

5. Environmental Analysis

5.9 LAND USE AND PLANNING

This section of the Draft Environmental Impact Report (DEIR) evaluates the potential impacts to land use in the City of San Juan Capistrano from implementation of the Proposed Project.

Land use impacts can be either direct or indirect. Direct impacts are those that result in land use incompatibilities, division of neighborhoods or communities, or interference with other land use plans, including habitat or wildlife conservation plans. This section focuses on direct land use impacts. Indirect impacts are secondary effects resulting from land use policy implementation, such as an increase in demand for public utilities or services, or increased traffic on roadways. Indirect impacts are addressed in other sections of this DEIR.

Portions of this section evaluate the consistency of the Proposed Project with the City's adopted Circulation Element. The analysis in this section is based on the following technical report:

- *Creekside Traffic Impact Analysis, City of San Juan Capistrano*, Urban Crossroads, July 13, 2020.

A complete copy of this study is in the technical appendices to this Draft EIR (Appendix I).

5.9.1 Environmental Setting

5.9.1.1 REGULATORY BACKGROUND

Regional

Southern California Association of Governments

Orange County and San Juan Capistrano are at the southwestern corner of a six-county metropolitan region composed of Orange, Los Angeles, Ventura, Riverside, San Bernardino, and Imperial counties. The Southern California Association of Governments (SCAG) serves as the federally recognized metropolitan planning organization (MPO) for this region, which encompasses over 38,000 square miles. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the regional MPO, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation (Caltrans), and other agencies in preparing regional planning documents. Orange County and its jurisdictions constitute the Orange County Subregion, which is governed by the Orange County Council of Governments. SCAG has developed plans to achieve specific regional objectives, including the Regional Transportation Plan/Sustainable Communities Strategy, which is applicable to the Proposed Project.

Regional Transportation Plan/Sustainable Communities Strategy

On April 7, 2016, SCAG adopted the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) to help coordinate development of the region's transportation improvements. The

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RTP/SCS is a long-range transportation plan that is developed and updated by SCAG every four years. The RTP provides a vision for transportation investments throughout the region. Using growth forecasts and economic trends that project out over a 20-year period, the RTP/SCS considers the role of transportation in the broader context of economic, environmental, and quality-of-life goals for the future, identifying regional transportation strategies to address regional mobility needs. On May 7, 2020, SCAG's Regional Council adopted Connect SoCal (2020-2045 RTP/SCS) for Federal Transportation conformity purposes only. In light of the COVID-19 pandemic, the Regional Council will consider approval of Connect SoCal in its entirety and for all other purposes within 120 days from May 7, 2020. For this reason, this DEIR relies on the 2016-2040 RTP/SCS.

In 2008, California State Senate Bill 375 (SB 375) was enacted to reduce greenhouse gas (GHG) emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. To achieve the goal of reduced GHG emissions, the legislation requires MPOs throughout the state to include a new element in their RTPs called a Sustainable Communities Strategy. Consistent with SB 375, SCAG has included an SCS in the 2016–2040 RTP and the Connect SoCal (2020-2045 RTP/SCS). The SCS integrates transportation, land use, housing, and environmental planning strategies with the goal of reducing regional GHG emissions.

Local

San Juan Capistrano General Plan

Land Use Element. It identifies the type and location of future land uses within the City. It describes present and planned land use activity which has been designed to achieve the community's long-range goals for the future. The Land Use Element identifies the proposed general distribution, location, and extent of land uses, and goals and policies contained in the Element establish the constitutional framework for future land use planning and decision making in the City.

Housing Element. The Housing Element is a required element of the City's General Plan, and it covers the time period of October 15, 2013 through October 15, 2021. It provides an analysis of the City's demographic and housing characteristics and trends, a review of potential market, governmental, and environmental constraints to meeting the City's identified housing needs, an evaluation of land, administrative, and financial resources available to address the housing goals, a review of past accomplishments under the previous housing element, and a housing plan to address the identified housing needs.

Circulation Element. The Circulation Element guides the continued development and improvement of the circulation system to support existing and planned development. It establishes acceptable roadway service levels and identifies improvements required to maintain the service levels. The purpose of the Circulation Element is to provide a safe, efficient and adequate circulation system for the City.

Safety Element. Safety Element establishes goals, policies, and a plan to assure that there is an adequate, coordinated and expedient response to public safety concerns. The purpose of the Safety Element is to identify and address those features or characteristics existing in or near the City which represent a potential hazard to the community's citizens, sites and structures, public facilities and infrastructure. The Circulation Element policies serve as a guide for planning circulation improvements to accommodate anticipated population growth,

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maintaining acceptable service levels while development occurs, promoting alternative transportation modes, and coordinating with local and regional jurisdictions to phase regional transportation facilities.

Conservation and Open Space Element. The Conservation and Open Space Element focuses on the protection and enhancement of open space and natural resources to ensure a high quality living environment. It provides community goals to protect environmental resources and open space, which includes parks, open space and agricultural lands, natural resources and features such as groundwater, and creeks and drainage channels.

Noise Element. Noise Element addresses noise sources in the community and identifies ways to reduce the impacts of these noise sources on the community. It contains policies and programs to achieve and maintain noise levels compatible with various types of land uses, and identifies those land uses which are sensitive to noise and assures that noise-generating land uses are located so that they do not impact sensitive areas.

Cultural Resources Element. The Cultural Resources Element addresses the historic, archaeological and paleontologic resources within San Juan Capistrano to protect and preserve them. It is not a state-mandated element. It provides policies that serve as guides for working property owners to preserve and protect identified important historic, archaeological and paleontologic resources.

Community Design Element. The Community Design Element addresses the conservation and enhancement of the visual quality of San Juan Capistrano's environment. It helps to protect and enhance the identity of the community by addressing the protection of the natural hillside and various views created by the hillsides, the protection and enhancement of other natural features, the preservation and enhancement of the historical character of the community, the harmonious incorporation of new development to existing public and private development, and the maintenance of the community's small village, rural atmosphere.

Growth Management Element. The Growth Management Element assures that capital facilities are planned and provided in a manner which will adequately serve current and future residents of the City and the region. It recognizes that issues of growth and expansion of public services and infrastructure are regional concerns which must be addressed in a coordinated, interjurisdictional effort. Policies in the Element serve as guides for planning infrastructure and facility improvements to accommodate acceptable service levels while development occurs, and coordinating with local and regional jurisdictions to phase growth with capacity enhancement of regional facilities.

Parks and Recreation Element. The Parks and Recreation Element addresses the level of existing facilities, the provision of new parkland, recreational facilities, and hiking, biking and equestrian trails, as well as the economic feasibility of providing and maintaining these facilities. It contains specific goals and standards to guide the provision and maintenance of parks and recreational facilities for the current and future residents of the City.

Public Services and Utilities Element. The Public Services and Utilities Element ensures that sufficient levels of public services are provided as the City develops. It works in conjunction with the Growth Management Element, and it plans for the needed expansion of public services and infrastructure to coincide with new development.

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Floodplain Management Element. The Floodplain Management Element contains goals, policies, and plans to preserve and enhance the natural stream environment, provide and maintain recreational facilities within the floodplain, as well as provide effective protection of life and property from floodwaters.

Zoning Code

The City's Zoning Districts and Standards are contained in the SJCMC Title 9, Chapter 3, Zoning Districts and Standards. It establishes zoning districts and development standards that serve to guide development in the City.

5.9.1.2 EXISTING CONDITIONS

Existing Land Uses

The Project Site is developed with a vacant, one-level, 123,000-square-foot industrial building and associated surface parking lot, driveways, and walkways. The building was previously used by the Endeveco Corporation and later Meggitt Inc. for manufacturing measurement instruments. The building has been vacant since 2013 and has been an ongoing source of code enforcement issues related to graffiti, poorly maintained vegetation, illegal dumping, and unauthorized entry.

Surrounding Land Uses

The Project Site is surrounded by office/research park to the north and general open space to the north and northeast; industrial park to the north; single-family detached residential to the east and southeast with a medium density (LU 2.3 MD) and medium low density (LU 2.2 MLD); and office/industrial use to the south (i.e., Fluidmaster Inc.). The east medium density and the southeast medium low-density residential areas are zoned PC (CDP86-4) with a density of 3.6 to 5.0 units per acre and 2.1 to 3.5 units per acre, respectively. Beyond the medium density and medium low-density residential uses is a golf course designated as open space recreation. Interstate 5 is south west of Rancho Viejo Road. Beyond open space area to the north and northeast is Malaspina Estates, a very low density residential (LU 2.0 VLD) area with a maximum density of 0.4 unit per acre and minimum lot area of 2.5 acres.

Existing General Plan and Zoning Designations

The Project Site is designated Industrial Park by the City's General Plan land use plan, and zoned IP (Industrial Park District) by the zoning map.

5.9.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- LU-1 Physically divide an established community.
- LU-2 Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

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The Initial Study, included as Appendix A, substantiates that impacts associated with the following threshold would be less than significant:

- Threshold LU-1

This impact will not be addressed in the following analysis.

5.9.3 Plans, Programs, and Policies

PPP LU-1 **City of San Juan Capistrano Municipal Code:** The Proposed Project will be required to comply with the applicable provisions of the SJCMC except where deviations are specified by the proposed Creekside Specific Plan and allowed by the Grading Plan Modification.

PPP LU-2 The Project Applicant will be required to participate in the City of San Juan Capistrano's Circulation Fee program that funds traffic signals and road widening projects.

PPP LU-3 In 1998, the San Juan Capistrano City Council adopted Policy Number 111, which sets forth guidelines pertaining to fair share contributions for new development projects within the City. According to this policy, fair share participation by development shall account for 100% of the costs for each off-site improvement.

5.9.4 Environmental Impacts

5.9.4.1 IMPACT ANALYSIS

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.9-1: Implementation of the Proposed Project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. [Threshold LU-2]

The Project Site is designed by the General Plan for Industrial Park land use and within the IP (Industrial Park District) zone by the zoning map. Implementation of the Proposed Project would require a change in the General Plan land use designation to Specific Plan/Precise Plan, and a zone change from IP (Industrial Park District) to Specific Plan as specified in Figure 3-4, *Proposed Site Plan*. The Proposed Project would also require a tentative map approval, architectural control approval, grading plan modification approval, and tree removal permit approval.

Although the Proposed Project would require changes to the existing land use designation of the Project Site, Table 5.9-1, Consistency with General Plan Goals and Policies, evaluated the Proposed Project's consistency with the City's General Plan goals and policies and demonstrated that the Proposed Project would not cause a significant environmental impact due to a conflict with the City's plans and policies.

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Table 5.9-1 Consistency with General Plan Goals and Policies

Relevant Goals and Policies	Compliance Analysis
LAND USE ELEMENT	
<p>Goal 1: Develop a balanced land use pattern to ensure that revenue generation matches the City's responsibility for provision and maintenance of public services and facilities.</p>	<p>Consistent: The Project Site has been vacant since 2013, therefore, the property is being underutilized. Implementation of the Proposed Project would create revenue opportunities for the City collecting property taxes, impact fees, and other public services and facilities fees. The payment of applicable taxes and fees would ensure that the Proposed Project pays for its impact on public facilities and services, would contribute to the balance or surplus of revenue and cost.</p>
<p>Policy 1.1. Encourage a land use composition in San Juan Capistrano that provides a balance or surplus between the generation of public revenues and the cost of providing public facilities and services.</p>	
<p>Policy 1.2. Encourage commercial, tourist-oriented, and industrial development that is compatible with existing land uses within the City to improve the generation of sales tax, property tax, and hotel occupancy tax.</p>	
<p>Goal 2: Control and direct future growth within the City to preserve the rural village-like character of the community.</p>	<p>Consistent: The Project Site is currently developed with an industrial building that has been vacant since 2013. The Project Site is not located within a tourist-oriented area of the City, and no hotels exist in the immediate Project vicinity. Development of the Proposed Project would contribute to property taxes.</p>
<p>Policy 2.1. Continue controlling growth through the implementation of the City's residential growth management program.</p>	
<p>Policy 2.2. Assure that new development is consistent and compatible with the existing character of the City.</p>	
<p>Policy 2.3. Ensure that development corresponds to the provision of public facilities and services.</p>	
<p>Goal 3: Distribute additional population within the City based on risk factors.</p>	<p>Consistent. As discussed in the Initial Study Section 3.10 (Appendix A to the DEIR), the Project Site is not located in an area of potential flooding from a 100-year flood or a dam failure. The Project Site is currently developed as an industrial building and is not in the hillsides. Although a portion of the Project Site is identified as being in a landslide zone by the California Earthquake Hazards Zone Application, the required compliance with the City's building standards and the California Building Code (CBC) would ensure that any safety risks from landslides or other geologic conditions are minimized.</p>
<p>Policy 3.1: Confine higher density land uses to the valley areas outside of the floodplain.</p>	
<p>Policy 3.2: Limit density of development in the hillsides, floodplains, and other high risk areas.</p>	
<p>Goal 4: Preserve major areas of open space and natural features.</p>	<p>Consistent. The Project Site is currently developed with an industrial building, and redevelopment of the Project Site would not affect major areas of open space and natural features. Redevelopment of already developed area would permit preservation of other undeveloped areas with natural features in the City from development pressure.</p>
<p>Policy 4.1. Preserve areas of natural hazards, such as landslides and floodplains, which would jeopardize the public health and safety.</p>	
<p>Policy 4.3. Preserve designated ridgelines and the immediate adjacent area to maintain the open space character of the community.</p>	
<p>Policy 4.1. Preserve areas of natural hazards, such as landslides and floodplains, which would jeopardize the public health and safety.</p>	<p>Consistent. As discussed in above Goal 3, implementation of the Proposed Project would not jeopardize the public health and safety from natural hazards such as landslides and floodplains.</p>
<p>Policy 4.1. Preserve areas of natural hazards, such as landslides and floodplains, which would jeopardize the public health and safety.</p>	<p>Consistent. As discussed in above Goal 3, implementation of the Proposed Project would not jeopardize the public health and safety from natural hazards such as landslides and floodplains.</p>
<p>Policy 4.3. Preserve designated ridgelines and the immediate adjacent area to maintain the open space character of the community.</p>	<p>Consistent. The Proposed Project is on an already developed site and not located along a ridgeline. Open space area is located to the east of the Project Site. Development of the Proposed Project would be limited to the Project Site and along public rights-of-way (such as realignment of Rancho Viejo Road and utility hook ups). As such, development of the Proposed Project would maintain the open space character of the community.</p>

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Table 5.9-1 Consistency with General Plan Goals and Policies

Relevant Goals and Policies	Compliance Analysis
<p>Goal 7: Enhance and maintain the character of neighborhoods.</p> <p>Policy 7.1. Preserve and enhance the quality of San Juan Capistrano neighborhoods by avoiding or abating the intrusion of non-conforming buildings and uses.</p> <p>Policy 7.2. Ensure that new development is compatible with the physical characteristics of its site, surrounding land uses, and available public infrastructure.</p> <p>Policy 7.3. Utilize programs for rehabilitation of physical development, infrastructure and undergrounding of utilities within the City to improve community neighborhoods.</p> <p>Policy 7.4. Protect the existing population and social character of older areas subject to rehabilitation and redevelopment.</p>	<p>Consistent. Goal 7 and Policies 7.1 through 7.4 are discussed in Section 5.1, Aesthetics. The Project Site is currently developed with an industrial building, and the Project Site has been vacant since 2013. Therefore, redevelopment of the Project Site as residential uses would not adversely affect the existing quality of the neighborhood. The Project Site is not immediately surrounded by residential neighborhoods; however, residential uses are located to the south (beyond the abutting industrial use), east and north (beyond the open space), and west on the west side of I-5. Therefore, redevelopment of the Project Site from industrial to residential uses would be compatible with other nearby uses and would not adversely affect the quality of the city's existing neighborhoods. The Proposed Project would connect to the existing utility connections, and the on-site electrical and natural gas lines would be underground. The Proposed Project would not affect existing residential neighborhoods or the social character of older areas that are subject to rehabilitation and redevelopment. The proposed redevelopment would rehabilitate the underutilized industrial building site with quality design residential uses, therefore enhancing the character of neighborhoods.</p>
HOUSING ELEMENT	
<p>Goal 1: Provide a broad range of housing opportunities with emphasis on providing housing which meets the special needs of the community.</p> <p>Policy 1.1. Consistent with the Land Use Element, provide a range of different housing types and unit sizes for varying income ranges and lifestyles.</p>	<p>Consistent. The Proposed Project would provide single-family houses and townhome units, thereby increasing the City's housing supply. These different types of units would be constructed in phases depending on market demands, therefore, meeting the special needs of the community. Different housing types and unit sizes would be provided for varying income ranges and lifestyles.</p>
<p>Goal 5. Promote equal opportunity for all residents to reside in housing of their choice.</p> <p>Policy 5.1. Prohibit discrimination in the sale, rental, or financing of housing based on race, color, ancestry, religion, national origin, sex, sexual orientation, gender identity, age, disability/medical condition, familial status, marital status, source of income, or any other arbitrary factor.</p>	<p>Consistent. The Proposed Project would provide different housing types and the sale of these units would promote equal opportunity for all residents. There would be no discrimination based on race, color, ancestry, religion, national origin, sex, sexual orientation, gender identity, age, disability/medical condition, familial status, marital status, source of income, or any other arbitrary factor.</p>
CIRCULATION ELEMENT (Additional discussion is provided under the below subheading "Consistency with the City's Circulation Element.")	
<p>Goal 1: Provide a system of roadways that meets the needs of the community.</p> <p>Policy 1.1. Provide and maintain a City circulation system that is in balance with the land uses in San Juan Capistrano.</p> <p>Policy 1.2. Implement the City's Master Plan of Streets and Highways.</p> <p>Policy 1.4. Improve the San Juan Capistrano circulation system roadways in concert with land development to ensure sufficient levels of service.</p> <p>Policy 1.5. Improve existing arterial system that serves regional circulation patterns in order to reduce local congestion (Ortega Highway at I-5).</p> <p>Policy 1.6. Reduce the congestion along local arterial roadways in commercial areas by driveway access consolidation, parking area interconnections and similar actions.</p>	<p>Consistent. The Proposed Project would utilize the existing roadway system. The Proposed Project includes roadway improvements along Malaspina Road and Rancho Viejo Road, which includes the realignment of Rancho Viejo Road. The realignment would construct the road at its ultimate full-section width as a secondary arterial, consistent San Jan Capistrano standards. Additionally, the Proposed Project would contribute to cumulative traffic improvements through participation in the City's Circulation Fee program. As discussed in greater detail below, implementation of identified improvements would ensure that the intersections comply with the City's Circulation Element.</p> <p>The Proposed Project would provide two driveways to access the Project Site from the east side of Rancho Viejo Road, which consolidates driveways from three existing driveways (two on Rancho Viejo Road and one on Malaspina Road) to two driveways</p>

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Relevant Goals and Policies	Compliance Analysis
	on Rancho Viejo Road. The Proposed Project's secondary driveway is existing and provides access to the Fluidmaster property to the south of the Project Site.
SAFETY ELEMENT	
Goal 1: Reduce the risk to the community from hazards related to geologic conditions, seismic activity, wildfires, structural fires and flooding.	Consistent. As discussed in DEIR Section 5.5, Geology and Soils, Section 5.7, Hazards and Hazardous Materials, and Section 5.16, Wildfire, the Proposed Project would not adversely impact the surrounding community from hazards related to geologic conditions, seismic activity, wildfires, structural fires and flooding. The Proposed Project is required to comply with existing regulatory standards related to geologic and seismic hazards and flooding to ensure safety of the proposed development and the surrounding environment. The Proposed Project would be constructed in accordance with the building code, which ensures property development engineering and construction.
Policy 1.1. Reduce the risk of impacts from geologic and seismic hazards by applying proper development engineering, building construction, and retrofitting requirements.	
Policy 1.2. Protect the community from flooding hazards by providing and maintaining flood control facilities and limiting development within the floodplain.	
Goal 2: Protect the community from hazards related to air pollution, nuclear power production, hazardous materials, and ground transportation.	Consistent. As discussed in DEIR Section 5.2, Air Quality, Section 5.7 Hazards and Hazardous Materials, and Section 5.13, Transportation, the Proposed Project would not result in potentially significant impacts related to air pollution, hazardous materials, and ground transportation. The Proposed Project does not involve any development, handling, or use of nuclear power production, and no impact would occur.
Goal 3. Protect citizens and businesses from criminal activity.	Consistent. The proposed residential development would not encourage criminal activity to harm citizens and businesses in the City of San Juan Capistrano. The proposed development would be gated, and the Orange County Sheriff's Department (OCSD) would be consulted prior to and after development to reduce the risk of criminal activities. Design techniques and standards recommended by OCSD to reduce criminal activity would be incorporated as appropriate.
Policy 3.1. Coordinate with the Orange County Sheriff's Department to reduce the risk of criminal activity.	Consistent. The Proposed Project would remove a vacant industrial building that has been vacant since 2013 and has been an ongoing source of code enforcement issues related to graffiti, poorly maintained vegetation, illegal dumping, and unauthorized entry. Walls and gated entrances would surround the Proposed Project and would restrict access to the Project Site to residents, guests, and authorized persons. As discussed in Section 5.12, Public Services, the Proposed Project would result in a less than significant impact to police services.
Policy 3.2. Apply design techniques and standards aimed at reducing criminal activity to new development and redevelopment.	
CONSERVATION AND OPEN SPACE ELEMENT	
Goal 5. Shape and guide development in order to achieve efficient growth and maintain community scale and identity.	Consistent. Goal 5 and Policies 5.1 through 5.3 are discussed in Section 5.1, Aesthetics.
Policy 5.1. Encourage high-quality design in new development and redevelopment to maintain the low-density character of the City.	
Policy 5.2. Ensure that new development integrates and preserves areas designated for scenic, historic, and conservation, or public safety reasons.	

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Relevant Goals and Policies	Compliance Analysis
<p>Policy 5.3. Ensure that no buildings will encroach upon any ridgeline designated for preservation.</p>	
<p>Goal 6: Improve air quality.</p>	<p>Consistent. As discussed in Section 5.2, Air Quality, the Proposed Project would not conflict with any SCAQMD and SCAG policies to implement the regional AQMP. With the incorporation of mitigation measures, the Proposed Project would not exceed SCAQMD’s regional construction standards. The Proposed Project would not exceed SCAQMD’s operational emissions standards.</p>
<p>Policy 6.1. Cooperate with the South Coast Air Quality Management District and Southern California Association of Governments in their efforts to implement the regional Air Quality Management Plan.</p>	
<p>Policy 6.2. Cooperate and participate in regional air quality management planning, programs, and enforcement measures.</p>	
<p>Policy 6.3. Implement City-wide traffic flow improvements.</p>	<p>Consistent. Improvements to Rancho Viejo Road and Malaspina would allow for adequate site access and traffic flow. The Proposed Project would contribute to the City’s Circulation Fee program, funds traffic signals and road widening projects and pay its fair share contribution consistent with Policy No. 111. See the discussion for Goal 1 and Policies 1.1 through 1.6 under the Circulation element.</p>
<p>Policy 6.4. Achieve a greater balance between jobs and housing in San Juan Capistrano.</p>	<p>Consistent. As discussed in Section 5.11, Population and Housing, found that the City currently has a jobs-housing ratio of 1.25 and is projected to have a ratio of 1.36 by 2045, which is within the recommended range of 1.3 to 1.7 by the APA. The Proposed Project would directly increase the number of housing units in the City that would meet the current demand for owner-occupied units, however, these additional units are consistent with SCAG’s projections.</p>
<p>Policy 6.5. Integrate air quality planning with land use and transportation planning.</p>	<p>Consistent. As discussed in Section 5.2, Air Quality, the Proposed Project would not conflict with any SCAQMD and SCAG policies. With the incorporation of mitigation measures, the Proposed Project would not exceed SCAQMD’s regional construction standards. The Proposed Project would not exceed SCAQMD’s regional operational emissions standards.</p>
<p>Policy 6.6. Promote energy conservation and recycling by the public and private sectors.</p>	<p>Consistent. Construction and operation of the Proposed Project would comply with state and local energy conservation measures and recycling measures. The Proposed Project would comply with the energy conservation and green building requirements outlined in Title 24 Part 6 and Part 11, respectively. The Proposed Project would also comply with San Juan Capistrano Municipal Code Section 6-3.08, which requires that construction and demolition projects in the City divert at least 65 percent of construction material from landfills.</p>
<p>Goal 7. Protect water quality.</p>	<p>Consistent. The Proposed Project would comply with the applicable State Water Resources Control Board’s National Pollutant Discharge Elimination System (NPDES) permit to protect water quality during construction and also prepare and implement Water Quality Management Plan (WQMP) to protect water quality during operation. The Proposed Project incorporates best management practices, such as modular wetlands stormwater systems, and detention tanks. As discussed in Appendix A, Initial Study, and Section 5-8, Hydrology and Water Quality, the Proposed Project would not adversely impact the existing hydrology and water quality conditions at the Project Site, and the San Juan Creek Watershed.</p>
<p>Policy 7.1. Coordinate water quality and supply program with the responsible water agencies.</p>	
<p>Policy 7.2. Encourage the production and use of recycled water.</p>	
<p>Policy 7.3. Conserve and protect watershed areas.</p>	

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Relevant Goals and Policies	Compliance Analysis
	<p>The Proposed Project would comply with Title 24, which has requirements for water efficiency. Wastewater generated by the Proposed Project would be treated J.B. Latham Treatment Plant in Dana Point. Effluent from the treatment plant is discharged to the San Juan Creek Ocean Outfall and is not used as recycled water. As discussed in Section 5.15, Utilities and Service Systems, the Proposed Project would result in a less than significant impact relating to wastewater generation and infrastructure.</p>
NOISE ELEMENT	
<p>Goal 1. Minimize the effects of noise through proper land use planning.</p> <p>Policy 1.1. Utilize noise/land use compatibility standards as a guide for future planning and development decisions.</p> <p>Policy 1.2. Provide noise control measures and sound attenuating construction in areas of new construction or rehabilitation.</p>	<p>Consistent. While the Proposed Project is not immediately surrounded by residential land uses, residential land uses are located to the south and east, just past the Fluidmaster building and open space, respectively. The Malaspina Estates is located to the northeast of the Project Site. Additionally, residential land uses are located to the west of the Project Site across the I-5 Freeway. As discussed in Section 5.10, Noise, the Proposed Project would incorporate mitigation measure N-1, which would ensure that construction-related noise would be minimized to the degree feasible through the use of best available control technologies, scheduling, noticing, location of equipment, and shielding, among others.</p> <p>During operation, the Proposed Project would generate noise typical of residential communities. As discussed in Section 5.10, Noise, operation of the Proposed Project would result in a less than significant impact.</p>
<p>Goal 2. Minimize transportation-related noise impacts.</p> <p>Policy 2.1. Reduce transportation-related noise impacts to sensitive land uses through the use of noise control measures.</p> <p>Policy 2.2. Control truck traffic routing to reduce transportation-related noise impacts to sensitive land uses.</p> <p>Policy 2.3. Incorporate sound-reduction design in development projects impacted by transportation-related noise.</p>	<p>Consistent. As discussed in Section 5.10, Noise, construction vehicles from the Proposed Project would result in a negligible noise increase in comparison to existing traffic volumes on adjacent roadways. Additionally, construction of the Proposed Project would comply with mitigation measure N-1, which would require that haul routes avoid the greatest amount of sensitive use areas. The Proposed Project will comply with the City's Noise ordinance.</p>
<p>Goal 3. Minimize non-transportation-related noise impacts.</p> <p>Policy 3.1. Reduce the impacts of noise-producing land uses and activities on noise-sensitive land uses</p> <p>Policy 3.2. Incorporate sound-reduction design in new construction or rehabilitation projects impacted by non-transportation-related noise.</p>	<p>Consistent. As discussed in Section 5.10, Noise, with the incorporation of mitigation measure N-1, construction noise would be less than significant. Operation noise would be less than significant without mitigation. As such, the construction and operation of the Proposed Project would not create significant noise-related impact on sensitive land uses. The Proposed Project will comply with the City's Noise Ordinance.</p>
COMMUNITY DESIGN ELEMENT	
<p>Goal 1. Encourage and preserve a sense of place.</p> <p>Policy 1.1. Preserve significant amounts of land and important natural features for open space.</p> <p>Policy 1.2. Encourage high-quality and human scale design in development to maintain the character of the City.</p>	<p>Consistent. Goal 1 and Policies 1.1 through 1.2 are discussed in Section 5.1, Aesthetics. The Project Site is currently developed with industrial uses, and redevelopment of the Project Site to residential uses would preserve other areas of the city with important natural features for open space. The Proposed Project would be designed in compliance with the design guidelines in the Specific Plan to provide a comprehensive, high-quality, and human-scale design that is compatible with the city's character. A well-designed community would encourage and preserve a sense of place.</p>

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Table 5.9-1 Consistency with General Plan Goals and Policies

Relevant Goals and Policies	Compliance Analysis
<p>Goal 2: Preserve the historic character of the community.</p> <p>Policy 2.1: Encourage development which complements the City's traditional, historic character through site design, architecture, and landscaping.</p>	<p>Consistent. Goal 2 and Policy 2.1 are discussed in Section 5.1, Aesthetics. Construction under the Proposed Project would follow the Specific Plan's design guidelines, which would ensure that development on-site complements the existing community, including architecture, site design, and landscaping. Further, the Proposed Project would comply with all applicable municipal code requirements, such as sections 9-3.517, Fences, Walls, and Hedges, and 9-3.529, Lighting Standards. The Proposed Project's landscaping standards include drought-tolerant, low- to moderate-water use plants that meet the City's Water Efficient Landscape Guidelines.</p>
<p>Goal 3. Preserve and enhance natural features.</p> <p>Policy 3.1. Limit development of important natural characteristics such as ridgelines, unique hillside features and creeks.</p> <p>Policy 3.2. Encourage the recreational use of natural features, such as hillsides and creeks.</p> <p>Policy 3.3. Preserve the enhance scenic transportation corridors, including Interstate 5 and the railroad.</p> <p>Policy 3.4. Preserve important viewsheds.</p>	<p>Consistent. Goal 3 and Policies 3.1 through 3.4 are discussed in Section 5.1, Aesthetics. The Project Site is currently developed with industrial uses, and redevelopment of the Project Site to residential uses would preserve other areas of the city with important natural characteristics such as ridgelines, unique hillside features, and creeks.</p> <p>The Proposed Project is on a previously developed site and does not contain natural characteristics such as ridgelines, unique hillside features, and creeks. Design guidelines in the Specific Plan would ensure that development would have a cohesive architectural design and provide landscaping. These features would preserve views of the Project Site.</p>
GROWTH MANAGEMENT ELEMENT	
<p>Goal 1. Coordinate rational and orderly growth that assures the economic and efficient provision of public services and infrastructure to new development.</p> <p>Policy 1.1. Continue to implement service standards for public services and infrastructure which provide sufficient services to community residents and businesses.</p> <p>Policy 1.2. Approve only those development proposal for which there is sufficient funding through the developer, City or other agency to provide a level of public service and infrastructure which meet the established goals.</p> <p>Provide 1.3. Monitor growth to ensure that service standards are achieved.</p>	<p>Consistent. As discussed in Section 5.11, Population and Housing, the Proposed Project's contribution to population and housing growth is within SCAG's growth forecasts for the City. As discussed in sections 5.12, Public Services, and 5.15, Utilities and Service Systems, the Proposed Project would be adequately served by existing public services, utilities, and infrastructure. Further, implementation of the Proposed Project would create revenue opportunities including property taxes, impact fees, and other public services and facilities fees that would ensure that service standards are maintained.</p>
<p>Goal 3. Provide for a balance of jobs and housing through land use planning.</p> <p>Policy 3.1. Consider jobs/housing balance in the City and region as factor in land use decision-making.</p>	<p>Consistent. See the discussion for Policy 6.4 under the Conservation and Open Space element.</p>
PUBLIC SERVICES AND UTILITIES ELEMENT	
<p>Goal 1: Work with the Orange County Sheriff's Department to provide a sufficient level of law enforcement.</p> <p>Policy 1.1. Work closely with the Orange County Sheriff's Department in determining and meeting community needs for law enforcement services and services.</p> <p>Policy 1.2. Periodically evaluate the level of law enforcement service to ensure that San Juan Capistrano has appropriate levels of law enforcement services.</p>	<p>Consistent. The Project Site is served by the OCSD's San Juan Capistrano Station. As discussed in Chapter 5.12, Public Services, the Proposed Project would result in a less than significant impact to police services. Further, part of the Proposed Project's property taxes and fees would contribute law enforcement services which would ensure that there is sufficient level of law enforcement to meet community needs.</p>

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Table 5.9-1 Consistency with General Plan Goals and Policies

Relevant Goals and Policies	Compliance Analysis
	Additionally, the Proposed Project would be gated, and the OCSD would be consulted prior to and after development to reduce the risk of criminal activities. Design techniques and standards recommended by OCSD to reduce criminal activity would be incorporated as appropriate.
Goal 2. Work with the Orange County Fire Authority to provide a sufficient level of fire protection.	Consistent. The Project Site is served by the OCFA Station 7. As discussed in Chapter 5.12, Public Services, the Proposed Project would result in a less than significant impact to fire protection services. Further, part of the Proposed Project's property taxes and fees would contribute fire protection services which would ensure that there is a sufficient level of fire protection to meet community needs.
Policy 2.1. Work closely with the Orange County Fire Authority in determining and meeting community needs for fire protection services and facilities.	
Policy 2.2. Periodically evaluate the level of fire protection service to ensure that San Juan Capistrano has appropriate levels of fire protection services.	
Goal 3. Work effectively with the Capistrano Unified School District to provide a sufficient level of public education.	Consistent. As discussed in Chapter 5.12, the Proposed Project would be served by Ambuehl Elementary School, Marco Forster Middle School, and San Juan Hills High School. The schools would have capacity to serve the Proposed Project. In addition, the Proposed Project would be required to pay impact fees pursuant to AB 2926 and SB 50. The Proposed Project would result in a less than significant impact to schools. The payment of impact fees would ensure that school facilities meet community needs.
Policy 3.1. Work closely with Capistrano Unified School District in determining and meeting community needs for public education and related activities.	
Policy 3.2. Work with Capistrano Unified School District in investigating potential locations and funding sources for new schools, including a future high school.	
Goal 4. Provide sufficient community facilities.	Consistent. This goal and policy relate to the community center and civic uses, including City Hall. As discussed in Chapter 5.11, Population and Housing, the Proposed Project's population would be within the anticipated growth for the City. Additionally, the Proposed Project would contribute property taxes, which would ensure that community facilities meet community needs.
Policy 4.1. Work closely with community groups in providing community facilities which meet the needs of the community.	
Goal 5. Work with the Orange County Public Library to provide a sufficient level of library facilities and services.	Consistent. The Project Site is served OCPL's San Juan Capistrano library branch. As discussed in Chapter 5.12, Public Services, the Proposed Project would result in a less than significant impact to library services. Further, part of the Proposed Project's property taxes and fees would contribute to library facilities and services.
Policy 5.1. Work closely with the Orange County Public Library in determining and meeting community needs for library facilities and services, including hours of operation.	
Goal 6. Provide sufficient levels of water and sewer service.	Consistent. As discussed in Chapter 15, Utilities and Service Systems, the Proposed Project would develop water and wastewater lines on-site to serve the proposed residential units. On-site water and wastewater lines would connect to existing lines. The existing water and sewer facilities would have adequate capacity to serve the Proposed Project. Development of the Proposed Project would not hinder the City's ability to meet community needs.
Policy 6.1. Provide sufficient levels of water and sewer service to meet the needs of the community.	
Goal 7. Work effectively with providers of natural gas, electricity, telephone, cable television and solid waste disposal to provide sufficient levels of these services.	Consistent. As discussed in Chapter 15, Utilities and Service Systems, the Proposed Project would be adequately served by existing natural gas, electricity, and telecommunication facilities.
Policy 7.1. Work closely with providers of energy, communications and solid waste disposal in determining and meeting the needs of the community for energy, communications and solid waste disposal.	The Proposed Project would comply with the energy conservation and green building requirements outlined in Title 24 Part 6 and Part 11, respectively. The Proposed Project would also comply with San Juan Capistrano Municipal Code Section 6-3.08, which requires that
Policy 7.2. Encourage energy efficient development.	

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Table 5.9-1 Consistency with General Plan Goals and Policies

Relevant Goals and Policies	Compliance Analysis
Policy 7.4. Reduce the per capita production of solid waste in San Juan Capistrano in concert with the City's Source Reduction and Recycling Element.	construction and demolition projects in the City divert at least 65 percent of construction material from landfills. Recycling bins will be provided during the operation of the Proposed Project.
FLOODPLAIN MANAGEMENT ELEMENT	
Goal 1. Protect life and property from floodwaters.	Consistent. Per the City's Safety Element, the Proposed Project is not located in an area of potential flooding from a 100-year flood or from a dam failure (see Appendix A, Initial Study). Further, FEMA shows that the Project Site is located in Zone X, which is an area of minimal flood hazard (i.e. area outside of the 0.2 percent annual chance flood) (FEMA 2009). As such, the Proposed Project would not place development within a floodplain.
Policy 1.1. Limit development within the floodplain to minimize risks to life and property and satisfy the flood insurance and other requirements of the Federal Emergency Management Agency (FEMA).	
Source: San Juan Capistrano General Plan	

Consistency with the City's Circulation Element

The City of San Juan Capistrano Circulation Element has established LOS "D" as the level of service goal during the morning and evening peak commute hours at all City intersections. LOS "E" is the level of service goal during the morning and evening peak commute hours at all City-designated "Hot Spot" intersections. The following analysis discusses the Project's consistency with this General Plan goal.

Analysis Scenarios

For the purposes of this traffic study, potential deficiencies to traffic and circulation have been assessed for each of the following conditions:

- Existing (2019)
- Existing Plus Project (E+P)
- Existing Plus Ambient Growth Plus Cumulative Plus Project (EAPC) (2024)
- Horizon Year (2040) With Project

Existing Conditions

Intersections

The following study area intersection currently operates at an unacceptable LOS during the peak hours (i.e., LOS E or worse) based on the highway capacity manual (HCM) analysis methodology only:

- Rancho Viejo Road & Ortega Highway (SR-74) (#9) – LOS E PM peak hour only (HCM analysis only)

It should be noted, at the time traffic counts were collected in November 2019, field observations indicated excessive queuing in the eastbound and westbound directions on Junipero Serra Road t in the vicinity of the I-5 Freeway ramps during the AM peak hour. These queues are due to the adjacent I-5 Freeway ramp-to-arterial intersections located in close proximity to one another.

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Roadway Segments

The following study area roadway segments are currently operating at an unacceptable LOS based on the daily roadway segment capacities:

- Camino Capistrano, South of Junipero Serra Road (#2) – LOS E
- Rancho Viejo Road, Junipero Serra Road to Driveway 1 (#7) – LOS E

Off-Ramp Queues

Currently, there are no movements that are experiencing queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows.

Existing plus Project Conditions

Intersections

The following study area intersection is anticipated to operate at an unacceptable LOS during the peak hours (i.e., LOS E or worse) based on the HCM analysis methodology only, consistent with Existing (2019) traffic conditions:

- Rancho Viejo Road & Ortega Highway (SR-74) (#9) – LOS E PM peak hour only (HCM analysis only)

The intersection operations analysis results indicate that there are no additional study area intersections anticipated to operate at an unacceptable LOS with the Proposed Project, in addition to the intersection previously identified under Existing (2019) traffic conditions.

Roadway Segments

Consistent with Existing traffic conditions, the following study area roadway segment is anticipated to operate at an unacceptable LOS based on the daily roadway segment capacities:

- Camino Capistrano, South of Junipero Serra Road (#2) – LOS E

The segment of Rancho Viejo Road between Junipero Serra Road and Driveway 1 is anticipated to improve to acceptable LOS with the construction of the Project's site adjacent improvements along Rancho Viejo Road (see discussion under Impact 5.13-3).

Off-Ramp Queues

There are no movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows, consistent with Existing (2019) traffic conditions.

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Existing Plus Ambient Growth Plus Cumulative Plus Project (EAPC) (2024) Conditions

Intersections

The following study area intersections are anticipated to operate at an unacceptable LOS during the peak hours (i.e., LOS E or worse):

- I-5 Southbound Ramps & Junipero Serra Road (#3) – LOS E AM and PM peak hours (ICU analysis only)
- Rancho Viejo Road & Ortega Highway (SR-74) (#9) – LOS E PM peak hour only (ICU analysis) and LOS F AM and PM peak hours (HCM analysis)

Cumulative impact occurs when the difference in v/c ratio between E+P and existing is greater than 0.01, and the LOS under EAPC (2024) is E or F for the ICU analysis and when the difference in delay (secs.) between E+P and Existing is greater than 1.0, and the LOS under EAPC (2024) is E or F for the HCM analysis. Under these criteria, the following study area intersection is anticipated to result in cumulative impact as shown in Tables 7-1 and 7-2 of the Traffic Study prepared for the Proposed Project (Appendix I):

- I-5 Southbound Ramps & Junipero Serra Road (#3)

Roadway Segments

Consistent with Existing traffic conditions, the following study area roadway segment is anticipated to operate at an unacceptable LOS based on daily roadway segment capacities:

- Camino Capistrano, South of Junipero Serra Road (#2) – LOS F

The segment of Rancho Viejo Road between Junipero Serra Road and Driveway 1 is anticipated to improve to acceptable LOS with the construction of the Project's site adjacent improvements along Rancho Viejo Road (see discussion under Section 5.13 Transportation, Impact 5.13-3).

Off-Ramp Queues

There are no movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows, consistent with Existing (2019) traffic conditions.

Horizon Year (2040) With Project Conditions

Intersections

The following study area intersections are anticipated to operate at an unacceptable LOS during the peak hours (i.e., LOS E or worse):

- Camino Capistrano & Junipero Serra Road (#1) – LOS F AM peak hour only (HCM analysis only)
- I-5 Southbound Ramps & Junipero Serra Road (#3) – LOS F AM peak hour; LOS E PM peak hour (ICU and HCM analyses)

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- I-5 Northbound Ramps & Junipero Serra Road (#4) – LOS E AM peak hour only (ICU and HCM analyses)
- Rancho Viejo Road & Ortega Highway (SR-74) (#9) – LOS E AM peak hour; LOS F PM peak hour (ICU analysis) and LOS F AM and PM peak hours (HCM analysis)

Cumulative impact occurs when the difference in v/c ratio between E+P and Existing is greater than 0.01, and the LOS under EAPC (2040) is E or F for the ICU analysis and when the difference in delay (secs.) between E+P and Existing is greater than 1.0, and the LOS under Horizon Year (2040) With Project is E or F for the HCM analysis. Under these criteria, the following study area intersections are anticipated to result in cumulative impact as shown in Tables 8-1 and 8-2 of the Traffic Study prepared for the Proposed Project (Appendix I):

- I-5 Southbound Ramps & Junipero Serra Road (#3)
- I-5 Northbound Ramps & Junipero Serra Road (#4)

Roadway Segments

Consistent with Existing traffic conditions, the following study area roadway segment is anticipated to operate at an unacceptable LOS based on daily roadway segment capacities:

- Camino Capistrano, South of Junipero Serra Road (#2) – LOS F

The segment of Rancho Viejo Road between Junipero Serra Road and Driveway 1 is anticipated to improve to acceptable LOS with the construction of the Project's site adjacent improvements along Rancho Viejo Road (see discussion under Section 5.13 Transportation, Impact 5.13-3).

Off-Ramp Queues

There are no movements that are anticipated to experience queuing issues during the weekday AM or weekday PM peak 95th percentile traffic flows, consistent with Existing (2019) traffic conditions.

Municipal Code Consistency

In compliance with PPP LU-1, the Proposed Project would comply with the applicable provisions of the City of San Juan Capistrano Municipal Code (SJCMC) except where deviations are specified by the proposed Creekside Specific Plan and allowed by the Grading Plan Modification. SJCMC Section 9-3.535 Parking, provides parking requirement of two off-street parking spaces per dwelling unit and 0.8 spaces per dwelling unit visitor parking. The Proposed Project provides two garage spaces per unit and 0.5 guest parking ratio. Therefore, the Proposed Project is not consistent with the City's existing code. However, if approved, the Specific Plan would allow this parking deviation.

SCAG 2016–2040 RTP/SCS Consistency

The Proposed Project is not considered a project of regional significance pursuant to the criteria outlined in Section 15206 of the CEQA Guidelines:

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CEQA Guidelines Section 15206(b)(2). A project has the potential for causing significant effects on the environment extending beyond the city or county in which the project would be located. Examples of the effects include generating significant amounts of traffic or interfering with the attainment or maintenance of state or national air quality standards. Projects subject to this subdivision include:

- (A) A proposed residential development of more than 500 dwelling units.
- (B) A proposed shopping center or business establishment employing more than 1,000 persons or encompassing more than 500,000 square feet of floor space.
- (C) A proposed commercial office building employing more than 1,000 persons or encompassing more than 250,000 square feet of floor space.
- (D) A proposed hotel/motel development of more than 500 rooms.
- (E) A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or encompassing more than 650,000 square feet of floor area.

The Proposed Project does not meet any of these criteria. Therefore, the Proposed Project is consistent with SCAG's 2016–2040 RTP/SCS, which focuses on transit, transportation, and mobility and protection of the environment and health of residents; additional consistency analysis is not necessary. Additionally, SCAG forecasts are demographic projections based on a time horizon. As discussed in the DEIR Section 5.11, *Population and Housing*, SCAG forecasts that the City's population would increase from 35,952 in 2018 to 41,900 by 2045, an increase of 5,948 residents, or 16.5 percent. The Proposed Project's proposed 581 residents would result in a total population of 36,533, an increase of 1.6 percent from the existing (2018) conditions. Therefore, the projected population increase would be within the projected 16.5 percent increase by 2045, and Proposed Project is within the SCAG's population growth forecast. The Proposed Project would not exceed the population and housing projections of the City, and would not conflict with SCAG's population growth projections. No further consistency analysis is necessary.

Level of Significance Before Mitigation: Potentially Significant.

5.9.5 Cumulative Impacts

Consistency with the City's General Plan and SCAG's RTP/SCS

Implementation of the Proposed Project, in conjunction with other cumulative development in accordance with the City's General Plan, could cause citywide land use and general planning impacts. Cumulative development projects in accordance with the City's General Plan would be subject to compliance with regional and local plans reviewed in this section. While the Proposed Project includes a zone change and General Plan amendment, as discussed above, the Proposed Project is consistent with the City's General Plan and SCAG's RTP/SCS. The development of the Proposed Project would take place within the footprint of the Project Site,

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and therefore, would not result in citywide land use and planning impacts. The Proposed Project combined with cumulative projects would not result in cumulatively considerable impacts to land use and planning.

Consistency with the Adopted Circulation Element

The City of San Juan Capistrano Circulation Element has established LOS “D” as the level of service goal during the morning and evening peak commute hours at all City intersections. LOS “E” is the level of service goal during the morning and evening peak commute hours at all City-designated “Hot Spot” intersections.

As described above, two study area intersections (#3 I-5 Southbound Ramps & Junipero Serra Road and #4 I-5 Northbound Ramps & Junipero Serra Road) are anticipated to operate at an unacceptable LOS during the peak hours (i.e., LOS E or worse) in the cumulative EAPC Year (2024) and Horizon Year (2040) With Project Conditions. In addition, consistent with Existing traffic conditions, the Camino Capistrano, South of Junipero Serra Road roadway segment is anticipated to operate at an unacceptable LOS based on daily roadway segment capacities. However, the segment of Rancho Viejo Road between Junipero Serra Road and Driveway 1 is anticipated to improve to acceptable LOS with the construction of the Project’s site adjacent improvements along Rancho Viejo Road.

As identified in Impact 5.9-1, the Proposed Project would cumulatively contribute to congestion on key traffic study intersections and a freeway ramp in year 2024 and year 2040. However, mitigation measures are provided to reduce potential impacts to a less than significant level. As discussed in Section 7.7 and Section 8.7 of the traffic study prepared for the Proposed Project, (see Appendix I), improvement strategies have been recommended for those intersections anticipated to result in a significant impact. The following intersection is anticipated to result in a cumulative impact, based on the increase in v/c ratio during the peak hours:

- I-5 Southbound Ramps & Junipero Serra Road (#3)
- -5 Northbound Ramps & Junipero Serra Road (#4)

Improvement strategies have been recommended at this intersection to reduce each location’s peak hour delay and improve the associated LOS grade to an acceptable LOS. The following improvement would bring the LOS back to acceptable levels:

- I-5 Southbound Ramps & Junipero Serra Road (#3)
 - Add a southbound right turn lane. (Caltrans has plans to construct this improvement but is seeking fair share contributions.)
 - Add a 3rd eastbound through lane. This improvement is included in the Capistrano Circulation Fee Program.
 - Add a 2nd westbound through lane. This improvement is included in the Capistrano Circulation Fee Program.

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- I-5 Northbound Ramps & Junipero Serra Road (#4)
 - Add a 2nd northbound left turn lane.
 - Add a 2nd eastbound left turn lane. This improvement is included in the Capistrano Circulation Fee Program.

The project applicant will pay fair-share contributions for all off-site transportation improvements necessary to maintain acceptable levels of service, consistent with San Juan Capistrano City Council adopted Policy Number 111 (see PPP LU-3 and MM LU-1). The Proposed Project would also participate in funding of this improvement through participation in the City's Circulation Fee program (see PPP LU-2). These programs aim to mitigate the additional traffic burdens created by new development to the City's arterial and collector street system. These fees will be imposed on all cumulative development in the City to finance the costs of street improvements, including widening and reconstruction, new traffic signals, street landscaping, intersection improvements, and freeway interchange improvements.

With implementation of MM LU-1 and compliance with PPP LU-2 and PPP LU-3, satisfactory levels of service at intersections and roadway segments would be maintained, consistent with the City's adopted Circulation Element. Cumulative project impact would be less than significant with mitigation.

5.9.6 Level of Significance Before Mitigation

Without mitigation, the following impact would be **potentially significant**:

- **Impact 5.9-1:** Two study area intersections are anticipated to operate at an unacceptable LOS during the peak hours (i.e., LOS E or worse) in the cumulative Horizon Year (2040) With Project Conditions. In addition, consistent with Existing traffic conditions, the Camino Capistrano, South of Junipero Serra Road roadway segment is anticipated to operate at an unacceptable LOS based on daily roadway segment capacities. This would not be consistent with the City's Circulation Element goals for level of service.

5.9.7 Mitigation Measures

Impact 5.9-1

LU-1 Prior to recordation of the final map, the project applicant shall pay fair-share contributions for all off-site transportation improvements necessary to maintain acceptable levels of service, consistent with San Juan Capistrano City Council adopted Policy Number 111. Fair-share participation will be required at the following intersections:

- I-5 Southbound Ramps & Junipero Serra Road (#3)
- I-5 Northbound Ramps & Junipero Serra Road (#4)

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5.9.8 Level of Significance After Mitigation

With implementation of MM LU-1 and compliance with PPP LU-2 and LU-3, satisfactory levels of service at intersections and roadway segments would be maintained, consistent with the City's adopted Circulation Element. Land use impact would not be significant and unavoidable.

5.9.9 References

Federal Emergency Management Agency (FEMA). 2009, December 3. Flood Insurance Rate Map (06059C0443).

San Juan Capistrano, City of. General Plan. <https://sanjuancapistrano.org/Departments/Development-Services/Planning-Zoning/General-Plan>

Urban Crossroads, 2020, July 13. Creekside Traffic Impact Analysis, City of San Juan Capistrano.

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