of Services” attached hereto as Exhibit A and incorporated herein by this reference. To the extent that there is any conflict between Exhibit A and this Agreement, this Agreement shall control.

1.2. Consultant shall perform all Services under this Agreement in accordance with the standard of care generally exercised by like professionals under similar circumstances and in a manner reasonably satisfactory to City.

1.3. In performing this Agreement, Consultant shall comply with all applicable provisions of federal, state, and local law.

1.4. As a material inducement to City to enter into this Agreement, Consultant hereby represents that it has the experience necessary to undertake the Services to be provided. In light of such status and experience, Consultant hereby covenants that it shall follow the customary professional standards in performing all Services. The City relies upon the skill of Consultant, and Consultant’s staff, if any, to do and perform the Services in a skillful, competent, and professional manner, and Consultant and Consultant’s staff, shall perform the Services in such manner. Consultant shall, at all times, meet or exceed any and all applicable professional standards of care. The acceptance of Consultant’s work
by the City shall not operate as a release of Consultant from such standard of care and workmanship.

1.5. Consultant will not be compensated for any work performed not specified in the Scope of Services unless the City authorizes such work in advance and in writing. The City Manager may authorize extra work to fund unforeseen conditions up to the amount approved at the time of award by the City Council. Payment for additional work in excess of this amount requires prior City Council authorization.

2.0 Term

2.1. The term of this Agreement shall commence on April 15, 2022, and shall remain in full force and effect until June 30, 2023 unless sooner terminated as provided in Section 5.0 of this Agreement.

3.0 Consultant’s Compensation

3.1. City will pay Consultant in accordance with the hourly rates shown on the fee schedule set forth in Exhibit A for the Services but in no event will the City pay more than the total not-to-exceed amount of $119,110 (One hundred nineteen thousand, one hundred and ten dollars) for the Original Term.

3.2. Consultant will not be compensated for any work performed not specified in the Scope of Services unless the City authorizes such work in advance and in writing. The City Manager may authorize extra work to fund unforeseen conditions up to the amount approved at the time of award by the City Council. Payment for additional work in excess of this amount requires prior City Council authorization. Any additional work authorized by the City Council pursuant to this Section will be compensated in accordance with the fee schedule set forth in Exhibit A.

4.0 Method of Payment

4.1. Consultant shall submit to City monthly invoices for all Services rendered pursuant to this Agreement. Such invoices shall be submitted within 15 days of the end of the month during which the Services were rendered and shall describe in detail the Services rendered during the period. City will pay Consultant within 30 days of receiving Consultant’s invoice. City will not withhold any applicable federal or state payroll and other required taxes, or other authorized deductions from payments made to Consultant.

4.2. Upon three business days’ notice from City, Consultant shall allow City or City’s agents or representatives to inspect at Consultant’s offices during reasonable business hours all records, invoices, time cards, cost control sheets and other records maintained by Consultant in connection with this Agreement.
City’s rights under this Section 4.2 shall survive for three (3) years following the termination of this Agreement.

5.0  Termination

5.1.  This Agreement may be terminated by City, without cause, or by Consultant based on reasonable cause, upon giving the other party written notice thereof not less than 30 days prior to the date of termination.

5.2.  This Agreement may be terminated by City upon 10 days’ notice to Consultant if Consultant fails to provide satisfactory evidence of renewal or replacement of comprehensive general liability insurance as required by this Agreement at least 20 days before the expiration date of the previous policy.

6.0  Party Representatives

6.1.  The City Manager is the City’s representative for purposes of this Agreement.

6.2.  Lisa Wise is the Consultant's primary representative for purposes of this Agreement. Lisa Wise shall be responsible during the term of this Agreement for directing all activities of Consultant and devoting sufficient time to personally supervise the Services hereunder. Consultant may not change its representative without the prior written approval of City, which approval shall not be unreasonably withheld.

7.0  Notices

7.1.  All notices permitted or required under this Agreement shall be deemed made when personally delivered or when mailed 48 hours after deposit in the United States Mail, first class postage prepaid and addressed to the party at the following addresses:

To City:  City of Seal Beach  
211-8th Street  
Seal Beach, California 90740  
Attn: City Manager

To Consultant:  Lisa Wise Consulting, Inc.  
983 Osos Street  
San Luis Obispo, CA 93401  
Attn: David Bergman

7.2.  Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.
8.0 Independent Contractor

8.1. Consultant is an independent contractor and not an employee of the City. All work or other Services provided pursuant to this Agreement shall be performed by Consultant or by Consultant’s employees or other personnel under Consultant’s supervision, and Consultant and all of Consultant’s personnel shall possess the qualifications, permits, and licenses required by State and local law to perform such Services, including, without limitation, a City of Seal Beach business license as required by the Seal Beach Municipal Code. Consultant will determine the means, methods, and details by which Consultant’s personnel will perform the Services. Consultant shall be solely responsible for the satisfactory work performance of all personnel engaged in performing the Services and compliance with the customary professional standards.

8.2. All of Consultant’s employees and other personnel performing any of the Services under this Agreement on behalf of Consultant shall also not be employees of City and shall at all times be under Consultant’s exclusive direction and control. Consultant and Consultant’s personnel shall not supervise any of City’s employees; and City’s employees shall not supervise Consultant’s personnel. Consultant’s personnel shall not wear or display any City uniform, badge, identification number, or other information identifying such individual as an employee of City; and Consultant’s personnel shall not use any City e-mail address or City telephone number in the performance of any of the Services under this Agreement. Consultant shall acquire and maintain at its sole cost and expense such vehicles, equipment and supplies as Consultant’s personnel require to perform any of the Services required by this Agreement. Consultant shall perform all Services off of City premises at locations of Consultant’s choice, except as otherwise may from time to time be necessary in order for Consultant’s personnel to receive projects from City, review plans on file at City, pick up or deliver any work product related to Consultant’s performance of any Services under this Agreement, or as may be necessary to inspect or visit City locations and/or private property to perform such Services. City may make a computer available to Consultant from time to time for Consultant’s personnel to obtain information about or to check on the status of projects pertaining to the Services under this Agreement.

8.3. Consultant shall be responsible for and pay all wages, salaries, benefits and other amounts due to Consultant’s personnel in connection with their performance of any Services under this Agreement and as required by law. Consultant shall be responsible for all reports and obligations respecting such additional personnel, including, but not limited to: Social Security taxes, other retirement or pension benefits, income tax withholding, unemployment insurance, disability insurance, and workers’ compensation insurance. Notwithstanding any other agency, State, or federal policy, rule, regulation, statute or ordinance to the contrary, Consultant and any of its officers, employees, agents, and subcontractors providing any of the Services under this Agreement shall not become entitled to,
and hereby waive any claims to, any wages, salaries, compensation, benefit or any incident of employment by City, including but not limited to, eligibility to enroll in, or reinstate to membership in, the California Public Employees Retirement System (“PERS”) as an employee of City, and entitlement to any contribution to be paid by City for employer contributions or employee contributions for PERS benefits.

8.4. Consultant shall indemnify and hold harmless City and its elected officials, officers, employees, servants, designated volunteers, and agents serving as independent contractors in the role of City officials, from any and all liability, damages, claims, costs and expenses of any nature to the extent arising from, caused by, or relating to Consultant’s personnel practices, or to the extent arising from, caused by or relating to the violation of any of the provisions of this Section 8.0. In addition to all other remedies available under law, City shall have the right to offset against the amount of any fees due to Consultant under this Agreement any amount due to City from Consultant as a result of Consultant’s failure to promptly pay to City any reimbursement or indemnification arising under this Section. This duty of indemnification is in addition to Consultant’s duty to defend, indemnify and hold harmless as set forth in any other provision of this Agreement.

9.0 PERS Compliance and Indemnification

9.1. General Requirements. The Parties acknowledge that City is a local agency member of PERS, and as such has certain pension reporting and contribution obligations to PERS on behalf of qualifying employees. Consultant agrees that, in providing its employees and any other personnel to City to perform any work or other Services under this Agreement, Consultant shall assure compliance with the Public Employees’ Retirement Law, commencing at Government Code § 20000, the regulations of PERS, and the Public Employees’ Pension Reform Act of 2013, as amended. Without limitation to the foregoing, Consultant shall assure compliance with regard to personnel who have active or inactive membership in PERS and to those who are retired annuitants and in performing this Agreement shall not assign or utilize any of its personnel in a manner that will cause City to be in violation of the applicable retirement laws and regulations.

9.2. Indemnification. Consultant shall defend (with legal counsel approved by City, whose approval shall not be unreasonably withheld), indemnify and hold harmless City, and its City and its elected officials, officers, employees, servants, designated volunteers, and agents serving as independent contractors in the role of City officials, from any and all liability, damages, claims, costs and expenses of any nature to the extent arising from, caused by, or relating to Consultant’s violation of any provisions of this Section 9.0. This duty of indemnification is in addition to Consultant’s duty to defend, indemnify and hold harmless as set forth in any other provision of this Agreement.
10.0  Confidentiality

Consultant covenants that all data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without prior written authorization by City. City shall grant such authorization if applicable law requires disclosure. All City data shall be returned to City upon the termination of this Agreement. Consultant’s covenant under this Section shall survive the termination of this Agreement.

11.0  Subcontractors

No portion of this Agreement shall be subcontracted without the prior written approval of the City. Consultant is fully responsible to City for the performance of any and all subcontractors.

12.0  Assignment

Consultant shall not assign or transfer any interest in this Agreement whether by assignment or novation, without the prior written consent of City. Any purported assignment without such consent shall be void and without effect.

13.0  Inspection and Audit of Records

Consultant shall maintain complete and accurate records with respect to all Services and other matters covered under this Agreement, including but expressly not limited to, all Services performed, salaries, wages, invoices, time cards, cost control sheets, costs, expenses, receipts and other records with respect to this Agreement. Consultant shall maintain adequate records on the Services provided in sufficient detail to permit an evaluation of all Services in connection therewith. All such records shall be clearly identified and readily accessible. At all times during regular business hours, Consultant shall provide City with free access to such records, and the right to examine and audit the same and to make copies and transcripts as City deems necessary, and shall allow inspection of all program data, information, documents, proceedings and activities and all other matters related to the performance of the Services under this Agreement. Consultant shall retain all financial and program service records and all other records related to the Services and performance of this Agreement for at least three (3) years after expiration, termination or final payment under this Agreement, whichever occurs later. City’s rights under this Section 13.0 shall survive for three (3) years after expiration, termination or final payment under this Agreement, whichever occurs later.

14.0  Safety Requirements

All work performed under this Agreement shall be performed in such a manner as to provide safety to the public and to meet or exceed the safety standards outlined by CAL OSHA. The City may issue restraint or cease and desist orders to
Consultant when unsafe or harmful acts are observed or reported relative to the performance of the Services. Consultant shall maintain the work sites free of hazards to persons and property resulting from its operations. Consultant shall immediately report to the City any hazardous condition noted by Contractor.

15.0 Insurance

15.1. Consultant shall not commence work under this Agreement until it has provided evidence satisfactory to the City that Consultant has secured all insurance required under this Section. Consultant shall furnish the City with original certificates of insurance and endorsements effecting coverage required by this Agreement on forms satisfactory to the City. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf, and shall be on forms provided by the City if requested. All certificates and endorsements shall be received and approved by the City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, at any time.

15.2. Consultant shall, at its expense, procure and maintain for the duration of the Agreement, insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of this Agreement. Insurance is to be placed with insurers with a current A.M. Best's rating no less than A:VIII, licensed to do business in California, and satisfactory to the City. Coverage shall be at least as broad as the latest version of the following: (1) General Liability: Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001); (2) Automobile Liability: Insurance Services Office Business Auto Coverage form number CA 0001, code 1 (any auto); (3) Workers’ Compensation and Employer’s Liability coverages; and (4) if required by the City, Professional Liability coverage (or Errors and Omissions coverage). Consultant shall maintain limits no less than: (1) General Liability: $2,000,000 per occurrence for bodily injury, personal injury and property damage and if Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this Agreement/location or the general aggregate limit shall be twice the required occurrence limit; (2) Automobile Liability: $1,000,000 per accident for bodily injury and property damage; (3) Workers’ Compensation in the amount required by law and Employer’s Liability: $1,000,000 per accident and in the aggregate for bodily injury or disease; and (4) Professional Liability (or Errors and Omissions Liability, as appropriate): $1,000,000 per claim/aggregate, and if a “claims made” policy is provided, then the policy shall be endorsed to provide an extended reporting period of not less than three years.

15.3. The insurance policies shall contain the following provisions, or Consultant shall provide endorsements on forms supplied or approved by the City to state: (1) coverage shall not be suspended, voided, reduced or canceled except after 30 days prior written notice by certified mail, return receipt requested,
has been given to the City; (2) any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to the City, its directors, officials, officers, (3) coverage shall be primary insurance as respects the City, its directors, officials, officers, employees, agents and volunteers, or if excess, shall stand in an unbroken chain of coverage excess of the Consultant's scheduled underlying coverage and that any insurance or self-insurance maintained by the City, its directors, officials, officers, employees, agents and volunteers shall be excess of the Consultant's insurance and shall not be called upon to contribute with it; (4) for general liability insurance, that the City, its directors, officials, officers, employees, agents and volunteers shall be covered as additional insureds with respect to the services or operations performed by or on behalf of the Consultant, including materials, parts or equipment furnished in connection with such work; and (5) for automobile liability, that the City, its directors, officials, officers, employees, agents and volunteers shall be covered as additional insureds with respect to the ownership, operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the Consultant or for which the Consultant is responsible.

15.4. All insurance required by this Section shall contain standard separation of insureds provisions and shall not contain any special limitations on the scope of protection afforded to the City, its directors, officials, officers, employees, agents, and volunteers.

15.5. Any deductibles or self-insured retentions shall be declared to and approved by the City. Consultant guarantees that, at the option of the City, either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its directors, officials, officers, employees, agents, and volunteers; or (2) the Consultant shall procure a bond guaranteeing payment of losses and related investigation costs, claims and administrative and defense expenses.

16.0 Indemnification, Hold Harmless, and Duty to Defend

Consultant and the City agree that the City, its elected officials, officers, attorneys, agents, employees, designated volunteers, successors, assigns and those City agents serving as independent contractors in the role of City officials (collectively “Indemnitees” in this Section 16.0) should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, liability, lawsuit, cost, expense, attorneys’ fees, litigation costs, defense costs, court costs and/or any other cost arising out of or in any way related to the performance of this Agreement except when the results of damages arise from incorrect or incomplete information or direction provided by the City or the entities heretofore listed. Accordingly, the provisions of this indemnity provision are intended by the Parties to be interpreted and construed to provide the fullest protection possible under the law to the City and all other Indemnitees. Consultant acknowledges that the City would not have entered into this Agreement in the absence of the commitment of Consultant to
indemnify and protect the City and the other Indemnitees, as set forth in this Agreement.

16.1. **Indemnity for Professional Services.** To the fullest extent permitted by law, Consultant shall, at its sole cost and expense, defend, indemnify and hold harmless the City, its elected officials, officers, attorneys, agents, employees, designated volunteers, successors, assigns and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees" in this Section 16.0), from and against any and all damages, costs, expenses, liabilities, claims, demands, causes of action, proceedings, judgments, penalties, liens, and losses of any nature whatsoever, including fees of accountants and other professionals, and all costs associated therewith, and reimbursement of attorneys' fees and costs of defense (collectively "Claims"), whether actual, alleged or threatened, which arise out of, pertain to, or relate to, in whole or in part, the negligence, recklessness or willful misconduct of Consultant, and/or its officers, agents, servants, employees, subcontractors, contractors or their officers, agents, servants or employees (or any entity or individual that Consultant shall bear the legal liability thereof) in the performance of professional services under this Agreement except when the results of damages arise from incorrect or incomplete information or direction provided by the City or the entities heretofore listed. Consultant shall defend the Indemnitees in any action or actions filed in connection with any Claims with counsel of the Indemnitees' choice, and shall pay all costs and expenses, including all attorneys' fees and experts' costs actually incurred in connection with such defense. Consultant shall reimburse the Indemnitees for any and all legal expenses and costs incurred by the Indemnitees in connection therewith.

16.2. **Other Indemnitees.** Other than in the performance of professional services, and to the fullest extent permitted by law, Consultant shall, at its sole cost and expense, protect, defend, hold harmless and indemnify the Indemnitees from and against any and all damages, costs, expenses, liabilities, claims, demands, causes of action, proceedings, judgments, penalties, liens and losses of any nature whatsoever, including fees of accountants, attorneys and other professionals, and all costs associated therewith, and the payment of all consequential damages (collectively "Damages"), in law or equity, whether actual, alleged or threatened, which arise out of, pertain to, or relate to the acts or omissions of Consultant, its officers, agents, servants, employees, subcontractors, materialmen, suppliers, or contractors, or their officers, agents, servants or employees (or any entity or individual that Consultant shall bear the legal liability thereof) in the performance of this Agreement, including the Indemnitees' active or passive negligence, except for Damages arising from the sole negligence or willful misconduct of the Indemnitees, as determined by final arbitration or court decision or by the agreement of the Parties. Consultant shall defend the Indemnitees in any action or actions filed in connection with any Damages with counsel of the Indemnitees' choice, and shall pay all costs and expenses, including all attorneys' fees and experts' costs actually incurred in connection with such defense. Consultant shall
reimburse the Indemnitees for any and all legal expenses and costs incurred by the Indemnitees in connection therewith.

16.3. **Subcontractor Indemnification.** Consultant shall obtain executed indemnity agreements with provisions identical to those in this Section 16.0 from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. If Consultant fails to obtain such indemnities, Consultant shall be fully responsible and indemnify, hold harmless and defend the Indemnitees from and against any and all Claims in law or equity, whether actual, alleged or threatened, which arise out of, are claimed to arise out of, pertain to, or relate to the acts or omissions of Consultant’s subcontractor, its officers, agents, servants, employees, subcontractors, materialmen, contractors or their officers, agents, servants or employees (or any entity or individual that Consultant’s subcontractor shall bear the legal liability thereof) in the performance of this Agreement, including the Indemnitees’ active or passive negligence, except for Claims or Damages arising from the sole negligence or willful misconduct of the Indemnitees, as determined by final arbitration or court decision or by the agreement of the Parties.

16.4. The obligations of Consultant under this or any other provision of this Agreement shall not be limited by the provisions of any workers’ compensation act or similar act. Consultant expressly waives any statutory immunity under such statutes or laws as to the Indemnitees. Consultant’s indemnity obligation set forth in this Section 16.0 shall not be limited by the limits of any policies of insurance required or provided by Consultant pursuant to this Agreement.

16.5. Consultant’s covenants under this Section 16.0 shall survive the expiration or termination of this Agreement.

17.0 **Equal Opportunity**

Consultant affirmatively represents that it is an equal opportunity employer. Consultant shall not discriminate against any subcontractor, employee, or applicant for employment because of race, religion, color, national origin, handicap, ancestry, sex, sexual orientation, or age. Such non-discrimination includes, but is not limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff, or termination.

18.0 **Labor Certification**

By its signature hereunder, Consultant certifies that it is aware of the provisions of Section 3700 of the California Labor Code that require every employer to be insured against liability for Workers’ Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.
19.0 Prevailing Wage and Payroll Records

If this Agreement calls for services that, in whole or in part, constitute “public works” as defined in the California Labor Code, then Consultant shall comply in all respects with all applicable provisions of the California Labor Code, including those set forth in Exhibit B, attached hereto and incorporated by reference herein.

20.0 Entire Agreement

This Agreement contains the entire agreement of the Parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings, or agreements. This Agreement may only be modified by a writing signed by both Parties.

21.0 Severability

The invalidity in whole or in part of any provisions of this Agreement shall not void or affect the validity of the other provisions of this Agreement.

22.0 Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of California.

23.0 No Third Party Rights

No third party shall be deemed to have any rights hereunder against either party as a result of this Agreement.

24.0 Waiver

No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a party shall give the other party any contractual rights by custom, estoppel, or otherwise.

25.0 Prohibited Interests; Conflict of Interest

25.1. Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which may be affected by the Services, or which would conflict in any manner with the performance of the Services. Consultant further covenants that, in performance of this Agreement, no person having any such interest shall be employed by it. Furthermore, Consultant shall avoid the appearance of having any interest, which would conflict in any manner with the performance of the Services. Consultant shall not accept any employment or representation during the term of this Agreement which is or may likely make
Consultant "financially interested" (as provided in California Government Code §§ 1090 and 87100) in any decision made by City on any matter in connection with which Consultant has been retained.

25.2. Consultant further warrants and maintains that it has not employed or retained any person or entity, other than a bona fide employee working exclusively for Consultant, to solicit or obtain this Agreement. Nor has Consultant paid or agreed to pay any person or entity, other than a bona fide employee working exclusively for Consultant, any fee, commission, gift, percentage, or any other consideration contingent upon the execution of this Agreement. Upon any breach or violation of this warranty, City shall have the right, at its sole and absolute discretion, to terminate this Agreement without further liability, or to deduct from any sums payable to Consultant hereunder the full amount or value of any such fee, commission, percentage or gift.

25.3. Consultant warrants and maintains that it has no knowledge that any officer or employee of City has any interest, whether contractual, non-contractual, financial, proprietary, or otherwise, in this transaction or in the business of Consultant, and that if any such interest comes to the knowledge of Consultant at any time during the term of this Agreement, Consultant shall immediately make a complete, written disclosure of such interest to City, even if such interest would not be deemed a prohibited "conflict of interest" under applicable laws as described in this subsection.

26.0 Attorneys' Fees

If either party commences an action against the other party, either legal, administrative or otherwise, arising out of or in connection with this Agreement, the prevailing party in such litigation shall be entitled to have and recover from the losing party all of its attorneys' fees and other costs incurred in connection therewith.

27.0 Exhibits

All exhibits referenced in this Agreement are hereby incorporated into the Agreement as if set forth in full herein. In the event of any material discrepancy between the terms of any exhibit so incorporated and the terms of this Agreement, the terms of this Agreement shall control.

28.0 Corporate Authority

The person executing this Agreement on behalf of Consultant warrants that he or she is duly authorized to execute this Agreement on behalf of said party and that by his or her execution, the Consultant is formally bound to the provisions of this Agreement.
IN WITNESS WHEREOF, the Parties hereto, through their respective authorized representatives have executed this Agreement as of the date and year first above written.

CITY OF SEAL BEACH

By: ________________________________
   Jill R. Ingram, City Manager

Attest:

By: ________________________________
   Gloria D. Harper, City Clerk

CONSULTANT: Lisa Wise Consulting, Inc., a California Corporation

By: ________________________________
   Lisa Wise, AICP
   Name: Lisa Wise, AICP
   Its: President and CEO

By: ________________________________
   Henry Pontarelli
   Name: Henry Pontarelli
   Its: Vice President and Secretary

(Please note, two signatures required for corporations pursuant to California Corporations Code Section 313 from each of the following categories: (i) the chairperson of the board, the president or any vice president, and (ii) the secretary, any assistant secretary, the chief financial officer or any assistant treasurer of such corporation.)
LISA WISE CONSULTING, INC.

Founded in 2006, Lisa Wise Consulting, Inc. (LWC) is an urban planning and economics firm that specializes in enabling pedestrian and transit-oriented neighborhoods, revitalizing built environments, and facilitating sustainable, well-designed places to live, work, and recreate. LWC aims to meet and exceed client expectations by integrating community vision, regulatory compliance, and market realities into all projects.

LWC addresses the planning and economic function with a multi-disciplinary team of land use professionals with backgrounds in urban planning, economics, finance, accountancy, and environmental and social science. LWC has a proven track record of providing effective and innovative solutions for public agencies and private developers throughout California and the United States.

LWC is a federally certified woman-owned business (DBE) and a California certified small business (SBE).

FEATURED PROJECTS

CITY OF AUSTIN
- Land Development Code Update
  2013-Present | $3 Million

CITY OF LAS VEGAS
- Downtown Form-Based Code
  2017-Present | $250,000

CITY OF HAYWARD
- Downtown Specific Plan & Development Code
  2016-Present | $1.1 Million

CITY OF SAN LUIS OBISPO
- Economic Development Strategic Plan
  2012-2014 | $49,000

CORE CAPABILITIES

- Zoning Ordinances
- Land Development Codes
- Form-Based Codes
- Specific Plans
- Development Strategies
- Economic & Market Analyses
- Financial Feasibility Studies
- Public Engagement
- Housing Elements
- Affordable Housing Policy
CALEIFORNIA
City of Arroyo Grande
City of Atascadero
City of Benicia
City of Beaumont
City of Burbank
City of Calipatria
City of Chino
City of Compton
City of El Monte
City of Eureka
City of Fontana
City of Goleta
City of Grover Beach
City of Hayward
City of Hermosa Beach
City of King
City of Kingsburg
City of Livermore
City of Lompoc
City of Long Beach
City of Loomis
City of Los Angeles
City of Malibu
Town of Mammoth Lakes
City of Menlo Park
City of Merced
City of Monterey
City of Moraga
City of Morgan Hill
City of Morro Bay
City of Newark
City of Ojai
City of Orange
City of Pacific Grove
City of Pasadena
City of Petaluma
City of Pismo Beach
City of Pomona
City of Rancho Cucamonga
City of Rohnert Park
City of Richmond
City of San Luis Obispo
City of San Pablo
City of Sausalito
City of Soledad
City of Soledad
City of Vallejo
City of Tehachapi
City of Tulare
Alameda County
Marin County
Monterey County
San Luis Obispo County
San Luis Obispo Council of Governments
San Mateo County Harbor District
Santa Barbara County Association of Governments
Port District of San Diego
Port of Long Beach
Port of Los Angeles
Port San Luis Harbor District

OFFICES

SAN LUIS OBISPO
983 OSOS STREET
SAN LUIS OBISPO, CA 93401

SAN FRANCISCO
58 MAIDEN LANE, 3RD FLOOR
SAN FRANCISCO, CA 94108

LOS ANGELES
706 SOUTH HILL STREET, #1100
LOS ANGELES, CA 90014

(805) 595-1345
www.lisawiseconsulting.com
LWC is a national expert in zoning ordinance and development code updates, audits and strategies. Our 14-year code resume includes over 65 successful code-related projects with 120 jurisdictions. We are committed to working closely with communities to:

- Establish a vision
- Assess current zoning and land use regulations
- Investigate development patterns, typologies
- Streamline, modernize, and objectify
- Collaborate on drafts, edits, final presentations
- Facilitate code training

LWC’s code update philosophy emphasizes ease of use, consistency, clarity and the accommodation of modern land uses. Our codes prioritize attractive graphics, diagrams, and web-interfacing capabilities. Our comprehensive approach assures compliance with federal, state, and local policies and implementing the community vision.

LWC has developed zoning codes for fast-growing cities focused their downtown core, communities hoping to preserve traditional uses and neighborhoods, and communities focused on development of key nodes and corridors, as well as places where the primary goal is to incorporate modern uses. Our work has won awards from the American Planning Association, Congress for New Urbanism, and Form-Based Code Institute.

### Relevant Code Projects

- **Austin, TX**, Land Development Code Update
- **Beaumont, CA**, Zoning Code Update
- **Benicia, CA**, Mixed-Use Development Standards Ordinance
- **Calipatria, CA**, Zoning Code Update
- **Fargo, ND**, Land Development Code Diagnostic
- **Flagstaff, AZ**, Zoning Ordinance Update
- **Goleta, CA**, New Zoning Ordinance and Coastal Implementation Plan
- **Grover Beach, CA**, Development Code Update
- **Henderson, NV**, Development Code Update
- **Indio, CA**, Zoning Code Update
- **Kingsburg, CA**, Development Code Update
- **Kingman, AZ**, Zoning Ordinance Update
- **Las Vegas, NV**, Downtown Form-Based Code
- **Livermore, CA**, Development Code Update and Form Based Code
- **Lompoc, CA**, Zoning Ordinance Update
- **Long Beach, CA**, Zoning Code Audit
- **Malibu, CA**, Zoning Code Update
- **Marin County, CA**, Development Code Amendments
- **Morro Bay, CA**, Comprehensive Zoning Code and Coastal Implementation Plan Update
- **Newark, CA**, Comprehensive Zoning Ordinance Update
- **Oklahoma City, OK**, Land Development Code Update
- **Pacific Grove, CA**, Zoning Ordinance Update
- **Rancho Cucamonga, CA**, Zoning Code Update, General Plan Implementation
- **San Carlos, CA**, Strategic Zoning Ordinance
- **South San Francisco, CA**, Form-Based Code Update
- **St. Helena, CA**, Zoning Code Update
- **Tehachapi, CA**, Zoning Code Update
- **Tiburon, CA**, Zoning Ordinance Update
- **Vacaville, CA**, Land Use and Development Code Audit and Update
- **Vallejo, CA**, Zoning Ordinance Update
- **West Sacramento, CA**, Zoning Modernization
- **Westerville, OH**, Zoning Ordinance Update
- **Woodland, CA**, Comprehensive Zoning Code Update
LWC is a national leader in preparing form-based codes. Our resume includes successful projects in the cities of Austin, Las Vegas, Livermore, Fargo, and Flagstaff as well as a form-based code framework for the City of Riyadh, capital city in Saudi Arabia (pop. 7 million). By using physical form rather than separation of uses as the organizing principle, a form-based code can protect traditional, historic neighborhoods, uses and districts, and direct the type and placement of development consistent with community vision.

LWC has also successfully prepared form-based codes to implement downtown specific plans, TOD and corridor plans. We understand the unique needs of downtown and mixed use areas, and how to apply form-based regulations to achieve vibrant, walkable, well-designed places and leverage infill opportunities.

LWC’s approach is based on an understanding the community vision and where appropriate, applying a mix of form based and traditional elements (hybrid code) to assure the code is contextual, implementable and embraced by the community.

From 2015-2018, LWC President Lisa Wise served as chair of the Form-Based Codes Institute (FBCI), a non-profit organization that advances the knowledge and application of, and development standards for form-based codes. Lisa and LWC Director Roger Eastman are certified instructors of the FBCI training courses, Form Based Code 101, 201 and 301.
City of Seal Beach Zoning Amendments: Scope, Budget and Schedule

Prepared by Lisa Wise Consulting, Inc. (LWC)
February 21 2022- Revised March 9, 2022

This Scope, Budget, and Schedule prepared for the City of Seal Beach ("City") describes a work plan for preparation and adoption of zoning amendments required by State law to fully implement of the City’s 6th Cycle Housing Element. The Scope describes the work plan by task and includes associated meetings and deliverables. All meetings are assumed to be conducted online via a videoconferencing platform, unless otherwise noted. The Budget provides details on a total fee of $119,110 excluding optional tasks. The Schedule describes the timing of each task, including meetings, and deliverables for project completion in October 2022.

SCOPE

Task 1: Project Initiation and Analysis

A. Project Initiation Meeting and City Tour. LWC will meet with City staff to discuss the goals and priorities for the Zoning Amendments Project ("Project"), review the public outreach process, finalize the work program, timeline and milestones, and clarify roles and responsibilities. Following the meeting, City staff will lead the team on a virtual tour of the City to evaluate existing conditions, such as the locations, intensity, forms and uses of existing development, and neighborhood and corridor character resulting from current development regulations, noting opportunity areas for residential and mixed-use development.

B. Technical Analysis, Site Analysis, and Evaluation. LWC will submit a data request to the City for background material related to the Code update, including projects in the “pipeline”, recent development projects and proposals. LWC will work closely with the City to identify the highest priority issues with the existing Code. LWC will then conduct a technical analysis and evaluation of applicable ordinances, plans, and policy documents with a particular focus on the City’s opportunity areas and potential building types.

C. Zoning Code Update Recommendations Memo. Based on the technical analyses, City staff comments, and feedback from stakeholders, LWC will prepare a Zoning Code

983 OSOS STREET, SAN LUIS OBISPO, CA 93401 | (805) 595 1345 | LISAWISECONSULTING.COM | 1
Update Recommendations Memo. The Memo will highlight General Plan and Housing Element policy direction, assess the strengths and areas in need of attention of the existing Code, and present recommendations for the content and organization of Zoning Amendments.

### DELIVERABLES

**Task 1 Meetings**
- Project Initiation Meeting

**Task 1 Products**
- Zoning Code Update Recommendations Memo (PDF)

### Task 2: Public Outreach

**A. Public Outreach Program.** LWC will work with City staff to formulate a Public Outreach Program for the Zoning Code Update using interviews, a workshop, study sessions, surveys and/or a dedicated project page on the City website. The Public Outreach Program will outline goals, methods, and a schedule for outreach events to encourage the community to share feedback, collaborate, and comment on the Zoning Code Amendments.

**B. Stakeholder Interviews.** LWC will conduct up to 4 one-on-one or small group (up to three individuals) interviews with community members who have experience in the Seal Beach development industry, City decision-makers, and/or individuals with experience using the Zoning Code. It is anticipated that these meeting will be held remotely via teleconference. Interviews are intended to provide a confidential setting for interviewees to provide information and perspectives on major issues of concern, deal-breakers, opportunities, desires, and political factors that impact development in the City. Interviewees may include but are not limited to community members, property owners, designers, architects, developers, special interest groups and City officials.

LWC will draft questions in coordination with City staff and will provide reference materials for use during the interviews. Following the interviews, LWC will prepare a comprehensive summary of the feedback received.

**C. Planning Commission Study Session.** LWC will participate in a study session with the Planning Commission to introduce the project and gather direction on key issues and priorities. The session will include a presentation and question-and-answer discussion components. Input gathered will guide LWC in the preparation of the Admin Draft Zoning Amendments (Task 3). This task may also take the form of a Joint Planning Commission/City Council Study Session. This meeting is assumed to be conducted in-person meetings pending County health guidelines.
D. Community Workshop. Following the release of the Public Review Draft (see Task 4), LWC will lead a Community Workshop to present draft amendments, discuss key changes, and gather input and feedback from the community. The workshop will include a presentation followed by interactive activities designed to engage the community and solicit input on potential changes to the code. Activities may include live surveys, small-group breakout discussions, tabletop sketching activities, and/or “post-it” note activities. This workshop is expected to be held in-person, pending County health guidelines.

E. Airport Land Use Commission Working with the City of Seal Beach, LWC will prepare and present zoning options to the Orange County Airport Land Use Commission (ALUC) with the intent of receiving input on their requirements and objectives as it relates to potential modifications of the zoning code required to implement the City's housing element. This task will include one presentation of zoning concepts to the commission as an agenda item at a regular public meeting. Additional meetings, if required, can be arranged for on a time and materials basis.

It may be necessary to consult with the ALCU out of sequence with the rest of the outreach program due to their availability.

F. Website Materials. Throughout the project, LWC will work closely with the City staff to provide pertinent project material for a web page that will be hosted on the Planning Department's website. Material may include reports, memos, photographs, maps, diagrams, and other information on the project. The webpage provides a record of the process, with meeting dates, agendas, and meeting notes in a central, accessible location. The City will be responsible for hosting, managing, and uploading material to the project Web page.

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<thead>
<tr>
<th>Task 2 Meetings</th>
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<tr>
<td>• Stakeholder Interviews</td>
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<td>• PC Study Session Materials</td>
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<tr>
<td>• Community Workshop</td>
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<td>• Airport Land Use Commission</td>
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<tr>
<th>Task 2 Products</th>
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<tbody>
<tr>
<td>• Public Outreach Program</td>
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<tr>
<td>• Survey instrument for personal interviews and/or online survey</td>
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<tr>
<td>• Stakeholder Interviews Summary</td>
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<tr>
<td>• PC Study Session Materials</td>
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<td>• Community Meeting Materials</td>
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<td>• Airport Land Use Commission Materials</td>
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<td>• Website Materials</td>
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TASK 3: Administrative Draft Zoning Code

A. **Working Meetings with City Staff.** LWC will participate in up to three 1-hour working meetings by teleconference with City staff during the development of the Administrative Draft Zoning Amendments. Topics will be determined in coordination with Staff. LWC will provide a summary memo for each meeting.

B. **Administrative Draft Zoning Amendments.** LWC will prepare draft Zoning Amendments required for implementation of the 2021 Seal Beach Housing Element. While the scope and nature of the amendments will be determined through Tasks 1 and Task 2, LWC anticipates this task will include the following:

- **A New Residential Mixed-Use Zone LC-RHD.** LWC will develop a use table and development standards for a new residential mixed-use district that allows an appropriate range of non-residential uses as well as up to at least 40 dwelling units per acre. This zone will ensure that the buildout described by the Housing Element Site Inventory is supported in the Zoning Code. This zone will be added to Chapter 11.2.10. LWC anticipates that it may be necessary to include sub-areas or additional zones. This scope of services includes of three sets of development standards. Additional zones can be authorized by the City on a time and materials basis.

- **Supplemental Design Standards for Multi-Family and Mixed-Use Development.** LWC will update and expand upon the supplemental design standards for all residential mixed-use districts in the City, including the existing RDH-46 district and the new LC-RHD district. The supplemental design standards will draw from community input, the design standards of RDH-46 and the design standards of LC-RHD as appropriate. The revised standards will complement the development regulations of the base district and furthermore address the following:
  
  o **Building massing and scale.** Topics may include building type/configuration, building placement at front setback, upper story step-backs, plate heights, and roof form, and adjacencies to lower-intensity districts.
  
  o **Building design.** Topics may include façade articulation, privacy standards, building transparency, entry design, ground floor finish floor elevation and height, corner treatment, window placement and design, Universal Design, and sustainable building design measures.
  
  o **Site design.** Topics may include building orientation and access, parking access and design, landscaping, and sustainable site design measures.
These standards will satisfy the State’s requirements for Objective Design Standards in accordance with SB330. The material will be added or integrated into Chapter 11.2.10 as determined in coordination with City Staff. LWC will also identify changes elsewhere in the zoning code that may need to be addressed for consistency.

**Task 3 Meetings**
- Working Meetings with City Staff (3), summary memos

**Task 3 Products**
- Administrative Draft Zoning Amendments

**TASK 4: Public Review Draft Zoning Amendment**


**Task 4 Products**
- Public Review Draft (Word and PDF)

**TASK 5: Review and Adoption**

**A. Planning Commission Hearing (1).** LWC will prepare materials/presentations for, and present at a Planning Commission hearings to support adoption of the Zoning Code Amendments. LWC will note commission comments. This presentation will take place in person, pending County health guidelines

**B. City Council Hearing (1).** LWC will prepare materials/presentations for, and present at a City Council hearing to support adoption of the Zoning Code Amendments. This presentation will take place in person, pending County health guidelines
C. **Final Zoning Amendments.** Based on the City Council’s final decision/adoption of the Zoning Code and final text changes provided by City staff, LWC will prepare the final Zoning Code Amendments. The document will be produced in MS Word and PDF format and will be made accessible and interactive through online publishing.

**Task 6 Meetings**
- Planning Commission Hearing (1)
- City Council Hearing (1)

**Task 6 Products**
- Hearing Draft Zoning Amendments (Word and PDF)
- Final Draft Zoning Amendments (Word and PDF), and erratum
- Final Zoning Amendments (Word and PDF)

**TASK 6: CEQA Support**

A. **CEQA Support**  LWC will work with the city and its selected consultants to resolve issues related to the requirements of the California Environmental Quality Act (CEQA). It is expected that this project will require LWC to prepare estimates of development capacity and potential unit count associated with the zoning program. LWC will supply support as needed as the City moves to certify a negative declaration (ND) or mitigated negative declaration (MND) for the project.

**Task 7: Optional Tasks**

B. **Community Survey.** LWC will prepare an online community survey to gather ideas and concerns related to new multi-family residential and mixed-use development in Seal Beach. The survey will be designed in collaboration with the City staff and is anticipated to do the following:

a. **Address neighborhood character and scale.** The survey will inform the community of the issues at hand, question the community on the range and locations of non-residential uses, and explore options for building location and design.

b. **Address approaches to regulating design.** Survey questions will focus on whether and how specific design elements should be regulated. Questions will isolate individual design elements (e.g., roof design, frontage design, parking) to show the community the many factors that contribute to building design and neighborhood compatibility.
c. **Best practices in human informant research.** All participants will be assured that no personally identifiable information will be included in reports, communications or memos, that participation is completely voluntary and that the survey is kept brief and concise (avoiding compound questions) so participants’ time commitment is respected.

C. **Conceptual Site Plans and Buildout.** LWC will prepare conceptual site plan for opportunity sites identified in the Housing Element. The site plans will aid the City staff in visualizing a potential development scenario that complies with all applicable development standards. For each development site, LWC will prepare a site plan, a 3D massing model of the conceptual development plan, and a corresponding buildout table.

D. **Zoning Map.** LWC will update the citywide Zoning map to identify the location of the new zones. The Zoning Map will be based on the most current GIS files to be provided by staff, LWC will also participate in calls (up to 6) with the City staff to discuss map edits. The final map will be provided to City staff in an ESRI GIS format. LWC assumes that the most recent parcel GIS files available will be sufficient and accurate (i.e., include current parcel boundaries, zoning, land use designations, etc. in a compatible ESRI GIS format).
LWC proposes to complete the scope of services described above in a seven (7) month time frame with delivery of the public review of draft zoning amendments (Task 4) in September 2022. This schedule allows for adoption of the revised zoning standards (Task 5) in October 2022. Fees for professional service hours are detailed on the table below.

The fees include in person meetings as specified in the scope of services, subject to County heath guidelines.

<table>
<thead>
<tr>
<th>City of Seal Beach Zoning Amendments</th>
<th>Lisa Wise Consulting, Inc.</th>
<th>Meetings and Presentations</th>
<th>Total</th>
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<tbody>
<tr>
<td></td>
<td>Principal</td>
<td>Director</td>
<td>Senior</td>
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<tr>
<td>Task 1: Project Initiation and Analysis</td>
<td>$285</td>
<td>$245</td>
<td>$195</td>
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<td>Task 2: Public Outreach</td>
<td>$2,850</td>
<td>$3,920</td>
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<td>Task 3: Administrative Draft Zoning Amendments</td>
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<td>Task 4: Public Review Draft Zoning Amendments</td>
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<td>Task 5: Review and Adoption</td>
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<td>$1,960</td>
<td>$4,680</td>
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<td>Task 6: CEQA Coordination</td>
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<td>64</td>
<td>$17,640</td>
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<td>$21,140</td>
<td>188</td>
<td>$38,220</td>
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|                                     | $131,110     | 119,110      | 983 OSOS STREET, SAN LUIS OBISPO, CA 93401 | (805) 595 1345 | LISAWISECONSULTING.COM | 8
## SCHEDULE

<table>
<thead>
<tr>
<th>2022</th>
<th>MARCH</th>
<th>APRIL</th>
<th>MAY</th>
<th>JUNE</th>
<th>JULY</th>
<th>AUGUST</th>
<th>SEPT</th>
<th>OCT</th>
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<td>Stakeholder Interviews</td>
<td>PC Study Session</td>
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<td><strong>Task 3: Admin Draft Zoning Amendments</strong></td>
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<td><strong>Task 5: Adoption and Final Amendments</strong></td>
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- **Products**
- **Meeting**
- **Community Workshop**
- **Hearing**
AGENDA STAFF REPORT

DATE: April 11, 2022
TO: Honorable Mayor and City Council
THRU: Jill R. Ingram, City Manager
FROM: Steve Myrter, P.E., Director of Public Works
SUBJECT: West Orange County Water Board Fiscal Year 2022-2023 Operating Budget

SUMMARY OF REQUEST:

That the City Council adopt Resolution 7270 approving the Fiscal Year 2022-2023 budget of the West Orange County Water Board (WOCWB).

BACKGROUND AND ANALYSIS:

The WOCWB is a Joint Powers Authority comprised of the cities of Garden Grove, Seal Beach, Huntington Beach, and Westminster who own and operate the OC-9 and OC-35 pipelines for the purpose of purchasing imported water from the Municipal Water District of Orange County (MWDOC) and transporting it to the WOCWB cities. The WOCWB is governed by five elected officials from each of the Joint Powers cities. Council Member Schelly Sustarsic represents the City of Seal Beach.

All of the member cities including Seal Beach save funds through joint ownership of WOCWB’s pipeline conveyance system. Seal Beach owns 14.3 percent of this system. The total WOCWB budget for the coming fiscal year is $1,627,000 which is comprised of $1,102,000 for the Cathodic Protection project including the annual operating budget and $525,000 in debt service for the OC-35 realignment project reimbursement agreement with OCTA. The City of Seal Beach’s net share is $264,214.

The WOCWB reviewed the proposed budget at their January 19, 2022 quarterly board meeting and approved a motion to recommend approval of each member agency’s proportionate share at their next respective City Council meetings.

ENVIRONMENTAL IMPACT:

This item is not subject to the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) of the state CEQA Guidelines because it can be seen with
certainty that approval of the WOCWB’s Fiscal Year 2022-2023 budget will not have a significant effect on the environment.

**LEGAL ANALYSIS:**

The City Attorney has reviewed the resolution and approved as to form.

**FINANCIAL IMPACT:**

This is a routine annual expense of the water utility and will be budgeted to the FY2022-23 Water Operating Budget. There is no General Fund impact.

**STRATEGIC PLAN:**

This item is not applicable to the Strategic Plan.

**MEASURE BB:**

This item is not applicable to Measure BB, the Seal Beach Neighborhood and Essential Services Protection Measure.

**RECOMMENDATION:**

That the City Council adopt Resolution 7270 approving the Fiscal Year 2022-2023 budget of the West Orange County Water Board.

SUBMITTED BY: 
Steve Myrter, P.E., Director of Public Works

NOTED AND APPROVED: 
Jill R. Ingram, City Manager

**ATTACHMENTS:**

A. Resolution 7270
B. West Orange County Water Board – Proposed Fiscal Year 2022/23 Budget
C. Fiscal Year 2022/23 Proposed Budget Agency Contributions
RESOLUTION 7270

A RESOLUTION OF THE SEAL BEACH CITY COUNCIL
APPROVING THE WEST ORANGE COUNTY WATER BOARD
FISCAL YEAR 2022-23 OPERATING BUDGET

THE SEAL BEACH CITY COUNCIL DOES HEREBY RESOLVE:

SECTION 1. The City Council hereby approves the proposed budget of the West Orange County Water Board for Fiscal Year 2022-23. The total operating expenses for the Board are $1,627,000. Seal Beach’s net share of the amount is $264,214.

PASSED, APPROVED and ADOPTED by the Seal Beach City Council at a regular meeting held on the 11th day of April, 2022 by the following vote:

AYES: Council Members ________________________________

NOES: Council Members ________________________________

ABSENT: Council Members ________________________________

ABSTAIN: Council Members ________________________________

______________________________
Joe Kalmick, Mayor

ATTEST:

______________________________
Gloria D. Harper, City Clerk
I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing resolution is the original copy of Resolution 7270 on file in the office of the City Clerk, passed, approved, and adopted by the City Council at a regular meeting held on the 11th day of April, 2022.

Gloria D. Harper, City Clerk
# ATTACHMENT B

WEST ORANGE COUNTY WATER BOARD
PROPOSED FISCAL YEAR 2022/23 BUDGET

<table>
<thead>
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<th>ACCOUNT NUMBER</th>
<th>ACCOUNT DESCRIPTION</th>
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<td>50885101.82100</td>
<td>Cathodic Protection</td>
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**OPERATING EXPENSES**

$1,124,000 $1,102,000

**NON OPERATING EXPENDITURES**

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<th>ACCOUNT NUMBER</th>
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<td>50885102.88010</td>
<td>Debt Service*</td>
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**TOTAL**

$1,649,000 $1,627,000

*Cities of Huntington Beach and Seal Beach for OC-35 realignment project loan

January 10, 2022
# ATTACHMENT C

## FISCAL YEAR 2022/23 PROPOSED BUDGET

### AGENCY CONTRIBUTIONS

**Operating Budget (Including Cathodic Protection)**

<table>
<thead>
<tr>
<th>ACCOUNT NUMBER</th>
<th>AGENCY</th>
<th>OWNERSHIP PERCENTAGE</th>
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**Fourth Year OC-35 Relocation Project Loan Payment**

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<thead>
<tr>
<th>ACCOUNT NUMBER</th>
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<th>OWNERSHIP PERCENTAGE</th>
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<tr>
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<td><strong>Totals</strong></td>
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<td><strong>$525,000</strong></td>
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*Garden Grove and Westminster have paid off their portions of the loan*

**Total Adopted Budget**

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<thead>
<tr>
<th>ACCOUNT NUMBER</th>
<th>AGENCY</th>
<th>OWNERSHIP PERCENTAGE</th>
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<td>50800508.46620</td>
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<td>$46,284</td>
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<td>Seal Beach</td>
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<td>$264,214</td>
</tr>
<tr>
<td>50800508.46640</td>
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<tr>
<td><strong>Total Budget</strong></td>
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<td><strong>$1,627,000</strong></td>
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January 10, 2022
AGENDA STAFF REPORT

DATE: April 11, 2022

TO: Honorable Mayor and City Council

THRU: Jill R. Ingram, City Manager

FROM: Alexa Smittle, Director of Community Development

SUBJECT: Approval of Memorandum of Understanding Between the City of Seal Beach and the Seal Beach Pickleball Association

__________________________________________________________________________________________

SUMMARY OF REQUEST:

That the City Council adopt Resolution 7271:

1. Approving a Memorandum of Understanding (MOU) between the City of Seal Beach and the Seal Beach Pickleball Association (SBPA); and,

2. Authorizing the City Manager to execute the MOU, make minor technical adjustments as needed, and extend the MOU on an annual basis up to three times.

BACKGROUND AND ANALYSIS:

The City of Seal Beach owns and operates the Seal Beach Tennis and Pickleball Center (SBTPC) located at 3900 Lampson Avenue. The SBTPC currently consists of 12 tennis courts, 17 pickleball courts, a club house, activity room, and locker room. The facility is primarily used for drop-in tennis or pickleball play, either on a per diem or membership basis, but also offers multiple programs including lessons, camps, tournaments, and round robins.

While the site was initially dedicated entirely to tennis, pickleball has increased in popularity, leading to the permanent conversion of some courts. Over the past two years, pickleball players have become one of the largest user groups of the facility. There are roughly 180 dues-paying pickleball members, and staff estimates several thousand additional players use the facility on a drop-in basis. As pickleball has grown at the facility, the need to program and provide service has also increased. To help facilitate this growth, staff proposes a partnership with a new non-profit organization that is made up of local pickleball players who frequent and enjoy the facility.

The Seal Beach Pickleball Association (SBPA) is a non-profit public benefit corporation consisting of volunteer members who are dedicated to promoting the
growth of pickleball at SBTPC. Staff proposes that the City enter into a MOU with SBPA to set terms and understanding between the City and SBPA for the coordination and promotion of pickleball activities. This MOU will provide both the City and SBPA with clearly defined roles so that both parties can focus on providing services to improve the facility.

Key provisions of the MOU include that the City will designate SBPA as the primary non-City entity to coordinate and promote pickleball at the SBTPC, and make space available for SBPA to market their activities and sell SBPA merchandise. The SBPA will promote the sport of pickleball in Seal Beach through organized events and activities. The SBPA will pay normal court and facility reservation fees to the City, and may charge participation fees for events and activities. The SBPA will also be able to display marketing materials of event sponsors on the date of events. Ten percent of SBPA net profits will be shared with the City. Ultimately, the goal of the MOU is to increase recreational opportunities for residents, while generating revenue that can be used to improve the SBTPC. The MOU is for a one-year term, with the opportunity to extend it as mutually agreed upon.

ENVIRONMENTAL IMPACT:

There is no environmental impact related to this item.

LEGAL ANALYSIS:

The City Attorney has reviewed and approved as to form.

FINANCIAL IMPACT:

Pursuant to the MOU, the City will receive 10 percent of net profits generated by the SBPA at the SBTPC. Revenues from pro-shop sales will be used to offset staffing resources, while profit sharing associated with other events will be placed in a special fund for the betterment of the SBTPC.

RECOMMENDATION:

That the City Council adopt Resolution 7271:

1. Approving a Memorandum of Understanding (MOU) between the City of Seal Beach and the Seal Beach Pickleball Association (SBPA); and,

2. Authorizing the City Manager to execute the MOU, make minor technical adjustments as needed, and extend the MOU on an annual basis up to three times.
SUBMITTED BY:

Alexa Smittle
Alexa Smittle, Community Development Director

Prepared by: Tim Kelsey, Recreation Manager

ATTACHMENTS:

A. Resolution 7271
B. Memorandum of Understanding
RESOLUTION 7271

A RESOLUTION OF THE SEAL BEACH CITY COUNCIL APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SEAL BEACH AND THE SEAL BEACH PICKLEBALL ASSOCIATION

WHEREAS, The City of Seal Beach is the owner and operator of the Seal Beach Tennis and Pickleball Center (SBTPC) which provides recreational opportunities to the community, focused on tennis and pickleball; and,

WHEREAS, pickleball membership has dramatically increased at the SBTPC over the last two years; and,

WHEREAS, the City Council desires to increase pickleball programming at the SBTPC for the benefit of the community; and,

WHEREAS, the Seal Beach Pickleball Association is non-profit California corporation; and,

WHEREAS, the Seal Beach Pickleball Association desires to coordinate and oversee quality pickleball events at the SBTPC; and,

WHEREAS, the Memorandum of Understanding specifies the terms under which the City will delegate certain functions and responsibilities to Seal Beach Pickleball Association for the coordination and promotion of pickleball activities at the SBTPC.

THE SEAL BEACH CITY COUNCIL DOES HEREBY RESOLVE:

Section 1. The City Council hereby approves the Memorandum of Understanding between the City of Seal Beach and the Seal Beach Pickleball Association.

Section 2. The City Council hereby authorizes and directs the City Manager to execute the Memorandum of Understanding on behalf of the City and, in her discretion, to extend the MOU annually not more than three (3) times.
PASSED, APPROVED AND ADOPTED by the Seal Beach City Council at a regular meeting held on the 11th day of April, 2022 by the following vote:

AYES: Council Members______________________________
NOES: Council Members______________________________
ABSENT: Council Members____________________________
ABSTAIN: Council Members____________________________

______________________________
Joe Kalmick, Mayor

ATTEST:

______________________________
Gloria D. Harper, City Clerk

STATE OF CALIFORNIA   }
COUNTY OF ORANGE      }   SS
CITY OF SEAL BEACH    }

I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing resolution is the original copy of Resolution 7271 on file in the office of the City Clerk, passed, approved, and adopted by the City Council at a regular meeting held on the 11th day of April, 2022.

______________________________
Gloria D. Harper, City Clerk
MEMORANDUM OF UNDERSTANDING

between

City of Seal Beach
A Charter City

&

Seal Beach Pickleball Association
A Non-Profit California Corporation

April 11, 2022

This Memorandum of Understanding (MOU) sets the terms and understanding between the City of Seal Beach (City) and Seal Beach Pickleball Association (SBPA) for the coordination and promotion of Pickleball activities at the Seal Beach Tennis and Pickleball Center (SBTPC).
BACKGROUND

City owns SBTPC as a public facility. SBPA is a non-profit, public benefit corporation formed to promote the game of Pickleball in the City of Seal Beach, among other purposes.

TERM

The term of this MOU shall be for one (1) calendar year following the date it is executed by the latest-signing party. The City and SBPA may mutually agree to extend the term in writing, executed by duly-authorized representatives. Either party may terminate this MOU, with or without cause, by giving the other party thirty (30) days' written notice of such termination.

PURPOSE

The purpose of this MOU is to specify the terms under which the City will delegate certain functions and responsibilities to SBPA for the coordination and promotion of Pickleball activities at the SBTPC.

RESPONSIBILITIES

To fulfill the purpose of this MOU, the City and SBPA hereby agree as follows:

CITY AGREES:

1. That SBPA is hereby designated as the primary non-City entity to coordinate and promote Pickleball activities at the SBTPC. Notwithstanding this designation, the City shall retain the right to work with other organizations including, without limitation:
   a. Local elementary, middle, and high schools in any capacity;
   b. Business and community groups holding private Pickleball events where members of the public at large are not invited to participate; and
   c. State and national Pickleball organizations, where the public may be invited to participate in programmed Pickleball events at the SBTPC.

2. City shall continue to own, maintain, and manage normal operations of the SBTPC at City's expense.
3. City shall designate a staff contact to work with SBPA and participate in meetings with SBPA at least quarterly.

4. City shall establish all facility and use rules for SBTPC.

5. City shall work with SBPA to establish hours for member and open play and such other use rules as may be necessary to coordinate and promote Pickleball activities.

6. City shall consider posting informational updates related to Pickleball activities to the City’s SBTPC website, based on content supplied by SBPA, although such postings shall be at the sole discretion of the City.

7. City shall make space available for SBPA to display non-commercial marketing materials such as membership or tournament information, as well as merchandise for sale (shirts, hats, or similar SBPA-branded items) at SBTPC in a location designated by City.

8. City shall allow third-party commercial advertising displays related to SBPA events during the day or days of the event, in locations approved by the City. Displays must be temporary in nature, such as banners, feather flags, or similar. Advertising displays shall be “family-friendly” in nature, and the City reserves all rights to require advertising to be removed if deemed inappropriate. SBPA shall be responsible for removal of any commercial advertising displays at the conclusion of an event.

9. City shall consider SBPA requests for support, on site building or court maintenance, or similar expenditures of funds related to the SBTPC, but shall not be required to approve any such requests. City shall not compensate SBPA or be responsible for any expense incurred by SBPA in performance of its obligations under this MOU, unless City’s authorized representative expressly agrees to incur such expense in advance.

10. City shall use the revenue it earns from SBPA activities related to events, including food and beverage sales, event registration fees, or similar revenues under this MOU for the betterment of the SBTPC.

11. City shall use the revenue it earns from the sale of merchandise in the Professional Shop to offset the cost of staff time and processing costs at the City’s discretion.

12. City shall provide the additional staff City deems necessary for SBPA events that are expected to draw the participation of 100 or more people, provided SBPA notifies City at least thirty (30) days in advance of any such advance and provides such operational detail as the City requires.
SBPA AGREES:

1. To accept the designation as the primary non-City entity to coordinate and promote Pickleball activities at the SBTPC. Notwithstanding this designation, the City shall retain the right to work with other organizations including, without limitation:
   a. Local elementary, middle, and high schools in any capacity;
   b. Business and community groups holding private Pickleball events where members of the public at large are not invited to participate; and
   c. State and national Pickleball organizations, where the public may be invited to participate in programmed Pickleball events at the SBTPC.

2. To manage court reservations during hours designated (with City approval) to promote and coordinate Pickleball activities such as League play, tournaments, skills clinics, and other events, and to manage activities at SBTPC recognizing that it is a public facility.

3. To designate a member to work with the City and participate in meetings with the City at least quarterly.

4. To not exclude non-members of SBPA from open play or open events.

5. To promote the sport of Pickleball in Seal Beach through events, social media and other communications, and such other activities as SBPA deems appropriate. SBPA shall not promote events at SBTPC that have not been previously scheduled with City.

6. SBPA shall not charge fees for normal use of SBTPC, unless approved in advance by City.

7. SBPA may charge fees for SBPA-organized tournaments and organized event participation.

8. SBPA shall provide not less than thirty (30) days’ notice to City of all scheduled organized events. For events expected to draw the participation of 100 or more people, SBPA shall provide to City with its notification a written event plan that includes the details requested by City staff including, without limitation, expected attendance and available volunteer staffing. City shall have the sole discretion to approve or deny such events, based on the event plan.

9. SBPA shall pay City's cost of assigning additional staffing to events expected to draw the participation of 100 or more people. Staffing requirements shall be at the sole discretion of the City.

10. SBPA shall pay to the City all fees for use of courts and other facilities such as the club house or activity room for SBPA events.

11. SBPA may offer food and beverage, including licensed alcoholic beverages, for sale during events if a part of the approved event plan. SBPA shall
obtain at its expense all necessary permits for food or alcohol sales or any other proposed use, as required by applicable law. SBPA shall provide proof of all applicable permits to City prior to the event.

12. SBPA shall train its volunteers in the rules of SBPTC, Pickleball, and effective management techniques, and shall ensure that all volunteers, players, and spectators follow such rules and applicable laws.

13. SBPA shall report to City in writing, at least annually, on SBPA’s activities and accomplishments under this MOU and provide to City a copy of SBPA’s annual tax return timely filed with the State of California.

14. SBPA shall indemnify and defend the City, its officers, agents and employees, for any cost or damage arising out of the negligent acts or omissions or intentional misconduct of SBPA, its employees, agents, or volunteers.

15. SBPA shall maintain in full force and effect throughout the term of this MOU a policy of commercial general insurance acceptable to the City's Risk Manager with a policy limit of at least $1,000,000 per occurrence that names the City, its officers, agents, employees, and volunteers, as additional named insured. SBPA shall obtain such insurance policy from a carrier admitted to do business in the State of California with a current AM Best rating of A:VII or better.

16. SBPA shall pay to the City, not less than quarterly, ten percent (10%) of the net proceeds of SBPA’s merchandise sales, food and beverage sales, and event revenue from its activities at the SBTPC.

17. SBPA shall maintain its status as a non-profit public benefit corporation in full effect throughout the term of this MOU, and shall use the revenue it generates pursuant to this MOU to promote the sport of Pickleball in Seal Beach.

18. To use reasonable efforts to raise funds for the improvement of Pickleball in Seal Beach and for the improvement of SBTPC in coordination with City staff.

GENERAL TERMS

This MOU is the complete integrated agreement between the parties as to the program specified herein and may be modified only in writing by mutual consent of authorized officials from the City and Reads.

City and SBPA are separate legal entities and shall not be considered employees or agents of the other. SBPA volunteers shall be considered City volunteers while on City property and shall comply with all City policies and rules for volunteers and for SBTPC.

The designated representatives of each party shall meet at least quarterly.
Each party represents that the individual(s) signing below are duly-authorized to bind that party.

**Contact Information**

City of Seal Beach  
Jill R. Ingram, City Manager  
211 Eighth Street  
Seal Beach, CA 90740

Seal Beach Pickleball Association  
Michael Varipapa, President

Jill R. Ingram, City Manager  

APPROVED AS TO FORM:  

Craig Steele, City Attorney

Seal Beach Pickleball Association  

Date: 3/28/2022

Michael Varipapa, President  

Date: 3/25/22

Todd Okamura, Director, Operations  

Page 6 of 6
AGENDA STAFF REPORT

DATE: April 11, 2022

TO: Honorable Mayor and City Council

THRU: Jill R. Ingram, City Manager

FROM: Steve Myrter, P.E., Public Works Director

SUBJECT: Authorizing Execution of a Public Works Purchase Order with MurCal, Inc. for Purchase of Murphy Electrical Control Panels at City’s Sewer Pump Station No. 35 and Lampson Well Site

SUMMARY OF REQUEST:

That the City Council adopt Resolution 7272:

1. Approving the purchase for MurCal (Murphy) Electrical Control Panels; and,

2. Approving a public works purchase order to purchase Murphy electrical control panels, in the amount of $95,110.18; and,

3. Authorizing the City Manager to execute a public works purchase order on behalf of the City.

BACKGROUND AND ANALYSIS:

The City’s sewer pump station No. 35 was originally constructed in 1973. The facility was upgraded in two phases in 2006 and 2007. The upgrades included replacing mechanical and electrical equipment, along with relining of the wet well. The three existing Murphy electrical control panels have been in operations over 14 years and have reached the end of their useful life expectancy and must be replaced.

The Lampson Water Supply Well Station was placed into operation in 2011 and uses Murphy electrical control panels, which have reached the end of their useful life expectancy and must be replaced.

Staff has been working with the Murphy company for the past year on this electrical control panel issue and it has been determined that the panels cannot be repaired, specifically the auto-mode operation, and there are no longer parts for replacements or upgrading.
The purchase and installation of the latest available electrical control panels would allow the pump station to resume normal operations in auto-mode. If the City did not procure a new electrical control panel, staff would need to be onsite to manually manage the pump station.

Murphy has submitted a quote to provide and install the newest electrical control panel referred to as a “S800” controller at both the Lampson Well site and Pump Station No. 35. The new control panels will allow operators to use the updated technology on older equipment and enable remote monitoring capabilities. This will enhance the overall operations at both locations with the City’s current SCADA (Supervisory Control and Data Acquisition) system.

Based on past experience, staff has standardized the Murphy electrical control panels for all its City pumping station facilities. Therefore, staff recommends the purchase of the new Murphy electrical control panels, Model S800, supplied by Murphy in the amount of $95,110.18 to replace the older Murphy electrical control panels.

**ENVIRONMENTAL IMPACT:**

This project complies with all requirements of the California Environmental Quality Act (CEQA) and is categorically exempt under section 15301 (d) of the CEQA Guidelines.

**LEGAL ANALYSIS:**

The City Attorney has approved the resolution as to form.

**FINANCIAL IMPACT:**

The following funding is available in the FY2021-2022:

1. Sewer Contract Services, account No. 503-500-0925-51280 for Pump Station No. 35 ($61,489.82); and,


**STRATEGIC PLAN:**

This item is not applicable to the Strategic Plan.
RECOMMENDATION:

That the City Council adopt Resolution 7272:

1. Approving the purchase for MurCal (Murphy) Electrical Control Panels; and,

2. Approving a public works purchase order to purchase Murphy electrical control panels, in the amount of $95,110.18; and,

3. Authorizing the City Manager to execute a public works purchase order on behalf of the City.

SUBMITTED BY:   NOTED AND APPROVED:

Steve Myrter   Jill R. Ingram
Steve Myrter, P.E., Public Works Director  Jill R. Ingram, City Manager

Prepared by: Thom Coughran, Public Works Staff Assistance

ATTACHMENTS:

A. Resolution 7272
B. MurCal Inc. Quote
RESOLUTION 7272

A RESOLUTION OF THE SEAL BEACH CITY COUNCIL
AWARDING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE ORDER TO MURCAL, INC. FOR REPLACEMENT ELECTRICAL CONTROL PANELS AT SEWER PUMP STATION NO. 35 AND LAMPSON WELL

WHEREAS, on December 1, 2021, the City issued a solicitation for proposals for the City’s Sewer Pump Station No. 35 and the Lampson Well site for electrical control panels (“Project”); and,

WHEREAS, on December 14, 2021, Staff received a bid in response to the solicitation for proposals, and MurCal, Inc. submitted a quote in the amount of $95,119.18 for two sites; and,

WHEREAS, General Pump Company is a qualified firm to perform the Project.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEAL BEACH DOES HEREBY RESOLVE:

SECTION 1. The City Council hereby approves the plans and specifications for the Project.

SECTION 2. Based on the recitals set forth above, the City Council hereby authorizes the issuance of purchase order requisition to MurCal Inc. for the purchase of (replacement) Murphy electrical control panels in the not-to-exceed amount of $95,110.18.

SECTION 3. The City Council hereby authorizes and directs the City Manager to execute the public works purchase order on behalf of the City.

PASSED, APPROVED AND ADOPTED by the Seal Beach City Council at a regular meeting held on the 11th day of April, 2022 by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAIN: Council Members

Joe Kalmick, Mayor
STATE OF CALIFORNIA } 
COUNTY OF ORANGE } SS
CITY OF SEAL BEACH } 

I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing resolution is the original copy of Resolution 7272 on file in the office of the City Clerk, passed, approved, and adopted by the City Council at a regular meeting held on the 11th day of April, 2022.

______________________________
Gloria D. Harper, City Clerk
<table>
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<tr>
<th>Item</th>
<th>Quantity</th>
<th>Description</th>
<th>Rate</th>
<th>Amount</th>
<th>Item Note</th>
<th>USD Tax for ca.</th>
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<tr>
<td>S800 Standard Central Controller, Lift Station (35-16-055)</td>
<td>1</td>
<td>24 VDC, central controller to control up to three electric motor driven pumps, housed in a wall mountable 30x24x10 inches enclosure with a hinged and gasketed door. Enclosure rated NEMA 4. Status/Alarm LEDs, 15&quot; touch screen HMI pre wired and mounted on enclosure door. Central controller is pre-programmed to monitor wet well level and stage pumps on/off to maintain level set point. Auto/Manual alternation of starting position of each pump. Emergency Operation for loss of transducer, high-high float switch, or loss communication. SCADA ready via Modbus TCP/IP and data logging capabilities available.</td>
<td>19,362.50</td>
<td>19,362.50</td>
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<tr>
<td>Custom Integration Engineering</td>
<td>45</td>
<td>Non recurring costs related to software, design, and custom engineering work.</td>
<td>125.00</td>
<td>5,625.00</td>
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<td></td>
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<tr>
<td>S800 Standard Engine Controller (40-16-075)</td>
<td>2</td>
<td>24 VDC, Nat Gas/LPG, single engine controller housed in a wall mountable 30x24x10 inches enclosure with a hinged and gasketed door. Enclosure rated NEMA 4. E-Stop, MAN-OFF-AUTO selector switch, MAN-PRESET-AUTO throttle control selector, NAT GAS-AUTO-LPG fuel selector switch, TATTLETALE®, pilot LEDs, 7&quot; touch screen HMI Safety shutdowns: LOP, HWT, Manifold Vacuum, H/L engine oil level, low gearhead oil pressure, H/L gearhead oil level, high gearhead oil temp, LCL, vibration, high cat temp, H/L discharge pressure, low suction pressure, overspeed, overcrank, loss of speed, throttle failure. Basic engine automatic control features: throttle rate of increase/decrease, cycle cranking, warmup/cooldown, delay on start/stop.</td>
<td>13,282.50</td>
<td>26,565.00</td>
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<tr>
<td>Panorama Wall/Pole Mount Antenna, GPS: WMMGG-7-27-5SP</td>
<td>1</td>
<td>Panorama Wall or Pole Mount 3-in-1 MiMo Antenna with GPS: 2x2 Cellular/LTE; 5m (17') Twin CS29 leads with SMA(m) connections; 6m (20') RG174 leads with SMA(m) connector.</td>
<td>339.00</td>
<td>339.00</td>
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<tr>
<td>Pump Station Consulting (1 day)</td>
<td>1</td>
<td>Pump station consulting for one day to assist with any questions or concerns.</td>
<td>1,850.00</td>
<td>1,850.00</td>
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MurCal Quotation

Page 2 of 2
Date 12/14/2021
Estimate # 19539

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<tr>
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<th>Description</th>
<th>Rate</th>
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<tr>
<td>Pump Station Start Up (2 days)</td>
<td>1</td>
<td>Pump station start up costs for two days.</td>
<td>3,250.00</td>
<td>3,250.00</td>
</tr>
</tbody>
</table>

Subtotal 56,991.50

**Estimated** Ship Cost (FOB Ship Point) (Truck) 450.00
Tax (CA_ORANGE_SEAL BEACH_ZLQD_CLQH 8.75%) 4,046.32
Total $61,489.82

Thank you for your business.

Thank you for giving MurCal this opportunity to offer a price quotation. We look forward to working with you soon. NOTE: FOB Shipping point. INSURANCE NOT INCLUDED. Contact us immediately if you would like to insure the shipment. DUTIES and TAXES NOT INCLUDED.
**MurCal Quotation**

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
<th>Description</th>
<th>Rate</th>
<th>Amount</th>
<th>Item Note</th>
<th>USD Tax for cal</th>
</tr>
</thead>
<tbody>
<tr>
<td>45-20-025 S800 Motor Pump Controller, Lampson Water Well, Seal Beach</td>
<td>1</td>
<td>45-20-025 Motor Pump Controller, Lampson Water Well, City of Seal Beach Series 800 master Micro-controller for a single pump (electric motor-driven). Control circuits are housed in a wall mounting, NEMA 4, red painted steel enclosure with hinged and gasketed door with a viewing window (approximately 30” x 24”w x 10”d). Status/Alarm panel lights are pre-wired and mounted on the enclosure door.</td>
<td>19,128.00</td>
<td>19,128.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Custom Integration Engineering</td>
<td>56</td>
<td>Non recurring costs related to software, design, and custom engineering work.</td>
<td>125.00</td>
<td>7,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Panorama Wall/Pole Mount Antenna, GPS: WMMGG-7-27-5SP</td>
<td>1</td>
<td>Panorama Wall or Pole Mount 3-in-1 M/Mo Antenna with GPS; 2x2 Cellular/LTE; 5m (17”) Twin CS29 leads with SMA(m) connections; 5m (20”) RG174 leads with SMA(m) connector.</td>
<td>339.00</td>
<td>339.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pump Station Consulting (1 day)</td>
<td>1</td>
<td>Pump station consulting for one day to assist with any questions or concerns during installation prior to start up or for any troubleshooting and technical support.</td>
<td>1,850.00</td>
<td>1,850.00</td>
<td></td>
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</tr>
<tr>
<td>Pump Station Start Up (2 days)</td>
<td>1</td>
<td>Pump station start up costs for two days.</td>
<td>3,250.00</td>
<td>3,250.00</td>
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**Subtotal** 31,567.00

**Estimated** Ship Cost (FOB Ship Point) (Truck) 350.00

Tax (CA_ORANGE_SEAL BEACH_ZLQ0_CIQH 8.75%) 1,703.36

Total 33,620.36

Thank you for your business.

Thank you for giving MurCal this opportunity to offer a price quotation. We look forward to working with you soon. NOTE: FOB Shipping point. INSURANCE NOT INCLUDED. Contact us immediately if you would like to insure the shipment. DUTIES and TAXES NOT INCLUDED.
AGENDA STAFF REPORT

DATE: April 11, 2022

TO: Honorable Mayor and City Council

THRU: Jill R. Ingram, City Manager

FROM: Philip Gonshak, Chief of Police

SUBJECT: First Reading of Ordinance Adopting a Military Equipment Use Policy per California Assembly Bill 481

SUMMARY OF REQUEST:

That the City Council:

1. Introduce for first reading, by title only, and waive further reading of Ordinance 1694, “An Ordinance of the Seal Beach City Council Establishing a Military Equipment Use Policy”; and,

2. Schedule the second reading of Ordinance 1694 for April 25, 2022.

BACKGROUND AND ANALYSIS:

Assembly Bill 481 (AB 481), codified at Government Code sections 7070 through 7075, requires a law enforcement agency to obtain approval from the applicable governing body, via adoption of a “military equipment” use policy by approval from their governing body (ordinance), prior to the agency funding, acquiring, or using military equipment.

AB 481 became effective January 1, 2022. Per AB 481, law enforcement agencies are now required to first obtain approval for this policy content from their respective governing body. Following approval, law enforcement agencies are further required to submit an annual military equipment report to the governing body for as long as the equipment is available for use. Agencies are also required to attach a military equipment inventory to the policy.

Also, within 30 days of submitting and publicly releasing an annual military equipment report, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency’s funding, acquisition, or use of military equipment. The law enforcement agency must also make each annual
military equipment report publicly available on its internet website for as long as the military equipment is available for use.

 Agencies seeking to continue using military equipment acquired prior to January 1, 2022, have until May 1, 2022 to commence the governing body approval process described by AB 481, and complete that approval process within 180 days of submission of the policy to the governing body. The governing body must hold a public meeting in accordance with the Ralph M. Brown Act and provide for public comment at the meeting. Each law enforcement agency must also make the policy and inventory available on the law enforcement agency’s internet website at least 30 days prior to any public meeting concerning the military equipment at issue.

The Seal Beach Police Department (SBPD) seeks City Council adoption of the attached proposed Ordinance 1694 (Attachment A), adopting Military Equipment Use Policy – Policy 706 (Attachment B), to allow SBPD to continue to use the vital equipment specified therein. The proposed Ordinance and Policy was posted on the SBPD website for thirty days prior to this City Council meeting, commencing on March 7, 2022.

Items deemed to be “military equipment” by AB 481 are used as a component of overall best practices for law enforcement agencies throughout the country. These tools have been tested in the field and are used by law enforcement agencies to enhance both citizen safety and officer safety. Loss of these items would jeopardize the welfare of citizens and peace officers within the SBPD.

The term “military equipment”, as used in AB 481, does not necessarily indicate equipment that has been used by the military. Pursuant to AB 481, items deemed to be “military equipment” include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, and flashbangs.

SBPD is committed to using the most up to date tools and equipment to safeguard the citizens of Seal Beach. Many items deemed to be “military equipment” by AB 481 are employed by SBPD and law enforcement agencies across the country, to specifically reduce risk to community members. These items provide peace officers with the ability to safely resolve volatile situations that otherwise might rise to the level of a lethal force encounter. To that end, the items at issue in this report, and accompanying Military Equipment Use Policy, also provide SBPD’s peace officers with vital tools that facilitate compliance with its stringent use of force policy.

Other items deemed to be “military equipment” include foundational equipment such as rifles. These rifles allow peace officers to address lethal threats from a greater distance and with greater precision.
There is significant interest in ensuring that law enforcement continues to have access to equipment that will provide peace officers as many options as possible to safeguard lives, ensure safety, and protect civil liberties. The use of the tools identified below are vital to SBPD’s mission and will continue to be strictly regulated through internal processes and oversight.

The proposed ordinance would approve the SBPD’s Policy 706, which constitutes SBPD’s Military Equipment Use Policy. Policy 706 outlines each item identified in Government Code Section 7070, that is currently owned by the City. Policy 706 also includes the current use and cost of each item (Attachment C). These items, and their stated use, have been in place prior to the implementation of AB 481. Future acquisitions of any item deemed to be “military equipment” will require a future public meeting, policy update, and Council approval.

There are no reasonable alternatives to the items listed below. SBPD has not discovered alternative items that can achieve the same objectives of officer and civilian safety. Each item’s necessity is further described below:

**Unmanned remotely piloted powered aerial vehicle**: Unmanned aerial systems (UAS) are necessary as they provide visibility to high-risk locations. Without the use of a UAS, peace officers would have to deploy to high-risk locations which would increase the risk to the officers and members of the public. The UAS system is designed to enter small spaces, such as enclosed structures, as well as to provide overhead observations of wooded areas and other structures located in often times crowded spaces. There are no known alternatives which could be used to safely access these locations.

**Unmanned remotely controlled ground vehicle**: Unmanned ground robots are used for reconnaissance during critical incidents to assist in providing visibility in areas where it would be unsafe to send a peace officer. This system can also be used to defuse or move potentially hazardous items. Not having access to this item would require the use of peace officers to engage in high-risk tasks. There is no known alternative to this system.

**Armored personnel carriers, Humvees, wheeled vehicles that have a breaching or entry apparatus**: Armored vehicles are used to provide ballistic protection to officers and citizens during rescue, critical incidents, and other hazardous situations. These vehicles allow officers closer access to high-risk situations while substantially reducing the physical risk to the officers and citizens. These vehicles are built on commercial vehicle chassis and are primarily a reinforcement of civilian commercial vehicles. As such, there are no reasonable alternatives to providing the same level of ballistic protection.

**Command and control vehicles**: The mobile command post vehicle (MCP) is an unarmored vehicle equivalent to a commercial recreational vehicle. It is equipped with specific communication and audio-visual devices to assist in command and control of a critical incident. This vehicle allows for mobile incident command and use of the Incident Command Systems facilitating the best possible on scene
decision-making by key leaders. It provides for mobility, sheltering, and logistical support, restroom facilities and power. There is no known alternative for the MCP which provides the same amount of mobility and support at one location in a quick deploying package.

**Breaching apparatuses, battering rams, slugs:** Battering rams and breaching apparatus are used to defeat locked, barricaded, or fortified locations allowing officers to conduct rescues or high-risk forcible entries. This includes but is not limited to rescuing hostages, responding to active shooter, or kidnapping situations. These items allow peace officers to quickly enter a structure when time is of the essence. In such situations time is of the essence and it would not be feasible to wait for other delayed access to the structure. There are alternatives which are used for low risk and/or non-fortified situations. This includes handheld battering rams. However, this alternative does not afford the same level of protection or speed that such equipment provides when necessary. As such there is no reasonable alternative to these items when they are used and required.

**Specialized firearms and ammunition including assault weapons:** Patrol rifles, Special Weapons and Tactics (SWAT) rifles, and sniper rifles enable officers when in compliance with the SBPD’s Use of Force Policy, to address medium to long distance threats, or those threats who are heavily armed, armored or both. Further, in both short and long-distance deployments, they allow officers precision shot placement minimizing the risk to officers and innocent citizens. There are no known alternatives to these weapons that will provide the same level of distance or precision.

**Flashbangs:** Flashbangs are used as a distraction device to disorient or divert a suspect’s attention away from officers. This can allow officers to gain safer access to a high-risk situation, giving extra time to assess and analyze existing threats. This can prevent injury to officers and citizens. These devices can often lead to a safer resolution and allow officers to take a citizen into custody without force. There is no known alternative to a flashbang when it is necessary.

**Explosive breaching tools:** Explosive breaching tools are used to enter fortified or hardened structures to allow for rescue or other high-risk police entries. They are used when there are no other reasonable alternatives to rapidly breach a location. They are only used when time is of the essence in order to preserve life. Without these items, peace officers may not be able gain access to a location in a safe and timely manner to engage in necessary police operations. There is no known reasonable alternative to these items when they are necessary as stated.

**Tear gas and pepper ball:** Tear gas and pepper ball are less lethal methods used to address violent or riotous crowds when there is a risk of physical safety. They are also used to safely extract a suspect from a fixed location or safely detain a suspect who poses a risk of violence to officers. Tear gas allows peace officers to deploy a less lethal chemical agent into a structure where other weapons would not be capable of doing so. These weapons are less lethal and afford peace
officers an added option to avoid lethal force encounters. When these items are reasonable and necessary for use, there is no other alternative.

**Long Range Acoustic Device (LRAD):** The LRAD is used in situations necessary to address the public. It can also be used as a safe deterrent against hostile crowds or individuals. This device is only used when standard sound amplification equipment is not sufficient to provide adequate range or capability needed. There is no reasonable alternative that would suffice in situations where the LRAD is necessary.

40mm projectile launchers and bean bag shotguns: The 40mm launcher affords the ability to use less lethal chemical agents and impact munitions. This allows officers to address a threat from a greater distance and provides an alternative option for deadly force when reasonable. The bean bag shotgun also allows officers to confront a potentially armed or dangerous suspect at a longer distance. This can potentially prevent a deadly force encounter. When necessary, there is no alternative to these less lethal weapon systems.

**ENVIRONMENTAL IMPACT:**

This item does not have an environmental impact.

**LEGAL ANALYSIS:**

The City Attorney has reviewed and approved as to form.

**FINANCIAL IMPACT:**

This item does not have a financial impact.

**STRATEGIC PLAN:**

This item is not applicable to the Strategic Plan.

**MEASURE BB:**

This item is not applicable to Measure BB.
RECOMMENDATION:

That the City Council:

1. Introduce for first reading, by title only, and waive further reading of Ordinance 1694, “An Ordinance of the Seal Beach City Council Establishing a Military Equipment Use Policy”; and,

2. Schedule the second reading of Ordinance 1694 for April 25, 2022.

SUBMITTED BY:  NOTED AND APPROVED:

Philip Gonshak  Jill R. Ingram
Philip Gonshak, Chief of Police  Jill R. Ingram, City Manager

Prepared by: Julia Clasby, Support Services Bureau Lieutenant

ATTACHMENTS:

A. Ordinance 1694
B. Policy 706
C. Military Equipment Inventory List
ORDINANCE 1694

AN ORDINANCE OF THE SEAL BEACH CITY COUNCIL
ADOPTING A MILITARY EQUIPMENT USE POLICY

THE CITY COUNCIL OF THE CITY OF SEAL BEACH DOES ORDAIN AS FOLLOWS:

SECTION 1. Findings. On April 11, 2022, the City Council considered the adoption of this Ordinance at a public meeting, and on the basis of the record thereof finds the following facts to be true:

A. On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies.

B. Assembly Bill 481, codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. AB 481 also requires that in seeking the approval of the governing body, a law enforcement agency shall submit a proposed military equipment use policy to the governing body and make those documents available on the law enforcement agency’s internet website at least 30 days prior to any public meeting concerning the military equipment at issue. The term “military equipment” is defined in California Government Code section 7070.

C. Assembly Bill 481 allows the governing body of a city to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it makes specified determinations.

D. The proposed military equipment use policy is found within Seal Beach Police Department Policy 706.

E. Seal Beach Police Department Policy 706, attached hereto as Exhibit “A”, was published on the Seal Beach Police Department’s internet website for not less than 30 days commencing on March 7, 2022. The proposed Ordinance and Seal Beach Police Department Policy 706 were presented to City Council at a public meeting held on April 11, 2022, at which time public comment was submitted on the proposed Ordinance and Policy.

F. The Seal Beach Police Department Policy 706 complies with the requirements of California Government Code section 7070, subdivision (d).
SECTION 2. Determinations

Based on the findings above, in addition to information provided to the City Council at the public meeting and in the Staff Report, the City Council determines as follows:

1. The military equipment identified in Seal Beach Police Department Policy 706 is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

2. Seal Beach Police Department Policy 706 will safeguard the public’s welfare, safety, civil rights, and civil liberties.

3. The military equipment identified in Seal Beach Police Department Policy 706 is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

4. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

5. Seal Beach Police Department Policy 706, attached hereto as Exhibit “A”, is approved and adopted.

SECTION 3. Severability.

If any sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 4. Effective Date.

This Ordinance shall take effect and be in full force thirty (30) days after its passage.
SECTION 5. Certification

The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published in the manner prescribed by law.

INTRODUCED at a regular meeting of the City Council of the City of Seal Beach held on April 11, 2022.

PASSED, APPROVED AND ADOPTED by the Seal Beach City Council at a regular meeting held on the 25th day of April, 2022 by the following vote:

AYES: Council Members

NOES: Council Members

ABSENT: Council Members

ABSTAIN: Council Members

___________________________
Joe Kalmick, Mayor

ATTEST:

___________________________
Gloria D. Harper, City Clerk

APPROVED AS TO FORM:

___________________________
Craig A. Steele, City Attorney
STATE OF CALIFORNIA  
COUNTY OF ORANGE     } SS  
CITY OF SEAL BEACH    

I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing Ordinance 1694 was introduced for first reading at a regular meeting held on the 11th day of April, 2022, and was passed, approved, and adopted by the City Council at a regular meeting held on the 25th day of April, 2022, and do hereby further certify that the Ordinance has been published pursuant to the Seal Beach Charter and Resolution Number 2836.

Gloria D. Harper, City Clerk
Military Equipment

706.1 PURPOSE AND SCOPE
The purpose of this policy is to provide guidelines for the approval, acquisition, reporting requirements, and use of military equipment (California Government Code § 7070; Government Code § 7071; Government Code § 7072). This policy is provided to fulfill the obligations set forth in Assembly Bill No. 481, enacting the foregoing Code sections. These obligations include, but are not limited, to seeking approval for the use and acquisition of specific items deemed to be military equipment, and requirements related to compliance, annual reporting, cataloging, and complaints regarding these items.

706.1.1 DEFINITION OF MILITARY EQUIPMENT
California Government Code § 7070 defines “military equipment” as including:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue handguns.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.
Military Equipment

706.2 POLICY
It is the policy of the Seal Beach Police Department that members of this Department shall comply with the provisions of Government Code § 7071, et seq., with respect to military equipment. It is the policy of the Seal Beach Police Department that there shall be legally enforceable safeguards, including transparency, oversight, and accountability measures in place to protect the public’s welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

706.3 MILITARY EQUIPMENT COORDINATOR
The Chief of Police designates the Support Services Bureau Lieutenant to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include, but are not limited to:

(a) Acting as liaison to the City Council for matters related to the requirements of this policy.

(b) Identifying equipment that qualifies as military equipment in the current possession of the Department, and/or military equipment the Department intends to acquire that requires approval by the City Council.

(c) Conducting an inventory of all Department military equipment at least annually.

(d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Seal Beach Police Department (Government Code § 7071).

(e) Preparing for, scheduling, and coordinating the annual community engagement meeting, which includes:
   1. Publicizing the details of the meeting.
   2. Preparing for public questions regarding the Department's funding, acquisition, and use of equipment.

(f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the Department website (Government Code § 7072).

(g) Coordinating the processing of complaints and concerns submitted pursuant to Section 706.7 of this policy.

706.4 MILITARY EQUIPMENT USE CONSIDERATIONS
The military equipment acquired and authorized by the Department is:

(a) Necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

(b) Reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

Military equipment shall only be used by a Department employee after the employee has received the training specified herein, any course required by the Commission on Peace Officer Standards and Training (POST), has been successfully completed, unless exigent circumstances arise.
706.5 MILITARY EQUIPMENT REPORTING CONSIDERATIONS
Upon approval of a military equipment policy, the Chief of Police or the authorized designee shall submit a military equipment report to the City Council for each type of military equipment approved within one year of approval of this policy, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee shall also make each annual military equipment report publicly available on the Department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year, for each type of military equipment in the Department's inventory.

The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

(a) A summary of how the military equipment was used and the purpose of its use.
(b) A summary of any complaints or concerns received concerning the military equipment.
(c) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
(d) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
(e) The quantity possessed for each type of military equipment.
(f) If the Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

Within 30 days of submitting and publicly releasing an annual military equipment report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and Seal Beach Police Department's funding, acquisition, or use of military equipment. This shall occur as a part of the Department's presentation to the City Council.

706.6 CATALOGING OF MILITARY USE EQUIPMENT
All military use equipment kept and maintained by the Seal Beach Police Department shall be cataloged in a way which addresses each of the following requirements:

1. The manufacturer's description of the equipment.
2. The capabilities of the equipment.
3. The purposes and authorized uses for which the Department proposes to use the equipment.
4. The expected lifespan of the equipment.
5. The fiscal impact of the equipment, both initially and for on-going maintenance.
Military Equipment

6. The quantity of the equipment, whether maintained or sought.

706.7 COMPLIANCE
The Support Services Bureau Lieutenant will ensure that all Department members comply with this policy and will conduct an annual audit. The Chief of Police or designee will be notified of any policy violations and, as appropriate, the violation(s) will be referred to the Internal Affairs Division and handled in accordance with Policy 1009 (Personnel Complaints). All instances of non-compliance will be reported to City Council via the annual military equipment report.

Any member of the public can register a question or concern regarding military use equipment by contacting the Seal Beach Police Department via email at askacop@sealbeachca.gov. A response to the question or concern shall be completed and provided by the Department in a timely manner, but not to exceed thirty (30) days.

Any member of the public can submit a complaint to any member of the Department and in any form (i.e., in person, telephone, email, etc.). Once the complaint is received, it shall be routed to the Internal Affairs Division in accordance with Policy 1009.

706.8 FUNDING
The Department shall obtain City Council approval, by an ordinance adopting a new or revised military equipment use policy, prior to seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting, or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

The Department has authority to apply for funding prior to obtaining City Council approval in the case of exigent circumstances. In such case, the Department shall obtain City Council approval as soon thereafter as practicable. In seeking such approval, the Support Services Bureau Lieutenant will submit to the City Council a report explaining the nature of the exigency and why prior approval could not be obtained.

706.9 MILITARY EQUIPMENT INVENTORY
The following constitutes an inventory of previously purchased equipment for the Seal Beach Police Department deemed to be military and militaristic as defined by this policy.

1. Unmanned Aircraft System (UAS)

A UAS is an unmanned aircraft and the equipment necessary for the safe and efficient operation of the aircraft. An unmanned aircraft is a component of a UAS. It is defined by statute as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Current Inventory:

DJI INSPIRE 2

Description: UAS with a single-color camera, weighs approx. 7.5 pounds and has video recording capabilities, approx. 30 minutes of flight time.
Military Equipment

Quantity: 1
Purchase Price: $5,299 each

DJI MAVIC 2 ENTERPRISE DUAL
Description: UAS that has a color and infrared camera as well as audible speaker and light. Capable of video recording and weighs 899 grams, approx. 30 minutes of flight time.
Quantity: 1
Purchase Price: $5,500 each

DJI FPV
Description: UAS that has a color camera. Capable of video recording and weighs 295 grams, approx. 20 minutes of flight time.
Quantity: 1
Purchase Price: $1,300 each

Purpose: To be deployed when its view would assist officers or incident commanders with the following situations, which include but are not limited to:
(a) major collision investigations
(b) search for missing persons
(c) natural disaster management
(d) crime scene photography
(e) SWAT, tactical or other public safety and life preservation missions
(f) In response to specific requests from local, state, or federal fire authorities for fire response and/or prevention.

Authorized Use: Only assigned operators who have completed the required training shall be permitted to operate any UAS during approved missions.

Expected Life Span: All UAS equipment, 3-5 years.

Fiscal Impact: Annual maintenance and battery replacement cost is approximately $2,000.

Training Required: All Department UAS operators must be licensed by the Federal Aviation Administration for UAS operation. In addition, each operator must attend a 40-hour Department training and ongoing quarterly training.

Legal and Procedural Rules: Use is established under Policy 606, FAA Regulation 14 CFR Part 107, and the City of Seal Beach UAS policy. It is the policy of the Seal Beach Police Department to utilize UAS only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

2. 40 MM Launchers and Rounds
Military Equipment

40MM Launchers are utilized by Department personnel as a less lethal tool to launch impact rounds.

Current Inventory:

DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER

Description: The 40MM Single Launcher is a tactical single shot launcher that features an expandable ROGERS Super Stock and an adjustable Integrated Front Grip (IFG) with light rail. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It will launch a 40mm less lethal round up to 131 feet and is only authorized to be used by SWAT personnel. Serial Numbers #D36434/FW21222/FW21223.

Quantity: 3
Purchase Price: $1,000 each

DEFENSE TECHNOLOGY, EXACT IMPACT 40MM ROUND

Description: The eXact iMpact 40mm sponge round is a point-of-aim, point-of-impact direct-fire round. This is a lightweight, high-speed projectile consisting of a plastic body and sponge projectile that is spin stabilized via the incorporated rifling collar and the 40mm launcher’s rifled barrel. The round utilizes smokeless powder as the propellant, and therefore, has velocities that are extremely consistent. It is used for crowd control, patrol, and tactical applications. Part Number 6325.

Quantity: 43
Purchase Price: $26.50 each

DEFENSE TECHNOLOGY, 40MM DIRECT IMPACT CS

Description: A less lethal 40mm lightweight plastic and crushable foam projectile fired from a single or multi-round purpose-built 40mm grenade launcher with a rifled barrel at 295 FPS. The 39-gram crushable foam projectile delivers 120 ft/lbs. of energy upon impact in addition to dispersion of 5 grams of OC irritant. The 40mm Direct Impact OC Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.

Quantity: 4
Purchase Price: $30 each

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Use: Situations for use of the less lethal weapon systems may include, but are not limited to:

(a) Self-destructive, dangerous and/or combative individuals.

(b) Riot/crowd control and civil unrest incidents.
Military Equipment

(c) Circumstances where a tactical advantage can be obtained.
(d) Potentially vicious animals.
(e) Training exercises or approved demonstrations.

Training: Sworn members utilizing 40mm less lethal chemical agents or impact rounds must first be trained in their use by POST certified less lethal and chemical agent instructors.

Expected Life Span: Defense Technology Launchers - 25 years, Rounds - 5 years.

Fiscal Impact: Annual maintenance is approximately $50 for each launcher.

Legal and Procedural Rules: Use is established under Policy 302.7.2. It is the policy of the Seal Beach Police Department to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including laws regarding the use of force.

3. Less Lethal Shotgun

Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round.

Current Inventory:

REMINGTON 870 LESS LETHAL SHOTGUN

Description: The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge Super-Sock Beanbag Round up to a distance of 75 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of De-escalation.

Quantity: 13
Purchase Price: $946 each

Drag Stabilized 12-GAUGE BEANBAG ROUND

Description: A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with 40 grams of lead shot at a velocity of 270-290 feet per second (FPS). Drag Stabilized rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet. The maximum effective range of this munition is up to 75 feet from the target. The Drag Stabilized Model is in its deployed state immediately upon exiting the barrel. It does not require a minimum range to "unfold" or "stabilize." The Drag Stabilized Model is an aerodynamic projectile. However, accuracy is relative to the shotgun, barrel length, environmental conditions, and the operator. The Drag Stabilized Model is very accurate. However, effectiveness depends on many variables, such as distance, clothing, stature, and the point where the projectile impacts.

Quantity: 317
Purchase Price: $5 each
Military Equipment

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

Authorized Use: Situations for use of the less lethal weapon systems may include, but are not limited to:

(a) Self-destructive, dangerous and/or combative individuals.
(b) Riot/crowd control and civil unrest incidents.
(c) Circumstances where a tactical advantage can be obtained.
(d) Potentially vicious animals.
(e) Training exercises or approved demonstrations.

Expected Life Span: Remington 870 Less Lethal Shotgun- 25 years, Drag Stabilized 12-Gauge beanbag round - no listed expiration date.

Fiscal Impact: Annual maintenance is approximately $50 for each shotgun.

Training: All officers must first be trained in the 12 gauge less lethal shotgun as a less lethal option by in-service training. SWAT personnel receive additional training internally when they transfer to the unit. SWAT operators who utilize these munitions must have been through and successfully completed a POST approved gas school and/or trained in house by POST certified chemical agent instructors for muzzle blast training.

Legal and Procedural Rules: Use is established under Policy 305.4.2. It is the policy of the Seal Beach Police Department to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including laws regarding the use of force.

4. Rifles

Firearm designed and intended to be fired from the shoulder and designed to use the energy in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

Current Inventory:

Colt AR-15 223 16"

Description: lightweight, magazine-fed, gas-operated semi-automatic rifle. Caliber 223, 16-inch barrel.
Quantity: 37
Purchase Price: $846.56 per firearm

Colt AR-15 223 Short Barrel Rifle (SBR)

Description: lightweight, magazine-fed, gas-operated semi-automatic rifle. Caliber 223, 16-inch barrel.
Quantity: 3
Military Equipment

Purchase Price: $1,223.64 per firearm

Geissele AR-15 223 14.5 SBR
Description: lightweight, magazine-fed, gas-operated semi-automatic rifle. Caliber 223, 14.5-inch barrel.
Quantity: 5
Purchase Price: $750 per firearm

Geissele AR-15 5.56 10.3 SBR
Description: lightweight, magazine-fed, gas-operated semi-automatic rifle. Caliber 5.56, 10.3-inch barrel.
Quantity: 6
Purchase Price: $925 per firearm

H&K MP-7 4.6X30 7.1"
Description: lightweight, magazine-fed, gas-operated semi-automatic rifle. Chambered for the HK 4.6×30mm armor-piercing cartridge designed by manufacturer Heckler & Koch. 7.1-inch barrel.
Quantity: 2
Purchase Price: $1,852.20 per firearm

Winchester .223 Remington 55GR silver tip rifle round
Description: .223 Remington caliber, Fragmenting Polymer Tip (FPT), 55 grain bullet weight, brass cartridge case material.
Quantity: 3,680
Purchase Price: $802.74 (price per 1,000)

Winchester .223 Remington 55GR frangible rifle round
Description: .223 Remington caliber, Frangible, 55 grain bullet weight, brass cartridge case material.
Quantity: 1,900
Purchase Price: $668.05 (price per 1,000)

Winchester 5.56 MM 55GR Full Metal Jacket (FMJ) rifle round
Description: 5.56 MM caliber, Full Metal Jacket (FMJ), 55 grain bullet weight, brass cartridge case material.
Quantity: 6,000
Purchase Price: $392.21 (price per 1,000)
**Military Equipment**

L-Tech 4.6 x 30MM 31GR Frangible rifle round

- Description: 4.6x30MM caliber, Frangible, 31 grain bullet weight.
- Quantity: 4,800
- Purchase Price: $437.50 (price per 1,000)

L-Tech 4.6 x 30MM 31GR OTM

- Description: 4.6x30MM caliber, Open Tip Match (OTM), 31 grain bullet weight.
- Quantity: 880
- Purchase Price: $572.00 (price per 1,000)

**Purpose:** To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

**Authorized Use:** Only members that are POST certified are authorized to use a rifle.

**Expected Life Span:** No expiration date.

**Fiscal Impact:** Annual maintenance is approximately $50 for each rifle.

**Training:** Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass a range qualification two times a year.

**Legal and Procedural Rules:** Use is established under Policy 305.4.3. It is the policy of the SBPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal laws regarding the use of force.

5. PepperBall Launcher

A device that discharges irritant projectiles.

**Current Inventory:**

Tippmann PepperBall Gun

- Description: A compressed-air powered launcher designed to fire non-lethal PepperBall projectiles.
- Quantity: 2
- Purchase Price: $1,146.50

**PepperBall LIVE-X PROJECTILE**

- Description: The Live Projectile contains a concentrated amount of PAVA pepper powder. One round of LIVE-X contains the equivalent to 10 PepperBall rounds. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 5% PAVA Powder.
Military Equipment

Quantity: 340

Purchase Price: $3 per projectile

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include but are not limited to:

(a) Self-destructive, dangerous and/or combative individuals.
(b) Riot/crowd control and civil unrest incidents.
(c) Circumstances where a tactical advantage can be obtained.
(d) Potentially vicious animals.
(e) Training exercises or approved demonstrations.

Authorized Use: Only those officers who have been trained in the use of PepperBall launchers are authorized to use the PepperBall launchers.

Training: Only sworn members may utilize PepperBall launchers and projectiles and must first be trained in their use by POST certified less lethal and chemical agent instructors.

Expected Life Span:

(a) Tippmann PepperBall Gun - 20 years
(b) PepperBall Live-X Projectile - 3 years

Fiscal impact: Annual maintenance is approximately $50 for each PepperBall launcher.

Legal and Procedural Rules: Use is established under Policy 302.7.2. It is the policy of the SBPD to utilize PepperBall only for official law enforcement purposes, and pursuant to State and Federal law, including laws regarding the use of force.

706.10 MILITARY SWAT EQUIPMENT INVENTORY

The Seal Beach Police Department participates in the West County Special Weapons and Tactics (SWAT) team, a regional SWAT and Crisis Negotiation Team (CNT) with Officers from the cities of Seal Beach, Los Alamitos, Cypress, Fountain Valley, and Westminster.

The following constitutes an inventory of previously purchased equipment known to be owned and/or utilized by law enforcement units with which the Seal Beach Police Department collaborates and/or participates for law enforcement purposes, which are deemed to be military and militaristic as defined by this policy. The equipment in this section is primarily used by the members of the West County SWAT Team.

1. Armored Vehicles

Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.

Current Inventory:

LENSO BEARCAT G2
**Military Equipment**

Description: Armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor, VIN FDAF5HT2BEC98082.

**Quantity:** 1

**Purchase Price:** Refer to Westminster Police Department policy

**Purpose:** To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.

**Authorized Use:** The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.

**Expected Lifespan:** 25 years.

**Fiscal Impact:** Annual maintenance cost of approximately $10,000.

**Training:** All driver/operators must first attend formalized instruction and be trained in vehicle operations and practical driving instruction.

**Legal and Procedural Rules:** It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

**Other Notes:** The bearcat was obtained through the UASI group procurement process in 2012. The vehicle is currently stored at Westminster Police Department and used by the West County SWAT during training and SWAT operations for the region.

2. **Mobile Command Post Vehicle (MCP)**

A vehicle used mobile office that provides shelter, access to Department computer systems, and restroom facilities during extended events.

**Current Inventory:**

**Freightliner M2 106 vehicle**

Description: The MCP can also be utilized for SWAT/CNT and other critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events.

**Quantity:** 1

**Purchase Price:** Refer to Cypress Police Department policy

**Purpose:** To be used based on the specific circumstances of a given critical incident, large event, natural disaster, or community event that is taking place.
Military Equipment

**Authorized Use:** Only officers trained in their deployment and operations in a manner consistent with Department policy and training are authorized to operate the MCP. Furthermore, only officers who have completed the California State Class B Commercial driving school and become properly licensed will be allowed to drive the MCP. Situations which the MCP is authorized for use would include but not be limited to critical incidents, emergencies, and natural disasters.

**Expected Lifespan:** The MCP, 20-year lifespan on chassis and vehicle structure. Upgrades needed in 7 years to maintain IT systems.

**Fiscal Impact:** Annual maintenance cost is approximately $1,000. Cost-sharing for the vehicle is administered by the Cypress Finance Department and each city is billed a third of costs associated with the annual vehicle maintenance and technology service fees.

**Training:** The driver/operator must first receive training in the safe handling of the vehicle on a closed training course. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver. Driver/operators shall also undergo California Department of Motor Vehicles commercial vehicle testing and possess a Class B driver's license.

**Legal and Procedural Rules:** It is the policy of the Department to use the MCP only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.

**Other Notes:** After the City of Anaheim UASI group completed the procurement process and the vehicle was built, the City of Cypress took delivery of the MCP on April 19, 2007. The City of Cypress entered into an agreement with the cities of Los Alamitos and Seal Beach to accept, house, utilize and cost-share repairs and routine maintenance for the regional MCP vehicle. The vehicle is currently housed inside a City of Seal Beach fire station (OCFA station #48) and is utilized by all three cities for special events that include DUI checkpoints, public relations presentations, and emergency incidents. The vehicle is also the primary command and control platform for West County S.W.A.T. during training and S.W.A.T. operations for the region. The vehicle is staffed with a team of City employees and designated volunteers from all three cities including the West Cities Police Dispatch Communications Center. Cost-sharing for the vehicle is administered by the Cypress Finance Department and each city is billed a third of costs associated with the annual vehicle maintenance and technology service fees.

3. Light Sound Diversionary Devices (LSDD)

A device used to distract dangerous persons.

**Current Inventory:**

**COMBINED TACTICAL SYSTEMS (CTS), MODEL 7290 FLASH BANG**

Description: This is the standard diversionary flash-bang device. It is non-bursting, non-fragmenting single use device that produces a 175db and 6-8 million candela of light output. It is ideal for distracting potentially dangerous suspects during assaults, hostage rescue, building/room entry or other high-risk arrest situations.
Military Equipment

Quantity: 1
Purchase Price: $45 each

DEFENSE TECHNOLOGY, NO. 15 STINGER GRENADE

Description: This is a hand-held, hand-thrown grenade and has an initial 1 second delayed fuse. Once the fuse is discharge at a low speed, the main charge detonates to produce a loud sound and bright flash of light, and the distribution of approximately 180 rubber pellets of .32 caliber size are expelled from the grenade, and the pellets can travel up to 50 ft. from the point of detonation.

Quantity: 14
Purchase Price: $36 each

Purpose: A diversionary device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric overpressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.

Authorized Use: Diversionary Devices shall only be used:

(a) By officers who have been trained in their proper use.
(b) In hostage and barricaded subject situations.
(c) In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
(d) During other high-risk situations where their use would enhance officer safety.
(e) During training exercises.

Expected Lifespan: Until used.

Fiscal Impact: No annual maintenance.

Training: Prior to use, officers must attend diversionary device training that is conducted by POST certified instructors.

Legal and Procedural Rules: Use is established under Policy 302.6. It is the policy of the SBPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

Other Notes: This equipment is owned and operated by West County SWAT through the Cypress Police Department, which could result in its deployment and/or use in the City of Seal Beach.

4. Chemical Agent and Smoke Canisters

Canisters that contain chemical agents that are released when deployed.

Current Inventory:
DEFENSE TECHNOLOGY, DIRECT IMPACT 40MM CS ROUND

Description: The Direct Impact 40MM CS munition is a point-of-aim, point-of-impact direct-fire round. The munition can be used to incapacitate a single subject or control a crowd. The munition is loaded with CS powder and is combined with lightweight, high-speed crushable foam projectile for maximizing the potential for incapacitation. Part Number 6322.

Quantity: 4
Purchase Price: $26.50 each

DEFENSE TECHNOLOGY, DIRECT IMPACT 40MM OC ROUND

Description: The 40MM Direct Impact OC munition is a point-of-aim, point-of-impact direct-fire round. The munition is loaded OC powder and is combined with a lightweight, high-speed projectile consisting of a plastic body and crushable foam nose. Part Number 6320.

Quantity: 5
Purchase Price: 26.50 each

DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS GRENADE

Description: The design of the Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. The grenade is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver 20 grams of agent during its 20-30 seconds burn time. The device is not launchable. Part Number 1032.

Quantity: 5
Purchase Price: $34.94 each

DEFENSE TECHNOLOGY SPEDE-HEAT CS GRENADE

Description: The Spede-Heat CS Grenade is a high volume, continuous burn munition. It expels a CS payload of 81.2 grams in approximately 20-40 seconds. The CS is discharged through four gas ports on top of the canister, three gas ports on the side, and one gas port on the bottom. The device is launchable. Part Number 1072.

Quantity: 1
Purchase Price: $28.30 each

DEFENSE TECHNOLOGY CS TRIPLE-CHASER SEPARATING CANISTER

Description: The Triple-Chaser separating CS consists of three separate canisters pressed together with separating charges between each section (canister). When deployed, this grenade will separate into three (3) distinct sub-munitions, spaced approximately 20ft. apart. This allows increased area coverage in a short period of time, from one deployment. Terrain and surface conditions can affect the distance of the separating sub-munitions. The device is specifically designed for outdoor use in crowd control situations. The separating function and
relatively quick burn time minimizes the potential of a "throwback" from hostile or combative subjects. The munition is launchable. Part Number 1026.

Quantity: 1
Purchase Price: $44.89 each

DEFENSE TECHNOLOGY 40MM CS FERRET POWDER BARRICADE PENETRATING PROJECTILE ROUND

Description: The 40MM CS Ferret Powder munition is a barricade penetrating round filled with a CS Powder chemical agent. It is a frangible projectile that is spin stabilized utilizing barrel rifling of the 40MM launcher. It is non-burning and designed to penetrate barriers. It is primarily used to dislodge barricaded subjects and can also be used for area denial. It is used by tactical teams to penetrate barriers such as windows, hollow core doors, wallboard (drywall), and thin plywood. Upon impact, the nose ruptures and instantaneously delivers the agent payload inside of a structure of vehicle. The active CS agent is 7.6 grams and instantaneously discharges on impact. Part Number 2292.

Quantity: 9
Purchase Price: $20.91 each

DEFENSE TECHNOLOGY 40MM CS FERRET LIQUID BARRICADE PENETRATING PROJECTILE ROUND

Description: The 40MM CS Ferret Liquid munition is a frangible projectile filled with chemical agent. It is designed to deliver chemical agents in barricade situations from a 40mm launcher. Spin stabilization from barrel rifling affords maximum stand-off distance and accuracy for safety. The munition is non-burning and suitable for indoor use. It is designed to penetrate barriers, such as windows, hollow core doors, wallboard, and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. The active CS agent is 27.6 grams and instantaneously discharges on impact. Part Number 2262.

Quantity: 9
Purchase Price: $21.53 each

Purpose: To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:

(a) Self-destructive, dangerous and/or combative individuals.
(b) Riot/crowd control and civil unrest incidents.
(c) Circumstances where a tactical advantage can be obtained.
(d) Potentially vicious animals.
Military Equipment

(e) Training exercises or approved demonstrations.

Authorized Use: Only officers who have received POST certification in the use chemical agents are authorized to use chemical agents.

Training: Sworn members utilizing chemical agent canisters must first be certified by POST less lethal and chemical agent instructors.

Expected Lifespan: 5 years from manufacturing date.

Fiscal Impact: No annual maintenance.

Legal and Procedural Rules: Use is established under the Seal Beach Police Department Chemical Agent Policy 302.7.2. It is the policy of the SBPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

Other Notes: This equipment is owned and operated by Seal Beach Police Department and used by the West County SWAT during training and SWAT operations for the region.

5. Kinetic Breaching Tools

Tools that are used to conduct a kinetic breach. The tool utilizes a self contained impact ram that has no projectiles or explosive pressures exiting the tool.

Current Inventory:

Kinetic Breaching Tool (KBT) Model 3-1000

Description: The KBT is a powder actuated kinetic energy forced entry tool. It utilizes a crimped blank explosive charge which drives a captive steel impact plate directed at the breach point. The impact plate extends forward out of the clamshell shroud and impacts against the target with a high level of kinetic energy to defeat the entry point or fortification. The impact plate automatically retracts and is reset in the breaching device. The KBT uses semi-automatic cycling, allowing repeated strikes on hardened or multiple targets. The KBT's intended use is for forced entry during high-risk operations with secure entry points and is designed to be operated by a single officer/tactical team member. The KBT weighs 28 lbs. dimensions are 35 in. x 9.9 in. x 9.3 in. and has an audible report of 115 dB. The KBT utilizes a proprietary blank cartridge to deliver up to 850 ft. lbs. of kinetic energy through the steel ram. There is no projectile or explosive energy that leaves the device except for the force of the ram, which is permanently captured in the breaching device.

Quantity: 1

Purchase Price: $10,494.38 each

Purpose: To safely gain entry into a structure.

Authorized Use: Explosive breaching may only occur after authorization by the Incident Commander or SWAT Commander in the field, and during training exercises.
**Military Equipment**

**Expected Lifespan:**

- (a) Kinetic Breaching Tool (KBT) - 30 years
- (b) Blank cartridges – 5 years (preferably rotate rounds within 1 year)

**Fiscal Impact:** No annual maintenance.

**Training:** All officers who use explosive breaching tools shall first attend 40 hours of explosive breaching instruction and must additionally receive quarterly training for explosive operations.

**Legal and Procedural Rules:** It is the policy of the Seal Beach Police Department to utilize breaching tools only for official law enforcement purposes, and pursuant to State and Federal law.

**Other Notes:** This equipment is owned and operated by Seal Beach Police Department and used by the West County SWAT during training and SWAT operations for the region.

6. Long Range Acoustic Device (LRAD)

A high intensity directional acoustical array for long-range, crystal-clear hailing, notification, and an unmistakable warning tone. The LRAD is primarily used as a communication device.

**Current Inventory:**

Genasys Long-Range Acoustic Device (LRAD) Model 500X

Description: The Genasys Long-Range Acoustic Device (LRAD) is a public address system optimized to the primary range of hearing. The LRAD system can deliver a live or recorded voice message with clarity for any operational scenario. LRAD’s advanced driver and waveguide technology ensures every broadcast is clearly heard and understood, even above crowd, engine, and background noise. The LRAD 500X is compact, lightweight, and designed for applications ranging from fixed security installations to vehicles and vessels. The 500X is easily mounted and transportable to provide law enforcement long-range communication and safe, scalable non-kinetic escalation of force. The audible range of the LRAD 500X can reach up to 6,561 ft. American Technology Corp. Serial Number: 05984 UASI ASAUA/DHS Number 11-00456.

- Quantity: 1

**Purchase Price:** Refer to Westminster Police Department policy

**Purpose:** To be used to issue dispersal orders during crowd and riot control situations or to address the public in the event of civil emergencies, natural disasters, evacuations, and police incidents (e.g., missing persons, perimeters for wanted suspects/ K9 deployments, etc.). The LRAD may also be used to issue a warning tone.

**Authorized Use:** LRAD use may only occur after the authorization of the Incident Commander or SWAT Commander in the field and/or during training exercises by personnel trained to operate the LRAD.

**Expected Lifespan:** 25 years with proper maintenance
Military Equipment

Fiscal Impact: No annual maintenance.

Training: Only officers trained in the use of the LRAD are authorized to set up and operate the device.

Legal and Procedural Rules: It is the policy of the Seal Beach Police Department to utilize the Long-Range Acoustic Device (LRAD) only for official law enforcement purposes, and pursuant to State and Federal Law.

Other Notes: This equipment is owned and operated by West County SWAT through the Westminster Police Department, which could result in its deployment and/or use in the City of Seal Beach.

7. Robots

A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers.

Current Inventory:

TRANSCEND Vantage Patrol Robot

Description: Transcend's Vantage robot is the world's only double-patented automatic stair and obstacle climbing robot for First Responders. It's the only option for First Responders that want their robot to "just figure it out" on the first attempt to climb stairs, clothes, and junk without the burden of tedious manual controls associated with flippers and other limb systems. This means the Vantage can be used without prior training to enter a house or building to see, hear and learn what's happening before sending officers inside. Cameras: Drive Camera (Night Vision), Pan Tilt Zoom (25x zoom, 90/15 degree up/down tilt, auto infrared night vision), FLIR Thermal. 3 hours constant driving, 12 hours monitoring / intermittent driving. 100+ lb. payload, zero degree turning radius, two-way audio (push to talk), key ignition, easy battery swapping (robot and controller).

Quantity: 1

Purchase Price: Refer to Westminster Police Department policy

Purpose: To be used to remotely gain visual/audio data, deliver HNT phone, open doors, disrupt packages, and clear buildings.

Authorized Use: Only assigned operators who have completed the required training shall be permitted to operate the robot(s) identified above. Use is established by the Bomb Squad Commander or Incident Commander.

Expected Lifespan: 8 to 10 years.

Fiscal Impact: Annual maintenance and battery replacement cost is approximately $500.

Training: All robot operators must first complete the FBI's 6-week hazardous device school prior to operating the robot(s) identified above.
Military Equipment

Legal and Procedural Rules: It is the policy of the SBPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.

Other Notes: This equipment is owned and operated by West County SWAT through the Westminster Police Department, which could result in its deployment and/or use in the City of Seal Beach.

706.11 APPROVAL
The Chief of Police or the authorized designee shall obtain approval from the City Council by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the City Council and is available on the Department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the City Council prior to engaging in any of the following (Government Code § 7071):

(a) Requesting military equipment made available pursuant to 10 USC § 2576a.
(b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting, or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
(c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
(d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this Department.
(e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council.
(f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
(g) Acquiring military equipment through any means not provided above.

706.12 COORDINATION WITH OTHER JURISDICTIONS
Military equipment used by any member of this Department shall be approved for use and in accordance with this Department policy. Military equipment used by other jurisdictions that are providing mutual aid to this Department shall comply with their respective military equipment use policies in rendering mutual aid.

706.13 MAINTENANCE OF MILITARY EQUIPMENT SUPPLY LEVELS
When stocks of military equipment ammunition have reached significantly low levels or have been exhausted, the Department may order up to 10% of stock in a calendar year without City Council approval to maintain essential availability for the Department's needs. Seal Beach
Military Equipment

Police Department is authorized to acquire additional stock of items listed here from other law enforcement agencies or California Office of Emergency Services (Cal OES) in the event of an emergency when approved by the Chief of Police or designee.
<table>
<thead>
<tr>
<th>Equipment Make/Model</th>
<th>Quantity</th>
<th>Purchase Cost</th>
<th>Expected Life Span</th>
<th>Annual Fiscal Impact</th>
</tr>
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<tbody>
<tr>
<td><strong>1 Unmanned Aircraft System (UAS)</strong></td>
<td></td>
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<td></td>
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<tr>
<td>DJI INSPIRE 2</td>
<td>1</td>
<td>$5,299.00</td>
<td>3-5 years</td>
<td>$2,000.00 total for all UAS</td>
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<tr>
<td>DJI FPV</td>
<td>1</td>
<td>$1,300.00</td>
<td>3-5 years</td>
<td></td>
</tr>
<tr>
<td><strong>2 40 MM Launchers and Rounds</strong></td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Launchers</td>
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<tr>
<td>DEFENSE TECHNOLOGY (DT), 40MM SINGLE SHOT LAUNCHER</td>
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<td>$50.00</td>
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<td>Rounds</td>
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<tr>
<td>DT, 40MM EXACT IMPACT SPONGE</td>
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<td>DT, 40MM DIRECT IMPACT CS</td>
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<td><strong>3 Less Lethal Shotgun</strong></td>
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<tr>
<td>Shotgun</td>
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<tr>
<td>REMINGTON Model 870 SHOTGUN</td>
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<td>Drag Stabilized 12-GAUGE BEANBAG ROUND</td>
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<tr>
<td>Rifle</td>
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<tr>
<td>Colt AR-15 223 16”</td>
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<tr>
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<td>- price per</td>
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<td>Geissele AR-15 223 14.5 SBR</td>
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<td>$925.00</td>
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<td>- price per</td>
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<tr>
<td>H&amp;K MP-7 4.6X30 7.1”</td>
<td>2</td>
<td>$1,852.20</td>
<td>25 years</td>
<td>- price per</td>
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<tr>
<td>Rounds</td>
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<tr>
<td>Winchester 223 Remington 55 Gr. Silver Tip</td>
<td>3,680</td>
<td>$802.74</td>
<td>No exp date</td>
<td>- price per 1000</td>
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<td>Winchester 5.56 MM 55 Gr. FMJ</td>
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<td>$392.21</td>
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<td>- price per 1000</td>
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<td>Winchester 223 Remington 55 Gr. Frangible</td>
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<td>$668.05</td>
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<td>- price per 1000</td>
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<td>L-Tech 4.6 x 30MM 31 Gr. Frangible</td>
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<td>L-Tech 4.6 x 30MM 31 Gr. OTM</td>
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<tr>
<td>Launcher</td>
<td></td>
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</tr>
<tr>
<td>Tippmann Pepperball Gun</td>
<td>2</td>
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<td>20 years</td>
<td>$50.00</td>
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<tr>
<td>Rounds</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>PepperBall LIVE-X PROJECTILE</td>
<td>340</td>
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<td>-</td>
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<tr>
<td><strong>6 Armored Vehicles</strong></td>
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<td></td>
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<tr>
<td>SWAT</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>LENCO BEARCAT G2</td>
<td>1</td>
<td>$315,518.65</td>
<td>25 years</td>
<td>$1,000.00</td>
</tr>
<tr>
<td><strong>7 Mobile Command Post Vehicle (MCP)</strong></td>
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<td></td>
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<tr>
<td>SWAT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freightliner M2 106 vehicle</td>
<td>1</td>
<td>$450,000.00</td>
<td>20 years</td>
<td>$1,000.00</td>
</tr>
<tr>
<td><strong>8 Distraction Devices</strong></td>
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<td></td>
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<tr>
<td>SWAT</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>COMBINED TACTICAL SYSTEMS (CTS), MODEL 7290 FLASH BANG</td>
<td>1</td>
<td>$45.00</td>
<td>until used</td>
<td>-</td>
</tr>
<tr>
<td>DT, No. 15 STINGER GRENADE</td>
<td>14</td>
<td>$36.00</td>
<td>5 years</td>
<td>-</td>
</tr>
<tr>
<td><strong>9 Chemical Agent and Smoke Canisters</strong></td>
<td></td>
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<tr>
<td>SWAT</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>DT, DIRECT IMPACT 40MM OC ROUND</td>
<td>5</td>
<td>$26.50</td>
<td>5 years</td>
<td>-</td>
</tr>
<tr>
<td>DT, FLAMELESS TRI-CHAMBER CS GRENADE</td>
<td>5</td>
<td>$34.94</td>
<td>5 years</td>
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</tr>
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<td>DT SPEDE-HEAT CS GRENADE</td>
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<td>$28.30</td>
<td>5 years</td>
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<td>DT CS TRIPLE-CHASER SEPARATING CANISTER</td>
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<td>$44.89</td>
<td>5 years</td>
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<td>DT 40MM CS FERRET POWDER BARRICADE PENETRATING PROJECTILE ROUND</td>
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<td>$20.91</td>
<td>5 years</td>
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</tr>
<tr>
<td>DT 40MM CS FERRET LIQUID BARRICADE PENETRATING PROJECTILE ROUND</td>
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<td>$21.53</td>
<td>5 years</td>
<td>-</td>
</tr>
<tr>
<td><strong>10 Explosive Breaching Tools</strong></td>
<td></td>
<td></td>
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<tr>
<td>SWAT</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Kinetic Breaching Tool (KBT) Model 3-1000</td>
<td>1</td>
<td>$10,494.38</td>
<td>30 years</td>
<td>-</td>
</tr>
<tr>
<td><strong>11 Robot</strong></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>SWAT</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>TRANSCEND Vantage Patrol Robot</td>
<td>1</td>
<td>$10,000.00</td>
<td>8-10 years</td>
<td>$500.00</td>
</tr>
<tr>
<td><strong>12 Long Range Acoustic Device (LRAD)</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>SWAT</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Genasys Long-Range Acoustic Device (LRAD) Model 500X</td>
<td>1</td>
<td>$25,000.00</td>
<td>25 years</td>
<td>-</td>
</tr>
</tbody>
</table>
SUMMARY OF REQUEST:

That the City Council:

1. Adopt Resolution 7273 notifying the Orange County Airport Land Use Commission and the Division of Aeronautics of the California Department of Transportation of the City’s intention to find that the General Plan 2021-2029 Housing Element is consistent with the purposes of the State Aeronautics Act and overrule the Orange County Airport Land Use Commission’s determination that the Housing Element is inconsistent with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan; and,

2. Authorize the City Manager to submit Resolution 7273 to the Orange County Airport Land Use Commission and the State Division of Aeronautics, and schedule a public hearing pursuant to Public Utilities Code Section 21676.

BACKGROUND AND ANALYSIS:

Airport Land Use Commission

The Orange County Airport Land Use Commission (ALUC) is an advisory committee created by the Public Utilities Code (PUC) to assist local agencies in ensuring compatible land uses. This is done primarily through their adoption of a land use compatibility plan, known in Orange County as the Airport Environ Land Use Plan (AELUP) for the Joint Forces Training Base Los Alamitos (JFTB), against which proposed land uses are compared and evaluated for consistency. The AELUP includes a variety of information designed to help development
surrounding the JFTB be compatible with the airport use, including heights, noise, and general safety. These topics are more thoroughly described later in this staff report.

PUC Section 21676(b) requires the City to submit General Plans and General Plan amendments to the ALUC for a consistency determination. As such, the 2021-2029 Housing Element was submitted on February 1, 2022, following the Planning Commission public hearing on January 18, 2022. Ideally, the ALUC will review the document for consistency prior to City Council adoption. However, this timeline was unachievable due to a variety of factors, including time needed to address substantive comments from the State on the draft Housing Element previously submitted for review, and the desire to avoid penalties that may be imposed by the State for not submitting a housing element by the statutory deadline.

The ALUC reviewed the adopted Housing Element on February 17, 2022 (Attachment 2). City staff attended the meeting, and answered questions from the ALUC commissioners, primarily related to the potential housing site identified at the Old Ranch Country Club, generally along the western edge of the golf course. After review and discussion, the ALUC voted unanimously (5-0) to find the City’s Housing Element inconsistent with the AELUP based on noise, safety, and general concerns of land use incompatibility with the ALUC’s purposes and responsibilities, which are more broadly described below. The ALUC’s letter is included as Attachment 3.

Noise

The AELUP uses the Community Noise Equivalent Level (CNEL) system for measuring noise impacts, which is a weighted average of noise over time. The AELUP defines the noise exposure in the 60-65 dBA CNEL noise contour (Noise Impact Zone 2) as “Moderate Noise Impact” and in the 65-70 dBA CNEL noise contour (Noise Impact Zone 1) as “High Impact.” (AELUP Sections 3.2.3, 3.2.4.) Residential uses are identified as “conditionally consistent” for the 60-65 dBA CNEL noise contour and “normally inconsistent” for the 65-70 dBA CNEL noise contour (AELUP Section 3, Table 1 “Limitations on Land Use Due to Noise”). However, residential uses are not outright prohibited. Instead, they are required to be developed with insulation systems that bring the sound attenuation to no more than 45 dB inside, a requirement that is consistent with the City’s General Plan Noise Element and State building code. The City’s Noise Element further states that up to 70 dBA CNEL is conditionally acceptable for multi-family residential uses, and identifies a number of residential uses that are already developed within higher CNEL areas, particularly adjacent to the I-405. Attachment 4 is a map excerpt from the AELUP, identifying noise contours, and Attachment 5 is an excerpt from the Noise Element, showing noise contours associated with roadways.
Safety

AELUP Section 2.1.2 (Safety) describes accident potential zones and clear zones at the JFTB. Accident potential and clear zones were set in 1994 and based on Department of Defense criteria. Prior to 1995, the ALUC utilized a 10-year accident history which found that the accident potential zone was located within the boundaries of JFTB, and no additional accident potential zones are identified beyond the clear zones. (Clear zones are marked as "CZ" on Attachment 4.) No development is proposed by the Housing Element within the clear zones.

General Land Use Compatibility

The ALUC determination notes “the Commission is charged by PUC Section 21674 (a) ‘to assist local agencies in ensuring compatible land uses in the vicinity of…existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses,’ and PUC Section 21674(b) ‘to coordinate planning at the state, regional, and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety, and welfare.’”

These standards and policies set forth in the AELUP were adopted to prevent the creation of new noise and safety problems. As set forth in the City’s General Plan, all development on the proposed housing opportunity sites will comply with the noise criteria and safety standards set forth in the AELUP.

Overrule Process

As a final review authority on legislative acts, the City Council may choose to overrule the ALUC’s determination by following a two-step process, which is established in Public Utilities Code Sections 21676 and 21676.5. The first step in the process is to adopt a resolution of intention to override, a copy of which would be sent to the ALUC and the Division of Aeronautics of the Department of Transportation to provide formal notification of the City's intent. A decision on overruling the ALUC cannot take place less than 45 days after notice of the City Council's proposed action. The ALUC and Division of Aeronautics may provide comments to the City Council within 30 days of receiving the resolution of intention. If comments from the ALUC and/or the Division of Aeronautics are not made available within this time frame, the City Council may act without them. Any comments by the ALUC and Division of Aeronautics are advisory to the Council, and must be included in the public record of any final decision by the City Council to overrule the ALUC’s determination.

The second step in the process is that, not less than 45-days after notification has been sent to the ALUC and Division of Aeronautics, the City Council must conduct a public hearing, after which the City Council may decide whether to adopt a resolution to overrule the ALUC and make specific findings that the Housing Element is consistent with the purposes of the State Aeronautics Act, as set forth in PUC Section 21670.
If the City Council fails to revise the Housing Element in accordance with the ALUC comments, or fails to overrule the ALUC’s inconsistency determination based on specific findings, then the ALUC may, pursuant to PUC Section 21676.5(a), require the City to submit all subsequent actions, regulations, and permits to the ALUC for review until the City’s General Plan is revised or specific findings are made. If the ALUC then finds that an action, regulation, or permit is inconsistent with the AELUP, the City must then hold a hearing to reconsider its plan. The City may then go through a similar overrule process.

However, under PUC Section 21676.5(b), if the City Council has revised its General Plan or has overruled the ALUC, the proposed action of the City shall not be subject to further ALUC review, unless the ALUC and the City agree that individual projects shall be reviewed by the ALUC.

The attached resolution notifies the ALUC and the Division of Aeronautics of the City’s intent to conduct a public hearing and consider whether to adopt a resolution overruling the ALUC inconsistency determination. If the resolution of intention is adopted, the City Council would conduct the public hearing at a later date, at which time the City Council would consider all comments received, including from the ALUC and the Division of Aeronautics, and then make a decision. The resolution to overrule the ALUC at the future hearing must be adopted by a two-thirds vote of the City Council.

PUC Section 21678 states that if the City overrides ALUC’s action or recommendation, the operator of the airport shall be immune to liability from damages to property or personal injury caused by or resulting directly or indirectly from the City’s decision to overrule the ALUC determination.

Alternatives

The City Council may decide not to overrule ALUC’s determination of inconsistency. One option is to identify alternative sites for new housing units, amend the Housing Element, and resubmit the revised document to ALUC for consistency review.

The City Council may also choose to take no action. Staff does not recommend this option, as it may result in the ALUC impose a requirement to review all land use actions, regulations, and permits under PUC Section 21676.5, which would substantially delay entitlement and building permit processes including those related to meeting the City’s share of regional housing needs assessment (RHNA).

ENVIRONMENTAL IMPACT:

There is no environmental impact related to this item. Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and
15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**LEGAL ANALYSIS:**

The City Attorney has reviewed the proposed resolution and approved as to form.

**FINANCIAL IMPACT:**

There is no fiscal impact related to this item.

**STRATEGIC PLAN:**

Adoption of the Housing Element was identified as a Council priority. ALUC review of the Housing Element is a part of the overall update process.

**MEASURE BB:**

This item is not applicable to Measure BB, the Seal Beach Neighborhood and Essential Services Protection Measure.

**RECOMMENDATION:**

That the City Council:

1. Adopt Resolution 7273 notifying the Orange County Airport Land Use Commission and the Division of Aeronautics of the California Department of Transportation of the City’s intention to find that the General Plan 2021-2029 Housing Element is consistent with the purposes of the State Aeronautics Act and overrule the Orange County Airport Land Use Commission’s determination that the Housing Element is inconsistent with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan; and,

2. Authorize the City Manager to submit Resolution 7273 to the Orange County Airport Land Use Commission and the Division of Aeronautics, and schedule a public hearing pursuant to Public Utilities Code Section 21676.

**SUBMITTED BY:**

Alexa Smittle
Alexa Smittle, Community Development Director

**NOTED AND APPROVED:**

Jill R. Ingram
Jill R. Ingram, City Manager
ATTACHMENTS:

A. Resolution 7273
B. Adopted 2021-2029 Housing Element
C. ALUC Letter of Determination
D. AELUP Map of Noise Contours and Clear Zones
E. Noise Element Map of Noise Contours
RESOLUTION 7273


WHEREAS, Section 200 of the City of Seal Beach ("City") Charter vests the City Council with the authority to make and enforce all laws, rules and regulations with respect to municipal affairs subject only to the restrictions and limitations contained in the Charter and the State Constitution, and the power to exercise, or act pursuant to any and all rights, powers, and privileges, or procedures granted or prescribed by any law of the State of California; and,

WHEREAS, the City worked with its consultants, the community, Planning Commission and City Council to prepare its General Plan 2021-2029 Housing Element ("Project") as required by Government Code Section 65580 et seg. (Housing Element Law); and,

WHEREAS, in accordance with Public Utilities Code Section 21676(b), the City referred the Project to the Orange County Airport Land Use Commission ("ALUC") to review for consistency with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan ("AELUP"); and,

WHEREAS, on February 17, 2022, the ALUC, acting pursuant to Public Utilities Code Section 21670, determined that the Project is inconsistent with the AELUP; and,

WHEREAS, as the final review authority under Public Utilities Code Sections 21670 and 21676, the City Council may, after a public hearing, overrule the ALUC by a two-thirds vote, if it makes specific findings that the Project is consistent with the purposes of Public Utilities Code Section 21670 regarding the protection of the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses; and by providing the ALUC and the Division of Aeronautics of the California Department of Transportation ("Division") with notice of the City's intent to consider overruling the ALUC determination along with specific findings at least 45 days prior to the City’s action to overrule the ALUC; and,

WHEREAS, the Public Utilities Code provides that the ALUC and the Division shall respond to the notification of the findings of proposed override within 30 days of receiving
the proposed resolution and findings; and,

WHEREAS, in the event the ALUC or Division’s comments are not available within this timeframe, the City may act without them; and,

WHEREAS, the comments by the ALUC and Division are advisory to the City under state law; and,

WHEREAS, the City Council shall include any comments from the ALUC and the Division in the final record of any final decision by the City Council to overrule the ALUC, which may only be adopted by a two-thirds vote of the City Council; and,

WHEREAS, the draft findings attached as Exhibit A to this resolution do not constitute the final findings of the City with regard to the Project’s consistency with the purposes of Public Utilities Code Section 21676 and such draft findings may be revised, amended, and/or supplemented as part of any final decision to overrule the ALUC’s determination; and,

WHEREAS, should the City Council adopt this resolution making the draft findings and declaration an intent to consider overruling the ALUC determination that the Project is inconsistent with the AELUP and directing staff to transmit the required notice to the ALUC and the Division, a public hearing will be required in order for the City Council to make a final decision whether to overrule the ALUC inconsistency determination.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEAL BEACH DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. Declares its intent to conduct a public hearing and its intent to consider overruling the ALUC’s determination that the proposed General Plan 2021-2029 Housing Element is inconsistent with the AELUP based on the following draft findings:

a. The 2017 Joint Forces Training Base Los Alamitos Airport Enviorns Land Use Plan (“AELUP”) of the Orange County Airport Land Use Commission (“ALUC”) guides the orderly development of the Joint Forces Training Base Los Alamitos (“JFTB”) and the surrounding area through implementation of the standards in AELUP Section 2 (Planning Guidelines) and Section 3 (Land Use Policies). Implementation of these standards is intended to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace.
b. AELUP Section 2.1.1 sets forth the Community Noise Equivalent Level ("CNEL") standards. The Project includes the identification of two (2) opportunity sites within the 60 dB CNEL contour for JFTB. No opportunity sites are within the 65 dB CNEL.

c. Sections 3.2.3 and 3.2.4, respectively, of the AELUP define the noise exposure in the 60-65 dB CNEL noise contour (Noise Impact Zone 2) as "Moderate Noise Impact" and in the 65-70 dB CNEL noise contour (Noise Impact Zone 1) as "High Impact." Section 3, Table 1 (Limitations on Land Use Due to Noise) of the AELUP identifies residential as "conditionally consistent" with the 60-65 dB CNEL noise contour and "normally inconsistent" with the 65-70 dB CNEL noise contour. However, residential uses are not outright prohibited. Instead, AELUP Section 3.2.3 requires residential uses to be developed with advanced insulation systems to bring the sound after attenuation to no more than 45 dB inside. The City’s General Plan Noise Element page N-30 states that indoor noise levels for residential living spaces shall not exceed 45 dB LDN/CNEL. The Noise Element page N-9 further states that exterior noise up to 70 dB LDN/CNEL is conditionally acceptable for multi-family residential.

d. The AELUP Section 2.1.2 (Safety) sets forth zones identified as accident potential zones and clear zones. No Housing Element opportunity sites are located within these identified areas.

e. The Project is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to the JFTB. The standards and policies set forth in Sections 2 (Planning Guidelines) and 3 (Land Use Policies) of the AELUP were adopted to prevent the creation of new noise and safety problems. As set forth above, any development on the proposed housing opportunity sites will comply with the noise criteria and safety standards established in Sections 2 and 3 of the AELUP.

Section 4. The City Council hereby directs City staff to provide notice, in accordance with Sections 21676(b) and 21676.5(a) of the Public Utilities Code, to the ALUC and Caltrans Department of Transportation, Division of Aeronautics, of the City’s intent to overrule the ALUC’s determination of inconsistency for the Project based on the above findings, at least 45 days prior to the scheduled public hearing date for consideration of the proposed overruling action by the City Council.

Section 5. The City Council hereby further directs City staff to take all other actions necessary to effectuate the purpose and intent of this resolution.
Section 6. The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Specifically, the resolution does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment because it is limited to the City's proposal to overrule the ALUC's determination. The Project has been independently reviewed and evaluated pursuant to CEQA.

Section 7. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the Seal Beach City Council at a regular meeting held on the 11th day of April, 2022 by the following vote:

AYES: Council Members______________________________

NOES: Council Members______________________________

ABSENT: Council Members______________________________

ABSTAIN: Council Members______________________________

_____________________________________________________
Joe Kalmick, Mayor

ATTEST:

_____________________________________________________
Gloria D. Harper, City Clerk
STATE OF CALIFORNIA  }
COUNTY OF ORANGE    } SS
CITY OF SEAL BEACH    

I, Gloria D. Harper, City Clerk of the City of Seal Beach, do hereby certify that the foregoing resolution is the original copy of Resolution 7273 on file in the office of the City Clerk, passed, approved, and adopted by the City Council at a regular meeting held on the 11th day of April, 2022.

__________________________
Gloria D. Harper, City Clerk
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I.  INTRODUCTION

A. Purpose of the Housing Element

State law recognizes the vital role local governments play in the supply and affordability of housing. Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the city or county. The Housing Element is one of the seven mandated elements of the General Plan. Housing Element law, first enacted in 1969, mandates that local governments plan to meet the existing and projected housing needs of all economic segments of the community. The law recognizes that, in order for the private market to adequately address housing needs, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy in California rests largely upon the effective implementation of local General Plans and, in particular, local Housing Elements. Housing Element law also requires the California Department of Housing and Community Development (HCD) to review local housing elements and to report its written findings to local governments with respect to the Housing Element's conformance with state law.

As mandated by State law, the planning period for this Housing Element extends from 2021 to 2029. This Element identifies strategies and programs that focus on the following major goals:

- Facilitate the development of a variety of housing types for all income levels to meet the existing and future needs of residents;
- Assist in the development of adequate housing to meet the needs of low- and moderate-income households;
- Address and, where appropriate and legally possible, remove governmental constraints to the maintenance, improvement and development of housing;
- Maintain and enhance the existing quality of residential neighborhoods in Seal Beach;
- Affirmatively further fair housing opportunities for all persons regardless of race, color, national origin, ancestry, religion, sex, marital status, income, or familial status.

The Housing Element consists of the following major components:

- An analysis of the City’s demographic and housing characteristics and trends (Chapter II);
- An evaluation of land, financial, and administrative resources available to address the City’s housing goals (Chapter III);
- A review of potential constraints, both governmental and non-governmental, to meeting the City’s housing needs (Chapter IV); and
I. Introduction

- A Housing Action Plan for the 2021-2029 planning period, including housing goals, policies and programs (Chapter V).
- A review of the City’s accomplishments and progress in implementing the previous Housing Element is provided in Appendix A.

B. Data Sources and Methods

In preparing the Housing Element various data sources are utilized. Chapter II – Housing Needs Assessment utilizes HCD-approved data compiled by the Southern California Association of Governments (SCAG), which is based primarily on the U.S. Census Bureau American Community Survey (ACS). Some population and housing unit data are also prepared by the California Department of Finance (DOF). City records also provide data regarding some issues such as units at risk of conversion and housing construction and demolition activity in the Coastal Zone.

C. Public Participation

Section 65583(c)(5) of the Government Code states that "The local government shall make diligent effort to achieve public participation of all the economic segments of the community in the development of the housing element, and the program shall describe this effort." Public participation played an important role in the formulation and refinement of the City’s housing goals, policies and programs for the next 8 years. Please see Appendix C for information regarding the public involvement process for the 2021 Housing Element update.

D. Consistency with Other Elements of the General Plan

The elements that comprise the Seal Beach General Plan are required to be internally consistent. Together these elements provide the framework for development of facilities, services and land uses necessary to address the needs and desires of the city residents. The City will ensure consistency between the various General Plan elements and ensure policy direction introduced in one element is reflected in other plan elements. For example, residential development capacities established in the Land Use Element and constraints to development identified in the Safety/Noise Element are reflected in the Housing Element. This Housing Element builds upon the other General Plan elements and is consistent with the policies and proposals set forth by the Plan. As the General Plan is amended from time to time, the City will review the Housing Element for internal consistency and make any necessary revisions.

SB 1087 of 2005 requires cities to provide a copy of their Housing Elements to local water and sewer providers, and also requires that these agencies provide priority hookups for developments with lower-income housing. These providers were consulted during preparation of the Housing Element update and a copy of the final Housing Element will be provided to these agencies upon adoption.
Government Code Section 65302 requires that the Safety and Conservation Elements be reviewed with each update to the Housing Element.
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II. HOUSING NEEDS ASSESSMENT

Meeting the various housing needs of residents is an important goal for Seal Beach. The first step to achieving this goal is understanding the housing needs in the community. This chapter explores the various demographic and housing characteristics in the City to help guide the development of policies and programs to address those needs.

The Housing Needs Assessment utilizes recent data from the U.S. Census, California Department of Finance (DOF), Southern California Association of Governments (SCAG) and other relevant sources. Supplemental data was obtained through field surveys.

A. Community Context

Seal Beach encompasses 11.4 square miles in northwestern Orange County south of Long Beach (in Los Angeles County) and north of Huntington Beach (see Figure II-1). Incorporated in 1915 primarily as a farming community, the city has grown while still maintaining its small-town atmosphere. The population of the city remained relatively stable from 1915 to 1944 with little more than 1,000 residents. However, in 1944 the U.S. Navy acquired half of the city to construct the Naval Weapons Station bringing new residents to Seal Beach. The population increased to more than 7,000 persons in 1954 with the development of the Marina Hill subdivision. In 1962, Leisure World retirement community was established with an estimated 9,000 senior residents. In 1966, a large housing tract referred to as College Park East was developed and added an additional 5,000 homeowners. As of January 1, 2021, the Seal Beach population was approximately 24,443 according to the California Department of Finance.

The demographic characteristics of Seal Beach have remained relatively stable over the past three decades. With the presence of Leisure World and many condominium developments catering to retired persons, the city has a large number of elderly households. The City’s prime beachfront location appeals to the affluent, both working and retired. Property values in Seal Beach increased as the City has become increasingly built out. Newcomers to the City who can afford high housing costs tend to be those of upper incomes or retired persons with substantial assets. However, the city also has long-time residents who purchased their homes many years ago when real estate was still affordable. Many of these long-time residents have fixed incomes and may have difficulty in maintaining their homes.

The housing stock in Seal Beach consists of a mix of single-family and multi-family units with one mobile home park. Though a majority of the housing units are more than 40 years of age, housing is generally in good condition with the exception of some older beach areas and some units in the mobile home park.
Figure II-1  Regional Location Map
B. Population Characteristics

1. Population Growth Trends

Seal Beach had an estimated population of 24,992 in 2020, including 239 living in group quarters according to the California Department of Finance. During the 20-year period from 2000 to 2020, Seal Beach had an annual growth rate of 0.2% compared to 0.7% for the region as a whole (see Table II-1).

![Table II-1: Population Trends, 2000-2020]

<table>
<thead>
<tr>
<th>Year</th>
<th>Seal Beach</th>
<th>SCAG</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>24,157</td>
<td>16,516,703</td>
</tr>
<tr>
<td>2005</td>
<td>24,257</td>
<td>17,541,873</td>
</tr>
<tr>
<td>2010</td>
<td>24,168</td>
<td>18,051,534</td>
</tr>
<tr>
<td>2015</td>
<td>24,995</td>
<td>18,731,901</td>
</tr>
<tr>
<td>2020</td>
<td>24,992</td>
<td>19,021,787</td>
</tr>
</tbody>
</table>

2. Age and Gender

Housing needs are influenced by the age characteristics of the population. Different age groups require different accommodations based on lifestyle, family type, income level, and housing preference. Table II-2 shows the city’s estimated population by age group and gender. The share of the population under 18 years of age is about 13%, which is lower than the regional share of 23%. Seal Beach’s seniors (65 and above) make up 39% of the population, which is higher than the regional share of 13%.
C. Household Characteristics

1. Household Size

Household characteristics are important indicators of the type and size of housing needed in a city. The Census defines a “household” as all persons occupying a housing unit, which may include single persons living alone, families related through marriage or blood, or unrelated persons sharing a single unit. Persons in group quarters such as dormitories, military barracks, prisons, retirement or convalescent homes, or other group living situations are included in population totals but are not considered households.

Table II-3 illustrates the range of household sizes in Seal Beach for owners, renters, and overall. The most commonly occurring household size is of one person (45.1%) and the second-most commonly occurring household is of two people (35.4%). Seal Beach has a higher share of single-person households than the SCAG region overall (45.1% vs. 23.4%) and a lower share of 7+ person households than the SCAG region overall (0.1% vs. 3.1%).
II. Housing Needs Assessment

2. Housing Tenure

Housing tenure (owner vs. renter) is an important indicator of the housing market. Communities need an adequate supply of units available both for rent and for sale in order to accommodate a range of households with varying income, family size and composition, and lifestyle. Table II-4 shows that over three-quarters of housing units in Seal Beach are owner-occupied compared to 53% for the region as a whole. Younger Seal Beach residents are more likely to be renters while those over age 45 are predominantly homeowners (Table II-5).
3. Overcrowding

Overcrowding is often closely related to household income and the cost of housing. The U.S. Census Bureau considers a household to be overcrowded when there is more than one person per room, excluding bathrooms and kitchens, with severe overcrowding when there are more than 1.5 occupants per room. Table II-6 summarizes overcrowding for the
City of Seal Beach compared to SCAG region as a whole. (Note: Severely overcrowded units are a subset of overcrowded units.)

Table II-6  
Overcrowding –  
Seal Beach vs. SCAG Region

The incidence of overcrowding is very low in Seal Beach compared to regional averages.

The relatively high cost of housing in Seal Beach and throughout the region is considered to be the primary cause of overcrowding. Several programs in the Housing Action Plan (Chapter V) designed to address housing affordability will also help to alleviate overcrowding. These programs include 1a (Provision of Adequate Sites), 1b (Mixed Use Development), 1c (Promote Available Incentives), 1h (Accessory Dwelling Units), 2b (Affordable Housing Resources), 3a (Housing Choice Vouchers), and others.

4. Overpayment

According to State housing policy, overpaying occurs when housing costs exceed 30% of gross household income. Table II-7 displays recent estimates for overpayment by tenure and income category for Seal Beach households. This table shows that households in the lower income categories are more likely to overpay for housing.

Although homeowners enjoy income and property tax deductions and other benefits that help to compensate for high housing costs, lower-income homeowners may need to defer maintenance or repairs due to limited funds, which can lead to deterioration. For lower-income renters, severe cost burden can require families to double up resulting in overcrowding and related problems.
The relatively high cost of housing in Seal Beach and throughout the region is the primary cause of overpayment. Several programs in the Housing Action Plan (Chapter V) designed to address housing affordability will also help to address this issue. These programs include 1a (Provision of Adequate Sites), 1b (Mixed Use Zoning), 1h (Accessory Dwelling Units), 2b (Affordable Housing Resources), 3a (Housing Choice Vouchers), and others.

### Extremely-Low-Income Households

State law requires quantification and analysis of existing and projected housing needs of extremely-low-income (ELI) households. Extremely-low-income is defined as households with income less than 30% of area median income. Housing the extremely-low-income population is especially challenging. HUD’s CHAS dataset provides information on ELI households in Seal Beach (Table II-8). The race/ethnicity with the highest share of ELI households in Seal Beach is Asian and other, non-Hispanic (28.4% compared to 21.4% of total population). In the SCAG region, the highest share of ELI households is Black, non-Hispanic (27.1% compared to 17.7% of total households).
D. Employment

Employment is an important factor affecting housing needs within a community. The jobs available in each employment sector and the wages for these jobs affect the type and size of housing residents can afford.

1. Current Employment

Seal Beach has 10,005 workers living within its borders who work across 13 major industrial sectors. The chart below provides detailed employment information. The most prevalent industry is Education & Social Services with 2,671 employees (26.7% of total) and the second most prevalent industry is Professional Services with 1,452 employees (14.5% of total) (Table II-9).
The most prevalent occupational category in Seal Beach is Management, in which 5,440 (54.4% of total) employees work. The second-most prevalent type of work is in Sales, which employs 2,535 (25.3% of total) in Seal Beach (Table II-10).

American Community Survey 2014-2018 5-year estimates using groupings of 2-digit NAICS codes.

American Community Survey 2014-2018 5-year estimates using groupings of SOC codes.
E. Housing Stock Characteristics

This section presents an evaluation of the characteristics of the community’s housing stock and helps in identifying and prioritizing needs. The factors evaluated include the number and type of housing units, recent growth trends, age and condition, tenure, vacancy, housing costs, affordability, and assisted affordable units at-risk of loss due to conversion to market-rate. A housing unit is defined as a house, apartment, mobile home, or group of rooms, occupied as separate living quarters, or if vacant, intended for occupancy as separate living quarters.

1. Housing Type

Table II-11 provides information on the housing stock in Seal Beach. The most prevalent housing type in Seal Beach is multifamily, 5+ units with 7,012 units. The share of all single-family units in Seal Beach is 43%, which is lower than the 62% share in the SCAG region. The average household size (as expressed by the population to housing unit ratio) is 1.84. Both housing type and average household size are influenced by the Leisure World community, which has a high proportion of multi-family units and low average household size.

| Table II-11 | Housing by Type – Seal Beach vs. SCAG Region |
|-------------|--------------------------------|------------------|
| Percent of Total Units | Seal Beach (%) | SCAG (%) |
| Single-Family Detached | 32.6% | 54.4% |
| Single-Family Attached | 10.4% | 7.2% |
| Multifamily, 2-4 Units | 7.7% | 7.5% |
| Multifamily, 5+ Units | 48.2% | 27.3% |
| Mobile Homes | 1.1% | 3.5% |

2. Housing Age and Conditions

Housing age is often an important indicator of housing condition. Housing units built prior to 1978 before stringent limits on the amount of lead in paint were imposed may have interior or exterior building components coated with lead-based paint. Housing units built before 1970 are the most likely to need rehabilitation and to have lead-based paint in deteriorated condition. Lead-based paint becomes hazardous to children under age six
and to pregnant women when it peels off walls or is pulverized by windows and doors opening and closing.

Table II-12 shows the age distribution of the housing stock in Seal Beach compared to the region as a whole. This table shows that about three-quarters of all housing units in Seal Beach were constructed prior to 1970. Even though the majority of homes are more than 50 years old, housing conditions are generally good to excellent, and very few homes are in need of any significant repair, based on staff observations. The City’s Code Enforcement activities focus on maintaining a high quality of life for residents and visitors. Most enforcement activities are complaint-driven, although ongoing monitoring occurs in the Seal Beach Shores Trailer Park. It is estimated that approximately 10 mobile homes in the park are in need of some form of rehabilitation. Program 4b (Housing Conditions Monitoring) is intended to address these needs.

<table>
<thead>
<tr>
<th>Age of Housing Stock – Seal Beach vs. SCAG Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent of Total Units</td>
</tr>
<tr>
<td>Seal Beach (%)</td>
</tr>
<tr>
<td>SCAG (%)</td>
</tr>
</tbody>
</table>

American Community Survey 2014-2018 5-year estimates.

3. Vacancy Rates

Table II-13 shows the types of vacant units in Seal Beach compared to the SCAG region. Over half of vacant units in Seal Beach were classified as “seasonal” indicating these units are likely to be second homes.
4. Housing Cost

a. Housing Affordability Criteria

State law establishes five income categories for purposes of housing programs based on the area (i.e., county) median income ("AMI"): extremely low (30% or less of AMI), very low (31-50% of AMI), low (51-80% of AMI), moderate (81-120% of AMI) and above moderate (over 120% of AMI). Housing affordability is based on the relationship between household income and housing expenses. Each year the California Department of Housing and Community Development publishes income guidelines for these income categories. Housing is generally considered “affordable” if the monthly payment is no more than 30% of a household’s gross income. In some areas (such as Orange County), these income limits may be increased to adjust for high housing costs.

Table II-14 shows affordable rent levels and estimated affordable purchase prices for housing in Orange County by income category as of 2021. Based on State-adopted standards, the maximum affordable monthly rent (including utilities) for a 4-person extremely-low-income households is $1,009, while the maximum affordable rent for very-low-income households is $1,671. The maximum affordable rent for low-income households is $2,689, while the maximum for moderate-income households is $3,201. These figures are adjusted for smaller or larger households.

Affordable purchase prices are more difficult to determine due to variations in mortgage interest rates and qualifying procedures, down payments, special tax assessments, homeowner association fees, property insurance rates, etc. With this caveat, the affordable home purchase prices by income category shown in Table II-14 have been estimated based on typical conditions. Affordable purchase prices have only been
estimated for the moderate and above-moderate level because affordable for-sale housing in high-cost areas is generally not feasible at the lower income levels.

### Table II-14

**Income Categories and Affordable Housing Costs, 2021 – Orange County**

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Maximum Income</th>
<th>Affordable Rent</th>
<th>Affordable Price (est.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low</td>
<td>$40,350</td>
<td>$1,009</td>
<td>*</td>
</tr>
<tr>
<td>Very Low</td>
<td>$67,250</td>
<td>$1,681</td>
<td>*</td>
</tr>
<tr>
<td>Low</td>
<td>$107,550</td>
<td>$2,689</td>
<td>*</td>
</tr>
<tr>
<td>Moderate</td>
<td>$128,050</td>
<td>$3,201</td>
<td>$500,000</td>
</tr>
<tr>
<td>Above moderate</td>
<td>Over $128,050</td>
<td>Over $3,201</td>
<td>Over $500,000</td>
</tr>
</tbody>
</table>

Assumptions:
- Based on a family of 4 and 2021 State income limits; 30% of gross income for rent or principal, interest, taxes & insurance; 5% down payment, 4% interest, 1.25% taxes & insurance, $350 HOA dues
- Notes:
  - *For-sale affordable housing is typically at the moderate-income level

Source: Cal. HCD; JHD Planning LLC

### b. For-Sale Housing

Between 2000 and 2018, median home sales prices in Seal Beach increased 151% while prices in the SCAG region increased 151%. Median home sales prices in Seal Beach in 2018 were $952,000, representing the highest prices as of that date. Prices in Seal Beach have ranged from a low of 141.8% of the SCAG region median in 2007 and a high of 232.7% in 2009 (Table II-15).

### Table II-15

**Median Home Sales Prices for Existing Homes, 2000-2018 – Seal Beach vs. SCAG Region**

Source: SCAG Local Profiles, Core Logic/Data Quick. SCAG median home sales price calculated as household-weighted average of county medians.
As seen in Table II-16, the most common monthly mortgage cost for Seal Beach homeowners is over $4,000 as compared to $2,000 to $3,000 for the region as a whole.

### Table II-16

<table>
<thead>
<tr>
<th>Mortgage Payment Range</th>
<th>Seal Beach</th>
<th>SCAG Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;$500</td>
<td>10%</td>
<td>5%</td>
</tr>
<tr>
<td>$500-$1000</td>
<td>6.2%</td>
<td>5.1%</td>
</tr>
<tr>
<td>$1000-$1500</td>
<td>6.2%</td>
<td>5.1%</td>
</tr>
<tr>
<td>$1500-$2000</td>
<td>13.7%</td>
<td>13.2%</td>
</tr>
<tr>
<td>$2000-$3000</td>
<td>19.6%</td>
<td>24.1%</td>
</tr>
<tr>
<td>$3000-$4000</td>
<td>20.2%</td>
<td>15.4%</td>
</tr>
<tr>
<td>&gt;$4000</td>
<td>33.4%</td>
<td>29.2%</td>
</tr>
</tbody>
</table>

*American Community Survey 2014-2018 5-year estimates.*

c. **Rental Housing**

As in most beach communities in Southern California, rents are relatively high compared to regional averages. According to 2015-2019 ACS estimates, the median rent in Seal Beach is approximately $1,907/month. Across Seal Beach's 2,996 renter households, 1,262 (42%) spend 30% or more of gross income on housing cost, compared to 55% in the SCAG region. Additionally, 561 renter households in Seal Beach (19%) spend 50% or more of gross income on housing cost, compared to 29% in the SCAG region (Table II-17). As illustrated in Table II-18, households with the lowest incomes typically spend the highest proportion of their incomes on rent.
F. Special Needs

Certain groups have greater difficulty in finding decent, affordable housing due to special circumstances. Such circumstances may be related to one’s employment and income, family characteristics, disability, or other conditions. As a result, some Seal Beach residents
may experience a higher prevalence of overpayment, overcrowding, or other housing problems.

State Housing Element law defines “special needs” groups to include persons with disabilities (including developmental disabilities), the elderly, large households, female-headed households with children, homeless people, and farm workers. Many households within these special needs groups also fall within the extremely-low-income category. This section contains a discussion of the housing needs facing each of these groups.

1. Persons with Disabilities

The Americans with Disabilities Act (ADA) defines a disabled person as having a physical or mental impairment that substantially limits one or more major life activities. Disabled persons may have special housing needs as a result of their disability. Problems may include low income, high health care costs, dependency on supportive services, or a need for special building accommodations such as access ramps or elevators.

Table II-19 and Table II-20 show recent disability data for Seal Beach residents. The most common type of disability for all age groups as well as for seniors was ambulatory. Housing opportunities for those with disabilities can be improved through housing assistance programs and universal design features such as widened doorways, ramps, lowered countertops, single-level units and ground floor units. The City currently offers an assistance program for qualified Leisure World residents to upgrade bathroom facilities for mobility (Program 4c).

<table>
<thead>
<tr>
<th>Table II-19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disabilities by Type – Seal Beach</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Disability</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Independent Living</td>
<td>1,530</td>
</tr>
<tr>
<td>Self-care</td>
<td>1,078</td>
</tr>
<tr>
<td>Ambulatory</td>
<td>2,588</td>
</tr>
<tr>
<td>Cognitive</td>
<td>1,253</td>
</tr>
<tr>
<td>Vision</td>
<td>667</td>
</tr>
<tr>
<td>Hearing</td>
<td>1,440</td>
</tr>
</tbody>
</table>

American Community Survey 2014-2018 5-year estimates.
As seen in Table II-21, nearly half of Seal Beach residents who reported a disability were employed.

### Table II-21
Disabilities by Employment Status – Seal Beach

<table>
<thead>
<tr>
<th></th>
<th>With a Disability</th>
<th>Percent of Total</th>
<th>No Disability</th>
<th>Percent of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employed</td>
<td>357</td>
<td>48%</td>
<td>8,404</td>
<td>79%</td>
</tr>
<tr>
<td>Unemployed</td>
<td>72</td>
<td>10%</td>
<td>340</td>
<td>3%</td>
</tr>
<tr>
<td>Not in Labor Force</td>
<td>310</td>
<td>42%</td>
<td>1,959</td>
<td>18%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>739</td>
<td><strong>10,703</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*American Community Survey 2014-2018 5-year estimates.*

### Developmental Disabilities

As defined by federal law, “developmental disability” means a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments;
• Is manifested before the individual attains age 22;
• Is likely to continue indefinitely;
• Results in substantial functional limitations in three or more of the following areas of major life activity: a) self-care; b) receptive and expressive language; c) learning; d) mobility; e) self-direction; f) capacity for independent living; or g) economic self-sufficiency;
• Reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.

The Census does not record developmental disabilities. According to the U.S. Administration on Developmental Disabilities, an accepted estimate of the percentage of the population that can be defined as developmentally disabled is 1.5 percent. Many developmentally disabled persons can live and work independently within a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person’s living situation as a child to an appropriate level of independence as an adult.

The State Department of Developmental Services (DDS) currently provides community-based services to persons with developmental disabilities and their families through a statewide system of 21 regional centers, four developmental centers, and two community-based facilities. The Regional Center of Orange County (RCOC) is one of 21 regional centers in the State of California that provides point of entry to services for people with developmental disabilities. The RCOC is a private, non-profit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families. DDS data regarding developmental disabilities for Seal Beach residents are shown in Table II-22.
Any resident of Orange County who has a developmental disability that originated before age 18 is eligible for services. Services are offered to people with developmental disabilities based on Individual Program Plans and may include: Adult day programs; advocacy; assessment/consultation; behavior management programs; diagnosis and evaluation; independent living services; infant development programs; information and referrals; mobility training; prenatal diagnosis; residential care; respite care; physical and occupational therapy; transportation; consumer, family vendor training; and vocational training. RCOC also coordinates the State-mandated Early Start program, which provides services for children under age three who have or are at substantial risk of having a developmental disability.

The mission of the Dayle McIntosh Center is to advance the empowerment, equality, integration and full participation of people with disabilities in the community. The Center is not a residential program, but instead promotes the full integration of disabled persons into the community. Dayle McIntosh Center is a consumer-driven organization serving all disabilities. Its staff and board are composed of over 50% of people with disabilities. Its two offices service over 500,000 people in Orange County and surrounding areas with disabilities.

In addition, City housing programs that respond to the needs of this population include 1d (Emergency Shelters, Low Barrier Navigation Centers and Transitional/Supportive Housing), 2b (Affordable Housing Resources), and 3a (Section 8 Rental Assistance).

2. Elderly

Seal Beach seniors age 65+ make up about 39% of the city’s population, which is significantly higher than the regional share of 13%. (Table II-23). The unusually high number
of senior households in Seal Beach is in large part attributable to the presence of the Leisure World community. Recent Census data estimated that of Seal Beach’s 7,250 senior households, 31% earn less than 30% of the surrounding area income, (compared to 24% in the SCAG region), and 53% earn less than 50% of the surrounding area income (compared to 31% in the SCAG region). Many elderly persons are dependent on fixed incomes and/or have a disability. Elderly homeowners may be physically unable to maintain their homes or cope with living alone. The housing needs of this group can be addressed through smaller units, accessory dwelling units on lots with existing homes, shared living arrangements, congregate housing, and housing assistance programs.

### Table II-23

<table>
<thead>
<tr>
<th>Income category, relative to surrounding area:</th>
<th>Owner</th>
<th>Renter</th>
<th>Total</th>
<th>Percent of Total Elderly Households:</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 30% HAMFI</td>
<td>1,975</td>
<td>255</td>
<td>2,230</td>
<td>30.8%</td>
</tr>
<tr>
<td>30-50% HAMFI</td>
<td>1,405</td>
<td>175</td>
<td>1,580</td>
<td>21.8%</td>
</tr>
<tr>
<td>50-80% HAMFI</td>
<td>1,120</td>
<td>95</td>
<td>1,215</td>
<td>16.8%</td>
</tr>
<tr>
<td>80-100% HAMFI</td>
<td>355</td>
<td>40</td>
<td>395</td>
<td>5.4%</td>
</tr>
<tr>
<td>&gt; 100% HAMFI</td>
<td>1,680</td>
<td>150</td>
<td>1,830</td>
<td>25.2%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6,535</td>
<td>715</td>
<td>7,250</td>
<td></td>
</tr>
</tbody>
</table>

*HUD CHAS, 2012-2016. HAMFI refers to Housing Urban Development Area Median Family Income.*

The following programs described in the Housing Action Plan (Chapter V) help to address the housing needs of the elderly: 1a (Provision of Adequate Sites), 1b (Mixed Use Zoning, 1h (Accessory Dwelling Units), 2a (Density Bonus), 2b (Affordable Housing Resources), 3a (Housing Choice Voucher), 4c (Provide Assistance to Lower Income Households), 4d (Provide Fee Waivers for Reasonable Accommodation Applications) and 5b (Housing Information and Referral).

### 3. Large Households

Household size is an indicator of need for large units. Large households are defined as those with five or more members. Recent Census data estimated that the most commonly occurring household size in Seal Beach is one person (45.1%) compared to about 23% for the region as a whole. Large households with 5+ persons represent only about 2% of Seal Beach households. This distribution indicates that the need for large units with three or more bedrooms in Seal Beach is significantly less than for smaller units.

While large households are far less prevalent in Seal Beach than in some other cities, the following programs described in the Housing Action Plan (Chapter V) help to address these needs: 1a (Provision of Adequate Sites), 1b (Mixed Use), 1h (Accessory Dwelling Units), 2a
4. Female-Headed Households

Recent Census Bureau estimates (Table II-24) reported that about 6% of Seal Beach households are female-headed (compared to 14% in the SCAG region), 2% are female-headed and with children (compared to 7% in the SCAG region), and none were female-headed and with children under 6 (compared to 1% in the SCAG region).

According to recent Census estimates, about 2% of all Seal Beach households are experiencing poverty, compared to 8% for the SCAG region as a whole (Table II-25). Poverty thresholds, as defined by the ACS, vary by household type.
The following programs described in the Housing Action Plan (Chapter V) help to address the housing needs of female-headed households: 1a (Provision of Adequate Sites), 1b (Mixed Use), 1h (Accessory Dwelling Units), 2a (Density Bonus), 2b (Affordable Housing Resources), 3a (Housing Choice Voucher), and 5b (Housing Information and Referral).

5. Farm Workers

Farm workers are traditionally defined as persons whose primary income is from seasonal agricultural work. Historically, Orange County’s economy was linked to agriculture. While there are still active farming areas on the Irvine Ranch and in some other cities, shifts in the local economy to production and service-oriented sectors have significantly curtailed agricultural production within the county. Today, Orange County is a mostly developed urban/suburban region with a strong local economy. According to recent Census employment data there are no farmworkers living in Seal Beach.

6. Homeless Persons

Throughout the country, homelessness is a serious problem. Factors contributing to homelessness include: changes in federal funding and policies on service provision to those experiencing mental health issues; the general lack of housing solutions, particularly transitional housing, and permanent supportive housing; insufficient housing affordable to lower-income persons; an increasing number of persons whose incomes fall below the poverty level; ongoing substance abuse challenges; and significant limitations in access to health care, including mental health care.

The most recent County of Orange “Point-in-Time” survey of the homeless population for which data is available was conducted in January 2019. That survey estimated that there were approximately 6,860 homeless persons in Orange County, of which 2,899 were sheltered and 3,961 were unsheltered. Of those, 8 unsheltered persons and no sheltered persons were reported in Seal Beach.

The city is located in the Central Service Planning Area, or SPA, with eight other cities located in central Orange County. There are three SPAs in Orange County, utilizing the premise that addressing homelessness is best approached on a regional basis. Shared resources in the Central SPA include the County’s Yale emergency shelter in Santa Ana, as well as a number of non-profits that provide homeless services within the area, including Human Options, Illumination Foundation, and Interval House. Interval House operates three stages of housing for victims of domestic violence in nearby Long Beach. Huntington Beach also operates an emergency shelter. In addition, Seal Beach staff is actively partnered with the County of Orange to create a more innovative approach to addressing mental health and emergency housing needs through additional non-profit and regional partners with the hope of providing additional resources in the coming months.

State law requires that jurisdictions quantify the need for emergency shelter and determine whether existing facilities are adequate to serve the need. An emergency shelter is defined

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as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.” If adequate existing facilities are not available, the law requires jurisdictions to identify areas where new facilities are permitted “by-right” (i.e., without requiring discretionary approval such as a use permit). A jurisdiction could also satisfy its shelter needs through a multi-jurisdictional agreement with up to two adjacent communities to develop at least one year-round shelter within two years of the beginning of the planning period. As noted in Chapter IV the City allows emergency shelters in compliance with SB 2.

G. Assisted Housing at Risk of Conversion

In 2000, the Seal Beach Redevelopment Agency helped to secure financing to allow conversion of the Seal Beach Shores Trailer Park to affordable tenant ownership. The Agency secured a $6.75 million low-interest loan and a $985,000 bridge loan for the project. All financial obligations of the former Redevelopment Agency have since been repaid. Under dissolution, the County of Orange became the Housing Successor, and manages the covenants for this development. The park includes 100 units (25 very-low- and 75 low-income). None of these units are at risk during the current period.

One other affordable housing project – Country Villa Seal Beach – is located in the city. According to the California Housing Partnership, this 90-unit project is assisted through Sections 232 and 223(f). Covenants are not scheduled to expire until 2035 and therefore the project is not at risk during this planning period. Country Villa is a group quarters living arrangement.

H. Housing Constructed, Demolished or Converted within the Coastal Zone

California Government Code §65588(d) requires that the Housing Element update take into account any low- or moderate-income housing provided or required in the Coastal Zone pursuant to Section 65590 (the Mello Act\[2\]). State law requires that jurisdictions monitor the following:

- The number of new housing units approved for construction within the Coastal Zone (after January 1, 1982);
- The number of low- or moderate-income units required to be provided in new developments either within the Coastal Zone or within three miles of the Coastal Zone;
- The number of existing housing units in properties with three or more units occupied by low- or moderate-income households that have been authorized for demolition or conversion since January 1, 1982; and

\[2\] The Mello Act in part requires replacement of affordable units demolished or converted within the coastal zone.
• The number of low- or moderate-income replacement units required within the Coastal Zone or within three miles of the Coastal Zone.

Table II-26 provides these statistics for the Coastal Zone through 2021.

<table>
<thead>
<tr>
<th>Category</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of new units approved for construction in the Coastal Zone 1982 - 2021:</td>
<td>129</td>
</tr>
<tr>
<td>Number of new units for low- and moderate-income households required to be provided either within the coastal zone or within three miles of it:</td>
<td>0</td>
</tr>
<tr>
<td>Number of units occupied by low- and moderate-income households and authorized to be demolished or converted:</td>
<td>13</td>
</tr>
<tr>
<td>Number of units for low- and moderate-income households required either within the coastal zone or within three miles of it in order to replace those demolished or converted:</td>
<td>7</td>
</tr>
</tbody>
</table>

Source: City of Seal Beach, 2021

In order to receive a demolition or a conversion permit, the request must comply with the Mello Act. The City examines any Coastal Zone development that entails the demolition or conversion of residential units that are not categorically exempt from the California Environmental Quality Act (CEQA). A property that is determined to be a public nuisance or is an owner-occupied, single-family dwelling, is not examined in accordance with the Mello Act. All other types of projects are evaluated. Program 1f (Replacement Housing) in the Housing Action Plan (Chapter V) responds to the requirements of State law on this issue.

I. Future Housing Needs

   1. Overview of the Regional Housing Needs Assessment

The Regional Housing Needs Assessment (RHNA) is a key tool for local governments to plan for anticipated growth. The RHNA quantifies the anticipated need for housing during the period from July 2021 to October 2029. Communities then determine how they will address this need through the process of updating the Housing Element of their General Plans.

The current RHNA was adopted by SCAG in March 2021. The future need for new housing was determined by the forecasted growth in households in a community as well as existing needs due to overpayment and overcrowding. The housing need was adjusted to maintain a desirable level of vacancy to promote housing choice and mobility and to account for units expected to be lost due to demolition, natural disaster, or conversion to non-housing uses. Total housing need was then distributed among four income categories on the basis of the current household income distribution.
After the total housing need was determined for the SCAG region, SCAG was tasked with allocating the RHNA to individual jurisdictions based on factors established in State law. The distribution of housing need by income category for each jurisdiction was adjusted to avoid an over-concentration of lower-income households in any community.

2. **2021-2029 Seal Beach Housing Needs**

The total housing growth need for the City of Seal Beach during the 2021-2029 planning period is 1,243 units, which is distributed by income category as shown in Table II-27.

<table>
<thead>
<tr>
<th></th>
<th>Very Low*</th>
<th>Low</th>
<th>Moderate</th>
<th>Above Mod</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021-2029</td>
<td>258</td>
<td>201</td>
<td>239</td>
<td>545</td>
<td>1,243</td>
</tr>
</tbody>
</table>

Source: SCAG 2021

*Includes extremely low households, estimated to be one-half the very-low need (129 units).

A discussion of the City’s resources for accommodating its housing growth need is provided in the Chapter III.
III. RESOURCES AND OPPORTUNITIES

A variety of resources are available for the development, rehabilitation, and preservation of housing in Seal Beach. This chapter provides an overview of the land resources and adequate sites to address the City’s RHNA and describes the financial and administrative resources available to support the provision of affordable housing. Additionally, the chapter discusses opportunities for energy conservation which can lower utility costs and increase housing affordability.

A. Land Resources

Section 65583(a)(3) of the Government Code requires Housing Elements to contain an “inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.” The analysis of potential development sites is contained in Appendix B.

B. Financial and Administrative Resources

1. State and Federal Resources

Community Development Block Grant Program (CDBG) - Federal funding for housing programs to benefit lower income residents and neighborhoods is provided by the Department of Housing and Urban Development (HUD). The CDBG program is flexible in that funds can be used for a wide range of activities including acquisition and or disposition of real estate, public facilities and improvements, relocation, rehabilitation and construction of housing, home ownership assistance, and clearing activities. The CDBG program provides formula funding to larger cities and counties, while smaller jurisdictions with less than 50,000 population generally compete for funding under the Urban County Consolidated Plan administered by the County of Orange. CDBG funds are limited in geographical use, as project expenditures must be used to benefit lower income areas. As described in Section II of this document, most Seal Beach households fall in moderate to higher income brackets. Therefore, CDBG expenditures are currently limited to the Leisure World area. In FY 2021-22 the City received a $200,000 grant from the County and $49,000 in Permanent Local Housing Allocation funds from the State, which are being used for restroom accessibility improvements in the Leisure World community.

Section 8 Rental Assistance – The City of Seal Beach works cooperatively with the Orange County Housing Authority (OCHA), which administers the Section 8 Voucher Program. The Housing Assistance Payments Program assists low-income, elderly and disabled households by paying the difference between 30% of an eligible household’s income and the actual cost of renting a unit. The City facilitates use of the Section 8 program within its jurisdiction by encouraging apartment owners to list available rental units with OCHA for potential occupancy by tenants receiving Section 8 certificates.

Low-Income Housing Tax Credit Program - The Low-Income Housing Tax Credit Program was created by the Tax Reform Act of 1986 to provide an alternate method of funding
low- and moderate-income housing. Each state receives a tax credit, based upon population, toward funding housing that meets program guidelines. The tax credits are then used to leverage private capital into new construction or acquisition and rehabilitation of affordable housing. Limitations on projects funded under the Tax Credit programs include minimum requirements that a certain percentage of units remain rent-restricted, based upon median income, for a term of 30 years.

2. Local Resources

On February 1, 2012, the Seal Beach Redevelopment Agency was dissolved as a result of the state legislature’s approval of AB x1-26 and the California Supreme Court’s action upholding that law. On February 1, 2012, the City became the Successor Agency to the Redevelopment Agency, and redevelopment housing assets were transferred to the Orange County Housing Authority as the Housing Successor. At this time, no dedicated funding source for affordable housing is locally generated.

C. Energy Conservation Opportunities

State of California Energy Efficiency Standards for Residential and Nonresidential Buildings were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are codified in Title 24 of the California Energy Code and are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods.

Title 24 sets forth mandatory energy standards and requires the adoption of an “energy budget” for all new residential buildings and additions to residential buildings. Separate requirements are adopted for “low-rise” residential construction (i.e., no more than 3 stories) and non-residential buildings, which includes hotels, motels, and multi-family residential buildings with four or more habitable stories. The standards specify energy saving design for lighting, walls, ceilings and floor installations, as well as heating and cooling equipment and systems, gas cooling devices, conservation standards and the use of non-depleting energy sources, such as solar energy or wind power. The home building industry must comply with these standards while localities are responsible for enforcing the energy conservation regulations through the plan check and building inspection processes.

Examples of techniques for reducing residential energy use include the following:

- **Glazing** – Glazing on south facing exterior walls allows for winter sunrays to warm the structure. Reducing glazing and regulating sunlight penetration on the west side of the unit prevents afternoon sunrays from overheating the unit.

- **Landscaping** – Strategically placed vegetation reduces the amount of direct sunlight on the windows. The incorporation of deciduous trees in the landscaping plans along the southern exposure of units reduces summer sunrays, while allowing penetration of winter sunrays to warm the units.

- **Building Design** – The implementation of roof overhangs above southerly facing windows shield the structure from solar rays during the summer months.
• **Cooling/Heating Systems** – The use of attic ventilation systems reduces attic temperatures during the summer months. Solar heating systems for swimming pool facilities saves on energy costs. Natural gas is conserved with the use of flow restrictors on all hot water faucets and showerheads.

• **Weatherizing Techniques** – Weatherization techniques such as insulation, caulking, and weather stripping can reduce energy use for air-conditioning up to 55% and for heating as much as 40%. Weatherization measures seal a dwelling unit to guard against heat gain in the summer and prevent heat loss in the winter.

• **Efficient Use of Appliances** – Appliances can be used in ways that increase their energy efficiency. Unnecessary appliances can be eliminated. Proper maintenance and use of stove, oven, clothes dryer, washer, dishwasher, and refrigerator can also reduce energy consumption. New appliance purchases can be made on the basis of efficiency ratings.

• **Solar Installations** – On July 13, 2009, the City Council adopted a comprehensive fee schedule (Resolution 5898). The resolution waived all fees for standard residential solar installations.

In addition to these techniques for reducing energy use in dwellings, the City supports broader “smart growth” efforts to encourage compact development and public transportation. For example, Programs 1a and 1b in the Housing Action Plan (Chapter V) includes a commitment to process a zoning amendment to facilitate new high-density multi-family residential development on underutilized land in proximity to commercial and employment opportunities and bus transit. Such development contributes to a reduction in greenhouse gas emissions through lower energy use and vehicle trips (see also Programs 6a and 6b).
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IV. CONSTRAINTS

A. Governmental Constraints

1. Land Use Plans and Regulations

a. General Plan

Each city and county in California must prepare a comprehensive, long-term General Plan to guide its future. The Land Use Element of the General Plan establishes the basic land uses and density of development within the various areas of the city. Under state law, the General Plan elements must be internally consistent, and the City’s zoning must be consistent with the General Plan. Thus, the Land Use Element must provide suitable locations and densities to implement the policies of the Housing Element.

The Land Use Element of the Seal Beach General Plan sets forth the City’s policies for guiding local development. These policies, together with the zoning regulations, establish the amount and distribution of land to be allocated for different uses within the city. The Land Use Element provides three different densities of residential land uses displayed in Table IV-1. The Land Use Element identifies 1,471 acres for residential uses representing 20 percent of the total acreage in the city and nearly 64 percent of the acreage designated for non-military uses.

<table>
<thead>
<tr>
<th>Designation</th>
<th>Maximum Density*</th>
<th>Total Acreage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Density Residential (LR)</td>
<td>9</td>
<td>353.7</td>
</tr>
<tr>
<td>Medium Density Residential (MR)</td>
<td>17.0</td>
<td>505.4</td>
</tr>
<tr>
<td>High Density Residential (HR)</td>
<td></td>
<td>166.4</td>
</tr>
<tr>
<td>Planning Area 1</td>
<td>20.0</td>
<td>150.7</td>
</tr>
<tr>
<td>Planning Area 2-3</td>
<td>32.2</td>
<td>1,007</td>
</tr>
<tr>
<td>Planning Area 4</td>
<td>45.3</td>
<td>15.7</td>
</tr>
</tbody>
</table>

*Density expressed in dwelling units per net acre.

In addition to these residential land use designations, the Limited Commercial area along Seal Beach Boulevard between Landing Avenue and Electric Avenue contains a mixture of high-density residential, low-intensity office, and small commercial uses. Both mixed-use and exclusive residential development is also allowed in this area.
b. Zoning Designations and Development Standards

The Seal Beach Zoning Code was comprehensively updated in 2010. The Zoning Code provides three residential zones: Residential Low Density (RLD), Residential Medium Density (RMD) and Residential High Density (RHD). The Limited Commercial/Residential Medium Density district also allows exclusive residential or mixed-use development. The relationship between General Plan land use categories and zoning districts is shown in Table IV-2.

<table>
<thead>
<tr>
<th>Map Symbol</th>
<th>Zoning District</th>
<th>General Plan Category</th>
<th>Intended Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>RLD-9</td>
<td>Residential Low Density - 9</td>
<td>Low Density Residential</td>
<td>Single-unit and small, zero-lot line neighborhoods at a base density of up to 15 dwelling units per net acre.</td>
</tr>
<tr>
<td>RLD-15</td>
<td>Residential Low Density – 15</td>
<td>Low Density Residential</td>
<td></td>
</tr>
<tr>
<td>RMD-18</td>
<td>Residential Medium Density - 18</td>
<td>Medium Density Residential</td>
<td>Duplexes, townhouse projects, apartments, and small-lot, single-unit residential uses, at a density of 15 to 18 dwelling units per net acre. Additional density may be achieved through density bonuses.</td>
</tr>
<tr>
<td>RHD-20</td>
<td>Residential High Density - 20</td>
<td>High Density Residential</td>
<td>Multi-unit residential developments at a base density of 20 to 46 dwelling units per net acre. Additional density may be achieved through density bonuses.</td>
</tr>
<tr>
<td>RHD-33</td>
<td>Residential High Density – 33</td>
<td>High Density Residential</td>
<td></td>
</tr>
<tr>
<td>RHD-46</td>
<td>Residential High Density – 46</td>
<td>High Density Residential</td>
<td></td>
</tr>
<tr>
<td>L-C/RMD</td>
<td>Limited Commercial/Residential Medium Density</td>
<td>Mixed Use</td>
<td>Limited commercial and office uses in conjunction with residential uses.</td>
</tr>
</tbody>
</table>

Source: City of Seal Beach Zoning Ordinance, 2021

Allowable Residential Uses

There are seven base zoning districts in the city that permit residential use, ranging in allowable density from 9 units/acre in the RLD-9 district to 46 units/acre in the RHD-46 district (Table IV-2). Allowable uses include single-family detached houses in the RLD-9 and RLD-15 districts, multi-family residential condominiums and apartments with base densities from 20 to 46 units/acre in the RHD-20, RHD-33 and RHD-46 districts. As shown in Table IV-3, most residential uses are permitted by-right, without discretionary review or design review. Exceptions include large group homes, and some types of residential care facilities, which require approval of a use permit by the Planning Commission. The Limited Commercial/Residential Medium Density (L-C/RMD) district allows commercial use, exclusive residential use, or commercial/residential mixed use.
### Table IV-3
Permitted Residential Uses by Zoning District

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>RLD</th>
<th>RMD</th>
<th>RHD</th>
<th>L-C/RMD</th>
<th>PO</th>
<th>SC</th>
<th>GC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-Unit Residential</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Duplex</td>
<td>-</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Multi-Unit Residential</td>
<td>-</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Manufactured Housing¹</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Second Units¹</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Group Homes²</td>
<td>M</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Residential Care-General³</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Residential Care-Limited³</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Residential Care-Senior³</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>Transitional &amp; Supportive Housing</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
</tbody>
</table>

Source: Seal Beach Municipal Code, 2021

Notes:
- RLD=Residential Low Density
- RMD=Residential Medium Density
- RHD=Residential High Density
- L-C/RMD=Limited Commercial/Residential Medium Density
- PO=Professional Office
- SC=Service Commercial
- GC=General Commercial
- P=permitted as of right
- M=minor use permit
- C=conditional use permit

1. A manufactured home on a permanent foundation is considered a single-family dwelling
2. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. Includes rooming houses and dormitories but excludes residential care facilities
3. See discussion under Special Needs Housing
4. Permitted subject to the same regulations as for other residential uses of the same type in the same zone

---

### Development Standards

Development standards vary by zone and are described below. During the Zoning Code update process, development standards were reviewed to ensure that they do not prevent projects from achieving densities at the upper end of the allowable density range.

**Residential Districts.** The zoning district suffix indicates the allowable base density. One house per lot is permitted in the RLD district. In the RMD and RHD districts, multi-family housing is allowed with density determined by the parcel size and the required square footage of lot area per unit. For example, in the RHD-20 district, the allowable base density is 20 units/acre, which requires at least 2,178 square feet of lot area per unit\(^3\). Additional density is possible through density bonus provisions (Chapter 11.4.55 of the Municipal Code).

Other development standards regulate building height, lot size, unit sizes, setbacks, off-street parking, lot coverage, building separation and landscaping (Table IV-4).

---

\(^3\) One acre contains 43,560 square feet of land. At a ratio of 2,178 square feet of lot area per unit, 20 units per acre would be permitted (2,178 x 20 = 43,560).
Limited Commercial/Residential Medium Density (L-C/RMD) District. The allowable base density for exclusively residential projects in the L-C/RMD district is one unit per 2,500 square feet of lot area (17.4 units/acre) and projects must comply with the development standards of the RHD-20 district. Mixed-use projects allow second floor residential use with a base density of one unit per 2,000 square feet of lot area (21.8 units/acre). For narrow lots (<37.5 feet) there is a 30-foot height limit, while wider lots are allowed a height of 25 feet/2 stories on the front half of the lot and 35 feet/3 stories on the rear half of the lot. Additional height may be allowed at specific locations designated in design guidelines, planned unit developments, or specific plans, or pursuant to density bonus regulations. Development standards for the L-C/RMD district are shown in Table IV-5.

Two additional types of zoning districts, the Planned Development (PD) Overlay District and Specific Plans, allow residential development through discretionary actions.
Table IV-4
Development Standards for Residential Zoning Districts

<table>
<thead>
<tr>
<th>Density/Intensity of Use - Lot Dimensions</th>
<th>RLD-9</th>
<th>RLD-15</th>
<th>RMD-18</th>
<th>RHD-20</th>
<th>RHD-33</th>
<th>RHD-46</th>
<th>Supplemental Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum Density</strong></td>
<td>1 unit per 5,000 sq. ft. of lot area, plus an “Accessory Dwelling Unit”</td>
<td>1 unit per 3,000 sq. ft. of lot area, plus an “Accessory Dwelling Unit”</td>
<td>1 unit per 2,500 sq. ft. of lot area</td>
<td>1 unit per 2,178 sq. ft. of lot area</td>
<td>1 unit per 1,350 sq. ft. of lot area</td>
<td>1 unit per 960 sq. ft. of lot area</td>
<td>See Section 11.4.05.115 for Accessory Dwelling Unit standards. See subsection A for Surfside Standards</td>
</tr>
<tr>
<td><strong>Maximum Density with State Affordable Housing Bonus (du/ac)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>See Chapter 11.4.55: Affordable Housing Bonus</td>
</tr>
<tr>
<td><strong>Minimum Lot Area (sq. ft.)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interior Lots</td>
<td>5,000</td>
<td>3,000</td>
<td>5,000</td>
<td>2,500</td>
<td>5,000</td>
<td>5,000</td>
<td>(W) See Section 11.4.05.115 for Accessory Dwelling Unit standards.</td>
</tr>
<tr>
<td>Corner Lots</td>
<td>5,500</td>
<td>3,000</td>
<td>5,500</td>
<td>2,500</td>
<td>5,500</td>
<td>5,500</td>
<td>(W) See Section 11.4.05.115 for Accessory Dwelling Unit standards.</td>
</tr>
<tr>
<td>Nonresidential Uses</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td>10,000</td>
<td></td>
</tr>
<tr>
<td><strong>Minimum Lot Size (ft.)</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interior Lots</td>
<td>50 x 100</td>
<td>30 x 80</td>
<td>50 x 100</td>
<td>25 x 100</td>
<td>50 x 100</td>
<td>50 x 100</td>
<td>(W)</td>
</tr>
<tr>
<td>Corner Lots</td>
<td>55 x 100</td>
<td>35 x 80</td>
<td>50 x 100</td>
<td>25 x 100</td>
<td>55 x 100</td>
<td>55 x 100</td>
<td>(W)</td>
</tr>
</tbody>
</table>
### Minimum Floor Area (sq. ft.)

<table>
<thead>
<tr>
<th></th>
<th>RLD-9</th>
<th>RLD-15</th>
<th>RMD-18</th>
<th>RHD-20</th>
<th>RHD-33</th>
<th>RHD-46</th>
<th>Supplemental Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Dwelling Unit</td>
<td>1,200</td>
<td>1,200(E)</td>
<td>950</td>
<td>950</td>
<td>950</td>
<td>950</td>
<td></td>
</tr>
<tr>
<td>Junior Accessory Dwelling Unit</td>
<td>220</td>
<td>220</td>
<td>220</td>
<td>220</td>
<td>220</td>
<td>220</td>
<td></td>
</tr>
<tr>
<td>1-Bedroom Accessory Dwelling Unit</td>
<td>400</td>
<td>400</td>
<td>400</td>
<td>400</td>
<td>400</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>2+ Bedroom Accessory Dwelling Unit</td>
<td>600</td>
<td>600</td>
<td>600</td>
<td>600</td>
<td>600</td>
<td>600</td>
<td></td>
</tr>
</tbody>
</table>

### Maximum Floor Area for Accessory Dwelling Units (sq. ft.)

<table>
<thead>
<tr>
<th></th>
<th>RLD-9</th>
<th>RLD-15</th>
<th>RMD-18</th>
<th>RHD-20</th>
<th>RHD-33</th>
<th>RHD-46</th>
</tr>
</thead>
<tbody>
<tr>
<td>Junior Accessory Dwelling Unit</td>
<td>500</td>
<td>500</td>
<td>500</td>
<td>500</td>
<td>500</td>
<td>500</td>
</tr>
<tr>
<td>Detached Accessory Dwelling Unit</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
</tr>
<tr>
<td>Attached Accessory Dwelling Unit</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
<td>1,200 (L-4)</td>
</tr>
<tr>
<td>Maximum Lot Coverage (%)</td>
<td>(B)</td>
<td>67</td>
<td>50</td>
<td>75 (B)</td>
<td>60</td>
<td>80</td>
</tr>
<tr>
<td>Substandard Lot Standards</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Building Form and Location

#### Minimum Yards (ft.)

<table>
<thead>
<tr>
<th></th>
<th>RLD-9</th>
<th>RLD-15</th>
<th>RMD-18</th>
<th>RHD-20</th>
<th>RHD-33</th>
<th>RHD-46</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front - Minimum</td>
<td>(D)</td>
<td>(E)</td>
<td>Average 12; minimum 6</td>
<td>Average 12; minimum 6</td>
<td>18</td>
<td>18</td>
</tr>
<tr>
<td>Interior Side - Minimum</td>
<td>(A) (D)</td>
<td>(E)</td>
<td>10% of lot width; 3 ft.</td>
<td>10% of lot width; 3 ft.</td>
<td>10% of lot width; 3 ft.</td>
<td>10% of lot width; 3 ft.</td>
</tr>
</tbody>
</table>
## IV. Constraints

<table>
<thead>
<tr>
<th>Corner Side - Minimum</th>
<th>Minimum; 10 ft. maximum</th>
<th>15% of lot width; 10 ft. maximum</th>
<th>(E)</th>
<th>Rear</th>
<th>10</th>
<th>5 ft.; but when abutting an alley</th>
<th>24 ft. minus width of the alley</th>
<th>24 ft. minus width of the alley</th>
<th>(E) (W)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corner Side - Minimum</td>
<td>Minimum; 10 ft. maximum</td>
<td>15% of lot width; 10 ft. maximum</td>
<td>(E)</td>
<td>Rear</td>
<td>10</td>
<td>5 ft.; but when abutting an alley</td>
<td>24 ft. minus width of the alley</td>
<td>24 ft. minus width of the alley</td>
<td>(E) (W)</td>
</tr>
</tbody>
</table>

### Main Building Envelope

<table>
<thead>
<tr>
<th>Flood Zone Heights</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>(F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Height (ft.)</td>
<td>25 (A) (G) (not to exceed 2 stories)</td>
<td>25 (E)</td>
<td>(G)</td>
<td>25</td>
<td>35</td>
<td>35</td>
<td>(A) (G) (E) (W)</td>
</tr>
<tr>
<td>Maximum Height of Downslope Skirt Walls (ft.)</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>(H)</td>
</tr>
<tr>
<td>Projections</td>
<td>Yes</td>
<td>Yes (E)</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>(I) (E) (W)</td>
</tr>
<tr>
<td>Minimum Distance Between Buildings on the Same Lot (ft.)</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>10-20</td>
<td>(J)</td>
</tr>
<tr>
<td>Minimum Court Dimensions (ft.)</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>15</td>
<td>15</td>
<td></td>
</tr>
</tbody>
</table>

### Building Design

| Exterior Stairways Prohibited | Yes | Yes | Yes | Yes | No | No | L-2 |
| Poreches | Yes | — | — | Yes | — | — | (K) |

### Vehicle Accommodation

<table>
<thead>
<tr>
<th>Off-Street Parking and Loading</th>
<th>See Chapter 11.4.20: Off-Street Parking and Loading</th>
</tr>
</thead>
</table>
### IV. Constraints

<table>
<thead>
<tr>
<th>Maximum Number of Curb Cuts for Driveway</th>
<th>1 (L)</th>
<th>1</th>
<th>1</th>
<th>1</th>
<th>1</th>
<th>1</th>
<th>1</th>
<th>(L)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Width of Driveway (ft.)</td>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(M)</td>
</tr>
<tr>
<td>Limitations on Parking and Garage Frontage</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>(N)</td>
</tr>
</tbody>
</table>

#### Landscaping and Open Space

<table>
<thead>
<tr>
<th>Minimum Permeable Surface/Maximum Paving in Street-Facing Yards (%)</th>
<th>60/50</th>
<th>60/50</th>
<th>60/50</th>
<th>60/50</th>
<th>60/50</th>
<th>60/50</th>
<th>(O)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Site Area Devoted to Landscaping (%)</td>
<td>25</td>
<td>15 (E)</td>
<td>15</td>
<td>Yes</td>
<td>15</td>
<td>15</td>
<td>(E), (P); See also Section 11.4.30.015</td>
</tr>
<tr>
<td>Planting Required on Downslope Lots</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>(Q)</td>
</tr>
<tr>
<td>Pedestrian Walkways</td>
<td>—</td>
<td>—</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>(R)</td>
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</table>

#### Other Development Standards

<table>
<thead>
<tr>
<th>Accessory Structures</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>Yes</th>
<th>See Section 11.4.05.100; (W)</th>
</tr>
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<tbody>
<tr>
<td>2-Story Cabanas/Manufactured Homes</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>Yes</td>
<td>—</td>
<td>(S)</td>
</tr>
<tr>
<td>Roof Decks</td>
<td>Yes</td>
<td>—</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>(T)</td>
</tr>
<tr>
<td>Solar Access</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>See Section 11.4.10.045</td>
</tr>
<tr>
<td>Walls and Fences</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>See Chapter 11.4.15</td>
</tr>
</tbody>
</table>

**General Site Standards**

See Chapter 11.4.10: General Site Standards

**Landscaping and Buffer Yards**

See Chapter 11.4.30: Landscaping and Buffer Yards

**Signs**

See Chapter 11.4.25: Sign Regulations

**Nonconforming Structures**

See Chapter 11.4.40: Nonconforming Uses, Structures, and Lots

**Coastal Development Permit**

See Chapter 11.4.35: Coastal Development Permit

**Reasonable Accommodations**

See Chapter 11.5.30: Reasonable Accommodations
L-1: Accessory Dwelling Units are not allowed in the RHD-20 District located in Old Town or the Surfside Colony area of the RLD-9 zone due to fire, access, parking and traffic impacts, except that one accessory dwelling unit per lot may be constructed within the existing space of an existing single-family residence or existing accessory structure within a zone for single-family use if the accessory dwelling unit meets all the requirements set forth in subsection T of this section.

L-2: Exterior stairways providing access from the ground level and/or the first floor to the second floor or above are prohibited when such stairways are not specifically required by the California Building Code. Exterior stairways may be permitted through the building permit process in the RLD-9 district on properties with a second story kitchen existing as of March 9, 1998. In such a case, a covenant shall be recorded on the title of the property stipulating the property is to be used only as a Single-Unit dwelling. Exception: Exterior stairways may be permitted on Single-Unit dwellings located within identified flood zones upon approval of an administrative use permit pursuant to Chapter 11.5.20: Development Permits.

L-3: Refer to Appendix A - City Council Approved Blanket Setback Variances.

L-4: As used in this section, “living area” means the interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.
Table IV-5

Residential Development Standards for Commercial/Mixed-Use Zoning Districts

<table>
<thead>
<tr>
<th>DEVELOPMENT STANDARDS – COMMERCIAL AND MIXED-USE DISTRICTS</th>
<th>LC/RMD</th>
<th>PO</th>
<th>MSSP</th>
<th>SC</th>
<th>GC</th>
<th>Additional Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lot Size and Density</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Size (sq. ft.)</td>
<td>2,500</td>
<td>7,000</td>
<td>2,750</td>
<td>7,000</td>
<td>10,000</td>
<td></td>
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<tr>
<td>Maximum Floor Area Ratio</td>
<td>0.90</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>Maximum Residential Density – lot area per unit (sq. ft.)</td>
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<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Base Density</td>
<td>2,500</td>
<td>--</td>
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<td>(A)</td>
</tr>
<tr>
<td>Density for Mixed Use Development</td>
<td>2,000</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>--</td>
<td>(A)</td>
</tr>
<tr>
<td>Density – Affordable Housing Bonus</td>
<td>See Additional Regulations</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Building Form and Location**

| Maximum Building Height (ft.)                             | 35     | 35  | 30   | 35 | 35 | (B)                    |
| Building Setback on Street Frontages                      | varies | varies | varies | varies | varies | (C)                    |
| Minimum Yard Requirements                                 |        |    |      |    |    |                        |
| **Interior Side**                                         | varies | varies | varies | varies | varies | (C)                    |
| **Rear**                                                  | varies | varies | varies | varies | varies | (C)                    |
| Building Transition Zone Adjacent to R Districts          | Y≤50   |     |      |    |    |                        |

**Landscaping and Open Space**

| Public Open Space                                        | Yes    |    |      |    |    |                        |
| Minimum lot area to be landscaped                         | 5%     | 10% | 0%   | 10% | 10% |                        |
| Minimum required front yard area to be landscaped         | 60%    | --  | --   | -- | -- |                        |

See Chapter 11.4.30: Landscaping and Buffer Yards
### Circulation and Parking

<table>
<thead>
<tr>
<th>Limitations – Location of Parking</th>
<th>Yes</th>
<th></th>
<th>(F)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limitations on Curb Cuts</td>
<td>Yes</td>
<td></td>
<td>(G)</td>
</tr>
<tr>
<td>Limitations – Location of Truck Docks, Loading and Service Areas</td>
<td>Yes</td>
<td></td>
<td>(H)</td>
</tr>
<tr>
<td>Off-Street Parking and Loading</td>
<td>Yes</td>
<td>See Chapter 11.4.20: Off-Street Parking and Loading</td>
<td></td>
</tr>
<tr>
<td>Reduced Parking Requirements</td>
<td>Yes</td>
<td>See Chapter 11.4.20: Off-Street Parking and Loading</td>
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### Building Design

<table>
<thead>
<tr>
<th>Building Orientation</th>
<th>Yes</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Design Provisions</td>
<td>--</td>
<td>--</td>
<td>Yes</td>
</tr>
</tbody>
</table>

### Special Requirements for Residential Development

| Open Space (sq. ft. per unit) | 100 | -- | -- | -- | -- | (K) |
| Side and Rear Yard Setbacks | Yes | -- | -- | -- | -- | (L) |

### Other Applicable Development Standards

| Consistency with Council Adopted Design Guidelines, Area Plans, or Specific Plans | (M) |
| Pedestrian Access to Buildings Setback from the Street | (N) |
| Projections in to Required Yards | (O) |
| General Site Standards | See Chapter 11.4.10: General Site Standards |
| Fencing | See Chapter 11.4.15: Fences, Hedges, and Walls |
| Parking and Loading | See Chapter 11.4.20: Off-Street Parking and Loading |
| Signs | See Chapter 11.4.25: Sign Regulations |
| Landscaping and Buffer Yards | See Chapter 11.4.30: Landscaping and Buffer Yards |
| Coastal Development Permit | See Chapter 11.4.35: Coastal Development Permit |
| Non-conforming Structures and Lots | See Chapter 11.4.40: Non-conforming Uses, Structures, and Lots |
Planned Development (PD) Overlay District

The purpose of the Planned Development Overlay District (PD) is to provide for detailed review of development that warrants special review and deviations from underlying development standards. This overlay district is also intended to provide opportunities for creative development approaches that will achieve superior design solutions to that which would be possible if the project were built in full compliance with the required standards of the base district, and will not cause a significant adverse impact on residences to the side, rear, or directly across a street with respect to solar access, privacy and compatibility. Currently there is only one area of the city within a PD overlay – Leisure World.

The land use and density requirements within a PD Planned Development Overlay District shall be those of the underlying base district. An application for a Planned Development and any amendment to the Plan shall be processed in accordance with the procedure for conditional use permits.

The City Council may approve a Planned Development Plan that deviates from the minimum lot area, yard requirements, building heights, and other physical development standards defined in the base district, while ensuring compliance with the land use and density requirements of the base district. Physical development standards may be modified if the Planned Development Plan includes examples of superior community design, environmental preservation and/or public benefit amenities.

Prior to submitting an application for a Planned Development Plan an applicant proposing a project over one acre in gross area or that includes publicly owned land is required to schedule a pre-application study session with the Planning Commission to discuss the general acceptability of the project proposal, issues that need to be addressed, and the need, if any, for any interagency coordination. This preliminary consultation helps to streamline the development review process by identifying issues early in the planning process.

Findings for Approval. The City shall approve a PD Overlay District Zoning Map Amendment and Planned Development Plan only if all of the following findings are made:

A. The project meets all of the findings required for a conditional use permit pursuant to Section 11.5.20.020: Required Findings and the finding that the approved plan is consistent with the purposes of the district where it is located and conforms in all significant respects with the General Plan and any specific plan.

B. Development within the PD Overlay District is demonstratively superior to the development that could occur under the standards applicable to the underlying base district and will achieve superior community design, environmental preservation, and/or substantial public benefit. In making this determination, the following factors shall be considered:

1. Appropriateness of the use(s) at the proposed location.
2. The mix of uses, housing types, and housing price levels.

3. Provision of units affordable to persons and families of low and moderate income or to lower income households.


5. Provision of open space.

6. Compatibility of uses within the development area.

7. Quality of design, and adequacy of light and air to the interior spaces of the buildings.

8. Overall contribution to the enhancement of neighborhood character and the environment of Seal Beach in the long term.

9. Creativity in design and use of land.

Because the PD overlay district creates additional options for projects within the overlay, it does not pose a constraint to residential development.

**Specific Plans**

Chapter 11.3.25 of the Zoning Code allows the adoption of specific plans pursuant to state law. Only the Hellman Ranch specific plan allows residential use, and it is fully developed.

**Effects of Zoning Regulations on the Provision of Low- and Moderate-Income Housing**

Zoning regulations have a considerable effect on the development of low- and moderate-income housing. In urban areas, and particularly coastal jurisdictions, high land costs can make affordable housing infeasible without large public subsidies.

In 2004, State law was amended (AB 2348) to identify “default densities” that are considered suitable for lower-income housing. For small metropolitan jurisdictions with less than 25,000 population such as Seal Beach, the default density is 20 units/acre. All of the Residential High Density (RHD) zoning districts allow densities of 20 units/acre or more.

Development standards in the RHD districts allow projects to be built at or near the maximum densities. Height limits are 25 feet in the RHD-20 district and 35 feet in the RHD-33 and RHD-46 districts, which allow 2- and 3-story structures, respectively. Other development standards such as setbacks and lot coverage are typical for the allowable densities. These regulations help to facilitate the production of low- and moderate-income housing.

During the 2010 comprehensive Development Code update process architects and builders indicated that development standards do not pose any significant constraints to achieving maximum allowable densities. However, nearly all residentially-zoned land is developed, and there is limited capacity for additional housing on these properties. As discussed in Chapter III, the greatest potential for additional residential development is within underutilized commercial areas.
Local Coastal Program

Seal Beach does not currently have an approved Local Coastal Program (LCP). As a result, all projects located within the portion of the city that is within the Coastal Zone are subject to review by the California Coastal Commission. This additional requirement represents an impediment to housing development within the Coastal Zone. To address this issue, the City is currently working on the preparation of an LCP. An Ad Hoc General Plan/LCP Committee has been established to provide guidance to staff in this effort. Program 3c in Chapter V describes the City’s efforts toward the completion of the LCP during the current planning period. Completion of the LCP is targeted for early 2023.

While a certified LCP will allow the City to have local control regarding coastal zone land use decisions, the City will still be responsible for implementing the Coastal Act. Policy directives from the California Coastal Commission and HCD often conflict with each other, creating challenges for cities like Seal Beach where a significant portion of the jurisdiction is located within the coastal zone.

Provisions of the Coastal Act can come at the detriment of maximum unit yield for residential developments within the coastal zone. For example, the recent Ocean Place housing development at Marina Drive and 1st Street (known as the DWP Property in the former Housing Element) submitted Coastal Development Permit (CDP) Application No. 5-13-003 to the Coastal Commission in 2013 to create a 6.4-acre passive open space park and 32 residential units on the remaining 4.5 acres. The site was originally zoned for visitor-serving commercial use in the 1980s. Coastal Commission originally denied the proposal, on the basis that changing land use from visitor-serving to residential use was inappropriate. A staff report from the Coastal Commission dated August 11, 2014, specifically states: “Private residential use, which is a low priority use under the Coastal Act, is not one of the allowed uses.” This statement is followed by: “The applicant continues to propose a residential use, which is a low priority use under the Coastal Act.”

The applicant and the City had to spend extensive time and resources to demonstrate that market conditions have changed in the forty years since the visitor-serving use was originally established. Coastal Commission staff preference for the site to be used as a hotel/motel, park, or other visitor-serving commercial over residential use is reiterated several times in documentation associated with this CDP. The project was ultimately approved in March 2015, after two years of complex permitting and negotiation with Coastal Commission. Several conditions of approval and project changes were imposed by the Coastal Commission, including:

- Park proposal changed from a passive park to active park, including addition of several amenities adding cost to the developer.

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4 California Coastal Commission, Staff Report: Appeal of Executive Director Determination, Dispute Resolution No. 5-13-1233-EDD, Submitted June 17, 2014, Staff Report Published August 1, 2014.
5 California Coastal Commission, Staff Report: Revised Findings, Application No. 5-12-1233, filed October 21, 2014 and approved March 12, 2015.
- Park and trail improvements must be open for use by the general public prior to any residential occupancy.
- Parcel along Marina Drive was required to be dedicated free of charge, to be developed with visitor-serving uses including lower-cost overnight accommodations.

Over 60% of Seal Beach is located within the Coastal Zone. Coastal Commission’s directive clearly favors uses other than residential on vacant parcels within the coastal zone, which poses a significant regulatory barrier to additional housing projects in over half of the city. CDP processing further complicates the approval process and introduces entitlement risk for a developer. There is also a financial burden for CDP processes that extend into several years or require additional studies to be submitted for Coastal Commission consideration. After the City has an approved LCP, there still is the potential for future residential project challenges and appeals to be raised to the Coastal Commission for decision-making purposes.

Further, sea level rise now must be taken into consideration when issuing CDPs per Coastal Commission’s directive. In 2019, a project applicant submitted a CDP to Coastal Commission proposing a lot split at APN 199-064-55 to build two detached housing units on a single vacant lot. Though this property is surrounded on both sides by residential uses in similar size/density, is not waterfront, and does not currently experience flooding or other sea level rise related impacts, Coastal Commission denied the CDP. The property is mapped within a sea level rise hazard zone in a model called CoSMoS (Coastal Storm Modeling System, prepared by the US Geologic Survey). The basis for this decision was stated as "The proposed project was inconsistent with Section 30253 of the Coastal Act, to minimize risks to life and property and assure stability and structural integrity, as the proposal would effectively increase the density and intensity of use of a site in a manner that is different than if the same density were built on a single, unsubdivided lot, in a highly vulnerable area of Seal Beach."

The applicant ultimately withdrew the proposal and resubmitted a new application in 2021. This new application included the same development footprint but eliminated the lot split component and was approved with conditions as application No. 5-20-0646. While the desired density was accomplished without the lot split, Coastal Commission has now introduced concern that lot splits and lot line adjustments in other inland parts of the city will be prohibited in the future. Without the flexibility offered by lot line adjustments or lot splits, additional residential development at higher densities in the city will be difficult to achieve. It remains to be seen how the Coastal Commission will adapt to implementation of SB 9 (Atkins), which becomes effective January 1, 2022, and allows lot splits by right in certain zoning designations. Coastal Commission will continue to evaluate properties within Seal Beach against CoSMoS Sea level rise modeling and the City of Seal Beach Sea Level Rise Vulnerability Analysis, both of which indicate significant portions of the City may be at risk in the future.

Reluctancy to increase density can also be found in Coastal Commission’s decision making regarding ADUs and parking requirements. While Government Code Section 65852.2 and the Seal Beach municipal code Section 11.4.05.115 allows some types
of ADUs to be exempt from parking requirements, the Coastal Commission historically has not permitted ADUs created through garage conversion projects that eliminate parking in the coastal zone. The basis for this decision is that eliminating off-street parking would require residents to park on-street, thus taking away parking spots from potential visitors. Allowing for parking exemptions to be made for specific types of ADUs is anticipated to be included in the Seal Beach LCP, but further coordination and approval from Coastal Commission would be required on this topic.

Lastly, as a condition of certain CDPs, some residential properties have deed restrictions that require property owners to waive their right to future shoreline protective devices. Depending how sea level rise hazards materialize, property owners in Seal Beach with recorded waivers would be prohibited by Coastal Commission to construct protective devices. This could result in residential unit loss in the future, and an overall negative impact on housing stock and availability.

Based on the examples covered above, land use decision making and policy directives from the California Coastal Commission significantly impact residential development within the coastal zone. Because directives from the Coastal Commission and HCD are often in conflict, cities like Seal Beach face challenges in trying to meet the expectations of both agencies.

c. Special Needs Housing

Persons with special needs include those in residential care facilities, persons with disabilities, the elderly, persons needing emergency shelter, transitional or supportive living arrangements, and single room occupancy units. The City’s provisions for these housing types are discussed below. Many of these households also fall into the extremely-low-income category.

Definition of “Family”

The Municipal Code defines “family” as “1 or more persons living together as a single nonprofit housekeeping unit and sharing common living, sleeping, cooking and eating facilities. Members of a “family” need not be related by blood but are distinguished from a group occupying a hotel, club, fraternity or sorority house.” This definition is consistent with current law.

Group Homes

The Municipal Code defines Group Home as:

“A dwelling unit licensed or supervised by any Federal, State, or local health/welfare agency which provides 24-hour non-medical care of unrelated persons who are in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment. Includes: children’s homes; orphanages; rehabilitation centers; self-help group homes.
Convalescent homes, nursing homes and similar facilities providing medical care are included under the definition of Medical Services - Extended Care."

Group homes are permitted in the RHD district subject to approval of a Minor Use Permit by the Planning Commission. There are no separation requirements for group homes.

Residential Care Facilities

The Municipal Code allows facilities that are licensed by the State of California to provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices, nursing homes, convalescent facilities, and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug additions. This category excludes transitional housing and community social service facilities. (§ 11.4.85.020.N)

Three types of residential care facilities are recognized in the Code:

1. Residential Care, General. A residential care facility providing 24-hour non-medical care for more than 6 persons in a single unit in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed for residential care by the State of California.

These facilities are conditionally permitted in the PO, (Professional Office), SC (Service Commercial) and GC (General Commercial) districts. Because of relatively high densities and small lots in Seal Beach and the greater potential for neighborhood impacts associated with large care facilities (e.g., traffic, noise, emergency access) these facilities are directed to non-residential districts subject to the following required findings:

1. The proposal is consistent with the general plan and with any other applicable plan adopted by the city council;
2. The proposed use is allowed within the applicable zoning district with use permit approval and complies with all other applicable provisions of the municipal code;
3. The site is physically adequate for the type, density and intensity of use being proposed, including provision of services, and the absence of physical constraints;
4. The location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely
affect uses and properties in the surrounding neighborhood; and

5. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the health, safety, or welfare of persons residing or working in the vicinity of the proposed use.

2. Residential Care, Limited. A residential care facility providing 24-hour non-medical care for 6 or fewer persons in a single unit, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed for residential care by the State of California. Under state law, a state-licensed residential care facility with 6 or fewer persons is considered a residential use and is permitted subject to the same regulations as other residential uses of the same type in the same zone. This classification includes residential care facilities restricted to persons 60 years of age or older if there are 6 or fewer residents. Six or fewer persons does not include the licensee or members of the licensee’s family or persons employed as facility staff.

Under the Municipal Code, these facilities are permitted by-right in all zones where single-family uses are permitted, in conformance with state law, and are conditionally permitted in the PO, SC and GC districts.

3. Residential Care, Senior. A housing arrangement chosen voluntarily by the resident, the resident’s guardian, conservator or other responsible person; where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal. Any younger residents must have needs compatible with other residents, as provided in Health & Safety Code §1569.316 or a successor statute. This classification includes continuing care retirement communities and lifecare communities licensed for residential care by the State of California. These facilities are conditionally permitted in the PO, SC and GC districts.

The Special Use provisions of the Municipal Code recognize the following specific types of Residential Care Facilities for the Elderly (RCFE) projects:

- Assisted Living Facility: a residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted Living Facilities may include kitchenettes (small refrigerator, sink, microwave oven) within individual rooms. Assisted Living Facilities are required to be licensed by the California Department of Social Services, and do not include skilled nursing services.
- **Life Care Facility**: sometimes called “Continuing Care Retirement Communities”, or “Senior Continuum of Care Complex”, these facilities provide a wide range of care and supervision, and also provide health care (skilled nursing) so that residents can receive medical care without leaving the facility. Residents can expect to remain, even if they become physically incapacitated later in life. Life Care Facilities require multiple licensing from the State Department of Social Services, the State Department of Health Services, and the State Department of Insurance.

**Development Standards for Residential Care Facilities**

Residential care facilities in a residential district must maintain a minimum distance of 300 feet from another such facility. Facilities in all districts must comply with development standards for landscaping, walls, traffic level of service, passenger loading, and delivery hours. ([§11.4.05.105](#)) These regulations are consistent with State law and do not pose a significant constraint to their development.

**Reasonable Accommodation for Persons with Disabilities**

State law requires that local housing elements “shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities.” ([Government Code §65583(c)(3)](#)).

Chapter 11.5.30 of the Seal Beach Municipal Code (Reasonable Accommodations) provides standards and procedures for ensuring compliance with state law. The ordinance includes the following provisions:

- Application procedures, including the accommodation requested and the basis for the request.
- No fee is charged for a Reasonable Accommodation application.
- Concurrent processing may be requested by an applicant when another discretionary permit is also required.
- Decision by the Planning Commission subject to the notice, review, approval, and appeal procedures prescribed for a conditional use permit.
- Required findings for approval as follows:
  1. The requested accommodation is requested by or on the behalf of one or more individuals with a disability protected under the fair housing laws.
  2. The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling.
3. The requested accommodation will not impose an undue financial or administrative burden on the City as “undue financial or administrative burden” is defined in fair housing laws and interpretive case law.

4. The requested accommodation will not result in a fundamental alteration in the nature of the City’s zoning program, as “fundamental alteration” is defined in fair housing laws and interpretive case law.

5. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

These provisions are consistent with State law and do not pose a constraint to reasonable accommodation for persons with disabilities.

**Emergency Shelters**

California Health and Safety Code (§50801) defines an emergency shelter as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.”

In 2013, the Boeing Specific Plan was amended to permit emergency shelters by-right subject to the following development standards:

- Maximum of 25 beds
- Minimum separation of 300 feet between emergency shelters

Sites within this specific plan are located within walking distance of services and employment centers and are served by public transportation. This specific plan encompasses approximately 107 acres of land, which includes two underutilized parking lots in two parcels of approximately 16 and 12 acres that are suitable for shelters. These emergency shelter regulations are consistent with SB 2 and do not pose a constraint to the establishment of such facilities. The maximum shelter size of 25 beds is appropriate in consideration of the number of unsheltered homeless persons in Seal Beach, which was estimated in the most recent Point in Time count to be 8 persons.

AB 139 (2019) revised State law regarding parking standards for emergency shelters. To ensure that City development standards and procedures continue to provide adequate sites for emergency shelters, Program 1i includes a Zoning Code amendment to revise parking requirements for emergency shelters consistent with current law.

**Low Barrier Navigation Centers**

In 2019, the State Legislature adopted AB 101 establishing requirements related to local regulation of low barrier navigation centers, which are defined as “Housing first, low-barrier, service-enriched shelters focused on moving people into permanent
housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.” Low Barrier means best practices to reduce barriers to entry, and may include, but is not limited to:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth
2. Accommodation of residents’ pets
3. The storage of possessions
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms

Low barrier navigation centers meeting specified standards must be allowed by-right in areas zoned for mixed use and in nonresidential zones permitting multi-family uses. Chapter V includes Program 1i to address this requirement.

The City does not have specific parking standards for emergency shelters or other low barrier navigation centers, defined as Community Social Service Facilities in the zoning code. Per Municipal Code Section 11.4.20.015.D, Uses Not Specified, the Planning Director is responsible for establishing a requirement considering the parking requirements for the most nearly similar use and any other relevant studies/data regarding parking demand. Sufficient parking would be provided to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone, in accordance with AB 139 (2019).

**Transitional and Supportive Housing**

Transitional/supportive housing is normally temporary housing (generally six months to two years) for an individual or family who is transitioning to permanent housing. This type of housing can take several forms, including group housing or multi-family units, and often includes a supportive services component to allow individuals to gain necessary life skills in support of independent living.

In 2013, the Municipal Code was amended to clarify that transitional/supportive housing is a residential use subject to the same standards and requirements as other residential uses of the same type in the same zone, in conformance with SB 2.

In 2018, AB 2162 amended State law to require that supportive housing be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed housing development meets specified criteria. Chapter V includes Program 1i to address this requirement.

**Single Room Occupancy**

Single-room-occupancy (SRO) facilities are small studio-type units intended for one or two persons. SROs can provide an affordable housing option for small households
with very low or extremely low incomes. In 2013, the Zoning Ordinance was amended to allow SROs subject to a conditional use permit in the RHD zone.

d. Off-Street Parking Requirements

Regulations for Off-Street Parking and Loading are provided in Chapter 11.4.20 of the Municipal Code. The City’s parking requirements for residential uses vary by residential type. Single-family dwellings require two garage parking spaces per unit with up to 5 bedrooms, three spaces for homes with 6 bedrooms, plus one additional space for each bedroom over 6. In Surfside and in the RLD-9 and RHD-20 districts, the required number of spaces may be reduced by one space if suitable driveway parking is available. Multi-family dwellings require two covered parking spaces plus one uncovered guest spaces for each seven units. A reduction in required parking can be approved through the CUP process (Section 11.4.20.020.B). The parking requirements are summarized in Table IV-6.

In order to enhance the development feasibility of small apartments, the Municipal Code was amended in 2013 to reduce the required off-street parking for studio and one-bedroom apartments to one space when the units are reserved for low- or moderate-income households.

### Table IV-6

<table>
<thead>
<tr>
<th>Type of Unit</th>
<th>Minimum Parking Space Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attached or Detached Single-Family Dwellings</td>
<td>2 spaces per dwelling unit for each unit with up to 5 bedrooms.</td>
</tr>
<tr>
<td></td>
<td>3 spaces per dwelling for each unit of 6 bedrooms or more plus 1 additional space for each bedroom above 6 total bedrooms in the dwelling unit</td>
</tr>
<tr>
<td></td>
<td>All required spaces must be located in a garage except that parking for single-unit dwellings with 6+ bedrooms in Surfside and in the RLD-9 and RHD-20 districts may be reduced by one space if driveway parking is available.</td>
</tr>
<tr>
<td>Multi-Family Units</td>
<td>2 spaces per dwelling unit plus 1 guest space for every 7 units (1 space for studio and 1-bedroom units when restricted to low/moderate-income tenants)</td>
</tr>
<tr>
<td></td>
<td>All spaces except guest spaces must be located in a garage or carport.</td>
</tr>
<tr>
<td>Accessory dwelling units</td>
<td>1 space per unit.</td>
</tr>
</tbody>
</table>

Source: Seal Beach Zoning Ordinance, Table 11.4.20.015.A.1 State law prohibits cities from imposing parking standards on most ADU’s including those located within ½ mile of public transit. 2. States law also prohibits requiring the replacement of parking for conversion of an existing garage, carport conversion, or if a covered parking structure is demolished to be replaced with an ADU or is converted to an ADU.
e. **Accessory Dwelling Units**

Accessory dwelling units (ADUs) and Junior ADUs are regulated by §11.4.05.115 of the Municipal Code, which is intended to implement State law (Government Code §65852.150, §65852.2 and §65852.22) or any successor statutes. ADUs and JADUs that comply with applicable standards are approved ministerially without discretionary review or public hearing.

Several amendments to ADU law have been adopted by the State legislature in recent years. In July 2021, the City adopted revised ADU/JADU development standards reflecting legislation from 2019 and 2020. Program 1h is included in the Housing Action Plan to monitor legislation and update City regulations in conformance with changes in State law, as necessary.

f. **Density Bonus**

Under State density bonus law, cities must provide a density increase above the otherwise maximum allowable residential density under the Municipal Code and the Land Use Element of the General Plan and other incentives when builders agree to construct housing developments with units affordable to low- or moderate-income households. Chapter 11.4.55 of the Municipal Code (“Affordable Housing Bonus”) sets forth regulations and procedures for providing density bonus or other incentives. In recent years the State Legislature has adopted changes to density bonus requirements. Program 2a in the Housing Action Plan addresses the issue of density bonus in conformance with State law.

g. **Mobile Homes/Manufactured Housing**

The manufacturing of homes in a factory is typically less costly than the construction of individual homes on site thereby lowering overall housing costs. State law precludes local governments from prohibiting the installation of mobile homes on permanent foundations on single-family lots. It also declares a mobile home park to be a permitted land use on any land planned and zoned for residential use and prohibits requiring the average density in a new mobile home park to be less than that permitted by the Municipal Code. A city or county may, however, require use permits for mobile home parks.

Regulations governing manufactured housing are provided in §11.4.05.075 of the Municipal Code and in state regulations (Title 25, California Code of Regulations). A manufactured home shall constitute a permitted use in all residential districts, provided that any such manufactured home is certified under the standards set forth in the National Manufactured Housing Construction and Safety Standards Act of 1976 (42 USC 5401 et. seq.), as amended at the time of any application for placement of such manufactured home. The City’s development standards for mobile homes do not present an unreasonable constraint to this type of development.

Mobile home parks are regulated under the Residential High Density (RHD) provisions of the Code. There is one mobile home park in Seal Beach (Seal Beach Shores Trailer
Park). In 2000, the Redevelopment Agency issued bonds to allow for LINC Housing, a 501(c)(3) non-profit agency to acquire and manage the park. In 2009, the ownership of the park was transferred to Seal Beach Shores, Inc, a resident-owned 501(c)(3) non-profit entity.

The City recognizes this mobile home park for its contribution to affordable housing. As noted in Chapter III, the Redevelopment Agency has provided rental assistance and rehabilitation loans and grants to residents of the Seal Beach Shores Trailer Park in order to maintain this important supply of affordable housing in the city. Programs 2d and 4b support continued affordability and rehabilitation activities in this park.

h. Condominium Conversions

The conversion of apartments to condominiums is regulated by Chapter 11.4.80 of the Municipal Code for all areas of Seal Beach except Leisure World. Key requirements that must be satisfied are summarized as follows:

- Approval of a Conditional Use Permit and a subdivision map.
- Each building as of the date of conversion shall comply with all applicable requirements of the Municipal Code, and the goals and policies of the General Plan, except where the building is nonconforming in compliance with Chapter 11.4.40: Nonconforming Uses, Structures, and Lots.
- Condominium conversions shall observe the following standards for density.
  - RMD-18 District: 2,500 sq. ft. of land per dwelling unit.
  - RHD-20 District: 2,178 sq. ft. of land per dwelling unit.
  - RHD-33 District: 1,350 sq. ft. of land per dwelling unit.
  - RHD-46 District: 960 sq. ft. of land per dwelling unit.
- Separate space heating, water heating, and metering/shutoff valves for water, gas, and electricity for each unit.
- All common attic areas over individual dwelling units shall be separated by sound-rated assemblies and access to each attic space shall be provided in compliance with the California Building Code.
- Tenant's Right to Purchase. As provided in Government Code 66427.1.D., any present tenant of any unit shall be given a nontransferable right of first refusal to purchase the unit occupied at a price no greater than the price offered to the general public. The right of first refusal shall extend for at least 90 days from the date of issuance of the subdivision public report or commencement of sales, whichever date is later.
- Each non-purchasing tenant not in default under the obligations of the rental agreement or lease under which he occupies his unit shall have not less than 180 days from the date of receipt of notification from the owner of his intent to convert, or from the filing date of the final subdivision map, whichever date is later, to find substitute housing and to relocate. Once notice of intent to convert is served to a tenant, any existing long-term lease agreement may
be rescinded by the tenant without penalty. Notification of such termination shall be submitted in writing to the landlord 30 days prior to the termination of the lease.

- From the date of approval of the Tentative Map until the date of conversion, no tenant’s rent shall be increased more frequently than once every 6 months, and at a rate not greater than 50% of the rate of increase in the Consumer Price Index (all items, Los Angeles-Long Beach), on an annualized basis, for the same period. This limitation shall not apply if rent increases are provided for in leases or contracts in existence prior to the filing date of the Tentative Map.

- The subdivider shall provide moving expenses of 2.0 times the monthly rent, but in no case less than $3,000, to any tenant who relocates from the building to be converted after approval of the condominium conversion by the City, except when the tenant has given notice of his intent to move prior to receipt of notification from the subdivider of his intent to convert.

When a condominium conversion is permitted, the increase in the supply of less expensive for-sale units helps to compensate for the loss of rental units. No requests for condominium conversions have been filed in recent years. Program 4a calls for the continued implementation of the City’s condominium conversion municipal code section.

i. Building Codes and Enforcement

State law prohibits the imposition of building standards that are not necessitated by local geographic, climatic or topographic conditions and requires that local governments making changes or modifications in building standards must report such changes to the Department of Housing and Community Development and file an expressed finding that the change is needed.

The City’s building codes are based upon the current California Building Standards Code. Local amendments to the State code have been adopted to require fire sprinklers for some residential construction. Local amendments to Seal Beach Municipal Code Section 9.60.020.060.20 requires an automatic sprinkler system be installed throughout the following residential buildings:

903.2 Where required. Approved automatic sprinkler systems in buildings and structures shall be provided when one of the following conditions exists:

1. New Buildings: Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.19, an automatic fire-extinguishing system shall also be installed in all occupancies when the total building area exceeds 5,000 square feet as defined in Section 202, regardless of fire areas or allowable area, or is more than two stories in height.

Exception: Subject to approval by the Fire Code Official, open parking garages in accordance with Section 406.5 of the California Building Code.
2. **Existing Buildings:** Notwithstanding any applicable provisions of this code, an automatic sprinkler system shall be provided in an existing building when an addition occurs and one of the following conditions exists:
   a. When an addition exceeds 2000 square feet and the resulting building area exceeds 5000 square feet.
   b. 903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area as follows:
      i. New Buildings: An automatic sprinkler system shall be installed throughout all new buildings, including attached garages.
      ii. An automatic sprinkler system shall be installed throughout when one of the following conditions exists:
         1. All existing Group R occupancies and U-1 garages when the total area is increased by 750 square feet or more.
         2. An automatic sprinkler system shall be installed throughout any existing Group R Occupancy building when the floor area of the Alteration or Combination of an Addition and Alteration, is 50% or more of area/value of the existing structure and where the scope of the work exposes building framing and facilitates sprinkler installation and is such that the Building/Fire Code Official determines that the complexity of installing a sprinkler system would be similar as in a new building.
   c. Any addition to an existing building which has fire sprinklers installed.

**Exceptions:**

1. Existing Group R-3 occupancies converted to Group R-3.1 occupancies not housing bedridden clients, not housing non-ambulatory clients above the first floor and not housing clients above the second floor.

2. Existing Group R-3 occupancies converted to Group R-3.1 occupancies housing only one bedridden client and complying with Section 425.8.3.3.

3. Pursuant to Health and Safety Code Section 13113 occupancies housing ambulatory children only, none of whom are mentally ill or mentally retarded, and the buildings or portions thereof in which such children are housed are not more than two stories in height, and buildings or portions thereof housing

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6 Group R is defined by the California Building Code Section 310 as R-1 (transient occupancy sleeping units such as boarding houses, congregate residents, hotels/motels), R-2 (permanent occupancy sleeping units such as apartments, congregate residences, hotels/motels, live work units, vacation timeshares), R-2.1 (occupancy in a supervised residential care environment), R-3 (occupants are primarily permanent in nature but not classified in R-1, R-2 or R-4), and R-4 (occupants are primarily permanent in nature, reside in a 24-hour basis in a supervised residential environment and receive custodial care).
such children have an automatic fire alarm system activated by approved smoke detectors.

4. Pursuant to Health and Safety Code Section 13143.6 occupancies licensed for protective social care which house ambulatory clients only, none of whom is a child (under the age of 18 years), or who is elderly (65 years of age or over).

While the amended building codes and enforcement increase the cost of development, the requirement for fire sprinklers does not pose a constraint to affordable housing or other residential development within the city.

2. Development Processing Procedures

a. Residential Permit Processing

State Planning and Zoning Law provides permit processing requirements for residential development. Within the framework of state requirements, the City has structured its development review process to minimize the time required to obtain permits while ensuring that projects receive an appropriate level of review.

Table 11.5.05.025, Review Authority, identifies the City official or body responsible for reviewing and making decisions on each type of application, land use permit, and other entitlements required by the Zoning Code. Three levels of review are identified: the Community Development Director, Planning Commission and City Council. The typical planning approvals and their respective level of review are as shown in Table IV-7.

<table>
<thead>
<tr>
<th>Permit Type</th>
<th>Director</th>
<th>Planning Commission</th>
<th>City Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Permit</td>
<td>Decision</td>
<td>Appeal</td>
<td>Appeal</td>
</tr>
<tr>
<td>Minor Use Permit</td>
<td>Decision</td>
<td>Appeal</td>
<td></td>
</tr>
<tr>
<td>Conditional Use Permit</td>
<td>Decision</td>
<td>Appeal</td>
<td></td>
</tr>
<tr>
<td>Subdivision maps</td>
<td></td>
<td>Recommendation</td>
<td>Decision</td>
</tr>
</tbody>
</table>

Source: Seal Beach Zoning Ordinance, Table 11.5.05.025

All conventional residential uses, including multi-family apartments, are permitted by-right with no discretionary review. These uses only require review of project plans by the Community Development Director to ensure conformance with applicable regulations and development standards. Assuming development conforms to Zoning regulations, no public hearing is required. The typical time required to process these approvals is 30 days.
Required findings for a Director’s development permit approval are as follows:

1. The proposed use and structure conform with the provisions of the Zoning Code;
2. The proposed use and structure are compatible with uses and structures in the immediate neighborhood;
3. The plans provide protection to adjacent structures from noise, vibration and other undesirable environmental factors;
4. Proposed lighting is directed inward and downward to reflect light away from adjoining properties;
5. The following are designed to avoid traffic congestion, protect pedestrian and vehicular safety and welfare and eliminate any adverse effect on surrounding property:
   a. Structures and improvements;
   b. Vehicular ingress and egress and internal circulation;
   c. Setbacks;
   d. Height of buildings;
   e. Walls; and
   f. Landscaping.

A Minor Use Permit (MUP) is required for Group Housing in the RHD district. A MUP is reviewed and approved by the Planning Commission. The typical time required to process a Minor Use Permit is 45 days.

A Conditional Use Permit (CUP) is required for Senior Citizen Housing in the RHD district. A CUP is reviewed and approved by the Planning Commission. The typical time required to process a CUP is 45 days.

An MUP or CUP shall only be granted if the reviewing body finds, based upon evidence presented at the hearing, that the proposal conforms to all of the following criteria as well as to any other special findings required for approval of use permits in specific zoning districts:

1. The proposal is consistent with the General Plan and with any other applicable plan adopted by the City Council;
2. The proposed use is allowed within the applicable zoning district with use permit approval and complies with all other applicable provisions of the Municipal Code;
3. The site is physically adequate for the type, density and intensity of use being proposed, including provision of services, and the absence of physical constraints;
4. The location, size, design, and operating characteristics of the proposed use will be compatible with and will not adversely affect uses and properties in the surrounding neighborhood; and

5. The establishment, maintenance, or operation of the proposed use at the location proposed will not be detrimental to the health, safety, or welfare of persons residing or working in the vicinity of the proposed use.

There are no design review requirements in the city, with exception for some provisions in the Main Street Specific Plan, affecting a very limited geographic area and primarily targeting commercial street fronts.

Once a project is approved by the Planning Division, applicants outside the Coastal Zone may move immediately into plan check and building permit issuance. Upon submittal to the Building Division, which may be done electronically for faster and simpler access, the initial review typically takes 14 to 30 days, depending upon complexity of the project. Corrections, should they be needed, take less than two weeks and often only a few days. Once construction commences, building inspections and subsequent permits as needed are almost immediate, with inspections typically being available the day after requested. For projects within the Coastal Zone, the applicant must submit to the Coastal Commission in between Planning approvals and Building approvals. The City has no authority over that timeline.

b. Environmental Review

Environmental review is required for all developments meeting the definition of “projects” under the California Environmental Quality Act (CEQA). Seal Beach has a number of environmental and development constraints due to its sensitive environmental resources and coastal location. Because of these environmental constraints, larger residential projects have typically required the preparation of Environmental Impact Reports (EIRs).

Under State law, an EIR is required for any development that has the potential of creating significant impacts that cannot be mitigated, which is typical of large projects. Some residential projects are either Categorically Exempt or require only an Initial Study and Negative Declaration. A Negative Declaration typically takes four to six weeks to prepare, depending on complexity of the project and required technical studies, followed by a state-mandated public review period. Categorically Exempt developments require a minimal amount of time. As a result, environmental review does not pose a significant constraint to housing development in the city.

c. Requests to Develop Below Anticipated Densities

Requests to develop housing at densities below those anticipated in the Housing Element may also constitute a constraint to housing development. Over the last housing cycle, the City received one application to develop a site with less units than anticipated. The Ocean Place development (known in the previous Housing Element as the DWP Specific Plan Property) originally proposed to construct 32 units;
however, as discussed under the Local Coastal Program in the Governmental Constraints Section, only 30 units were ultimately constructed specifically due to restrictions placed on the project by the California Coastal Commission.

3. Development Fees and Improvement Requirements

State law limits fees charged for development permit processing to the reasonable cost of providing the service for which the fee is charged. Various fees and assessments are charged by the City and other public agencies to cover the costs of processing permit applications and providing services and facilities such as schools, parks and infrastructure. Almost all of these fees are assessed through a prorata share system, based on the magnitude of the project’s impact or on the extent of the benefit that will be derived. Development fees will vary from project-to-project depending on the specific characteristics. Table IV-8 summarizes the development fees for typical residential projects.
### Table IV-8

**Planning and Development Fees**

<table>
<thead>
<tr>
<th>Fee Category</th>
<th>Fee or Deposit Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning and Application Fees¹</td>
<td></td>
</tr>
<tr>
<td>Pre-Application Conference</td>
<td>$231</td>
</tr>
<tr>
<td>Parcel Map</td>
<td>$1,550</td>
</tr>
<tr>
<td>Tentative Tract Map</td>
<td>$2,309</td>
</tr>
<tr>
<td>Concept Approval (coastal)</td>
<td>$288</td>
</tr>
<tr>
<td>Major Site Plan Review</td>
<td>$1,240</td>
</tr>
<tr>
<td>Minor Use Permit</td>
<td>$310</td>
</tr>
<tr>
<td>Conditional Use Permit</td>
<td>$1,550</td>
</tr>
<tr>
<td>Planned Unit Development</td>
<td>$3,082</td>
</tr>
<tr>
<td>Specific Plan</td>
<td>$11,200</td>
</tr>
<tr>
<td>Environmental Review¹</td>
<td>$1,100</td>
</tr>
<tr>
<td>Categorical Exemption</td>
<td></td>
</tr>
<tr>
<td>Initial Study (review and preparation)</td>
<td>$1,800 deposit</td>
</tr>
<tr>
<td>Negative Declaration</td>
<td>$2,000 deposit</td>
</tr>
<tr>
<td>Environmental Impact Report (review)²</td>
<td>$30,000 deposit</td>
</tr>
<tr>
<td>Regional Development Impact Fees³</td>
<td></td>
</tr>
<tr>
<td>Water connection fees</td>
<td>$5,307</td>
</tr>
<tr>
<td>Sewer connection fees</td>
<td>$2,754</td>
</tr>
<tr>
<td>Road fees (per unit)</td>
<td>$788 (condo)</td>
</tr>
<tr>
<td></td>
<td>$959 (apartment)</td>
</tr>
<tr>
<td></td>
<td>$1,462 (single-family house)</td>
</tr>
<tr>
<td>Est. total fee % of total development cost⁵</td>
<td>SF – 3%</td>
</tr>
<tr>
<td></td>
<td>MF – 5%</td>
</tr>
</tbody>
</table>

Source: City of Seal Beach Development Services Department, June 2021

Notes:
1. Items with deposits are based on actual processing costs which may exceed initial deposit amount.
2. Applicant is required to reimburse City for consultant costs.
3. Impact Fees are imposed by regional agencies and vary by location
4. Assuming 1” water service line
5. Assumes development cost of $1,000,000 for SF and $600,000 for MF

The City periodically evaluates the actual cost of processing the development permits when revising its fee schedule. The current fee schedule is based on a fee study completed in 2021.

After the passage of Proposition 13 and its limitation on local governments’ property tax revenues, cities and counties have faced increasing difficulty in providing public services and facilities to serve their residents. One of the main consequences of Proposition 13 has been the shift in funding of new infrastructure from general tax revenues to development impact fees and improvement requirements on land developers. The City requires developers to provide on-site and off-site improvements necessary to serve their projects. Such improvements may include water, sewer and other utility extensions, street construction and traffic control device installation that are reasonably related to the project. Dedication of land or
in-lieu fees may also be required of a project for rights-of-way, transit facilities, recreational facilities and school sites, consistent with the Subdivision Map Act.

A typical local street requires a 60-foot right-of-way, with two 12-foot travel lanes. The City’s road standards are typical for cities in Orange County and do not act as a constraint to housing development. Table IV-9 illustrates the City’s road improvement standards.

<table>
<thead>
<tr>
<th>Roadway Designation</th>
<th>Number of Lanes</th>
<th>Right-of-Way Width</th>
<th>Curb-to-Curb Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Arterial</td>
<td>8</td>
<td>140'</td>
<td>120'</td>
</tr>
<tr>
<td>Major Arterial</td>
<td>6</td>
<td>120'</td>
<td>102'</td>
</tr>
<tr>
<td>Primary Arterial</td>
<td>4</td>
<td>100'</td>
<td>84'</td>
</tr>
<tr>
<td>Secondary Arterial</td>
<td>4</td>
<td>80'</td>
<td>64'</td>
</tr>
<tr>
<td>Local Street</td>
<td>2</td>
<td>60'</td>
<td>36'</td>
</tr>
</tbody>
</table>

Source: City of Seal Beach Public Works Department

The City’s Capital Improvement Program (CIP) contains a schedule of public improvements including streets and other public works projects to facilitate the continued build-out of the City’s General Plan. The CIP helps to ensure that construction of public improvements is coordinated with private development.

Although development fees and improvement requirements increase the cost of housing, cities have little choice in establishing such requirements due to the limitations on property taxes and other revenue sources needed to fund public improvements.

4. Federal Land Uses (NWS Seal Beach)

The Naval Weapons Station (NWS) Seal Beach was established in 1944 for weapons and munitions loading, storage and maintenance and has operated continuously into present day. This federal land use occupies 8.2 square miles within the city, accounting for approximately 70% of the jurisdiction. It is estimated that NWS Seal Beach employs about 740 military and civilian personnel on the installation, with about 320 family members and up to 850 reservists that may be present on training weekends. NWS Seal Beach housing includes 186 enlisted housing units and eight officer units/houses; these units are limited to service members stationed on-site.

This federal land use constitutes the majority of land within Seal Beach. Within NWS Seal Beach, the Seal Beach National Wildlife Refuge constitutes approximately 900 acres as a marine protected area to protect environmentally sensitive habitat areas. The Navy contracts with farmers for agricultural uses on-site, primarily north of Westminster Boulevard. While significant acreage of vacant land exists on NWS Seal Beach, federal ownership and active military use prevents additional residential units from being developed on-site without initiative from the federal government. As
noted in the land inventory, the Navy is currently moving forward with one site for development.

In the unlikely event military uses are ever vacated from this site, existing environmental constraints would limit development. The Seal Beach National Wildlife Refuge would remain protected, and other sensitive habitats on-site could be identified as well. Contamination and hazardous material clean-up would also be required.

4. Airport Land Use Commission

The Orange County Airport Land Use Commission (ALUC) is a county entity under the Public Utilities Code Section 21670 that assists local agencies in assuring land use compatibility near Orange County airports. The Joint Forces Training Base Los Alamitos is located just north of Seal Beach, therefore portions of the city are located within the Airport Influence Area that ALUC reviews, which includes restrictions on height for safety purposes, as well as noise considerations for compatibility. Most development proposals are accommodated under approvals from the Director or Planning Commission, though amendments to the General Plan would be reviewed for consistency with the Airport Environments Land Use Plan by ALUC.

B. Non-Governmental Constraints

1. Environmental Constraints

Environmental constraints include physical features such as steep slopes, fault zones, floodplains, sensitive biological habitat, and agricultural lands. In many cases, development of these areas is constrained by state and federal laws (e.g., FEMA floodplain regulations, the Clean Water Act and the Endangered Species Act, and the state Fish and Game Code and Alquist-Priolo Act).

The most noteworthy environmental constraints in Seal Beach are seismicity and soil stability related to a shallow groundwater. The Newport-Inglewood fault runs through the city. Since the city’s topography is relatively gentle, steep slopes and landslides are not a major concern.

The City’s land use plans have been designed to protect sensitive areas from development, and also to protect public safety by avoiding development in hazardous areas. While these policies constrain residential development to some extent, they are necessary to support other public policies. In Southern California, nearly all development projects face potential community-wide environmental constraints such as traffic, noise and air quality impacts, in addition to site-specific constraints. None of the sites identified in the land inventory (Appendix B) have site-specific environmental constraints that would preclude the assumed level of development.
Coastal constraints related to sea level rise are discussed alongside the Local Coastal Program in the Governmental Constraints section. Additionally, two major wetland areas are located within the City: the Los Cerritos Wetlands, located on the Hellman Ranch Property, and the Seal Beach National Wildlife Refuge, located on the NWS Seal Beach property. Several development proposals were issued over the years to develop Hellman Ranch and failed for various reasons. In 1981, the City approved a 1,000-unit project by Ponderosa homes that was ultimately denied by Coastal Commission because the project did not provide for wetlands conservation. In 1989, the City approved a 329-unit project by Mola Development Corp., but the project was ultimately blocked by lawsuits. In 1996, John Lang Homes proposed a 70-unit project to occupy about 10 percent of the property. As part of this proposal, Coastal Commission required portions of the Hellman Ranch Property to be deed restricted for future wetland restoration. During the grading process, cultural resources and Native American burials were found on-site. Ultimately, the project was scaled back to 64 homes. While Hellman Rancho/Los Cerritos Wetlands area constitutes a significant acreage of vacant space within the city, this area is not suitable for residential development in the future. 7

Similarly, the 900+ acre wetlands located on NWS Seal Beach are protected as a National Wildlife Refuge. In the unlikely event the US Navy elects to vacate their property in Seal Beach, these wetlands would continue to be protected by US Fish and Wildlife Service. Other land use limitations associated with NWS Seal Beach is discussed under Federal Land Uses within the Governmental Constraints section, above.

Wildfire severity zones and FEMA flood zones can also pose constraints to development. The CalFire Fire Hazard Severity Zone map does not identify any very high fire hazard severity zones in Seal Beach. The AFFH mapping tool identifies some areas that are within a FEMA 100-year flood zone. The only significant flood zone in the city exists almost entirely within the NWS Seal Beach area. Some minor flood zones exist along the coast, a small flood zone at the western edge of Census Tract 995.04, and a small flood zone surrounding Old Ranch Country Club in Census Tract 1100.12. It is unlikely that these hazard zones would significantly hinder housing development.

2. Infrastructure Constraints

The City of Seal Beach provides several utilities to customers within the city including water, sewer, street sweeping, and tree trimming. External providers provide customers with dry utilities. Electricity is provided through Southern California Edison. Internet service is provided through Spectrum.

Seal Beach is almost completely “built out” and necessary infrastructure such as water, wastewater and drainage systems are in place. The amount of new

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development projected to occur during the planning period is relatively small, and there are no known limitations that would preclude the anticipated level of development. Regardless, future Land Use Element amendments and Zoning changes needed to implement the 6th Cycle Housing Element will require full analysis under CEQA, including mitigation, if necessary.

The City’s Capital Improvement Program (CIP) contains a schedule of public improvements including streets and other public works projects to facilitate the continued build-out of the City’s General Plan. The CIP helps to ensure that construction of public improvements is coordinated with development. Capacity for additional units would be created as build-out continues and specific projects are proposed. Providers have priority for low-income units.

3. **Land Costs**

Land represents one of the most significant components of the cost of new housing. Land values fluctuate with market conditions, and ongoing increases in the housing market have affected land values. Changes in land prices reflect the cyclical nature of the residential real estate market. The high price of land throughout Orange County, especially in coastal areas, poses a significant challenge to the development of lower-income housing. Popular housing and real-estate websites demonstrate this issue; in the surrounding coastal cities of Orange County like Long Beach and Huntington Beach, an acre of land in a coastal city can sell at a premium. Land cost varies greatly depending on lot location, size, configuration, and the ability to support development. Proximity to the coast, San Gabriel River, or other desirable views can increase property value as well.

Density affects development feasibility by determining the land cost per unit. As discussed in the Governmental Constraints section of this chapter, allowable multi-family residential densities in Seal Beach are sufficient to facilitate development of affordable housing.

4. **Construction Costs**

Construction cost is affected by the price of materials, labor, development standards and general market conditions. The City has no influence over materials and labor costs, and the building codes and development standards in Seal Beach are not substantially different than most other cities in Orange County. In recent years, construction costs for materials and labor have increased at a significantly higher pace than the general rate of inflation.

One indicator of construction costs is the Building Valuation Data, compiled by the International Code Council (ICC). The unit costs compiled by the ICC include structural, electrical, plumbing and mechanical work, in addition to interior finish and normal site preparation. The data are national, and do not account for regional differences, nor include the price of land upon which the building is constructed. The most recent Building Valuation Data, dated February 2021, reports the national
average for development costs per square foot for apartments and single-family homes as follows:\(^8\)

- Type I or II, R-2 Residential Multi-family: $157.74 to $179.04 per square foot
- Type V Wood Frame, R-2 Residential Multifamily: $120.47 to $125.18 per square foot
- Type V Wood Frame, R-3 Residential One- and Two-Family Swelling: $130.58 to $138.79 per square foot
- R-4 Residential Care/Assisted Living Facilities generally range between $152.25 to $211.58 per square foot

Additionally, labor costs are influenced by the availability of workers and prevailing wages. In January 2002, SB 975 expanded the definition of public works and the application of the State’s prevailing wage requirements. It also expanded the definition of what constitutes public funds, capturing significantly more projects (such as housing) beyond just public works that involve public/private partnerships. Except for self-help projects, SB 975 requires payment of prevailing wages for most private projects constructed under an agreement with a public agency aiding the project. As a result, prevailing wage requirement substantially increases the cost of affordable housing construction. In addition, a statewide shortage of construction workers may be further exacerbated by limitations and restrictions due to the current COVID-19 pandemic. Although construction costs are a significant factor in the overall cost of residential development, the City of Seal Beach has no direct influence over materials and labor costs and must comply with regulations under SB 975.

5. **Cost and Availability of Financing**

Seal Beach is typical of Southern California communities with regard to private sector home financing programs and interest rates. In recent years, mortgage interest rates have been very low by historic standards, resulting in increased affordability for home purchasers with good credit.

6. **Impacts of COVID-19**

The COVID pandemic has had an impact on market conditions and appears to favor more development of housing on nonresidential sites. One impact of the COVID-19 pandemic is the acceleration and expansion of telecommuting/remote working. At this point, it appears the trend, though not yet stabilized, is likely to be broadly adopted by a large number of employers. Many office spaces have become vacant, idle or obsolete during this changing employment shift. There is evidence of increased efficiencies in working productivity as a result of reduced commuting and virtual meeting. This has further softened the nonresidential market

and may create additional opportunities and incentives for redevelopment for or with residential uses. While a recovery in commercial activity is expected, it is not clear how long it might take to achieve pre-pandemic levels, if at all.

C. Affirmatively Furthering Fair Housing

1. Introduction

All General Plan Housing Elements due on or after January 1, 2021 must contain an Assessment of Fair Housing (AFH) consistent with Assembly Bill (AB) 686, passed in 2017, requiring an analysis of barriers that restrict access to opportunity and a commitment to specific meaningful actions that counter discrimination and overcome patterns of segregation. The Affirmatively Furthering Fair Housing (AFFH) analysis includes a summary of fair housing issues, an assessment of fair housing enforcement and outreach capacity, an analysis of segregation patterns and disparities in access to opportunities, and an identification of fair housing goals and actions.

This requirement must:

- Include a program that affirmatively furthers fair housing and promotes housing opportunities throughout the community for protected classes (applies to housing elements beginning January 1, 2019).

- Assess fair housing that includes summary of fair housing issues, an analysis of available federal, state, and local data, and local knowledge to identify contributing factors to fair housing issues.

- Prepare the housing element land inventory and identification of sites through the lens of Affirmatively Furthering Fair Housing.

In accordance with AB 686, the City has completed the following AFFH outreach and analysis.

2. Outreach

Community outreach related to the Housing Element update is documented in Appendix C, Public Participation Summary. The City hosted two public Ad Hoc Committee Meetings and two City Council/Planning Commission study sessions in a virtual format. An online survey was published and received 14 responses. City residents and other interested stakeholders had the opportunity to participate through the City’s website, and questions received through this platform are also documented in Appendix C.

Issues Potentially Reducing Participation. COVID-19 and in-person gathering restrictions significantly affected outreach capabilities and attendance related to the Housing Element Update. As the Ad Hoc meetings and study sessions were hosted virtually, the City experienced a decrease in participation over previous
years. This decrease in participation was not only found with the Housing Element update process, but is a general trend observed across other community outreach efforts since March 2020.

As Seal Beach is a city with an older demographic, the online-only space potentially reduces participation by creating challenges for older residents. Only 88.9% of households in Seal Beach have a computer (compared to 95.3% of households within Orange County), and 84.1% of households have a broadband Internet subscription. As nearly 40% of the Seal Beach population is over the age of 65, this discrepancy in Internet access is likely due to older population. Nevertheless, COVID-19 restrictions prevented in-person gatherings and the City was required to engage the community in a virtual space to protect the health and safety of the community.⁹

3. Assessment of Fair Housing Issues

Fair Housing Enforcement and Outreach Capacity

The City of Seal Beach is contracted with the Fair Housing Council of Orange County (FHCOC), which provides a range of "no-cost" fair housing services provided to eligible clientele throughout the County’s Urban County program areas that are victimized and affected by illegal housing practices. This contract ensures equal access to housing opportunities through fair housing enforcement and education within Seal Beach. Fair housing enforcement includes investigating housing discrimination complaints, assisting with referrals to government enforcement agencies and assisting in litigation aimed at stopping illegal discriminatory housing practices.

City staff infrequently receives questions regarding fair housing issues. When needed, the City refers individuals with fair housing questions and/or potential issues to FHCOC. The FHEO Inquiries by City (HUD 2013-2021) provided through the HCD AFFH Data Viewer Tool indicated no inquiries were made within the city during this time. The City is proposing Programs 5a, 5b, 5c, and 5d (Section V, Housing Action Plan) to affirmatively further fair housing through FHCOC, providing fair housing and tenant landlord counseling services. FHCOC would also be contracted to perform fair housing audits and investigate fair housing complaints.

City Overview

Much of the fair housing analysis is based on data provided at the census tract level. The jurisdiction includes a total of 10 census tracts. A few census tracts are not solely located within the City of Seal Beach and include portions in other jurisdictions. This includes Census Tracts 1100.07 and 1100.08 in the northern portion of Seal Beach. As a result, demographic information for these tracts also reflects neighboring communities, as well as Seal Beach. Some tracts include more land and households in the adjacent city than in Seal Beach, which therefore distorts and skews characteristics of the portion in Seal Beach. Figure IV-1 depicts the census tracts that make up the City of Seal Beach.

Throughout the analysis, few tracts repeatedly stand out with trends of higher levels of segregation and disproportionate need, including potential displacement risk. In the rare instances where census tract data shows concentrations of need, there is often an explanation associated with unique land uses within Seal Beach. An example would be the land uses at the Naval Weapons Station (NWS) Seal Beach (located on Census Tract 995.02) and a 55+ age restricted retirement community called Leisure World (located on Census Tracts 995.09 and 995.10). These specific land uses result in concentrations of specific demographics; data can indicate characteristics about both communities that require contextualization. Additionally, the NWS Seal Beach property on Census Tract 995.02 is significantly larger than most other census tracts in the region. The unusually large size of this area may visually distort how data is expressed without appropriate contextualization.
Leisure World is a Planned Unit Development (PUD), developed in the early 1960s as the first major planned retirement community in the United States. The majority of Leisure World is zoned RHD-PD (Residential High Density-Planned Development), with small parcels zoned as SC (Service Commercial), PO (Professional Office), LM (Light Manufacturing) and RG (Recreation/Golf), all designed to support the residential uses. Leisure World is specifically not an assisted living facility, but units are designed to accommodate aging in place and include other amenities that benefit senior citizens. Units are single-story, majority either one or two bedrooms in size. There are few multi-story condominium structures (two to three stories) within Leisure World. However, the majority of units are ground level, single-story in the “garden style” with open access to shared greenbelts. Within Leisure World, smaller home-owner association style organizations called “mutuals” are responsible for maintenance and management. The Golden Rain Foundation (GRF) manages the Leisure World Trust property, which includes many on-site amenities: clubhouses, golf courses, pool, library, and streets. The GRF also is responsible for programming. Amenities within
Leisure World are limited to residents and their guests only and are not open to the public.\textsuperscript{10}

NWS Seal Beach is a United States Navy installation for weapons and munitions loading, storage and maintenance, approximately 8.2 square miles in size (70% of land within Seal Beach). NWS Seal Beach was commissioned in 1944 at the height of World War II. The property was considered ideal due to the availability of open space and proximity to Navy fleet concentrations in Long Beach and San Diego. Since 1944, NWS Seal Beach has operated continuously and is now the Navy’s primary West Coast ordnance storage, loading and maintenance installation. Cruisers, destroyers, frigates, and medium-sized amphibious assault ships are loaded with missiles, torpedoes, countermeasure devices and conventional ammunition at the facility’s 850-foot long wharf. An average of 40 vessels are loaded or unloaded each year. It is estimated that 300 military and civilian employees work at NWS Seal Beach.\textsuperscript{11}

In addition to the military uses, approximately 900 acres on-site are designated as the Seal Beach National Wildlife Refuge. Habitat types within the refuge include subtidal, intertidal, mudflat, coastal salt marsh and upland habitat. The refuge is key critical habitat for several threatened and endangered species.\textsuperscript{12}

As a federally owned military property, the City of Seal Beach does not have land use control or decision-making authority on NWS Seal Beach. Additionally, NWS Seal Beach is exempt from land use decision-making from the California Coastal Commission. While the City maintains a positive and cooperative relationship with NWS Seal Beach and strives to maintain harmony in land uses, decisions on NWS Seal Beach remain within the purview of the federal government. As NWS Seal Beach accounts for approximately 70% of the land within the City of Seal Beach, the presence of this military installation is a unique consideration in regard to the Housing Element.


Integration and Segregation

Race and Ethnicity. The racial and ethnic makeup of a jurisdiction is critical in analyzing housing demand and determining fair housing needs, as there is typically a nexus between racial/ethnic composition and other housing characteristics such as household size, mobility, and locational preferences.

Figure IV-2 depicts the racial and ethnic majority by census tract in Seal Beach. The entirety the Seal Beach census tracts have either a sizeable to predominant White majority.

Figure IV-2 Racial and Ethnic Majority
Figure IV-3 and Figure IV-4 display the percentage of the non-White population in 2010 and 2018 by census block group. From 2010 to 2018, the percentage of non-White residents in Seal Beach has increased across the city; in 2010 the majority of the City’s racial demographic was at most 40%, and in 2018 the demographic racial demographic was primarily 21%-60%. There are higher percentages of non-White residents within Census Tract 995.02, where the NWS Seal Beach is located, and Census Tract 1100.12, which constitutes the eastern area of Seal Beach.

An analysis determined that the HCD AFFH Data Viewer maps for 2010 and 2018 used different definitions of White and non-White populations. The 2010 map is based on the “2010 White Population” from the US Census, which included people who identified as Hispanic White. In contrast, the 2018 map included people who identified as Hispanic White in the total Hispanic and non-White populations. Because of the different data presentation in the 2010 and 2018 map, direct comparisons cannot be drawn. It is likely that the 2010 map shows less diversity than actually existed at the time. The 2018 map would be a more accurate reflection of diversity in the present day.

**Figure IV-3 Percent of the Population that is non-White, 2010**
According to the United State Census Bureau population estimates for 2019, Seal Beach has a notably lower percentages of non-White racial and ethnic demographics when compared to Orange County (refer to Table IV-10 and IV-11, below). Specifically, Seal Beach has a population that is 9.1% Hispanic or Latino compared to 31.3% of Orange County, and 11.1% Asian population compared to 21.7% of Orange County. Additionally, the White alone, not Hispanic of Latino population of Seal Beach is 70.6% compared to 39.8% for Orange County.¹³

### Table IV-10

**Race and Ethnicity, Seal Beach and Orange County (2019)**

<table>
<thead>
<tr>
<th>Category</th>
<th>Seal Beach (2019)</th>
<th>Orange County (2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic</td>
<td>9.1%</td>
<td>31.3%</td>
</tr>
<tr>
<td>White (Non-Hispanic)</td>
<td>70.6%</td>
<td>39.8%</td>
</tr>
<tr>
<td>Asian (Non-Hispanic)</td>
<td>11.1%</td>
<td>21.7%</td>
</tr>
<tr>
<td>Black (Non-Hispanic)</td>
<td>2.3%</td>
<td>2.1%</td>
</tr>
<tr>
<td>American Indian or Alaska Native (non-Hispanic)</td>
<td>0.3%</td>
<td>1.0%</td>
</tr>
<tr>
<td>All Other (Non-Hispanic)</td>
<td>0.3%</td>
<td>0.4%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>4.4%</td>
<td>3.6%</td>
</tr>
</tbody>
</table>

### Table IV-11

**Race and Ethnicity, Seal Beach and Orange County (2010)**

<table>
<thead>
<tr>
<th>Category</th>
<th>Seal Beach (2010)</th>
<th>Orange County (2010)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic (any race)</td>
<td>10%</td>
<td>34%</td>
</tr>
<tr>
<td>White (Non-Hispanic)</td>
<td>77%</td>
<td>44%</td>
</tr>
<tr>
<td>Asian (Non-Hispanic)</td>
<td>9%</td>
<td>18%</td>
</tr>
<tr>
<td>Black (Non-Hispanic)</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>0.2%</td>
<td>0.2%</td>
</tr>
<tr>
<td>or Alaska Native (non-Hispanic)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All Other or 2+ Races (Non-Hispanic)</td>
<td>3%</td>
<td>3%</td>
</tr>
</tbody>
</table>

Source: City of Seal Beach, 2013 – 2021 Housing Element, October 14, 2013.
One metric used to quantify segregation is the dissimilarity index. The dissimilarity index measures how evenly two groups are distributed throughout a sub-area (block group) of a larger area (city) using a number between one and one hundred. The index score reflects the percentage of a group’s population that would have to change residence for each neighborhood (block group) to have the same percentage of that group across all neighborhoods in the city. The formula provided in HCD’s AFFH Handbook was used to generate this calculation.

The categories for a dissimilarity index (shown as percentages) as defined by HCD are as follows:

- < 30: Low Segregation
- 30 – 60: Moderate Segregation
- > 60: High Segregation

The indices for the City of Seal Beach are shown in Table IV-12, below. They reveal the most significant segregation index value exists between the black/white population, at 35.72 or defined as moderate segregation. The remainder of index values between the other racial/ethnic groups remain in the low segregation category. Seal Beach shows more integration when compared to Orange County on regional scale; however, this could be attributed to the racial homogeneity of Seal Beach also affecting low dissimilarity index.

<table>
<thead>
<tr>
<th>Racial/Ethnic Dissimilarity Index</th>
<th>Seal Beach (2020)</th>
<th>Orange County (2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-White/White</td>
<td>10.56</td>
<td>44.71</td>
</tr>
<tr>
<td>Black/White</td>
<td>35.72</td>
<td>46.98</td>
</tr>
<tr>
<td>Hispanic/White</td>
<td>16.70</td>
<td>52.82</td>
</tr>
<tr>
<td>Asian or Pacific Islander/White</td>
<td>26.08</td>
<td>43.19</td>
</tr>
</tbody>
</table>

Source: Orange County Analysis of Impediments to Fair Housing Choice, 2020.
Income. Figure IV-5 depicts the percentage of people in each census block that are of low to moderate incomes. Six block groups show more than 75% of the population is low to moderate income. This congregation of low to moderate income households are concentrated within Leisure World Seal Beach, a retirement community in the northwestern portion of the city (Census Tracts 995.09 and 995.10). Census Tract 995.04 and block groups 995.11.1, 1100.07.2, 1100.08.2, 1100.12.1, and 1100.12.3 have the lowest percentages of low-moderate income population with less than 25% of the population being low-moderate income.

Figure IV-5 Low to Moderate Income Populations
Figure IV-6 and Figure IV-7 depict the percentage of households with incomes below the federal poverty level from 2010-2014 and 2015-2019, respectively. From 2010-2014, only two census tracts had 10-20% of the populations below the federal poverty level. The remaining tracts show fewer than 10% of the population below the federal poverty level.

By 2015-2019, all census tracts in Seal Beach show fewer than 10% of households below the federal poverty level. The higher percentage of households below the federal poverty level between 2010-2014 may be due to residual economic effects of the Great Recession of 2008. This could explain why the AFFH data viewer does not show concentrations of households below the federal poverty level for data collected between 2015-2019.

**Figure IV-6 Poverty Status, 2010 - 2014**

![Map showing poverty status from 2010 to 2014.](image-url)
Figure IV-7 Poverty Status, 2015 - 2019
Figure IV-8 depicts median income between 2010-2014 as greater than $80,000, with the exception of Leisure World, which had a median income less than $40,000. Concentrations of households within central Seal Beach and north of I-405 show households with incomes greater than $100,000.

Household income data was broken into greater detail in the median income map from 2015-2019, Figure IV-9. The entirety of Leisure World as well as NWS Seal Beach and one coastal block group (where the manufactured/mobile home park is located) shows a median income below the 2020 state median income of $87,100. Similar concentrations of households within central Seal Beach and north of I-405 show high income households.

Median household income was generated from neighboring cities and Orange County, to provide context for a regional income comparison. Median income in Seal Beach is significantly lower than the County, at $68,852 compared to $90,234 respectively. Median income in Seal Beach is more comparable to neighboring cities of Long Beach, Garden Grove and Westminster. Median income in Seal Beach may be lower than the County wide median because of the high concentration of older adults and retirees.

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Median Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Seal Beach</td>
<td>$68,852</td>
</tr>
<tr>
<td>County of Orange</td>
<td>$90,234</td>
</tr>
<tr>
<td>City of Long Beach</td>
<td>$63,017</td>
</tr>
<tr>
<td>City of Los Alamitos</td>
<td>$88,729</td>
</tr>
<tr>
<td>City of Garden Grove</td>
<td>$69,278</td>
</tr>
<tr>
<td>City of Westminster</td>
<td>$62,625</td>
</tr>
<tr>
<td>City of Huntington Beach</td>
<td>$95,046</td>
</tr>
</tbody>
</table>

Figure IV-8 Median Income, 2010 - 2014
Figure IV-9 Median Income, 2015 - 2019
The Housing Choice Voucher Program 5 is the federal program for assisting very low-income, elderly, and disabled families and individuals in affording decent housing by subsidizing rent costs and paying landlords directly for a portion of the rent. Eligibility is based on family size and whether income is less than 50% of the area’s median income. Figure IV-10 shows no data for housing choice vouchers within Seal Beach. However, further research into the Orange County Housing Choice Voucher Program identified that as of October 2021, Seal Beach has a total of five housing choice vouchers, one for disabled persons and four for elderly persons. It is possible that because the number of housing choice vouchers used in Seal Beach is low, the AFFH Data Viewer did not display these housing choice vouchers on the map below.

**Figure IV-10 Location of Housing Choice Vouchers**

14 Orange County Community Resources, *Cities Advisory Committee Meeting Agenda & Summary*, dated October 27, 2021.
Familial Status. Figure IV-11 and Figure IV-12 shows the percentage of adults living with their spouse and adults living alone, respectively, within each census tract. The most common household type within the city is a single adult, living alone; refer to Section C.1. The high share of single-person households is likely due to the concentration of adults living alone within Leisure World, where only 20 to 40% of the population within these census tracts live with a spouse. The highest concentration of households living with a spouse is located on NWS Seal Beach, likely due to the prevalence of family units for service members stationed on the naval base. Visually, this data is skewed by the unusually large size of Census Tract 995.02. While this area shows a high concentration of adults living with a spouse, a small number of families live on the navy property (approximately 130 rental households).

Figure IV-11 Adults Living with Spouse
Figure IV-12 Adults Living Alone
Figure IV-13 shows the percentage of children in married-couple households by census tract throughout Seal Beach. There is no data for children in married-couple households for Leisure World because it is an age-restricted 55+ community, where children are not permitted to permanently reside. Aside from Leisure World, the entirety of Seal Beach has a population of children in married-couple households greater than 40% with the majority being greater than 80%.

Figure IV-13 Children in Married Couple Households
Figure IV-14 shows the percentage of children in female-headed households by census tract in Seal Beach. Only two tracts in Seal Beach, Census Tract 995.11 and 995.12, have 20-40% of children in female-headed households. The remainder of the city falls into the lowest category with fewer than 20% of children in female-headed households. It is estimated that the total female-headed households in Seal Beach makes up only 6% of households, and of those only 1.8% of those are female-headed households with children. This is significantly lower than regional statistics; it is estimated that about 16% of households in Orange County are female single parent households. Approximately 20% of households in Orange County are single-parent households with children. For more information on female-headed households in Seal Beach refer to Section II. F, Special Needs.

Figure IV-14 Children in Female-Headed Households
Persons with Disabilities. The US Census considers a person disabled if they are reported as having a hearing, vision, cognitive, ambulatory, self-care, or independent living difficulty. Developmental disabilities, as defined by federal law, are not recorded by the US Census. The two census tracts that make up Leisure World, Census Tract 995.09 and 995.10, have the highest percentage of the population with a disability in Seal Beach. In both the 2010-2014 and 2015-2019 data sets, the population with a disability in Leisure World was between 30-40%. From 2010-2014 the majority of the city had populations of individuals with a disability of either 10-20% or less than 10%; from 2014-2019, the entirety of the City’s population excluding Leisure World had less than 10% of the population with a disability. The significantly higher population of individuals with a disability in Leisure World is likely due to the concentration of elderly population as an age-restricted 55+ community.

Compared to Orange County, the high percentage and concentration of persons with disabilities in Seal Beach is regionally unique. Countywide, an estimated 8.5% of the population reports a disability. In Seal Beach, over 17% of the civilian/noninstitutionalized population reports a disability.\(^{15}\)

Disabled persons often have special housing needs due to their disability, which may lead to compounding issues of low income, high health care costs, or dependency on supportive services or special building accommodations. Considering the higher concentration area of disabled persons is a 55+ community, it is clear that housing stock in Leisure World provides certain accommodations to offset the housing burdens of disabled residents. Housing stock within these census tracts primarily include smaller single-story units, usually one to two bedrooms in size. Amenities associated with this community include bus services, on-site pharmacy, on-site post office, and programming designed for individuals aged 55+. It should be noted that Leisure World is specifically not an assisted living community. For more information on persons with disabilities refer to Section II. F, Special Needs.

\(^{15}\) American Community Survey 5-Year Estimates Subject Tables, Seal Beach S1810 Disability Characteristics.
Figure IV-15 Percentage of the Population with a Disability, 2010 - 2014
Findings: Integration and Segregation. Overall, there is no concentration of a non-White populations within the city. Generally, diverse racial and ethnic populations in Seal Beach are significantly lower when compared to Orange County on the regional scale. While no census tracts show more than 10% of the population below the federal poverty level from 2015-2019, there exist low to moderate income populations mirroring the areas of lowest median income levels, primarily in Leisure World and NWS Seal Beach. The areas of low to moderate income populations in Leisure World also coincide with the highest populations of adults living alone and populations living with a disability. Leisure World being an age-restricted 55+ retirement community explains this concentration of low-income adults living alone with a disability, as those metrics generally reflect an elderly population. Familial trends indicate relatively high populations of married couples with children throughout the city, outside of Leisure World. These analyses do not indicate significant levels of segregation based on racial, ethnic, familial, or disabled components of the population.

Seal Beach is an older city, incorporated in 1915 with subdivisions in the community dating back to the late 1800s. Despite the fact that there is no evidence of racial or ethnic segregation within the city on a neighborhood or sub-neighborhood basis, Seal Beach remains a predominately white community. It is unknown if exclusionary zoning or real estate practices happened within Seal Beach. However, Home
Owners Loan Corporation (HOLC) created “Residential Security” maps of major American cities, including the neighboring City of Long Beach adjacent to Seal Beach. HOLC maps assigned color-coded grades to residential neighborhoods that reflected “mortgage security”. Neighborhoods receiving green, or “Best” were deemed minimal risk for banks and other mortgage lenders. Neighborhoods receiving red, were considered “hazardous”. Neighborhoods that were redlined were often lower-income, multi-family units, housing immigrants or persons of color. Redlining directed public and private capital to native-born white families and away from Black and immigrant families.

Neighborhoods in Naples, Belmont Shore and Belmont Heights were mapped blue, as “Still Desirable”. HOLC described the neighborhoods by: “deed restrictions vary in different subdivisions, but all are said to protect against racial hazards.”

HOLC maps were not prepared for Seal Beach, however, because of the prevalence of exclusionary zoning prior to the 1960s within the region of Los Angeles and Orange County, it is possible that these historical practices still have lingering effects in the demographics of the City into the present time. Additional affordable units within Seal Beach would likely increase racial and ethnic diversity of the community, along with inviting households of different sizes.

Racially and Ethnically Concentrated Areas of Poverty

Racially and Ethnically Concentrated Areas of Poverty (R/ECAP). A R/ECAP is an area with a non-White population over 50% and with over 40% of the median household incomes below the poverty level. According to the HCD AFFH Mapping Tool, there are only six census tracts identified as R/ECAPS in Orange County, three of which are in Santa Ana and three are in Irvine. There are no areas in Seal Beach with over 40% of the median household income below the poverty level (Figure IV-6 and IV-7), thus there are no R/ECAPs in the City of Seal Beach as depicted in Figure IV-17.

Figure IV-17 RECAPs

Racially Concentrated Area of Affluence (RCAA). According to HCD, an RCAA is an area with a White population over 80% and a median household income level over $125,000. By these metrics and as illustrated in Figure IV-18 and Figure IV-19, Seal Beach has one RCAA in Census Block Group 995.12.3.

Two Seal Beach census block groups are less than 20% non-White, one in Leisure World and Census Block Group 995.12.3. The block group in Leisure World does not have a median income over $125,000, and thus is not considered a RCAA. However, block group 995.12.3 had a median income of $161,000 between 2015-2019 and is
a RCAA. One candidate site for rezoning is located within this identified RCAA; the findings section below discusses this site in further detail.

**Figure IV-18 Percent Non-White**
Findings: Racially and Ethnically Concentrated Areas of Poverty and Affluence. There are no geographic areas with significant concentrations of poverty and minority populations defined as R/ECAPs in Seal Beach. Conversely, there exists one identified Racially Concentrated Area of Affluence (RCAA). Census Block Group 995.12.3 has a White population greater than 80% and the median household income above $125,000. Development in this area that would allow for lower-income housing has substantial barriers including space availability constraints and California Coastal Commission restraints, for more information on development restraints refer to Section IV.A.

There is one vacant site located within this census block group at 99 Marina Drive, 4.3 acres in size. 99 Marina Drive is identified as a candidate site for rezoning; the current general plan zoning is listed as OE. With a density of 20 du/acre, this site could ultimately yield 86 units for low-income households which could reduce the concentration of affluence in the Block Group; refer to Table B-2, Residential Sites Inventory. While this site is vacant, historical uses included an oil separation and refinery facility. Thus, there is the potential for environmental contamination and needed remediation efforts before this site is suitable for residential use. Low-income units should be prioritized in this location, to allow diverse households to take advantage of the high opportunity offered by the RCAA in this census block group.
Disparities in Access to Opportunities

CalEnviroScreen. CalEnviroScreen 4.0 is a tool that identifies communities in California that are affected by pollutants and polluting factors such as ozone, particulate matter, drinking water contaminants, pesticide use, lead, toxins, diesel particulates, traffic density, cleanup sites, groundwater threats, hazardous waste, solid waste, and impaired water bodies. This database also measures population factors such as cardiovascular disease, asthma rates, educational attainment, poverty, linguistic isolation, and more. A higher score indicates a higher effect of pollutants on the indicated area.

The CalEnviroScreen 4.0 percentiles are shown in Figure IV-20. The majority of the city includes low scoring census tracts, indicating no or few environmental burdens on the community. The highest pollution burden is shown on Census Tract 995.02, where the NWS Seal Beach is located. The CalEnviroScreen percentile score is listed at 67.63. Navy operations (including weapons and munitions loading, storage and maintenance) have been conducted on this property dating back to 1944 and likely contributes to a higher percentile score compared to neighboring census tracts. While this tract is showing lower environmental scores, it is also home to the Seal Beach National Wildlife Refuge, encompassing 965 acres of coastal wetlands. In addition, Census Tract 995.02 is significantly larger than neighboring census tracts, creating higher exposure and potentially contributing to the higher than usual score.

The remainder of the city census tracts received scores under 45. The second highest scoring census tracts include 995.09 and 995.10 (Leisure World), where housing is limited to individuals aged 55 or older. Lower incomes combined with the proximity to I-405 could be contributing to a higher percentile score. Census tracts north of the I-405 experience similar pollution burden from the freeway but have scores ranging from 26 to 38.

The City will be preparing an Environmental Justice Element, where communities of focus will be identified and prioritized. Policies will be designed to address higher CalEnviroScreen scores within specific census tracts.
Figure IV-20 CalEnviroScreen 4.0
California Tax Credit Allocation Committee (TCAC). The California Tax Credit Allocation Committee’s (TCAC) Opportunity Area scores can be used as a tool to analyze disparities in access to opportunities. This tool was prepared by TCAC and HCD to identify areas statewide whose economic, educational, and environmental characteristics support positive outcomes for low-income families. Opportunity maps are updated annually and provide a separate economic score, environmental score, and educational score. Each score is compiled using several indicators, and the composite map combines all three designations to provide a single score for each block group.

The top 20% of overall scores in a county are labeled as highest resource and the next 20% of scores are labeled as high resource. Any areas that are considered segregated and that have at least 30% of the population living below the federal poverty line are labeled as an area of High Segregation and Poverty. Remaining uncategorized areas in the county are evenly divided between moderate resource and low resource areas.

Figure IV-21 shows the economic scores for Seal Beach by census tract. The economic indicators used include poverty, adult education, employment, job proximity, and median home value. The map shows a stark contrast as the entirety of the city is categorized as either above 0.75 (the more positive economic outcome) or below 0.25 (the less positive economic outcome). The areas that have scored below 0.25 include Leisure World and the NWS Seal Beach, which coincide with areas of lower income seen in Figure IV-5, Figure IV-6, and Figure IV-7. The remainder of the city scored among the more positive economic outcomes.

TCAC economic scores for Leisure World and NWS Seal Beach may not be representative of actual conditions, due to the unique populations, demographics, employment, and land uses concentrated within these census tracts. Leisure World residents are aged 55+, and typically consist of retirees who are not currently employed. Median home values in this part of the City are lower than other neighborhoods because of the age restriction. This does not necessarily represent a community with poor economic outcomes, but the congregation of one specific demographic group with unique needs. Similarly, NWS Seal Beach is a federally owned naval property where there are no owner-occupied housing units. Further, the census tract is considered unusually large for the region. Employment in this census tract is limited to the military uses occurring on-site. The unique circumstances within this census tract do not necessarily reflect a community with poor economic outcomes when the specific land use is considered.
Figure IV-21 TCAC Economic Score, 2021
The environmental domain is determined using CalEnviroScreen pollution indicators and values; the TCAC Environmental Scores mirror the environmental concerns depicted in the CalEnviroScreen 4.0 map above, Figure IV-21. Figure IV-22 shows the TCAC Environmental Score for Seal Beach by census tract. The map indicates stratified environmental scores throughout the city with the more positive environmental scores being along the western coastal area, and the remainder of the city having scored from 0.75 to below 0.25. The areas with the less positive environmental scores include the more inland reaches of the city, Leisure World, and the NWS Seal Beach. Similar to the potential sources of environmental concerns discussed above, naval operations, proximity to the I-405 freeway, and heavy industrial uses along the San Gabriel River, may be responsible for the lower environmental scores in these areas.

**Figure IV-22 TCAC Environmental Score, 2021**
Education indicators include math and reading proficiencies in fourth grades, high school graduation rates, and the student poverty rate. Figure IV-23 shows the education scores for the city by census tract. The majority of the City’s education scores are above 0.75, the more positive education outcomes. Census Tract 1100.12 is within the 0.50-0.75 range and some census tracts show no data. There are no public schools in Census Tract 1100.12 which may be negatively impacting the education score compared to the rest of Seal Beach.

Seal Beach is served by one public school district, Los Alamitos Unified, for grades K through 12. Elementary schools within this district are very highly rated on Great Schools, receiving scores between 8 – 10 out of 10. Both middle schools and the high school are rated 8 – 9 out of 10. As the public school system demonstrates strong outcomes and is highly rated, high access to educational opportunity is available within the city.  

Figure IV-23 TCAC Education Score, 2021

Figure V-24 displays the TCAC Composite Scores and Resource Category for each census tract in the city. The resource categories across the city range from moderate resource to highest resource, with the highest resource areas being the coastal, western, and northwestern census tracts. The moderate resource category areas include Leisure World and NWS Seal Beach. Table IV-14 shows the individual domain scores of each census tract including the economic, environmental, and education scores, as well as the composite index score and resource category. Based on the individual factors, the economic and environmental outcomes seem to be the most influential in driving down the composite scores of Leisure World and NWS Seal Beach. No areas of the city are categorized as low resource or high segregation and poverty.

**Figure IV-24 TCAC Composite Score, 2021**
Table IV-14

Opportunity Map Scores and Categorization

<table>
<thead>
<tr>
<th>Census Tract</th>
<th>Economic Domain Score</th>
<th>Environmental Domain Score</th>
<th>Education Domain Score</th>
<th>Composite Index Score</th>
<th>Final Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>995.02</td>
<td>0.22</td>
<td>0.10</td>
<td>0.89</td>
<td>0.05</td>
<td>Moderate Resource</td>
</tr>
<tr>
<td>995.04</td>
<td>0.97</td>
<td>0.26</td>
<td>0.85</td>
<td>0.54</td>
<td>Highest Resource</td>
</tr>
<tr>
<td>995.06</td>
<td>0.95</td>
<td>0.62</td>
<td>0.81</td>
<td>0.60</td>
<td>Highest Resource</td>
</tr>
<tr>
<td>995.09</td>
<td>0.01</td>
<td>0.10</td>
<td>-</td>
<td>-0.04</td>
<td>Moderate Resource</td>
</tr>
<tr>
<td>995.10</td>
<td>0.02</td>
<td>0.38</td>
<td>0.92</td>
<td>0.01</td>
<td>Moderate Resource</td>
</tr>
<tr>
<td>995.11</td>
<td>0.97</td>
<td>0.80</td>
<td>0.85</td>
<td>0.70</td>
<td>Highest Resource</td>
</tr>
<tr>
<td>995.12</td>
<td>0.97</td>
<td>0.74</td>
<td>0.85</td>
<td>0.69</td>
<td>Highest Resource</td>
</tr>
<tr>
<td>1100.12</td>
<td>0.92</td>
<td>0.09</td>
<td>0.72</td>
<td>0.30</td>
<td>High Resource</td>
</tr>
<tr>
<td>1100.07*</td>
<td>0.75</td>
<td>0.15</td>
<td>-</td>
<td>0.42</td>
<td>Highest Resource</td>
</tr>
<tr>
<td>1100.08*</td>
<td>0.95</td>
<td>0.29</td>
<td>-</td>
<td>0.65</td>
<td>Highest Resource</td>
</tr>
</tbody>
</table>

* Census tracts are not solely located within the City of Seal Beach and include portions in other jurisdictions

Access to Opportunities Regional Comparison. Generally, Seal Beach has notably greater access to opportunities when compared to Orange County. Table IV-15 displays various indicators that show the opportunities available to Seal Beach citizens compared to that of Orange County. The population below the federal poverty level in the City (5.7%) is significantly less than in the County (9.4%), indicating that economic opportunities are more available in the City than in the surrounding region. Additionally, education indicators show that while the city has a lower percent of the population enrolled in K-12 education, Seal Beach citizens with a bachelor’s degree or higher is 8% greater than the County.

Table IV-15 Access to Opportunity Indicators – City and County

<table>
<thead>
<tr>
<th>Indicator</th>
<th>Seal Beach</th>
<th>Orange County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population below Federal Poverty Level</td>
<td>5.7%</td>
<td>9.4%</td>
</tr>
<tr>
<td>Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bachelor’s Degree or Higher</td>
<td>49.0%</td>
<td>41.0%</td>
</tr>
<tr>
<td>School Enrolled Population Enrolled in Kindergarten to 12th Grade</td>
<td>56.4%</td>
<td>60.3%</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>6.7%</td>
<td>4.7%</td>
</tr>
</tbody>
</table>


Transportation. Access to adequate transportation and a variety of transit options can help lower disparities in access to opportunities. Orange County Transit Authority (OCTA) is the provider for the City of Seal Beach and the surrounding communities. The city has three OCTA bus routes: Route 1, Route 42, and Route 60. Additionally, there are two Long Beach Transit Bus Routes that operate within the city, Route 131, and Route 171. Transit routes and transit stops are shown in Figure IV-25 below.

The Orange County AI utilized two transportation indicators to help analyze disparities in access to opportunities. The transit trips index measures how often low-income families in a neighborhood use public transportation and the low transportation cost index measures the cost of transportation and proximity to transportation by neighborhood. The AI found no significant disparities between racial and ethnic groups in the low transportation cost index and found that transit index scores do not vary significantly by race or ethnic group in most areas across Orange County.

Access to public transportation in Seal Beach is similar and comparable to neighboring cities, and the greater Orange County region. Further, Walk Score demonstrates that the Main Beach/Old Town neighborhood in Seal Beach is “very
walkable” with a score of 85. This score indicates that most errands can be accomplished on foot.\textsuperscript{18}

**Figure IV-25 Transit Routes**

Findings: Disparities in Access to Opportunities

Overall, Seal Beach is identified as moderate to highest resource, with no areas of low resource and no areas of high segregation and poverty. The most significant factors impacting TCAC opportunity area scores are economic and environmental, which primarily affect Leisure World and NWS Seal Beach. Environmental issues are most apparent when analyzing CalEnviroScreen 4.0 data. As previously discussed, low environmental scores are likely the result of existing naval operations, proximity to the I-405 freeway, and heavy industrial uses along the San Gabriel River. The City will be preparing an Environmental Justice Element including goals and policies to address these concerns. Access to transportation does not disproportionately affect racial and ethnic groups within the city and is not a barrier to opportunities in Seal Beach.

Generally, Seal Beach is a high resource city with access to strong educational and economic outcomes. Affordable housing units would allow more households to enjoy access to high resources found within the city. As the data does not indicate a specific disparity to access within the city, it is assumed the key barrier to opportunity for housing in Seal Beach is affordability. Increasing affordable units for a variety of household types would allow for high opportunity within the community to be expanded.

Disproportionate Housing Needs

Disproportionate housing needs are determined by comparing substandard housing or housing problems in relation to tenure, race, household size, or household age. A household is considered substandard or having a housing problem if it has one or more of the following housing problems:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Housing unit is overcrowded (more than 1 person per room)
- Household is cost burdened (greater than 30%)

A household is considered to have a severe housing problem if it has one or more of the following housing problems:

- Housing unit lacks complete kitchen facilities
- Housing unit lacks complete plumbing facilities
- Housing unit is overcrowded (more than 1 person per room)
- Household is cost burdened (greater than 50%)
### Table IV-16

**Substandard Housing in Seal Beach by Tenure**

<table>
<thead>
<tr>
<th></th>
<th>Owner</th>
<th>Renter</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Households</td>
<td>9,505</td>
<td>2,995</td>
<td>12,500</td>
</tr>
<tr>
<td>Household has at least 1 of 4 Housing Problems</td>
<td>2,075</td>
<td>1,315</td>
<td>3,390</td>
</tr>
<tr>
<td></td>
<td>22%</td>
<td>44%</td>
<td>27%</td>
</tr>
<tr>
<td>Household has at least 1 of 4 Severe Housing Problems</td>
<td>1,100</td>
<td>605</td>
<td>1,705</td>
</tr>
<tr>
<td></td>
<td>12%</td>
<td>20%</td>
<td>14%</td>
</tr>
<tr>
<td>Total Households with Cost Burden</td>
<td>1,985</td>
<td>1,235</td>
<td>3,220</td>
</tr>
<tr>
<td></td>
<td>21%</td>
<td>41%</td>
<td>26%</td>
</tr>
<tr>
<td>Household Housing Cost Burden &gt;30% to &lt;=50%</td>
<td>1,005</td>
<td>730</td>
<td>1,735</td>
</tr>
<tr>
<td></td>
<td>11%</td>
<td>24%</td>
<td>14%</td>
</tr>
<tr>
<td>Household Housing Cost Burden &gt;50%</td>
<td>980</td>
<td>505</td>
<td>1,485</td>
</tr>
<tr>
<td></td>
<td>10%</td>
<td>17%</td>
<td>12%</td>
</tr>
</tbody>
</table>

Source: HUD CHAS Data 2014-2018

Cost burdens and substandard housing significantly affects renters over owners within the city, with 41% of renters experience cost burden and 44% of renters experiencing at least one of four housing problems as defined by HUD. Comparatively, only 21% of owners experience cost burden and 22% of owners experience at least one of four housing problems as defined by HUD.

Across the City, approximately one quarter of households experience cost burden and at least one of the four housing problems. Based on Figure IV-26 below, a small percentage of units in the City lack complete plumbing facilities (0.28%) or lack complete kitchen facilities (0.98%). Generally, cost burden affects households more significantly compared to physical deficiencies associated with units.
Cost burden is shown to be concentrated in Census Tract 995.02, where the NWS Seal Beach is located. Housing units on this property are owned by the federal government, and NWS Seal Beach contracts with Lincoln Military Housing (a privatized company) for property management. Units range from family housing (including both two-bedroom units and four-bedroom units) and unaccompanied housing (formerly Bachelor Housing, also referred to as the barracks). As units within Census Tract 995.02 are limited to service members, this cost burden is uniquely placed on a specific subgroup of residents in Seal Beach. The ACS 2015 – 2019 data compared to ACS 2010 – 2014 is showing an increased rental burden on this specific census tract.

Census Tract 995.09, 995.10 and 995.04 show the lowest concentration of overpayment for renting. An increase in rental burden on Census Tract 995.09 has occurred, when comparing ACS 2010 – 2014 data to ACS 2015 – 2019 data. This particular census tract is located within Leisure World, a 55+ community where older, retirees live. The change in rental burden in this location may be associated with the unique demographics of the neighborhood. Rental burden has decreased on the census tracts located north of I-405 and has remained about the same on waterfront census tracts in downtown Seal Beach.

Overpayment burden by homeowners is not specifically concentrated in one geographic location and is distributed between the 20% - 40% and 40% - 60% categories throughout Seal Beach. No data is shown on Census Tract 995.02, as there are no owner-occupied units located on the NWS Seal Beach.

Compared to ACS 2010 – 2014, the overpayment burden on Census Tracts 995.09 and 995.10 has decreased significantly. As previously discussed, these census tracts consist of a 55+ community. Overpayment on owner occupied units may have been a result of economic conditions associated with the Great Recession, affecting fixed-income seniors more significantly than other demographic groups.
Figure IV-27 Overpayment by Owners, 2010 - 2014
Figure IV-28 Overpayment by Owners, 2015 - 2019
Figure IV-29 Overpayment by Renters, 2010 - 2014
Figure IV-30 Overpayment by Renters, 2015 - 2019
Overcrowding. A household is considered overcrowded when there is more than one person per room, including living and dining rooms but excluding bathrooms and kitchens. Severe overcrowding is defined as more than 1.5 occupants per room.

Approximately 1.1% of owner-occupied units are considered overcrowded, and 2.3% of renter-occupied units are overcrowded. This is low in comparison with surrounding areas, and significantly lower than the state average of 8.2%. Both the state and County experiences overcrowding at a higher rate than Seal Beach. Further, no specific neighborhood or census block demonstrates a concentrated area of overcrowding within the city.

Seal Beach has a small Black and Asian American population, both of which experience overcrowding at higher rates compared to White households within the city. While White households have the highest number of overcrowding incidents (143 households), overcrowding only affects 1.3% of White households. In comparison, 2.1% of the 233 Black households and 5.0% of Asian American households in Seal Beach experience overcrowding.

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Black</th>
<th>Native American</th>
<th>Native Hawaiian and Other Pacific Islander</th>
<th>Asian American</th>
<th>Some Other Race (alone)</th>
<th>Two or More Races</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>10,411</td>
<td>233</td>
<td>43</td>
<td>61</td>
<td>1,323</td>
<td>181</td>
<td>290</td>
</tr>
<tr>
<td>1.0 less per room</td>
<td>10,268</td>
<td>228</td>
<td>43</td>
<td>61</td>
<td>1,256</td>
<td>181</td>
<td>290</td>
</tr>
<tr>
<td>1.01 or more per room</td>
<td>143</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>67</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Figure IV-31 Overcrowded Households
Homelessness. The homeless population is a group that has disproportionately higher needs than those who are housed. The Orange County Partnership conducted the 2019 Point in Time Count (PITC), which counts the unsheltered homeless population County-wide over two nights in January. Table IV-18 below shows the PITC for the Central Service Planning Area, which includes Seal Beach and neighboring jurisdictions. The city had eight unsheltered individuals experiencing homelessness. There is no spatial data as to where specific homeless individuals are located or congregate. Homeless individuals within Seal Beach tend to be transient in nature, making such spatial analysis difficult to prepare or procure.

### Table IV-18

**Regional Point in Time Count, Central Service Planning Area**

<table>
<thead>
<tr>
<th>City</th>
<th>Unsheltered</th>
<th>Sheltered</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Costa Mesa</td>
<td>187</td>
<td>6</td>
<td>193</td>
</tr>
<tr>
<td>Fountain Valley</td>
<td>28</td>
<td>14</td>
<td>42</td>
</tr>
<tr>
<td>Garden Grove</td>
<td>163</td>
<td>62</td>
<td>225</td>
</tr>
<tr>
<td>Huntington Beach</td>
<td>289</td>
<td>60</td>
<td>349</td>
</tr>
<tr>
<td>Newport Beach</td>
<td>64</td>
<td>0</td>
<td>64</td>
</tr>
<tr>
<td>Santa Ana</td>
<td>830</td>
<td>939</td>
<td>1,769</td>
</tr>
<tr>
<td>Seal Beach</td>
<td>8</td>
<td>0</td>
<td>8</td>
</tr>
<tr>
<td>Tustin</td>
<td>95</td>
<td>264</td>
<td>359</td>
</tr>
<tr>
<td>Westminster</td>
<td>159</td>
<td>25</td>
<td>184</td>
</tr>
<tr>
<td>County Unincorporated</td>
<td>4</td>
<td>31</td>
<td>35</td>
</tr>
<tr>
<td>Domestic Violence Programs</td>
<td>N/A</td>
<td>104</td>
<td>104</td>
</tr>
<tr>
<td>Central Service Planning Area</td>
<td>1,827</td>
<td>1,505</td>
<td>3,332</td>
</tr>
</tbody>
</table>

Source: Orange County, Everyone Counts 2019 Point in Time Count.

The previous Seal Beach Housing Element estimated approximately ten unsheltered homeless individuals. While homelessness across Orange County has risen since 2012,
the total number of individuals experiencing homelessness in Seal Beach has remained the same.

**Table IV-19**

**Homelessness Trends and Comparison, 2012 and 2019**

<table>
<thead>
<tr>
<th>Year</th>
<th>Seal Beach</th>
<th>Orange County</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>10*</td>
<td>4,251</td>
</tr>
<tr>
<td>2019</td>
<td>8</td>
<td>6,760</td>
</tr>
</tbody>
</table>

*estimate from the previous Housing Element

Source: Orange County, Everyone Counts 2012 and 2019 PITC.

**Displacement.** The Urban Displacement Project at University of California, Berkeley developed a map of communities where residents may be particularly vulnerable to displacement in the event of increased redevelopment and shifts in housing cost; these are known as sensitive communities. Sensitive communities are defined based on the following set of criteria:

- The share of very low-income residents is above 20%.

The tract must also meet two of the following criteria:

- The share of renters is above 40%.
- The share of people of color is above 50%.
- The share of very low-income households (50% AMI or below) that are severely rent burdened is above the county median.
- They or the areas in close proximity have been experiencing displacement pressures. Displacement pressure is defined as:
  - The percentage change in rent above county median for rent increases OR
  - The difference between tract median rent and tract median rent for surrounding tracts above median for all tracts in county (rent gap).

Figure IV-32 below does not identify any communities within Seal Beach as vulnerable to displacement. While there may be incidents of displacement or vulnerability to displacement on the individual/household level, displacement within Seal Beach is not generally clustered within a specific geographical area.
Sea level rise may be a significant driver of displacement in the future. The City of Seal Beach Sea Level Rise Vulnerability Analysis identifies significant portions of the city at risk to a variety of sea level rise scenarios. The science regarding sea level rise modeling continues to evolve; however, it is generally agreed upon that the 1.6-foot SLR scenario has a 66% probability of occurring by 2100. Under this scenario, significant sea level rise and storm flooding is projected to impact the Main Beach/Old Town neighborhood (downtown Seal Beach) and NWS Seal Beach property. Low-lying portions of the city are at the highest risk to inundation. Refer to Figure IV-33, below.

Additionally, some properties within Seal Beach are deed restricted from Coastal Commission Coastal Development Permit (CDP) conditions of approval. Deed restrictions require property owners to waive their right to future shoreline protective devices, meaning that hardline structures such as sea walls or revetments will not be permitted to protect the property from sea level rise in the future. Because Coastal Commission has limited adaptation methods available to property owners, residential loss and displacement may occur within the coastal communities of Seal Beach. Sea level rise is a slow-moving natural hazard, and as impacts materialize within Seal Beach, additional adaptation/mitigation actions may become
available. It is not anticipated that sea level rise or flooding is a significant displacement risk during this Housing Element cycle but may become a consideration in the future.

**Figure IV-33 Seal Beach Sea Level Rise Vulnerability**

Findings: Disproportionate Housing Needs. The analysis of disproportionate housing needs shows similar trends to the integration and segregation analysis. Generally, overpayment and cost burden are the most significant problem affecting households within Seal Beach. Overpayment disproportionately affects renter households within the city when compared to owner households. The high cost of housing in Seal Beach and other coastal Orange County communities significantly contributes to overpayment. Policies and programs within Section V are designed to assist with expanding affordable housing stock (Program 1a, 1b, 1c, 1h, 1e, 1f, 1h, 1i, 1j, 1l, 2a, 2b, 2c, 2d, 3a, 3b, 4a, 4b, 4c); refer to Section V, Housing Action Plan. Additional units for low and moderate incomes would allow for diverse households to take advantage of high economic and educational opportunities within Seal Beach.

Although overcrowding in Seal Beach is below the statewide average, only 1.3% of White households experience overcrowding, compared to 2.1% of Black households and 5.0% of Asian American households. It can be reasonably assumed that overcrowding is associated with housing overpayment and cost burden. Diversity in housing stock is key to alleviating issues of overcrowding, ensuring low to moderate income units are sized to facilitate larger households.
Homelessness and increased displacement risk do not present significant concerns related to disproportionate housing needs in the city within this Housing Element cycle. The upcoming Environmental Justice Element for Seal Beach will include goals and policies to address other disproportionate housing needs. As the Environmental Justice section has not yet been prepared, there are no specific details available to add to the Housing Element. Such information would be included in the next Housing Element update cycle, as appropriate.

**Other Contributing Factors**

**Historic Land Use Practices.** As previously mentioned, the racial demographics of Seal Beach are fairly homogenous, and this may be associated with historic land use practices within northern coastal Orange County and Long Beach areas. As Seal Beach incorporated in 1915, with subdivisions dating back to the 1800s and known exclusionary zoning/real estate practices occurred within the neighboring jurisdictions including Long Beach, it is reasonable to believe similar practices occurred in Seal Beach. Because of the prevalence of exclusionary zoning prior to the 1960s within this region of Los Angeles and Orange County, it is possible that these historical practices still have lingering effects in the demographics of the city into the present time. Additional affordable units within Seal Beach would likely increase racial and ethnic diversity, along with inviting households of different sizes.

**Mobile/Manufactured Homes.** Seal Beach has one mobile home park located within the city, that makes up about 1.1% of the housing stock in the city (155 units). While the community is frequently labeled a mobile home park, a more accurate description would be manufactured housing. The location of the neighborhood is shown on Figure IV-34, northwest of 1st street and adjacent to the San Gabriel River. The Seal Beach Municipal Code considered manufactured housing (but not mobile homes) to be defined as a single unit dwelling. The Mobile Home Park Conversion Ordinance regulates development projects that propose changing the use of mobile home parks. The previous Housing Element documented the preservation/conservation of these units as affordable; 25 units for low income and 75 units for moderate income households.
Community Opposition to Housing. In the past, housing projects have been withdrawn and dissuaded from proceeding through the approval process from the threat of lawsuit. City residents have also expressed opposition to housing at the Shops at Rossmoor and Accurate Storage (1011 Seal Beach Blvd). The City has no control or influence on whether someone will threaten or bring a lawsuit against a project, or how the applicant will respond to the threat, regardless of if there is a valid legal basis for a challenge. Seal Beach carefully follows the CEQA process to ensure all documentation is compliant, legally sound, and defensible. However, negative community responses to land-use changes may detrimentally affect lower- and moderate-income residents, as new multi-family housing stock is more difficult and expensive to produce.

Restricted Housing Units. Unique land uses within Seal Beach restrict housing opportunities to specific age groups or employment groups, thus limiting housing choices. As previously mentioned, all units within Leisure World are age restricted to individuals aged 55 or older. Additional housing development within this neighborhood would continue to be age restricted, thus limiting housing choice for Seal Beach residents. Housing units on NWS Seal Beach are also limited to active service members employed on-site. Additional units on NWS Seal Beach would also be restricted to service members employed on-site, unless a land lease agreement with the US Navy allows for housing to be non-restricted. Such a decision is at the
discretion of the federal government and not guaranteed. Both of these land uses limit the availability of housing units within the city.

**Summary of Fair Housing Issues**

Seal Beach is a non-entitlement city, with a population of less than 50,000. Thus, the County of Orange participated on behalf of the City in the 2020 Orange County Analysis of Impediments to Fair Housing Choice (AI). The AI identified impediments for the entire county and for each entitlement city within Orange County. To address the contributing factors to AI, the plan proposes the following goals and actions:

**Regional Goals and Strategies**

**Goal 1: Increase the supply of affordable housing in high opportunity areas.**

**Strategies from the Regional AI:**

1. Explore the creating of a new countywide source of affordable housing.

2. Using best practices from other jurisdictions, explore policies and programs that increase the supply of affordable housing, such as linkage fees, housing bonds, inclusionary housing, public land set-aside, community land trusts, transit-oriented development, and expedited permitting and review.

3. Explore providing low-interest loans to single-family homeowners and grants to homeowners with household incomes of up to 80% of the Area Median Income to develop accessory dwelling units with affordability restriction on their property.

4. Review existing zoning policies and explore zoning changes to facilitate the development of affordable housing.

5. Align zoning codes to confirm to recent California affordable housing legislation.

**Goal 2: Prevent displacement of low- and moderate-income residents with protected characteristics, including Hispanic residents, Vietnamese residents, other seniors, and people with disabilities.**

**Strategies:**

1. Explore piloting a Right to Counsel to ensure legal representation for tenants in landlord-tenant proceedings, including those involving the application of new laws like AB 1482.

**Goal 3: Increase community integration for persons with disabilities.**

**Strategies:**

1. Conduct targeted outreach and provide tenant application assistance and support to persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization. As part of that assistance, maintain a database of housing that is acceptable to persons with disabilities.
2. Consider adopting the accessibility standards adopted by the City of Los Angeles, which require at least 15 percent of all new units in city-supported Low-Income Housing Tax Credit (LIHTC) projects to be ADA-accessible with at least 4 percent of total units to be accessible for persons with hearing and/or vision disabilities.

**Goal 4: Ensure equal access to housing for persons with protected characteristics, who are disproportionately likely to be lower-income and to experience homelessness.**

**Strategies:**

1. Reduce barriers to accessing rental housing by exploring eliminating application fees for voucher holders and encouraging landlords to follow HUD’s guidance on the use of criminal backgrounds in screening tenants.

2. Consider incorporating a fair housing equity analysis into the review of significant rezoning proposals and specific plans.

**Goal 5: Expand access to opportunity for protected classes.**

**Strategies:**

1. Explore the voluntary adoption of Small Area Fair Market Rents or exception payment standards in order to increase access to higher opportunity areas for Housing Choice Voucher holders.

2. Continue implementing a mobility counseling program that informs Housing Choice Voucher holders about their residential options in higher opportunity areas and provides holistic supports to voucher holders seeking to move to higher opportunity areas.

3. Study and make recommendations to improve and expand Orange County’s public transportation to ensure that members of protected classes can access jobs in employment centers in Anaheim, Santa Ana, and Irvine.

4. Increase support for fair housing enforcement, education, and outreach.

**4. Site Inventory Effect on Affirmatively Furthering Fair Housing**

AB 686 requires the Housing Element to evaluate selected sites relative to the effect on fair housing. In Seal Beach, the sites inventory potential sites for housing development (including underutilized sites and ADUs) along with candidate sites for rezoning. For the purposes of this analysis, potential sites for housing development and candidate sites for rezoning are considered against affirmatively furthering fair housing standards.

**Segregation and Integration**

It is noted that census tracts within Seal Beach are fairly racially homogenous, with similar racial and ethnic identities found across the city. According to Figure IV-2, census tracts within Seal Beach range from sizeable (gap 10% to 50%) to predominantly (gap >50%) White majority. As such, all of the selected sites and
candidate sites for rezoning are located within census tracts identified as White majority.

Low to moderate income populations are distributed throughout the City of Seal Beach, and the selected sites and candidate sites for rezoning are distributed throughout neighborhoods with different median income levels. Both the 1011 Seal Beach Blvd site and 1780 Pacific Coast Highway (PCH) site are located within a census block group with an average median income greater than $125,000. No concentrations of poverty are found in these census blocks; both census blocks show the lowest concentration of low to moderate income households in the city. Thus, additional low to moderate income units on these selected sites will allow diverse households to take advantage of positive opportunities found in these high-income neighborhoods.

The Leisure World community has the highest concentration of low to moderate income population within Seal Beach. Additional housing in this community would likely be age restricted to 55+ adults, which would continue to segregate this specific age-group demographic within the city to primarily live within two specific census tracts. Because 55+ adults are more likely to be retired or fixed income, these census tracts would continue to be concentrations of low to moderate income households. Generally, age-restricted housing tends to be priced lower than units without age restrictions and provide a more affordable housing opportunity to senior citizens. As discussed in Section F.2, the housing needs of elderly populations can be addressed through smaller units, accessory dwelling units, shared living arrangements, congregate housing, and housing assistance programs. Units within Leisure World tend to be smaller units, ranging from one to two bedrooms. Individuals aged 65+ make up 39% of the city population (compared to regional share of 13%); the age distribution in Seal Beach would support additional units within this community. Further, rezoning within Leisure World for higher density would yield a potential 150 units out of the identified 1,557 (refer to Table B-3); representing 9.7% of the potential units on candidate sites for rezoning. Thus, additional housing units within this community would not cause additional income-based segregation across the city nor would it exacerbate existing income concentrations.

Similar to the concentration of low to moderate income population in Seal Beach within the Leisure World community, these census tracts also include a concentration of population with a disability. The population with a disability within both Leisure World census tracts is documented as greater than 40%, whereas the rest of the city has a population with a disability lower than 10%. Again, this demographic concentration of population with a disability is associated with the age restricted 55+ units. Refer to Table II-20 for details regarding the most common disabilities for senior by type within the city. Because 55+ adults are more likely to have a disability than other age groups, these census tracts would continue to be concentrations of individuals with a disability. As discussed above, rezoning properties within Leisure World would only account for a portion of the potential units on candidate sites for rezoning. Thus, additional housing units within this community would not cause additional disability-based segregation across the city nor would it exacerbate existing population concentrations.
There is no significant geographic pattern or concentration of single-headed or female-headed households of the city. The selected sites or candidate sites for rezoning are not expected to influence the distribution of familial status across the city.

**Racially and Ethnically Concentrated Area of Poverty**

There are no R/ECAP located within Seal Beach; thus, no sites are located within a R/ECAP. Selected sites are not anticipated to cause the creation of a R/ECAP.

There is one vacant site located within this census block group at 99 Marina Drive, 4.3 acres in size. 99 Marina Drive is identified as a candidate site for rezoning; the current general plan zoning is listed as OE. With a density of 20 du/acre, this site could yield 86 units. While this site is vacant, historical uses included an oil separation and refinery facility. Thus, there is the potential for environmental contamination and needed remediation efforts before this site is suitable for residential use. Low-income units are prioritized in this location, to allow diverse households to take advantage of the high opportunity offered by the RCAA located in this census block group.

**Disparities in Access to Opportunities**

Overall, most of Seal Beach scores high on the TCAC composite scores as having high access to opportunity. All census tracts depict high levels of education outcomes, with the exception of a few census tracts with no data provided. The TCAC analysis generally displays high economic outcome scores, particularly within the census tract where selected sites and candidate sites for rezoning are located. Minor exceptions to this include the candidate sites for rezoning located in Leisure World and NWS Seal Beach. As previously discussed, Leisure World consists of a 55+ demographic where a significant portion of individuals are retired. NWS Seal Beach is an active Navy facility, where all economic activity occurs under the umbrella of the federal government. Environmental scores vary by census tract. The presence of NWS, I-405 highway and heavy industrial uses (oil production and LADWP generating station) adjacent to the San Gabriel River introduce pollutants to the community. Selected sites and candidate sites for rezoning are distributed throughout zones ranging between less positive outcomes and more positive outcomes.

CalEnviroScreen 4.0 percentile scores throughout the city generally are low, indicating positive environmental outcomes. The highest scoring census tract is located at NWS Seal Beach, with a percentile score of 67.63. Only one candidate site for rezoning is located within this census tract; all other selected sites and candidate sites for rezoning are located in census tracts scored 45 or below, indicating positive environmental outcomes.

Based on the CalEnviroScreen 4.0 data and TCAC composite scores, the selected sites and candidate sites for rezoning will not introduce new environmental pollution burden, nor will additional disparities in access to opportunities be introduced. The 1011 Seal Beach Blvd site (80 low-income units) and 1780 PCH site (5 moderate income units) are located in areas with low CalEnviroScreen percentile scores and TCAC identified highest resource. Further, modern construction on these units would be required to include high-efficiency HVAC air filters to ensure excellent indoor air
quality as a mitigation action against proximity to I-405, military and industrial uses. New housing in the proposed sites achieves multiple goals of adding housing stock in underutilized areas while enhancing existing neighborhoods with new housing choices. Units for low and moderate incomes will allow diverse types of households to take advantage of positive environmental, educational, and economic outcomes found in these census tracts.

**Disproportionate Housing Needs**

The selected sites and candidate sites for rezoning are not located within any areas indicating disproportionate housing needs. Overcrowded households are rare in Seal Beach (only occurring in 1.1% of owner units and 2.3% of renter units) and are not congregated within a specific area of the city. The average household size hovers at 1.91, with the most commonly occurring household size is one person (45.1%) and second most commonly occurring household is two people (35.4%). Thus, there is no disproportionate need for large units to alleviate existing overcrowding or large household size.

Further, the selected sites and candidate sites for rezoning are not anticipated to pose any displacement risk during the planning period. Analysis shows no communities within Seal Beach are identified as vulnerable to displacement. Both candidate sites selected (1011 Seal Beach Boulevard and 1780 PCH) include existing commercial uses; redevelopment of these properties would not displace any existing residents. Candidate sites for rezoning include commercial and vacant property, with the exception of 533 acres identified within the Leisure World community. Displacement of existing residents could create disproportionate housing needs, considering the needs of this community as a 55+ retirement neighborhood. Both census tracts within Leisure World show the highest concentration of low to moderate households and persons living with a disability within Seal Beach. Policies and programs to prevent displacement of existing residents would be required if residential redevelopment was proposed on any of the mutual zones. Thus, displacement risk would be considered low regarding the selected sites and candidate sites for rezoning.
5. Identification of Issues, Contributing Factors, and Meaningful Actions

Table IV-20 Issues, Contributing Factors, and Meaningful Actions

<table>
<thead>
<tr>
<th>Fair Housing Issue</th>
<th>Contributing Factor</th>
<th>Meaningful Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outreach Capacity</td>
<td>Limited local private fair housing outreach and awareness.</td>
<td>• Housing Choice Voucher Rental Assistance promotion and outreach (Program 3a).</td>
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<tr>
<td></td>
<td></td>
<td>• Mortgage credit certificate promotion and outreach (Program 3b).</td>
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<td></td>
<td></td>
<td>• Housing Information and Referral Services (Program 5b and 5c).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• City to contract with a fair housing services provider to provide specific services to Seal Beach residents (Program 5a).</td>
</tr>
<tr>
<td>Disproportionate Housing Needs</td>
<td>Substandard housing, overpayment, and cost burden disproportionately affects renters</td>
<td>• On-going housing conditions monitoring, to identify properties in need of maintenance or repair and provide information regarding rehabilitation assistance programs (Program 4b).</td>
</tr>
<tr>
<td></td>
<td>Limited affordable or low-income housing</td>
<td>• Density bonus regulations and</td>
</tr>
</tbody>
</table>
### IV. Constraints

| Access to Opportunity | Limited affordable and accessible low-income housing | **Provision of adequate public facilities and services (Program 1k).**  
| Displacement | Lower and moderate households may face displacement pressures as rents rise due to high overall housing costs. | **Condominium Conversion (Program 4a).**  
| | Inability to afford and take advantage of local, educational, and recreational activities | **Replacement housing (Program 1f).**  

- Affordable housing resources (Program 2b).
- City to contract directly with a fair housing services provider to provide specific services to Seal Beach residents (Program 5a).
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V. HOUSING ACTION PLAN

This chapter of the Housing Element sets forth the City’s goals, policies, programs and objectives to address the housing needs of Seal Beach residents. This Housing Plan represents a continuing effort on the part of the City to facilitate the provision of housing for all economic segments of the population and persons with special needs, to maintain the condition and affordability of the existing housing stock, and to further fair housing. Table V-1 identifies the City’s quantified housing objectives over the 2021-2029 period.

A. Housing Goals, Policies and Programs

A sound basis for any plan of action is a set of well-defined goals and policies to express the desires and aspirations of the community. The City has established the following housing goals:

- Facilitate the development of a variety of housing types for all income levels to meet the existing and future needs of residents.
- Assist in the development of adequate housing to meet the needs of low- and moderate-income households.
- Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.
- Maintain and enhance the quality of existing residential neighborhoods.
- Promote equal housing opportunities for all persons regardless of race, color, national origin, ancestry, religion, sex, marital status, or familial status.
- Encourage more efficient energy use in residential developments.

<table>
<thead>
<tr>
<th>Goal 1:</th>
<th>Facilitate the development of a variety of housing types for all income levels to meet the existing and future needs of residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 1a:</td>
<td>Provide adequate sites for a variety of housing types through the Land Use Element of the General Plan and the Zoning Ordinance, while ensuring that environmental and infrastructure constraints are addressed.</td>
</tr>
<tr>
<td>Policy 1b:</td>
<td>Where appropriate, encourage the redesignation of vacant and underutilized non-residential land to residential uses with appropriate densities to facilitate the development of a variety of housing types to address the housing needs of all economic segments of the population.</td>
</tr>
<tr>
<td>Policy 1c:</td>
<td>Encourage the infilling of vacant residential land.</td>
</tr>
<tr>
<td>Policy 1d:</td>
<td>Encourage the recycling of underutilized residential land, where such recycling is consistent with established land use plans.</td>
</tr>
</tbody>
</table>
Policy 1e: Provide compatibility of residential uses with surrounding uses through the separation of incompatible uses, construction of adequate buffers, and other land use controls.

Policy 1f: Improve all residential environments through the provision of adequate public facilities and services, including streets and parks, as well as water, sewer, and drainage systems.

Policy 1g: Provide for adequate, freely accessible open space within reasonable distances of all community residents.

Program 1a: Provide Adequate Sites for Housing through updates to the General Plan and Zoning Ordinance

The Land Use Element of the Seal Beach General Plan designates land within the city for a variety of residential types and densities ranging from 9 to 46 units per acre. The land use designations are implemented through the Zoning Ordinance. Although there is limited developable vacant land remaining, the Regional Housing Needs Assessment (RHNA) assigns Seal Beach a housing need of 1,243 units during the 2021-2029 planning period. When sufficient land with appropriate zoning is not available to accommodate regional housing needs, State law requires cities to amend existing land use plans and regulations to create additional capacity for housing development to accommodate the RHNA.

As discussed in Appendix B, the City has conducted an evaluation of potential properties where land use regulations could be amended to create additional opportunities for housing or mixed-use development, and candidate sites have been identified for further evaluation to determine the most appropriate parcels to be rezoned.

To address the current shortfall in capacity for potential housing development the City will process zoning and General Plan amendments for sufficient sites with appropriate densities as identified in Appendix B no later than October 15, 2024, to fully accommodate the City’s remaining housing need. Rezoned sites will be selected from the candidate sites listed in Appendix B and will comply with the requirements of Government Code §65583.2(h) and (i). Specifically, sites designated to accommodate the RHNA shall have a minimum density of 20 units per acre. Developments at designated housing sites with 20 percent or more of the units are affordable to lower-income households will be permitted by right, pursuant to State law as applicable.

Objective: Maintain adequate sites to accommodate the RHNA allocation

Responsible Party: Community Development, Planning Commission, City Council

Funding Source: General Fund
Schedule: Complete rezoning by October 2024, with ongoing modifications as needed to maintain site inventory

Program 1b: Mixed Use Development Zones

In order to implement development at some of the suggested sites and address constraints on the development of housing for a variety of income levels, a new mixed-use designation will be required. Currently, the City’s mixed-use designation (Limited Commercial/Residential Medium Density or LC/RMD) does not have a high enough density minimum to meet State law requirements for lower-income housing. Through the zoning update process and community outreach, the City will evaluate options for accommodating housing development in conjunction with appropriate commercial uses through a new mixed-use zoning designation.

Objective: Create a mixed-use zone that meets state requirements for RHNA site designation, specifically to facilitate housing for lower income households. The zoning process will consider how to accommodate State requirements to allow for: a minimum residential density of 20 units per acre; a large enough size to permit at least 16 units; exclusively residential uses; at least 50 percent of the building floor area of a mixed-use development to be dedicated to residential uses; and housing by-right with at least 20 percent of the units affordable to lower-income households. The definitions of “persons and families of low and moderate income,” “lower income households,” and “very low-income households” as set forth in Health and Safety Code sections 50079.5, 50093, and 50150 shall apply.

Responsible Party: Community Development, Planning Commission, City Council

Funding Source: General Fund

Schedule: Complete site rezoning necessary to accommodate the RHNA by October 2024, with ongoing implementation

Program 1c: Promote Available Housing Incentives and Evaluate Effectiveness

To enhance the feasibility of affordable housing development, the City will offer incentives and concessions such as expedited processing, administrative assistance with applications for funding assistance, and modified development standards consistent with State law, including, but not limited to density bonus law, permit streamlining under SB35 for projects with at least 50 percent affordability, and SB 330 The City will update its website to include this information in greater detail for potential developers. Currently, the Planning Commission has the authority to determine affordable housing incentives, pursuant to the Zoning Code. City staff will evaluate the effectiveness of these incentives and concessions on an annual
basis with empirical data (development of units) and anecdotal discussions with developers. To the extent that available incentives demonstrate ineffectiveness, the City will examine revised or new incentives that may be implemented.

**Objective:** Make information on available incentives and concessions readily available, and evaluate their efficacy on a regular basis

**Responsible Party:** Community Development, Planning Commission, City Council

**Funding Source:** General Fund

**Schedule:** Website updates by July 2022, evaluation on an ongoing annual basis. If available incentives demonstrate ineffectiveness by the end of the 2024 calendar year, the City will undertake revisions to available incentives in 2025.

**Program 1d: Annual Progress Report**

The City will report its progress in implementing this program to HCD on an annual basis, pursuant to Government Code §65400.

**Objective:** Maintain compliance with State law and provide transparency on progress towards the RHNA

**Responsible Party:** Community Development

**Funding Source:** General Fund

**Schedule:** April of each year

**Program 1e: Ensure No Net Loss**

The City shall comply with the "no net loss" provisions of Government Code §65863 through the implementation of an ongoing project-by-project evaluation process to ensure that adequate sites are available to accommodate the City’s remaining RHNA allocation throughout the planning period. The City shall not reduce the allowable density of any site in the residential land inventory, nor approve a development project at a lower density than assumed in the land inventory, unless both of the following findings are made:

a) The reduction is consistent with the adopted General Plan, including the Housing Element; and

b) The remaining sites identified in the Housing Element are adequate to accommodate the City's remaining share of regional housing need pursuant to Government Code §65584.
If a reduction in residential density for any parcel would result in the remaining sites in the Housing Element land inventory not being adequate to accommodate the City’s remaining share of its lower- or moderate-income regional housing need, the City may reduce the density on that parcel if it identifies sufficient additional, adequate and available sites with an equal or greater residential density so that there is no net loss of residential capacity.

**Objective:** Maintain adequate inventory of sites for residential development according to State law

**Responsible Party:** Community Development

**Funding Source:** General Fund

**Schedule:** Ongoing implementation

**Program 1f: Replacement Housing Program**

If residential development on any property rezoned to accommodate the RHNA allocation involves demolition of existing residential units, the City will require replacement pursuant to Gov. Code §65583.2(g)(3).

**Objective:** Maintain no net loss of housing, with specific focus on housing affordable to lower-income residents by developing a formal, ongoing procedure for analyzing loss of units and replacement requirements.

**Responsible Party:** Community Development

**Funding Source:** General Fund

**Schedule:** Ongoing implementation

**Program 1g: Land Use Compatibility**

A goal of the City is to create and maintain desirable living areas for residents protecting residential neighborhoods from incompatible uses. The City recognizes that opinions on compatibility may change over time. A community engagement and outreach program will be implemented through the review of proposed amendments to the General Plan and zoning regulations to ensure changes reflect the needs of the community while also expanding housing opportunity sites in accordance with the RHNA allocation and State law.

**Objective:** Effectively utilize the zoning and General Plan amendment process to implement appropriate land use controls to ensure the compatibility of residential areas with surrounding uses

**Responsible Party:** Community Development, Planning Commission, City Council
Program 1h: Accessory Dwelling Units

Accessory dwelling units (ADUs) can provide affordable housing options for a wide range of household types, many of which may have very low- or extremely low-incomes. The City will continue to encourage ADU production consistent with State law, which shall include:

1. Revisions and updates to the City’s adopted ADU Ordinance as needed for consistency with State law; and
2. Website updates to explain the permitting process in simplified terms, and offer direction to the resources offered through the State and other agencies as applicable.

Objective: Provide a streamlined and understandable process for the development of ADUs and JADUs, supported by resources as they may be available.

Responsible Party: Community Development; Planning Commission; City Council

Funding Source: General Fund

Schedule: Consider revisions to existing ordinance by July 2022, and website updates by September 2022, with ongoing implementation as needed

Program 1i: Emergency Shelters, Low Barrier Navigation Centers and Transitional/Supportive Housing

Housing and the continuum of care for those at risk of or currently experiencing homelessness has changed dramatically in Orange County over the last five years. Housing ranging from temporary emergency shelters to permanent supportive units are now in much greater number, and tied to a range of services and support networks at the regional level to leverage resources and more comprehensively address problems.

AB 139 (2019) revised State law regarding parking standards for emergency shelters. To ensure that City development standards and procedures continue to provide adequate sites for emergency shelters, parking requirements for emergency shelters will be amended consistent with current law. In 2018, AB 2162 amended State law to require that supportive housing be a use by-right in zones where multi-family and mixed uses are permitted, including non-residential zones permitting multi-family uses, if the proposed
housing development meets specified criteria. AB 101 (2019) added the requirement that “low barrier navigation centers” meeting specified standards be allowed by-right in areas zoned for mixed-use and in non-residential zones permitting multi-family uses pursuant to Government Code §65660 et seq.

**Objectives:** (a) Continue to facilitate the provision of emergency shelters and transitional/supportive housing consistent with State law; (b) Process a Code amendment to amend City regulations for emergency shelters, supportive housing and low-barrier navigation centers consistent with State law in 2022.

**Responsible Party:** Community Development; Planning Commission; City Council

**Funding Source:** General Fund

**Schedule:** Process a code amendment related to emergency shelters concurrent with the zoning code update for RHNA sites, with ongoing evaluation.

**Program 1j:** **Innovative Land Use and Construction Techniques**

Construction and land costs typically represent the most important factors in determining the cost of housing in a community. Innovative land use techniques such as small lot, planned unit developments and mixed-use, as well as innovative construction techniques including manufactured or factory-built housing can help reduce the cost of housing. The City shall evaluate opportunities to implement new land use options and encourage a variety of construction techniques during the zoning code update under Program 1a.

**Objective:** Reduce barriers to housing through land use techniques and construction methods that minimize housing costs provided that basic health, safety, and aesthetic considerations are not compromised.

**Responsible Party:** Community Development; Planning Commission; City Council

**Funding Source:** General Fund

**Schedule:** Complete the zoning update by October 2024, which shall incorporate Program 1j.
Program 1k: Provision of Adequate Public Facilities and Services

New residential developments bring new residents to the city, placing an increased demand on public facilities and services. To adequately serve its existing and future residents, the City must ensure that new residential developments are provided with adequate public facilities and services.

The City will continue to utilize the environmental and other development review procedures to ensure that all new residential developments are provided with adequate public facilities and services. If existing public facilities or services are inadequate to serve new development consistent with land use plans, the City will work cooperatively with service providers to expand capacity where feasible.

Objective: Maintain adequate public facilities and services

Responsible Party: Public Works Department, service providers

Funding Source: General Fund

Schedule: Ongoing implementation as development occurs

Program 1i: Streamlined Permit Processing and Transparency

SB 35 (2017) requires streamlined ministerial approval procedures under certain circumstances. The City will establish and implement written procedures to ensure conformance with SB 35.

In addition, all zoning, development standards, and fees will continue to be posted on the City’s website in conformance with State transparency requirements.

Objective: Reduce barriers to housing development through simplified processing and available information

Responsible Party: Community Development

Funding Source: General Fund

Schedule: Written procedures will be developed by October 2022, with ongoing updates to the website and other informational material
<table>
<thead>
<tr>
<th>Goal 2:</th>
<th>Assist in the development of adequate housing to meet the needs of low- and moderate-income households</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 2a:</td>
<td>Expand housing opportunities for households with special needs, including the elderly, persons with disabilities, including developmental disabilities, large households, female-headed households, and the homeless.</td>
</tr>
<tr>
<td>Policy 2b:</td>
<td>Provide incentives to encourage the development of new affordable housing for lower- and moderate-income households, including extremely-low-income persons.</td>
</tr>
<tr>
<td>Policy 2c:</td>
<td>Investigate and pursue programs and funding sources designed to expand housing opportunities for low- and moderate-income households, including persons with special needs.</td>
</tr>
<tr>
<td>Policy 2d:</td>
<td>Encourage construction of low- and moderate-income housing on sites that are:</td>
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<tr>
<td></td>
<td>• located with convenient access to schools, parks, public transportation, shopping facilities, and employment opportunities;</td>
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<td>• adequately served by public utilities;</td>
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<tr>
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<td>• adequately served by police and fire protection;</td>
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<td></td>
<td>• minimally impacted by noise, flooding, or other environmental constraints; and</td>
</tr>
<tr>
<td></td>
<td>• outside of areas of concentrated lower-income households.</td>
</tr>
<tr>
<td>Program 2a: Density Bonus</td>
<td>The Seal Beach Zoning Ordinance contains density bonus regulations and procedures to facilitate the production of low- and moderate-income housing by providing incentives that reduce per unit development costs. State Density Bonus law was recently amended to provide additional incentives for affordable housing production. The City will develop informational material for its website on how developers can utilize density bonus incentives to increase housing.</td>
</tr>
<tr>
<td>Objective:</td>
<td>Make information on density bonus incentives readily available</td>
</tr>
<tr>
<td>Responsible Party:</td>
<td>Community Development</td>
</tr>
<tr>
<td>Funding Source:</td>
<td>General Fund</td>
</tr>
<tr>
<td>Schedule:</td>
<td>Website updates to be completed by October 2022 and updated on an ongoing basis as applicable</td>
</tr>
</tbody>
</table>
Program 2b: Affordable Housing Resources

The City will facilitate the development of quality affordable housing through a variety of actions, including pursuing additional funding sources and partnering with private and non-profit housing developers. To achieve this, the City will take the following actions:

- Maintain and annually update a list of non-profit housing developers active in Orange County.
- Contact qualified non-profit housing developers to explore opportunities for affordable housing development annually, or whenever development opportunities arise.
- Monitor funding resources, such as Multi-Family Housing Program (MHP) funds and Low-Income Housing Tax Credits (LIHTC), that may become available from time to time through the County, the State, or the Federal governments to subsidize affordable housing development, and seek to partner with developers to connect to those resources.
- Maintain an inventory of residential sites available for development continuously on the City website.
- Prioritize assistance for extremely-low-income (ELI) units and projects such as single room occupancy (SRO) and supportive housing commensurate with the City’s regional housing need whenever housing development is proposed.
- Provide technical assistance to affordable housing developers in preparation of grant funding applications.
- Explore membership in the Orange County Housing Finance Trust in 2022.
- Prioritize funding for projects that include extremely-low-income units or housing for persons with special needs.

Objective: Connect housing developers to technical knowledge and resources to facilitate the development of affordable housing.

Responsible Party: Community Development, Finance; Planning Commission; City Council

Funding Source: General Fund

Schedule: Most activities for Program 2b are ongoing in nature; consideration of membership in the Orange County Housing Finance Trust shall be completed by June 2022.
Program 2c: Land Write Downs and Assistance with Off-Site Improvements

Land costs and requirements for off-site improvements are important factors in determining the cost of housing. To facilitate development of housing affordable to low- and moderate-income households the City may subsidize the cost of land and off-site improvements when feasible. This program will be implemented through discussions with project proponents during the development review process.

**Objective:** Increase the number of affordable housing units

**Responsible Party:** Community Development, Finance, City Council

**Funding Source:** General Fund, unless alternative grant funding is available

**Schedule:** Ongoing

Program 2d: Regional Coordination of Housing issues

The City will continue to participate in other programs that facilitate information sharing and housing production at a regional scale. The City will attend quarterly OCHA Cities Advisory Committee meetings to be up to date on programs offered by the County or other entities that may incentivize different types of affordable housing and encourage preservation of existing housing stock. As noted in other programs, relevant information will be posted on the City’s website and shared with other entities such as public libraries, community newsletters, and social media.

**Objective:** Leverage resources to augment affordability in housing

**Responsible Party:** Community Development, OCHA

**Funding Source:** General Fund

**Schedule:** Quarterly meetings with ongoing updates to information

<table>
<thead>
<tr>
<th>Goal 3:</th>
<th>Address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 3a:</td>
<td>Assist City residents in securing decent safe and affordable housing.</td>
</tr>
<tr>
<td>Policy 3b:</td>
<td>Conserve the affordability of housing units assisted with public funds through affordability covenants or resale controls.</td>
</tr>
</tbody>
</table>
Policy 3c: Investigate and pursue programs and funding sources designed to maintain and/or improve the affordability of existing housing units to low- and moderate-income households.

Program 3a: Housing Choice Voucher Program Rental Assistance

The Housing Choice Voucher Program, long known as “Section 8”, is a federal program that extends rental subsidies to very low- and extremely low-income individuals and families. The subsidy represents the difference between 30% of monthly income of the household and the allowable rent determined by the Section 8 program to increase housing affordability for the voucher recipient. Seal Beach is not a direct recipient of Section 8 vouchers, but it does participate in the Section 8 Rental Assistance Program through the Orange County Housing Authority (OCHA).

Most Section 8 subsidies are issued by OCHA in the form of vouchers that permit tenants to choose their own housing. The City will make information regarding the process of obtaining a Section 8 voucher, while noting this can be a challenging process due to lack of available funding. In addition, OCHA has recently partnered with other entities, including United Way, to expand landlord understanding of the Section 8 voucher process, and provide additional resources to make property owners more willing to accept vouchers. The City will continue to coordinate with OCHA on a quarterly basis, and provide up to date information on its webpage for landlords that may be interested in participating in the program. Information will also be shared through other outlets such as local libraries, Leisure World, and City social media and/or newsletters.

Objective: Increase information available on Section 8 vouchers as a means of increasing affordability for households

Responsible Party: Community Development, County of Orange

Funding Source: General Fund

Schedule: Website updates to be completed by October 2022, with ongoing updates and partnership with OCHA on a quarterly basis.

Program 3b: Mortgage Credit Certificates

The Mortgage Credit Certificate (MCC) is a federal program that allows qualified first-time homebuyers to take an annual credit against federal income taxes of up to 15 percent of the annual interest paid on the applicant’s mortgage. This enables homebuyers to have more income available to qualify for a mortgage loan and make the monthly mortgage payments. The value of the MCC must be taken into consideration by the mortgage lender in underwriting the loan and may be used to adjust the
borrower’s federal income tax withholding. The MCC program has covenant restrictions to ensure the affordability of the participating homes for a period of 15 years. The MCC program is administered through the County of Orange (https://www.ocgov.com/residents/mccp).

The City will promote the MCC program on its website and other available outlets.

Objective: Increase awareness of the MCC program to increase affordability for homebuyers

Responsible Party: Community Development, County of Orange

Funding Source: General Fund

Schedule: Website update by October 2022 with ongoing maintenance and monitoring for changes to the program

Program 3c: Local Coastal Program

Seal Beach does not currently have an approved Local Coastal Program (LCP). As a result, all projects located within the portion of the city that is within the Coastal Zone are subject to review by the California Coastal Commission, in addition to the required City approvals. This additional requirement represents an impediment to housing development within the Coastal Zone. To address this issue, the City is currently working on the preparation of an LCP, funded in part by a grant from the Coastal Commission. An Ad Hoc General Plan/LCP Committee has been established to provide guidance to staff in this effort. Completion of the LCP is targeted for early 2023.

Objective: Streamline the development process by eliminating a separate process for Coastal Zone approvals

Responsible Party: Community Development, Planning Commission, City Council

Funding Source: General Fund, Coastal Commission Grant Funding

Schedule: Planned completion by March 2023

Program 3d: Implementation of new Planning and Permitting Software

The City integrated online plan check in 2020, in response to the COVID-19 pandemic, and to simplify the permitting process. Based on the success of that effort, the City has recently initiated transition to a new planning and
permitting software which will allow for even greater digital and remote access to the Community Development Department. Digital submittal, turnaround, and record keeping will continue to speed the permitting process, therefore reducing costs associated with development.

**Objective:** Streamline the development process through software implementation and online access to planning and permitting

**Responsible Party:** Community Development

**Funding Source:** General Fund

**Schedule:** Planned completion by February 2023

<table>
<thead>
<tr>
<th>Goal 4: Maintain and enhance the quality of residential neighborhoods in Seal Beach.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policy 4a:</strong></td>
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<tr>
<td><strong>Policy 4b:</strong></td>
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<td><strong>Policy 4c:</strong></td>
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<td><strong>Policy 4d:</strong></td>
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<td><strong>Policy 4e:</strong></td>
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<td><strong>Policy 4f:</strong></td>
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<tr>
<td><strong>Policy 4g:</strong></td>
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<tr>
<td><strong>Policy 4h:</strong></td>
</tr>
<tr>
<td><strong>Policy 4i:</strong></td>
</tr>
</tbody>
</table>
Policy 4j: Upgrade and improve community facilities and municipal services in keeping with community needs.

Policy 4k: Encourage the use of innovative land use techniques and construction methods to minimize housing costs without compromising basic health, safety, and aesthetic conditions.

Policy 4l: Periodically reexamine local building and zoning codes for possible amendments to reduce construction costs and processing times without sacrificing basic health and safety considerations.

Program 4a: Condominium Conversion

As a means to preserve the affordable housing stock, Chapter 11.4.80 regulates procedures for the conversion of existing apartment complexes to condominium ownerships, including protections for tenant rights.

Objective: Reduce impacts to lower income households in the event of a condominium conversion project

Responsible Party: Community Development, Planning Commission, City Council

Funding Source: General Fund

Schedule: Ongoing

Program 4b: Housing Conditions Monitoring

Overall, the housing stock in Seal Beach is well-maintained. However, the beach area contains scattered housing units with deferred maintenance issues. The City has targeted the beach area for housing condition monitoring. Periodically, the City’s code enforcement and building officials survey the area to identify properties requiring maintenance or repair. If Code violations or other significant problems are found to exist, the City will contact property owners to seek corrective actions.

Objective: Maintain attractive residential stock to encourage future housing that is also safe and healthy for a range of income levels

Responsible Party: Community Development

Funding Source: General Fund

Schedule: Annual windshield survey
Program 4c: Provide Assistance to Lower Income Households

Through the CDBG program, the City assisted lower-income 1,290 households in the Leisure World community to update bathroom facilities in order to allow for aging in place. Total expenditures from July 2005 through December 2021 are $2,897,989. Leisure World homeownership is substantially more affordable than other areas of the city due to the age restrictions in place. This program has helped to keep lower-income residents in a more affordable housing environment with services that support aging households. The City will continue to work with the County of Orange to obtain CDBG or other grant funding resources to assist lower-income households.

Objective: Assist income-qualified households with improvements that support their ability to remain in their housing units.

Responsible Party: Community Development, County of Orange

Funding Source: CDBG or other grant funding as may be available from time to time

Schedule: Ongoing, with renewals of funding on a three-year basis, subject to modifications by the County of Orange.

Program 4d: Provide Fee Waivers for Reasonable Accommodation Applications

The City currently offers a fee waiver to development applications that are submitted for Reasonable Accommodation improvements. This reduces the burden on the applicant, and encourages modifications to housing that will supporting keeping tenants or homeowners in their homes, which is often a more affordable option to relocation.

Objective: Reduce barriers to Reasonable Accommodation improvements that support their ability to remain in their housing units.

Responsible Party: Community Development, City Council

Funding Source: General Fund

Schedule: Ongoing
Goal 5: Promote equal housing opportunities for all persons regardless of race, color, national origin, ancestry, religion, sex, marital status, or familial status.

Policy 5a: Promote fair housing practices throughout the community.

Policy 5b: Encourage the development of housing that meets the special needs of disabled and elderly households.

Policy 5c: Promote the provision of housing to meet the needs of families and households of all sizes.

Program 5a: Fair Housing Resources

The City enforces the Fair Housing Act within its jurisdiction. To achieve fair housing goals, the City participates in Orange County’s contract with the Fair Housing Council of Orange County (FHCOC) to provide fair housing and tenant landlord counseling services. FHCOC is contracted to perform fair housing audits and to investigate fair housing complaints.

Objective: Provide free Fair Housing education and counseling services

Responsible Party: Community Development, City Council, County of Orange

Funding Source: CDBG

Schedule: Ongoing

Program 5b: Housing Information and Referral Services

The Orange County Housing Authority provides housing information and referral services for persons seeking affordable rental and homeownership opportunities. The City will work collaboratively with OCHA to update and distribute information on services.

Objective: Increase access to information on affordable housing availability

Responsible Party: Community Development, OCHA staff

Funding Source: General Fund

Schedule: Ongoing
Program 5c: Regional Collaboration to Affirmatively Further Fair Housing

As a part of the five-year Consolidated Plan cycle, an Analysis of Impediments (AI) was created for the Orange County region, with the County of Orange participating on behalf of the Urban County funding structure for federal CDBG and HOME funds. The AI identified several potential strategies to affirmatively further fair housing. Community Development staff will work with County staff on a quarterly basis to discuss program development and implementation options to affirmatively further fair housing, based on the findings of the AI.

Objective: Support regional strategies to affirmatively further fair housing

Responsible Party: Community Development, OCHA staff

Funding Source: General Fund

Schedule: Ongoing

Program 5d: Preparation of an Environmental Justice Element

The City will undertake preparation of an Environmental Justice Element for the General Plan in 2022, which will provide additional support for affirmatively furthering fair housing by considering air quality, access to facilities, safe and sanitary housing, and crime prevention.

Objective: Reduce and address constraints that may hinder fair housing

Responsible Party: Community Development, Planning Commission, City Council

Funding Source: General Fund

Schedule: Planned completion by January 2023

Goal 6: Encourage more efficient energy use in residential developments.

Policy 6a: Promote energy conservation through “green building” techniques that reduce water consumption, improve energy efficiency and lessen a building’s overall environmental impact.

Policy 6b: Promote “smart growth” principles by encouraging compact development in locations that provide opportunities for reduced vehicle trips.
Program 6a: Green Building Techniques

“Green buildings” are structures that are designed, renovated, re-used or operated in a manner that enhances resource efficiency and sustainability. These structures reduce water consumption, improve energy efficiency and lessen a building’s overall environmental impact. The City’s Community Development Department will distribute a Green Building Tips handout for both homeowners and builders.

Objective: Increase energy efficiency in housing units, to reduce overall costs

Responsible Party: Community Development

Funding Source: General Fund

Schedule: Ongoing

Program 6b: Promote Smart Growth

The City will continue to promote “smart growth” principles by encouraging compact development commensurate with the City’s regional housing need in locations that provide opportunities for reduced vehicle trips concurrent with Program 1a.

Objective: Reduce reliance on vehicle travel where possible to foster healthier neighborhoods.

Responsible Party: Community Development, Public Works

Funding Source: General Fund

Schedule: Simultaneous with the zoning code update, with ongoing evaluation

B. Quantified Objectives

The City’s quantified objectives for new construction, rehabilitation and conservation are presented in Table V-1.
<table>
<thead>
<tr>
<th>Program Category</th>
<th>Extremely Low</th>
<th>Very Low</th>
<th>Low</th>
<th>Moderate</th>
<th>Above Moderate</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Construction</td>
<td>129</td>
<td>129</td>
<td>201</td>
<td>239</td>
<td>545</td>
<td>1,243</td>
</tr>
<tr>
<td>Rehabilitation</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Conservation1</td>
<td></td>
<td>25</td>
<td>75</td>
<td></td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

1. Preservation of units in Seal Beach Shores Trailer Park

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Appendix A – Evaluation of the Prior Housing Element

Section 65588(a) of the Government Code requires that jurisdictions evaluate the effectiveness of the existing Housing Element, the appropriateness of goals, objectives and policies, and the progress in implementing programs for the previous planning period. This appendix contains a review of the housing goals, policies, and programs of the previous housing element, and evaluates the degree to which these programs have been implemented during the previous planning period. This analysis also includes an assessment of the appropriateness of goals, objectives and policies. The findings from this evaluation have been instrumental in determining the City’s housing programs for the 2021-2029 planning period.

Table A-1 summarizes the programs contained in the previous Housing Element along with the source of funding, program objectives, accomplishments, and implications for future policies and actions.

Table A-2 presents the City's progress in meeting the quantified objectives from the previous Housing Element.
### Table A-1

**Housing Element Program Evaluation – 2013-2021**  
**City of Seal Beach**

<table>
<thead>
<tr>
<th>Program</th>
<th>Objective</th>
<th>Accomplishments</th>
<th>Analysis</th>
<th>Future Policies and Actions</th>
</tr>
</thead>
</table>
| Program 1a Provision of Adequate Sites for New Construction through the General Plan and Zoning Ordinance. | 1. In order to enhance the feasibility of affordable housing development, the City will offer incentives and concessions such as expedited processing, administrative assistance with applications for funding assistance, and modified development standards.  
2. The City will report its progress in implementing this program to HCD on an annual basis, pursuant to Government Code §65400.  
3. The City shall comply with the "no net loss" provisions of Government Code §65863 through the implementation of an ongoing project-by-project evaluation process to ensure that adequate sites are available to accommodate the City's RHNA share throughout the planning period. The City shall not reduce the allowable density of any site in its residential land inventory, nor approve a development project at a lower density than assumed in the land inventory, unless both of the following findings are made:  
a) The reduction is consistent with the adopted General Plan, including the Housing Element; and  
b) The remaining sites identified in the Housing Element are adequate to accommodate the City’s share of regional housing need pursuant to Government Code §65584.  
If a reduction in residential density for any parcel would result in the remaining sites in the Housing Element land inventory not being adequate to accommodate the City’s share of the regional housing need pursuant to Sec. 65584, the City may reduce the density on that parcel if it identifies sufficient additional, | The City continued to support new construction of residential projects, and reported progress in the annual report to HCD. There was no net loss of housing.  
The City successfully facilitated the development of Ocean Place (at the DWP property) with the development of 30 new homes. This site was included in the prior Element’s site inventory, and the ultimate development density was slightly higher than originally designated, despite a requirement from the Coastal Commission to set aside a portion of the site for visitor-serving uses. This project was the first major development project within the generally built-out city in many years.  
While the City did not receive inquiries or applications for affordable housing, staff has significantly streamlined the development process through implementation of an online submittal portal, providing 24/7 access to the community development virtual counter. The website has also been updated to improve access to information to expedite the process for development applications and building plan check. Additionally, the city is currently in the process of implementing a new permitting software, which will offer shared access to data between divisions, and further streamline the development process. | Modify | This program is considered successful with the development of new housing in a previously identified site; however, some enhancements are included in the 6th Cycle to more thoroughly address compliance with Government Code and internal City efforts. |
<table>
<thead>
<tr>
<th>Program</th>
<th>Objective</th>
<th>Accomplishments</th>
<th>Analysis</th>
<th>Future Policies and Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program 1b Land Use Compatibility.</td>
<td>Continue to use zoning and other land use controls to ensure the compatibility of residential areas with surrounding uses</td>
<td>The City continues to implement zoning processes that support residential uses, including facilitation of the Ocean Place development project of 30 new homes.</td>
<td>Continue</td>
<td>This program is considered successful in creating livable environments that support residential uses, particularly access to parks, open space, and amenities that increase desirability.</td>
</tr>
<tr>
<td>Program 1c Second Units.</td>
<td>Continue to allow for the development of second units consistent with state law and the Municipal Code</td>
<td>The City adopted a new ordinance to allow for development of accessory dwelling units and junior accessory dwelling units, in conformance with State law. The ordinance includes provisions that streamline most development applications to a plan check process.</td>
<td>Modify</td>
<td>This program is considered successful with the adoption of an ADU ordinance in 2021. Future zoning code changes will be implemented to align with state law for ADU/JADU development, as well as new legislation under Senate Bill 9 (Atkins).</td>
</tr>
<tr>
<td>Program 1d Emergency Shelters and Transitional/Supportive Housing.</td>
<td>Continue to facilitate the provision of emergency shelters and transitional/supportive housing consistent with state law</td>
<td>No applications for emergency shelters or transitional/supportive housing were submitted. However, the City has taken a proactive approach to support those experiencing homelessness, including advancement of a partnership with the County of Orange for mental health services and placement of individuals and families in need of housing assistance.</td>
<td>Continue</td>
<td>The City will continue to support shelters and supportive housing consistent with State law, and the zoning code. Staff will continue work to prioritize partnerships and innovative solutions for those experiencing homelessness.</td>
</tr>
<tr>
<td>Program 1e Innovative Land Use and Construction Techniques</td>
<td>Continue to encourage the use of innovative land use techniques and construction methods to minimize housing costs provided that basic health, safety, and aesthetic considerations are not compromised. Encourage the use of planned unit developments, mixed use, and alternative construction methods. The City will provide flexibility in development standards and siting requirements to minimize development costs</td>
<td>Limited development occurred during the last planning period, therefore effectiveness of innovative techniques are difficult to evaluate. However, recent interest in land recycling has raised questions about new types of construction and housing, based on conversations with the development community.</td>
<td>Continue</td>
<td>The City will continue to implement this program in conjunction with the development community where feasible</td>
</tr>
<tr>
<td>Program 1f Provision of Adequate Public Facilities and Services.</td>
<td>Continue to utilize environmental and other development review procedures to ensure that all new residential developments are provided with adequate public facilities and services</td>
<td>The City successfully utilized this process to ensure adequate facilities and services to new housing during the prior planning period. Additionally, through the implementation of new planning and building software, the internal review process will be further augmented by new software.</td>
<td>Continue</td>
<td>This program is considered successful and will be continued, in addition to being augmented by new software.</td>
</tr>
<tr>
<td>Program</td>
<td>Objective</td>
<td>Accomplishments</td>
<td>Analysis</td>
<td>Future Policies and Actions</td>
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<td>---------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
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<td>-----------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Program 2a Density Bonus.</td>
<td>Continue to promote the use of density bonuses among potential residential developers</td>
<td>No density bonus applications were submitted within the planning period.</td>
<td>Continue Pursuant to State law, the City will continue to support density bonus projects.</td>
<td></td>
</tr>
<tr>
<td>Program 2b Affordable Housing Resources.</td>
<td>• Maintain a list of non-profit housing developers active in Orange County.</td>
<td></td>
<td>The City will continue to seek out resources to support the preservation and creation of affordable housing.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Contact qualified non-profit housing developers to explore opportunities for affordable housing development annually, or whenever development opportunities arise.</td>
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<tr>
<td></td>
<td>• Explore a variety of funding resources, such as Multi-Family Housing Program (MHP) funds and Low-Income Housing Tax Credits (LIHTC). Periodically consult with the State Department of Housing and Community Development HCD for current and new funding availability.</td>
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<td></td>
<td>• Provide interested developers with an inventory of residential sites available for development.</td>
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<td></td>
<td>• Prioritize assistance for extremely-low-income (ELI) units and projects such as single room occupancy (SRO) and supportive housing commensurate with the City’s regional housing need of 1 ELI unit during the current planning period.</td>
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<tr>
<td></td>
<td>This program is considered successful. The City proactively sought out resources to support affordable housing, including successfully obtaining Community Development Block Grant (CDBG) funds and Permanent Local Housing Allocation (PHLA) through the County of Orange, as well as a direct allocation of Local Early Action Planning (LEAP) funds. CDBG and PHLA funds are programmed to support low-income households with aging-in-place bathroom renovations, while LEAP funds have been allocated to development of the Housing Element and the preparation of the Local Coastal Program, which will further assist in reducing barriers to preservation and construction of affordable housing by streamlining the development approval process. Staff continues to consult with non-profit developers on housing opportunities, though no proposals for deed-restricted affordable housing were submitted in the prior planning period.</td>
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</tr>
<tr>
<td>Program 2c Land Write Downs and Assistance with Off-Site Improvements</td>
<td>Consider subsidizing the cost of land and off-site improvements for affordable housing development on a project-specific basis when feasible</td>
<td>No development applications for affordable housing were received during the prior planning period, however the City will continue to consider subsidizing costs on a project-specific basis.</td>
<td>Continue This program may continue to be useful in the future, should a feasible project be presented. The City does not receive a direct allocation of funding typically seen in housing development, such as CDBG or HOME funds. The City remains willing to work with the private and non-profit development industry to partner for other resources such as tax allocation credits and other resources developers may access.</td>
<td></td>
</tr>
<tr>
<td>Program</td>
<td>Objective</td>
<td>Accomplishments</td>
<td>Analysis</td>
<td>Future Policies and Actions</td>
</tr>
<tr>
<td>----------------------------------------------</td>
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</tbody>
</table>
| Program 3a Section 8 Rental Assistance        | • Continue to cooperate with the Orange County Housing Authority in providing Section 8 rental assistance to very-low-income households  
• Assist the County Housing Authority in promoting the Section 8 program to both property owners and eligible renters by publicizing the program on the City’s website, the City newsletter, local libraries, and within Leisure World. | The City continued to cooperate with OC Housing Authority to support the Section 8 program by posting available information. | Continue                                                                 | Though housing vouchers are limited in supply and are allocated through the County, the City will continue to support this effort in partnership. |
<p>| Program 3b Mortgage Credit Certificates       | Continue participation in the MCC program and contact the County annually to determine current program status. Distribute program information at City libraries and on the City website. The number of households assisted with this program will depend on market conditions and program availability | The City continued to cooperate with OC Housing Authority to support the Section 8 program by posting available information. | Continue                                                                 | The City will continue to support sharing available resources on the MCC program. |
| Program 3c Maintenance of Affordability Covenants on City or Agency-Assisted Housing | Continue to monitor the affordability of any very low-, low-, and moderate-income housing units assisted with public funds | Under redevelopment dissolution law, the County of Orange was named the Housing Successor, and covenants were transferred to the County for oversight. | Modify                                                                  | This program was not implemented; however, it remains valid for any new covenants in the future. |
| Program 3d Local Coastal Program              | Prepare and obtain Coastal Commission certification of a Local Coastal Program | The City was able to obtain grant funding from the Coastal Commission to develop a Local Coastal Program. A draft Land Use Plan was submitted in Fall 2021, and comments returned. Revisions are underway, and staff anticipates an LCP will be presented to the City Council in 2022. | Continue                                                                 | The Local Coastal Program process is moving forward in coordination with the California Coastal Commission. |
| Program 4a Condominium Conversion             | Continue to enforce the Condominium Conversion Ordinance                  | No units were converted to condominiums during the last planning period.         | Continue                                                                 | The City will continue to enforce Code Section 11.4.80 to protect tenant rights and reduce impacts to lower income households |
| Program 4b Replacement Housing in Local Coastal Zone | Continue to review development projects on a case-by-case basis to ensure that replacement low- and moderate-income housing is provided if feasible | The City monitored development projects for loss of housing.                    | Modify                                                                  | This program will be modified to meet current laws regarding replacement housing in all areas of the city. |
| Program 4c Housing Conditions Monitoring      | Continue to conduct annual surveys of the targeted beach area to identify housing units with deferred maintenance issues and mail brochures about the City’s rehabilitation | The city sought to address deferred maintenance issues for all housing, including the beach areas. However, the City does not have funding available to support a | Modify                                                                  | The City will expand windshield surveys throughout the city to monitor conditions and work with property owners on deferred maintenance or blight issues. |</p>
<table>
<thead>
<tr>
<th>Program</th>
<th>Objective</th>
<th>Accomplishments</th>
<th>Analysis</th>
<th>Future Policies and Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Program 4d Zoning and Building Codes Enforcement</td>
<td>• Continue to enforce the City’s zoning and building codes through contract code compliance services. • Provide information about assistance programs to property owners with violations</td>
<td>The City provides code enforcement services through a Neighborhood Services Officer. The program has very effectively assisted in maintaining health and safety standards implemented by the municipal code. In most cases, issues are resolved by providing information to the property owners, and citations do not need to be issued.</td>
<td>Continue</td>
<td>The City continued to enforce the City’s zoning and building codes and provide information to property owners. City staff will seek out programs that may be made available to property owners needing assistance.</td>
</tr>
<tr>
<td>Program 5a Fair Housing Services</td>
<td>Continue to provide fair housing and tenant landlord counseling services through the Fair Housing Council of Orange County. The Community Development Director will serve as the primary point of contact for fair housing issues and will refer inquiries to the FHCOC</td>
<td>The city does not have direct access to records regarding fair housing services provided by the FHCOC to gauge accomplishments</td>
<td>Continue</td>
<td>The City continued to facilitate fair housing and refer inquiries to the Fair Housing Council of Orange County.</td>
</tr>
<tr>
<td>Program 5b Removal of Architectural Barriers</td>
<td>Continue to utilize the Home Improvement Program to remove architectural barriers and encourage participation by elderly and disabled residents</td>
<td>The City currently utilizes CDBG funds as a sub-recipient through the County to make necessary improvements to bathrooms within the Leisure World community. The improvements modify bathtubs, showers, and toilets to facilitate safe access for seniors. Funding varies by year, though the program has been in place since 2005. From the FY 2012-13 program, through December 2021, a total of $1.58 million has been spent to improve 714 units. Residents must income-qualify for assistance. In 2020, the City, in partnership with the County, was able to obtain additional funding for this program through PLHA.</td>
<td>Modify</td>
<td>This program will be modified to better describe the activity and goals.</td>
</tr>
<tr>
<td>Program 5c Housing Information and Referral Services</td>
<td>Continue to support the housing and referral services provided by the Housing Authority of Orange County by posting contact information on the City website and at public buildings</td>
<td>The City has not successfully tracked referral outcomes</td>
<td>Modify</td>
<td>The City will continue to gather and provide information for the OC Housing Authority and will build up greater information on other housing resources. Further, city staff will more actively engage with the County.</td>
</tr>
<tr>
<td>Program</td>
<td>Objective</td>
<td>Accomplishments</td>
<td>Analysis</td>
<td>Future Policies and Actions</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>-----------</td>
<td>-----------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Program 6a Green Building Techniques</td>
<td>• Distribute a Green Building Tips handout at City Hall and on the City website.</td>
<td>The success of this effort has not been tracked.</td>
<td>Modify</td>
<td>The city will continue to provide information on the benefits of energy saving techniques.</td>
</tr>
<tr>
<td></td>
<td>• Continue to offer reduced fees for residential remodeling projects that include energy conservation features.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Program 6b Promote Smart Growth</td>
<td>Seek to incorporate smart growth principles in future land use and zoning amendments</td>
<td>The recent Ocean Place development occurred utilizing smaller lots within walking distance of a number of amenities, including a new park.</td>
<td>Continue</td>
<td>The City will consider how to better implement this program with the zoning code update.</td>
</tr>
</tbody>
</table>
Table A-2
Progress in Achieving Quantified Objectives 2013-2021
City of Seal Beach

<table>
<thead>
<tr>
<th>Program Category</th>
<th>Quantified Objective</th>
<th>Progress</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New Construction</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Extremely Low</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Very Low</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Low</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Moderate</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>72</td>
<td>31</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>80</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Rehabilitation</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Very Low</td>
<td>-</td>
<td>425</td>
</tr>
<tr>
<td>Low</td>
<td>-</td>
<td>210</td>
</tr>
<tr>
<td>Moderate</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Above Moderate</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>-</td>
<td><strong>635</strong></td>
</tr>
<tr>
<td><strong>Conservation &amp; Assistance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Very Low</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Low</td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Above Moderate</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

*Quantified objectives for new construction are for 2006-2014 RHNA period
**Seal Beach Shores Trailer Park rehabilitation and Leisure World VL/L-Income Accessibility Program
***Seal Beach Shores Trailer Park preservation
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Appendix B

Residential Land Inventory

An important component of the Seal Beach Housing Element is the identification of sites for future housing development and an evaluation of the adequacy of those sites in fulfilling the City’s share of regional housing needs. This appendix describes potential sites for housing development during the 2021-2029 planning period.

Assumptions Regarding Affordability

State law\textsuperscript{19} establishes a “default density” of 20 units per acre that is suitable for lower-income housing in small metropolitan cities such as Seal Beach. The land inventory analysis is based on this general affordability assumption. However, in determining site capacity, State law provides that sites smaller than \( \frac{1}{2} \) acre are not deemed adequate to accommodate lower-income housing need unless the locality can demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower-income housing units as projected for the site or unless the locality provides other evidence to the department that the site is adequate to accommodate lower income housing. Sites smaller than \( \frac{1}{2} \) acre have therefore been allocated to the moderate or above moderate-income categories.

Existing Sites for Housing Development

Seal Beach is nearly built-out with almost no vacant developable land remaining. The following underutilized sites have potential for additional housing based on current land use plans and regulations.

Underutilized Sites

- **1011 Seal Beach Blvd. (Accurate Storage).** This approximately 4-acre site (Figure B-1) is located immediately south of the Boeing Integrated Defense Systems property. This site is currently used for vehicle and boat storage and is bordered by office, commercial and light industrial uses to the north and west, by the City Police Station across Adolfo Lopez Drive to the south, and by the Seal Beach Naval Weapons Station across Seal Beach Boulevard to the east and has good access to employment and transit routes. Pursuant to the Program 1a in the 4\textsuperscript{th} cycle Housing Element, in 2013 this property was rezoned to Residential High Density-20 and is suitable for lower-income multi-family development. There are no known environmental constraints on this property, and the site has good access to employment and transit routes. Due to the high land value and relatively low utilization, there is significant financial incentive for residential development on this property.

- **Seal Beach Blvd./Pacific Coast Highway.** This 0.25-acre parcel is developed with an older commercial building currently occupied by a liquor/convenience store. It has a General Plan designation of Limited Commercial and is zoned Limited Commercial/Residential Medium Density. This zoning designation allows residential use at up to 20 units/acre, which is normally considered suitable for lower-income housing. Due to the age and marginal condition of the structure, it is assumed that the entire

\textsuperscript{19} Government Code Sec. 65583.2(c)(3)
site would be redeveloped with a new residential or mixed-use project. Because of its small size, this parcel has been listed in the moderate-income site inventory.

Accessory Dwelling Units

Accessory dwelling units (ADUs) represent a significant opportunity for affordable housing, particularly for single persons or small households including the elderly, college students, young adults, and caregivers. Recent changes in State law have made the construction of ADUs more feasible for homeowners, and the City has seen an increase in ADU development applications recently.

Over the past few years interest in ADUs has increased somewhat. During calendar 2018-2020 the City approved three ADU permits. At that rate, it is estimated that approximately eight additional ADUs will be permitted during the 2021-2029 planning period. Based on recent analysis conducted by SCAG\textsuperscript{20} approximately two-thirds of future ADUs are expected to be affordable to lower-income households.

Existing Sites Inventory Summary

The City’s current inventory of existing residential sites is summarized in Table B-1. This table shows that based on existing General Plan and zoning designations there is currently a shortfall of potential capacity to accommodate the RHNA. State law\textsuperscript{21} requires that where the inventory of sites does not accommodate the City’s assigned housing need, the Housing Element must identify actions that will be taken to make sites available with appropriate zoning and development standards to accommodate that portion of the City’s share of the regional housing need that could not be accommodated on sites identified in the Housing Element without rezoning. Sites to be rezoned to address this shortfall will be selected from the candidate sites listed in Table B-3 and shown in Figures B-2 through B-12 (see Program 1a in Chapter V – Housing Action Plan). These sites have a total potential capacity for more housing units than the current RHNA shortfall.

<table>
<thead>
<tr>
<th>Potential Housing Sites</th>
<th>Income Category</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Very Low</td>
<td>Low</td>
</tr>
<tr>
<td>Underutilized sites\textsuperscript{22}</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>Potential ADUs</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Totals</td>
<td>42</td>
<td>44</td>
</tr>
<tr>
<td>RHNA (2021-2029)</td>
<td>258</td>
<td>201</td>
</tr>
<tr>
<td>Surplus (shortfall)</td>
<td>(216)</td>
<td>(157)</td>
</tr>
</tbody>
</table>

Source: City of Seal Beach, 2021

\textsuperscript{20} SCAG, Regional Accessory Dwelling Unit Affordability Analysis, 2020
\textsuperscript{21} Government Code Sec. 65583(c)(1)(A)
\textsuperscript{22} Note this figure assumes full redevelopment of the 1011 Seal Beach Blvd site, currently zoned RHD-20. Table B-3 modifies this assumption.
Candidate Sites for Rezoning

The residentially zoned areas in Seal Beach are almost completely built out, and the large areas of vacant land are not available for development due to environmental restrictions or federal ownership. The large areas consist of the Seal Beach National Wildlife Refuge and the Naval Weapons Station. To address the requirement that the City identify and rezone adequate sites to accommodate at least 1,150 additional dwelling units, as shown in Table B-1, the City examined nonresidential areas where zoning amendments could facilitate residential development. A Housing Element Ad Hoc Committee was established and two meetings were held for the Committee to assist in identifying and evaluating potential sites for housing development. In addition, City staff contacted several property owners to assess interest in multi-family or mixed-use redevelopment. The identification of candidate sites considered a variety of factors, including:

- A substantial amount of surface parking or low value uses such as storage
- Ratio of assessed improvements-to-land value (I/L ratio) less than 1.0
- Good access to opportunity, including transportation, commercial services, schools and employment
- Parcels of substantial size
- Property owner interest

Recent real estate development trends in coastal Orange and Los Angeles counties demonstrate the increasing market feasibility of multi-family and mixed-use redevelopment at densities of 30 units/acre or more (Figure B-1). In addition, research conducted by the University of California, Berkeley\(^{23}\) to identify potential infill development opportunities in California concluded that the ratio of improvement value to land value (I/L ratio) serves as an indicator of the likelihood of redevelopment. That study utilized an I/L ratio of less than 1.0 for commercial and multi-family residential properties, and the authors of that study noted that this methodology “…has a strong theoretical and empirical basis: urban parcels for which improvement values are less than land values are widely considered to be economically underutilized. Indeed, many, if not most, market-rate infill housing projects are currently built on refill sites.” The candidate sites listed in Table B-3 were also reviewed by the Planning Commission and City Council at public hearings, as described in Appendix C, and property owners and other interested stakeholders had the opportunity to provide comments on sites that should be considered for additional residential development.

Figure B-1 describes recent redevelopment projects in the market area, demonstrating the interest and market demand for these types of developments on a regional scale.

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\(^{23}\) University of California, Berkeley Institute of Urban and Regional Development, The Future of Infill Housing in California: Opportunities, Potential, Feasibility and Demand, 2005
Figure B-1
Recent Southern California Mixed-Use Project Examples

**Legado Redondo** (Redondo Beach) – 3-acre mixed use project with 115 residential units over 21,539 square feet commercial space

**Newport Village Mixed-Use** (Newport Beach) – 9.4-acre mixed-use project with 122 residential units + office/commercial

**2510 West Coast Highway** (Newport Beach) -35 residential units + 10,975 sq. ft. commercial

24 http://legado.net/what-we-do/projects-legado-redondo/
Affirmatively Furthering Fair Housing

Housing Element law (Government Code Sec. 65583.2(a)) requires the inventory of sites to be consistent with fair housing objectives. As described above, the existing sites inventory is comprised of underutilized sites with realistic potential for residential development and potential accessory dwelling units (ADUs). Because the current capacity of these sites is not sufficient to fully accommodate the RHNA allocation in all income categories, additional candidate sites for rezoning are identified in Table B-3.

The focus of the sites inventory fair housing analysis is on opportunities for low- and moderate-income housing. Opportunities for additional affordable housing are accommodated through high-density multi-family developments and through ADUs. The sites inventory addresses fair housing objectives by providing opportunities for affordable housing throughout the community. Potential ADUs also create opportunities for affordable housing dispersed throughout the city in low-density residential neighborhoods. Through these parallel strategies, affordable housing choices for protected classes are expanded in all portions of Seal Beach.

As demonstrated earlier in this Element, the candidate sties for rezoning identified in Table B-3 are not concentrated in low-resource areas or areas of segregation and concentrations of poverty. Most of the sites are currently zoned commercial and developed with retail uses.

The issue of displacement will be addressed through compliance with Government Code Sec. 65583.2(g)(3), included in Program 1a, which requires that for any proposed development on a site that has had residential uses within the past five years that are or were subject to lower-income affordability restrictions, or are or were subject to any other form of rent or price control, or are or were occupied by lower-income households, the City shall require the replacement of all affordable units at the same or lower income level as a condition of development on the site. Replacement requirements shall be consistent with those set forth in Section 65915(c)(3).

Candidate Sites for Rezoning and Suitability of Nonvacant Sites

In addition to the overall analysis, discussion and methodology described above, this section provides additional clarification and methodology on how the estimated number of residential units were determined for each site factoring the existing uses. Out of the 11 sites listed in Table B-3, only two of the sites are vacant. The discussion below provides a brief explanation on the methodology for each of the nine sites that are currently developed with various uses. Figures B-1 through B-10 provide a brief description for each of the sites with an aerial map.

As discussed in Chapter IV – Constraints, infrastructure such as water, wastewater, drainage systems and dry utilities are in place, and there are no known limitations that would preclude the anticipated level of development at any candidate site. As part of future Land Use Element amendments and zoning changes to ensure availability of adequate sites (Program 1a) CEQA analysis will be conducted to analyze potential environmental impacts associated with any potential future infrastructure projects.

1. **Accurate Storage:** This site is currently zoned as residential high density (RHD-20). As described in Figure B-2, this site is proposed for rezoning to a higher density level, with a modified assumption that only 1.8 acres of the site will redevelop to housing, instead of the entire 4.4 acres. The site consists of both indoor storage, as well as outdoor storage of boats and RVs. The improvement value to land value is less than 1.0 (0.54), indicating a likelihood for redevelopment, with conversion of the outdoor storage being the most likely to intensify in value. The indoor storage could remain in place and not be an impediment to development.

2. **The Shops at Rossmoor:** This site consists of several retail uses including Marshalls, Kohl’s and Burlington Clothing Store. Although site’s ratio of improvement value to land value is less than 1.0 (0.85) meaning the site is economically underutilized and ripe for redevelopment, the vast expanse of surface parking area can accommodate housing development. The site is 27 acres in area. The surface parking area occupies approximately 70 percent of the site which amounts to 19 acres. By only utilizing 10 acres of the 19 acres devoted to surface parking, the existing development could remain in place and would not be an impediment to development.

3. **Old Ranch Town Center:** This site is similar to The Shops at Rossmoor. It’s developed with retail stores such as Target, Ralph’s supermarket and several restaurants and smaller retail uses. This site is 26 acres, and half the land area, approximately 13 acres, is devoted to surface parking. Allocating 5 acres of the surface parking area can accommodate residential uses with shared parking while the majority, if not all existing retail uses can remain and not pose an impediment to residential development.

4. **Old Ranch Country Club:** This site consists of two separate areas (see Fig B-3) with a total area of approximately 5 acres. The Old Ranch Country Club consists of a golf course along with banquet facility, restaurant, swimming pool and a driving range. The property owner is considering proposal of approximately 120 units within portion of the site currently developed with maintenance facilities, parking lot, and portions of the driving range. Existing golf course uses are expected to be modified.
to accommodate the development. Therefore, the existing use (golf course) will not impede housing development.

5. Leisure World: Leisure World is an active senior community located on a 533-acre site and developed with 6,608 residential units. An additional 150 units can be accommodated on approximately 5 acres at a density of 30 units to an acre within areas that are currently utilized for community shared amenities. New three-story buildings can accommodate parking on the ground level with units above. As only one percent of the site is proposed for redevelopment, and adequately sized common areas are present, the existing uses will not impede the anticipated amount of residential development.

6. Seal Beach Plaza: The 7-acre site is developed with retail and office uses. The improvement value to land value ratio is 0.72. This site can be redeveloped entirely or within a smaller portion (approximately 2.5 acres) as a mixed-use project. The existing retail uses can be incorporated within the redeveloped project which could consist of retail uses on the ground floor with residential above.

7. Sunset Aquatic Marina: The 4.8-acre site is currently used as a shipyard (boat storage). A small structure serves as a maintenance facility for the shipyard. The improvement value to land value ratio is 0.30. The site is economically underutilized. Redevelopment of the site would consist of the removal of the stored boats and the removal of the maintenance building. Because existing structures will be removed, there will not be an impediment to residential development.

8. Naval Weapons Station: The 22-acre site is within the 5,256-acre Naval Weapons Station. The site is mostly vacant except for a concrete training pad and a 960 square foot prefabricated metal building used for classroom. The Navy has indicated that the training and classroom will relocate to another portion of the Station in order to facilitate development of the site. The Navy initiated the process to facilitate development of the site in 2020 by soliciting information from interested developers. A mixed-use development, including housing, is generally anticipated. The Navy expects development may commence in 2024. The anticipated commercial development of the 22-acre site can accommodate approximately 150 residential units in a vertical and/or horizontal mixed-use development. The improvement value to land value ratio is 0.0.

9. Seal Beach Center: The 9-acre retail center consist of two anchor stores. One store is a standalone Pavilions supermarket, and the other is a CVS Pharmacy attached to a building that contains several smaller retail tenant spaces. The building containing the several smaller tenant spaces could be redeveloped. The existing retail uses can be easily accommodated within a mixed-use building with ground floor retail and residential units above. The improvement value to land value ratio is 0.72.

10. Main Street Specific Plan Area: The Specific Plan area is the downtown area of Seal Beach characterized by “Main Street”, the traditional commercial core of the city. The area provides for a pedestrian-oriented mix of offices and retail uses with a few residential units. Although the area could accommodate sizable number of residential units if the area is redeveloped, it’s recognized that much of the area will
not be redeveloped. However, there are several underutilized parcels and parcels with improvement value to land value ratio of 0.0. One subsite consists of a surface city owned parking lot. This parcel alone can accommodate approximately 9 units at 20 units to an acre. The remaining 31 units can be accommodated on the underutilized parcels include parcels developed with surface parking lots and on some parcels that can accommodate a unit or two towards the rear of the lot and/or above an existing single-story retail building. Many of the existing retail uses are single story. Out of the 77 parcels along Main Street and adjacent site streets, only 15 parcels are necessary to achieve the stated density. There are more than 15 underutilized parcels to accommodate the density. Therefore, existing uses will not be an impediment.

11. 99 Marina: As stated previously, the site is vacant except for an abandoned outdoor handball court. The improvement value to land value ratio of 0.0. The existing abandoned handball court will not be an impediment to residential development.
## Table B-2
### Underutilized Sites Inventory

<table>
<thead>
<tr>
<th>Address/APN</th>
<th>General Plan/ Zoning</th>
<th>Site Acreage</th>
<th>Existing Use</th>
<th>Assumed Density (du/ac)</th>
<th>Lower</th>
<th>Moderate</th>
<th>Above Moderate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1011 Seal Beach Blvd. 095-791-18</td>
<td>High Density Res/ RHD-20</td>
<td>1.8</td>
<td>Vehicle &amp; boat storage 0.54 I/L ratio; zoning allows residential, propose to increase density</td>
<td>Current -20 Proposed - 33</td>
<td>59</td>
<td></td>
<td></td>
<td>59</td>
</tr>
<tr>
<td>1780 Pacific Coast Hwy. 199-061-01</td>
<td>Limited Commercial/ Medium Density Res</td>
<td>0.25</td>
<td>Older convenience store; zoning allows mixed-use.</td>
<td>21</td>
<td></td>
<td>5</td>
<td></td>
<td>5</td>
</tr>
<tr>
<td><strong>TOTALS</strong></td>
<td></td>
<td><strong>4.25</strong></td>
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<td></td>
<td><strong>59</strong></td>
<td><strong>5</strong></td>
<td></td>
<td><strong>64</strong></td>
</tr>
</tbody>
</table>
### Table B-3
**Candidate Sites for Rezoning**

<table>
<thead>
<tr>
<th>Site</th>
<th>APN</th>
<th>Total Acreage</th>
<th>Est Dev Acreage</th>
<th>Current General Zoning</th>
<th>Proposed GP/Zone</th>
<th>Potential Density</th>
<th>Lower</th>
<th>Mod</th>
<th>Above Mod</th>
<th>Total Units</th>
<th>I/L Ratio</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accurate Storage</td>
<td>095-791-18</td>
<td>4</td>
<td>1.8</td>
<td>RHD-20</td>
<td>MU or RHD-46*</td>
<td>33</td>
<td>59</td>
<td></td>
<td>59</td>
<td>0.54</td>
<td>59</td>
<td>0.54</td>
</tr>
<tr>
<td>The Shops at Rossmoor</td>
<td>086-492-51</td>
<td>27</td>
<td>10</td>
<td>GC</td>
<td>MU or RHD-46*</td>
<td>40</td>
<td>110</td>
<td>90</td>
<td>200</td>
<td>400</td>
<td>400</td>
<td>0.85</td>
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<tr>
<td>Old Ranch Town Center</td>
<td></td>
<td>26</td>
<td>5</td>
<td>GC</td>
<td>MU or RHD-46*</td>
<td>40</td>
<td>55</td>
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<td>200</td>
<td>200</td>
<td>0.94</td>
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<td></td>
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<td>MU or RHD-46</td>
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<td>MU or RHD-46</td>
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<td>1.96</td>
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<td>130-861-24</td>
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<td>130-861-22</td>
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<td>0.12</td>
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<td></td>
<td>130-861-16</td>
<td>2.4</td>
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<td>GC</td>
<td>MU or RHD-46</td>
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<td>1.35</td>
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## City of Seal Beach 2021-2029 Housing Element Appendix B – Land Inventory

### Site Inventory

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<th>Est Dev Acreage</th>
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**Notes:**
- The current MU is only associated with LC/RMD. We would need to create a new mixed-use category to facilitate a density equivalent to RHD-46.
- I/L ratio = assessed value of improvements to land ratio.
- Potential units based on estimated development area.
- CG = Commercial General
- CS = Commercial Service
- GC = Commercial General
- I-L = Industrial-Light
- M = Military

### Totals

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<th>Description</th>
<th>Total Acreage</th>
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<th>Potential Density</th>
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<th>Above Mod</th>
<th>Total Units</th>
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<td>Totals (Including 1780 PCH and ADUs)</td>
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Notes:
- CG = Commercial General
- CS = Commercial Service
- GC = Commercial General
- I-L = Industrial-Light
- M = Military

February 2022
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<th>Site</th>
<th>APN</th>
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<th>Total Units</th>
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<td>OSG = Open Space Golf</td>
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<td>RHD = Residential High Density</td>
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<td>RHD-PD = Residential High Density-Planned Development</td>
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<td>SC = Service Commercial</td>
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<td>SP = Specific Plan</td>
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Figure B-2
Accurate Storage

Site Size: 4 acres

Info: Redevelopment potential on 1.8 acres

Zoning: RHD-20

Unit Potential:
59 units (33 du/ac)
Figure B-3
Shops at Rossmoor

Site Size: 27 acres

Info: Mixed-use or redevelopment potential on 10 acres south of Rossmoor Way

Zoning: GC to MU or RHD-46

Unit Potential: 400 units (40 du/ac)
Site Size: 26 acres

Info: Mixed-use or redevelopment potential on 5 acres

Zoning: GC to MU or RHD-46

Unit Potential: 200 units (40 du/ac)
Site Size: ±150 acres

Info: Possibility of limited number of residential units introduced to ±5 acres of site

Zoning: RG

Unit Potential:
Up to 120 units
**Site Size:** 533 acres

**Info:** Residential development/redevelopment potential on ±5 acres

**Zoning:** RHD-PD

**Unit Potential:** 150 units (30 du/ac)
Site Size: 7 acres

Info: Potential for mixed-use development over 2.5 acres of site

Zoning: SC

Unit Potential: 75 units (30 du/ac)
Site Size: 4.8 acres

Info: Residential development potential on 4.8 acres

Zoning: PS

Unit Potential: 144 units (30 du/ac)
Site Size: ±22 acres

Info: Navy currently exploring development interest in commercial development that could include residential

Zoning: MI

Unit Potential: 150 units (30 du/ac)
Site Size: 9 acres

Info: Mixed-use or redevelopment potential on 4 acres

Zoning: GC to MU or RHD-33

Unit Potential: 120 units (30 du/ac)
**Site Size:** ±15 acres

**Info:** Residential development potential throughout Main Street area

**Zoning:** MSSP

**Unit Potential:**
40 units
Site Size: 4.3 acres

Info: Residential development potential for entire site

Zoning: OE/RHD-20

Unit Potential: 86 units (20 du/acre)
Section 65583(c)(5) of the Government Code states that "The local government shall make diligent effort to achieve public participation of all the economic segments of the community in the development of the housing element, and the program shall describe this effort." Public participation played an important role in the formulation and refinement of the City's housing goals and policies and in the development of a Land Use Plan which determines the extent and density of future residential development in the community.

Early in the Housing Element update process the City created a web page (https://www.sealbeachca.gov/Departments/Community-Development/Planning-Development/Housing-Element-Update) where Frequently Asked Questions (see below), an online housing survey, meeting notices, agendas, draft documents and other reference materials were posted for review. City residents and other interested stakeholders had many opportunities to recommend strategies, review, and comment on the Housing Element update. Housing organizations, service providers and other interested parties that were included in the distribution of public notices are shown in Table C-1. Table C-2 provides a summary of questions raised during Housing Element preparation and responses to those questions.

As shown in Table C-1, organizations representing the interests of lower-income households, persons with special needs, and affordable housing developers were invited to participate in the Housing Element update at each step of the process.

The following is a list of opportunities for public involvement in the preparation of this Housing Element update.

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<td>City Council/Planning Commission study session</td>
<td>March 8, 2021</td>
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<tr>
<td>Housing Element Ad Hoc Committee meeting</td>
<td>April 5, 2021</td>
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<td>April 27, 2021</td>
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<tr>
<td>City Council/Planning Commission study session</td>
<td>September 20, 2021</td>
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<td>January 18, 2022</td>
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**Public Notice Distribution List**  
**City of Seal Beach Housing Element Update**

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<th>Address 3</th>
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<td>Irvine, CA 92614</td>
<td>OC Association of Realtors</td>
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<td></td>
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<td>25552 La Paz Road</td>
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<td></td>
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<td>League of Women Voters of Central Orange County</td>
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<td>Santa Ana, CA 92711</td>
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<td></td>
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<td>Irvine, CA 92614</td>
</tr>
<tr>
<td>OC Business Council</td>
<td>2 Park Plaza, Suite 100</td>
<td>Irvine, CA 92614</td>
<td>BIA/OC</td>
</tr>
<tr>
<td>OC Housing Providers</td>
<td>25241 Paseo de Alicia, Suite 120</td>
<td>Laguna Hills, CA 92653</td>
<td>17744 Sky Park Circle #170</td>
</tr>
<tr>
<td>OC Housing Trust</td>
<td>198 W. Lincoln Ave., 2nd Floor</td>
<td>Anaheim, CA 92805</td>
<td>Regional Center of Orange County</td>
</tr>
<tr>
<td>OC Housing &amp; Community Development</td>
<td></td>
<td></td>
<td>1501 E St Andrew Pl</td>
</tr>
<tr>
<td>Mercy Housing</td>
<td>480 S Batavia St</td>
<td>Orange, CA 92868</td>
<td>Santa Ana, CA 92705</td>
</tr>
<tr>
<td>City of Los Alamitos Development Services Department</td>
<td>City of Huntington Beach</td>
<td>City of Garden Grove</td>
<td></td>
</tr>
<tr>
<td>City of Huntington Beach Community Development Dept</td>
<td>City of Huntington Beach</td>
<td>City of Garden Grove</td>
<td></td>
</tr>
<tr>
<td>City of Long Beach Development Services Department Linda F. Tatum,</td>
<td>Community Development Dept</td>
<td>Comm. and Economic Development</td>
<td></td>
</tr>
<tr>
<td>Director</td>
<td>Ursula Luna-Reynosa, Director</td>
<td>Lisa Kim, Director/ACM</td>
<td></td>
</tr>
<tr>
<td>City of Orange County Water District Michael Markus, General Manager</td>
<td>Orange County Sanitation District</td>
<td>11222 Acacia Parkway</td>
<td></td>
</tr>
<tr>
<td>18700 Ward St, Fountain Valley, CA 92708</td>
<td>Jim Herberg, General Manager</td>
<td>Garden Grove, CA 92840</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10844 Ellis Avenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fountain Valley, CA 92708</td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Huntington Beach Community Development Dept Ursula Luna-Rey</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000 Main Street – 3rd Floor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City of Huntington Beach Community Development Dept Ursula Luna-Rey</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2000 Main Street – 3rd Floor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organization</td>
<td>Contact Information</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Rossmoor Community Services District | Joe Mendoza, General Manager  
3001 Blume Dr,  
Rossmoor, CA 90720 |  
OC Development Services  
Amanda Carr, Interim Deputy Director  
P.O. Box 4048  
Santa Ana, CA 92702-4048 |
| California Coastal Commission      | Amber Dobson, District Manager  
301 E Ocean Blvd Suite 300, Long Beach, CA 90802 |  
Southern California Edison  
P.O. Box 800  
Rosemead, CA 91770 |
| City of Westminster                | Alexa Smittle, Director  
8200 Westminster Boulevard  
Westminster CA 92683 |  
Gabrieleño Band of Mission Indians  
Kizh Nation  
Andrew Salas, Chairman  
P.O. Box 393  
Covina, California 91723 |
| Gabrieleno Tongva Nation           | Sam Dunlap  
P.O. Box 86908  
Los Angeles, California 90086 |  
Gabrieleño/Tongva San Gabriel Band of Mission Indians  
Anthony Morales, Chairperson  
P.O. Box 693  
San Gabriel, California 91778 |
| Juaneño Band of Mission Indians    | Joyce Stanfield Perry, Tribal Manager  
4955 Paseo Segovia  
Irvine, California 90603 |  
Juaneño Band of Mission Indians -  
Acjachemen Nation  
David Balardes  
32161 Avenida Los Amigos  
San Juan Capistrano, California 92675 |
| Soboba Band of Luiseño Indians     | Joseph Ontiveros, Cultural Resource Director  
P.O. Box 487  
San Jacinto, California 92581 |  
Ti'AT Society  
Cindi Alvitre  
6515 East Seaside Walk #C  
Long Beach, California 90803 |
| Coast Community College District   | 1370 Adams Avenue  
Costa Mesa, Ca. 92626 |  
Joint Forces Training Base, Los Alamitos  
4522 Saratoga Ave, Building 15  
Los Alamitos, CA 90720 |
| Naval Weapons Station Seal Beach   | Gregg T. Smith, Public Affairs Officer  
800 Seal Beach Boulevard  
Seal Beach, CA 90740-5000 |
| SoCal Gas Company                  | Centralized Correspondence  
PO Box 1626  
Monterey Park CA 91754-8626 |
| Juaneño Band of Mission Indians    | Alfred Cruz  
P.O. Box 25628  
Santa Ana, California 92799 |
| Gabrieleno Tongva Indians of CA    | Tribal Council  
5450 Slauson Avenue, Suite 151 PMB  
Culver City, California 90230-6000 |
| Gabrieleno Tongva Indians of CA    | Tribal Council  
Robert Dorame, Chairperson  
P.O. Box 490  
Bellflower, California 90707 |
| Los Alamitos Unified School District | Tribal Council  
10293 Bloomfield St.  
Los Alamitos, CA 90720 |  
OC Airport Land Use Commission  
3160 Airway Avenue  
Costa Mesa, CA 92626 |
### Table C-2
Summary of Public Comments
City of Seal Beach 2021-2029 Housing Element Update

<table>
<thead>
<tr>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Since most single-family lots are allowed 2 ADUs, does the sites inventory allow the City to assume the total potential number of ADUs for RHNA purposes?</td>
<td>State policy does not allow the full ADU potential to be assumed for RHNA purposes. Cities may estimate potential future ADU production based on past trends.</td>
</tr>
<tr>
<td>What does “by-right” development mean?</td>
<td>“By-right” means the development review process must be based only on objective standards involving no personal judgment.</td>
</tr>
<tr>
<td>If a property is listed in the inventory of housing sites, is the City or the property owner required to develop the property during the 8-year planning period?</td>
<td>No – the sites listed in the inventory only indicates that the potential exists for additional housing development.</td>
</tr>
<tr>
<td>If a property listed in the inventory of housing sites is shown as having potential for low-income housing, can the property only be developed with affordable housing?</td>
<td>No – sites shown as accommodating low-income housing only indicates that the property is considered suitable for low-income housing under State law. Generally, sites that allow a density of at least 20 units/acre are considered suitable for low-income housing in cities with a population of less than 25,000 in Orange County.</td>
</tr>
<tr>
<td>How were the issues in Seal Beach that limit development areas, such as sensitive environmental areas and Federal Government land ownership, factored into the Housing Element and RHNA?</td>
<td>These issues were considered as part of the RHNA process and the Housing Element discusses these constraints to housing development.</td>
</tr>
<tr>
<td>Affordable housing is very unlikely to be built in high-cost areas like Seal Beach. What happens if the City doesn’t meet the RHNA goals?</td>
<td>Cities that do not achieve their RHNA allocations may be required to offer “streamlined” permit processing under SB 35.</td>
</tr>
</tbody>
</table>
1. What is a Housing Element?

State law requires each city to adopt a comprehensive, long-term General Plan for its physical development. The Seal Beach General Plan is divided into the following "elements" or chapters that contain goals, policies and programs intended to guide land use and development decisions:

- Land Use
- Circulation
- Cultural Resources
- Growth Management
- Housing
- Noise
- Open Space
- Safety

The purpose of the Housing Element is to evaluate the housing needs of current and future residents of Seal Beach and set forth policies and programs to address those needs.

While most portions of General Plans typically have a time horizon of 20-25 years, State law requires that Housing Elements be updated on 8-year "cycles." The City is now preparing a Housing Element update for the 2021-2029 planning period, which is referred to as the "6th Housing Element cycle" in reference to the six required updates that have occurred since the comprehensive revision to State Housing Element law in 1980.

State law establishes detailed requirements for Housing Elements, which are summarized in California Government Code Section 65583:

The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobile homes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community.

---

1 California Government Code Sec. 65583 et seq.
2 https://www.sealbeachca.gov/Departments/Community-Development/Planning-Development/General-Plan
3 California Government Code Sec. 65580 et seq.
Seal Beach 2021 Housing Element FAQ

2. What is Housing Element “certification” and why is it important?

The State Legislature has delegated to the California Department of Housing and Community Development ("HCD") the authority to review Housing Elements and issue findings regarding the elements’ compliance with the law. When HCD issues a letter finding that the Housing Element is in substantial compliance with State law it is referred to as “certification” of the Housing Element.

Housing Element certification is important for two main reasons:

- **Local control.** The General Plan and its various elements provide the foundation for the City’s land use plans and development regulations, and the Housing Element is part of the General Plan. If the City were challenged in court on a planning or zoning matter and the General Plan were found by the court to be invalid, the court could order changes to City land use plans or regulations and assume control over City land use decisions. HCD certification establishes a “rebuttable presumption of validity” that the Housing Element complies with State law, which would support the City’s legal defense. Recent laws also allow courts to impose fines on a jurisdiction if it fails to adopt a Housing Element in compliance with State law.

- **Eligibility for grant funds.** Some State grant funds are contingent upon Housing Element certification. Grants can help to cover the cost of some projects that would otherwise rely on the City’s General Fund.

Seal Beach adopted its last Housing Element update in 2013, which was certified by HCD as fully compliant with State law.

3. What are the most important issues that must be addressed in the Housing Element update?

The major issues that must be addressed in the Housing Element update are: 1) how City policies, plans and regulations help to meet the region’s housing needs for persons and families of all income levels; and 2) how City land use regulations accommodate the special housing needs of those with disabilities or other difficulties.

- **Accommodating Regional Housing Needs.** Under State law all cities are required to plan for additional housing to accommodate population growth and address existing housing problems such as overcrowding and high housing cost. State law recognizes that cities generally do not build housing, since that is typically the role of private developers and builders. However, cities are required to adopt policies and development regulations to encourage a variety of housing types that are affordable for persons of all income levels. The Regional Housing Needs Assessment (“RHNA”) is the method by which each jurisdiction’s share of new housing needs is determined (see #5 below).

---

1. California Government Code Sec. 65585
2. California Government Code Sec. 65589.3
3. AB 101 of 2019
4. California Government Code Sec. 65583
Seal Beach 2021 Housing Element FAQ

- Housing for Persons with Special Needs. Under State law cities must also ensure that their plans and regulations encourage the provision of housing for persons with special needs including:
  - Reasonable accommodation for persons with disabilities
  - Transitional housing
  - Supportive housing
  - Emergency shelters and other facilities serving the homeless
  - Large (5+) families

4. What is “affordable” housing?

By definition, housing is considered “affordable” when total housing cost, including utilities, is no more than 30% of a family’s gross income. State law describes five income categories, which are based on county median income as shown in Table 1.

<table>
<thead>
<tr>
<th>Income Category</th>
<th>% of county median income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely low</td>
<td>Up to 30%</td>
</tr>
<tr>
<td>Very low</td>
<td>31-50%</td>
</tr>
<tr>
<td>Low</td>
<td>51-80%</td>
</tr>
<tr>
<td>Moderate</td>
<td>81-120%</td>
</tr>
<tr>
<td>Above moderate</td>
<td>Over 120%</td>
</tr>
</tbody>
</table>

Source: California Government Code Sec. 65584(f)

Affordable housing costs for all jurisdictions in Orange County are determined based on the income categories shown in Table 2. These incomes, rents and housing prices are based on a 4-person family and are adjusted for different family sizes.

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Maximum Income</th>
<th>Affordable Rent</th>
<th>Affordable Price (est.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low</td>
<td>$38,450</td>
<td>$961</td>
<td>(1)</td>
</tr>
<tr>
<td>Very low</td>
<td>$64,050</td>
<td>$1,601</td>
<td>(1)</td>
</tr>
<tr>
<td>Low</td>
<td>$102,450</td>
<td>$2,562</td>
<td>(1)</td>
</tr>
<tr>
<td>Moderate</td>
<td>$123,600</td>
<td>$3,090</td>
<td>$500,000</td>
</tr>
<tr>
<td>Above moderate</td>
<td>Over $123,600</td>
<td>Over $3,090</td>
<td>Over $500,000</td>
</tr>
</tbody>
</table>

Assumptions:
- Based on a family of 4 and current State income limits
- 30% of gross income for rent or principal, interest, taxes & insurance
- 5% down payment, 3.75% interest, 1.25% taxes & insurance, $350 HOA dues

Notes:
(1) For sale affordable housing is typically at the moderate income level
Source: Cal HCD, JHD Planning LLC

5. What is the “RHNA” why is it important?

Each California city is required to plan for new housing to accommodate a share of regional needs. The Regional Housing Needs Assessment (“RHNA”) is the process established in State law by which housing needs are determined.

* California Government Code Sec. 65583(a)(5)
Seal Beach 2021 Housing Element FAQ

Prior to each planning cycle the total new housing need for each region of California is determined by HCD based upon economic and demographic trends, existing housing problems such as overcrowding and overpayment, and additional housing needed to ensure reasonable vacancy rates and replace units lost due to demolition or natural disasters.

Seal Beach is located within the Southern California Association of Governments (“SCAG”) region, which includes Los Angeles, Orange, Riverside, San Bernardino, Imperial and Ventura counties. The total housing need for the SCAG region is distributed to cities and counties by SCAG based upon objectives and criteria established in State law.11

In 2019 HCD determined that the total new housing need for the entire SCAG region in the 6th Housing Element cycle is 1,341,827 units. SCAG then prepared a RHNA plan, which fully allocated the total RHNA to jurisdictions in the SCAG region.11

Table 3 shows the RHNA allocations for Seal Beach, Orange County, and the entire SCAG region.

<table>
<thead>
<tr>
<th>Table 3. 6th Cycle RHNA – Seal Beach, Orange County and SCAG Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing need allocation 2021-2029</td>
</tr>
<tr>
<td>Seal Beach</td>
</tr>
<tr>
<td>---------------------</td>
</tr>
<tr>
<td>1,243</td>
</tr>
<tr>
<td>Source: SCAG, 3/4/2021</td>
</tr>
</tbody>
</table>

The RHNA also distributes each jurisdiction’s total housing need into four income categories (the extremely-low and very-low categories are combined for RHNA purposes). The 6th cycle RHNA allocation for Seal Beach by income category is shown in Table 4.

<table>
<thead>
<tr>
<th>Table 4. 6th Cycle RHNA by Income Category – Seal Beach</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely Low + Very Low</td>
</tr>
<tr>
<td>---------------------------</td>
</tr>
<tr>
<td>258</td>
</tr>
<tr>
<td>Source: SCAG, 3/4/2021</td>
</tr>
</tbody>
</table>

6. Is the RHNA a construction mandate?

The RHNA allocation identifies the projected amount of additional housing a jurisdiction would need in order to have enough housing at all price levels to fully accommodate its assigned share projected growth over the 8-year planning period while also eliminating existing problems of overcrowding and overpayment. The RHNA is a planning requirement based upon housing need, not a construction quota or mandate. Jurisdictions are not required to build housing or issue permits to achieve their RHNA allocations, but some provisions of State law establish specific requirements when housing production falls short of RHNA allocations. One such requirement is streamlined review and approval of housing development applications that meet specific

1 California Government Code Sec. 65584 et seq.
2 California Government Code Sec. 65584(d)
3 https://scag.ca.gov/housing

March 2021

Page 4
Seal Beach 2021 Housing Element FAQ

standards. Other than requirements for streamlined permit processing, there are currently no legal or financial penalties imposed on cities for failing to achieve their RHNA allocations.

7. What must cities do to comply with the RHNA?

The Housing Element must provide an evaluation of the city’s capacity for additional housing based on land use patterns, development regulations, other development constraints (such as infrastructure availability and environmental conditions) and real estate market trends. The analysis must be prepared at a parcel-specific level of detail and identify properties (or “sites”) where additional housing could be built consistent with City regulations. This evaluation is referred to as the “sites analysis” and State law requires the analysis to demonstrate that the city has adequate capacity to fully accommodate its RHNA allocation in each income category. If the sites analysis does not demonstrate that adequate capacity exists to fully accommodate the RHNA, the Housing Element must describe what steps will be taken to increase capacity commensurate with the RHNA – typically through amendments to land use and zoning regulations that could facilitate additional housing development. Such amendments typically include increasing the allowable residential density or allowing housing to be built in areas that are currently restricted to only non-residential land uses.

8. Why are cities in high-cost areas expected to have affordable housing? Low-cost housing is not economically feasible here due to high land prices.

State housing laws are based on the premise that every city has an obligation to accommodate a range of housing types for persons at all income levels. Every community is dependent on a variety of low- and moderate-income workers in jobs such as landscaping, building maintenance, child and elder care, medical technicians, personal services, clerical support and retail trade. While the existing housing stock serves the needs of many residents, market rents and prices are higher than some families can afford. In addition, low-wage jobs have increased at a much faster rate than affordable housing is being built.

While cities are not required to build new housing, they must ensure that their land use regulations encourage a full range of housing types. Rental apartments typically provide the majority of affordable housing, but other types of housing such as accessory dwelling units (ADUs) can also help to address this need. Various governmental programs provide funding assistance for affordable housing, but if a city’s development regulations do not allow development of additional housing commensurate with projected need, the housing needs of the local workforce may be shifted to other cities.

12 California Government Code Sec. 65913.4 (SB 35 of 2017)
Seal Beach 2021 Housing Element FAQ

9. Seal Beach is fully developed. Why is the RHNA allocation so high?

SCAG’s 6th cycle RHNA allocation for the entire 6-county region is 1,341,827 units compared to 412,137 units in the 5th cycle. There are two main reasons why the 6th RHNA allocation is so much higher than the 5th cycle.

First, the 5th cycle RHNA allocation was established in 2012 while the severe economic effects of the “Great Recession” were discouraging growth. As a result, the 5th RHNA was uncharacteristically low. For comparison, SCAG’s 4th cycle (2006-2013) RHNA allocation was approximately 700,000 housing units.

Second, for the 6th cycle the State made a major modification to the process for determining RHNA allocations. In prior RHNA cycles, total housing need was based only on projected population growth. However, for the 6th RHNA cycle the State added existing need to the total RHNA calculation. Existing need includes households that are currently overcrowded (defined as more than one person per room) or are overpaying for housing (defined as more than 30% of gross income). The total 6th cycle RHNA allocation for the SCAG region is comprised of the sum of existing need and projected need, as follows:

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Number of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing need</td>
<td>577,422 units</td>
</tr>
<tr>
<td>Projected need</td>
<td>764,405 units</td>
</tr>
<tr>
<td>Total need</td>
<td>1,341,827 units</td>
</tr>
</tbody>
</table>

As seen from this breakdown, if existing need were excluded (as was the case in prior RHNA cycles) the total need would be similar to the 4th cycle RHNA.

With regard to jurisdictional RHNA allocations, the methodology adopted by SCAG for the 6th cycle places greater emphasis on the proximity of housing to jobs and public transit rather than availability of vacant developable land. As a result, the urbanized areas of Los Angeles and Orange counties are assigned much higher housing need as compared to prior cycles even though they generally have much less vacant land than inland areas.

The RHNA allocations assume that in many urbanized cities of Orange and Los Angeles counties, a significant portion of new housing needs will be met through the redevelopment of older commercial properties.

...
February 22, 2022

Alexa Smittle
Community Development Director
City of Seal Beach
211 Eighth Street
Seal Beach, CA 90740

Subject: Seal Beach Housing Element Update 2021-2029

Dear Ms. Smittle:

During the public meeting held on February 17, 2022, the Airport Land Use Commission (ALUC) for Orange County considered the subject item. The matter was duly discussed and with a 5-0 vote, the Commission found the proposed Housing Element Update 2021-2029 6th Cycle to be Inconsistent with the Airport Environments Land Use Plan for Joint Forces Training Base Los Alamitos (AELUP for JFTB) per:

- Section 2.1.1 Aircraft Noise, that the “aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport.”

- PUC Section 21674, (as referenced in Section 1.2 of the AELUP for JFTB Los Alamitos) which states that the Commission is charged by PUC Section 21674(a) “to assist local agencies in ensuring compatible land uses in the vicinity of existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses,” and PUC Section 21674(b) “to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare.”

- General Land Use Policies in Section 3.2.1 which states that “within the boundaries of the AELUP, any land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents.”
In addition, the Commission requested that any development applications for the two properties identified as Site 3 in the Housing Element Update (Page B-17) be submitted to the Commission for review prior to City approval.

Please contact me at lchoum@ocair.com or Julie Fitch at jfitch@ocair.com or call us at (949) 252-5170 if you have questions regarding this proceeding. Thank you.

Sincerely,

Lea U. Choum
Executive Officer

cc: ALUC
Red arrows indicate opportunity sites from Housing Element.

Legend:
- ~60/65~ CNEL CONTOUR
- --- CLEAR ZONE (CZ)
- -- --- CITY BOUNDARIES

Impact Zones
Joint Forces Training Base Los Alamitos

Exhibit D3

Figure N-5 — Existing CNEL Noise Contours