# Townes at Orange

## Initial Study and Mitigated Negative Declaration

## DEV2021-00195

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|---|---|
| **Prepared for** | **City of Anaheim**<br>200 South Anaheim Boulevard, Suite 162<br>Anaheim, California 92805 |
| **Prepared by** | **Kimley-Horn and Associates, Inc.**<br>1100 West Town and Country Road, Suite 700<br>Orange, California 92868 |
| Date | December 2022 |

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# 1.0 INTRODUCTION

## 1.1 Purpose and Scope of the Initial Study

Pursuant to State CEQA Guidelines Section 15367, the City of Anaheim (City) is the Lead Agency for the project. The Lead Agency is the public agency that has the principal responsibility for carrying out or approving a project. The City has the authority for environmental review in accordance with CEQA and certification of the environmental documentation.

Kimley-Horn and Associates, Inc. (Kimley-Horn) has prepared this Initial Study for the City to evaluate the potential environmental effects associated with the construction and operation of the proposed Townes at Orange Project (proposed project or project). The document has been prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq). Pursuant to CEQA requirements, this Initial Study includes a description of the proposed project; an evaluation of the project's potential environmental impacts; the findings of the environmental analyses; and recommended standard conditions and mitigation measures to avoid or lessen the project's significant adverse environmental impacts.

This Initial Study evaluates each of the environmental issue areas contained in the Environmental Checklist Form provided in Section 3.0. It provides decision-makers and the public with information concerning the potential environmental effects associated with the project's construction and ongoing operations, and ways to avoid or reduce potential environmental impacts. The City will use this Initial Study as a resource when considering and taking action on the project. Any responsible agency may elect to use this environmental analysis for discretionary actions associated with project implementation.

## 1.2 Summary of Findings

Based on the Environmental Checklist Form completed for the proposed project and supporting environmental analyses, the project would result in no impact or a less than significant impact on the majority of the environmental issues analyzed in this Initial Study. The following environmental issue areas would have no impact or a less than significant impact: aesthetics, agriculture and forestry, air quality, biological resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, noise, population and housing, public services, recreation, transportation, utilities and service systems, wildfires. The project's impacts on the following issue areas would be less than significant with mitigation incorporated: cultural resources, geology and soils, and tribal cultural resources. All impacts would be less than significant after mitigation.

As set forth in the State CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration), a public agency shall prepare or have prepared a proposed negative declaration or mitigated negative declaration for a project subject to CEQA when:

(a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or

(b) The initial study identifies potentially significant effects, but:

    (1) Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for

public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and

(2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

## 1.3 Initial Study Public Review Process

The City has provided the Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) to the Orange County Clerk-Recorder and mailed the NOI to responsible agencies, nearby property owners, and others who expressed interest in receiving the NOI. In conjunction with the NOI, the City has released the IS/MND for a 20-day public review period in accordance with State CEQA Guidelines Section 15073. During the public review period, the IS/MND, including the technical appendices, can be accessed on the City's website and is available for review at the location listed below. Please contact the Planning Services Division at (714) 765-5139 or planning@anaheim.net to verify Public Counter hours.

https://www.anaheim.net/876/Environmental-Documents

City of Anaheim
Planning Services Division
200 South Anaheim Boulevard
Anaheim, CA 92805

In reviewing the IS/MND, affected public agencies and interested members of the public should focus on the adequacy of the document in identifying and analyzing the project's potential environmental impacts and the ways in which the potentially significant impacts can be avoided or mitigated. If public agencies or any members of the public have comments on the IS/MND, they can be sent to:

Heather Allen, AICP, Principal Planner
City of Anaheim
200 South Anaheim Boulevard, Suite 162
Anaheim, CA 92805
(714) 765-4958
hallen@anaheim.net

Comments sent via email should include the project title in the subject line and a valid mailing address.

Following receipt and evaluation of comments from agencies, organizations, and/or individuals, the City will determine whether these comments raise any substantial new environmental issues. If so, further documentation may be required. If not, or if the issues raised do not provide substantial evidence that the project would have a significant effect on the environment, the IS/MND and the project will be considered for adoption and approval, respectively.

## 1.4 Report Organization

This document includes the following sections:

**Section 1.0 – Introduction.** This section provides an introduction and overview describing the Initial Study conclusions.

**Section 2.0 – Project Description.** This section identifies the project location and key characteristics, and includes a list of anticipated discretionary actions.

**Section 3.0 – Environmental Checklist.** The Environmental Checklist Form provides an overview of the potential impacts that may or may not result from project implementation.

**Section 4.0 – Environmental Evaluation.** This section contains an analysis of environmental impacts for each resource area identified in the Environmental Checklist.

**Section 5.0 – References.** The section identifies resources used to prepare the Initial Study.

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# 2.0 PROJECT DESCRIPTION

## 2.1 Project Location and Setting

The approximately 2.4-acre project site is located at 2219 W. Orange Avenue (Assessor Parcel Number [APN] 127-102-21), in the City of Anaheim, Orange County, California. The City encompasses approximately 51 square miles in northern Orange County (County). The project site is in the western part of Anaheim, near an unincorporated County island. The project site is located on the north side of Orange Avenue between the signalized intersections of Brookhurst Street to the east and Gilbert Street to the west. State Route 91 (SR-91) provides regional access to the site from the north; Interstate 5 (I-5) provides regional access from the northeast; and SR-39 (Beach Boulevard) provides regional access from the west. Local access to the project site is from Orange Avenue. **Exhibit 1: Regional Vicinity Map** and **Exhibit 2: Site Vicinity Map** show the project site in a regional and local context, respectively.

The project site is developed with the Big Adventure Preschool and Child Care (daycare) facility and a church owned by Faith Lutheran Church of Anaheim (church). Approximately 1.3 acres (eastern area) of the 2.4-acre site is developed with the daycare facility, which is a one-story, 9,100-square-foot (sf) building with an outdoor playground, surface parking, and ornamental landscaping. The remainder of the site (western area) contains the church building with surface parking and ornamental landscaping. The church building is approximately 40 feet tall with a 62-foot steeple (measured from the ground to highest point). The project site frontage along Orange Avenue includes ornamental landscaping (grass lawn, shrubs, and trees) and a sidewalk. East of the project site, utilities are underground on Orange Avenue. Above-ground power poles begin at the property frontage and continue west on Orange Avenue.

**Table 2-1: Existing Land Use** summarizes the land uses on and adjacent to the project site, which are predominantly single-family and multi-family residences, and commercial uses.

**Table 2-1: Existing Land Use**

| Direction | Existing Land Uses |
|---|---|
| On the Site | Big Adventure Preschool and Child Care facility; Faith Lutheran Church of Anaheim west of the daycare facility |
| North | Single-family residential; commercial retail center (Dalati Plaza) |
| South | Orange Avenue; south of Orange Avenue: multiple-family residences (El Cortez Apartments); a single-family residence; commercial retail plaza (CVS Drug Store and Bank of the West). |
| East | Multi-tenant commercial retail strip mall to the east fronting onto Brookhurst Street |
| West | Single-family residences |

## 2.2 Existing General Plan Land Use and Zoning

The City's General Plan Land Use Plan Map depicts the City's land use designations and indicates that the project site has a Residential-Corridor designation.[1] The Residential-Corridor land use designation is intended to provide for housing opportunities along the City's arterial corridors, with densities ranging up to 13 dwelling units per acre (du/ac).

[1] City of Anaheim. (June 2020). *General Plan Land Use Plan*. Retrieved from http://www.anaheim.net/DocumentCenter/View/9519/Z0-GeneralPlan_24x55_Map?bidId=.

The City of Anaheim Zoning Map depicts the City's zoning and indicates the project site is within the "T" Transition Zone.[2] The T Zone "…includes land that is used for agricultural uses, in transitory or interim use, restricted to limited uses because of special conditions, or not zoned to one of the zoning districts in this title for whatever reason, including recent annexation." The development standards for the T Zone are in Anaheim Municipal Code (AMC) Chapter 18.14 (Public and Special Purpose Zone). As addressed later in this section, the proposed project requires a General Plan Amendment and a change of zone.

## 2.3 Project Characteristics

### Tract Map

The project requires approval of a Tentative Tract Map to subdivide the 2.4-acre property into two lots. Lot 1, the westerly lot, is 1.1 acres and contains the church building and surface parking. Lot 2, the easterly lot, is 1.3 acres and would be developed for condominium purposes. The church and associated surface parking would remain on Lot 1 as part of project implementation. The project proposes a single-family attached townhome development on Lot 2.

### General Plan Amendment and Zone Change

The existing General Plan land use designation and zoning district on Lot 1 would not change. Lot 2 would require a General Plan Amendment to change the land use designation from "Residential-Corridor" to "Low-Medium Residential." The Low-Medium Residential designation "…provides for a wide range of residential uses, including detached, small-lot single-family residences, attached single-family residences, patio homes, zero lot line residences, duplexes, townhouses, and mobile home parks." The density range for the Low-Medium Residential land use designation is 0-18 du/ac.

Lot 2 would also require a reclassification to change the zoning from "T" to "RM-3" Multiple-Family Residential. The RM-3 Multiple-Family Residential Zone "…provides attractive, safe and healthy environment with multiple-family units with a minimum building site area per dwelling unit of two thousand four hundred (2,400) square feet." The development standards for the RM-3 Multiple-Family Residential Zone are in AMC Chapter 18.06 (Multiple Family Residential Zones). The RM-3 Zone implements the General Plan Low-Medium Residential General Plan land use designation.

[2] City of Anaheim. (July 2020). *Zoning Map.* Retrieved from https://www.anaheim.net/DocumentCenter/View/1871/Zoning-Map?bidId=.

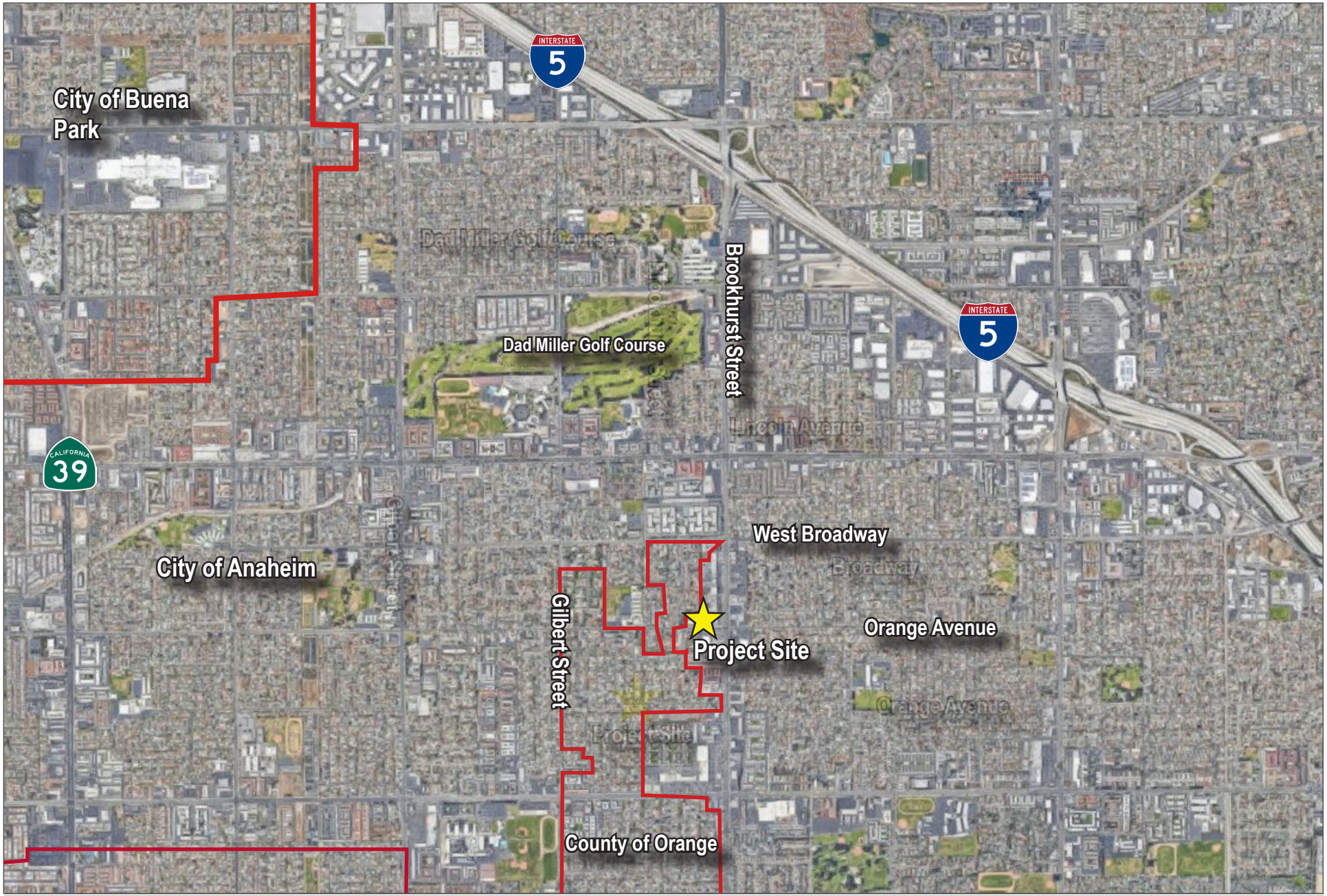


**EXHIBIT 1:** Regional Vicinity Map
Townes at Orange Project

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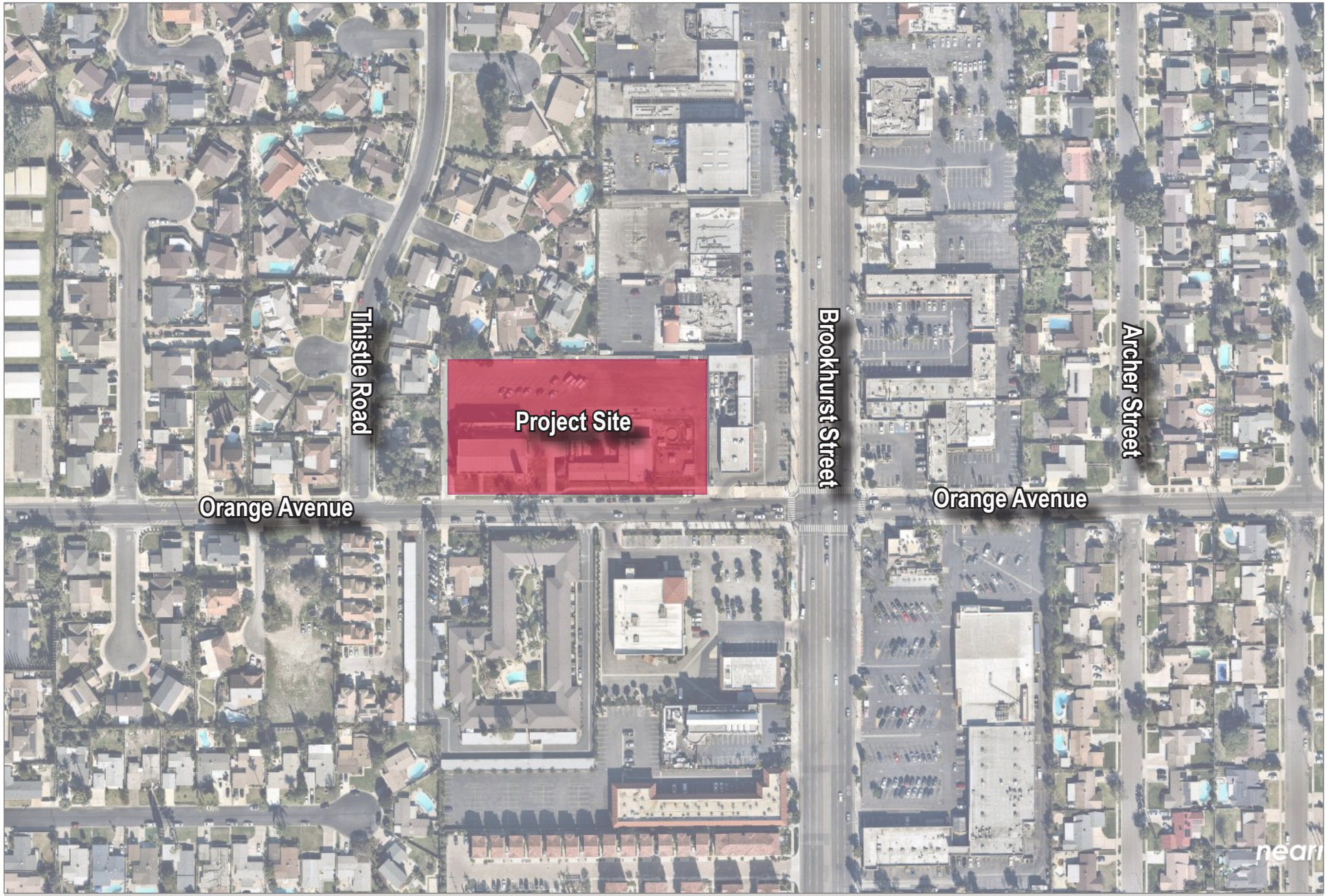


**EXHIBIT 2:** Local Vicinity Map
Townes at Orange Project

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## Site Development

As proposed, the project would demolish the existing daycare facility and construct a 24-unit townhome development on Lot 2. The proposed project includes a Housing Incentive application, pursuant to AMC 18.52 (Housing Incentives). The project would allocate ten percent of units (three units) toward the Moderate Income category[3], which provides the Applicant with a five percent density bonus and one Tier 1 incentive. The Tier 1 incentives include the following:

- Increase in Site Coverage
- Reduction in Minimum Tree Size
- Reduction in Structural Setbacks for an Irregular Lot
- Reduction in Structural Setbacks for a Lot with Multiple Street Frontage
- Increase in the Maximum Building Height (up to four stories) for development over 150 feet from a single-family zone or mobile home park overlay zone
- Reduction in Interior Lot Line Setbacks
- Reduction in Setbacks Between Buildings

The project's Tier 1 incentive is the reduction in interior lot line setbacks, specifically a deviation of setback from three-story primary walls adjacent to single-family residential zones to a minimum of 35 feet, and a minimum of 15 feet adjacent to all other zones.

Accounting for the density bonus, the proposed residential development would be eligible to have an overall density of 19 du/ac. The 24 units would be located in six, three-story residential buildings for an overall density of 18.47 du/ac. Each building would have four townhomes sited around a T-shaped drive aisle. The townhomes would range in size from 1,606 sf to 1,979 sf with second-story balconies. Each townhome would have direct access to an attached two-car garage. The contemporary Spanish architectural design would incorporate a mix of building materials in neutral, muted colors with decorative tiles, medallions, shutters, and planter boxes for articulation. **Exhibit 3: Site Plan**, depicts the proposed residential development. **Table 2-2: Residential Unit Summary** summarizes the proposed townhomes by dwelling unit type.

**Table 2-2: Residential Unit Summary**

| Dwelling Unit Type | Net Square Feet (sf) | Total Units |
|---|---|---|
| Plan 1: 2 Bedroom | 1,606 | 6 |
| Plan 2: 3 Bedroom | 1,734 | 6 |
| Plan 3: 3 Bedroom + Den (Optional 4th Bedroom) | 1,797 | 6 |
| Plan 4-3 Bedroom + Den (Optional 4th Bedroom) | 1,979 | 6 |
| **Total** | | **24** |

Source: Summa Architecture, 2022.

[3] Moderate income buyers are defined as those who earn 80 to 120 percent of the area median income (AMI). The AMI for Orange County, for a family of four is $103,000.

## Open Space and Amenities

AMC Section 18.06.100 specifies that 350 sf of recreational-leisure area per dwelling unit shall be provided for developments within the RM-3 Multiple-Family Residential Zone. The recreational-leisure areas may be provided by private areas, common areas, or a combination of both. Based on the standard, the project requires 8,400 sf of recreational-leisure area (common areas). The project proposes 8,621 sf of recreational-leisure area or an average of 359.2 sf per dwelling unit, which would exceed AMC requirements. The project's recreational-leisure areas are proposed to include common landscape areas in front of the townhome buildings and shared community open space areas with shade structures, barbeques, tables and chairs, lawn areas for small social events, and fire-pits.

The proposed project includes private open space in the form of second-floor balconies ranging from 60 sf to 97 sf. Total private open space totals 1,710 sf or an average of 71.25 sf per unit. The second-floor balconies (private open space) do not comply with the City's size and area requirements (70 sf minimum; 7-foot minimum dimension) in order to be counted as recreational-leisure space. However, as discussed above, the project would still exceed the City's recreational-leisure criteria.

## Architecture, Landscaping, and Lighting

**Exhibit 4A, 4B, and 4C** depicts the project's proposed architectural features. The proposed contemporary urban Spanish design would incorporate a mix of building materials in neutral, muted colors, with decorative tiles, metal grilles and awnings, medallions, shutters, and planter boxes for articulation. Rooftops would be finished in a Mediterranean-style concrete roof tile. Overall, the building would include building offsets with articulated gable-style roofs to vary building massing.

**Exhibit 5: Conceptual Landscape Plan**, depicts the proposed landscaping plan. The project proposes 76 new ornamental trees throughout the project site. Common area landscaping would be provided throughout the project site including the recreational-leisure areas described above. Landscaping in the common areas would include Southern Magnolia, Crape Myrtle, and Marina Strawberry trees. Landscaping would also be provided in front of 6-foot-wide stoops leading to residential units. Four-foot-wide sidewalks would provide connectivity between the residential buildings. A landscaped paseo common area with Australian Willows and hardscape would lead to the two private amenity areas located at the project's western and eastern site boundaries, between Buildings 3 and 5 and between Buildings 4 and 6. Landscaping along the project perimeter would include Italian Cypress and Yew Pine trees. Bougainvillea plants are proposed on perimeter walls at the end of drive aisles.

**Exhibit 6: Conceptual Wall Plan**, depicts the proposed wall plan. The existing solid masonry wall along the northern and eastern project boundaries would be painted. The project's western boundary with the existing church to remain on Lot 1 would have a predominantly six-foot tall stucco over concrete masonry wall with a flat stucco cap. The townhome unit fronting Orange Avenue would have a three-foot tall stucco over concrete masonry wall. The driveway entry would be finished in stamped paving.

The proposed project would have Light-Emitting Diode (LED) pole lights located throughout the project site, including along the guest parking and drive aisles. The project would provide shorter bollard lighting along the pedestrian walkways.

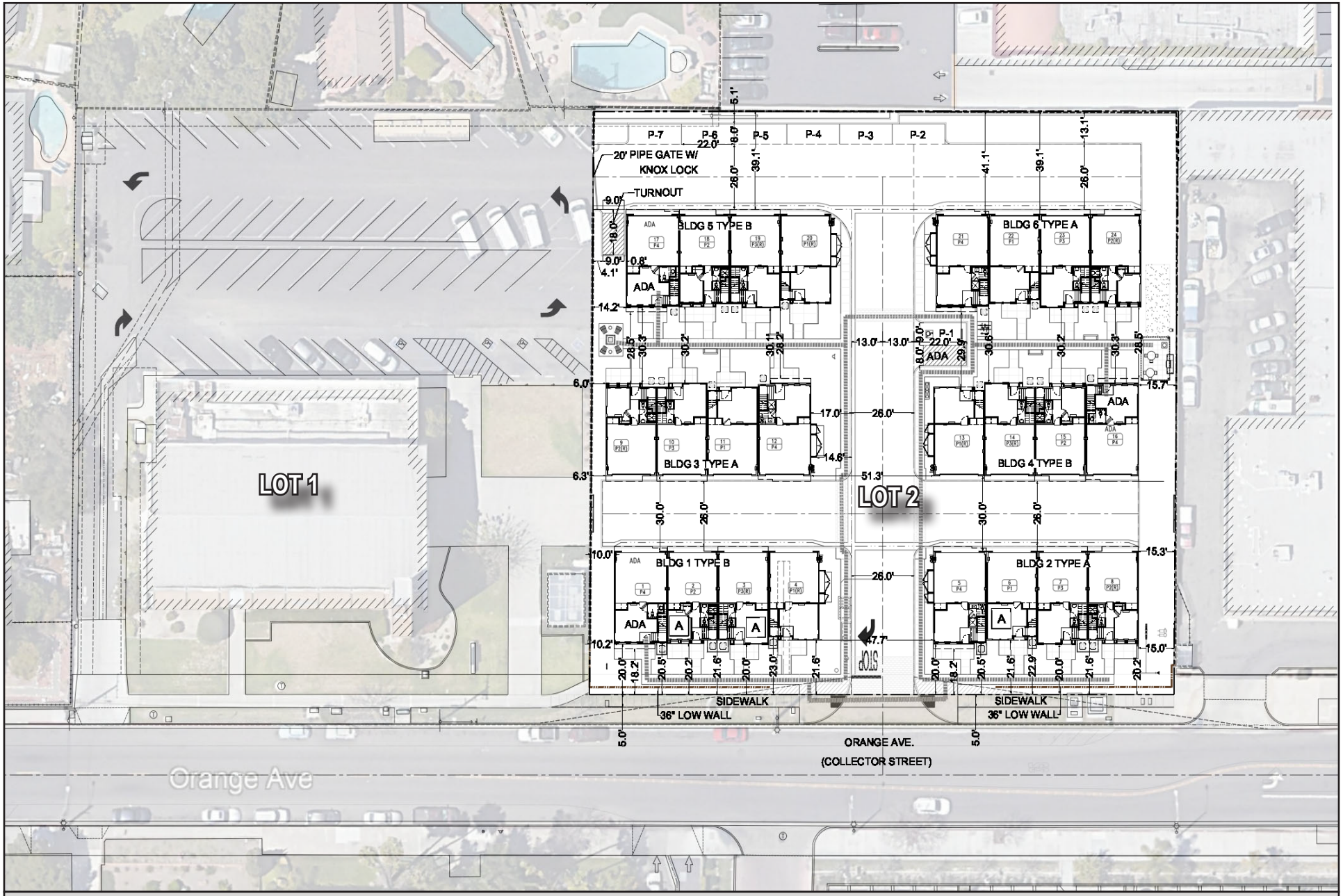


**EXHIBIT 3:** Site Plan
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RIGHT ELEVATION


REAR ELEVATION


LEFT ELEVATION


FRONT ELEVATION

MATERIAL SCHEDULE

1. ROOF - CONCRETE S TILE ROOFING
2. FASCIA - STUCCO OVER SHAPED FOAM CORNICE
3. WALL - EXTERIOR LIGHT DASH FINISH STUCCO
4. RAILING - VERTICAL METAL
5. VINYL WINDOW W/ STUCCO O/ E.P.S. TRIM
6. RECESSED VINYL WINDOW W/ SLOPED SILL
7. DECORATIVE GABLE ACCENT
8. STUCCO CONTROL JOINT
9. DECORATIVE LIGHT FIXTURE
10. DECORATIVE COMPOSITE SHUTTER
11. DECORATIVE METAL POTSHELF
12. DECORATIVE ACCENT TILE
13. DECORATIVE METAL AWNING
14. DECORATIVE SHAPED FOAM CORBELS
15. COMBO RAILING - 2'-0" SOLID / 1'-6" METAL RAILING

**EXHIBIT 4a:** Conceptual Exterior Elevations - Building A

Townes at Orange Project

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RIGHT ELEVATION


REAR ELEVATION


LEFT ELEVATION


FRONT ELEVATION

MATERIAL SCHEDULE

1. ROOF - CONCRETE S TILE ROOFING
2. FASCIA - STUCCO OVER SHAPED FOAM CORNICE
3. WALL - EXTERIOR LIGHT DASH FINISH STUCCO
4. RAILING - VERTICAL METAL
5. VINYL WINDOW W/ STUCCO O/ E.P.S. TRIM
6. RECESSED VINYL WINDOW W/ SLOPED SILL
7. DECORATIVE GABLE ACCENT
8. STUCCO CONTROL JOINT
9. DECORATIVE LIGHT FIXTURE
10. DECORATIVE COMPOSITE SHUTTER
11. DECORATIVE METAL POTSHELF
12. DECORATIVE ACCENT TILE
13. DECORATIVE METAL AWNING
14. DECORATIVE SHAPED FOAM CORBELS
15. COMBO RAILING - 2'-0" SOLID / 1'-6" METAL RAILING

**EXHIBIT 4b:** Conceptual Exterior Elevations - Building B

Townes at Orange Project

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BUILDING B FRONT ELEVATION - ORANGE AVE


BUILDING A FRONT ELEVATION - ORANGE AVE

## MATERIAL SCHEDULE

1. ROOF - CONCRETE S TILE ROOFING
2. FASCIA - STUCCO OVER SHAPED FOAM CORNICE
3. WALL - EXTERIOR LIGHT DASH FINISH STUCCO
4. RAILING - VERTICAL METAL
5. VINYL WINDOW W/ STUCCO O/ E.P.S. TRIM
6. RECESSED VINYL WINDOW W/ SLOPED SILL
7. DECORATIVE GABLE ACCENT
8. STUCCO CONTROL JOINT
9. DECORATIVE LIGHT FIXTURE
10. DECORATIVE COMPOSITE SHUTTER
11. DECORATIVE METAL POTSHELF
12. DECORATIVE ACCENT TILE
13. DECORATIVE METAL AWNING
14. DECORATIVE SHAPED FOAM CORBELS
15. COMBO RAILING - 2'-0" SOLID / 1'-6" METAL RAILING

**EXHIBIT 4c:** Conceptual Exterior Elevations - Orange Avenue Street Elevations
Townes at Orange Project

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**LEGEND**

1. Central community open space area with shade structure, BBQ counter, table and chairs, and lawn area for small social events and group gatherings. See sheet L2- Enlargement Plan.
2. Small pocket, with Adirondacks and fire-pit, for small gatherings. See sheet L2- Enlargement Plan.
3. Two community cluster mailboxes, per USPS review and approval.
4. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.
5. Enhanced stamped paving at main project entry.
6. Proposed tree, per Planting Plan.
7. 4' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
8. Private 6' wide stoop natural colored concrete, with light top-cast finish and saw-cut joints.
9. Accessible parking stall and striping, per Civil plans.
10. Guest parking stall.
11. Natural colored concrete driveway, with light broom finish and tooled joints.
12. Common area landscape, builder installed and HOA maintained.
13. Community dog bag station (black in color), for pet owners.
14. Property line.
15. Public street R.O.W.
16. Proposed public street sidewalk, per Civil plans.
17. Transformer to be screened with landscape, quantity and final locations to be determined.
18. Short term bike parking (2 bike racks to accommodate 4 bike stalls).
19. Proposed AC condenser locations, per Architecture plans.
20. 5' wide enhanced stamped paving pedstrian path.
21. Exisiting wall to remain in place.
22. Proposed vine trellis.
23. Proposed 50'x7' sight triangle.
24. Decorative metal AC screens (approx. 3' high).
25. Proposed concrete u-channel, per Civil Engineer's Plans. One CMU block to be removed where u-channel meets split-face wall for u-channel drainage.
26. 20' wide pipe gate with knox lock.

**EXHIBIT 5:** Conceptual Landscaping Plan

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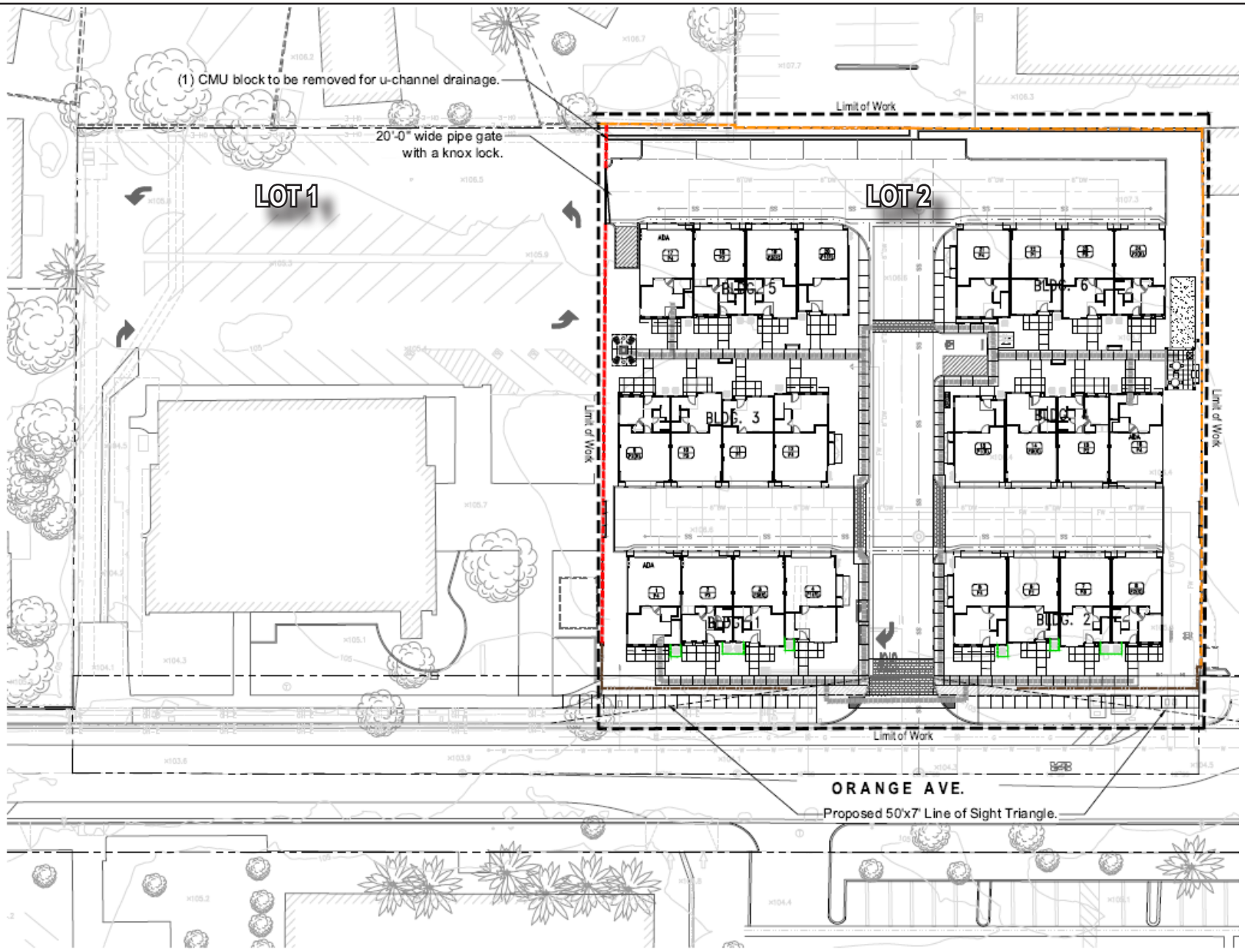


**EXHIBIT 6:** Conceptual Wall Plan
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## Circulation and Parking

**Regional Circulation**. The project site is located west of Brookhurst Street, which is classified as a Major Arterial in the City of Anaheim Circulation Element (July 14, 2020). Brookhurst Street runs in a north-to-south direction and provides access to other primary arterials in the City including Lincoln Avenue and Ball Road, as well as freeway access to both I-5 and SR-91.

**Right-of-Way**. Orange Avenue is identified as a Collector Street in the City of Anaheim Circulation Element. Collector streets are roadways that distribute residential traffic from its point of origin to higher capacity facilities. They are typically two-lane undivided roadways with a 64-foot right-of-way width. Project implementation would require 1,952 sf of the Orange Avenue right-of-way to be abandoned in order to meet the project's development standards (setbacks) and comply with the 64-foot right-of-way requirement per the Anaheim General Plan roadway classification. The right-of-way would shift eight feet to the south, as shown in **Exhibit 7: Orange Avenue Right-of-Way Abandonment**.

**Access**. There are two existing driveways providing access to the site from Orange Avenue. As a part of the project, the easterly driveway on Orange Avenue would be relocated 115 feet west to serve Lot 2. This driveway would provide full ingress and egress onto Orange Avenue. The driveway entrance would be 26 feet wide with 26-foot-wide private drive aisles through the site. The driveway access would lead to a T-shaped drive aisle branching off to provide access to the residential garages. All drive aisles would accommodate standard fire lane turning radii and hammerhead turnaround maneuvers for emergency and fire vehicles. The existing westerly driveway on Lot 1 would remain in its current location.

While both Lot 1 and Lot 2 are designed with separate access and circulation, there would be a shared reciprocal access easement between the two lots for emergency vehicle access (EVA). A gated EVA is proposed at the northwest corner of the residential community near Building 5. The EVA would be 22 feet wide and be gated with a Knox box. In the event of an emergency, emergency personnel can open the gate to allow for fire truck access to the property. The EVA would continue onto Lot 1 and wrap around the existing church until it terminates at the existing church driveway adjacent to Thistle Road.

**Parking.** The church on Lot 1 would have 46 parking spaces, including 3 accessible spaces. The City's parking standard is 2.25 parking spaces for two-bedroom dwelling units, 3.0 parking spaces for three-bedroom dwelling units, and 0.5 space for every additional bedroom. The project proposes 6 two-bedroom units; 6 three-bedroom units; and 12 units with 3 bedrooms plus a den (optional fourth bedroom). The project includes three affordable units. Therefore, the project qualifies for Housing Incentives, which include reduced parking standards. **Table 2-3: Residential Parking Requirements** identifies the number of parking spaces required by unit type pursuant to AMC Chapter 18.42 and 18.52.100 (Parking Ratios – Housing Incentives).

**Table 2-3: Residential Parking Requirements**

| Plan | Dwelling Units | Square Feet/ Bedrooms | Minimum Parking Spaces Per Unit | Parking Required by AMC 18.42 | Parking Required with Density Bonus Development |
|---|---|---|---|---|---|
| 1 | 6 | 1,606/2 | 2.25 | 14 | 2 x 6= 12 |
| 2 | 6 | 1,734/3 | 3.00 | 18 | 2 x 6= 12 |
| 3 | 6 | 1,797/3+Den (Opt. 4) | 3.50 | 21 | 2.5 x 6= 15 |
| 4 | 6 | 1,979/3+Den (Opt.4) | 3.50 | 21 | 2.5 x 6= 15 |
| **Total** | **24** | -- | -- | **74** | **54** |

The proposed residential development would provide 55 parking spaces: 48 garage spaces and seven guest spaces. Guest parking spaces would be located along the project's northern boundary with one guest parking space provided along the main T-shaped drive aisle. The City prohibits curbside parking along the alley-loaded drive aisles leading to residential garages. The proposed project would exceed parking requirements under Housing Incentives.

**Bikeways and Pedestrian Sidewalks.** The Anaheim General Plan Circulation Element and the Bicycle Master Plan (July 14, 2020) identify a planned Class III bikeway on Orange Avenue from Euclid Avenue to Magnolia Avenue. The planned Class III bikeway on Orange Avenue would be located within the existing right-of-way south of the project site. The proposed right-of-way abandonment would not impact the future bikeway; therefore, the proposed project would not impede or interfere with this planned bikeway.

There are existing pedestrian facilities in the project site vicinity. The existing sidewalk adjacent to the project site along Orange Avenue would remain as part of project implementation.

**Transit.** The Orange County Transportation Authority (OCTA) provides public transit services throughout Orange County, including Anaheim. There are several transit stops in the project vicinity on Brookhurst Street. The nearest transit stop is approximately 300 feet east of the project site, south of the intersection of Orange Avenue at Brookhurst Street, which is part of the OCTA Route 35 line. Both northbound and southbound transit stops for OCTA Route 35 are provided on Brookhurst Street.

### Utility Infrastructure

Project implementation would require the construction of new on-site utility infrastructure to serve the residences and associated project amenities. The project would connect these proposed utilities to existing utility infrastructure in adjacent roadways, with the final sizing and design of on-site facilities occurring during final building design and plan check.

**Water and Sewer.** Anaheim Public Utilities is a city-owned, not-for-profit water and electric utility that provides water and electrical services to residents and businesses in Anaheim. The City of Anaheim Public Utilities Department actively monitors the City's water supply by working with regional water supply agencies (i.e., Metropolitan Water District of Southern California and Orange County Water District). Although the site's existing use as a daycare facility has connections to the utility system, the proposed project would provide new connections to the existing municipal water system.

The project site is within the Orange County Sanitation District (OCSAN) jurisdictional boundaries. The proposed project would construct new on-site and off-site sewer lines to convey the proposed project's sewer discharges to the existing sewer line on Orange Avenue; see **Exhibit 8: Utility Plan**.

**Drainage and Water Quality. Exhibit 9: Water Quality Plan** depicts the project's proposed drainage and water quality features. The proposed project would collect flows toward an underground storm drain system, connecting to a detention/infiltration basin. Flows would be pretreated by modular wetland system biofiltration vaults (MWS) prior to entering the basin. The basin would include a drywell system to allow for infiltration and soil percolation. During larger storm events, flows would overflow via an internal weir wall and convey offsite via a parkway drain on Orange Avenue.

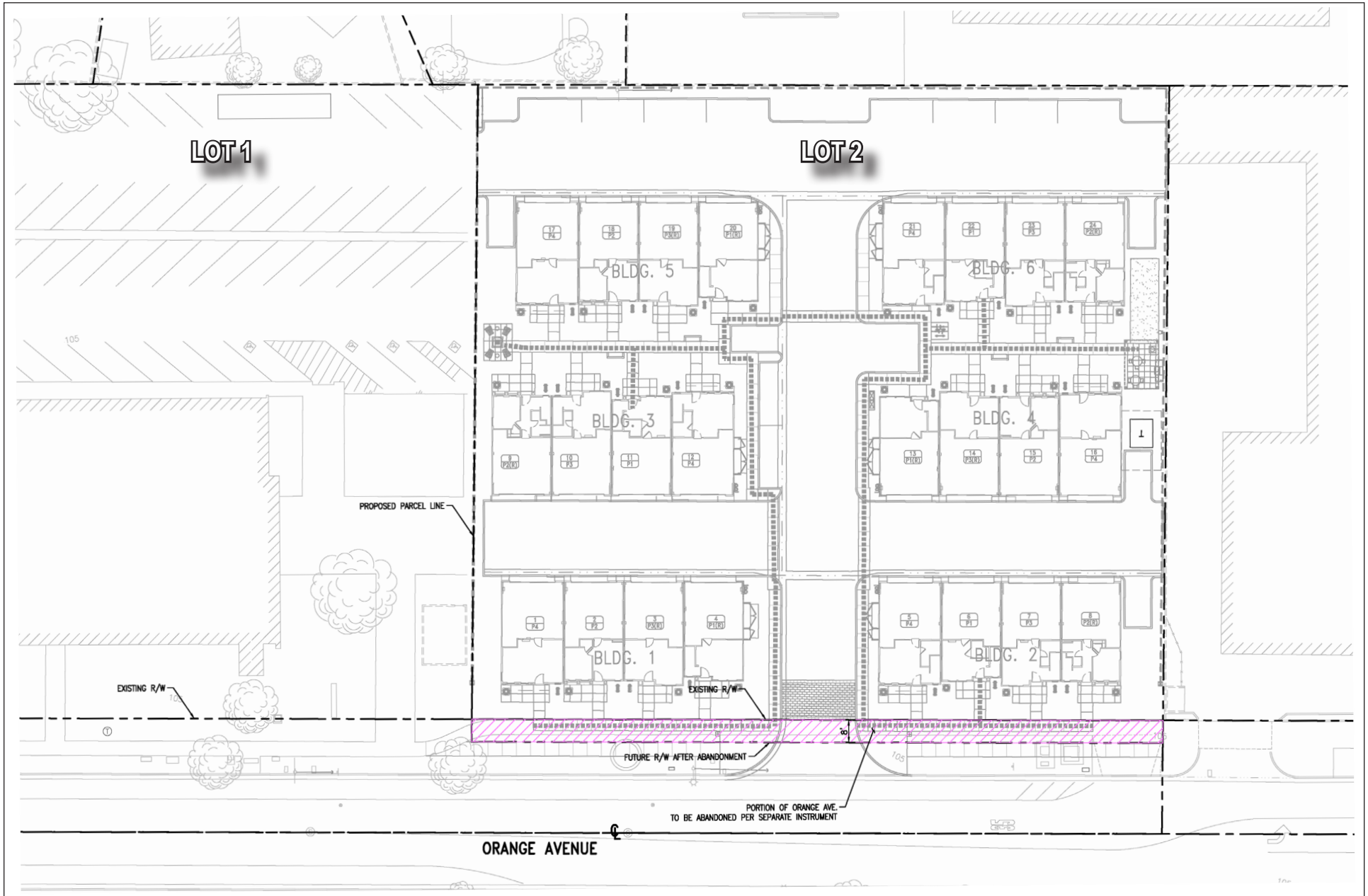


**EXHIBIT 7:** Orange Avenue Right-of-Way Abandonment
Townes at Orange Project

Kimley»Horn

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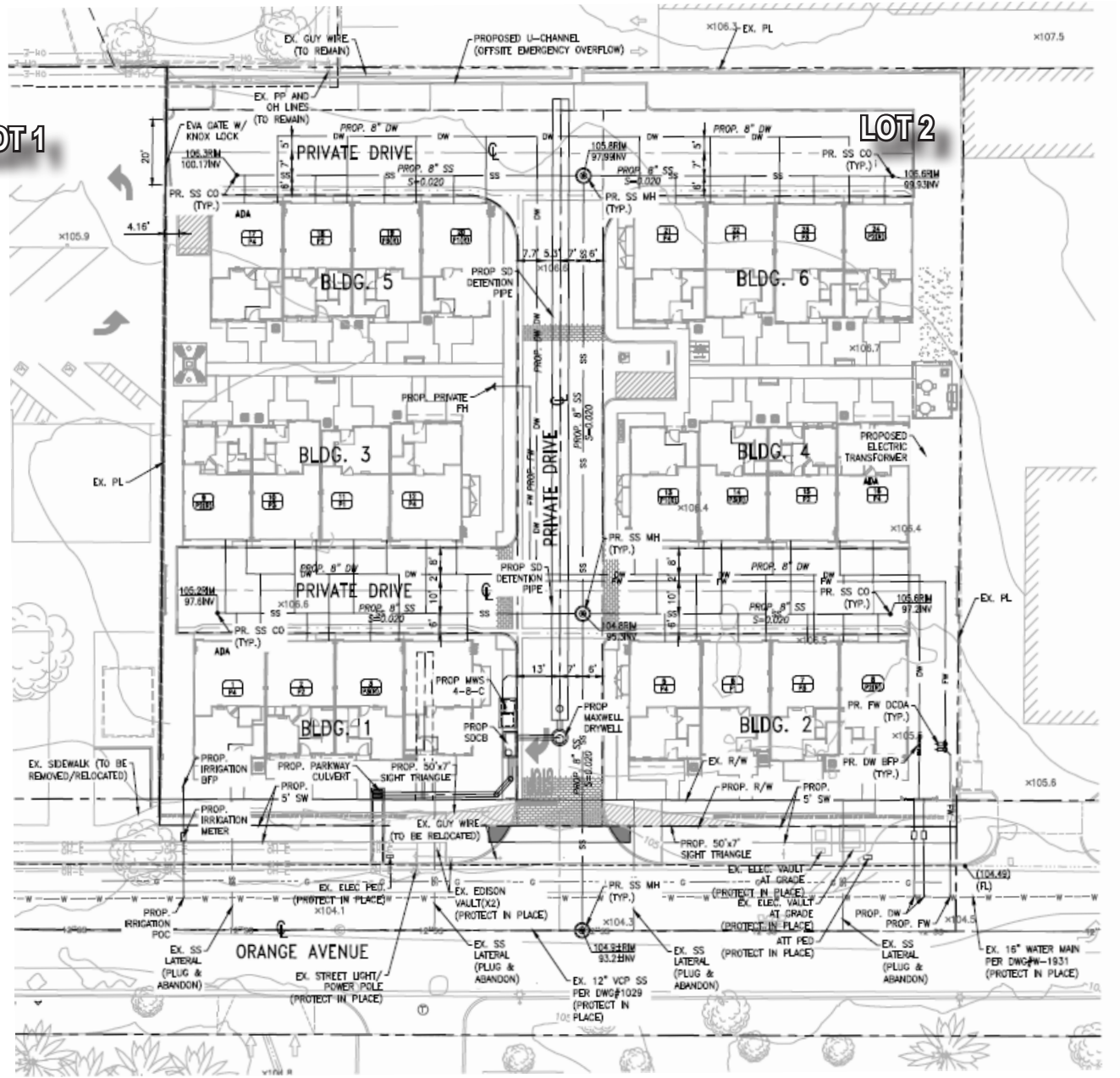


## LEGEND:

- CENTERLINE
- EXISTING BOUNDARY
- PROPOSED BOUNDARY
- SETBACK
- EXISTING LOT LINE
- EXISTING WALL
- PROPOSED WALL
- SITE DISTANCE TRIANGLE
- PROPOSED TURF
- PROPOSED PCC PAVEMENT
- PROPOSED DECORATIVE PAVEMENT
- (X) PROPOSED PARKING SPACE
- ADA PATH OF TRAVEL
- (X / Y) UNIT NUMBER / UNIT TYPE

## ABBREVIATIONS:

| | |
|---|---|
| BNDY | BOUNDARY |
| CB | CATCH BASIN |
| CF | CURB FACE |
| CLF | CHAIN LINK FENCE |
| CO | CLEANOUT |
| DCDA | DOUBLE CHECK DETECTOR ASSEMBLY |
| DI | DROP INLET |
| DW | DOMESTIC WATER |
| DWY | DRIVEWAY |
| ELEC | ELECTRIC |
| ESMT | EASEMENT |
| EVCS | ELECTRIC VEHICLE CHARGING STATION |
| EX. | EXISTING |
| FG | FINISHED GRADE |
| | FLOW LINE |
| | FINISHED FLOOR |
| FH | FIRE HYDRANT |
| | FINISHED SURFACE |
| FW | FIRE WATER |
| GM | GAS METER |
| INV | INVERT |
| LP | LOW POINT |
| MH | MANHOLE |
| MWS | MODULAR WETLANDS SYSTEM |
| NTS | NOT TO SCALE |
| OH | OVERHEAD WIRES |
| PB | PULL BOX |
| PKWY | PARKWAY |
| PL | PROPERTY LINE |
| POC | POINT OF CONNECTION |
| POR | PORTION |
| PP | POWER POLE |
| PROP. | PROPOSED |
| | RADIUS |
| RFM | RESIDENTIAL FIRE METER |
| R/W | RIGHT OF WAY |
| SD | STORM DRAIN |
| SF | SQUARE FEET |
| SS | SANITARY SEWER |
| STD | STANDARD |
| STLT | STREETLIGHT |
| TC | TOP OF CURB |
| TE | TRASH ENCLOSURE |
| TG | TOP OF GRATED INLET |
| TYP. | TYPICAL |
| WM | WATER METER |
| WV | WATER VALVE |

**EXHIBIT 8:** Utility Plan

Townes at Orange Project

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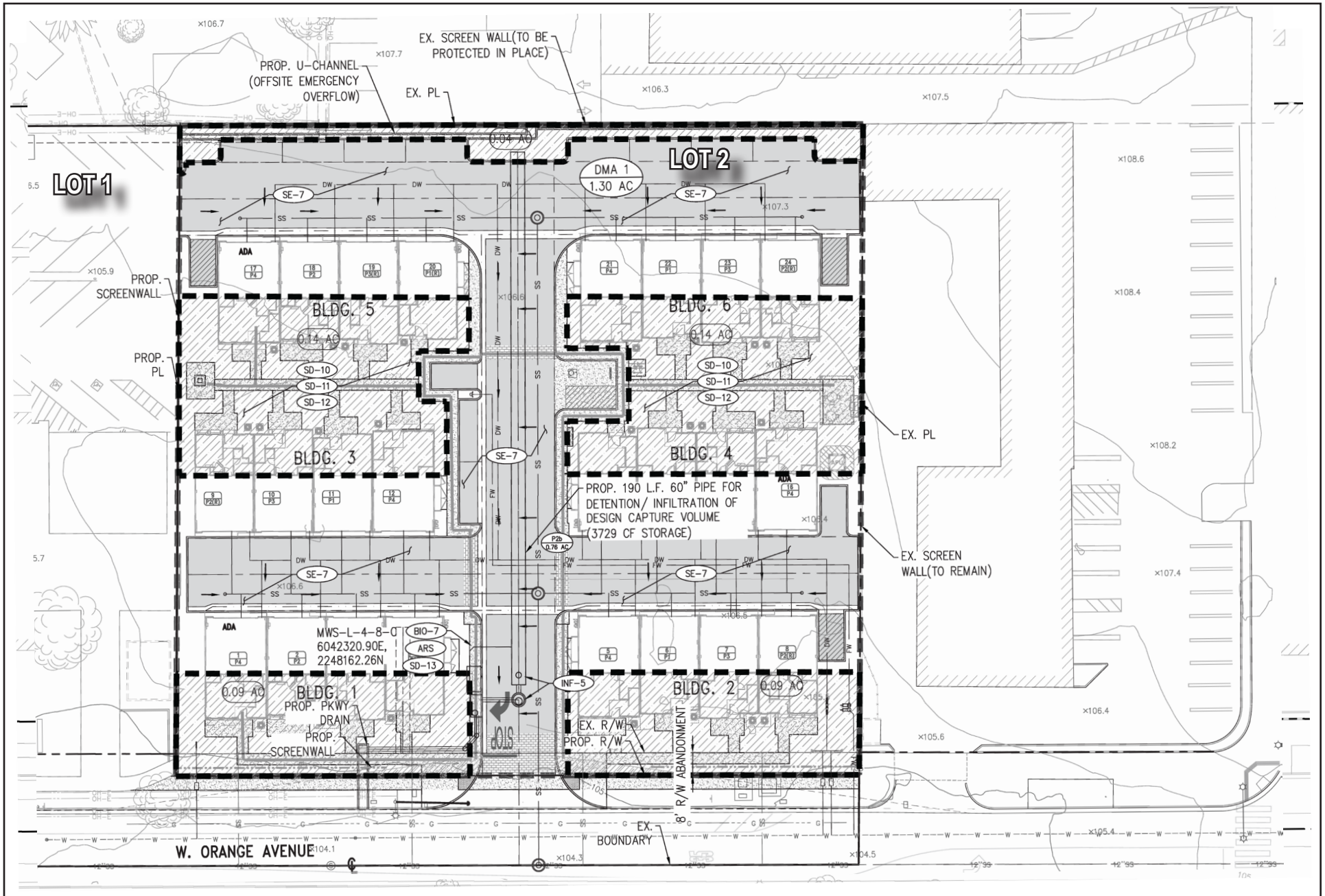


**EXHIBIT 9:** Water Quality Plan
Townes at Orange Project

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**Dry Utilities and Solid Waste Management.** As noted above, Anaheim Public Utilities, which provides electrical power to the project site, operates its own municipal electric system and receives power from conventional resources, including nuclear, coal, renewable, and natural gas and renewable resources. The Southern California Gas Company (SoCalGas) provides natural gas to the project site. The proposed project would connect to existing utility lines, with new utility lines placed underground. Republic Services provides solid waste collection and services to the City. Republic Services would provide individual trash bins to each of the proposed units. Future residents would set up an account with Republic Services and request solid waste and recycle individual bins, to be kept within niche areas in the garages. Future residents would wheel trash bins to designated areas along the main T-shaped drive aisle on trash days.

## 2.4 Construction Activities

The Applicant anticipates that building construction would take approximately nine months, with construction activities occurring in the following sequence:

- Demolition – Approximately 9,100 sf of building material and 27,754 sf of pavement from demolition.
- Site preparation
- Grading – The site will be balanced with approximately 1,624 cubic yards of cut and fill. The project would install all infrastructure (i.e., storm drain, water, wastewater, dry utilities, and street improvements) during grading.
- Building construction
- Paving, architectural coating, and landscaping

## 2.5 Discretionary and Ministerial Approvals

The following discretionary and ministerial actions and/or approvals are required for the proposed project:

- **Adoption of the Initial Study/Mitigated Negative Declaration.** The proposed project requires CEQA compliance through the adoption of an IS/MND prior to project approval. This Initial Study and the proposed MND would serve as the primary environmental document for all actions associated with the approval of the Townes at Orange Project. In addition, this is the primary reference document for the formulation and implementation of a mitigation monitoring and reporting program for the proposed project.
- **Tentative Tract Map.** Tentative Tract Map (SUBTM19192) to subdivide the property into two legal lots (Lot 1 and Lot 2) and allow a condominium subdivision for a 24-unit townhome project on Lot 2.
- **General Plan Amendment.** General Plan Amendment to change a portion of the property's land use designation (Lot 2) from "Residential-Corridor" to "Low-Medium Residential" (0-18 du/ac) to allow for the proposed residential land uses.
- **Zoning Map Amendment (Reclassification).** Reclassification from the "T" Transitional Zone to "RM-3" Multiple-Family Residential Zone on Lot 2 to implement the General Plan Low-Medium Residential land use designation.

- **Density Bonus Application and Tier 1 Housing Incentives.** To allow for a five percent increase in density, application of reduced parking standards, and one Tier 1 incentive, specifically the deviation of setback from three-story primary walls adjacent to interior lot lines, for the provision of 10 percent units of moderate income pursuant to Anaheim Municipal Code 18.52.
- **Demolition, grading, and building permits.**
- **Right-of-Way Abandonment.** To allow the project to meet the applicable zoning district development standards (setbacks) and comply with the 64-foot right-of-way requirement per the Anaheim General Plan roadway classification.
- **Conditional Use Permit.** Conditional Use Permit to allow multiple-family residential uses on the project site with modified standards for interior setbacks, and the setback between residential buildings on the site.
- **Termination of Conditional Use Permit CUP 3468A.** CUP 3468A allows for the existing classroom use on Lot 2. The sanctuary building, school classrooms, and ancillary areas will be demolished, therefore the existing CUP 3468A would be terminated.
- **Other.** Any other permit or approval required by an agency with jurisdiction over the project.

# 3.0 INITIAL STUDY CHECKLIST

## Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. The project will not have any Potentially Significant Impacts (significant unavoidable impacts).

- ☐ Aesthetics
- ☐ Air Quality
- ☐ Agricultural and Forestry Resources
- ☐ Biological Resources
- ☐ Cultural Resources
- ☐ Energy
- ☐ Geology/Soils
- ☐ Greenhouse Gas Emissions
- ☐ Hazards & Hazardous Materials
- ☐ Hydrology/Water Quality
- ☐ Land Use/Planning
- ☐ Mineral Resources
- ☐ Noise
- ☐ Population/Housing
- ☐ Public Services
- ☐ Recreation
- ☐ Transportation
- ☐ Tribal Cultural Resources
- ☐ Utilities/Service Systems
- ☐ Wildfire
- ☐ Mandatory Findings of Significance

## Determination

On the basis of this initial evaluation (check one):

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

**CERTIFICATION:**

Prepared by:

Kimley-Horn and Associates, Inc.

Reviewed by:

Heather Allen, AICP, City of Anaheim

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# ENVIRONMENTAL CHECKLIST

| ENVIRONMENTAL IMPACTS<br>Issues | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|---|
| **1.** | **AESTHETICS. Except as provided in Public Resources Code §21099, would the project:** | | | | |
| a) | Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☐ | ☒ |
| b) | Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |
| c) | In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | ☐ | ☐ | ☒ | ☐ |
| d) | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☒ | ☐ |
| **2.** | **AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:** | | | | |
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| b) | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c) | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))? | ☐ | ☐ | ☐ | ☒ |
| d) | Result in the loss of forest land or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | ☐ | ☐ | ☐ | ☒ |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:** | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? | ☐ | ☐ | ☒ | ☐ |
| c) Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☐ | ☒ | ☐ |
| d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ |
| **4. BIOLOGICAL RESOURCES. Would the project:** | | | | |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☒ | ☐ |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | ☐ | ☐ | ☐ | ☒ |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological | ☐ | ☐ | ☐ | ☒ |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☐ | ☒ | ☐ |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☐ | ☒ | ☐ |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☐ | ☒ |
| **5. CULTURAL RESOURCES. Would the project:** | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5? | ☐ | ☐ | ☐ | ☒ |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☐ | ☒ | ☐ | ☐ |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | ☐ | ☐ | ☒ | ☐ |
| **6. ENERGY. Would the project:** | | | | |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | ☐ | ☐ | ☒ | ☐ |
| **7. GEOLOGY AND SOILS. Would the project:** | | | | |
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | ☐ | ☐ | ☐ | ☒ |
| ii) Strong seismic ground shaking? | ☐ | ☒ | ☐ | ☐ |
| iii) Seismic-related ground failure, including liquefaction? | ☐ | ☒ | ☐ | ☐ |
| iv) Landslides? | ☐ | ☐ | ☐ | ☒ |
| b) Result in substantial soil erosion or the loss of topsoil? | ☐ | ☐ | ☒ | ☐ |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | ☐ | ☐ | ☒ | ☐ |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? | ☐ | ☐ | ☒ | ☐ |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | ☐ | ☐ | ☐ | ☒ |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☒ | ☐ | ☐ |
| **8. GREENHOUSE GAS EMISSIONS. Would the project:** | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | ☐ | ☐ | ☒ | ☐ |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | ☐ | ☐ | ☒ | ☐ |
| **9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:** | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☒ | ☐ |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☒ | ☐ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☒ | ☐ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☐ | ☒ |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☒ | ☐ |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | ☐ | ☐ | ☐ | ☒ |
| **10. HYDROLOGY AND WATER QUALITY. Would the project:** | | | | |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? | ☐ | ☐ | ☒ | ☐ |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | ☐ | ☐ | ☒ | ☐ |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | | | | |
| i) Result in substantial erosion or siltation on- or off-site? | ☐ | ☐ | ☒ | ☐ |
| ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? | ☐ | ☐ | ☒ | ☐ |
| iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | ☐ | ☐ | ☒ | ☐ |
| iv) Impede or redirect flood flows? | ☐ | ☐ | ☐ | ☒ |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | ☐ | ☐ | ☐ | ☒ |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | ☐ | ☐ | ☒ | ☐ |
| **11. LAND USE AND PLANNING. Would the project:** | | | | |
| a) Physically divide an established community? | ☐ | ☐ | ☐ | ☒ |
| b) 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? | ☐ | ☐ | ☒ | ☐ |
| **12. MINERAL RESOURCES. Would the project:** | | | | |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☒ |
| **13. NOISE. Would the project result in:** | | | | |
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☒ | ☐ |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | ☐ | ☐ | ☒ | ☐ |
| c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **14. POPULATION AND HOUSING. Would the project:** | | | | |
| a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☒ | ☐ |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☐ | ☒ |
| **15. PUBLIC SERVICES. Would the project result in** | | | | |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| i) Fire protection? | ☐ | ☐ | ☒ | ☐ |
| ii) Police protection? | ☐ | ☐ | ☒ | ☐ |
| iii) Schools? | ☐ | ☐ | ☒ | ☐ |
| iv) Parks? | ☐ | ☐ | ☒ | ☐ |
| v) Other public facilities? | ☐ | ☐ | ☒ | ☐ |
| **16. RECREATION. Would the project:** | | | | |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☒ | ☐ |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☒ | ☐ |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| **17. TRANSPORTATION. Would the project:** | | | | |
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | ☐ | ☐ | ☒ | ☐ |
| b) Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)? | ☐ | ☐ | ☒ | ☐ |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | ☐ | ☐ | ☒ | ☐ |
| d) Result in inadequate emergency access? | ☐ | ☐ | ☒ | ☐ |
| **18. TRIBAL CULTURAL RESOURCES. Would the project:** | | | | |
| a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California | | | | |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k)? | ☐ | ☐ | ☒ | ☐ |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | ☐ | ☒ | ☐ | ☐ |
| **19. UTILITIES AND SERVICE SYSTEMS. Would the project:** | | | | |
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | | | | |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| i) Water | ☐ | ☐ | ☒ | ☐ |
| ii) Wastewater Treatment | ☐ | ☐ | ☒ | ☐ |
| iii) Electric Power, Natural Gas, Telecommunications | ☐ | ☐ | ☒ | ☐ |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? | ☐ | ☐ | ☒ | ☐ |
| c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☒ | ☐ |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | ☐ | ☐ | ☒ | ☐ |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | ☐ | ☐ | ☒ | ☐ |
| f) Result in a need for new systems or supplies, or substantial alternations related to electricity? | ☐ | ☐ | ☒ | ☐ |
| g) Result in a need for new systems or supplies, or substantial alternations related to natural gas? | ☐ | ☐ | ☒ | ☐ |
| h) Result in a need for new systems or supplies, or substantial alternations related to telephone service? | ☐ | ☐ | ☒ | ☐ |
| i) Result in a need for new systems or supplies, or substantial alternations related to television service/reception? | ☐ | ☐ | ☒ | ☐ |
| **20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:** | | | | |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | ☐ | ☐ | ☐ | ☒ |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | ☐ | ☐ | ☐ | ☒ |

| ENVIRONMENTAL IMPACTS<br>Issues | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|---|---|---|---|
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | ☐ | ☐ | ☐ | ☒ |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | ☐ | ☐ | ☐ | ☒ |
| **21. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:** | | | | |
| a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | ☐ | ☐ | ☒ | ☐ |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | ☐ | ☐ | ☒ | ☐ |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | ☐ | ☐ | ☒ | ☐ |

# 4.0 ENVIRONMENTAL ANALYSIS

## 4.1 Aesthetics

**Threshold (a) Would the project have a substantial adverse effect on a scenic vista?**

**No Impact.** The *City of Anaheim General Plan Green Element* specifies that natural slopes are considered the primary aesthetic resources in the City's (Anaheim) Hill and Canyon Area.[4] Other scenic amenities such as golf courses and the Santa Ana River also provide visual relief from the built environment and are important visual amenities and landmarks. The project site is in West Anaheim, approximately 23 miles west of the Santa Ana Mountains and approximately 10 miles west of the Hill and Canyon Area. Further, the Dad Miller Golf Course is approximately 0.8 mile north of the project site. General Plan Green Element Goal 2.1 aims to preserve views of ridgelines, natural open space, and other scenic vistas wherever possible. The project site is characterized by flat topography and bordered by predominantly single-family and multi-family residences, and commercial uses (see Table 2-1); there are no scenic views of the mountains and or golf course because of the distance from these resources and intervening land use. Therefore, the proposed project would not significantly affect public viewpoints of these scenic vistas. No public scenic viewpoints are present within the project area. Therefore, the proposed project would not have an adverse effect on a scenic vista and no mitigation is required.

**Threshold (b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?**

**No Impact.** There are no State- or County-designated scenic highways near the project site.[5] General Plan Circulation Element Figure C-3, Scenic Highways, depicts the City's locally designated highways and expressways. The project site is not located near any locally designated highways or expressways. The nearest State-designated scenic highway to the project site is a segment of SR-91 located approximately eight miles to the east. Further, the project site is currently developed and there are no scenic resources (e.g., trees of significance, rock outcroppings, or historic buildings) on the site. Due to the distance between the project site and the nearest designated scenic highway and intervening topography, no impacts would occur. Therefore, the proposed project would not damage scenic resources within a State scenic highway and no mitigation is required.

**Threshold (c) Would the project conflict with applicable zoning and other regulations governing scenic quality?**

**Less Than Significant Impact.** The project site is within an urbanized area of West Anaheim. Land uses proximate to the project site include single-family and multi-family residences and commercial uses (see Table 2-1). Specifically, the project site is bordered by single-family residences along Theresa Avenue (located within unincorporated Orange County) and commercial retail (Dalati Plaza commercial strip) to the north, another separate commercial retail strip mall to the east, multi-family residences south of Orange Avenue (El Cortez Apartments), and a commercial retail plaza (CVS Drug Store and Bank of the West) to the south, and single-family residences to the west on Thistle Road (located within unincorporated Orange County). The project would demolish the existing Big Adventure Preschool and Child Care facility use and construct 24, three-story townhomes at a density of 18.47 du/ac. The proposed

[4] City of Anaheim. (July 2020). *City of Anaheim General Plan Green Element.*

[5] California Department of Transportation. (2011). *California Scenic Highways.* Available at https://www.arcgis.com/home/webmap/viewer.html?layers=f0259b1ad0fe4093a5604c9b838a486a. Accessed May 29, 2022.

townhomes would have a maximum height of 37 feet 9 inches, which would be below the RM-3 Multiple-Family Residential Zone's maximum height limit of 40 feet.

The applicable zoning for the project site and surrounding properties are as follows:

- Project Site: (Existing) T Zone (AMC Chapter 18.14); (Proposed) RM-3 (AMC Chapter 18.06)
- North: General Commercial Zone (AMC Chapter 18.08)
- South: RM-4 and General Commercial Zone (AMC Chapter 18.06 and 18.08)
- East: General Commercial Zone (AMC Chapter 18.08)
- West: T Zone (AMC Chapter 18.14)

The Municipal Code regulations specified above do not provide standards governing scenic quality. Additionally, the Scenic Corridor (SC) Overlay Zone, which governs scenic quality in certain areas of the City, does not apply to the project site or the surrounding properties. The City would ensure compliance with all required development standards through the City's Planning and Building Department's review during the application process and future review of building permits. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (d) Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?**

**Less Than Significant Impact.** The project site is in an urbanized area with existing light sources, which include streetlights on Orange Avenue, residential and commercial lighting, and vehicle headlights and traffic signals. No nighttime construction is proposed and construction activities would be subject to AMC Section 6.70.010, which restricts construction activities to between the hours of 7:00 AM and 7:00 PM. Therefore, the proposed project would not require construction lighting, except for security and safety lighting.

The proposed project would generate lighting from two primary sources: lighting from building interiors that would pass through windows, and lighting from exterior sources (e.g., parking area lighting, building illumination, security lighting, and landscape lighting). This lighting is typical of lighting proposed for multiple-family residential developments. Additionally, the proposed on-site amenities and walkways would provide lighting for wayfinding.

The project's outdoor parking area lighting would be subject to compliance with AMC Sections 18.42.090.030.0301 and 18.42.090.030.302, which requires a minimum lighting measurement of one foot-candle with a minimum 15:1 uniformity ratio and mandates light to be arranged to reflect the light away from adjoining residential premises and prevents lighting from exceeding 12 feet in height. In addition, the City's Planning and Building Department would review any proposed lighting to ensure conformance with the California Building Code, Title 24 (California Code of Regulations), as well as the California Green Building Standard Code (Part 11 of Title 24, California Code of Regulations), such that only the minimum amount of lighting is used, and no light spillage occurs. Although the proposed project would introduce new light sources, the surrounding area is urban with multiple sources of illumination. The proposed lighting conditions would be similar to that currently found near the project site, which would not cause adverse effects; therefore, a less than significant impact would occur and no mitigation is required.

Sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials can cause reflected light (glare). Buildings constructed of highly reflective materials from which the sun reflects at a low angle commonly cause adverse glare. The project does not propose the use of materials known to cause glare, such as mirrored/reflective glass. Therefore, impacts would be less than significant and no mitigation is required.

### Cumulative Impacts

When evaluating cumulative aesthetic impacts, a number of factors were considered. The cumulative study area for aesthetic impacts is the viewshed that includes the project site and immediately surrounding areas. The context in which the public views a project will also influence the significance of the aesthetic impact. The contrast a project has with its surrounding environment is in relation to other cumulative projects. For example, if most of an area becomes urbanized, the contrast of a project with the natural surroundings may be less since it would not stand out in contrast as much. In order for a cumulative aesthetic impact to occur, the aesthetic impacts from cumulative projects would need to occur within the same geographic area to substantially alter the existing viewshed or existing scenic character of an area. The cumulative projects would need to be visible together or near each other so a viewer could perceive them in the same view.

There are no vacant or open space properties adjacent to or in the project site's immediate vicinity or viewshed, or sites proposed for development. Other potential future projects in the viewshed would likely be renovations or rehabilitations because of existing development bordering the project site. No cumulative visual impacts would occur.

### Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are applicable or required.

## 4.2 Agriculture and Forestry Resources

**Threshold (a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use?**

**No Impact.** The project site and surrounding area are developed and located in an urban environment. The State of California Department of Conservation, Farmland Mapping and Monitoring Program designates the project site as Urban and Built-Up Land, which is defined as land developed at a density of at least 1 dwelling unit per 1.5 acres, or approximately 6 structures to a 10-acre parcel. There is no Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or Farmland of Local Importance on the project site or in its vicinity.[6] In addition, the proposed project would not convert any farmland to non-agricultural use. Therefore, no impact would occur and no mitigation is required.

**Threshold (b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?**

**No Impact.** The project site is located within the "T" Zone. The T Zone includes land used for agricultural uses, in a transitory or interim use, restricted to limited uses because of special conditions, or not zoned to one of the other zoning districts, including recent annexation. The project site is developed with a daycare facility and surface parking; it is not currently under agricultural use. In addition, the proposed project would amend the Zoning Map to reclassify the eastern portion project site (Lot 2) from the T Zone to the RM-3 Zone, a multiple-family residential zone. A Williamson Act contract between local governments and private landowners restricts specified parcels of land to agricultural or related open space use in return for a lower property tax assessment. The site is not under a Williamson Act contract. Therefore, no impacts would occur and no mitigation is required.

**Threshold (c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104 (g))?**

**Threshold (d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** The project site is within the T Zone; there is no existing zoning for forest land, timberland, or timberland zoned for production in the City. There are no forest or timberland resources on the project site and the proposed zoning would not permit such uses. The proposed project would not conflict with existing zoning for forest land, timberland, or timberland production. Therefore, no impact would occur and no mitigation is required.

**Threshold (e) Would the project involve other changes in the existing environment which, due to their location or nature could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest land?**

**No Impact.** The project site and surrounding area do not contain farmland or forest land. Therefore, project implementation would not directly or indirectly result in the conversion of property from

[6] California, State of, Department of Conservation, California Important Farmland Finder, https://maps.conservation.ca.gov/dlrp/ciff/, accessed May 27, 2022.

agricultural or timberland uses to non-agricultural or non-forest land uses. No impact would occur and no mitigation is required.

## Cumulative Impacts

The project site is located within the T Zone, bordered by single-family and multi-family residences, and commercial uses (see Table 2-1). The project site is developed as the Big Adventure Preschool and Child Care facility use and surface parking lot; is not currently an agricultural use. In addition, the proposed project would amend the Zoning Map to reclassify the eastern portion of the project site (Lot 2) from the T Zone to the RM-3 Zone, a multiple-family residential zone. Further, the City has not zoned the project site for forestry-related uses. Project implementation would not impact agricultural and forestry resources. Further, the General Plan does not identify any agricultural or forestry resources within the City. Therefore, no cumulative impacts would occur.

## Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

## 4.3 Air Quality

Kimley-Horn has conducted an air quality analysis for the proposed project. The output and results of the air quality modeling are included in **Appendix A: Air Quality and Greenhouse Gas Data** and summarized below.

**Threshold (a) Would the project conflict with or obstruct implementation of the applicable air quality plan?**

**Less Than Significant Impact.** The project site is in the South Coast Air Basin (Air Basin) which includes all of Orange County and the non-desert portions of San Bernardino, Los Angeles, and Riverside counties. The Air Basin is approximately 6,600 square miles extending from the Pacific Ocean to the San Gabriel, San Bernardino, and San Jacinto Mountains. The Air Basin is a coastal plain with broad valleys and low hills and a semi-arid climate. The South Coast Air Quality Management District (South Coast AQMD) and the California Air Resources Board (CARB) monitor air quality within the Air Basin.

In this Air Basin, South Coast AQMD and the Southern California Association of Governments (SCAG) prepare the Air Quality Management Plan (AQMP). Air quality plans describe strategies to control air pollution and measures for implementation by a city, county, region, and/or air district. An AQMP's primary purpose is to bring an area that does not attain federal, and State, air quality standards into compliance with the federal Clean Air Act and California Clean Air Act requirements. The AQMP uses the term "non-attainment" to describe an air basin that exceeds one or more ambient air quality standards. In addition, the goal of AQMPs is to ensure that an area maintains a healthful level of air quality based on the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS).

The current plan is the 2016 AQMP adopted on March 3, 2017. The 2016 AQMP meets the State and federal Clean Air Act planning requirements and focuses on federal ozone and ultra-fine particulate matter ($PM_{2.5}$) standards. The South Coast AQMD prepared the 2016 AQMP to accommodate growth, reduce the high levels of pollutants within the areas under the jurisdiction of South Coast AQMD, and attain clean air within the region. In order for a project to be consistent with the AQMP, it would have been included in the projections used to formulate the AQMP.

The South Coast AQMD's CEQA Handbook identifies two key indicators of consistency with the AQMP:

1. Whether a project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
2. Whether a project will exceed the assumptions in the AQMP based on the year of project buildout and phase.

According to the South Coast AQMD's CEQA Air Quality Handbook, the purpose of the consistency finding is to determine if a project is inconsistent with the AQMP assumptions and objectives, and therefore if it would interfere with the region's ability to comply with CAAQS and NAAQS.

Concerning the first criterion, based on the air quality modeling analysis conducted for the proposed project, project construction and operations would not result in significant impacts based on the South Coast AQMD thresholds of significance; therefore, project construction and operations would not increase the frequency or severity of existing air quality violations. The proposed project would not contribute to the exceedance of any air pollutant concentration standards.

Concerning the second criterion, SCAG has developed growth forecasts for cities and counties, which are based on General Plans and included in SCAG's *Connect SoCal 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS). In turn, the South Coast AQMD uses the SCAG's growth forecasts to develop the 2016 AQMP.

Since the project site has a General Plan designation of Residential-Corridor, population growth is assumed for the project site under the existing General Plan and SCAG forecasts. As a part of the proposed project, the land use designation would change to allow for a higher residential density: Low-Medium Residential at 0-18 du/ac. The analysis from Threshold 4.14a determined that the forecasted population increase for the proposed project would be approximately 76 persons and would represent nominal population growth (only approximately 0.02 percent) over SCAG's forecast population for the City of 416,800 persons by 2045. Therefore, the project would not induce substantial population growth in the City directly by proposing new housing. Additionally, the project would not induce unplanned population growth in the City directly by proposing new businesses or indirectly through the extension of roads or other infrastructure to unserved areas. As such, the proposed project would not interfere with attainment because this growth is nominal and would not conflict with the projections used to formulate the AQMP.

Further, as addressed in the following analysis, total project emissions are less than the South Coast AQMD significance thresholds and localized emissions during construction and operations would not exceed South Coast AQMD Localized Significance Thresholds; see Thresholds 4.3b and 4.3c below. The project-related emissions increase would not interfere with the South Coast AQMP or attainment of ambient air quality standards. Therefore, project emissions would not be greater than those anticipated in the AQMP. As such, the project would be consistent with Criterion No. 2.

The determination of South Coast AQMP consistency is primarily concerned with the long-term influence of a project on the Air Basin's air quality. The proposed project would not result in a long-term impact on the region's ability to meet the standards for federal and State air quality. In addition, the proposed project would be consistent with the South Coast AQMP goals and policies for controlling fugitive dust.

**Threshold (b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

## Construction Emissions

**Less Than Significant Impact.** Both the U.S. Environmental Protection Agency (U.S. EPA) and CARB in the California CAAQS identify air quality standards in Southern California. The air quality standards of the following five criteria pollutants relate to development projects: ozone ($O_3$), carbon monoxide (CO), nitrogen dioxide ($NO_2$), sulfur dioxide ($SO_2$), and particulate matter ($PM_{10}$ and $PM_{2.5}$). Of these criteria pollutants, the Air Basin, in which Anaheim lies, is designated non-attainment for $O_3$ and particulate matter, meaning the Air Basin has recorded exceedances of the air quality standards for these pollutants in recent years.[7]

The project's construction activities would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the project area include ozone-precursor pollutants (i.e., reactive organic gases [ROG] and nitrogen oxides [$NO_X$]) and $PM_{10,}$ and $PM_{2.5}$. Construction-generated emissions are short-term and of temporary duration, lasting only as long as construction activities occur,

[7] A portion of the Air Basin in Los Angeles County is also designated as a non-attainment basin for lead, which is not a criteria pollutant that is relevant to this project, since air emissions of lead would not be generated by the project.

but would be considered a significant air quality impact if the volume of pollutants generated would exceed the South Coast AQMD's thresholds of significance.

Construction equipment would include graders, dozers, rollers, rubber-tired loaders, tractors, and pavers. The basis for exhaust emission factors for typical diesel-powered heavy equipment is the California Emissions Estimator Model (CalEEMod) program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of the construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the number of materials to be transported on or off the site. The analysis of daily construction emissions has been prepared using CalEEMod.

In accordance with the South Coast AQMD Guidelines, CalEEMod was used to model construction emissions for ROG, $NO_X$, CO, $SO_X$, $PM_{10}$, and $PM_{2.5}$. $NO_X$ is a family of highly reactive gases that are a primary precursor to the formation of ground-level $O_3$ and react in the atmosphere to form acid rain. $NO_2$ (often used interchangeably with $NO_x$) is a reddish-brown gas that can cause breathing difficulties at high levels. Peak readings of $NO_2$ occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations). Sulfur oxides ($SO_X$) belong to the family of sulfur oxide gases that are formed when fuel containing sulfur from coal and oil is burned and during industrial metal smelting processes. $SO_2$ contributes to respiratory illness, particularly in children and the elderly, and aggravates existing heart and lung diseases.

CalEEMod allows the user to input measures such as watering the construction area to limit fugitive dust. Standard conditions were input into CalEEMod to allow for certain reduction credits (i.e., compliance with South Coast AQMD rules) to result in a decrease in pollutant emissions. The basis for reduction credits are studies developed by CARB, South Coast AQMD, and other air quality management districts throughout California, which were programmed within CalEEMod. **Table 4.3-1**: **Construction Emissions** identifies the project's anticipated daily short-term construction emissions, assuming reductions associated with Standard Condition (SC) AQ-1 (Dust Control) and SC AQ-2 (Architectural Coatings). The project would be required to adhere to South Coast AQMD Rules 402 and 403, as part of SC AQ-1 to reduce $PM_{10}$ and $PM_{2.5}$ emissions resulting from fugitive dust and Rule 1113 as part of SC AQ-2 to reduce ROG emissions.

**Table 4.3-1: Construction Emissions**

| Emissions Source | Pollutant (pounds per day) [a, b] | | | | | |
|---|---|---|---|---|---|---|
| | **ROG** | **$NO_X$** | **CO** | **$SO_2$** | **$PM_{10}$** | **$PM_{2.5}$** |
| Construction 2024 | 7.93 | 41.14 | 30.23 | 0.07 | 8.29 | 4.52 |
| *South Coast AQMD Threshold* | *75* | *100* | *550* | *150* | *150* | *55* |
| **South Coast AQMD Threshold Exceeded?** | **No** | **No** | **No** | **No** | **No** | **No** |

ROG: reactive organic gases; NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; $PM_{10}$: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter.

a. Emissions were calculated using the California Emissions Estimator Model (CalEEMod), as recommended by the South Coast AQMD. See **Appendix A**.

b. The modeling incorporates reduction/credits for construction emissions based on measures included in CalEEMod and as required by the South Coast AQMD through Rule 403. This includes the following: properly maintaining mobile and other construction equipment; replacing ground cover in disturbed areas quickly; watering exposed surfaces three times daily; covering stockpiles with tarps; watering all haul roads twice daily, and limiting speeds on unpaved roads to 15 miles per hour. Reduction percentages were applied from the South Coast AQMD CEQA Handbook (Tables XI-A through XI-E). Mitigation was not applied to construction equipment.

Source: Kimley-Horn, 2022.

As indicated in the table, project construction emissions would not exceed any South Coast AQMD thresholds. Therefore, the project's construction-related impacts would be less than significant for all criteria pollutants.

### Operational Emissions

**Less Than Significant Impact.** Project-generated operational emissions would be associated with motor vehicle use, energy, and area sources, such as the use of natural gas-fired appliances, landscape maintenance equipment, and architectural coatings. Mobile and stationary (area and energy) source operational emissions would result from normal daily activities on the project site after occupancy. Motor vehicles traveling to and from the project site would generate mobile source emissions. Area source emissions would be generated due to an increased demand for consumer products, architectural coating, and landscaping. The project would generate energy source emissions because of electricity and natural gas (non-hearth) usage associated with the proposed project. The project's primary use of electricity and natural gas would be for space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. **Table 4.3-2: Operational Emissions** summarizes long-term operational emissions attributable to the proposed Project. As shown in **Table 4.3-2**, the project's long-term operational emissions would not exceed any South Coast AQMD thresholds. Therefore, the project's operational emissions would be less than significant.

**Table 4.3-2: Operational Emissions**

| | Pollutant (pounds per day) | | | | | |
|---|---|---|---|---|---|---|
| **Emissions Source** | **ROG** | **$NO_X$** | **CO** | **$SO_2$** | **$PM_{10}$** | **$PM_{2.5}$** |
| Area Source | 1.02 | 0.38 | 2.13 | <1 | 0.04 | 0.04 |
| Energy Use | 0.01 | 0.10 | 0.04 | <1 | 0.01 | 0.01 |
| Mobile Source | 0.44 | 0.48 | 4.45 | 0.01 | 1.17 | 0.32 |
| **Total** | **1.47** | **0.96** | **6.62** | **0.01** | **1.22** | **0.37** |
| *South Coast AQMD Threshold* | *55* | *55* | *550* | *150* | *150* | *55* |
| **South Coast AQMD Threshold Exceeded?** | **No** | **No** | **No** | **No** | **No** | **No** |

ROG: reactive organic gases; $NO_X$: nitrogen oxides; CO: carbon monoxide; $SO_X$: sulfur oxides; $PM_{10}$: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter.
Note: Emissions were calculated using the California Emissions Estimator Model (CalEEMod), as recommended by the South Coast AQMD.
Source: Kimley-Horn, 2022.

A significant impact on air quality would occur if a project would result in a cumulative considerable net increase of any criteria pollutant for which the region is non-attainment under an applicable NAAQS or CAAQS (including releasing emissions that exceed quantitative thresholds for ozone precursors). The ozone precursors include ROG and $NO_X$. The Air Basin is in non-attainment for ozone (State and federal), $PM_{10}$ (State), $PM_{2.5}$ (State and federal), and lead (federal, partial non-attainment in a portion of Los Angeles County). To determine whether the project would result in a cumulatively considerable increase in non-attainment criteria pollutants or exceed the quantitative thresholds for ozone precursors, the Lead Agency may evaluate project emissions based on the quantitative emission thresholds established by the South Coast AQMD in its CEQA Air Quality Handbook (South Coast AQMD 1993, as amended). The South Coast AQMD has established quantitative thresholds against which the Lead Agency may evaluate a project's emissions to determine if there is a potential for a significant impact. In the event direct impacts from a project are less than significant, a project may still have a cumulatively considerable impact on air quality if the emissions from the project, in combination with the emissions from other

proposed, or reasonably foreseeable future projects are in excess of screening levels and the project's contribution accounts for more than an insignificant proportion of the cumulative total emissions. As previously addressed, the proposed project would not result in significant construction or operational air quality effects including non-attainment criteria pollutants. Therefore, the project's contribution to regional pollutant concentrations would not be cumulatively considerable.

Concerning the project's construction-period air quality emissions and cumulative Air Basin conditions, the South Coast AQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal Clean Air Act mandates. As such, the project would be subject to compliance with South Coast AQMD's Rule 403 (see SC AQ-1). Rule 403 requires that construction operations control fugitive dust with the best available control measures to reduce dust such that it does not remain visible in the atmosphere beyond the property line of a project site. Per South Coast AQMD rules and mandates, as well as the State CEQA Guidelines requirement for a project to mitigate its significant impacts to the extent feasible, these same requirements (i.e., Rule 403 compliance, implementation of all feasible measures, and compliance with adopted AQMP emissions control measures) would apply to construction projects throughout the Air Basin, which would include related projects. Compliance with South Coast AQMD rules and regulations would preclude significant construction-related impacts. Therefore, project-related construction emissions, in combination with the emissions from other local projects, would not substantially deteriorate the local air quality.

As previously discussed, the proposed project would not result in long-term air quality impacts because operational emissions would not exceed South Coast AQMD thresholds. Additionally, adherence to South Coast AQMD rules and regulations (SC AQ-1 and SC AQ-2) would alleviate potential impacts related to cumulative conditions on a project-by-project basis. South Coast AQMD and other entities are constantly developing emission reduction technology, strategies, and plans. As a result, the proposed project would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant. Impacts would be less than significant.

**Threshold (c) Would the project expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact.** A significant impact could occur if a project would generate pollutant concentrations to a degree that would significantly affect sensitive receptors, which include populations that are more susceptible to the effects of air pollution than the population at large. This section addresses the exposure of sensitive receptors for the following situations: CO hotspots; localized emissions concentrations, and toxic air contaminants (TACs, specifically diesel PM) from on-site construction.

## Carbon Monoxide Hot Spots

An analysis of CO "hot spots" determines whether the change in the level of service (LOS) of an intersection caused by the proposed project would have the potential to result in exceedances of the CAAQS or NAAQS. Vehicle emissions cause CO exceedances, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, the introduction of cleaner fuels, and the implementation of control technology in industrial facilities, CO concentrations have steadily declined. The South Coast AQMD designated the basin as in attainment in 2007 and the South Coast AQMD's AQMP no longer addresses CO hotspots.

Further, the proposed project would not produce the volume of traffic required to generate a CO hotspot. Therefore, CO hotspots are not an environmental impact of concern for the proposed project. Localized air quality impacts related to mobile-source emissions would therefore be less than significant. As a result, no significant impacts would occur, and no additional mitigation measures are required.

## Localized Significance Threshold Analysis

**Localized Significance Analysis.** The Localized Significance Threshold (LST) Methodology provides a look-up table for construction and operational emissions, based on the emission rate, location, and distance from receptors, and provides a methodology for air dispersion modeling to evaluate whether construction or operation could cause an exceedance of an ambient air quality standard. Local air quality emissions from construction were evaluated using the South Coast AQMD's Mass Rate Localized Significant Threshold Look-Up Tables and the methodology described in *Localized Significance Threshold Methodology* (South Coast AQMD, revised July 2008) to determine if the project's daily emissions of CO, $NO_x$, $PM_{10}$, and $PM_{2.5}$, would result in a significant impact to local air quality. Construction emissions were compared to the South Coast AQMD's screening thresholds. The nearest receptors to the project site are the single-family residences approximately 40 feet northwest of the project site boundary.

As shown in **Table 4.3-3**: **Localized Significance of Construction and Operational Emissions**, project construction and operational emissions would not exceed South Coast AQMD LSTs. Therefore, the project would not result in significant localized construction or operational emissions.

**Table 4.3-3: Localized Significance of Construction and Operational Emissions**

| | Pollutant (pounds per day)[1] | | | |
|---|---|---|---|---|
| **Emission Source** | **$NO_X$** | **CO** | **$PM_{10}$** | **$PM_{2.5}$** |
| Demolition | 13.89 | 13.49 | 0.98 | 0.64 |
| Site Preparation | 11.84 | 6.63 | 3.16 | 1.73 |
| Grading | 13.82 | 8.70 | 3.60 | 1.99 |
| Building Construction | 11.06 | 12.52 | 0.45 | 0.43 |
| Paving | 5.86 | 8.83 | 0.28 | 0.26 |
| Architectural Coating | 1.22 | 1.81 | 0.06 | 0.06 |
| *Maximum Daily Emissions[2]* | ***13.89*** | *13.49* | *3.60* | *1.99* |
| *South Coast AQMD Localized Significance Threshold for Maximum Daily Emissions: (Adjusted for 2.5 acres of daily disturbance at 25 meters)* | *126* | *805* | *7* | *5* |
| **South Coast AQMD Threshold Exceeded?** | **No** | **No** | **No** | **No** |
| Operations (Area and Energy) | 0.48 | 2.17 | 0.05 | 0.05 |
| ***South Coast AQMD Localized Significance Threshold: (1 acre at 25 meters)[2]*** | ***81*** | ***485*** | ***1*** | ***1*** |
| **South Coast AQMD Threshold Exceeded?** | **No** | **No** | **No** | **No** |

$NO_x$: nitrogen oxides; CO: carbon monoxide; $SO_X$: sulfur oxides; $PM_{10}$: particulate matter 10 microns or less in diameter; $PM_{2.5}$: particulate matter 2.5 microns or less in diameter.

1. South Coast AQMD Rule 403 Fugitive Dust applied. See **Appendix A**.
2. Local significance emissions are compared to a maximum daily threshold determined by the South Coast AQMD LST methodology. None of the daily pollutants emitted in each phase exceed the LST threshold.
3. Although the development site is 1.3 acres, the analysis conservatively uses the 1-acre screening lookup threshold as the thresholds increase with size.

Sources: CalEEMod version 2020.4.0 and Kimley-Horn, 2022.

### Toxic Air Contaminants

Project construction activities would generate diesel particulate matter (diesel PM) emissions from the use of off-road diesel equipment required for grading and excavation, paving, and other construction activities. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to toxic air contaminant emission levels that exceed applicable standards). The South Coast AQMD primarily links health-related risks associated with diesel-exhaust emissions to long-term exposure and the associated risk of contracting cancer.

The use of diesel-powered construction equipment would be temporary and occur over short periods of time. The duration of exposure would be short and exhaust from construction equipment is highly dispersive, as concentrations of diesel PM dissipate rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. The project would not require the extensive use of heavy-duty construction equipment or diesel trucks in any one location over the duration of development, which would limit the exposure of any proximate individual sensitive receptor to TACs.

Additionally, construction is subject to and would comply with California regulations (e.g., California Code of Regulations, Title 13, Division 3, Article 1, Chapter 10, §§2485 and 2449), which reduce diesel PM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles and limit the idling of heavy-duty construction equipment to no more than five minutes. These regulations would further reduce nearby sensitive receptors' exposure to temporary and variable diesel PM emissions. Given the temporary and intermittent nature of construction activities likely to occur within specific locations in the project site (i.e., construction is not likely to occur in any one location for an extended time), the dose of diesel PM of any one receptor is exposed to would be limited. Therefore, considering the relatively short duration of diesel PM-emitting construction activity at any one location at the project site and the highly dispersive properties of diesel PM, sensitive receptors would not be exposed to substantial concentrations of construction-related TAC emissions. Impacts would be less than significant and no mitigation is required.

**Threshold (d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**Less Than Significant Impact.** The South Coast AQMD CEQA Air Quality Handbook (South Coast AQMD, 1993) identifies certain land uses as sources of odors. These land uses include agriculture, wastewater treatment plant, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project is a residential development and does not propose to include any odor-inducing uses on the site.

During construction-related activities, the public may detect odors typical of construction vehicles (e.g., diesel exhaust from grading and construction equipment). These odors are a temporary short-term impact, which is typical of construction projects and disperse rapidly. The project would not include any land uses South Coast AQMD identifies as odor sources. Therefore, impacts would be less than significant and no mitigation is required.

## Cumulative Impacts

A project that has a significant impact on air quality concerning $PM_{10}$, $PM_{2.5}$, $NO_x$, and/or ROGs emissions, as determined above would have a significant cumulative effect. In the event a project's direct impacts are less than significant, a project may still have a cumulatively considerable impact on air quality if the project emissions, in combination with the emissions from other proposed, or reasonably foreseeable future projects are in excess of thresholds, and the project's contribution accounts for more than an insignificant proportion of the cumulative total emissions. Concerning past and present projects, the background ambient air quality includes pollutant concentrations from existing sources. Past and present project impacts are therefore included in the background ambient air quality data. As discussed above, the project's construction and operational emissions would be below the significance thresholds. The project's contribution is not cumulatively considerable.

## Standard Conditions and Requirements

**SC AQ-1** **Dust Control.** During construction, construction contractors shall comply with South Coast Air Quality Management District's (South Coast AQMD's) Rules 402 and 403 to minimize construction emissions of dust and particulates. South Coast AQMD Rule 402 requires that air pollutant emissions not be a nuisance off-site. Rule 402 prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

South Coast AQMD Rule 403 requires that fugitive dust be controlled with Best Available Control Measures so that the presence of such dust does not remain visible beyond the property line of the emission source. This rule is intended to reduce $PM_{10}$ emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. This requirement shall be included as notes on the contractor specifications. Table 1 of Rule 403 lists the Best Available Control Measures that are applicable to all construction projects. The measures include, but are not limited to, the following:

a. Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.

b. All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.

c. All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.

d. The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.

e. Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

**SC AQ-2** **Architectural Coatings.** South Coast Air Quality Management District (South Coast AQMD) Rule 1113 requires manufacturers, distributors, and end-users of architectural and industrial maintenance coatings to reduce reactive organic gas (ROG) emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories. Architectural coatings shall be selected so that the volatile organic compound (VOC) content of the coatings is compliant with South Coast AQMD Rule 1113. This requirement shall be included as notes on contractor specifications.

## Mitigation Measures

No mitigation measures are required.

## 4.4 Biological Resources

**Threshold (a) Would the project have a substantial effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

**Less Than Significant Impact.** The project site is in an urbanized area and is currently occupied by a church and daycare facility. On-site vegetation is limited to ornamental landscaping along the project frontage on Orange Avenue, which is limited to grass, shrubs, and trees. The four existing trees fronting Orange Avenue would be removed as part of the project. No natural habitats are present on the property. Urban development borders the project site, as summarized in Table 2-1. No native habitat is present on properties bordering the project site and landscaping is limited to ornamental vegetation. Based on a review of the existing and surrounding site conditions, no candidate, sensitive, or special-status plant or wildlife species are present on or adjacent to the project site. Therefore, the proposed project would not have an adverse effect on any candidate, sensitive, or special-status plant or wildlife species. A less than significant impact would occur and no mitigation is required.

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

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

**No Impact.** There are no riparian habitats or federally protected wetlands or resources on the project site or in its immediate vicinity.[8] The project site does not contain any water resources (e.g., streams, creeks, channels, vernal pools) nor would any of the proposed land uses potentially affect wetlands. The nearest body of water mapped by the U.S. Fish and Wildlife Service National Wetlands Inventory is the Riverine habitat located at Dad Miller Golf Course, approximately 0.8 mile north of the project site. The U.S. Fish and Wildlife Service's National Wetlands Inventory classifies this habitat as Riverine, Intermittent, Streambed, Seasonally Flooded, and Excavated (R4SBCx). The proposed project would not directly or indirectly impact this habitat. The project site is fully developed; it does not contain riparian habitats, sensitive natural communities, or wetlands. Therefore, no impact on riparian habitat or wetlands would result from the proposed project and no mitigation is required.

**Threshold (d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

**Less Than Significant Impact.** Wildlife movement corridors are physical connections that allow wildlife to move between areas of suitable habitat in both undisturbed and fragmented landscapes. The project site is developed as a daycare facility with surface parking. The surrounding properties contain urban uses, and the project site is not a recognized wildlife corridor. The proposed project would remove the two existing trees located along the project site boundary along Orange Avenue that have the potential to support nesting migratory birds that are protected by the Migratory Bird Treaty Act (MBTA) and California

[8] U.S. Fish and Wildlife Service, *National Wetlands Inventory*. www.fws.gov/wetlands/Data/Mapper.html, accessed May 29, 2022.

Fish and Game Code (CFGC). Therefore, the proposed project would adhere to SC BIO-1 pertaining to pre-construction nesting bird surveys and construction scheduling to ensure compliance with the MBTA. Following compliance with SC BIO-1, the proposed project would not interfere with the movement of migratory fish or wildlife species. No mitigation is required.

**Threshold (e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**Less Than Significant Impact.** AMC Section 13.12.070 requires any new private development where there is a parkway between the sidewalk and curb to plant street trees. The project proposes to plant trees in the parkway (Exhibit 6). Following compliance with AMC Section 13.12.070, impacts would be less than significant and no mitigation is required.

**Threshold (f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** A Natural Community Conservation Plan (NCCP) identifies and provides regional protection of plants, animals, and their habitats while allowing compatible and appropriate economic activity.[9] According to the California Department of Fish and Wildlife's (CDFW) California Regional Conservation Plans map, there are two NCCPs within the City: the County of Orange Central and Coastal Subregion NCCP/Habitat Conservation Plan (Central-Coastal NCCP/HCP) and the Orange County Transportation Authority (OCTA) NCCP/HCP. The project site is not within the Central-Coastal NCCP/HCP, which covers the northeastern part of the City. Therefore, the proposed project would not conflict with this NCCP/HCP and no impacts would occur.

The OCTA NCCP/HCP covers a majority of Orange County, including the City of Anaheim and the project site. The OCTA NCCP/HCP's primary goal is to obtain authorization for the take of Covered Species under the Natural Community Conservation Planning Act and Endangered Species Act for the implementation of covered freeway improvement projects. The project site is not within the freeway right-of-way and the proposed project does not include freeway improvements. Accordingly, the OCTA NCCP/HCP is not applicable to this proposed project. Therefore, the proposed project would not conflict with the OCTA NCCP/HCP. No impacts would occur and no mitigation is required.

## Cumulative Impacts

Past, present, and reasonably foreseeable future projects are required to implement measures, as set forth in their respective CEQA documents, consistent with federal, State, and local regulations to avoid adverse effects on biological resources or to mitigate significant impacts to these resources. The types of measures required for projects affecting protected habitats, species, and regulated resources can include avoidance, project design features, regulatory approvals, best management practices, and mitigation measures. Following compliance with the established regulatory framework and standard conditions, the proposed project would not cause a significant impact on biological resources. Therefore, the project would not contribute to a potential cumulatively considerable impact.

[9] California Department of Fish and Wildlife. Natural Community Conservation Planning (NCCP). Available at: https://wildlife.ca.gov/Conservation/Planning/NCCP, accessed October 18, 2022.

## Standard Conditions and Requirements

**SC BIO-1** **Nesting Migratory Birds.** During construction, grubbing, brushing, or tree removal shall be conducted outside of the state-identified nesting season for migratory birds (i.e., typically February 1 through August 31), if possible. If construction activities cannot be conducted outside of nesting season, a Pre-Construction Nesting Bird Survey within and adjacent to the project site shall be conducted by a qualified biologist within three days prior to initiating construction activities. If active nests are found during the Pre-Construction Nesting Bird Survey, a Nesting Bird Plan (NBP) shall be prepared by a qualified biologist and implemented during construction. At a minimum, the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The size and location of all buffer zones, if required, shall be based on the nesting species, nesting sage, nest location, its sensitivity to disturbance, and intensity and duration of the disturbance activity.

## Mitigation Measures

No mitigation measures are required.

# 4.5 Cultural Resources

**Threshold (a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?**

**No Impact.** State CEQA Guidelines Section 15064.5, defines "historic resources" as resources listed in the California Register of Historical Resources, or determined to be eligible by the California Historical Resources Commission for listing in the California Register of Historic Resources.[10] CEQA allows local historic resource guidelines to serve as the California Register of Historical Resources criteria if enacted by local legislation to act as the equivalent of the State criteria. The project site is currently occupied by a daycare facility. Based on the Phase I Environmental Site Assessment, the existing daycare facility building dates back to 1958.

On April 13, 2022, a records search request was submitted to the South-Central Coastal Information Center (SCCIC). On July 26, 2022, SCCIC staff completed a records search (File No. 23741.9922) of the California Historical Resource Information System (CHRIS). The search identified previously recorded cultural resources and previously conducted investigations within a half-mile radius of the project site boundaries. The CHRIS search also included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Inventory of Historic Resources. The record search did not identify any historical buildings or resources on the project site. Additionally, the City of Anaheim's list of historic structures does not identify any historic structures located on the project site.[11] The daycare facility does not meet the criteria of "architecturally significant" or a "historic resource" under CEQA. Therefore, the proposed project would not cause a change in the significance of a historical resource. No impact would occur and no mitigation is required.

**Threshold (b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**Less Than Significant Impact with Mitigation.** A records search request was submitted on April 13, 2022, to the SCCIC regarding the project site. The search includes a review of all recorded archaeological and built-environment resources, as well as a review of cultural resource reports on file within a one-mile project site radius. Archaeological site locations are not publicly available. The record search noted that no studies had been prepared for the project site and there are seven studies for sites within the half-mile radius of the project site. According to the records search, no archaeological resources exist within the project site or within a half-mile radius. See **Appendix B: Cultural Resources Records Search Results**.

It is unlikely that archaeological resources are present on the project site, given the development of the existing daycare facility and parking lot required site disturbance and excavation. Notwithstanding, project construction would include limited excavation and grading. Therefore, while low, there is the potential for the project to result in an adverse change in the significance of a previously unidentified archaeological resource. The project would be subject to compliance with MM CR-1, which requires that an archaeologist monitor grading and excavation activities. The archaeological monitor could temporarily halt or redirect work to permit the sampling, identification, and evaluation of the artifacts and resources, as appropriate. If resources are significant, the archaeological monitor would determine appropriate

[10] California Public Resources Code §5020.1(k), §5024.1(g).
[11] City of Anaheim, 2016, List of Historic Structures, Available at: Microsoft Word - City of Anaheim Historic Structure Lists, Accessed May 31, 2022.

actions, in cooperation with the City and Applicant. Compliance with MM CR-1 would reduce potential impacts to a less than significant level.

**Threshold (c) Would the project disturb any human remains, including those interred outside of formal cemeteries?**

**Less Than Significant Impact.** No dedicated cemeteries are on or near the project site. The disturbance of most Native American human remains is typically in association with prehistoric archaeological sites. As discussed previously, the project site is not near an identified archaeological resource. Given the extent of on-site disturbances from previous development, there is low potential for the project's ground-disturbing activities to encounter human remains. Notwithstanding, if previously unknown human remains are discovered during the project's ground-disturbing activities, a substantial adverse change in the significance of such a resource could occur. If human remains are found, those remains would require proper treatment in accordance with applicable laws, including State of California Health and Safety Code (HSC) Sections 7050.5-7055 and PRC Section 5097.98 and Section 5097.99. Health and Safety Code Sections 7050.5-7055 describe the general provisions for the treatment of human remains. Specifically, HSC Section 7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during the excavation of a site. HSC Section 7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately. As required by State law, the proposed project would implement the procedures set forth in PRC Section 5087.98, including evaluation by the County Coroner and notification of the NAHC. The NAHC would designate the "Most Likely Descendent" of the unearthed human remains. If excavation results in the discovery of human remains, the proposed project would halt excavation near the find, and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for treatment and disposition of the remains. Following compliance with the established regulatory framework (i.e., HSC §§7050.5-7055 and PRC §5097.98 and §5097.99), the project's potential impacts concerning human remains would be less than significant and no mitigation is required.

## Cumulative Impacts

The project site does not contain historic resources; therefore, no cumulative impact would occur. Although the project is not expected to impact any archaeological resources, measures have been identified to mitigate potential impacts to a less than significant level. As with the proposed project, past, current, and future projects would be required to implement measures to reduce the severity of potential impacts. Despite the site-specific nature of resources, mitigation required for the identification and protection of unknown or undocumented resources would reduce the potential for cumulative impacts. Cumulatively, data recovered from sites in the region allow for the examination and evaluation of the diversity of human activities in the region. The proposed project would not contribute to a cumulatively considerable impact on archaeological resources.

## Standard Conditions and Requirements

No standard conditions are applicable to the proposed project.

## Mitigation Measures

**MM CR-1** An Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for Archaeology shall perform a "tailgate" Worker Environmental Awareness Program (WEAP) training for all construction personnel directly involved with project-related ground disturbance activities. The training shall include visual aids, a discussion of

applicable laws and statutes relating to archaeological resources, types of resources that may be found within the project site, and procedures that shall be followed in the event such resources are encountered.

In the event that inadvertent discoveries are found, an Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for Archaeology shall perform an inspection of the site for potential archaeological resources once grubbing, ground clearing, and demolition are complete, and prior to any grading or project-related ground disturbance. In the event exposed soils indicate cultural materials may be present, this shall be followed by regular or periodic archaeological monitoring as determined by the Archaeologist, but full-time archaeological monitoring is not required at this time.

It is always possible that ground-disturbing activities during construction may uncover previously unknown, buried cultural resources. In the event that buried cultural resources are discovered during construction, operations shall stop in the immediate vicinity of the find and a qualified Archaeologist shall be consulted to determine whether the resource requires further study. The qualified Archaeologist shall make recommendations to the Lead Agency on the measures that shall be implemented to protect the discovered resources, including but not limited to the excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. Potentially significant cultural resources consist of but are not limited to stone, bone, fossils, wood, or shell artifacts or features, including hearths, structural remains, or historic dumpsites. Any previously undiscovered resources found during construction within the project area shall be recorded on appropriate California Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria.

If the resources are determined to be unique historic resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the Archaeological Monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources shall include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any archaeological artifacts recovered as a result of mitigation shall be donated to a qualified scientific institution approved by the Lead Agency where they would be afforded long-term preservation to allow future scientific study.

# 4.6 Energy

## Building Energy Conservation Standards

In June 1977, the California Energy Resources Conservation and Development Commission (now the California Energy Commission) adopted energy conservation standards for new residential and non-residential buildings, which the Commission updates every three years (Title 24, Part 6, of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The periodic update of these standards allows for consideration and possible incorporation of new energy efficiency technologies and methods. On May 9, 2018, the California Energy Commission (CEC) adopted the 2019 Building Energy Efficiency Standards (Energy Code), which went into effect on January 1, 2020. The CEC adopted the 2022 Energy Code in August 2021, which aims to improve upon the 2019 Energy Code for new construction of, and additions and alterations to, residential and non-residential buildings. The 2022 Energy Code will go into effect on January 1, 2023. The California Energy Commission updates the standards every three years.[12]

## Senate Bill 350

In September 2015, then California Governor Jerry Brown signed Senate Bill (SB) 350 (de Leon) into law. This legislation established tiered increases to the Renewable Portfolio Standard: 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030.

## Senate Bill 100

On September 10, 2018, Governor Brown signed SB 100 (De Leon). This legislation, referred to as "The 100 Percent Clean Energy Act of 2019," increased the required Renewable Portfolio Standards. Under SB 100, the total kilowatt-hours (kWh)of energy sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also establishes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

**Threshold (a) Would the project result in a potentially significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**Less Than Significant Impact.**

**Electricity.** Anaheim Public Utilities provides electricity to the project area. The project's annual energy demand would total 117,796 kWh.[13] The project site is currently developed as a daycare facility. Project implementation would introduce a new residential use on the project site, and therefore would result in a permanent increase in electrical demand over existing conditions. Anaheim Public Utilities expects to serve the increased demand from its existing electrical facilities. According to the City, Anaheim Public Utilities provides an annual total output of 2,745,977 MWh to its customers. Specifically, during the 2020/2021 fiscal year, residential electricity demand was 630,443 MWh.[14] The project's increase in

[12] California Energy Commission, 2022 Building Energy Efficiency Standards, Available at: https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency, Accessed April 22, 2022.

[13] CalEEMod version 2020.4.0

[14] City of Anaheim, *Electric Supply,* available at: https://www.anaheim.net/2104/About-Electric-Services, accessed August 22, 2022

electricity demand would represent an insignificant percent increase compared to overall demand in Anaheim Public Utilities' service area. Therefore, projected electrical demand would not significantly affect its level of service.

In addition, the project design and materials would be subject to compliance with the most current Building Energy Efficiency Standards. Prior to building permit issuance, the City of Anaheim Planning and Building Department would review and verify that the project plans comply with the current version of the Building and Energy Efficiency Standards. The project would also be required to adhere to CALGreen provisions, which establish planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.

Project development would not interfere with the achievement of the 60 percent Renewable Portfolio Standard set forth in SB 100 for 2030 or the 100 percent standard for 2045. These goals apply to Anaheim Public Utilities and other electricity retailers. As electricity retailers reach these goals, emissions from end-user electricity use would decrease from current emission estimates.

**Natural Gas.** Southern California Gas Company (SoCalGas) provides natural gas service to the project area. The CalEEMod modeling outputs estimate that the project's annual natural gas demand would total approximately 396,131 thousand British thermal units (kBTU) (0.000396 billion cubic feet [bcf]).[15] SoCalGas would be able to serve the increased demand with the existing SoCalGas facilities. From 2018 to 2035, the California Gas and Electric Utilities anticipates that residential demand will decline from 236 bcf to 186 bcf, while supplies remain constant at 3.775 bcf per day[16] (bcfd) from 2015 through 2035.[17] Therefore, the project's natural gas demand would represent a nominal percentage of the overall demand in SoCalGas' service area. The proposed project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

**Fuel.** During construction, transportation energy use depends on the type and number of trips, vehicle miles traveled, the fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would be associated with the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel/gasoline. The use of energy resources by these vehicles would fluctuate according to the construction phase and would be temporary. Most construction equipment during demolition and grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered equipment. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure; impacts would be less than significant.

During operations, energy consumption would be associated with resident, visitor, and employee vehicle trips; delivery and supply trucks; and trips by maintenance and repair crews. The project is near public transportation, further reducing the need to drive. The City and surrounding areas are highly urbanized with numerous gasoline fuel facilities and infrastructure. Consequently, the proposed project would not result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure, or the expansion of existing facilities. Existing rules and regulations concerning vehicle fuel consumption efficiencies would ensure that vehicle trips generated by the project would not

[15] CalEEMod version 2020.4.0

[16] 1 bcfd is equivalent to about 1.03 billion kBTU

[17] California Gas and Electric Utilities, 2018 California Gas Report, Southern California Gas Company Annual Gas Supply 2018-2035 Table 1-SCG, Accessed May 31, 2022.

be considered inefficient, wasteful, or unnecessary. Additionally, the project is an infill development and results in a net trip generation reduction of 271 daily trips per day, which would not induce wasteful, inefficient, or unnecessary consumption of energy. The proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Impacts are less than significant and no mitigation is required.

**Threshold (b) Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?**

**Less Than Significant Impact.** Project design and operation would comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. Project development would not cause inefficient, wasteful, and unnecessary energy consumption and no adverse impact would occur. The project would include design features such as high-efficiency windows to reduce heating and cooling loads; Energy Star appliances; high-efficiency heating and cooling systems to reduce energy consumption, and therefore reduce GHG emissions. Therefore, the project is consistent with AB 32, which aims to decrease emissions statewide to 1990 levels by 2020. Potential impacts are less than significant.

SCAG's Connect SoCal RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2045 as well as an overall GHG target for the project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15. The project is consistent with regional strategies to reduce passenger vehicle miles traveled (VMT). As seen in SCAG's 2020 RTP/SCS Exhibit 3.4, the proposed project is proximate to identified job centers in Orange County.

The City has adopted VMT thresholds as required by CEQA and the passage of SB 743. The City's June 2020 Guidelines describe three project screening criteria: (1) transit priority areas screening, (2) low VMT-generating areas screening, and (3) project type screening. The June 2020 Guidelines also state that a project only needs to fulfill one of the screening types to qualify for screening. The project was found to have a less than significant VMT impact based on the project type screening threshold. The project would result in a net decrease in daily trips compared to the existing daycare use. Since the project is screened out pursuant to the City's June 2020 Guidelines, the City presumes that the project would result in a less than significant impact concerning VMT.

Increasing residential land uses near major employment centers is a key strategy for reducing regional VMT. Therefore, the project would not conflict with the stated goals of the RTP/SCS. Therefore, the project would not interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets outlined in the 2020 RTP/SCS. Potential impacts are less than significant and no mitigation is required.

## Cumulative Impacts

The project would result in less than significant impact regarding energy resources. Therefore, the project would not result in incremental environmental effects on energy resources that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. Furthermore, compliance with current and future building codes would result in more energy-efficient developments, thereby conserving energy resources.

## Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

# 4.7 Geology and Soils

The basis for the following information and analysis for Geology and Soils is the *Geotechnical and Infiltration Evaluation* (GeoTek Inc., September 2021) prepared for the proposed project. The report is included in this Initial Study as **Appendix C: Geotechnical and Infiltration Evaluation** and summarized below. Paleontological record search results are included in **Appendix D: Paleontological Records Search Results**.

**Threshold (a.i) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?**

**No Impact.** According to the most recent Alquist-Priolo Fault Zone and Seismic Hazard Zone Map, a known earthquake fault is not located near or known to traverse the project site.[18] Therefore, the project would not directly, or indirectly, cause potential substantial adverse effects involving rupture of a known earthquake fault. No impact would occur and no mitigation is required.

**Threshold (a.ii) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?**

**Less Than Significant Impact with Mitigation.** The City, as well as most of Southern California, is located in a region of historic seismic activity. The nearest zoned fault to the project site is the Newport-Inglewood fault zone, located five miles southwest. During seismic events, the project site could experience moderate ground shaking associated with the faults described above. Strong levels of seismic ground shaking can cause damage to buildings. The intensity of ground shaking on the project site would depend upon the earthquake's magnitude, distance to the epicenter, and the geology of the area between the project site and the epicenter. The City would impose regulatory controls to address potential seismic hazards through the permitting process. The project would be subject to the current California Building Code (CBC), as adopted by the City's Planning and Building Department, with respect to seismic design parameters. Conformance with these standard engineering practices and design criteria would reduce the effects of seismic ground shaking.

The Geotechnical and Infiltration Evaluation analyzed various geologic and seismic hazards based on site-specific parameters, including strong seismic ground shaking shrinkage, and subsidence). Section 5 of the Geotechnical and Infiltration Evaluation makes recommendations concerning seismic design parameters, foundations, slabs, and general earthwork and grading, among other factors, and concludes that the project is feasible from a geotechnical standpoint. Further, the project would be subject to compliance with MM GEO-1, which requires the City to review all project plans grading, foundation, structural, infrastructure, and all other relevant construction permits relative to the Preliminary Geotechnical Investigation and Code requirements. Compliance with MM GEO-1 and applicable regulations would reduce potential impacts related to strong seismic ground shaking to a less than significant level.

Following compliance with standard engineering practices, the established regulatory framework (i.e., AMC and CBC), the Geotechnical and Infiltration Evaluation's recommendations, and MM GEO-1, the

[18] California Geologic Survey. (2018). *Earthquake Zones of Required Investigation Map.* Retrieved from https://maps.conservation.ca.gov/cgs/EQZApp/app/.

project's potential impacts concerning exposure of people or structures to potential adverse effects involving strong seismic ground shaking would be less than significant.

**Threshold (a.iii) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact with Mitigation.** Liquefaction is a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburdened pressure. When this occurs, the soil can completely lose its shear strength and enter a liquefied state. Liquefaction typically occurs below water tables, however after liquefaction occurs, the liquefied soil/water matrix can propagate upward into overlying non-saturated soil as excess pore water dissipates. The project site is not located within an area susceptible to liquefaction. Due to the fine-grained nature of the upper site soils and the dense/stiff nature of the underlying alluvium, seismic-induced ("dry sand") settlements are estimated to be minimal.

The Anaheim Planning and Building Department's Building Division would review construction plans to verify compliance with standard engineering practices, the AMC and CBC, and the Geotechnical and Infiltration Evaluation's recommendations. Following compliance with standard engineering practices, the established regulatory framework (i.e., AMC and CBC), the Geotechnical and Infiltration Evaluation's recommendations, and MM GEO-1, the project's impacts involving substantial adverse effects, including the risks of loss, or death involving seismic-related ground failure, including liquefaction would be less than significant.

**Threshold (a.iv) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?**

**No Impact.** Landslides can occur if ground shaking and/or heavy rainfall disturb areas of steep slopes consisting of unstable soils. The project site is relatively flat and is not located within an Earthquake-Induced Landslide Zone.[19] Further, the Geotechnical and Infiltration Evaluation noted that there was no evidence of ancient landslides or slope instabilities at the project site. Therefore, the potential for landslides is negligible. Therefore, no impacts related to landslides would occur and no mitigation is required.

**Threshold (b) Would the project result in substantial soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** The project site is underlain by alluvial soils that are locally overlain by artificial fill. During boring tests, the alluvium was found to consist of interbedded layers of silty and sandy clay, sandy and clayey silts, silty sands, and relatively clean sands (CL, ML, and SM soil types based on the Unified Soil Classification System). Given the site's topography, geology, and historic uses, the potential for loss of topsoil is low. During construction, the proposed project would be required to comply with erosion and siltation control measures outlined in AMC Chapter 17.04: Grading, Excavation, Fills, and Watercourses. AMC Chapter 17.04 requires that excavations and fills which may affect drainage and watercourses be performed in accordance with good engineering practice, thereby reducing to a minimum the hazards and damage to public and private property. This would include measures such as sandbagging to reduce project site runoff or hold topsoil in place prior to final grading and construction. Additionally, the proposed project would be subject to compliance with the National Pollutant Discharge

[19] California, State of, Department of Conservation. (2020). CGS Seismic Hazards Program: Landslide Zones Retrieved from https://maps.conservation.ca.gov/geologichazards/, Accessed June 27, 2022.

Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, and all subsequent amendments) (Construction General Permit); see Threshold 4.10a. The Construction General Permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must include erosion-control and sediment-control Best Management Practices (BMPs) that would meet or exceed measures required by the Construction General Permit to control potential construction-related pollutants. Following compliance with the established regulatory framework (i.e., the AMC and Construction General Permit), the project's potential impacts concerning soil erosion and loss of topsoil would be less than significant and no mitigation is required.

**Threshold (c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Less Than Significant Impact.** The project site would not be subject to seismically induced liquefaction (see Threshold 4.7aiii above) or landslides (see Threshold 4.7aiv). Subsidence occurs when the withdrawal of groundwater, oil, or natural gas vertically displaces a large portion of land. Soils that are particularly subject to subsidence include those with high silt or clay content. No large-scale extraction of groundwater, gas, oil or geothermal energy is occurring, or planned, at the project site or in the general project site vicinity. The Geotechnical and Infiltration Evaluation concluded that subsidence of up to 0.1 foot could occur.

As discussed in Threshold 4.7aii, Section 5 of the Geotechnical and Infiltration Evaluation makes preliminary recommendations concerning design parameters, foundations, slabs, and general earthwork and grading, among other factors. The Anaheim Building Division would review construction plans to verify compliance with standard engineering practices, the AMC and CBC, and the Geotechnical and Infiltration Evaluation's recommendations, including those concerning subsidence. Following compliance with standard engineering practices, the established regulatory framework (i.e., AMC and CBC), and the Geotechnical Evaluation's recommendations, the Project would not be located on a geologic unit or soil that would become unstable and potentially result in subsidence. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?**

**Less Than Significant Impact.** The Geotechnical and Infiltration Evaluation concluded that site soils have low expansion potential. As discussed in Threshold 4.7aii, Section 5 of the report makes recommendations concerning design parameters, foundations, slabs, and general earthwork and grading, among other factors. The Anaheim Building Division would review construction plans to verify compliance with standard engineering practices, the AMC and CBC, and the Geotechnical Evaluation's recommendations, including those concerning expansive soils. Following compliance with standard engineering practices, the established regulatory framework (i.e., AMC and CBC), and the Geotechnical Evaluation's recommendations, the project would not create substantial direct or indirect risks to life or property concerning expansive soils. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

**No Impact.** There is existing sewer infrastructure available to serve the proposed project. The project would connect to the existing sanitary sewer system for wastewater disposal and would not include the use of septic tanks. Therefore, no impact would occur and no mitigation is required.

**Threshold (f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less Than Significant Impact with Mitigation.** Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. According to the record search results from the Natural History Museum of Los Angeles County (**Appendix D**), no known fossil localities lie directly within the project site. Although no fossil localities were noted, the record search did identify other fossil localities that were found nearby from similar sedimentary deposits. Although not expected, there is a possibility that project construction activities to affect unidentified paleontological resources. Therefore, the implementation of MM GEO-2, which addresses the actions to be taken should paleontological resources be found, is required to reduce potential impacts on paleontological resources to a less than significant level.

## Cumulative Impacts

The City would require project construction to comply with all applicable codes and in accordance with the mitigation set forth in this Initial Study, designed to reduce the exposure of people or structures to a substantial risk of loss, injury, or death related to geological conditions or seismic events. The potential cumulative impact related to earth and geology is typically site-specific. The analysis herein determined that the project would not result in any significant impacts related to landform modification, grading, or the destruction of a geologically significant landform or feature with the implementation of mitigation. Moreover, existing State and local regulations are in place to protect people and property from substantial adverse geological and soil effects, including fault rupture, strong seismic ground shaking, seismic-induced ground failure (including liquefaction), and landslides.

Existing laws and regulations also protect people and property from adverse effects related to soil erosion, expansive soils, loss of topsoil, development on an unstable geologic unit or soil type that could result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse. These existing laws and regulations, along with mitigation required for the project, would render potentially adverse geological and soil effects less than significant. These existing laws and regulations also ensure that past, present, and reasonably foreseeable future projects in the region do not result in substantial adverse geological and soils effects. As a result, the existing legal and regulatory framework would ensure that the incremental geological and soil effects of the project would not result in greater adverse cumulative effects when considered together with the effects of other past, present, and reasonably foreseeable future projects in Anaheim and the greater Orange County region. Therefore, the project, in combination with cumulative projects, would not result in a cumulatively significant impact by exposing people or structures to risks related to geologic hazards, soils, or seismic conditions.

## Standard Conditions and Requirements

No standard conditions are applicable to the proposed project.

## Mitigation Measures

**MM GEO-1** Prior to the issuance of grading permits, the City shall review all project plans for grading, foundation, structural, infrastructure, and all other relevant construction permits to ensure compliance with the Geotechnical and Infiltration Evaluation recommendations.

**MM GEO-2** Prior to the issuance of the first grading permit or permit for ground disturbance activities, the Applicant shall provide evidence to the City of Anaheim Planning and Building Department that the Applicant has retained a qualified professional paleontologist. The selection of the qualified professional(s) shall be subject to City acceptance. In the event that paleontological are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The qualified professional shall be contacted to evaluate the significance of the finding and determine an appropriate course of action. If avoidance of the resource(s) is not feasible, the Applicant shall follow salvage operation requirements pursuant to State CEQA Guidelines Section 15064.5. After the Applicant has appropriately avoided or mitigated the find, work in the area may resume.

# 4.8 Greenhouse Gas Emissions

A greenhouse gas (GHG) emissions analysis (Kimley-Horn, 2022) was prepared for the proposed project. The GHG modeling outputs and results are included in **Appendix A: Air Quality and Greenhouse Gas Data** of this Initial Study and summarized below.

## Background

The "greenhouse effect" is the natural process that retains heat in the troposphere, the bottom layer of the atmosphere. Without the greenhouse effect, thermal energy would "leak" into space resulting in a much colder and inhospitable planet. With the greenhouse effect, the global average temperature is approximately 61˚F (16˚C). Greenhouse gases (GHGs) are the components of the atmosphere responsible for the greenhouse effect. The amount of heat retained is proportional to the concentration of GHGs in the atmosphere. As human activities and natural sources release more GHGs into the atmosphere, GHG concentrations increase and the atmosphere retains more heat, increasing the effects of climate change. The Kyoto Protocol identified six gases for emission reduction targets: carbon dioxide ($CO_2$), methane ($CH_4$), nitrous oxide ($N_2O$), hydrofluorocarbons (HFC), perfluorocarbons (PFC), and sulfur hexafluoride ($SF_6$). When accounting for GHGs, all types of GHG emissions are expressed in terms of $CO_2$ equivalents ($CO_2e$) and are typically quantified in metric tons (MT) or million metric tons (MMT).

$CO_2$, $CH_4$, and $N_2O$ cause approximately 80 percent of the total heat stored in the atmosphere. Human activities, as well as natural sources, emit these three gases. Each of the GHGs affects climate change at different rates and persists in the atmosphere for varying lengths of time. Global warming potential (GWP) is the relative measure of the potential for a GHG to trap heat in the atmosphere. The GWP allows comparisons of the global warming impacts of different gases. Specifically, it is a measure of how much energy the emissions of one ton of a gas will absorb over a given period, relative to the emissions of one ton of $CO_2$. The larger the GWP, the more that a given gas warms the Earth compared to $CO_2$ over that period. GWPs provide a common unit of measure, which allows analysts to add up emissions estimates of different gases (e.g., to compile a national GHG inventory), and allows policymakers to compare emissions reduction opportunities across sectors and gases.

Stationary source combustion of natural gas in equipment such as water heaters, boilers, process heaters, and furnaces emit GHGs, primarily $CO_2$, $CH_4$, and $N_2O$. GHGs also emit from mobile sources such as on-road vehicles and off-road construction equipment burning fuels such as gasoline, diesel, biodiesel, propane, or natural gas (compressed or liquefied). Indirect GHG emissions result from electric power generated elsewhere (i.e., power plants) used to operate process equipment, lighting, and utilities at a facility. Included in GHG quantification is electric power, which is used to pump the water supply (e.g., aqueducts, wells, pipelines) and the disposal and decomposition of municipal waste in landfills.[20]

## Regulations and Significance Criteria

Former California Governor Arnold Schwarzenegger issued Executive Order S-3-05 in June 2005, which established the following GHG emission reduction targets: (a) by 2010: reduce GHG emissions to 2000 levels; (b) by 2020: reduce GHG emissions to 1990 levels; and (c), by 2050: reduce GHG emissions to 80 percent below 1990 levels.

Assembly Bill (AB) 32 Statutes of 2006, Health and Safety Code Section 38500 et seq. require that CARB determine what the Statewide GHG emissions level was in 1990 and approve a Statewide GHG emissions

[20] California Air Resources Board, *Climate Change Scoping Plan*, 2008.

limit that is equivalent to that level, to be achieved by 2020. CARB has approved a 2020 emissions limit of 427 million metric tons of $CO_2$ equivalent ($MTCO_2e$). Additionally, issued in April 2015, Executive Order B-30-15 requires Statewide GHG emissions to be reduced 40 percent below 1990 levels by 2030.

The Governor issued Executive Order B-30-15, in April 2015, which requires statewide GHG emissions to be reduced 40 percent below 1990 levels by 2030. SB 32, signed into law in September 2016, codified the 2030 GHG reduction target in Executive Order B-30-15. SB 32 authorizes CARB to adopt an interim GHG emissions level target for the State to achieve by 2030; and, to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions. With SB 32, the California Legislature passed companion legislation AB 197, which provides additional direction for developing an updated Scoping Plan. CARB released the second update to the Scoping Plan to reflect the 2030 target set by Executive Order B-30-15 and codified by SB 32 in November 2017.

Due to the nature of global climate change, no single development project would be expected to have a substantial effect on global climate change. GHG emissions from the proposed project would combine with emissions emitted across California, the United States, and the world to contribute cumulatively to global climate change.

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The State CEQA Guidelines specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency must determine whether a project's GHG emissions would have a "significant" impact on the environment. The guidelines direct that agencies are to use "careful judgment" and "make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" the project's GHG emissions (14 CRC §15064.4(a)).

On September 28, 2010, the South Coast AQMD GHG CEQA Significance Threshold Stakeholder Working Group recommended an interim screening level, numeric bright-line threshold of 3,000 metric tons of $CO_2e$ annually. In addition, the Working Group recommended an efficiency-based threshold of 4.8 metric tons of $CO_2e$ per service population (residents plus employees) per year in 2020 and 3.0 metric tons of $CO_2e$ per service population per year in 2035. The South Coast AQMD formed the Working Group to assist the South Coast AQMD's efforts to develop a GHG significance threshold. The Working Group included a wide variety of stakeholders including the State Office of Planning and Research (OPR), CARB, the Attorney General's Office, city and county planning departments in the Air Basin, various utilities such as sanitation and power companies throughout the Air Basin, industry groups, and environmental and professional organizations. The Working Group developed the numeric bright line and efficiency-based thresholds to be consistent with CEQA requirements for developing significance thresholds. Substantial evidence supports the recommended thresholds, which provide guidance to CEQA practitioners and lead agencies concerning determining whether GHG emissions from a proposed project are significant.

The City has not adopted project-specific significance thresholds. For the proposed project, the South Coast AQMD's proposed 3,000 $MTCO_2e$/yr non-industrial screening threshold is used as the significance threshold in addition to the qualitative thresholds of significance set forth below from State CEQA Guidelines Appendix G Section VII.

**Threshold (a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Less Than Significant Impact.** Pursuant to State CEQA Guidelines Appendix G, a project would have a potentially significant impact if it generates GHG emissions, directly or indirectly, that may have a significant impact on the environment; or conflicts with an applicable plan, policy, or regulation adopted to reduce GHG emissions. State CEQA Guidelines Section 15064.4 specifies how the significance of GHG emissions is to be evaluated. The process is broken down into quantification of project-related GHG emissions, making a determination of significance, and specification of any appropriate mitigation if the analysis finds that impacts are potentially significant.

Project construction and operations would result in direct GHG emissions. Direct project-related GHG emissions include those from construction activities, area sources, and mobile sources, while indirect emissions include those from electricity consumption, water demand, and solid waste generation. The basis for operational GHG emissions estimates is the energy emissions from natural gas usage and automobile emissions. CalEEMod relies upon trip data; for this analysis, the 2219 W. Orange Townhomes VMT Assessment (DKS Associates, 2022) and project-specific land use data was used to calculate emissions using CalEEMod. **Table 4.8-1: Project Greenhouse Gas Emissions** presents the project's estimated $CO_2$, $CH_4$, and $N_2O$ emissions and indicates construction activities would generate approximately 345.46 $MTCO_2e$ over the course of the construction period (or 11.52 $MTCO_2e$ amortized over 30 years).[21] Once construction is complete, these construction-related GHG emissions would cease. The analysis quantifies and amortizes construction-related GHG emissions over the life of the project (30 years). Then the analysis adds the amortized construction emissions to the annual average operational emissions.

**Table 4.8-1: Project Greenhouse Gas Emissions**

| Emissions Source | $CO_2e$ (Metric Tons/Year) |
|---|---|
| Construction Emissions | 345.46 |
| Construction Emissions Amortized over 30 Years | 11.52 |
| **Operational Emissions** | |
| Area Source | 5.63 |
| Energy | 103.86 |
| Mobile | 179.25 |
| Waste | 2.78 |
| Water | 22.08 |
| **Total** | **325.12** |
| *South Coast AQMD Threshold* | *3,000.00* |
| **South Coast AQMD Threshold Exceeded?** | **No** |

Note: CalEEMod version 2020.4.0. See **Appendix A** for Model Data Outputs.
Source: Kimley-Horn, 2022.

Operational emissions consist of area sources, energy sources, mobile sources, solid waste generation, water use, and wastewater treatment. Area source emissions occur from hearths, architectural coatings, landscaping equipment, and consumer products. Energy source emissions are from electricity usage and

[21] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13, August 26, 2009).

natural gas consumption. Mobile source emissions are from the project's net new vehicle trips. Emissions from water consumption occur from energy use for conveyance and treatment, and emissions from solid waste occur as materials decompose. The project would generate approximately 325.12 $MTCO_2$/yr of GHG emissions, considering both amortized construction and operational emissions. As noted in **Table 4.8-1**, the project's total emissions would not exceed the 3,000 $MTCO_2$eq/year significance threshold. Therefore, the project would not generate GHG emissions, directly or indirectly, that would have a significant impact on the environment. Impacts would be less than significant and no mitigation is required.

**Threshold (b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**Less Than Significant Impact.** The City of Anaheim does not have an adopted Climate Action Plan (CAP) or Citywide GHG Reduction Plan applicable to land use development projects. As such, this consistency analysis focuses on the 2017 Scoping Plan, SCAG's Connect SoCal RTP/SCS, SB 32, and Title 24.

The project would be subject to compliance with all building codes in effect at the time of construction, which would include energy conservation measures mandated by Title 24 of the California Building Standards Code – Energy Efficiency Standards. Because Title 24 standards require energy conservation features in new construction (e.g., high-efficiency lighting, high-efficiency heating, ventilating, and air-conditioning (HVAC) systems, thermal insulation, double-glazed windows, water-conserving plumbing fixtures), they indirectly regulate and reduce GHG emissions. California's Building Energy Efficiency Standards are updated on an approximately three-year cycle. The most recent 2019 standards went into effect on January 1, 2020. The 2022 Energy Code and associated Title 24 standards will go into effect on January 1, 2023.

The project would comply with the City's General Plan policies and State Building Code provisions designed to reduce GHG emissions. Approximately 87 percent of the project's emissions would be from energy and mobile sources, which would be further reduced by the 2017 Scoping Plan implementation. In addition, the City has no control over vehicle emissions (approximately 55 percent of the project's total emissions). However, these emissions would decline in the future due to statewide measures including the reduction in the carbon content of fuels, CARB's advanced clean car program, CARB's mobile source strategy, fuel efficiency standards, cleaner technology, and fleet turnover. Additionally, SCAG expects implementation of its RTP/SCS to help California reach its GHG reduction goals, with reductions in per capita transportation emissions of 19 percent in 2035.[22] The project is an infill development project near employment centers, local-serving commercial uses, and several OCTA transit stops, thereby potentially reducing the need to travel long distances.[23] Accordingly, the project would not interfere with the State's efforts to reduce GHG emissions in 2030.

Concerning Executive Order S-3-05 goals for 2050, it is not currently possible to quantify all emissions savings from future regulatory measures because government agencies have not yet developed the measures. Just as the project's GHG emissions would decrease over time from the known regulations that the State would phase in over time, it can be anticipated that project operations would benefit from all applicable measures enacted by State lawmakers to reach the goal of an 80 percent reduction below 1990 levels by 2050. This percentage reduction in the level of GHG emissions that the State's GHG regulators

[22] Southern California Association of Governments, *Connect SoCal 2020–2045 RTP/SCS*, September 3, 2020, p. 9.

[23] The California Air Pollution Control Officers Association, *Quantifying Greenhouse Gas Mitigation Measures* (August 2010) identifies that infill developments, such as the proposed project reduce vehicle miles traveled which reduces fuel consumption. Infill projects such as the proposed project would have improved location efficiency.

believe the State needs to achieve in order to stabilize GHG-induced temperature increases and limit GHG impacts in California's environment. The basis for the analysis included in this Initial Study is knowledge about current GHG emissions regulations and its prediction of GHG impacts, to the extent possible, based on scientific and factual data. Further analysis would be speculative; therefore, in compliance with CEQA, this Initial Study provides no further analysis or conclusions concerning the project's long-term GHG impacts.

In addition, the project would be subject to compliance with applicable building codes and South Coast AQMD rules and regulations during the construction and operational phases, therefore, would not interfere with the State's goals of reducing GHG emissions. Therefore, the project would not conflict with an applicable plan, policy, or regulation (e.g., Title 24, AB 32, and SB 32) adopted to reduce GHG emissions. Impacts would be less than significant and no mitigation is required.

### Cumulative Impacts

As addressed in this Initial Study, because of the global nature of the climate change issue, most projects would not generate GHG emissions that individually would cause a significant impact on global climate change. Therefore, the analysis of a project's GHG impacts is typically not considered individually but is analyzed against the GHG emissions of existing and proposed projects within the region, State, and ultimately against global emissions and how the emissions can cumulatively affect global climate change. The various Attorney General, OPR, and South Coast AQMD publications support this concept. The project would not result in a cumulatively considerable impact associated with GHGs.

### Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

# 4.9 Hazards and Hazardous Materials

The basis for the information provided in this section is the Phase I Environmental Site Assessment (ESA) prepared by Partner (September 2021); the report is included in **Appendix E: Phase I ESA** of this Initial Study.

## Regulatory Setting

Various federal, State, and local agencies regulate hazardous materials management. Federal and State agencies include the U.S. EPA, United States Department of Transportation (DOT), California Environmental Protection Agency (CalEPA), California Department of Toxic Substances (DTSC), California State Water Resources Control Board (SWRCB), Regional Water Quality Control Board (RWQCB), and the California Highway Patrol. Local agencies include the Orange County Fire Authority (OCFA), which regulates hazardous materials use, storage, and disposal within the City.

## Existing Site Conditions

The project site is currently occupied by the Big Adventure Childcare facility. Historical records show that the property was previously used for agricultural uses. Beginning in the 1960s, the surrounding area developed with residential and commercial uses while the project site developed with the current structures. No major changes have occurred on the project site since 1963. During site reconnaissance, Partner did not encounter any underground storage tanks (USTs), wells, or septic systems.

Recognized environmental condition (REC) refers to the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property; due to release to the environment; under conditions indicative of release to the environment; or under conditions that pose a material threat of future release to the environment. The Phase I ESA did not identify any RECs or controlled RECs; however, the potential presence of asbestos-containing materials and lead-based paints, due to the age of the building, was considered an environmental issue. The State Water Resources Control Board GeoTracker database reports a nearby clean-up case was identified in association with an automobile service center (60 Minute Lube) located at 519 Brookhurst Street, 100 feet east of the project site.[24] Remediation occurred and the case has been closed since 1995.

**Threshold (a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

**Less Than Significant Impact.** Project construction would involve the transport, storage, use, and/or disposal of limited quantities of hazardous materials, such as fuels, solvents, degreasers, and paints. The use of these materials during project construction would be short-term and would occur in accordance with standard construction practices, as well as with applicable federal, State, and local regulations. Potentially hazardous materials would be contained, stored, and used during construction in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Examples of such activities include fueling and servicing construction equipment and applying paints and other coatings. Project construction would be temporary, and existing regulations of several agencies would govern these activities. Construction activities would be subject to compliance with relevant regulatory requirements and restrictions concerning the transport, use, or disposal to prevent a significant

[24] State Water Resources Control Board. (2022). *Geotracker*. Retrieved from https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=2323+west+broadway%2C+anaheim%2C+ca.

hazard to the public or environment. The primary regulatory requirements include South Coast AQMD Rule 1166 (volatile organic compound emissions) and Rule 1466 (fugitive dust-toxic air contaminants).

The project proposes the construction of 24, three-story townhomes. The project would not emit hazardous emissions or involve hazardous or acutely hazardous materials, substances, or waste. However, the proposed project could involve the use of materials associated with routine maintenance of the property, such as janitorial supplies for cleaning purposes and/or herbicides and pesticides for landscaping. These uses would not involve the routine transport, use, or disposal of quantities of hazardous materials that could create a significant hazard to the public or environment. The hazardous materials used during operations would be stored, handled, and disposed of in accordance with applicable regulations. At the local level, the OCFA routinely provides inspections to ensure the safe storage, management, and disposal of any hazardous materials in accordance with federal, State, and local regulations. Therefore, following compliance with the regulatory requirements, the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant and no mitigation is required.

**Threshold (b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**Less Than Significant Impact.** The project site is currently developed as a daycare facility with surface parking. As discussed above, the Phase I ESA reported no RECs or controlled RECs associated with the project site. The potential presence of asbestos-containing materials and lead-based paints, due to the age of the daycare building, was considered an environmental issue. Review of State Water Resources Control Board GeoTracker and DTSC Envirostor database did not identify any hazardous clean up cases on or near the project site.[25,26]

Federal, State, and local laws, regulations, and programs address the storage, use, handling, and disposal of any hazardous materials (such as paints and solvents) that the Applicant might use during construction. Compliance with applicable laws and regulations would reduce the risk of hazardous material incidents during construction to a less than significant level. Therefore, project construction activities would not create a significant hazard to the public or to the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

The project would not generate or facilitate the generation of hazardous materials. The proposed project could involve the transport and use of materials associated with routine maintenance of the property, such as janitorial supplies for cleaning purposes and/or herbicides and pesticides for landscaping. However, the types and quantities of materials used and stored on site would not be of a significant quantity to create a reasonable foreseeable upset or accident. Additionally, this analysis assumes that the use, storage, and transport of routinely used hazardous materials would occur in compliance with the established regulatory framework. Project operations would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Impacts would be less than significant and no mitigation is required.

[25] DTSC, Envirostor Database, Available at: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=2219+west+orange+ave+anaheim, Accessed November 30, 2022.

[26] State Water Resources Control Board, GeoTracker, Available at: https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=2219+Orange+Ave+Anaheim, Accessed November 30, 2022.

**Threshold (c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less Than Significant Impact.** The nearest school to the project site is the Walt Disney Elementary School located at 2323 W. Orange Avenue, approximately 0.2 mile to the west. Since the project is a residential development, the proposed project does not include uses that could potentially generate hazardous materials in significant quantities that would have an impact on surrounding schools. Impacts would be less than significant and no mitigation is required.

**Threshold (d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would create a significant hazard to the public or the environment?**

**No Impact.** Government Code Section 65962.5 refers to the Hazardous Waste and Substances Site List, commonly known as the Cortese List, maintained by the DTSC and State Water Resources Control Board. The Cortese list contains hazardous waste and substance sites including public drinking water wells with detectable levels of contamination; sites with known USTs having a reportable release; and solid waste disposal facilities from which there is a known migration. The Cortese list also includes hazardous substance sites selected for remedial action; historic Cortese sites; and sites with known toxic material identified through the abandoned site assessment program. The project would not be located on a site that is included on a hazardous materials site list compiled pursuant to California Government Code Section 65962.5.[27] Therefore, the project would not create a significant hazard to the public or the environment. No impact would occur and no mitigation is required.

**Threshold (e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**

**No Impact.** The airports located nearest to the project site are the Fullerton Municipal Airport located approximately 3.3 miles to the north and Los Alamitos Armed Forces Reserve located approximately 4.7 miles to the southwest. The project site is not within the Airport Influence Areas of these two airports. Therefore, the project would not result in a safety hazard or excessive noise for people working or residing at the project site. No impact would occur and no mitigation is required.

**Threshold (f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**Less Than Significant Impact.** The project would not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Project construction activities would not require the complete closure of any public or private streets or roadways. Temporary construction activities would not impede road use for emergencies or emergency response vehicle access. The EVA is located at the northwestern portion of the property, which is gated with a Knox box.

The City approved its Emergency Operations Plan (EOP) in June 2017. The EOP provides comprehensive policy and guidance for emergency and response operations, and details the responsibilities of residents, organizations, and City-departments. The City uses Anaheim Alert to contact residents and businesses

[27] California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Available at: http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm. Accessed: June 1, 2022.

immediately during emergencies to provide information regarding evacuations. The City released the draft Local Hazard Mitigation Plan in April 2022, which identifies evacuation routes in the Anaheim Hills areas, which are more prone to wildfire risk compared to the rest of the City. In general, major arterials and highways serve as evacuation routes. The project site is not located in the Anaheim Hills area and would not impede the flow of traffic on nearby major streets or highways. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

**No Impact.** The California Department of Forestry and Fire Protection (CAL FIRE) has mapped fire threat potential throughout California. CAL FIRE ranks fire threats based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threats. According to CalFire Fire Hazard Severity Zone Map for Orange County, the project site is not within a State Responsibility Area; it is in a Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ) within a local responsible area.[28] The project site is in a developed urban area and it is not adjacent to or near any wildland areas. Therefore, the project would not expose people or structures to a significant risk involving wildland fires. No impact would occur and no mitigation is required.

## Cumulative Impacts

The project would result in less than significant impact regarding hazards and hazardous materials; therefore, no cumulative impact would occur.

## Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

[28] California, State of, Department of Forestry and Fire Protection, *California Fire Hazard Severity Zone Viewer,* Available at: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414, Accessed June 2, 2022.

# 4.10 Hydrology and Water Quality

C&V Consulting, Inc. prepared a *Preliminary Water Quality Management Plan* (PWQMP) dated July 2022 and a *Preliminary Hydrology Study* dated June 2022. The reports are included as **Appendix F: Hydrology Studies** and summarized below.

**Threshold (a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

**Less Than Significant Impact.** Project impacts related to water quality could occur over three different periods:

- During the earthwork and construction phase, where the potential for erosion, siltation, and sedimentation would be the greatest;
- Following construction, before the establishment of ground cover, when the erosion potential may remain relatively high; and
- After project completion, when impacts related to sedimentation would decrease markedly but those associated with urban runoff would increase.

Urban runoff, both dry and wet weather, discharges into storm drains, and in most cases, flows directly to creeks, rivers, lakes, and the ocean. Polluted runoff can have harmful effects on drinking water, recreational water, and wildlife. Urban runoff pollution includes a wide array of environmental, storm water characteristics dependent on site conditions (e.g., land use, impervious cover, and pollution prevention practices), rain events (duration, amount of rainfall, intensity, and time between events), soil type and particle sizes, the amount of vehicular traffic, and atmospheric deposition. Major pollutants typically found in runoff from urban areas include sediments, nutrients, oxygen-demanding substances, heavy metals, petroleum hydrocarbons, pathogens, and bacteria. Most urban storm water discharges are non-point sources.

The project site is relatively flat with elevations ranging from approximately 104 feet to 107 feet above mean sea level. In the current condition, runoff sheet flows in a westerly and southerly direction. The parking lot area north of the daycare facility slopes west while the drive aisles east of the daycare facility slope south. All runoff discharges to Orange Avenue. The project site has inlets slightly north of the proposed development that collects runoff. In the event that these inlets clog, emergency overflow could be conveyed through an existing gate along the northern property line onto the proposed development site. The project site is approximately 87 percent impervious.

The project site is within Drainage Basin 8 of the City of Anaheim Master Plan of Storm Drainage for Carbon Creek Channel. Stormwater runoff entering Orange Avenue flows west along the curb and gutter until entering into an existing City of Anaheim catch basin at Rosebay Street, which connects to a 54-inch public storm drain. Storm flows continue west toward Gilbert Street and then north towards Broadway until it enters two reinforced concrete boxes before out letting into the Carbon Creek Channel at South Dale Avenue. Carbon Creek Channel eventually confluences with the San Gabriel River and ultimately outlets into the Pacific Ocean at San Pedro Bay.

## Construction

Short-term impacts related to water quality can occur during the earthwork and construction phases when the potential for erosion, siltation, and sedimentation would be the greatest. Additionally, impacts could occur prior to the establishment of ground cover when the erosion potential may remain relatively

high. Project construction has activities that could produce typical pollutants, such as nutrients, heavy metals, pesticides and herbicides, and chemicals related to construction and cleaning, waste materials, including wash water, paints, wood, paper, concrete, food container, sanitary wastes, fuel, and lubricants. Impacts on storm water quality could occur from construction, associated earthmoving, and increased pollutant loading.

Construction activity would be subject to the Construction General Permit for Stormwater Discharge Associated with Construction Activity (Construction General Permit). Construction activities include any construction or demolition activity, including, but not limited to, clearing, grading, grubbing, or excavation, or any other activity that results in a land disturbance of equal to or greater than one acre. The project would disturb approximately 1.3 acres; therefore, the project would be subject to the Construction General Permit.

To obtain coverage under the Construction General Permit, the Applicant is required to file with the State Water Board the Permit Registration Documents (PRDs), which include a Notice of Intent (NOI) and other compliance-related documents. The Construction General Permit requires the development and implementation of an SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs that would meet or exceed measures required by the Construction General Permit to control potential construction-related pollutants. Erosion-control BMPs prevent erosion, whereas sediment controls trap sediment once it has been mobilized. The types of required BMPs are relative to the amount of soil disturbed, the types of pollutants used or stored at the project site and proximity to water bodies. Additionally, the project would be subject to compliance with AMC Section 10.09.070, which requires compliance with the Orange County Drainage Area Management Plan (DAMP) and any conditions and requirements established by the City in order to meet federal and State water quality requirements related to storm water runoff. The DAMP reduces the pollution content of storm water to the Maximum Extent Practicable (MEP). The purpose of the Orange County DAMP is to satisfy NPDES permit conditions for creating and implementing a Storm Water Management Plan to reduce pollutant discharges to the MEP. The DAMP contains guidelines on structural and nonstructural BMPs for meeting the NPDES goals. BMPs include erosion controls, sediment controls, wind erosion controls, tracking controls, non-storm water management, and waste and materials management. Following compliance with NPDES and AMC requirements, which include implementation of BMPs, the project's construction-related activities would not violate any water quality standards or otherwise substantially degrade surface or groundwater quality. Therefore, impacts would be less than significant and no mitigation is required.

### Operations

The Orange County Flood Control District (OCFCD), the County of Orange, and the City of Anaheim along with 25 incorporated cities therein (Permittees) discharge pollutants from their municipal separate storm sewer (drain) systems (MS4s). Storm water and non-storm water enter and are conveyed through the MS4s and discharged to Santa Ana Region surface water bodies. These discharges are subject to countywide waste discharge requirements contained in Order No. R8-2010-0062 (NPDES Permit No. CAS618030), *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff*, which was adopted on January 29, 2020. The MS4 Permit Order provides the revised waste discharge requirements for MS4 discharges within the Orange County watersheds, which includes Anaheim. The MS4 Permit Order supersedes Order No. R8-2009-0030. Orange County uses its Low Impact Development (LID) Ordinance to require that projects comply with NPDES MS4 Permit water quality requirements.

The MS4 Permit Order requires the development and implementation of a Water Quality Management Plan (WQMP) for all "New Development" and "Redevelopment" projects subject to the MS4 Permit Order. New development and redevelopment projects/activities subject to Orange County's LID requirements include all development projects equal to one acre or greater of disturbed area and new development that creates 10,000 sf or greater of new impervious surface on a previously undeveloped site. In addition, significant redevelopment that adds or replaces 5,000 sf or greater of impervious surface on an already developed site is also subject to Orange County's LID requirements. The project involves approximately 1.3-acres of disturbed area, including the replacement of 10,000 sf or more of impervious surface area; as such, the project is subject to Orange County's Model Water Quality Management Program (MWQMP) requirements.

The following is a list of materials anticipated to be used or generated during project operations, which would potentially contribute to pollutants, other than sediment, to storm water runoff.

- Vehicle fluids, including oil, grease, petroleum, and coolants from personal vehicles;
- Landscaping materials and wastes (topsoil, plant materials, herbicides, fertilizers, mulch, pesticides);
- General trash debris and litter; and
- Pet waste (bacteria/ fecal coliforms).

The project site currently has 13 percent pervious and 87 percent impervious surfaces. In the post-development condition, the site would be 100 percent impervious.[29] The proposed drainage pattern would match the site's existing drainage pattern, as previously described.

The project would treat site runoff in accordance with Orange County's MWQMP Requirements. The proposed project would have a collection of area drains and one sump curb inlet catch basin within the internal drive aisles, which would convey flows toward an underground storm drain leading to a detention/infiltration basin. Flows would be pretreated by modular wetland system biofiltration vaults (MWS) prior to entering the basin, which would be sized for the design capture volume per the LID design criteria. The detention/infiltration basin would include a drywell system, which collects and treats storm water runoff underground to promote infiltration and soil percolation to recharge the groundwater. The infiltration system is designed to retain and infiltrate the entire design capture volume, with a drawdown time of the basin is 48 hours. During larger storm events, when the infiltration system is at capacity, storm water would overflow within the proposed biofiltration system and be conveyed off-site via a proposed parkway drain which would outlet to Orange Avenue.

The design of the MWS Biofiltration vaults would provide a three-phase treatment system. When the storm water initially enters the system, a trash rack, filter media, and settling chamber would capture large trash/debris and sediment in the storm water before entering the planting media. The design of this system would treat storm water flow horizontally. Before the storm water enters the planting or "wetland" chamber, the runoff flows through the second phase, a pre-filter cartridge, which captures fine total suspended solids (TSS), metals, nutrients, and bacteria. The pre-filter chamber eliminates additional maintenance of the planting area. The wetland chamber is the system's third phase of the system, which provides final treatment through a combination of physical, chemical, and biological processes.

[29] The preliminary hydrology studies prepared for the proposed project assumed the worst case scenario with regard to calculating storm water runoff, which assumes that a site is 100 percent impervious. The post development impervious percentage would be less than 100 percent since there are proposed landscaped areas. Final engineering would refine the impervious area percentage.

Chapter IV.3: LID BMP Selection and Project Conformance Analysis, identifies the project's proposed non-structural BMPs. The source control and treatment BMPs and how each would be implemented to achieve the site design concept. Non-structural BMPs, which consist of educating employees and occupants, developing and implementing HOA guidelines, and implementing BMPs are also proposed. The project's proposed structural BMPs are summarized in the PWQMP. Structural BMPs would include storm drain stenciling and signage and efficient irrigation systems.

Hydromodification refers to changes in the magnitude and frequency of stream flows and their associated sediment load due to urbanization or other changes in the watershed land use and hydrology and the resulting impacts on receiving channels, such as erosion, sedimentation, and potential degradation of in-stream habitat. Due to the increase of impervious surfaces, from 87 to 100 percent,[30] runoff from the project site would increase. However, storm water BMP implementation and on-site infiltration and detention would reduce the potential for off-site impacts from increased flows. Implementation of BMPs would address the pollutants of concern associated with a multiple-family residential development. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?**

**Less Than Significant Impact.** The project site's water purveyor is the City, which uses imported water, local groundwater, and recycled water to meet its water needs. The City works with two primary agencies to supply water to the community: the Metropolitan Water District of Southern California (MWD) and the Orange County Water District (OCWD) to ensure a reliable water supply that would continue to serve the City in periods of drought and water shortage. The City's main source of water supply is groundwater from the Orange County Groundwater Basin (OC Basin). Historically, the City's water supply primarily came from a mixture of groundwater (70%) and imported water (30%) from MWD; however, the City has taken many of its wells offline as of March 2020 and is operating closer to a 60/40 split. As of April 2021, there are only four active wells, while the remaining wells are offline due to either mechanical issues or a group of chemicals referred to as per- and polyfluoroalkyl substances (PFAS). Over the next several years, the City will construct groundwater treatment facilities to remove PFAS to acceptable State-mandated levels after which groundwater usage will meet or exceed historical levels consistent with increased groundwater supplies due to the expansion of OCWD's Groundwater Replenishment System.[31]

OCWD regulates groundwater levels in the OC Basin by regulating the annual amount of pumping. The regulation is based on establishing the Basin Production Percentage (BPP), the percentage of each producer's total water supply that comes from groundwater pumped from the OC Basin. The BPP is set based on groundwater conditions, availability of imported water supplies, and basin management objectives. The project site is located on the OC Basin. Typically, basin recharge occurs through either the natural percolation of rainwater through the ground or the artificial recharge that occurs at spreading grounds, modular wetlands, etc., which results in the percolation of that captured water into the ground. The project site sits over the OCGB. Project implementation would increase the site's effective impervious area. The project site currently has 13 percent pervious and 87 percent impervious surfaces. Post-project conditions would alter the project site to 100 percent impervious. Therefore, the increase in impervious

[30] The preliminary hydrology studies prepared for the proposed project assumed the worst case scenario with regard to calculating storm water runoff, which assumes that a site is 100 percent impervious. The post development impervious percentage would be less than 100 percent since there are proposed landscaped areas. Final engineering would refine the impervious area percentage.

[31] City of Anaheim. 2020. Urban Water Management Plan. Website: https://www.anaheim.net/DocumentCenter/View/37199/Anaheim-2020-UWMP. Accessed June 14, 2022.

area would reduce the surface area available for groundwater recharge through percolation. However, the project's storm drain system would allow for infiltration. Specifically, runoff would be treated and collected via an underground detention/infiltration basin. The basin would connect to a drywell which would allow for infiltration and soil percolation to recharge groundwater. As discussed in Threshold 4.10e, OCWD manages groundwater levels within a safe basin operating range to protect the long-term sustainability of the OCGB and to protect against land subsidence. OCWD regulates groundwater levels in the OCGB by regulating the annual amount of pumping, or basin production percentage. The project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project would impede the basins' sustainable groundwater management. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (c.i.) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?**

**Threshold (c.ii.) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

**Less Than Significant Impact.** The project would not result in a significant change to the site's drainage pattern. The project would not involve the alteration of the course of a stream or river. As previously addressed, the project would follow the site's existing drainage patterns. The project proposes one drainage management area to collect and convey runoff from landscape areas, surface areas, and roofs to the proposed treatment devices which connect to an infiltration/detention basin. The project would collect and convey surface runoff through curb inlet catch basins that would treat flows via MWS for water quality treatment. Runoff would flow into a detention basin, eventually connecting to a drywell for infiltration. During larger storm events, storm water would overflow within the proposed catch basins and be conveyed off the site via proposed parkway drains along the project site's western boundary. The project proposes to equip the catch basins with storm drain signage and a catch basin trash rack and/or filter to comply with certified full capture system requirements. These flows would follow the existing drainage pattern and connect to existing OCFCD facilities. No flooding would occur on the project site. Impacts would be less than significant and no mitigation is required.

**Threshold (c.iii.) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?**

**Less Than Significant Impact.** The City is primarily built out and has an existing storm water drainage system. The proposed project would not substantially alter the existing drainage patterns of the site, while post-project runoff from the site would increase slightly due to the addition of impervious surfaces. However, the hydrology studies (Appendix F) have demonstrated that proposed project does not significantly affect the downstream drainage systems by the slight increase in runoff. In compliance with the North Orange County Model WQMP document, runoff from the project site would be treated and infiltrated on the site while heavy flows would discharge into existing storm drain facilities. Proposed

drainage improvements include installation of MWS biofiltration vaults, detention basins, and drywell within the project site. The project would have a total design capture volume of 3,822 cubic feet (cf), exceeding the 3,345-cf storage requirement of the North Orange County Model WQMP. Therefore, the project is consistent with the capacity of the City's existing storm drain system and surface water quality requirements. During plan check, the construction plans would be reviewed by the City along with supporting hydrology reports and calculations and the project would be required to comply with NPDES requirements, as well as AMC Section 10.09.070 to address runoff and water quality during grading and project construction. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (c.iv.) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?**

**No Impact.** The project site is not located within the 100-year hazard flood zone area. Flood Insurance Rate Map (FIRM) 060590C0129J indicates the project site is within Zone X, 0.2 percent change flood; areas with one percent annual chance flood with average depths of less than one foot or with drainage areas less than one square mile; or areas protected by levees from the one percent annual chance of flood.[32] Further, the project would use modular wetlands and a drywell system to treat off-site runoff and minimize impacts to existing storm water drainage facilities. The project site is not subject to flooding and would not impede or redirect flood flows. No impact would occur and no mitigation is required.

**Threshold (d) In flood hazard, tsunami, or seiche zones, would the project risk the release of pollutants due to project inundation?**

**No Impact.** As previously noted, the project site is not located within the 100-year hazard flood zone area. The General Plan Safety Element Figure S-6 depicts flood hazard areas and dam failure inundation areas for Prado Dam, Carbon Canyon Dam, Diamond Valley East Dam, and the Walnut Canyon Reservoir, respectively.[33] The project site is not within the inundation area of the Carbon Canyon, Diamond Valley East Dam, or Walnut Creek Dam. However, the entire portion of west Anaheim, inclusive of the project site, is within the dam inundation area of the Prado Dam. However, the project is a residential development that would not involve the use of heavy pollutants that would impair water quality in the event of inundation.

Tsunamis are sea waves that are generated in response to large-magnitude earthquakes. When these waves reach shorelines, they sometimes produce coastal flooding. Seiches are the oscillation of large bodies of standing water, such as lakes, that can occur in response to ground shaking. The project site is approximately ten miles northeast of the Pacific Ocean and there are no nearby bodies of standing water.

The project proposes a residential development that would involve only limited use of materials associated with routine property maintenance, such as janitorial supplies for cleaning purposes and/or herbicides and pesticides for landscaping. The project site is not in a flood hazard, tsunami, or seiche zone and would therefore not risk the release of pollutants associated with such events. Therefore, no impact would occur and no mitigation is required.

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[32] United States, Federal Emergency Management Agency. *FEMA. Flood Insurance Rate Map 06059C0129J*. Available at https://msc.fema.gov/portal/search?AddressQuery=2323%20West%20Broadway%2C%20Anaheim#searchresultsanchor. Accessed August 25, 2022.

[33] City of Anaheim, 2022, General Plan Safety Element Public Review Draft. Available at: https://www.anaheim.net/DocumentCenter/View/45220/Anaheim_Safety-Element_DRAFT_07282022, Accessed August 25, 2022.

**Threshold (e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

**Less Than Significant Impact.** As discussed under threshold a), the project would comply with water quality standards and provisions. In 2014, the State adopted the California Sustainable Groundwater Management Act, which provides authority for agencies to develop and implement groundwater sustainability plans or alternative plans that demonstrate the sustainable management of water basins.

The OCWD manages groundwater levels within a safe basin operating range to protect the long-term sustainability of the OCGB and to protect against land subsidence. OCWD regulates groundwater levels in the Basin by regulating the annual amount of pumping, or basin production percentage. The City of Anaheim does not have its own Groundwater Management Plan. Rather, the City's groundwater management falls under the OCWD's Groundwater Management Plan 2015 Update. In 2020, the City pumped 33,944 acre-feet (AF) of groundwater. The UWMP projects groundwater demands to reach 54,298 AF by 2045. In 2020, actual water consumption in the City was 107 gallons per capita per day (gpcd). The project has an estimated water demand of approximately 8,132 gpd or 9.1 AFY per year. The project's water demand, if solely relied upon from groundwater resources, would represent approximately 0.02 percent of the City's total groundwater demand in 2020. Therefore, there is excess groundwater supply available for the City, and the water supply demand for the proposed project would be negligible. Impacts are less than significant and no mitigation is required.

## Cumulative Impacts

The project, in combination with present and reasonably foreseeable future development that would occur within the watershed, would involve construction activities, a new development from which runoff would discharge into waterways, a potential increased in storm water runoff from new impervious surfaces, and a potential reduction in groundwater recharge areas. Construction of new development within the watershed could result in the erosion of soil, thereby cumulatively affecting the watershed's water quality. In addition, the increase in impermeable surfaces and more intensive land uses within the watershed resulting from future development may also adversely affect water quality by increasing the amount of storm water runoff and common urban contaminants entering the storm drain system. However, new development would be required to comply with existing federal, State, and local regulations regarding construction and operational practices that minimize impacts concerning water quality and storm water flows. Compliance with requirements would minimize potential impacts at each respective development site. As such, there are no significant cumulative impacts.

## Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

# 4.11 Land Use and Planning

**Threshold (a) Would the project physically divide an established community?**

**No Impact.** Examples of projects that could physically divide an established community include a new freeway or highway that traverses an established neighborhood. The project proposes a townhome development located on Orange Avenue between the signalized intersections of Brookhurst Street to the east and Gilbert Street to the west. The project does not propose any new streets or other physical barriers, which could physically divide an established community. Given its nature and scope, the project would not physically divide an established community. Therefore, no impact would occur and no mitigation is required.

**Threshold (b) Would the project 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?**

**Less Than Significant Impact.**

## General Plan

The General Plan Land Use Plan Map depicts the City's land use designations and designates the project site "Residential-Corridor."[34] The Residential-Corridor land use designation is intended to provide for housing opportunities along the City's arterial corridors, with densities ranging up to 13 du/ac. The project proposes a multiple-family residential development at 18.47 du/ac (with density bonus application), which is not consistent with the Residential-Corridor designation. Therefore, the project requires a General Plan Amendment for Lot 2 to change the land use designation from Residential-Corridor to Low-Medium Residential designation. The Low-Medium Residential designation "…provides for a wide range of residential uses, including detached, small-lot single-family residences, attached single-family residences, patio homes, zero lot line residences, duplexes, townhouses, and mobile home parks." The density range for the Low-Medium Residential land use designation is 0-18 du/ac. The project's application of a five percent density bonus permits a higher density than what is typically allowed under the land use designation.

The project is consistent with the following General Plan policies:

**Land Use Element**

**Policy 1.1.1** **Character of Anaheim's Neighborhoods:** Actively pursue development standards and design policies to preserve and enhance the quality and character of Anaheim's many neighborhoods.

**Policy 1.1.2** **Quality of Life in Neighborhoods:** Ensure that new development is designed in a manner that preserves the quality of life in existing neighborhoods.

**Consistency Analysis:** The project proposes a contemporary Spanish architectural design with an articulated façade and decorative accents (i.e., gables, tile, and light fixtures). The project includes similar design features and architectural elements that would be consistent with other residential and mixed-use developments in the area. The color schemes would be neutral with shades of brown, gray, and tan used on each elevation. The project's design includes finishes consistent with the City's development standards

[34] City of Anaheim. (June 2022). *General Plan Land Use Plan.* Retrieved from http://www.anaheim.net/DocumentCenter/View/9519/Z0-GeneralPlan_24x55_Map?bidId=.

and design policies. Therefore, the project would be consistent with or otherwise would not conflict with these policies.

**Policy 2.1.1** **Vacant and Infill Development:** Facilitate new residential development on vacant or underutilized infill parcels.

**Consistency Analysis:** The project proposes 24 townhomes on 1.3 acres of the 2.4-acre site in an urbanized area of the City. Therefore, the proposed project would be consistent with or otherwise would not conflict with this policy.

**Policy 2.1.5** **Employment-Rich & Transit Accessible Housing:** Encourage a mix of quality housing opportunities in employment-rich and transit-accessible locations.

**Policy 5.1.4** **Development with a Variety of Transportation Options:** Promote development that is efficient, pedestrian-friendly, and served by a variety of transportation options.

**Consistency Analysis:** The project is approximately two miles west of I-5 and is served by multiple transit stops within a 0.50-mile radius of the site, including stops on Brookhurst Street. The nearest transit stop is approximately 300 feet east of the project site, south of the intersection of Orange Avenue at Brookhurst Street, which is part of the OCTA Route 35 line. The Applicant proposes to connect internal pedestrian walkways with the existing public sidewalk at Orange Avenue to increase accessibility to the development. Further, a planned Class III bikeway on Orange Avenue would be located within the existing right-of-way south of the project site. The proposed right-of-way abandonment would not impact the planned bikeway. Accordingly, various transportation options would serve the proposed project. Therefore, the project would be consistent with or otherwise would not conflict with these policies.

**Policy 7.1.1** **Jobs/Housing Balance:** Address the jobs-housing balance through the development of housing in proximity to local job centers.

The project would provide housing near local job centers. Two of the City's top employers, the Disneyland Resort and the City of Anaheim, are located within four miles of the project site. There are also various retail uses along Lincoln Avenue and Brookhurst Street, as well as business parks and other employment opportunities for future residents throughout the City. Therefore, the proposed project would be consistent with or otherwise would not conflict with this policy.

**Policy 14.1.2** **Existing Residential Neighborhoods Livability:** Ensure that new development does not compromise the livability of existing residential neighborhoods.

**Consistency Analysis:** The proposed residential use would be similar to the surrounding area and design styles are consistent with nearby developments. The project would provide amenities and on-site parking for residents to limit disturbance to surrounding communities. Therefore, the project would be consistent with or otherwise would not conflict with this policy.

**Community Design Element**

**Policy 3.1.3** **Compatible New and Infill Development:** Require new and infill development to be of compatible scale, materials, and massing as existing development.

**Consistency Analysis:** The project would include design features complimentary in type, form, scale, and character with surrounding developments. The project proposes three-story townhomes, which are incompatible scale with the two-story apartments (El Cortez Apartments) south of Orange Avenue, and the two-story single-family residence at 9882 Theresa Avenue to the north. The proposed architecture

would be consistent with the color palette of the CVS Drug Store and El Cortez Apartments south of Orange Avenue. Further, the proposed residential development would be similar in scale with two-story multi-family and single-family residences. The proposed project would be three stories and would provide visual interest in the surrounding area. Therefore, the project would be consistent with or otherwise would not conflict with this policy.

**Policy 4.1.6** **Provide usable common open space amenities.** Common open space should be centrally located and contain amenities such as seating, shade and play equipment. Private open space may include courtyards, balconies, patios, terraces and enclosed play areas

**Consistency Analysis:** The project would include common landscape areas in front of residential buildings and a shared community open space area with a shade structure, barbeques, tables and chairs, lawn area for small social events, and fire pits. Project amenities would be accessible to all residents and centrally located on the site. Further, the project would meet common open space requirements per the RM-3 Zoning. Therefore, the project would be consistent with or otherwise would not conflict with this policy.

**Draft Housing Element – 6th Cycle Update**

**Housing Quality and Design Strategy 3E: Community Design.** Ensure quality design of future residential projects.

**Consistency Analysis:** The project includes architectural design features (building articulation, enhanced facades) and color palettes similar to nearby residential and mixed-use developments. The project would include a variety of different materials including stucco, glass, and tiles to create visual interest. Therefore, the project would be consistent with or otherwise would not conflict with this strategy.

As demonstrated above, the project would be consistent with or otherwise would not conflict with applicable General Plan policies. The City's Regional Housing Needs Assessment (RHNA) for the 6th Cycle planning period identifies the City's future housing need of 17,411 units. The project would contribute 24 townhomes to assist the City in meeting its housing requirements. Therefore, the project would not conflict with any land use plan, policy, or regulation adopted to mitigate an environmental effect. Impacts would be less than significant and no mitigation is required.

## Zoning Code

The City of Anaheim Zoning Map depicts the City's zoning and indicates the project site is within the "T" Transition Zone.[35] The T Zone "…includes land that is used for agricultural uses, in transitory or interim use, restricted to limited uses because of special conditions, or not zoned to one of the zoning districts in this title for whatever reason, including recent annexation." Development standards for the T Zone are in AMC Chapter 18.14 (Public and Special Purpose Zone). The project proposes a multiple-family residential development, which the Code prohibits in the T Zone. Therefore, the project requires a Reclassification from the T Zone to the "RM-3" Multiple-Family Residential Zone for Lot 2. The RM-3 Multiple-Family Residential Zone "…provides attractive, safe and healthy environment with multiple-family units with a minimum building site area per dwelling unit of two thousand four hundred (2,400) square feet." Development standards for the RM-3 Multiple-Family Residential Zone are in AMC Chapter 18.06 (Multiple Family Residential Zones). The RM-3 Zone implements the General Plan Low-Medium Residential land use designation

[35] City of Anaheim. (July 2020). *Zoning Map.* Retrieved from https://www.anaheim.net/DocumentCenter/View/1871/Zoning-Map?bidId=.

The minimum lot area per dwelling unit for the RM-3 Multiple-Family Residential Zone is 2,400 sf. The proposed project would develop 24 townhomes on approximately 1.3 acres (56,628 sf). As discussed above, the maximum permitted density in the RM-3 Multiple-Family Residential Zone is 0-18 du/ac. The project proposes a multiple-family residential development with a density of 18.47 du/ac, which would be allowed in the RM-3 Multiple-Family Residential Zone given the application of the City's density bonus, which allows a density of up to 19 du/ac.

Additionally, the project would be subject to the RM-3 Multiple-Family Residential Zone's regulations specified in AMC Chapter 18.06 concerning the following key development standards: Lot Width, Structural Height, Minimum Floor Area, Site Coverage, Structural Setbacks, Recreation Leisure and Storage Area, Landscaping, Fencing, and Parking. The City's has determined the project would comply with all relevant development standards, except certain setbacks between proposed buildings within the project site. The deviation in the project's setbacks requires the approval of a Conditional Use Permit. The project's Tier 1 incentive permits the reduction in setbacks, specifically setbacks from three-story primary walls to interior property lines.

Following the City's approval of the requested entitlements (i.e., General Plan Amendment, Zoning Map Amendment (Reclassification), Tentative Tract Map, and Conditional Use Permit), the project would not conflict with the General Plan or AMC. Impacts would be less than significant and no mitigation is required.

### Cumulative Impacts

Project implementation would require a General Plan Amendment and Reclassification. The proposed project is consistent with the General Plan policies and all potential environmental impacts associated with land use would be less than significant. City growth would be subject to review for consistency with adopted land use plans and policies by the City, in accordance with the requirements of State CEQA Guidelines, State Zoning and Planning Law, and the State Subdivision Map Act, all of which require findings of plan and policy consistency prior to the approval of entitlements for development. Therefore, no significant cumulative impacts associated with plans and policies would occur.

### Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

## 4.12 Mineral Resources

**Threshold (a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

**Threshold (b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

**No Impact.** The project site is currently developed as a daycare facility and was not historically or currently used for mineral recovery. General Plan EIR Figure 5.9-1, Mineral Resources Map, does not identify any known State or locally designated mineral resources or locally important mineral resource recovery site on the project site. Therefore, there would be no loss of a known mineral resource with project implementation. No impact would occur and no mitigation is required.

### Cumulative Impacts

No impacts to mineral resources would result from the proposed project. As a result, no cumulative impacts related to mineral resources would occur.

### Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

# 4.13 Noise

The noise modeling is included in **Appendix G: Noise Data** of this Initial Study and summarized below.

The analysis describes sound in terms of amplitude (loudness) and frequency (pitch). The standard unit of sound amplitude measurement is the decibel (dB). The decibel scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is in relation to the frequency of the pressure vibration. Since the human ear is not equally sensitive to a given sound level at all frequencies, the A-weighted decibel scale (dBA) relates noise to human sensitivity. The A-weighted decibel scale provides this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear.

Noise, on the other hand, is unwanted sound. A typical noise environment consists of a base of steady ambient noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These can vary from an occasional aircraft or train passing by to virtually continuous noise from traffic on a major highway.

Several rating scales analyze the adverse effect of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people is largely dependent on the total acoustical energy content of the noise as well as the time of day when the noise occurs. For example, the equivalent continuous sound level ($L_{eq}$) is the acoustic energy content of noise for a stated period; therefore, the $L_{eq}$ of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. The Day-Night Sound level ($L_{dn}$) is a 24-hour average $L_{eq}$ with a 10 dBA "weighting" added to noise during the hours of 10:00 PM to 7:00 AM to account for noise sensitivity in the nighttime. The Community Noise Equivalent Level (CNEL) is a 24-hour average $L_{eq}$ with a 10 dBA weighting added to noise during the hours of 10:00 PM to 7:00 AM and an additional 5 dBA weighting during the hours of 7:00 PM to 10:00 PM to account for noise sensitivity in the evening and nighttime.

## Existing Setting

The project site is developed with the Big Adventure Preschool and Child Care facility, and the surrounding area includes residential and commercial land uses (Table 2-1: Existing Land Use). Mobile noise sources, especially cars and trucks, are the most common and significant sources of noise in the project area. Most of the existing mobile noise in the project area is from vehicles along surrounding roadways including Orange Avenue and Brookhurst Street. The primary sources of stationary noise are urban activities (i.e., mechanical equipment, parking areas, and pedestrians). The noise associated with these sources may represent a single-event noise occurrence, short-term or long-term/continuous noise.

**Noise-Sensitive Receptors.** Noise-sensitive receptors are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are also sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places where low interior noise levels are essential are additional noise-sensitive land uses. Noise-sensitive receptors (i.e., single-family and multiple-family residential uses) are located north, west, and south of the project site. The nearest noise-sensitive receptors are the single-family residences to the northwest (40 feet) and the multiple-family residential uses to the southwest (80 feet).

**Noise Measurements.** Noise level measurements were taken near the project site to establish current baseline noise levels in ten-minute measurements between 2:28 PM and 3:02 PM on June 1, 2022. Short-term ($L_{eq}$) measurements are representative of the noise levels throughout the day. These measurements were taken during off-peak traffic hours to characterize baseline noise levels without exposure to heavy traffic or noise-generating activities. As identified in **Table 4.13-1**: **Noise Measurements,** the measured noise levels range between 54.5 dBA $L_{eq}$ and 62.1 dBA $L_{eq}$.

**Table 4.13-1: Noise Measurements**

| Site | Location | $L_{eq}$ | $L_{min}$ | $L_{max}$ | Time |
|---|---|---|---|---|---|
| 1 | Northwest corner of daycare parking Lot | 54.5 | 47.8 | 71.1 | 2:28 – 2:38 PM |
| 2 | Northeast corner of daycare parking Lot | 54.6 | 49.1 | 66.1 | 2:40 – 2:50 PM |
| 3 | Near the project site's southern boundary along Orange Avenue | 62.1 | 48.0 | 77.4 | 2:52 – 3:02 PM |

$L_{eq}$: equivalent noise level; $L_{min}$: minimum noise level; $L_{max}$: maximum noise level
Source: Noise measurements conducted by Kimley-Horn, 2022.

Transportation-related noise associated with the arterial transportation network, and background noise from land use activities, dominate the background ambient noise levels in the project study area. Meteorological conditions were clear skies, warm temperatures with light wind speeds (less than five miles per hour), and low humidity. The noise monitoring equipment used for the ambient noise survey was a Larson Davis LxT Type I sound level meter. The monitoring equipment complies with the applicable requirements of the American National Standards Institute (ANSI) for Type I sound level meters.

## Regulatory Setting

**California Code of Regulations, Title 24.** The California Code of Regulations, Title 24: Part 1, Building Standards Administrative Code, and Part 2, California Building Code codifies the State's noise insulation standards. These noise standards apply to new construction in California for the purpose of interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the design of the structure would limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

**City of Anaheim General Plan.** The General Plan Noise Element contains noise and land use compatibility standards for various land uses throughout the City; see **Table 4.13-2***:* **Anaheim Noise and Land Use Compatibility**. The City uses these standards and criteria in the land use planning process to reduce future noise and land use incompatibilities. The standards shown in the table are the primary tool that allows the City to ensure integrated planning for compatibility between land uses and outdoor noise.

**Table 4.13-2: Noise and Land Use Compatibility**

| Land Use Category | CNEL, dBA[1] | | | | | | |
|---|---|---|---|---|---|---|---|
| | 50 | 55 | 60 | 65 | 70 | 75 | 80 |
| Residential-Low Density Single-family, Duplex, Mobile Homes | | | | | | | |
| Residential – Multiple Family | | | | | | | |
| Transient Lodging – Motels, Hotels | | | | | | | |
| Schools, Libraries, Churches, Hospitals, Nursing Homes | | | | | | | |
| Auditoriums, Concert Halls, Amphitheaters | | | | | | | |
| Sports Arenas, Outdoor Spectator Sports | | | | | | | |
| Playgrounds, Neighborhood Parks | | | | | | | |
| Golf Courses, Riding Stables, Water Recreation, Cemeteries | | | | | | | |
| Office Buildings, Businesses, Commercial and Professional | | | | | | | |
| Industrial, Manufacturing, Utilities, Agriculture | | | | | | | |

Normally Acceptable: Specified land use is satisfactory based on the assumption that any buildings involved are of conventional construction, without special noise insulation requirements.

Conditionally Acceptable: New construction should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice. Outdoor environment will seem noisy.

Normally Unacceptable: New construction should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made with needed noise insulation features included in the design. Outdoor areas must be shielded.

Clearly Unacceptable: New construction or development should generally not be undertaken. Construction costs to make the indoor environment acceptable would be prohibitive and the outdoor environment would not be usable.

Source: *City of Anaheim General Plan*, Figure N-2: Land Use Compatibility for Community Noise Exposure (Exterior), May 2004.

The Noise Element also contains the State of California interior and exterior noise standards for various land uses; see **Table 4.13-3: Interior and Exterior Noise Standards**.

**Table 4.13-3: Interior and Exterior Noise Standards**

| Land Use | | CNEL (dBA) | |
|---|---|---|---|
| **Categories** | **Uses** | **Interior[1]** | **Exterior[2]** |
| Residential | Single-and multiple-family, duplex | 45[3] | 65 |
| | Mobile Homes | - | 65[4] |
| Commercial | Hotel, motel, transient housing | 45 | - |
| | Commercial retail, bank, restaurant | 55 | - |
| | Office building, research and development, professional offices | 50 | - |
| | Amphitheater, concert hall, auditorium, movie theater | 45 | - |
| | Gymnasium | 50 | - |
| | Sports Club | 55 | - |
| | Manufacturing, warehousing, wholesale, utilities | 65 | - |
| | Movie Theaters | 45 | - |
| Institutional/Public | Hospital, school classrooms/playgrounds | 45 | 65 |
| | Church, library | 45 | - |
| Open Space | Parks | - | 65 |

1. Indoor environment excluding bathrooms, kitchens, toilets, closets, and corridors.
2. Outdoor environment limited to private yard of single-family dwellings, multiple-family private patios or balconies accessed from within the dwelling (balconies 6 feet deep or less are exempt), mobile home parks, park picnic areas, school playgrounds, hospital patios.
3. Noise level requirement with closed windows, mechanical ventilation or other means of natural ventilation shall be provided as per Chapter 12, §1205 of the Uniform Building Code.
4. Exterior noise levels should be such that interior noise levels will not exceed 45 dBA CNEL.

Source: City of Anaheim, *City of Anaheim General Plan*, Table N-3: State of California Interior and Exterior Noise Standards, May 2004.

**AMC Section 6.70.010, Sound Pressure Levels.** AMC Section 6.70.010 states that no person shall, within the City, create any sound, radiated for extended periods from any premises that produces a sound pressure level at any point on the property in excess of 60 dBA. AMC Section 6.70.010 also exempts certain noise sources from the provisions of this code, including traffic sounds, sound created by emergency activities, and construction or building repair of any premises during the hours of 7:00 AM to 7:00 PM.

**AMC Section 18.40.090, Sound Attenuation for Residential Developments.** AMC Section 18.40.090 (Sound Attenuation for Residential Developments) applies to residential developments involving the construction of two or more dwelling units, or residential subdivisions resulting in two or more parcels, and located within 600 feet of any railroad, freeway, expressway, major arterial, primary arterial or secondary arterial, as designated by the General Plan Circulation Element. A noise level analysis is required for any new residential development or subdivision that meets these criteria, which must include mitigation measures that would be required to comply with applicable City noise standards including, but not limited to, the following:

- Exterior noise within the private rear yard of any single-family lot and/or within any common recreation areas shall be attenuated to a maximum of 65 dBA CNEL; interior noise levels shall be

attenuated to a maximum of 45 dBA CNEL, or to a level designated by the Uniform Building Code, as adopted by the City (identified in AMC Section 18.40.090).

- Exterior noise within common recreation areas of any single-family attached or multiple-family dwelling project shall be attenuated to a maximum of 65 dB CNEL; interior noise levels shall be attenuated to a maximum of 45 dB CNEL, or to a level designated by the Uniform Building Code, as adopted by the City (identified in AMC Section 18.40.090).

AMC Section 18.40.090.060 specifies that the Planning Commission may grant a deviation from the requirements pertaining to exterior noise levels, given that all of the following conditions exist:

- The deviation does not exceed 5 dB above the prescribed levels for exterior noise;[36] and
- Measures to attenuate noise to the prescribed levels would compromise or conflict with the aesthetic value of the project.

**Threshold (a) Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?**

**Less Than Significant Impact**.

## Construction

Construction noise represents a short-term impact on ambient noise levels. Noise generated by equipment for demolition and construction equipment, including trucks, graders, bulldozers, concrete mixers, and portable generators can reach high levels. Construction activities on the project site would expose existing noise-sensitive uses to increased noise levels. In typical construction projects such as the proposed project, the loudest noise generally occurs during demolition and grading activities because they involve the largest equipment. **Table 4.13-4: Maximum Noise Levels Generated by Construction Equipment** shows the maximum noise levels generated by construction equipment. It is noted that the noise levels identified in the table are maximum sound levels ($L_{max}$), which are the highest individual sound occurring at an individual time period. Operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts).

Following the methodology for quantitative construction noise assessments in the Federal Transit Authority's (FTA) *Transit Noise and Vibration Impact Assessment Manual* (September 2018) (FTA Noise and Vibration Manual), the FHWA RCNM model was used to predict construction noise at the nearest off-site receptors. RCNM is a computer program used to assess construction noise impacts and allows for user-defined construction equipment and user-defined noise limit criteria. Noise levels were calculated for each construction phase and are based on the equipment used, distance to the nearest property/receptor, and acoustical use factor for equipment.

[36] The deviation from prescribed levels does not pertain to interior noise levels.

| Table 4.13-4: Maximum Noise Levels Generated by Construction Equipment | |
|---|---|
| **Equipment** | **Typical Noise Level at 50 Feet (dBA $L_{max}$)** |
| Crane | 88 |
| Concrete Mixer Truck | 85 |
| Backhoe | 80 |
| Dozer | 85 |
| Paver | 85 |
| Roller | 85 |
| Truck | 84 |
| Grader | 85 |
| Compactor | 82 |

dBA: A-weighted decibels; $L_{max}$: maximum noise level
Note: Acoustical Use Factor (percent): Estimates the fraction of time each piece of construction equipment is operating at full power (i.e., its loudest condition) during a construction operation.
Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

Following FTA methodology, when calculating construction noise, all construction equipment is assumed to operate simultaneously at the center of the active construction zone. However, in reality, equipment would be operating throughout the project site and not all equipment would be operating at the point closest to the sensitive receptors. Therefore, the distances used in the RCNM model were approximately 190 and 230 feet to the nearest residential receptors to the northwest and southwest of the project site, respectively, and approximately 195 feet to the Faith Lutheran Church of Anaheim, west of the development proposed on Lot 2 of the project site; refer to **Appendix G: Noise Modeling Data** for RCNM modeling results.[37] The noise levels identified in **Table 4.13-5: Project Construction Noise Levels**, show the project's estimated exterior construction noise levels at the nearest noise-sensitive uses without accounting for attenuation from existing physical barriers.

The City's Noise Ordinance does not establish quantitative construction noise standards. The FTA has established a daytime threshold of 80 dBA $L_{eq}$ (8-hours) for residential uses to evaluate construction noise impacts.[38] As shown in the table, noise levels at the nearest sensitive receptors would reach a maximum of 76.6 dBA $L_{eq}$ would not exceed the FTA's 80 dBA $L_{eq}$ (8-hour) threshold for residential uses. AMC Section 6.70.010 exempts construction activities from the City's noise standards between the hours of 7:00 AM and 7:00 PM. It is also noted that construction noise would be acoustically dispersed throughout the project site and not concentrated in one area near surrounding sensitive uses, and the proposed project would be required to comply with AMC Section 6.70.010. Since construction noise levels would not exceed the FTA noise standards and would comply with the allowable hours in the AMC, construction-related noise impacts would be less than significant.

[37] The church is located on Lot 2 of the project site; however, analysis was done to consider project impacts on the church since it is a sensitive receptor.

[38] Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Table 7-2, Page 179, September 2018.

**Table 4.13-5: Project Construction Noise Levels**

| Construction Phase | Receptor Location | | | Worst-Case Modeled Exterior Noise Level (dBA $L_{eq}$) | Noise Threshold (dBA $L_{eq}$)[2] | Exceeded? |
|---|---|---|---|---|---|---|
| | Land Use | Direction | Distance to Project Site Center (feet)[1] | | | |
| Demolition | Residential | Northwest | 190 | 76.3 | 80 | No |
| | Church[3] | West | 195 | 76.6 | 80 | No |
| | Residential | Southwest | 230 | 74.7 | 80 | No |
| Site Preparation | Residential | Northwest | 190 | 73.0 | 80 | No |
| | Church | West | 195 | 72.7 | 80 | No |
| | Residential | Southwest | 230 | 71.3 | 80 | No |
| Grading | Residential | Northwest | 190 | 74.3 | 80 | No |
| | Church | West | 195 | 74.0 | 80 | No |
| | Residential | Southwest | 230 | 72.6 | 80 | No |
| Building Construction | Residential | Northwest | 190 | 74.0 | 80 | No |
| | Church | West | 195 | 73.8 | 80 | No |
| | Residential | Southwest | 230 | 72.4 | 80 | No |
| Paving | Residential | Northwest | 190 | 75.2 | 80 | No |
| | Church | West | 195 | 75.0 | 80 | No |
| | Residential | Southwest | 230 | 73.6 | 80 | No |
| Architectural Coating | Residential | Northwest | 190 | 62.1 | 80 | No |
| | Church | West | 195 | 61.9 | 80 | No |
| | Residential | Southwest | 230 | 60.4 | 80 | No |

1. Per the methodology described in the FTA *Transit Noise and Vibration Impact Assessment Manual* (September 2018), distances are measured from the nearby buildings to the center of the Project construction site. Therefore, distance may not match those identified in **Table 4.13-6**, which are measured from the property line.
2. Thresholds are from Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual,* Table 7-3, 2018.
3. The church is located on Lot 2 of the project site; however, analysis was done to consider project impacts on the church since it is a sensitive receptor.

Source: Federal Highway Administration, *Roadway Construction Noise Model,* 2006. See **Appendix G** for noise modeling results.

## Operations

The primary noise sources associated with residential land uses include mechanical equipment children playing, typical stationary noise from residential uses (e.g., dogs barking, people talking, music playing, etc.), parking noise, traffic, trash/recycling collection, and landscaping equipment.

**Mechanical Equipment.** Mechanical equipment (e.g., heating, ventilation, and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet.[39] Sound levels decrease by 6 dBA for each doubling of distance from the source.[40] The nearest noise-sensitive receptor would be located approximately 73 feet from the closest potential HVAC equipment at the project site. At 73 feet, mechanical equipment noise levels would be approximately 48.7 dBA. and would be below the City's most

[39] Elliott H. Berger, Rick Neitzel1, and Cynthia A. Kladden. (2010). *Noise Navigator Sound Level Database with Over 1700 Measurement Values*.

[40] Cyril M. Harris, *Noise Control in Buildings*, 1994.

stringent exterior noise standard of 60 dBA for residential uses as set forth in AMC Section 6.70.010. Impacts from mechanical equipment would be less than significant.

**Residential Stationary Noise.** The project would also result in stationary noise that is typical of residential uses/neighborhoods, including dogs barking, music playing, people talking, etc. These noise sources can generate noise levels between up to 65 dBA at a distance of 50 feet.[41] However, noise events from these stationary sources are generally sporadic, short in duration, and would not last for extended periods of time. In addition, stationary noise is generated by residences to the northwest and southwest, the church on the westerly Lot 1, and by the childcare daycare facility under existing conditions. Therefore, stationary noise levels from the project would not result in a noticeable increase in ambient noise levels and would comply with the noise standards set forth in AMC Section 6.70.010. Impacts would be less than significant impact.

**Parking Lot Noise.** Traffic in parking lots is typically not of sufficient volume to exceed community noise standards, based on a time-averaged scale such as the CNEL scale. The instantaneous maximum sound levels generated by the slamming of a car door, starting an engine starting up, and car pass-bys, range from 53 to 61 dBA[42] and may be an annoyance to adjacent noise-sensitive receptors. Conversations in parking areas may also be an annoyance to adjacent noise-sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech.[43]

Parking lot noise would occur at the surface parking spaces on-site. However, parking lot noise is instantaneous and would be well below the City's community noise standards when averaged over time. In addition, parking lot noise is currently generated on the site and at the surrounding commercial and residential uses under existing conditions. Therefore, noise impacts from parking lot activities would be less than significant.

**Trash/Recycling Collection Noise.** The project would require trash and recycling collection. Solid waste collection trucks would access the project site from Orange Avenue. Low-speed truck noise results from a combination of engine, exhaust, and tire noise, as well as the intermittent sounds of backup alarms and releases of compressed air associated with truck air brakes. As such, solid waste pickup trucks could generate noticeable noise levels at nearby receptors. However, solid waste collection activities currently occur at adjacent uses and are essential to the project area. Further, solid waste pickup noise would be short-term and intermittent and would be partially masked by background traffic noise along Orange Avenue. This analysis anticipates that actual noise levels over time resulting from trash/recycling collection activities would be below the City's noise standards. Therefore, noise impacts associated with trash/recycling collection would be less than significant.

**Off-Site Mobile Noise.** In general, a traffic noise increase of 3 dBA is barely perceptible to people, while a 5 dBA increase is readily noticeable. Traffic volumes on project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA.[44] Project implementation would not generate increased traffic volumes along nearby roadway segments. According to the project traffic analysis, the project would result in 162 daily vehicle trips and a net reduction of 271 daily vehicle trips compared to existing conditions. As such, the project would not result in an increase in traffic noise

[41] Elliott H. Berger, Rick Neitzel1, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, June 26, 2015.

[42] Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.

[43] Elliott H. Berger, Rick Neitzel1, and Cynthia A. Kladden. (2010). *Noise Navigator Sound Level Database with Over 1700 Measurement Values*.

[44] According to the California Department of Transportation, *Technical Noise Supplement to Traffic Noise Analysis Protocol* (September 2013), it takes a doubling of traffic to create a noticeable (i.e., 3 dBA) noise increase.

along Orange Avenue, Brookhurst Street, or other local roadways. This decrease in traffic volumes would also result in traffic noise decreases on project area roadways. Therefore, noise impacts from off-site traffic would be less than significant.

**Landscaping Equipment.** The project would include the use of landscaping equipment such as lawnmowers and leaf blowers throughout the site, which can generate noise levels between approximately 76 dBA and 88 dBA at one meter assuming a clear line of sight from source to receiver.[45] The nearest off-site noise-sensitive uses (residences northwest of the project site) would be located approximately 40 feet of operating landscaping equipment. Although landscaping equipment noise levels could temporarily exceed the City's 60 dBA and 65 dBA CNEL noise limits for residential uses, the use of this equipment would be temporary and take place during normal daytime hours. In addition, surrounding uses have noise generated from landscaping equipment under existing conditions. Therefore, landscaping equipment would not generate noise levels above ambient conditions and impacts would be less than significant and no mitigation is required.

**On-Site Noise Impacts.**[46] AMC Section 18.40.090 (Sound Attenuation for Residential Developments) applies to residential developments located within 600 feet of major arterial roadway. The project site is located within 600 feet of Brookhurst Street, which is designated a major arterial roadway in the General Plan Circulation Element. As such, on-site noise levels are required to not exceed the City's 65 dBA CNEL exterior noise standard and/or 45 dBA CNEL interior noise standard per AMC Section 18.40.090.

Based on the noise measurement data obtained for ST-3 (see **Table 4.13-1**), exterior noise levels at the proposed common outdoor recreation space closest to Orange Avenue would be approximately 63.3 dBA CNEL, which is below the City's 65 dBA CNEL noise standard per AMC Section 18.40.090. In addition, interior noise levels would be approximately 38.3 dBA assuming an exterior-to-interior reduction of 25 dBA for standard construction practices and would not exceed the City's 45 dBA CNEL noise standard.[47] Therefore, adherence to AMC would reduce impacts to a less than significant level and no mitigation is required.

**Threshold (b) Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?**

**Less Than Significant Impact**. Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. The operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located near the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

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[45] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, June 26, 2015.

[46] The California Supreme Court in a December 2015 opinion (*California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 [No. S 213478]) confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, this section is not required under CEQA and is included for informational purposes only. The evaluation of the significance of project impacts in the following discussion is provided to ensure compliance with City and State Building Code noise standards.

[47] U.S. Department of Housing and Urban Development, *The Noise Guidebook,* 2009, available at *https://www.hudexchange.info/resource/313/hud-noise-guidebook/*

The FTA has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.20 inch/second) appears to be conservative. The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods. Building damage can be cosmetic or structural. **Table 4.13-6: Typical Vibration Levels for Construction Equipment** identifies typical vibration levels produced by construction equipment.

**Table 4.13-6: Typical Vibration Levels for Construction Equipment**

| Equipment | Approximate Peak Particle Velocity at 25 Feet (inches/second) | Approximate Peak Particle Velocity at 40 Feet (inches/second) |
|---|---|---|
| Large bulldozer | 0.089 | 0.044 |
| Loaded trucks | 0.076 | 0.038 |
| Small bulldozer | 0.003 | 0.002 |
| Jackhammer | 0.035 | 0.017 |
| Vibratory compactor/roller | 0.210 | 0.104 |

1. Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018. Table 7-4.
2. Calculated using the following formula:

$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$

where: PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance
PPV (ref) = the reference vibration level in in/sec from Table 7-4 of the FTA *Transit Noise and Vibration Impact Assessment Manual,* September 2018.
D = the distance from the equipment to the receiver

Groundborne vibration decreases rapidly with distance. The project would not require pile driving. As indicated in the table, based on the FTA data, vibration velocities from typical heavy construction equipment operations that the Applicant would use, during project construction, range from 0.003 to 0.210 inch-per-second PPV at 25 feet from the source of activity. At 40 feet (at the nearest structure), construction equipment vibration levels would range from 0.002 to 0.104 inches-per-second PPV, which would be below the 0.2 inch-per-second PPV structural damage threshold and the 0.4 inch-per-second PPV human annoyance threshold. Impacts would be less than significant and no mitigation is required.

**Threshold (c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** The nearest airports to the project site are the Fullerton Municipal Airport located approximately 3.3 miles to the north and Los Alamitos Armed Forces Reserve located approximately 4.7 miles to the southwest. The project site is not located within the Airport Influence Areas of these two airports. Project implementation would not result in the exposure of people residing or working in the project area to excessive noise levels. Therefore, no impact would occur and no mitigation is required.

## Cumulative Impacts

As discussed above, all construction and operational noise impacts would be less than significant. Construction noise impacts are by nature localized. The separation distance between the proposed project and other related projects would be such that the temporary noise and vibration effects from the proposed project would not compound or increase similar noise or vibration effects from other related projects. As discussed above, operational noise caused by the proposed project would be less than

significant. Due to site distance and intervening structures and land uses, cumulative stationary noise impacts would not occur. No known past, present, or reasonably foreseeable projects would compound or increase the project's operational noise levels. Therefore, cumulative impacts relative to temporary and permanent noise generation associated with the proposed project would be less than significant.

### Standard Conditions and Mitigation Measures

No mitigation measures and standard conditions are applicable to the proposed project.

# 4.14 Population and Housing

**Threshold (a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

**Less Than Significant Impact.** The California Department of Finance reports the City's estimated population was 341,245 persons as of January 1, 2022, with an estimated 3.16 persons per household.[48] The project proposes a 24-unit townhome development. Assuming 3.16 persons per household and 24 dwelling units, the project would generate a population increase of approximately 76 persons, which represents nominal population growth (approximately 0.02 percent) over the City's existing population of 341,245 persons. Additionally, the project would increase the City's housing stock by 24 units. The City's Regional Housing Needs Assessment (RHNA) for the 6th Cycle (2021-2029) planning period identifies the City's future housing need of 17,411 units. The project would contribute to the provision of additional housing needed during the 6th Cycle planning period. Additionally, three townhomes would be reserved for Moderate Income levels, contributing toward the City's Moderate Income RHNA allocation.

SCAG has developed growth forecasts for cities and counties based on General Plans. SCAG included these growth forecasts in its Connect SoCal 2020-2045 RTP/SCS. SCAG forecasts the City's population will increase to 416,800 persons and 122,700 households by 2045.[49] The project site is designated for residential land uses; therefore, population growth is assumed. The project proposes to change the land use designation on Lot 2 from Residential-Corridor (0- 3 du/ac) to a Low-Medium Residential designation that allows (0-18 du/ac).With the project's density bonus, up to 19 du/ac is allowed. As discussed above, the project would increase the City's population by 0.02 percent compared to SCAG's 2045 City population forecast of 416,800 persons. Therefore, the project would not induce substantial population growth in the City directly by proposing new homes, or indirectly through the extension of roads or other infrastructure to unserved areas. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The project site is currently developed as a daycare facility and does not support housing. Therefore, the project would not displace people or housing. No impact would occur and no mitigation is required.

## Cumulative Impacts

The project would be consistent with the City's growth projections, as concluded above. Additional development in the City would be subject to review for consistency with the adopted General Plan, in accordance with CEQA requirements. Therefore, no significant cumulative impacts associated with population and housing would occur.

## Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

[48] California, State of, Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2011-2020*. Available at http://dof.ca.gov/Forecasting/Demographics/Estimates/E-5/., Accessed June 1, 2022.

[49] Southern California Association of Governments. *Adopted Final Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy*. Available at https://scag.ca.gov/read-plan-adopted-final-plan. Accessed June 2, 2022.

## 4.15 Public Services

**Threshold (a.i) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?**

**Less Than Significant Impact.** The City of Anaheim Fire and Rescue Department provides fire protection services to the project site. The Fire and Rescue Department operates 12 fire stations.[50] It staffs 12 engine companies including 10 designated paramedic companies, 5 truck companies, 1 contract paramedic company, 1 hazardous materials unit, 1 technical rescue unit, and 2 Battalions. The fire stations nearest to the project site are Anaheim Fire Station #4, at 2736 W. Orange Avenue, approximately 1.2 miles west of the project site, and Anaheim Fire Station #2, at 2141 West Crescent Avenue, approximately 1.2 miles northeast of the project site.

The population growth that the analysis forecasted for the project would incrementally increase the demand for fire protection and emergency medical services to the project site. However, the forecast population growth and increased demand for services would not exceed General Plan population projections and anticipated public service needs. The project would be required to comply with applicable building and fire codes and pay the appropriate impact fees in effect at the time of building permit issuance, to offset any incremental demand in calls for service. The project does not propose, and would not create a need for, new/physically altered fire protection facilities to maintain acceptable service ratios/response times. Therefore, the project would not result in adverse physical impacts associated with such facilities. Given the project's nature and scope, a less than significant impact would occur concerning fire protection facilities and no mitigation is required.

**Threshold (a.ii) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?**

**Less Than Significant Impact.** The Anaheim Police Department provides police protection and law enforcement services to the City. The Police Department provides emergency police response, non-emergency police response, routine police patrol, traffic violation enforcement, traffic accident investigation, animal control, and parking code enforcement. The Police Department headquarters is located at 425 S. Harbor Boulevard, approximately 2.3 miles east of the project site. The Police Department currently operates 2 police stations.[51]

The population growth forecasted for the project would incrementally increase the demand for police protection services at the project site. However, the forecast population growth and increased demand for services would not exceed General Plan population projections and anticipated public service needs. The Police Department would review the proposed project during the plan check process to ensure that adequate lighting, safety, and security features are included in the proposed project design. The project

[50] City of Anaheim. 2022. *Anaheim Fiscal Year 2022-2023 Adopted Budget.* Available at http://anaheim.net/ArchiveCenter/ViewFile/Item/872, Accessed June 6, 2022.

[51] Anaheim Police Department. (2022). Command Staff. Retrieved from https://www.anaheim.net/172/Command-Staff.

does not propose, and would not create a need for, new/physically altered police protection facilities to maintain acceptable service ratios/response times. Therefore, the project would not result in adverse physical impacts associated with such facilities. Given the project's nature and scope, a less than significant impact would occur concerning police protection facilities and no mitigation is required.

**Threshold (a.iii) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives schools?**

**Less Than Significant Impact.** The project site is within the Magnolia School District (MSD) (Pre-K – 6th) and Anaheim Unified High School District (AUHSD) (7th – 12th) boundaries. The schools serving the project site and their current capacities are identified in **Table 4.15-1**: **Schools Serving Project Site.**

**Table 4.15-1: Schools Serving Project Site**

| School District | Schools | Grades | 2021-2022 Enrollment |
|---|---|---|---|
| Magnolia School District | Walt Disney Elementary School<br>2323 W. Orange Ave, Anaheim | K-6 | 520 |
| Anaheim Unified High School District | Dale Junior High School<br>900 S. Dale Ave, Anaheim | 7-8 | 979 |
| | Magnolia High School<br>2450 W. Ball Rd, Anaheim | 9-12 | 1,671 |
| **Total** | | | **3,170** |

Source: California Department of Education, Dataquest- Enrollment Reports, https://dq.cde.ca.gov/dataquest/, Accessed June 6, 2022

**Table 4.15-2: Project Student Generation** provides the project's forecast student population growth based on City-adopted student generation rates.

**Table 4.15-2: Project Student Generation**

| Grades | Student Generation Rate | Students |
|---|---|---|
| K-6 | 0.116 | 9 |
| 7-8 | 0.013 | 1 |
| 9-12 | 0.032 | 3 |
| **Total** | | **13** |

Source: The Planning Center. (2004). Anaheim General Plan and Zoning Code Update EIR Table 5.13-14

As indicated in Table 4.15-2, the project would generate nine new students to the MSD and four new students to the AUHSD. The forecasted student population growth would incrementally increase the demand for school facilities and services. However, the project would be subject to payment of school impact fees in accordance with SB 50. As of June 2022, residential development school impact fees for MSD is $1.74 and AUHSD is $2.04, or a combined total of $3.78/sf for multiple-family residential.[52] Pursuant to Government Code Section 65995(h), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed …are hereby deemed to be full and complete mitigation of the impacts of

[52] Anaheim Union Unified School District, *Personal Phone Communication with Leticia Hauck – Facilities Planning Assistant*, June 6, 2022.

any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization …on the provision of adequate school facilities." The Applicant would pay developer fees in compliance with the established regulatory framework to support the provision of adequate school services.

Due to the project site's distance from schools (0.2 mile east of Walt Disney Elementary School), project construction activities would not disrupt school services. Additionally, the project does not propose and would not create a need for new or physically altered school facilities to maintain acceptable service ratios/standards. Therefore, the project would not result in adverse physical impacts associated with such facilities. Given the project's nature and scope, a less than significant impact would occur concerning schools and no mitigation is required.

**Threshold (a.iv) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?**

**Less Than Significant Impact.** See **Section 4.16: Recreation**.

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

**Less Than Significant Impact.** The Anaheim Public Library system has 159,809 sf of library space across various facilities, a bookmobile, and 621,114 collection items as noted in **Table 4.15-3**: **City of Anaheim Library Facilities**. Population growth affects online resources because the basis for licensing fees for these databases, eBooks, and other digital resources is generally the library service area's population. With additional residents to serve, the proposed project would reduce the overall per capita availability of books, media, computers, and library public service space. Therefore, to maintain current per capita levels and licensing agreements, the City would need to provide additional physical and virtual resources to the Anaheim Public Library system. The threshold for determining impacts pursuant to CEQA is based upon whether a project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios or other performance objectives. The impacts on the overall per capita availability of books, media, computers, and library public service space would not create significant physical or environmental impacts. Therefore, project-related impacts to library facilities would be less than significant and no mitigation is required.

**Table 4.15-3: City of Anaheim Library Facilities**

| Anaheim Public Library | Address | Building Size (square feet) | Approximate Driving Distance to Project Site (miles) |
|---|---|---|---|
| Central Library | 500 W. Broadway | 67,500 | 2.4 |
| Haskett Branch | 2650 W. Broadway | 23,673 | 1.4 |
| Euclid Branch | 1340 S. Euclid St | 10,672 | 1.8 |
| Sunkist Branch | 901 S. Sunkist St | 10,622 | 5.7 |
| Canyon Hills Branch | 400 S. Scout Trail | 18,000 | 13.3 |
| East Anaheim Branch | 8201 E. Santa Ana Canyon Rd | 10,546 | 15.6 |
| Ponderosa Joint-Use Branch | 240 E. Orangewood Ave | 3,500 | 6.9 |
| Heritage Services (Archival Research Outlet) | 241 S. Anaheim Blvd | 5,289 | 3.4 |
| Founders Park (Historic Experience Center) | 400 N. West St | 10,007 | 2.6 |
| Bookmobile | Various locations | 0 | N/A |
| Books-on-the-go at ARTIC | 2626 East Katella Ave | 0 | 7.8 |
| Virtual Branch Services (obtain e-books through the Library's website) | Online | 0 | N/A |
| **Total** | | **159,809** | **—** |

Source: David Taussig & Associates, Inc. Sept. 2017. *City of Anaheim Development Impact Fee Justification Study.*

## Cumulative Impacts

The provision of public services and facilities takes into consideration a larger service area than is associated with a project site. Therefore, the study area is the service area for the respective agencies and districts. Through coordination with the public services and facilities providers, the area's cumulative needs are considered. The project does not cause the need to construct any new or expand any existing facilities. Therefore, the project would not result in incremental environmental effects on public services or facilities that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. The project would not result in cumulatively considerable impacts on public services or facilities.

## Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

# 4.16 Recreation

## Quimby Act

The Quimby Act of 1975, (California Government Code §66477), commonly called the "Quimby Act," allows a city or county to pass an ordinance that requires, as a condition of approval of a subdivision, either the dedication of land, the payment of a fee in lieu of dedication, or a combination of both for park and recreational purposes. It allows a city or county to require a maximum parkland dedication standard of 3 acres of parkland per 1,000 residents for new subdivision development unless the jurisdiction can demonstrate that the amount of existing neighborhood and community parkland exceeds that limit. In accordance with Section 66477, a jurisdiction may establish a parkland dedication standard based on its existing parkland ratio, provided required dedications do not exceed 5 acres per 1,000 persons. The City of Anaheim's citywide parkland standard is 2 acres per 1,000 persons.[53]

**Would the project:**

**Threshold (a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

**Threshold (b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**Less Than Significant Impact.** As discussed above, the project proposes a 24-unit townhome development. Assuming 3.16 persons per household and 24 dwelling units, the project would generate a population increase of 76 persons, which represents nominal population growth (approximately 0.02 percent) over the City's existing population of 341,245 persons. Based on the City's current parkland standard of 2 acres per 1,000 residents, the City would need to provide approximately 682.5 acres of parkland to serve the current City population. The City currently maintains nearly 800 acres of parkland; therefore, the City is currently exceeding park dedication standards.

General Plan Green Element Figure G-1 identifies the project site near a Park Deficiency Area, defined as an area outside a half-mile radius of a public park. Per AMC Section 18.06.100, the proposed RM-3 Multiple-Family Residential Zone requires 350 sf/du of recreational-leisure area. The proposed project would require 8,400 sf of recreational-leisure area. The proposed project includes 8,621 sf (359.2 sf/du) of common recreational-leisure area, which exceeds the RM-3 Multiple-Family Residential Zone minimum requirements. As conceptually proposed, the project would include shared community open space area with a shade structure, barbeques, tables and chairs, lawn areas for small social events, and fire-pits, as well as common landscape areas in front of residential buildings. The project's open space and recreational facilities would provide recreational opportunities to future residents rather than relying solely on the City's existing public park system. The project's forecasted population growth would have a nominal impact on the demand for recreational facilities. Further, the project is a residential development and would be subject to Park Impact Fees per AMC Section 17.34.010.

[53] City of Anaheim. 2018. *Parks for Life Anaheim Parks Plan.* Available at: https://www.anaheim.net/DocumentCenter/View/33927/Anaheim-Parks-Plan---Final---5-21-2018_low-res. Accessed October 7, 2022.

The project does not propose and would not require the construction or expansion of public recreational facilities. Therefore, the project would not result in adverse physical impacts associated with such facilities. A less than significant impact would occur and no mitigation is required.

### Cumulative Impacts

The proposed project would not result in significantly increased use of recreational facilities or require the construction or expansion of existing recreational facilities. Therefore, no cumulative impacts on recreational facilities would result from project implementation.

### Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

# 4.17 Transportation

Information in this section is based on the *VMT Assessment* (July 2022) prepared by DKS for the proposed project, included in **Appendix H: VMT Assessment** of this Initial Study and summarized below.

## Site Access

Regional access to the site is from SR-91 from the north, I-5 from the northeast, and SR-39 (Beach Boulevard) from the west.

**Orange Avenue** is a two-lane undivided roadway, which borders the project site to the south. In the project area, Orange Avenue has signalized intersections with Brookhurst Street and Gilbert Street. The Circulation Element of the General Plan classifies Orange Avenue as a Collector Street.

**Brookhurst Street** is a seven-lane undivided roadway, east of the project site. The Circulation Element of the General Plan classifies Brookhurst Street as a Major Arterial.

**Gilbert Street** is a two-lane undivided roadway, west of the project site. The Circulation Element of the General Plan classifies Gilbert Street as a Collector.

**Threshold (a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

**Less Than Significant Impact.**

**Project Construction Trip Generation.** Automobile and truck traffic volumes associated with project-related construction activities would vary throughout the construction phases, as different activities occur. However, project-related construction traffic would be temporary and cease upon project completion.

**Project Operations Trip Generation.** DKS estimated daily and peak hour trips for the proposed project and displaced land use (i.e., daycare) based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (11$^{th}$ Edition) trip rates for the following uses:

- Multifamily Housing (Low-Rise)
- Daycare Center

**Table 4.17-1** provides the trip generation rates and the project's net estimated trip generation after accounting for the displaced land use. The project would generate an estimated 162 average daily vehicle trips, including 9 average daily trips in the morning peak hour and 13 average daily trips in the evening peak hour. The project site however would experience a net reduction of 271 in vehicle trips, after accounting for the displaced land use.

The proposed project would result in a net decrease in trip generation compared to the existing use. The project would contribute to fewer trips onto the surrounding roadways, including Orange Avenue. The existing roadway infrastructure would have sufficient capacity to serve the proposed project.

**Table 4.17-1: Project Trip Generation**

| Land Use | Quantity | Unit | Trip Generation Estimates | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | Daily | AM Peak Hour | | | PM Peak Hour | | |
| | | | | In | Out | Total | In | Out | Total |
| Multifamily Housing (Low-Rise)[1] | 24 | DU | 162 | 2 | 7 | 9 | 8 | 5 | 13 |
| Daycare Center[2] | 47.62 | ksf | 433 | 53 | 47 | 100 | 48 | 54 | 102 |
| **Total Net New Project Trips** | | | **-271** | **-51** | **-40** | **-91** | **-40** | **-49** | **-89** |

1. Estimated weekday vehicle trip generation based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition Multifamily Housing (Low-Rise) code 220.
2. Estimated weekday vehicle trip generation based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition Daycare Center code 565.

Source: DKS, 2022.

**Public Transit.** Upon project implementation, public transit bus service would continue to be provided by the OCTA, with bus routes along Brookhurst Street. The nearest transit stop is Brookhurst-Orange, located at the intersection of Orange Avenue at Brookhurst Street, approximately 300 feet southeast (or a 2-minute to 5-minute walk) of the project site. The transit stop is part of OCTA Route 35, which runs from the City of Fullerton to the City of Costa Mesa along Brookhurst Street. The route operates Monday through Saturday with peak hour headways of approximately 45 minutes. Both northbound and southbound transit stops for OCTA Route 35 are provided on Brookhurst Street. The proximity of the project site to existing transit bus stops would provide near access to transit service for project residents.

There are no existing bicycle facilities along Orange Avenue. The Anaheim General Plan Circulation Element and the Bicycle Master Plan identify a planned Class III bikeway on Orange Avenue from Euclid Avenue to Magnolia Avenue. The planned Class III bikeway on Orange Avenue would be located within the existing right-of-way south of the project site. The proposed right-of-way abandonment would not impact the future bikeway; therefore, the proposed project would not impede or interfere with this planned bikeway.

There are existing sidewalks along Orange Avenue, Brookhurst Street, and other roadways in the project area. The project would maintain pedestrian sidewalks throughout the project area and sidewalks along Orange Avenue would connect to internal walkways to provide access to the project site. Accordingly, project implementation would not affect pedestrian facilities. Therefore, project construction and operations would not conflict with an applicable plan, ordinance, or policy concerning the circulation system. Impacts would be less than significant impact and no mitigation is required.

**Threshold (b) Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?**

**Less Than Significant Impact.** The City of Anaheim adopted Vehicle Miles Travelled (VMT) thresholds as required by CEQA and pursuant to SB 743. The City's June 2020 Guidelines describe three project screening criteria: (1) transit priority areas screening, (2) low VMT-generating areas screening, and (3) project type screening. The City's June 2020 Guidelines state that a project only needs to fulfill one of the screening types to qualify for screening. According to the project-specific VMT assessment prepared for the proposed project, the project was found to have a less than significant VMT impact based on the project type screening threshold. The project type screening threshold assumes that certain project types are presumed to have a less than significant VMT impact due to their local serving nature or small size. The proposed project would develop 24 townhome units and result in a net decrease in daily trips

compared to the existing daycare use. Since the project is screened out pursuant to the City's June 2020 Guidelines, the City presumes that the project would result in a less than significant impact concerning VMT. The proposed project would result in a less than significant transportation impact based on the VMT methodology and no mitigation is required.

**Threshold (c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**Less Than Significant Impact.** The project would relocate the existing driveway access on Orange Avenue 115 feet to the west to provide access to the project site. The driveway entrance would be 26 feet wide with 26-foot-wide private drive aisles through the site. The driveway access would lead to a T-shaped drive aisle branching off to provide access to the residential garages. All drive aisles would accommodate standard fire lane turning radiuses and hammerhead turnaround maneuvers for emergency vehicles and fire services. The construction of the project driveway and internal circulation improvements would be pursuant to City Building Division and Fire and Rescue Department standards. The proposed project is a townhome development bordered by existing commercial retail and multi-family residences to the east and south respectively, and single-family residences to the north. The proposed project does not include the use of any incompatible vehicles or equipment, such as farm equipment. The project's residential use would be fully compatible with surrounding land uses and any other components of the proposed project would not increase hazards to the public due to any incompatible uses. Therefore, such impacts are less than significant and no mitigation is required.

**Threshold (d) Would the project result in inadequate emergency access?**

**Less Than Significant Impact.** As noted above, the proposed project would provide vehicular access from Orange Avenue. The driveway entrance and interior drive aisles would accommodate standard fire lane turning radiuses and hammerhead turnaround maneuvers. Additionally, an EVA is proposed at the western boundary of Lot 2, which would be gated with a Knox box. Anaheim Fire and Rescue would review project plans for final approval prior to building permit issuance. Compliance with Anaheim Fire and Rescue requirements would ensure that no impacts would occur. Additionally, the project would not require the complete closure of any public or private streets or roadways during construction. Temporary construction activities would not impede the use of the road for emergencies or emergency response vehicles access. Therefore, impacts are less than significant and no mitigation is required.

## Cumulative Impacts

The proposed project would have a less than significant impact with respect to transportation. The proposed project and foreseeable future projects would be subject to compliance with the established regulatory framework (e.g., Anaheim VMT Thresholds, General Plan policies, AMC), which would reduce potential impacts. Therefore, the project's contribution to cumulatively significant impacts would similarly be less than significant.

## Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

## 4.18 Tribal Cultural Resources

**Threshold (a.i) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k).**

**Less than Significant Impact.** As discussed in Section 4.5, Cultural Resources, the project site is currently occupied by a daycare facility, which dates to 1958. The existing structures do not meet State CEQA Guidelines Section 15064.5 definition of "historic resources." The project site is not listed in the California Register of Historical Resources, or eligible for listing by the California Historical Resources Commission for listing in the California Register of Historic Resources**.** Further, a record search conducted at SCCIC, which included a search of the CRHR, did not identify any listed or eligible tribal cultural resources (TCRs) that would be adversely affected by the proposed project. Additionally, the NAHC Sacred Lands File Search produced a negative result for TCRs proximate to the project site. Therefore, the proposed project would not cause a substantial adverse change in the significance of a known TCR, either listed in the California Register of Historic Resources or in a local register, or that is determined by the City of Anaheim, at its discretion and supported by substantial evidence, to be significant pursuant to Public Resources Code Section 5024.1.Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (a.ii) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

**Less Than Significant Impact with Mitigation.** Chapter 532 Statutes of 2014 (i.e., AB 52) requires that lead agencies evaluate a project's potential impact on "tribal cultural resources." Such resources include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a "tribal cultural resource."

In compliance with PRC Section 21080.3.1(b), the City has provided formal notification to California Native American tribal representatives identified by the California Native American Heritage Commission. Native American groups may have knowledge about cultural resources in the area and may have concerns about the adverse effects of development on tribal cultural resources as defined in PRC Section 21074. The City has contacted the tribal representatives noted below.

- Manzanita Band of Kumeyaay Nation, Angela Elliot Santos
- Gabrieleño/Tongva San Gabriel Band of Mission Indians, Anthony Morales

- Gabrieleño/Tongva Tribe, Charles Alvarez
- Gabrieleño Band of Mission Indians – Kizh Nation, Andrew Salas
- Gabrieleño/Tongva Nation, Sandonne Goad
- Gabrieleño Tongva Indians of California Tribal Council, Christina Conley
- La Posta Band of Diegueno Mission Indians, Gwendolyn Parada
- La Posta Band of Diegueno Mission Indians, Javaughn Miller
- Santa Rosa Band of Cahuilla Indians, Lovina Redner
- Juaneno Band of Mission Indians Acjachemen Nation, Matias Belardes/Joyce Perry
- Ewiiaapaayp Band of Kumeyaay Indians, Michael Garcia
- Mesa Grande Band of Diegueno Mission Indians, Michael Linton
- Campo Band of Diegueno Mission Indians, Ralph Goff
- Gabrieleño/Tongva Indians of California Tribal Council, Robert Dorame
- Ewiiaapaayp Band of Kumeyaay Indians, Robert Pino
- Mesa Grande Band of Diegueno Mission Indians, Michael Linton
- Pala Band of Mission Indians, Shasta Gaughen
- Soboba Band of Luiseno Indians, Joseph Ontiveros/Isaiah Vivanco

Correspondence to and from tribal representatives is included in **Appendix I: Native American Tribal Consultation Correspondence** to this Initial Study. The City received one request for consultation from the Gabrieleño Band of Mission Indians – Kizh Nation, which occurred on June 16, 2022.

It is unlikely that Native American tribal cultural resources are present on the project site, given prior use of the site for agriculture and subsequent construction of the daycare facility required site disturbance and excavation. Notwithstanding, project construction would include limited excavation and grading. Therefore, while low, there is the potential for the project to affect previously unidentified Native American tribal cultural resources. The project would be subject to compliance with MM TCR-1, which requires a monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation for excavation and grading activities in native sediment. Compliance with MM TCR-1 would reduce potential impacts on tribal resources to a less than significant level.

**Standard Conditions and Requirements**

No standard conditions are applicable to the proposed project

**Mitigation Measures**

**MM TCR-1** Prior to the issuance of any grading permit in which native soil, as identified by the geotechnical report prepared for the project, is disturbed, the property owner/developer or contractor as designee shall provide evidence in the form of an executed Agreement to the City of Anaheim Planning and Building department that they have retained a qualified Native American tribal monitor to provide third-party monitoring during excavation and grading activities in native sediment and to recover and catalogue tribal resources as necessary. The tribal monitor shall be from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The agreement shall include (i) professional qualifications of Native American monitor; (ii) detailed scope of services to be provided

including but not limited to pre-construction education, observation, evaluation, protection, salvage, notification, and/or curation requirements, as applicable, with final documentation/report to Public Works Inspector; (iii) contact information; (iv) communication protocols between Contractor and Monitor for scheduling to facilitate timely performance; (v) acknowledgment that if the tribal monitor is unavailable or unresponsive based on terms stipulated in the agreement, property owner/developer or contractor as designee may contract with another qualified tribal monitor acceptable to the City. The selection of the qualified professional(s) shall be subject to City acceptance based on generally accepted professional qualifications and certifications, as applicable. The cover sheet of the grading plans shall include a note to identify that third-party tribal monitoring is required during excavation and grading activities in accordance the with City-approved Agreement. Contact information for approved tribal monitor shall be provided by the contractor to the City inspector at the pre-construction meeting.

## 4.19 Utilities and Service Systems

**Threshold (a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

**Threshold (a.i) Water - Less Than Significant Impact.**

See Section 4.10, Hydrology regarding water resources. The project site's water purveyor is the City, which uses imported water, local groundwater, and recycled water to meet its water needs. The City works with two primary agencies to supply water to the community (MWD and OCWD) to ensure a reliable water supply that would continue to serve the City in periods of drought and water shortage. The City's main source of water supply is groundwater from the OC Basin. Historically, the City's water supply primarily came from a mixture of groundwater (70%) and imported water (30%) from MWD; however, the City has taken many of its wells offline as of March 2020 and is operating closer to a 60/40 split. The OC Basin is adjudicated, therefore, is subject to a maximum allowed pumping allocation for groundwater extraction across the basin. The City's 2020 Urban Water Management Plan (UWMP) concludes that there is sufficient water supply through 2045, up to 66,337 AFY. The increase in water demand from project implementation (9.1 AFY) would account for less than one percent of the expected total demand in 2045 and can be accommodated by the City. Therefore, the proposed project does not require and would not result in the construction of new water facilities or the expansion of existing facilities. Impacts would be less than significant and no mitigation is required.

**Threshold (a.ii) Wastewater Treatment**

**Less Than Significant Impact.** The City's Sewer and Storm Drain Maintenance Division is responsible for the maintenance of the City's sewer and storm drain lines. The project site is situated within the West Anaheim Master Plan of Sanitary Sewers (WAMPSS), which was adopted in August 2019. The WAMPSS study area evaluated the existing sewer system, which includes approximately 870,000 linear feet of sewer pipelines. Wastewater from the WAMPSS area drains into an Orange County Sanitation District (OCSAN) trunk sewer at Knott Avenue, Orange Avenue, Magnolia Avenue, and Euclid Avenue for further treatment and final discharge. The WAMPSS used a per capita sewer generation factor of 85 gallons per capita per day (gcpd). Assuming 76 new residents, the daily sewer generation would be 6,460 gcpd.

OCSAN's service area encompasses 479 square miles of central and northwest Orange County, and it operates 2 reclamation plants. OCSAN's Plant No. 1 in Fountain Valley has a capacity of 320 million gallons per day (MGD) and Plant No. 2 in Huntington Beach has a capacity of 312 MGD. In 2020-2021, average daily flows at Plant No. 1 and No. 2 were 118 million gallons per day (mgpd) and 64 mgpd respectively. The proposed project would increase wastewater generation on the project site. Projected wastewater demand for the project would account for less than one percent of the daily treatment volume at either Plant No. 1 or No. 2. Therefore, existing wastewater treatment facilities are able to accommodate the project-generated wastewater and continue maintaining a substantial amount of remaining capacity for future wastewater treatment. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (a.iii) Electric Power, Natural Gas, Telecommunication**

**Less Than Significant Impact.** Anaheim Public Utilities provides electrical power to the City and the Southern California Gas Company (SoCal Gas) provides natural gas. Various companies including AT&T,

Spectrum, and Cox provide telecommunications. Anaheim Public Utilities, SoCalGas, and local telecommunications companies operate and maintain transmission and distribution infrastructure in the project area and currently serve the project site. The project's electricity demand would be approximately 117,796 kWh/year and natural gas demand would be approximately 396,131 kBTU/year; see Section 4.6, Energy, for further discussion concerning the project's electricity and natural gas demands. The project would be located in an urbanized area and connect to existing electric, natural gas, and telecommunication infrastructure; no off-site infrastructure improvements would be required. The project would not substantially increase service demand for utility providers through substantial unplanned population growth and existing capacity would be sufficient to support project residents. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?**

**Less Than Significant Impact.** The Urban Water Management Planning Act requires every urban water supplier providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 AF of water annually to prepare, adopt, and file a UWMP with the California Department of Water Resources every 5 years in the years ending in zero and five. The UWMP was prepared in compliance with Urban Water Management Planning Act requirements. The 2020 UWMP provides water supply planning for a 25-year planning period in 5-year increments and identifies water supplies needed to meet existing and future demands. The demand analysis must identify supply reliability under three hydrologic conditions: a normal year; a single year; and multiple dry years.

The basis for the UWMP's water demand forecasting method is a combination of population forecasts for residential uses and General Plan land use designations for non-residential land uses. SCAG has developed growth forecasts for cities and counties, which it bases on General Plans; see Threshold 4.14a. In turn, the City uses SCAG's growth projections to forecast residential water demands in the UWMP. Because the project site is designated Residential-Corridor, it is assumed the UWMP's forecast water demands assume a residential land use (i.e., housing) for the project site and therefore already accounted for any population growth on the project site if housing were to be developed.

The project's water demand, which assumes indoor water conservation measures (e.g., low flow rate plumbing fixtures), and outdoor conservation measures (e.g., drought tolerant landscaping), would total approximately 8,132 gpd or 9.1 AFY.[54] The forecasted population for the proposed project would result in an increase of 76 persons, which represents nominal population growth (approximately 0.02 percent) of SCAG's forecast population for the City of 416,800 persons for 2045. The UWMP did assume a residential use water demand for the project site. However, the project would require a General Plan Amendment for Lot 2 to the Low-Medium Residential designation to permit a higher residential density (0-18 du/ac) compared to the existing Residential-Corridor designation (0-13 du/ac). The project's anticipated water demand is considered nominal and conservative since water demand would account for less than one percent of the expected total demand in 2045 Sufficient water supplies would be available to serve the project. Therefore, a less than significant impact would occur and no mitigation is required.

[54] City of Anaheim 2020 Urban Water Management Plan. June 2021. – Gallons Per Capita Per Day rate is 107. Assuming 76 residences and 107 gpcd, total water usage is 8,132 gallons per day.

**Threshold (c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Less Than Significant Impact.** As noted in Threshold 4.19 (a), the City of Anaheim Sewer and Storm Drain Maintenance Division is responsible for the maintenance of the City's sewer and storm drain lines. The proposed project would generate approximately 6,460 gpcd of sewage, which represents less than one percent of the daily treatment volume at OCSAN reclamation plants. There is adequate capacity to serve the proposed project. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

**Less Than Significant Impact.** Republic Services, a private recycling and non-hazardous solid waste hauler, provides solid waste services to the City. Republic Services is responsible for all residential, commercial, and industrial waste and recycling services. Solid waste is disposed of in Orange County landfills. Currently, there are three active landfills in the County: Frank R. Bowerman Landfill in Irvine, Olinda Alpha Landfill in Brea, and Prima Deshecha Landfill in San Juan Capistrano. **Table 4.19-1: Orange County Landfill Capacities** provides capacity details for each of the County landfills.

**Table 4.19-1: Orange County Landfill Capacities**

| Landfill | Maximum Daily Permitted Tonnage (tons per day) | Maximum Permitted Capacity (Cubic Feet) | Remaining Capacity |
|---|---|---|---|
| Frank R. Bowerman | 11,500 | 266,000,000 | 205,000,000 |
| Olinda Alpha | 8,000 | 148,800,000 | 17,500,000 |
| Prima Deshecha | 4,000 | 172,100,000 | 134,300,000 |

Source: CalRecycle. Solid Waste Information System (SWIS), 2022.

Based on a generation rate of 12.23 pounds (lbs)/household/day for residential uses, the project would generate approximately 293.5 pounds per day of solid waste.[55] The project's projected solid waste generation would account for less than one percent of the overall daily capacity of the County landfills. The proposed project would include recycling programs to reduce the amount of solid waste produced on the project site. Existing landfills have sufficient capacity to serve the proposed project and solid waste generated during construction and operations would represent a nominal increase compared to the daily permitted tonnage at landfills. Compliance with all applicable regulations and laws regarding solid waste would further reduce impacts. Therefore, impacts are less than significant and no mitigation is required.

**Threshold (e) Would the project comply with federal, State, and local management and reduction statutes and regulations related to solid waste?**

**Less than Significant Impact.** The City complies with all federal, State, and local statutes and regulations related to solid waste. Regulations specifically applicable to the proposed project include the California Integrated Waste Management Act of 1989 (AB 939), SB 2022, SB 1383, SB 1016, 2019 CalGreen Code Section 4.408, and AB 341.

[55] CalRecyle. 2006. *Estimated Solid Waste Generation Rates: Residential Sector Generation Rates.* Available at https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates. Accessed June 7, 2022.

AB 939, which requires every City and County in the State to prepare a Source Reduction and Recycling Element to its Solid Waste Management Plan, identifies how each jurisdiction will meet the State's mandatory waste diversion goal of 50 percent by and after the year 2000. AB 341 increased the diversion goal to 75 percent by 2020. AMC Chapter 12.63 stipulates standards and regulations for the collection and management of solid waste in the City, in accordance with the Integrated Waste Management Act.

SB 2022 made a number of changes to the municipal solid waste diversion requirements under AB 939. These changes included a revision to the statutory requirement for 50 diversions of solid waste to clarify that local governments shall continue to divert 50 percent of all solid waste on and after January 1, 2000.

SB 1383 aims to keep food and other compostable materials out of landfills to reduce emissions that contribute to climate change. To comply with SB 1383, all businesses and residents are required to separate organics and recyclable materials from trash and either subscribe to the required collection services or self-haul to an appropriate facility for diversion.

SB 1016 introduced a per capita disposal measurement system that measures the 50 percent diversion requirement using a disposal measurement equivalent.

The 2019 CalGreen Code Section 4.408 requires the preparation of a Construction Waste Management Plan that outlines ways in which the contractor would recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition debris. During the construction phase, the project would be required to comply with the CalGreen Code through the recycling and reuse of at least 65 percent of the nonhazardous construction and demolition debris from the project site.

Compliance with the above-mentioned policies and programs would ensure that the project would not conflict with federal, State, and local statutes and regulations related to solid waste. Additionally, as noted in Threshold 4.19(d), solid waste would be disposed of at existing Orange County Waste and Recycling landfills and would comply with all federal, State, and local statutes and regulations related to solid waste. The project would include receptacles for recyclables and garbage, and impacts would be less than significant.

**Threshold (f) Result in a need for new systems or supplies, or substantial alterations related to electricity?**

**Less than Significant Impact.** Anaheim Public Utilities provides electric power to the City. The proposed project's electricity demand would be approximately 117,796 kWh/year. See Section 4.6, Energy, for further discussion on electricity. The project would be located in an urbanized area and connect to existing electricity infrastructure; no off-site infrastructure improvements would be required. The project would not substantially increase service demand for electricity through substantial unplanned population growth and existing systems and supplies would be sufficient to support project residents. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (g) Result in a need for new systems or supplies, or substantial alterations related to natural gas?**

**Less than Significant Impact.** SoCal Gas provides natural gas to the City. The proposed project's natural gas demand would be approximately 396,131 kBTU/year. See Section 4.6, Energy, for further on natural gas. The project would be located in an urbanized area and connect to existing natural gas infrastructure; no off-site infrastructure improvements would be required. The project would not substantially increase service demand for natural gas through substantial unplanned population growth and existing systems

and supplies would be sufficient to support project residents. Therefore, impacts would be less than significant and no mitigation is required.

**Threshold (h) Result in a need for new systems or supplies, or substantial alterations related to telephone service**

**Threshold (i) Result in a need for new systems or supplies, or substantial alterations related to television service/reception?**

**Less than Significant Impact.** Various companies including AT&T, Spectrum, and Cox provide telephone and television services. Anaheim Public Utilities, SoCal Gas, and local telecommunications companies operate and maintain transmission and distribution infrastructure in the project area and currently serve the project site. The proposed project is located in an urbanized area and has telecommunication infrastructure; no off-site infrastructure improvements would be required. The proposed project would not substantially increase service demand for telephone and television providers through substantial unplanned population growth and existing capacity would be sufficient to support project residents. Therefore, impacts would be less than significant and no mitigation is required.

## Cumulative Impacts

The proposed project would have a less than significant impact with respect to utilities and service systems. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority. The coordination process associated with the preparation of development and infrastructure plans ensures that adequate resources are available to serve both individual projects and the cumulative demand for resources and infrastructure because of cumulative growth and development in the area. Each individual project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility companies would allow for the provision of utility services to the proposed project and future developments in the City. The project and other planned projects are subject to connection and service fees to assist in facility expansion and service improvements triggered by an increase in demand. Because of the utility planning and coordination activities described above, there are no significant cumulative utility impacts.

## Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

# 4.20 Wildfire

**Threshold (a) If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?**

**No Impact.** Portions of the City of Anaheim are within a Fire Hazard Severity Zone. There are emergency evacuation zones for the Anaheim Hills area, due to its proximity to open space and natural hillsides, which increase wildland fire hazard risk.[56] The project site is in the western portion of the City and not in the Anaheim Hills area. The project site is bordered by urban development, and not within any evacuation zones. CalFire Fire Hazard Severity Zone Map for Orange County indicates the project site is not within a State Responsibility Area.[57]The project site is in a Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ) zone within a Local Responsibility Area. Therefore no impacts would occur. Project construction would not require the complete closure of any public or private streets or roadways during construction. Temporary construction activities would not impede the use of the road for emergencies or emergency response vehicles access. Project design and site access would adhere to Anaheim Fire and Rescue Department standard designs. Therefore, the project would substantially impair an adopted emergency response plan or emergency evacuation plan. No impact would occur and no mitigation is required.

**Threshold (b) If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

**No Impact.** As discussed above, the project site is not within a very high fire hazard severity zone. Therefore, no impact would occur.

**Threshold (c) If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

**No Impact.** The project site is not located in or near State Responsibility Area or a VHFHSZ. The project site is in an urbanized area of the City and would connect to the existing infrastructure that currently serves the project area. Project implementation would not result in the new construction, installation, or maintenance of new infrastructure. No impact would occur.

**Threshold (d) If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

**No Impact.** The project is not within a VHFHSZ**.** The project site does not include any downslopes. According to the California Geological Survey, the project site is not within an area identified as having a

[56] City of Anaheim. Know Your Way Evacuation Zones. Available at: https://www.anaheim.net/6063/Know-Your-Way-Evacuation-Zones, Accessed October 7, 2022.

[57] California Department of Forestry and Fire Protection, California Fire Hazard Severity Zone Viewer Available at: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414, Accessed June 6, 2022.

potential for landslides.[58] The project site and surrounding vicinity are relatively flat. There are no known landslides near the site nor is the project site in the path of any known or potential landslides. Therefore, no impacts would occur.

### Cumulative Impacts

The proposed project is within an urbanized and developed area of the City. There are no undeveloped natural areas that are prone to wildfires. The project is not subject to wildfire risk, and therefore would not contribute to a potential cumulatively considerable impact related to wildfires.

### Standard Conditions and Mitigation Measures

No standard conditions or mitigation measures are required.

[58] California Geological Survey, Geologic Hazards Data and Maps Data Viewer, Available at: https://maps.conservation.ca.gov/geologichazards/, Accessed June 6, 2022.

## 4.21 Mandatory Findings of Significance

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

**Less than Significant Impact.** On the basis of the foregoing analysis, the project does not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten or eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. The project site is in an urbanized area of the City bordered by existing development. The project would not conflict with the General Plan and the AMC subject to the approval of a General Plan Amendment and Zone Change.

**Threshold (b) Does the project have possible environmental effects which are individually limited, but cumulatively considerable?**

**Less Than Significant Impact.** The project does not have impacts that are individually limited, but cumulatively considerable. Incremental impacts resulting from project construction and operations and other cumulative projects that would be under construction include biological resources, cultural resources, geology and soils, noise, and tribal resources. The analysis concluded that these incremental impacts are each less than significant or can be mitigated to a less than significant level. When viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects, these impacts are not cumulatively considerable. There would be no cumulative impacts in connection with this or other projects. The project complies with long-term regional air quality plans, and regional population forecasts, and is within the service capabilities of utility purveyors. There would be no significant adverse environmental impacts. The analysis contained in this Initial Study evaluated existing conditions, potential impacts associated with project development, and possible environmental cumulative impacts. The project does not have any impact on projected growth or planned projects for the City or neighboring jurisdictions known as of the date of this analysis.

**Threshold (c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less Than Significant Impact.** There are no known substantial adverse effects on human beings, which the proposed project would cause, either directly or indirectly. The environmental evaluation has concluded that no significant environmental impacts would result from the project.

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