

## **Addendum to the City of Rancho Santa Margarita General Plan Final Environmental Impact Report**

### **2021-2029 Housing Element and Safety Element Update**

December 2021

*Prepared for:*

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**ADDENDUM TO THE  
CITY OF RANCHO SANTA MARGARITA GENERAL PLAN  
FINAL ENVIRONMENTAL IMPACT REPORT**  
State Clearinghouse No. 2018041075

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# 1 INTRODUCTION

## 1.1 PURPOSE AND BACKGROUND

The City of Rancho Santa Margarita is the Lead Agency under the California Environmental Quality Act (CEQA). The City Council adopted the City's first General Plan in 2002. In compliance with State housing law, the City Council has adopted subsequent updates to the Housing Element with the most recent update, the 2013-2021 General Plan Housing Element, adopted on September 25, 2013. On January 8, 2014, the City Council adopted a comprehensive update to the General Plan Circulation Element.

In 2016, the City initiated a General Plan Update to modernize the Conservation/Open Space, Economic Development, Land Use, Noise, and Safety Elements to address the continued vision for the City, to ensure that all elements are consistent with new State requirements for General Plans, and to ensure that the City's goals and policies remain appropriate for the next 15 to 20 years. On March 11, 2020, the City Council certified the Rancho Santa Margarita General Plan Final EIR (State Clearinghouse Number [SCH] No. 2018041075) and adopted the updated Conservation/Open Space, Economic Development, Land Use, Noise and Safety Elements of the Rancho Santa Margarita General Plan. The General Plan Update, together with the 2013-2021 General Plan Housing Element (adopted on September 25, 2013) and the General Plan Circulation Element (adopted on January 8, 2014) constitute the General Plan for the City of Rancho Santa Margarita.

The City now proposes the current 2021-2029 Housing Element for the 6th cycle and Safety Element Update (referenced herein as "Modified Project"). The Modified Project involves minor changes/additions to the Housing Element in compliance with State Housing Element Law Government Code Sections 65580-65590.1, and minor changes/additions to the Safety Element to meet the requirements of California Government Code Section 65302(g).

Following preliminary review of the proposed Housing Element Update and Safety Element Update, the City of Rancho Santa Margarita, as Lead Agency, has determined that the proposed Modified Project is subject to CEQA (Public Resources Code [PRC] Sections 21000-21177). The City has analyzed whether the proposed Housing Element Update and Safety Element Update meet the conditions warranting preparation of a Subsequent or Supplemental EIR pursuant to Public Resources Code Section 21166 and CEQA Guidelines Section 15162. As documented in this Addendum, the City has concluded that the 2020 General Plan FEIR fully analyzed the potential environmental impacts associated with the Housing Element and Safety Element Update. The Modified Project will not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts. (Public Resources Code § 21166; CEQA Guidelines § 15162.)

## 1.2 CEQA REQUIREMENTS

The City has analyzed any potential differences between the impacts identified in the 2020 General Plan FEIR and those that would be associated with the Modified Project. Pursuant to

provisions of CEQA and State CEQA Guidelines, the City is the Lead Agency charged with the responsibility of deciding whether to approve the Modified Project. As part of its decision-making process, the City is required to review and consider whether the proposed Modified Project would create new significant impacts or significant impacts that would be substantially more severe than those disclosed in the 2020 General Plan FEIR.

Additional CEQA review beyond this Addendum would only be triggered if the Modified Project created new significant impacts or impacts that are substantially more severe than those disclosed in the 2020 General Plan FEIR. If major revisions to the 2020 General Plan FEIR are not necessary and none of the conditions described in State CEQA Guidelines Section 15162 calling for the preparation of additional CEQA documentation has occurred, the City may adopt an Addendum to the 2020 General Plan FEIR.

In accordance with the State CEQA Guidelines, prior to approving further discretionary action and depending upon the situation, the lead agency must generally: (1) prepare a Subsequent EIR; (2) prepare a Supplemental EIR; (3) prepare a Subsequent Negative Declaration; (4) prepare an Addendum to the EIR or Negative Declaration; or (5) prepare no further documentation. (See State CEQA Guidelines, §§ 15162 – 15164.) State CEQA Guidelines Section 15162 states:

When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

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

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

Section 15164 of the State CEQA Guidelines explains when an Addendum to an EIR is appropriate. Per this section, where some changes or additions are necessary to the previously certified EIR, but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR (as described above) have occurred, then the lead agency is directed to prepare an Addendum to the certified EIR (State CEQA Guidelines, §15164). Further, the Addendum should include a “brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162,” and that “explanation must be supported by substantial evidence” (State CEQA Guidelines, §15164 [e]). The Addendum need not be circulated for public review but may simply be attached to the certified EIR (State CEQA Guidelines, §15164 [c]).

## **1.3 INCORPORATION BY REFERENCE**

The documents outlined below, which were utilized during preparation of this Addendum and are a matter of public record, are hereby incorporated by reference.

### **Rancho Santa Margarita General Plan**

The City Council adopted the 2020 Update to the City of Rancho Santa Margarita General Plan on March 11, 2020. The General Plan is a comprehensive legal document that sets forth the City's long-range planning policies and serves as the guiding document for achieving the community's vision for the future. The General Plan identifies issues, goals, and policies to guide land use and development, and is organized into seven mandatory and optional “elements” in accordance with California Government Code Section 65302: Circulation, Conservation/Open Space, Economic Development, Housing, Land Use, Noise, and Safety. The 6<sup>th</sup> Cycle Housing Element Update and Safety Element Update are the subject of this analysis.

Land Use Element Table LU-3 in the 2020 General Plan presents the projected future development intensity and density based upon existing and historical development as well as anticipated development associated with the future land use opportunities described in the Land Use Element. Land Use Element Table LU-4 summarizes the net growth above existing conditions anticipated by the 2020 General Plan Update. Based upon assumed development intensities and densities identified in Table LU-3, a total of 18,294 dwelling units and approximately 9.1 million square feet of non-residential land uses, representing 528 additional dwelling units and 3,085,014 additional square feet of non-residential uses beyond existing conditions are anticipated by 2040.

## **Rancho Santa Margarita General Plan Final EIR**

The City Council certified the General Plan FEIR on March 11, 2020. The 2020 General Plan FEIR provided a description of potential environmental impacts of the 2020 General Plan Update and identified mitigation measures to avoid or reduce impacts to a less than significant level where feasible. The 2020 General Plan FEIR's analysis was based on the change between development under existing conditions and reasonably anticipated development identified in the 2020 General Plan Land Use Element (Land Use Element Table LU-3 and 2020 General Plan FEIR Table 3-3). The 2020 General Plan FEIR analyzed the environmental impacts resulting from anticipated growth of 528 additional dwelling units and 3,085,014 additional square feet of non-residential uses based upon the assumed development intensities and densities identified in the Land Use Element.

For each environmental issue addressed in 2020 General Plan FEIR Section 5.0, Approach to Environmental Analysis, the assumptions for the project impact analyses were explained. The analyses were based on the project conditions that would result in the greatest impact for each environmental issue to ensure a "reasonable worst-case" evaluation of potential environmental impacts based on historical development patterns in the City. For instance, the 2020 General Plan Update's reasonably projected development capacity (i.e., 528 additional dwelling units and 3,085,014 additional square feet of non-residential uses by 2040) was assumed for traffic and other issue areas, although, development ultimately may not actually occur at these levels of assumed growth. The analysis of project impacts was based upon various assumptions regarding existing and future conditions in Rancho Santa Margarita.

The 2020 General Plan FEIR concluded that based on the General Plan growth assumptions, projected future development would result in less than significant impacts or less than significant impacts with the implementation of mitigation measures for all issue areas analyzed except for Air Quality (Violate Any Air Quality Standard or Contribute Substantially to an Existing or Projected Air Quality Violation) and Greenhouse Gas Emissions (Generation of GHG Emissions), which were determined to be significant and unavoidable. The 2020 General Plan FEIR's background and policy information and environmental impact conclusions are cited throughout this Addendum.

## **Rancho Santa Margarita Municipal Code (RSMMC)**

The Rancho Santa Margarita Municipal Code (RSMMC) consists of all the regulatory and penal ordinances and administrative ordinances of the City of Rancho Santa Margarita. The RSMMC is one of the City's primary tools to control land uses, in accordance with the General Plan programs and policies. The City's Zoning Ordinance, included in RSMMC Title 9, Planning and Zoning, is an implementing tool to: 1) achieve the goals and policies established in the General Plan; 2) serve the public health, safety, and general welfare of the City of Rancho Santa Margarita; and 3) provide the economic and social advantages resulting from an orderly planned use of land and resources. RSMMC Title 10, Buildings and Construction, adopts the 2019 California Building Standards Code, with amendments in consideration of the City's local climactic, geological, and topographical considerations. Other relevant RSMMC regulations include the following, among others: Title 5, Health and Sanitation; Title 7, Recreation, Parks and Facilities; and Title 11, Streets and Sidewalks.

## **2 ADDENDUM FINDING**

As detailed herein, on the basis of substantial evidence in the light of the whole record, a Subsequent or Supplemental EIR is not required for the proposed Modified Project because none of the criteria requiring such a document under Public Resources Code Section 21166 or State CEQA Guidelines section 15162 are met.

The 2021-2029 Housing Element Update and Safety Element Update would result in no new significant impacts that were not analyzed in the 2020 General Plan FEIR, nor would the proposed Modified Project cause a substantial increase in the severity of any previously identified significant impacts. The potential impacts associated with the proposed Modified Project would either be the same or less than those described in the 2020 General Plan FEIR. In addition, there are no substantial changes to the circumstances under which the proposed Modified Project would be undertaken that would result in new or more severe environmental impacts than previously addressed in the 2020 General Plan FEIR, nor has any new information regarding the potential for new or more severe significant environmental impacts been identified. Therefore, in accordance with Section 15164 of the State CEQA Guidelines, this Addendum to the previously certified 2020 General Plan FEIR has been prepared for the proposed Modified Project. In taking action on any of the Modified Project, the decision-making body must consider the whole of the data presented in the 2020 General Plan FEIR and the previously adopted Mitigation Monitoring and Reporting Program (MMRP) along with this Addendum.

City of Rancho Santa Margarita | 2021-2029 Housing Element Update and Safety Element Update  
Addendum to the General Plan FEIR

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## 3 DESCRIPTION OF THE PROPOSED PROJECT

### 3.1 BACKGROUND

#### 3.1.1 HOUSING ELEMENTS AND REGIONAL HOUSING NEEDS ALLOCATION

All cities and counties in California are required to adopt a Housing Element and to update it at least every eight years. A Housing Element is a section of the City's General Plan that reviews housing needs and conditions. It is also a policy document that identifies goals, policies, and programs that the City uses to direct and guide actions related to housing. State law has very specific requirements for Housing Elements, known as "Housing Element Law," which can be found in Government Code Sections 65583, 65583.1, 65583.2, and 65583.3.

The City's current Housing Element (also known as the 5th Cycle Housing Element) was adopted by the City Council in 2013 and certified by the California Department of Housing and Community Development (HCD). The adopted Housing Element covers the planning period from 2013 through 2021. The updated 6th Cycle Housing Element will cover the planning period from 2021 through 2029. To comply with State law, the City's Housing Element must be updated each housing element cycle to ensure the City's policies and programs can accommodate the projected housing need which is assigned by the State at the regional level, also known as the Regional Housing Needs Allocation (RHNA). The regional housing allocation is provided by HCD, and the Southern California Association of Governments (SCAG) is responsible for distributing the regional allocation among all jurisdictions in the region.

SCAG established the 2021-2029 Regional Housing Needs Plan (RHNP) to assign each city and unincorporated county in the region its fair share of the regional housing need based on a number of factors established by State law (Government Code Section 65584) and regional housing burdens and needs. The objectives of the RHNA are:

- Increase housing supply and the mix of housing types;
- Promote infill, equity, and environment;
- Ensure jobs housing balance and fit;
- Promote regional income equity; and
- Affirmatively further fair housing.

Beyond the income-based housing needs established by the RHNA, the Housing Element must also address special needs groups; such as seniors, persons with disabilities including developmental disabilities, single female parents, large families, farm workers, and homeless persons.

#### 3.1.2 SAFETY ELEMENTS

The Safety Element is a State-mandated element of the General Plan. Updates to the Safety Element will meet the requirements of California Government Code Section 65302(g) (Section 65302) as updated by Senate Bills 1241, 379, 99, and 1035 and will incorporate the Rancho Santa Margarita Local Hazard Mitigation Plan by reference (pursuant to SB 379). The Safety Element

addresses potential and existing hazards in the City; issues, goals, and policies address the following topics: Citywide Safety and Education; Seismic and Geologic Hazards; Flood Hazards; Wildland Fire Hazards; Human Activity Hazards; and Crime Risk and Prevention. Updates to the Safety Element are focused on the topics of fire hazards and evacuation planning, in accordance with State law.

## **3.2 PROJECT LOCATION AND SETTING**

The City of Rancho Santa Margarita is located in eastern Orange County about 10 miles northeast of the Pacific Ocean, in the foothills of the Santa Ana Mountains. The community is bisected by the Foothill Transportation Corridor State Route 241 (SR-241), which extends to the north connecting with North County cities such as Yorba Linda and Anaheim, and to the south terminating at Oso Parkway. The cities of Mission Viejo and Lake Forest are located to the west, Cleveland National Forest is located to the east, and unincorporated Orange County is located to the north and south. Regional access to the City is provided via SR-241, SR-133, and Interstate 5; refer to Figure 1, Regional Location Map. The General Plan Study Area for Rancho Santa Margarita is comprised of 8,607 acres (13 square miles), of which 8,280 acres are located within the City's incorporated limits and 327 acres are located within the City's Sphere of Influence (SOI); refer to Figure 2, General Plan Study Area.

The 2020 General Plan identifies the most prevalent land uses in Rancho Santa Margarita as open space, consisting of 68 percent of the Study Area; residential consisting of approximately 22 percent of the Study Area; commercial and business consisting of approximately 6 percent of the Study Area; public/quasi-public consisting of approximately 3 percent of the Study Area; and other comprising of approximately 1 percent of the Study Area. The 2020 Land Use Element identifies the distribution, location, and intensity of all land use types throughout the City. To fully reflect the range of physical attributes that are important for Rancho Santa Margarita's success, the Element also contains goals and policies to guide community form and design, and the provision of community facilities and urban services. The 2020 Land Use Element is primarily implemented by the Rancho Santa Margarita Zoning Code (RSMZC), which specifies districts and performance standards for various types of land uses described in the General Plan. Each General Plan land use designation has a corresponding zone or zones that implement and regulate the intent of the land use. The zoning districts specify the permitted uses for each category and applicable development standards.

The 2020 General Plan identifies the expected development capacity associated with the distribution of planned land uses specified in the Land Use Plan (Figure LU-1 of the Land Use Element). Table 1, Rancho Santa Margarita General Plan Expected Residential Development Capacity, summarizes the expected development capacity for residential uses within Rancho Santa Margarita based on reasonable density assumptions for the City and SOI.

Table 1: 2020 General Plan Expected Residential Development Capacity

Residential Land Use Designation	Maximum Density	Existing Acreage	Expected Development Capacity (Dwelling Units)
Low Density Residential	7 DU/AC	895.5	6,268
Low-Medium Density Residential	11 DU/AC	228.2	2,282
Medium Density Residential	18 DU/AC	263.3	4,213
High Density Residential	25 DU/AC	251.4	5,531
General Commercial	N/A	129.4	N/A
Total			18,294

Source: City of Rancho Santa Margarita General Plan Land Use Element, Table LU-3.  
Note: Future mixed-use development would come from capacity within the MDR, HDR, and C designations.  
DU/AC = dwelling unit per acre; N/A = not applicable.

### 3.3 CHARACTERISTICS OF PROPOSED PROJECT REVISIONS/ADDITIONS

The potential environmental impacts of the 2021-2029 Housing Element Update and Safety Element Update are analyzed in this document. The proposed Modified Project would not directly modify the City of Rancho Santa Margarita General Plan Land Use Map, land use designations, or intensities/densities identified within the General Plan Land Use Element. However, the proposed 2021-2029 Housing Element Update identifies a housing program that would be created under a separate approval process after adoption of the Housing Element to provide adequate sites to accommodate the City's RHNA of 680 units, which would be greater than the 2020 General Plan's expected residential growth (528 units) analyzed in the 2020 General Plan FEIR by 182 housing units<sup>1</sup>.

#### 3.3.1 HOUSING ELEMENT

In compliance with State Housing Element Law requirements, the City of Rancho Santa Margarita has prepared the 2021-2029 Housing Element (Project) to:

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<sup>1</sup> The additional 182 units is comprised of 152 units needed to accommodate the City's RHNA of 680 units and 30 units which represents a buffer of the total unit capacity, as further described below.

- Provide goals, policies, quantified objectives and scheduled programs to preserve, improve and develop housing
- Identify and analyze existing and projected housing needs for all economic segments of the community
- Identify adequate sites that are zoned and available within the 8-year housing cycle to meet the City's fair share of regional housing needs at all income levels
- Affirmatively further fair housing
- Be certified (approved) by the State Department of Housing and Community Development (HCD) as complying with State law
- Be internally consistent with other parts of the General Plan through implementation of Programs which direct the City to update the General Plan subsequent to adoption of the Housing Element

## **Housing Element Organization**

The proposed Housing Element Update covers the October 15, 2021 through October 15, 2029 planning period and is comprised of the following components:

### **Part 1: Housing Plan**

Part 1 of the 2021-2029 Housing Element is the City's "Housing Plan", which includes the goals, policies, and programs the City will implement to address constraints and needs. The Housing Plan includes minor modifications to the City's current Housing Element Goals and Policies. The Housing Plan includes a number of new programs to address State housing law including future required updates to the Rancho Santa Margarita General Plan and RSMZC, new programs to affirmatively further fair housing, and tracking and reporting requirements for Housing Sites.

### **Part 2: Background Report**

Part 2 of the 2021-2029 Housing Element is the "Background Report" which identifies the nature and extent of Rancho Santa Margarita's housing needs, including those of special populations, potential housing resources (land and funds), potential constraints to housing production, and energy conservation opportunities. In addition to identifying housing needs, the Background Report also presents information regarding the setting in which these needs occur. The Background Report comprehensively updates the background context and conditions identified in the City's 2013-2021 Housing Element.

### **Appendix A: Housing Sites Inventory**

The Housing Element must include an inventory of land suitable and available for residential development to meet the City's regional housing need by income level. The California Department of Housing and Community Development (HCD) requires that the Housing Sites Inventory be prepared using a State-approved format, included as Appendix A. The City anticipates a portion of its RHNA can be accommodated through the projected development of accessory dwelling units (ADUs). In order to accommodate the remaining RHNA, the City is introducing two new mechanisms to allow for residential development, to be created within three years of Housing Element adoption (and no later than October 2024) on sites considered viable

for housing development. The first is a “Workforce Housing Overlay”, which will be applied to three sites within the Business Park district, totaling 38.43 acres. The second is a “Mixed-Use Housing” land use and zoning designation, which will be applied to 12 sites (13 parcels) in the City’s central core, totaling 26.54 acres. Both of these mechanisms are explained in detail below.

### **Appendix B: Public Engagement Summary**

As part of the Housing Element Update process, the City hosted numerous opportunities for the community and key stakeholders to provide feedback on existing housing conditions, housing priorities, priority areas for new residential growth, and topics related to fair housing. Public participation played an important role in the refinement of the City’s housing goals and policies and in the development of new housing programs, as included in Part 1: Housing Plan. The public’s input also helped to validate and expand upon the contextual information included in Part 2: Background Report. The City’s efforts to engage the community in a meaningful and comprehensive way are summarized in Appendix B.

### **Capacity to Meet Regional Housing Needs**

As determined by SCAG, the City of Rancho Santa Margarita’s fair share regional housing needs allocation (RHNA) is 680 new housing units during this planning cycle. This includes: 209 units affordable to extremely/very low income households; 120 units affordable to low income households; 125 units affordable to moderate income households; and 226 units affordable to above moderate income households. State Income Limits which are used to determine affordability levels are set annually by HCD.

### **Development Credits**

In planning to accommodate its RHNA, the City can identify the potential development of future accessory dwelling units (ADUs) as a credit towards meeting its targets. The development of ADUs throughout the planning period is expected to help meet a modest portion of the City’s RHNA obligation. To arrive at an estimate of potential ADU development, the City has assumed the development of five ADUs per year for the eight-year planning period. This yields an estimate of 40 ADUs. Based on the anticipated ADUs shown in Table 2, the City has a remaining RHNA of 640 units (199 extremely low/very low income units, 103 low income units, 113 moderate income units, and 225 above-moderate income units).

Table 2: Credits and Remaining RHNA

Income Group	ADUs	RHNA	Remaining RHNA
Extremely/Very Low	10	209	199
Low	17	120	103
Moderate	12	125	113
Above Moderate	1	226	225
<b>Total</b>	<b>40</b>	<b>680</b>	<b>640</b>

Source: City of Rancho Santa Margarita, 2021, Southern California Association of Governments, 2021.

### **Residential Sites Inventory to Accommodate Remaining RHNA**

The City has no vacant land or underutilized land within existing residential zones to accommodate its remaining RHNA (640 units) for the 2021-2029 planning period in addition to the 40 ADU's identified in Table 2. In order to accommodate the RHNA for each income category, the City is introducing two new mechanisms to allow for residential development, to be created following Housing Element adoption as part of a separate approval process, on sites considered viable for housing development:

- 1) *Workforce Housing Overlay.* The Workforce Housing Overlay will allow for residential development in the Business Park at a density of up to 35 dwelling units per acre. The intent of the Workforce Housing Overlay is to allow for the development of attainable housing options closer to jobs, thereby supporting the City's business community. Three candidate sites, totaling 38.43 acres, have been identified as viable for residential development in the Business Park; refer to Table 3 and Figure 3, Proposed 2021-2029 Housing Element RHNA Sites. In total, the three sites identified have the potential to accommodate 344 units at all income levels.
- 2) *Mixed-Use Housing.* The Mixed-Use Housing General Plan Land Use and Zoning designation (separate from the City's existing Mixed-Use designation) will allow for residential development at locations currently developed with commercial and business park uses at a density of up to 35 dwelling units per acre. The intent of the Mixed-Use Housing designation is to allow for mixed-use development in vertical or horizontal formats within the City's existing activity centers. The City has identified 12 sites (13 parcels), totaling 26.54 acres, currently designated as Commercial General or Business Park, viable for redevelopment with residential uses, either as a stand-alone use or as part of a mixed-use project; refer to Table 3. In total, the 13 parcels identified have the potential to accommodate 326 units at all income levels.

The 40 ADUs, potential 344 units resulting from implementation of the Workforce Housing Overlay, and the potential of 326 units resulting from implementation of the Mixed-Use Housing designation/zone, could result in 710 additional dwelling units.<sup>2</sup> Therefore, for purposes of this analysis, a total of 710 units has been assumed; refer to Table 4.

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<sup>2</sup> The 710 units exceeds the City's RHNA allocation by 30 units, which represents a buffer of the total unit capacity. This buffer is necessary to address the No Net Loss (SB 166) requirement of maintaining an inventory of sites adequate to accommodate the City's remaining RHNA throughout the planning period as

Table 3: RHNA Sites Summary

Map Reference (Figure 3)	Address	APN	Acres	Housing Element Proposed Designation	Potential Capacity
1	22931 Arroyo Vista	805-062-06	2.92	Workforce Housing Overlay	34
2	29977 Avenida De Las Banderas	805-061-01	24.53	Workforce Housing Overlay	212
3	30200 Avenida De Las Banderas	805-042-02	10.98	Workforce Housing Overlay	98
4	30021 Tomas	805-222-01	1.92	Mixed-Use 35	24
5	22022 El Paseo	814-153-05	1.00	Mixed-Use 35	12
6	22012 El Paseo	814-153-06	0.46	Mixed-Use 35	6
7a	22032 El Paseo	814-153-07	0.67	Mixed-Use 35	8
7b	22032 El Paseo	814-153-14	2.23	Mixed-Use 35	27
8	22342 Avenida Empresa	805-052-09	3.78	Mixed-Use 35	46
9	30832 Santa Margarita Pkwy	814-153-04	1.03	Mixed-Use 35	13
10	22205 El Paseo	814-172-10	0.70	Mixed-Use 35	9
11	22215 El Paseo	814-172-11	5.72	Mixed-Use 35	70
12	22235 El Paseo	814-172-12	2.82	Mixed-Use 35	35
13	22245 El Paseo	824-172-25	0.71	Mixed-Use 35	9
14	22342 El Paseo	814-172-26	4.11	Mixed-Use 35	50
15	22372 El Paseo	814-172-27	1.39	Mixed-Use 35	17
<b>TOTAL</b>			<b>64.97</b>		<b>670</b>

development occurs on the selected sites that may result in fewer units (or units at different income levels) than assumed in the inventory.

Table 4: RHNA Future Unit Capacity

Income Group	Credits (ADUs)	Workforce Housing Overlay Capacity	Mixed-Use Housing Capacity	Total	RHNA	Surplus
Extremely/Very Low	10	107	97	214	209	5
Low	17	62	58	137	120	17
Moderate	12	62	58	132	125	7
Above Moderate	1	113	113	227	226	1
<b>Total</b>	<b>40</b>	<b>344</b>	<b>326</b>	<b>710</b>	<b>680</b>	<b>30</b>

Source: City of Rancho Santa Margarita, 2021, Southern California Association of Governments, 2021.

## Summary of Housing Element Modifications

As previously noted, State law requires that the Housing Element be reviewed and updated every eight years, in order to remain relevant and useful, and that it reflects a community's changing housing needs. The proposed Housing Element Update involves changes/additions to the Housing Element and environmental conditions under which it would be implemented. The following summarizes the modifications to the Housing Element, as compared to the 2013-2021 Housing Element:

### Goals, Policies, and Programs (Part 1: Housing Plan)

The Goals and Policies section of the Housing Plan includes modifications to the goals and policies in the adopted 5<sup>th</sup> Cycle Housing Element, along with new goals and policies to address Housing Element requirements for the 6<sup>th</sup> Cycle. The following new goals and policies are proposed as part of the 2021-2029 Housing Element:

- Policy 1.2: Maintain adequate capacity to accommodate the RHNA
- Policy 1.8: Reuse of sites identified in prior Housing Element inventories
- Policy 3.5: Accessibility of housing for persons with special needs
- Policy 3.6: Reasonable accommodations
- Goal 4: Fair Housing
- Policy 4.1: Enforcement of laws and regulations
- Policy 4.2: Unrestricted access to appropriate housing choices
- Policy 4.3: Support for fair housing organizations

The Housing Plan contains 17 programs in four categories. All of the programs address specific requirements of Housing Element law. Ten of the programs have been continued from the prior Housing Element, and seven are new programs. The following new programs are proposed as part of the 2021-2029 Housing Element:

- Program 2: Adequate Sites Monitoring/No Net Loss
- Program 4: Public Property Conversion
- Program 10: Affordable Housing Development
- Program 11: Density Bonus

- Program 12: California Accessibility Standards Compliance Program
- Program 14: Zoning Code Amendments
- Program 17: Expand Housing Opportunities

All other Goals, Policies and Programs are a continuation of the City's current Housing Element with limited or no modifications necessary.

### **Background Information (Part 2: Background Report)**

The Background Report of the 2021-2029 Housing Element has been comprehensively updated to include current information. This section of the Housing Element includes: Introduction, Accomplishments Under 5<sup>th</sup> Cycle Housing Element, Housing Needs Assessment, Constraints, Housing Resources, Assessment of Fair Housing, and References.

### **Appendix A: Housing Sites Inventory**

The City has updated its Housing Sites Inventory to demonstrate capacity to accommodate its 2021-2029 RHNA. The Housing Sites Inventory includes a list of sites appropriate to accommodate the RHNA at the appropriate densities and income levels.

### **Appendix B: Public Engagement Summary**

The public engagement program conducted as part of the Housing Element Update project is summarized in Appendix B.

#### **3.3.2 SAFETY ELEMENT**

In compliance with State law, the City of Rancho Santa Margarita has prepared an update to its Safety Element to further address fire hazards, emergency preparedness, and climate adaptation. Natural and human-caused events have the ability to impact productivity by causing substantial damage to life, property, and economic prosperity. The Safety Element addresses these potential issues with goals and policies to continue to serve and protect Rancho Santa Margarita and its residents.

### **Safety Element Organization**

The Safety Element includes an Introduction to the Element, the Element's issues, goals, and policies, and the safety plan.

### **Summary of Safety Element Modifications**

Within the Safety Element, a reference to the City's adopted Local Hazard Mitigation Plan has been included. Two new policies (Policy 1.5 and 1.6) have been added to address climate adaptation and resiliency planning. Minor modifications were made to two existing policies (Policy 4.1 and 4.6) which address wildland fire hazards, in order to comply with State regulations. Policy 4.1 was expanded to include maintaining community fire breaks and private and public road clearance areas to reduce the risk of wildfire hazards and Policy 4.6 was expanded to include minimizing development in Very High Fire Hazard Severity Zones (VHFHSZs) when feasible and evaluating re-development after a large fire to minimize the risk of loss resulting from fires. The City

also prepared an analysis consistent with Senate Bill 99 to identify residential developments in hazard areas that do not have at least two emergency evacuation routes. The analysis identified three residential areas with limited emergency access points. The City will continue to coordinate with the Orange County Fire Authority (OCFA) and the Orange County Sheriff's Department (OCSD) to ensure adequate exit strategies are available for these areas. A White Paper describing the methodology used to map the evacuation routes is included as an Appendix to the Safety Element.

No goals, policies or programs from the current Safety Element were eliminated as part of this update.

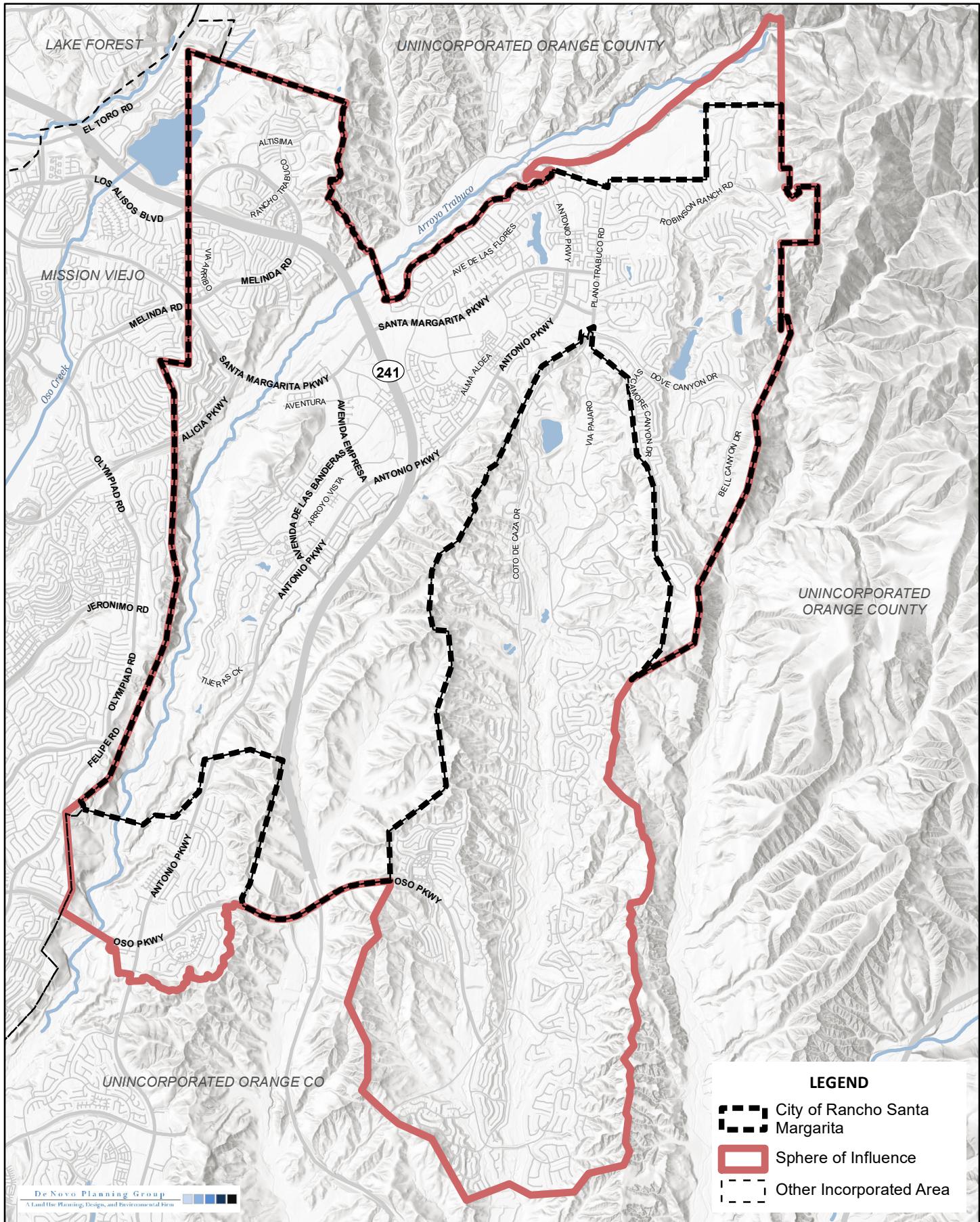


**CITY OF RANCHO SANTA MARGARITA  
2021-2029 HOUSING ELEMENT AND SAFETY ELEMENT UPDATE  
ADDENDUM TO THE GENERAL PLAN EIR**



Sources: Orange County GIS; LAFCO; California State Geoportal. Map date: November 16, 2021.

Figure 1. Regional Location Map

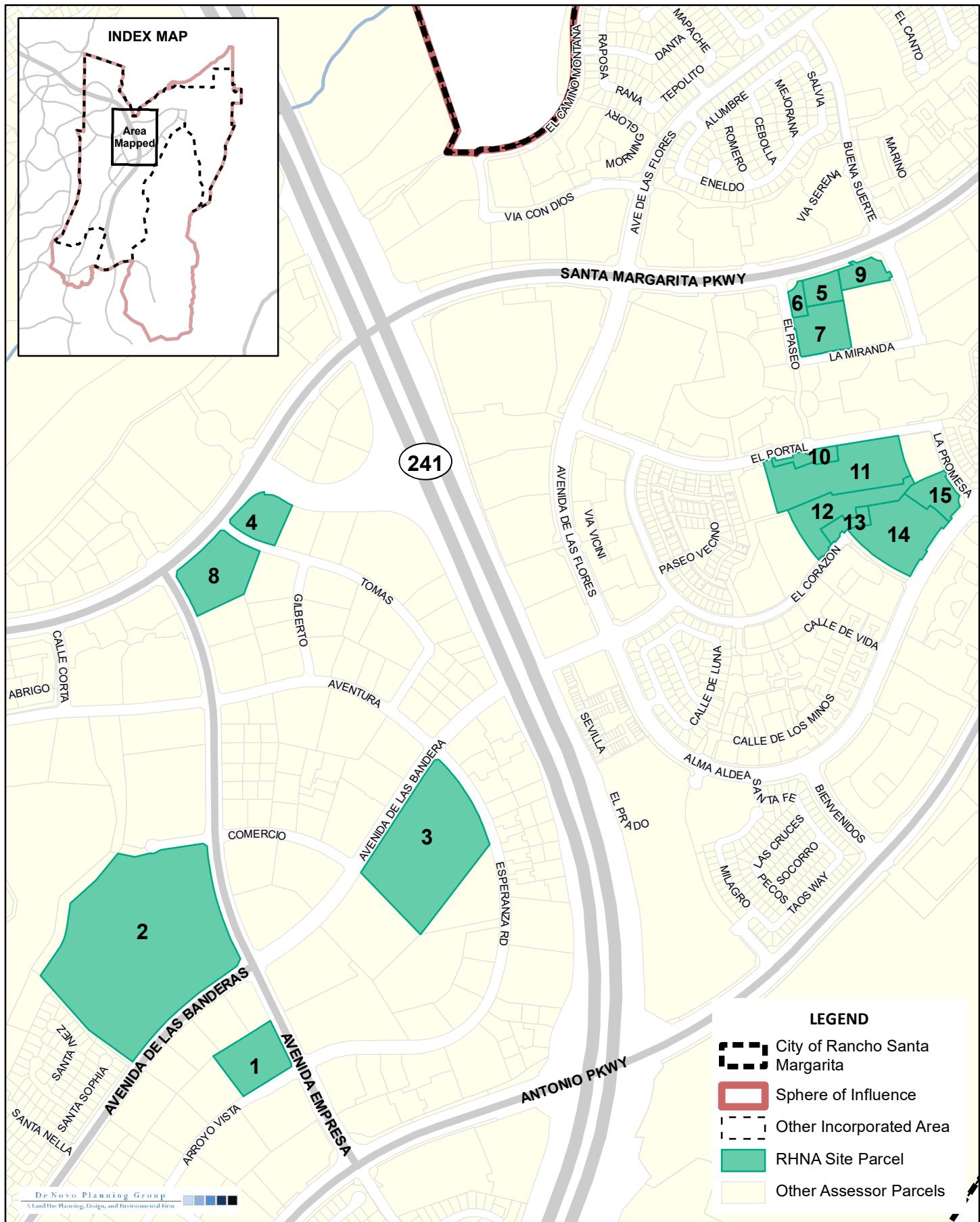


**CITY OF RANCHO SANTA MARGARITA  
2021-2029 HOUSING ELEMENT AND SAFETY ELEMENT UPDATE  
ADDENDUM TO THE GENERAL PLAN EIR**

**Figure 2. General Plan Study Area**

Sources: Orange County GIS; USGS; LAFCO. Map date: November 16, 2021.

0 1 Miles



**CITY OF RANCHO SANTA MARGARITA  
2021-2029 HOUSING ELEMENT AND SAFETY ELEMENT UPDATE  
ADDENDUM TO THE GENERAL PLAN EIR**

Figure 3. Proposed 2021-2029 Housing Element RHNA Sites

City of Rancho Santa Margarita | 2021-2029 Housing Element Update and Safety Element Update  
Addendum to the General Plan FEIR

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## 4 ENVIRONMENTAL APPROACH AND ANALYSIS

This analysis has been prepared to determine whether the proposed Modified Project would result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts in the 2020 certified General Plan FEIR. Based on substantial evidence, the City has concluded that the proposed Modified Project does not meet the criteria for preparing a subsequent or supplemental EIR under Public Resources Code Section 21166 or CEQA Guidelines Section 15162.

The scope of the City's review of the proposed Modified Project is limited by provisions set forth in CEQA and the State CEQA Guidelines. This review is limited to evaluating whether the proposed Housing Element Update and Safety Element Update Project would trigger further environmental analysis beyond the 2020 General Plan FEIR. This analysis also reviews new information, if any, of substantial importance that was not known and could not have been known with the exercise of reasonable due diligence at the time the 2020 General Plan FEIR was certified. This evaluation includes a determination as to whether the changes proposed by the Modified Project would result in any new significant impacts or a substantial increase in a previously identified significant impact.

This analysis is based on the CEQA Guidelines Appendix G Checklist and provides a summary of impacts in the 2020 FEIR and the potential impacts associated with the proposed 2021-2029 Housing Element Update and Safety Element Update. This comparative analysis provides the City with the factual basis for determining whether any changes in the Modified Project, any changes in circumstances, or any new information since the 2020 FEIR was certified would require additional environmental review or preparation of a Subsequent EIR or Supplemental EIR.

### 2020 General Plan and 2021-2029 Housing Element Update Development Potential

The Rancho Santa Margarita 2020 General Plan identified projected future development intensity and density based upon existing and historical development as well as anticipated development associated with the future land use opportunities described in the Land Use Element. Based upon existing development and assumed development intensities and densities, the General Plan anticipated 18,294 dwelling units and approximately 9.1 million square feet of non-residential land uses by 2040. The 2020 General Plan FEIR analyzed the potential environmental impacts of the 2020 General Plan based on the change between existing conditions and the reasonably anticipated development identified in the General Plan Land Use Element (Land Use Element Table LU-3 and 2020 General Plan FEIR Table 3-3). The 2020 General Plan FEIR analyzed the environmental impacts based on the anticipated growth of 528 additional dwelling units and 3,085,014 additional square feet of non-residential uses.

As discussed above, the proposed 2021-2029 Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than anticipated by the 2020 General Plan and analyzed in the 2020 General Plan FEIR. However, in addition to residential development, the 2020 General Plan and 2020 General Plan FEIR assumed and analyzed the development of

up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.<sup>3</sup>

The 2021-2029 Housing Element Update identifies three candidate sites, totaling 38.43 acres in the Business Park for workforce housing and 12 sites, totaling 26.54 acres, currently designated as Commercial General or Business Park for mixed-use development that are viable for future residential uses. Any future residential development of these sites would reduce the non-residential development that could be developed in the Commercial General and Business Park land use categories. Implementation of the 2021-2029 Housing Element would accommodate 182 more residential units and up to 1,091,985 fewer square feet of non-residential than the 2020 General Plan development assumptions and the development potential analyzed in the 2020 General Plan FEIR.<sup>4</sup> As explained in detail below, this increase in potential residential development and decrease in non-residential development would not result in new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts.

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<sup>3</sup> General Plan FEIR Table 3-3.

<sup>4</sup> The non-residential development capacity would vary based on whether new residential development would include the removal of existing on-site non-residential uses.

## 4.1 AESTHETICS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant Effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Except as provided in Public Resources Code Section 21099, would the project:</b>						
a. Have a substantial adverse effect on a scenic vista?					X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					X	
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?				X		
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					X	

### 2020 General Plan FEIR Conclusions

#### a. Have a substantial adverse effect on a scenic vista?

The General Plan does not designate any official scenic vistas in Rancho Santa Margarita. However, ridgelines which can be viewed from the City include: Trabuco Canyon, Live Oak Canyon, Plano Trabuco, Ashbury Canyon, Cochise Canyon, and Bell Canyon. In addition, sections of O'Neill Regional Park reside within the City limits providing open space access and views. The topography of the area allows for expansive views of the surrounding communities, as well as the Santa Ana Mountains and Cleveland National Forest. Views are afforded from many of the residential areas in the City. The City of Rancho Santa Margarita is largely built out with relatively little land available for new development; nonetheless, the 2020 General Plan FEIR noted that General Plan implementation could increase residential densities and non-residential land use intensities in specific areas and may occur in proximity to scenic vistas. However, all future

development would be subject to conformance with applicable Rancho Santa Margarita Zoning Code (RSMZC) requirements and be guided by relevant 2020 General Plan Update policies. Therefore, the 2020 General Plan FEIR concluded that implementation of the 2020 General Plan Update would not significantly impact the City's scenic vistas and impacts would be less than significant in this regard.

**b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

There are no officially designated or eligible State scenic highways in Rancho Santa Margarita. Thus, the 2020 General Plan FEIR concluded development of the 2020 General Plan Update would not substantially damage scenic resources 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?***

The General Plan Conservation and Open Space Element identifies Landscape and Viewscape Corridors designated in the County of Orange's Scenic Highways Plan, included in the County of Orange General Plan Transportation Element. Viewscape Corridors are located outside of and within the City limits, providing varying views that include water features, lush trees and vegetation, and expansive views of canyon areas, ridgelines, and hillsides located within and that surround the area. Landscape Corridors also extend through and outside of the City limits providing lush landscaping and buffering from developed areas. Future development could occur adjacent to the Landscape and Viewscape Corridors. Development occurring within these areas would be subject to detailed planning requirements to ensure development does not impact County-designated Landscape and Viewscape Corridors. Future development would be subject to conformance with applicable RSMZC requirements and be guided by relevant 2020 General Plan Update policies. Therefore, the 2020 General Plan FEIR concluded impacts would be less than significant in this regard.

Construction activities for future development accommodated through implementation of the 2020 General Plan Update could degrade the visual character and quality of the respective development site and/or its immediate surrounding. Visible features associated with construction activities would include exposed building pads and staging areas for grading, excavation, and construction equipment. In addition, temporary structures could be located on the respective development site during various stages of construction, within materials storage areas, or associated with construction debris piles on site. Exposed trenches, roadway bedding, spoils/debris piles, and steel plates would be visible during construction of street and utility infrastructure improvements. These materials could temporarily degrade the existing visual character and quality of the respective development sites and surrounding areas. Construction-related impacts to visual character and quality would be short-term and would cease upon construction completion. 2020 General Plan FEIR Mitigation Measure AES-1 would require

construction staging areas to be sited and/or screened to minimize public views to the maximum extent practicable. The 2020 General Plan FEIR concluded that with implementation of Mitigation Measures AES-1 construction-related impacts to visual character would be less than significant.

The 2020 General Plan FEIR states that the 2020 General Plan Update would support additional development beyond existing conditions. This development could increase residential densities and non-residential land use intensities in specific areas and could impact the City's visual character over the long-term. All future development would be subject to conformance with applicable RSMZC requirements and be guided by relevant 2020 General Plan Update policies. If necessary, mitigation would be recommended to reduce potential impacts to a less than significant level. Therefore, the 2020 General Plan FEIR concluded that implementation of the 2020 General Plan Update is not anticipated to significantly impact the City's visual character over the long-term.

**d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

Future development accommodated through implementation of the 2020 General Plan Update could introduce new sources of light or glare with the potential to adversely affect day or nighttime views. Light and glare impacts could result from new light sources such as street lighting, interior and exterior building lighting (including for safety purposes), vehicle headlights, illuminated signage, traffic signals, and new glare sources such as reflective building materials, roofing materials, and windows. These new sources of light and glare would be most visible from development along adjacent roadways, and to receptors such as residents and traveling motorists. As stated in the 2020 General Plan FEIR, all lighting installed as part of the 2020 General Plan Update would be subject to conformance with applicable RSMMC requirements and guided by the 2020 General Plan Update Land Use Element. If necessary, mitigation would be recommended to reduce potential impacts to a less than significant level. Therefore, the 2020 General Plan FEIR concluded that implementation of the 2020 General Plan Update would not result in significant light and glare impacts.

## **Analysis of Modified Project**

### **Housing Element**

**a. *Have a substantial adverse effect on a scenic vista?***

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City and are not characterized as scenic vistas. Future development would be subject to conformance with applicable RSMZC requirements and be guided by relevant 2020 General Plan Update policies, which would reduce potential aesthetic impacts to a less than significant level.

**b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

There are no State scenic highways within Rancho Santa Margarita; therefore, the Modified Project would not result in impacts to State scenic highways.

**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?***

Housing development could occur adjacent to identified Landscape and Viewscape Corridors that are located within the City. Residential development occurring within these areas would be subject to detailed planning requirements to ensure development does not impact County-designated Landscape and Viewscape Corridors. Future residential development would be subject to conformance with applicable RSMZC requirements and be guided by relevant 2020 General Plan Update policies. Therefore, impacts would be less than significant in this regard.

Construction activities for future residential development accommodated through implementation of the Housing Element Update could degrade the visual character and quality of the respective development site and/or its immediate surrounding. Construction-related impacts to visual character and quality would be short-term and would cease upon construction completion. Residential development associated with implementation of the Housing Element Update would be required to implement 2020 General Plan FEIR Mitigation Measure AES-1, which would require construction staging areas to be sited and/or screened to minimize public views to the maximum extent practicable, reducing potential construction-related impacts to visual character to less than significant.

As stated, the Housing Element Update proposes housing policies that would encourage housing production within the City including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. New residential development could impact the City's visual character over the long-term. All future development would be subject to conformance with applicable RSMZC requirements and be guided by relevant 2020 General Plan Update policies. If necessary, mitigation would be recommended to reduce potential impacts to a less than significant level. Therefore, implementation of the Housing Element Update is not anticipated to significantly impact the City's visual character over the long-term.

**d. *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

Future residential development accommodated through implementation of the Housing Element Update could introduce new sources of light or glare with the potential to adversely affect day or nighttime views. All lighting installed as part of future residential development would be subject to conformance with applicable RSMMC requirements and guided by the 2020 General Plan Update Land Use Element. If necessary, as a part of the later, project-specific CEQA process for

the proposed residential development, standard City conditions of approval and mitigation would be recommended to reduce potential impacts to a less than significant level. Therefore, the Housing Element Update would not result in significant light and glare impacts.

### **Safety Element**

- 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?**

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to visual resources. The Rancho Santa Margarita General Plan includes policies and programs to protect the visual character of the City and reduce potential impacts to scenic resources and to reduce impacts associated with light and glare as a result of new development. Further, 2020 General Plan FEIR Mitigation Measure AES-1 requires a Construction Management Plan for non-exempt projects on or adjacent to residential zoned property to minimize public views to the maximum extent reasonably possible, in order to reduce potential impacts to aesthetic resources. The Safety Element Update would not conflict with implementation of these General Plan policies and programs or the 2020 General Plan FEIR mitigation measures.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater aesthetic impacts beyond those identified in the 2020 General Plan FEIR. Following compliance with the 2020 General Plan FEIR mitigation measure AES-1 and General Plan policies, there would be no new significant impacts or a substantial increase in the severity of previously identified significant impacts relative to aesthetics.

#### **2020 General Plan FEIR Mitigation Measures:**

AES-1 Prior to issuance of a grading permit for a project subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects), and located on or immediately adjacent to a residentially zoned property, a Construction Management Plan shall be prepared for review and approval by the City of Rancho Santa Margarita City Engineer and/or Development Services Director. At a minimum, the Construction Management Plan shall indicate equipment and vehicle staging areas, materials

stockpiling areas, fencing types, and construction worker vehicle parking. All equipment and vehicle staging areas shall be sited and/or screened to minimize public views to the maximum extent reasonably possible.

## 4.2 AGRICULTURE AND FORESTRY RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
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?						X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?						X
c. Result in the loss of forest land or conversion of forest land to non-forest use?						X
d. 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?						X

### 2020 General Plan FEIR Conclusions

- 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. **Result in the loss of forest land or conversion of forest land to non-forest use?**
- d. **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?**

There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the City and, according to the City's Zoning Map, there are no areas zoned for agricultural use, forest land, or timberland production. Additionally, there are no lands within Rancho Santa Margarita under a Williamson Act contract. Therefore, the 2020 General Plan FEIR concluded that

implementation of the 2020 General Plan Update would not result in any impacts to agriculture or forestry resources.

## **Analysis of Modified Project**

### **Housing Element and Safety Element**

- 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. Result in the loss of forest land or conversion of forest land to non-forest use?**
- d. 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?**

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites as viable for future residential uses. These sites are located within the business park and commercial core areas of the City and are not currently zoned for or in agriculture or forestry production. The Safety Element Update proposes new policies to address climate adaptation and resiliency planning and minor modifications to existing policies to address wildland fire hazards. The City also prepared an analysis consistent with Senate Bill 99 to identify residential developments in hazard areas that do not have at least two emergency evacuation routes. No goals, policies or programs from the current Safety Element were eliminated as part of this update.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new significant agricultural or forestry resource impacts or a substantial increase in the severity of previously identified significant impacts as these resources do not occur within the City.

## 4.3 AIR QUALITY

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Conflict with or obstruct implementation of the applicable air quality plan?					X	
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?				X		
c. Expose sensitive receptors to substantial pollutant concentrations?					X	
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?					X	

### 2020 General Plan FEIR Conclusions

#### a. *Conflict with or obstruct implementation of the applicable air quality plan?*

According to the SCAQMD's CEQA Air Quality Handbook, two main criteria must be addressed to determine if a project would conflict with or obstruct implementation of the 2016 Air Quality Management Plan (AQMP).

Criterion 1. SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

- a) Would the project result in an increase in the frequency or severity of existing air quality violations?

The 2020 General Plan includes provisions for improved local and regional transit services as well as a connected, balanced, and integrated transportation system of bicycle and pedestrian networks. However, the program-level emissions associated with future development in the City with implementation of the 2020 General Plan would exceed SCAQMD thresholds, as discussed in Response 4.3(b). It is noted that the SCAQMD thresholds are intended to evaluate the air quality impacts from individual development projects, and do not apply to plan-level projects such as the 2020 General Plan. Future development projects in the City would be required to comply with

SCAQMD regulations, and would incorporate mitigation measures, as feasible, to reduce air quality impacts.

As discussed in Response 4.3(b), concentrations of CO, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> under the 2020 General Plan would be lower than existing settings. Therefore, the 2020 General Plan would not result in an increase in the frequency or severity of existing air quality violations.

- b) Would the project cause or contribute to new air quality violations?

As discussed in Response 4.3(b), future development anticipated by the 2020 General Plan would have the potential to exceed SCAQMD thresholds. Therefore, the 2020 General Plan would have the potential to cause or affect a violation of the ambient air quality standards.

- c) Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP?

The 2016 AQMP (the latest AQMP) utilizes growth projections from the City's 2002 General Plan. Compared to the 2002 General Plan, the 2020 General Plan anticipates 686 additional dwelling units but 4.5 million fewer square feet of nonresidential development. Overall, the 2020 General Plan anticipates substantially less development than the 2002 General Plan, and thus, would be consistent with the 2016 AQMP and its specified interim emission reductions. Additionally, the 2020 General Plan would be included in the future iteration of the AQMP (anticipated to be updated in 2022). Further, anticipated development identified in the 2020 General Plan would result in lower ROG, NO<sub>x</sub>, and CO emissions compared to existing conditions. Therefore, it was determined the 2020 General Plan would not delay timely attainment of the air quality standards or the interim emissions reductions specified in the AQMP.

Criterion 2. SCAQMD's second criterion for determining project consistency focuses on whether or not the project exceeds the assumptions utilized in preparing the forecasts presented in the 2016 AQMP. Determining whether or not a project exceeds the assumptions reflected in the 2016 AQMP involves the evaluation of the three criteria outlined below.

- a) Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?

The 2002 General Plan was taken into account in the 2016 AQMP's population, housing, and employment growth projections. The 2020 General Plan anticipates 686 additional dwelling units but 4.5 million fewer square feet of nonresidential development than the 2002 General Plan. Therefore, while the 2020 General Plan would introduce more residential units, it projects substantially less nonresidential development. Overall, less development is projected under the 2020 General Plan compared to the 2002 General Plan. Therefore, the 2020 General Plan was determined to be consistent and within the growth projections utilized in the 2016 AQMP. In addition, the 2020 General Plan would be included in the next iteration of the AQMP. Overall, the 2020 General Plan was determined to be consistent with the population, housing, and employment growth projections of the applicable AQMP.

b) Would the project implement all feasible air quality mitigation measures?

The 2020 General Plan would be required to comply with applicable emission reduction measures identified by the SCAQMD as listed in 2020 General Plan Conservation/Open Space Element Policy 4.1. Thus, the 2020 General Plan FEIR concluded the 2020 General Plan meets this 2016 AQMP consistency criterion.

c) Would the project be consistent with the land use planning strategies set forth in the AQMP?

The 2020 General Plan anticipated less growth when compared to the 2002 General Plan, which was determined to be consistent with the 2016 AQMP and the 2016–2040 RTP/SCS. In addition, the 2020 General Plan would be included in the next iteration of AQMP.

The 2020 General Plan FEIR concluded the 2020 General Plan is consistent with the SCAQMD and SCAG goals and policies, and therefore was determined to be consistent with the 2016 AQMP. Thus, impacts associated with compliance with the 2016 AQMP were determined to be less than significant.

**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?***

Short-Term Construction Impacts. Implementation of the 2020 General Plan would not directly result in new development within the City; however, it projects additional development, which could result in new construction-related emissions associated with future development. The thresholds of significance recommended by the SCAQMD for construction emissions were developed for individual development projects. Construction-related emissions are described as short-term or temporary in duration and have the potential to represent a significant impact with respect to air quality. Implementation of the 2020 General Plan is dependent on individual housing decisions, employment opportunities, provision of services for housing and supporting commercial uses, land use decisions by the City and other public agencies, regional transportation planning decisions, the decisions of financial institutions related to development projects, and other similar factors. Future development projects and plans would continue to define specific phasing at a detailed level and be reviewed by the City to ensure that development occurs in a logical manner consistent with policies in the 2020 General Plan, and that additional environmental review is conducted under CEQA, as needed.

Construction-related activities associated with implementation of the 2020 General Plan would result in emissions of criteria air pollutants and precursors from site preparation (e.g., demolition, excavation, grading, and clearing); exhaust from off-road equipment, material delivery trucks, and worker commute vehicles; vehicular travel on roads; and other miscellaneous activities (e.g., building construction, asphalt paving, application of architectural coatings, and trenching for utility installation). Because the 2020 General Plan projects future development but does not contain specific development proposals, construction-related emissions that may occur at any

one time are speculative and cannot be accurately determined at this stage of the planning process. Assuming relatively robust economic conditions over the next 20 years, construction activities would occur throughout the City, but the rate of development cannot be predicted. Future construction-related emissions could lead to the violation of an applicable air quality standard or contribute substantially to an existing or projected air quality violation.

Goal 4 of the 2020 General Plan Conservation/Open Space Element addresses potential air quality impacts by supporting projects, programs, policies, and regulations that reduce impacts to air quality caused by private and public construction projects. RSMZC Section 9.08.220 requires all land use and development review applications referenced in Chapter 9.08 (such as zone changes, conditional use permits, subdivisions, etc.) and all public works and other public projects to undergo environmental review as an integral part of the process for such applications prior to consideration by the decision-making authority. Additionally, future development projects that include employers with 250 employees or more shall comply with SCAQMD Rule 2202, which requires the implementation of employee commute reduction programs. Environmental review shall be carried out in accordance with the California Environmental Quality Act, State Environmental Impact Report Guidelines, City's Environmental Guidelines, and other applicable regulations. Future development projects would be required to comply with RSMZC Section 9.08.220 and all applicable SCAQMD rules and regulations as well as other control measures to reduce construction emissions, including Mitigation Measure AQ-1 through AQ-3, which require construction equipment vehicles be maintained and in good condition; submittal of a construction traffic control plan; and analysis of project-specific air emissions impacts. However, because the 2020 General Plan would facilitate future development and generate construction emissions that could potentially exceed SCAQMD thresholds, impacts were determined to be significant and unavoidable.

Long-term Operational Impacts. The City's stationary source emissions primarily consist of light industrial, residential, and commercial uses. Indirect sources consist of electricity usage including the energy usage associated with water consumption. Mobile source emissions are produced by each trip generating land use within the City (e.g., residential, schools, retail, office, light industrial, etc.). The 2020 General Plan would allow for additional residential and non-residential development over existing conditions. Although the City anticipates future growth, overall emissions are anticipated to be lower than existing conditions for ROG, NOx, and CO. Area and energy source emissions are expected to increase from existing conditions. However, mobile source ROG, NOx, and CO emissions would decrease despite a projected increase in vehicle trips. This can be attributed to improved vehicle emissions standards, improved fuel efficiency, and a newer model year vehicle fleet during the planning period.

2020 General Plan Conservation/Open Space Element Policies 4.1 through 4.6 would improve air quality within the City through participation in regional and subregional efforts to improve housing and employment options to reduce commuting, promote a transportation system coordinated with air quality improvements, and implement programs that regulate pollution across jurisdictions. 2020 General Plan Land Use Element Policies 4.1 through 4.6 would encourage emissions

reductions with the development of car-free and pedestrian only zones, alternative transportation options, and support transit, bicycle, and pedestrian improvements. These policies would also support balanced land uses which would provide options to reduce vehicle trips and vehicle miles traveled (VMT), which would reduce mobile source emissions.

The thresholds of significance that have been recommended by the SCAQMD were established for individual development projects and are based on the SCAQMD's General Plan guidance and New Source Review emissions standards for individual sources of new emissions, such as boilers and generators. They do not apply to cumulative development or multiple projects. Air quality impacts would be regional and not confined to the limits of the Study Area. The destinations of motor vehicles, which are the primary contributors to air pollution, vary widely and cross many jurisdictional boundaries. The 2020 General Plan establishes the City's mobility goals by providing improved local and regional transit services as well as a connected, balanced, and integrated transportation system of bicycle and pedestrian networks. Such alternatives to automotive transportation can be greatly utilized to reduce mobile source emissions. Future site-specific development proposals would be evaluated for potential air emissions once development details have been determined and are available. Individual projects may not result in significant air quality emissions. Although individual development projects have the potential to exceed SCAQMD thresholds, the 2020 General Plan Update goals and policies themselves would not result in potentially significant impacts.

Development projects allowed under the 2020 General Plan would increase regional pollutants over current conditions, specifically PM<sub>10</sub> and PM<sub>2.5</sub>. However, ozone precursor pollutants, ROGs and NOx would decrease, due to improvements in vehicular technology for mobile source emissions. CEQA review of individual development projects would include an evaluation to determine whether potential air pollutant emissions generated from growth could result in a significant impact to air quality. The significance level of these impacts would be determined during review and appropriate mitigation measures would be developed. However, due to the magnitude of development and associated mobile and stationary source air quality impacts, the 2020 General Plan FEIR concluded impacts would be significant and unavoidable in this regard.

**c. *Expose sensitive receptors to substantial pollutant concentrations?***

Criteria pollutant emissions health effects are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, and the number and character of exposed individual [e.g., age, gender]). In particular, ozone precursors VOCs and NOx affect air quality on a regional scale. Health effects related to ozone are therefore the product of emissions generated by numerous sources throughout a region. The 2020 General Plan's increases in regional air pollution from criteria air pollutants was determined to have nominal or negligible impacts on human health.

Carbon monoxide (CO) emissions are a function of vehicle idling time, meteorological conditions and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthy levels (i.e., adversely affect residents,

school children, hospital patients, the elderly, etc.). To identify CO hotspots, the SCAQMD requires a CO microscale hotspot analysis when a project increases the volume-to-capacity ratio (also called the intersection capacity utilization) by 0.02 (two percent) for any intersection with an existing level of service (LOS) D or worse. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersection locations. However, projected intersection capacity/queuing analyses are unknown, as no specific development proposals have been identified.

The Basin is designated as an attainment area for State and Federal CO standards. There has been a decline in CO emissions even though VMT on U.S. urban and rural roads have increased. On-road mobile source CO emissions have declined 24 percent between 1989 and 1998, despite a 23 percent rise in motor vehicle miles traveled over the same 10 years. California trends have been consistent with national trends; CO emissions declined 20 percent in California from 1985 through 1997, while VMT increased 18 percent in the 1990s. Three major control programs have contributed to the reduced per-vehicle CO emissions: exhaust standards, cleaner burning fuels, and motor vehicle inspection/ maintenance programs.

A detailed CO analysis was conducted in the Federal Attainment Plan for Carbon Monoxide (CO Plan) for the SCAQMD's 2003 Air Quality Management Plan. The locations selected for microscale modeling in the CO Plan are worst-case intersections in the Basin, and would likely experience the highest CO concentrations. Of these locations, the Wilshire Boulevard/Veteran Avenue intersection experienced the highest CO concentration (4.6 ppm), which is well below the 35-ppm 1-hr CO Federal standard. The Wilshire Boulevard/Veteran Avenue intersection is one of the most congested intersections in southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection (100,000 ADT), it can be reasonably inferred that CO hotspots would not be experienced at any locations within the City as the highest anticipated volume of traffic in the City during the planning period would be 64,600 ADT On Santa Margarita Parkway between Alicia Parkway to Avenida Empresa. Additionally, the 2020 General Plan Circulation Element identifies implementation of signal coordination and intersection capacity improvements through the City. Therefore, the 2020 General Plan FEIR determined impacts to be less than significant in this regard.

**d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

Construction activities occurring under the 2020 General Plan could generate airborne odors associated with the operation of construction vehicles (i.e., diesel exhaust) and the application of architectural coatings. Construction related odors would be short-term in nature and cease upon completion of construction. Emissions would typically be isolated to the immediate vicinity of the construction site and activity. As such, these odors would not affect a substantial number of people and impacts would be limited to people living and working near the source. Due to the types of odors that would occur in the City and limited exposure, implementation of the 2020

General Plan would not create construction-related objectionable odors affecting a substantial number of people; thus, impacts would be less than significant in this regard.

Development in accordance with the 2020 General Plan would not emit objectionable odors that would affect a substantial number of people. The 2020 General Plan does not anticipate development of uses identified to create an odor nuisance by the SCAQMD, and thus, would not result in significant or highly objectionable odors. Additionally, the policies included as part of the 2020 General Plan reduce mobile and stationary source emissions and odors associated with diesel fuel by focusing on land use patterns that improve air quality, reduce air pollution from stationary sources, and encourage/enable increased transit behavior. Consequently, the 2020 General Plan FEIR concluded implementation of the 2020 General Plan would not create operational-related objectionable odors affecting a substantial number of people within the City and this impact would be less than significant.

## **Analysis of Modified Project**

### **Housing Element**

#### **a. *Conflict with or obstruct implementation of the applicable air quality plan?***

The most currently adopted AQMP (2016 AQMP) incorporates SCAG's growth forecasts and growth assumptions from the City's 2002 General Plan. State law requires that the City accommodate its "fair share" of regional housing needs, which are assigned by SCAG for all jurisdictions in the SCAG region. The Housing Element Update proposes housing policies and programs to comply with State law, including demonstrating the City's ability to accommodate its RHNA of 680 units. The objectives of the RHNA include increasing housing supply and the mix of housing types; promoting infill, equity, and environment; and ensuring jobs housing balance and fit.

As discussed above, two main criteria must be addressed to determine if a project would conflict with or obstruct implementation of the 2016 AQMP.

Criterion 1. SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

- a) Would the project result in an increase in the frequency or severity of existing air quality violations?

Similar to the 2020 General Plan, program-level emissions associated with future residential development in the City with implementation of the Modified Project could exceed SCAQMD thresholds, as discussed in Response 4.3(b), below. Future residential development accommodated through implementation of the Housing Element Update would be subject to compliance with the 2020 General Plan Update policies and would be required to comply with SCAQMD regulations, and incorporate mitigation measures, as feasible, to reduce air quality impacts. Concentrations of CO, NOx, PM<sub>10</sub>, and PM<sub>2.5</sub> under the Modified Project would continue

to be lower than existing settings, as described below. Therefore, the Modified Project would not result in an increase in the frequency or severity of existing air quality violations.

b) Would the project cause or contribute to new air quality violations?

As discussed in Response 4.3(b), similar to the 2020 General Plan, future residential development with implementation of the Modified Project would have the potential to exceed SCAQMD thresholds. Therefore, the Modified Project would have the potential to cause or affect a violation of the ambient air quality standards.

c) Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP?

The 2016 AQMP (the latest AQMP) utilizes growth projections from the City's 2002 General Plan. Compared to the 2002 General Plan, which anticipated the development of fewer dwelling units and greater non-residential square footage with an ultimate development potential of 17,608 dwelling units and 13.6 million square feet of non-residential development. As discussed above, the 2020 General Plan Update anticipated 686 additional dwelling units and 4.5 million fewer square feet of nonresidential development than the 2002 General Plan. The Modified Project anticipates 182 more dwelling units and 1.1 million fewer square feet of nonresidential development than the 2020 General Plan Update. Overall, similar to the 2020 General Plan, the Modified Project anticipates substantially less development than the 2002 General Plan, and thus, would be consistent with the 2016 AQMP and its specified interim emission reductions. Additionally, the 2020 General Plan and the Housing Element Update would be included in the future iteration of the AQMP (anticipated to be updated in 2022). Further, as with the 2020 General Plan, future residential development with implementation of the Modified Project would result in lower ROG, NOx, and CO emissions compared to existing conditions; refer to Response 4.3(b). Therefore, the Modified Project would not delay timely attainment of the air quality standards or the interim emissions reductions specified in the AQMP.

Criterion 2. SCAQMD's second criterion for determining project consistency focuses on whether or not the project exceeds the assumptions utilized in preparing the forecasts presented in the 2016 AQMP. Determining whether or not a project exceeds the assumptions reflected in the 2016 AQMP involves the evaluation of the three criteria outlined below.

a) Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?

The 2002 General Plan was taken into account in the 2016 AQMP's population, housing, and employment growth projections. As discussed above, compared to the 2002 General Plan, the Modified Project anticipates additional dwelling units, but fewer square feet of nonresidential development. Similar to the 2020 General Plan, while the Modified Project would introduce more residential units, it projects substantially less nonresidential development compared to the 2002 General Plan. Overall, similar to the 2020 General Plan, less development is projected under the Modified Project compared to the 2002 General Plan. Therefore, the Modified Project would be

consistent and within the growth projections utilized in the 2016 AQMP. In addition, the 2020 General Plan and Housing Element Update would be included in the next iteration of the AQMP. Therefore, the Modified Project would continue to be consistent with the population, housing, and employment growth projections of the applicable AQMP.

b) Would the project implement all feasible air quality mitigation measures?

The Modified Project would be required to comply with applicable emission reduction measures identified by the SCAQMD as listed in 2020 General Plan Conservation/Open Space Element Policy 4.1. Thus, similar to the 2020 General Plan, the Modified Project would meet this 2016 AQMP consistency criterion.

c) Would the project be consistent with the land use planning strategies set forth in the AQMP?

The 2020 General Plan anticipated less growth when compared to the 2002 General Plan, which was determined to be consistent with the 2016 AQMP and the 2016–2040 RTP/SCS. As discussed, implementation of the Housing Element Update would allow for greater residential development potential and an associated reduction in non-residential development potential when compared to the 2020 General Plan. However, the Modified Project anticipates less growth when compared to the 2002 General Plan. In addition, the 2020 General Plan and Housing Element Update would be included in the next iteration of AQMP. The Modified Project would be consistent with the SCAQMD and SCAG goals and policies, and therefore would be consistent with the 2016 AQMP. Thus, impacts associated with compliance with the 2016 AQMP would be less than significant with the Modified Project.

**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?***

Short-Term Construction Impacts. The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the 2020 General Plan and analyzed in the 2020 General Plan FEIR.

As discussed above, the thresholds of significance recommended by the SCAQMD for construction emissions were developed for individual development projects. Construction-related emissions are described as short-term or temporary in duration and have the potential to represent a significant impact with respect to air quality. The potential for new residential development associated with implementation of the Housing Element is dependent on a variety of factors, including but not limited to residential market conditions, individual housing decisions, the decisions of financial institutions related to development projects, and other similar factors. Future residential development projects and plans would continue to define specific phasing at a detailed level and be reviewed by the City to ensure that development occurs in a logical manner consistent with policies in the 2020 General Plan, and that additional environmental review is conducted under CEQA, as needed.

Similar to the 2020 General Plan, construction-related activities associated with implementation of the Modified Project would result in emissions of criteria air pollutants and precursors from site preparation (e.g., demolition, excavation, grading, and clearing); exhaust from off-road equipment, material delivery trucks, and worker commute vehicles; vehicular travel on roads; and other miscellaneous activities (e.g., building construction, asphalt paving, application of architectural coatings, and trenching for utility installation). Because implementation of the Modified Project would facilitate new residential development, but does not contain specific development proposals, construction-related emissions that may occur at any one time are speculative and cannot be accurately determined at this stage of the planning process. As with the 2020 General Plan, future construction-related emissions with implementation of the Modified Project could lead to the violation of an applicable air quality standard or contribute substantially to an existing or projected air quality violation.

Although the Modified Project's construction activities would result in emissions of criteria air pollutants and precursors, the potential construction emissions associated with the 182 additional residential units identified in the Housing Element Update would also be offset by the construction emissions associated with a portion of the non-residential development potential that was assumed in the 2020 General Plan FEIR but that would no longer be available. The 2020 General Plan and 2020 General Plan FEIR assumed and analyzed the development of up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.<sup>5</sup> The Housing Element identifies candidate sites currently designated as Commercial General or Business Park for mixed-use development that are viable for future residential uses. Future residential

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<sup>5</sup> General Plan FEIR Table 3-3.

development of these sites would reduce the non-residential development potential analyzed in the 2020 General Plan FEIR by up to 1,091,985 fewer square feet.<sup>6</sup>

As described in the 2020 General Plan FEIR, the General Plan Conservation/Open Space Element addresses potential air quality impacts by supporting projects, programs, policies and regulations that reduce impacts to air quality. Future residential development associated with implementation of the Housing Element would be required to comply with RSMZC Section 9.08.220 and all applicable SCAQMD rules and regulations as well as other control measures to reduce construction emissions (2020 General Plan FEIR Mitigation Measures AQ-1 through AQ-3), which require construction equipment vehicles be maintained and in good condition; submittal of a construction traffic control plan; and analysis of project-specific air emissions impacts. However, because the Modified Project would facilitate future development and generate construction emissions that could potentially exceed SCAQMD thresholds, impacts would be significant and unavoidable consistent with the findings in the 2020 General Plan FEIR.

Long-Term Operational Impacts. The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the 2020 General Plan and analyzed in the 2020 General Plan FEIR.

Although the Modified Project's operational activities would increase regional pollutants over current conditions, the operational emissions associated with the 182 additional residential units identified in the Housing Element Update would also be offset by the operational emissions associated with a portion of the non-residential development potential that was assumed in the 2020 General Plan FEIR but that would no longer be available. The 2020 General Plan and 2020 General Plan FEIR assumed and analyzed the development of up to 3,085,014 additional square

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<sup>6</sup> The non-residential development capacity would vary based on whether new residential development would include the removal of existing on-site non-residential uses.

feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations. The Housing Element identifies candidate sites currently designated as Commercial General or Business Park for mixed-use development that are viable for future residential uses. Future residential development of these sites would reduce the non-residential development potential analyzed in the 2020 General Plan FEIR by up to 1,091,985 fewer square feet.

Similar to the 2020 General Plan, future residential development associated with implementation of the Modified Project would increase regional pollutants over current conditions, specifically PM<sub>10</sub> and PM<sub>2.5</sub>. Future site-specific development proposals would be evaluated for potential air emissions once development details have been determined and are available. The significance level of these impacts would be determined during review and appropriate mitigation measures would be developed. Individual projects may not result in significant air quality emissions.

Similar to the 2020 General Plan, mobile source ROG, NO<sub>x</sub>, and CO emissions associated with the Modified Project would decrease despite a projected increase in vehicle trips over existing conditions due to improved vehicle emissions standards, improved fuel efficiency, and a newer model year vehicle fleet during the planning period. The Modified Project would also support implementation of the 2020 General Plan policies through the Workforce Housing Overlay and Mixed-Use Housing land use and zoning designations, which encourage more flexible, compact, and diverse uses by providing the ability for development projects to be combined or to be located in proximity to compatible uses, reducing vehicle trips and associated mobile source emissions, which are the largest contributor to the estimated annual average air pollutant levels for Orange County.

Because implementation of the Housing Element Update would facilitate future development and generate operational emissions that could potentially exceed SCAQMD thresholds, long-term mobile and stationary source emissions impacts would continue to be significant and unavoidable, consistent with the findings in the 2020 General Plan FEIR.

**c. *Expose sensitive receptors to substantial pollutant concentrations?***

As discussed, criteria pollutant emissions health effects are highly dependent on a multitude of interconnected variables. In particular, ozone precursors VOCs and NO<sub>x</sub> affect air quality on a regional scale. Health effects related to ozone are therefore the product of emissions generated by numerous sources throughout a region. As described in the 2020 General Plan FEIR, the General Plan Conservation/Open Space Element addresses potential air quality impacts by supporting projects, programs, policies and regulations that reduce impacts to air quality. Future residential development associated with implementation of the Housing Element would be required to comply with RSMZC Section 9.08.220 and all applicable SCAQMD rules and regulations as well as other control measures to reduce emissions (2020 General Plan FEIR Mitigation Measure AQ-3), which requires an analysis of project-specific air emissions impacts, including an analysis of potential localized impacts pursuant to the latest version of SCAQMD's Final Localized

Significance Threshold Methodology document or other appropriate methodology as determined in conjunction with SCAQMD.

Implementation of the Housing Element Update would not result in an increase in CO hotspot emissions within the City that could expose sensitive receptors to pollutant concentrations. The Housing Element Update policies and programs encourage housing production within the City's business and commercial core, which would place residents in proximity to employment, retail and service uses, and transportation options, potentially reducing vehicle trips when compared to the trips identified in the 2020 General Plan FEIR. As the potential trips identified in the 2020 General Plan FEIR would not be at a level where a CO hotspot would be experienced within the City, the potential trips associated with implementation of the Housing Element Update would similarly not be at a level with the potential for a CO hotspot to occur.

**d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

Construction activities associated with future residential development could generate airborne odors associated with the operation of construction vehicles (i.e., diesel exhaust) and the application of architectural coatings. However, similar to the 2020 General Plan, construction related odors would be short-term in nature and cease upon completion of construction. Odors would not affect a substantial number of people and impacts would be limited to people living and working near the source. Due to the types of odors that would occur and limited exposure, implementation of the Housing Element Update would not create construction-related objectionable odors affecting a substantial number of people; thus, impacts would be less than significant in this regard.

Residential uses are not identified by the SCAQMD as having the potential to generate nuisance odors. Implementation of the Housing Element Update would not create the potential for new or increased odors than those identified in the 2020 General Plan FEIR. Odor impacts would be less than significant.

**Safety Element**

- 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?***

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to air quality. The Rancho Santa

Margarita General Plan includes policies and programs to reduce impacts to air quality associated with construction and operational activities resulting from new development. Further, as discussed above, the 2020 General Plan FEIR includes mitigation measures to address construction-related air quality emissions and to identify project-specific air emissions impacts and incorporated mitigation measures to reduce potentially significant regional or local air quality impacts as required by CEQA. The Safety Element Update would not conflict with implementation of these General Plan policies and programs or the 2020 General Plan FEIR mitigation measures.

## **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater air quality impacts beyond those identified in the 2020 General Plan FEIR. Following compliance with the 2020 General Plan FEIR mitigation measures and 2020 General Plan policies, there would be no new significant impacts or a substantial increase in the severity of previously identified significant impacts relative to air quality than those disclosed in the 2020 General Plan FEIR.

### 2020 General Plan FEIR Mitigation Measures:

- AQ-1 Prior to issuance of any grading permit for a project subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects), the City Planning Division shall confirm that the Grading Plan, Building Plans, and specifications require that ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications. The equipment maintenance records and equipment design specifications data sheets shall be submitted to the City and verified by the City Planning Division, and shall be kept on site by the project contractor during construction activities.
- AQ-2 Each development project subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) shall submit a traffic control plan to the City Engineer prior to the issuance of a grading permit. To reduce traffic congestion during temporary construction activities, the plan shall include, as deemed necessary by the City Engineer, the following: temporary traffic controls such as a flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow. Traffic control devices included in the traffic control plan shall be developed in compliance with the requirements of the California Manual on Uniform Control Devices.
- AQ-3 To identify potential short-term and long-term construction and operational-related air quality impacts from projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects), project-specific air emissions impacts shall be determined in compliance with the latest version of the SCAQMD CEQA Guidelines. To

address potential regional and localized impacts, the air quality analysis shall be completed pursuant to the latest version of SCAQMD's CEQA Handbook and *Final Localized Significance Threshold Methodology* document or other appropriate methodologies as determined in conjunction with SCAQMD. The results of the construction- and operational-related regional and localized air quality impacts analyses shall be included in the development project's CEQA documentation. Construction and operational emissions shall be compared to the most recent version of SCAQMD's CEQA air quality regional and localized significance thresholds in order to identify if a proposed project will result in significant air quality impacts. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts as required by CEQA Guidelines Section 15126.4.

Prior to issuance of a grading permit for new development projects that are one acre or larger, the applicant/developer shall provide modeling of the localized emissions (NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>) associated with the maximum daily grading activities for the proposed development. If the modeling shows that emissions would exceed SCAQMD's air quality CEQA localized thresholds for those emissions, the maximum daily grading activities of the proposed development shall be limited to the extent that could occur without resulting in emissions in excess of SCAQMD's significance thresholds for those emissions.

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Addendum to the General Plan FEIR

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## 4.4 BIOLOGICAL RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
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?				X		
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 Game or U.S. Fish and Wildlife Service?				X		
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X		
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?				X		
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X		
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?				X		

### 2020 General Plan FEIR Conclusions

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?*

Future development associated with the 2020 General Plan Update would increase urbanization throughout the City with the potential to result in direct or indirect impacts to candidate, sensitive, or special-status species. Species of Special Concern and those placed on the California Department of Fish and Wildlife (CDFW) Watch List and are either of limited distribution or their habitats have been reduced substantially, such that a threat to their populations may be imminent. Species of Special Concern may receive special attention during environmental review, but they are not afforded formal statutory protection.

Out of the 33 special-status plant species that have been recorded in the quadrangles that encompass the General Plan Study Area, 12 special-status plant species have been recorded in adjacent areas, have suitable habitat within City limits, and have a moderate or high potential to occur within the City. Several species have been proposed for coverage under the Orange County's Southern Subregion Natural Community Conservation Plan/Master Streambed Alteration Agreement/Habitat Conservation Plan (CCP/MSAA/HCP). However, the City is not a Participating Landowner under the NCCP/MSSA/HCP and thus any development would require issuance of appropriate take permits in areas which support species protected under the NCCP/MSSA/HCP. The remaining 21 special-status plant species have a low potential to occur within City limits or are presumed absent due to a lack of suitable habitat. The 2020 General Plan Update includes policies intended to preserve ecological and biological resources.

Out of the 73 special-status wildlife species, including migratory birds of concern, that have been reported in the quadrangles that encompass the General Plan Study Area, 13 special-status wildlife species are known to regularly occur and are considered to be present within the City of Rancho Santa Margarita. Based on habitat requirements for specific species and the availability and quality of habitats needed by each special-status wildlife species, it was determined that there is a moderate or high potential for an additional 23 special-status wildlife species to occur in suitable habitat within City limits. Several of the species have been proposed for coverage under the NCCP/MSAA/HCP. However, as noted, the City is not a Participating Landowner under the NCCP/MSSA/HCP.

The CNDD lists seven special-status habitats as being identified within the quadrangles that encompass the General Plan Study Area. The 2020 General Plan Update included policies intended to preserve ecological and biological resources. Additionally, the 2020 General Plan FEIR determined compliance with Mitigation Measure BIO-1 would ensure impacts to candidate, sensitive, and special-status plant and wildlife species and plant communities are less than significant.

- 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 Game or U.S. Fish and Wildlife Service?**
- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

The City of Rancho Santa Margarita supports at least five areas determined to be “waters of the U.S.” and/or “waters of the State.” These include Oso Creek, Trabuco Creek, Tijeras Creek, Dove Canyon Creek, and an unnamed creek flowing roughly parallel to the eastern side of SR-241 in the Chiquita Canyon Conservation Area. As a result, future development has the potential to directly and indirectly impact riparian habitat or other sensitive natural communities, if present.

Future development with potential to affect CDFW-jurisdictional riparian habitats would require a jurisdictional assessment to determine if: 1) the project site supports CDFW-protected wetlands, and 2) the project must initiate the CDFW permitting process. Pursuant to California Fish and Game Code 1600 et seq. and CWA Sections 401 and 404, the assessment is required to map and identify any wetland/ or riparian/riverine resources present, evaluate the plant species composition, provide a soils analysis (where appropriate), and include avoidance and mitigation measures to reduce impacts to these resources. Additionally, future development that may alter any water course or wetland, located either on-site or on any required off-site improvement areas are required to obtain applicable permits from the appropriate resource agencies. In addition, the 2020 General Plan Update includes policies intended to preserve ecological and biological resources. The 2020 General Plan FEIR concluded impacts to riparian habitat or other sensitive natural communities would be less than significant.

Any future development with potential to impact to Federally protected wetlands would require Clean Water Act Section 404 Permit from the Corps prior to demolition, grading, or building permit approval. Any adverse effects to Federally protected wetlands would be fully mitigated through compliance with the Section 404 regulatory process, as the Corps ensures no net loss of riparian habitat and preservation of biological function and value of any on-site jurisdictional features. All future development with potential to affect Federally protected wetlands would require a jurisdictional assessment to determine if: 1) the project site supports Federally protected wetlands, and; 2) the project must initiate the U.S. Army Corps of Engineers Section 404 process. The 2020 General Plan Update includes policies intended to preserve ecological and biological resources. Thus, the 2020 General Plan FEIR concluded the 2020 General Plan Update would not result in significant impacts to Federally protected wetlands.

**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?***

There are four designated wildlife corridors under the NCCP/MSAA/HCP that either occur within City limits or are immediately outside of them and provide movement opportunities into or out of the City. The City of Rancho Santa Margarita is not a Participating Landowner under the NCCP/MSAA/HCP. The 2020 General Plan Update includes policies intended to preserve ecological and biological resources. Additionally, the 2020 General Plan FEIR determined compliance with Mitigation Measure BIO-1 would ensure impacts to wildlife corridors are less than significant.

**e. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

The City's Tree City USA Ordinance seeks to establish a tree care law which encourages and supports the development and continuance of a tree maintenance program by the community associations within the City. The Tree City USA Ordinance addresses the maintenance and removal of all trees within public rights-of-way, parks and/or other public places. Pursuant to RSMMC Chapter 7.04, Tree City USA Designation, any tree removed from public rights-of-way, parks, and/or other public places must be replaced with another tree of similar type. Implementation of The 2020 General Plan Update is not anticipated to conflict with the Tree City USA Ordinance. Future development activities associated with implementation of the 2020 General Plan Update would be reviewed for consistency with the RSMMC, including the Tree City USA Ordinance. Thus, the 2020 General Plan Update would not result in significant impacts with the City's Tree City USA Ordinance.

**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?***

The NCCP/MSAA/HCP is primarily intended to protect and preserve coastal sage scrub and other natural communities that occur within the Reserve System, as well as associated habitats and species. As discussed above, the City of Rancho Santa Margarita is not a Participating Landowner in the NCCP/MSAA/HCP and therefore is not subject to take coverage/permits obtained under the NCCP/MSAA/HCP. Nonetheless, to ensure implementation of the 2020 General Plan Update does not impact implementation of the NCCP/MSAA/HCP, future development accommodated through implementation of the 2020 General Plan Update would be subject to conformance with Mitigation Measure BIO-1. Thus, the 2020 General Plan FEIR concluded that compliance with Mitigation Measure BIO-1 would ensure future development does not conflict with the NCCP/MSAA/HCP and impacts would be less than significant in this regard.

## **Analysis of Modified Project**

### **Housing Element**

**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?***

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas and due to their already developed and urbanized nature, redevelopment of the sites would not have a substantial adverse effect on any candidate, sensitive, or special-status species. Compliance with

the 2020 General Plan Update policies and Mitigation Measure BIO-1 would reduce potential impacts to a less than significant level.

- 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 Game or U.S. Fish and Wildlife Service?**
- c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Similarly, development of housing within the business park and commercial core areas are not anticipated to have the potential to directly and indirectly impact riparian habitat or other sensitive natural communities or impact Federally protected wetlands or wildlife movement corridors. Any future development with potential to affect CDFW-jurisdictional riparian habitats would require a jurisdictional assessment that would map and identify any wetland/ or riparian/riverine resources present, evaluate the plant species composition, provide a soils analysis (where appropriate), and include avoidance and mitigation measures to reduce impacts to these resources. Additionally, future development that may alter any water course or wetland are required to obtain applicable permits from the appropriate resource agencies. Development would be subject to conformance with applicable Federal, State, and local laws and regulations and would be guided by relevant 2020 General Plan Update policies. Therefore, implementation of the Housing Element Update is not anticipated to significantly impact riparian habitat, other sensitive natural communities, Federally protected wetlands or wildlife movement corridors. Compliance with the 2020 General Plan Update policies and Mitigation Measure BIO-1 would reduce potential impacts to a less than significant level.

- 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?**

There are no wildlife corridors or native wildlife nursery sites within the business park and commercial core areas of the City. Development of housing within the business park and commercial core areas would not interfere 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. Nonetheless, future residential development accommodated through implementation of the Housing Element Update would be subject to compliance with the 2020 General Plan Update policies and Mitigation Measure BIO-1. Therefore, impacts would be less than significant in this regard.

- e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Housing development accommodated through implementation of the Housing Element Update could result in the removal of trees within public rights-of-way, parks and/or other public places.

Future residential development would be reviewed for consistency with the RSMZC, including the Tree City USA Ordinance. Development would be subject to conformance with applicable RSMZC requirements and be guided by relevant 2020 General Plan Update policies. Therefore, impacts would be less than significant in this regard.

**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?***

The City of Rancho Santa Margarita is not a Participating Landowner in the NCCP/MSAA/HCP and therefore is not subject to take coverage/permits obtained under the NCCP/MSAA/HCP. Nonetheless, future residential development accommodated through implementation of the Housing Element Update would be subject to conformance with Mitigation Measure BIO-1. Therefore, impacts would be less than significant in this regard.

**Safety Element**

- 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 Game or U.S. Fish and Wildlife Service?***
- c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***
- d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?***
- e. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***
- 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?***

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to biological resources. The Rancho Santa Margarita General Plan includes policies and programs intended to preserve ecological and biological resources by maintaining these resources as open space and reduce the impact of urban development on important ecological and biological resources. Further, as discussed above, the 2020 General Plan FEIR identifies a mitigation measure to reduce potential impacts to biological resources to a less than significant level. The Safety Element Update would not conflict

with implementation of these General Plan policies and programs or 2020 General Plan FEIR mitigation measures.

## **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts to biological resources beyond those identified in the 2020 General Plan FEIR. Following compliance with the 2020 General Plan FEIR mitigation measure and General Plan policies, there would be no new significant impacts to biological resources or a substantial increase in the severity of previously identified significant impacts.

### 2020 General Plan FEIR Mitigation Measures:

BIO-1 Projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects), and with the potential to reduce or eliminate habitat for native plant and wildlife species or sensitive habitats, as determined by the City of Rancho Santa Margarita's Development Services Department, shall provide a Biological Resources Assessment prepared by a City-approved qualified biologist for review and approval by the Development Services Department. The assessment shall include biological field survey(s) of the project site to characterize the extent and quality of habitat that would be impacted by development. Surveys shall be conducted by qualified biologists and/or botanists in accordance with California Department of Fish and Wildlife and/or United States Fish and Wildlife Services survey protocols for target species. If no sensitive species are observed during the field survey and the regulatory agencies agree with those findings, then no further mitigation will be required. If sensitive species or habitats are documented on the project site, the project applicant shall comply with the applicable requirements of the regulatory agencies and shall apply mitigation determined through the agency permitting process.

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## 4.5 CULTURAL RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				X		
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				X		
c. Disturb any human remains, including those interred outside of formal cemeteries?					X	

### General Plan FEIR Conclusions

The City certified the 2020 General Plan FEIR before CEQA Guidelines Appendix G was revised to address paleontological resources within Section 4.6, Geology and Soils and to address tribal cultural resources within Section 4.18, Tribal Cultural Resources. For purposes of this analysis, the topics of paleontological resources and tribal cultural resources are discussed below, consistent with the 2020 General Plan FEIR.

**a. *Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?***

No historical resources have been identified in the General Plan Study Area. Because the City included either very few or no standing structures until the planned communities were created in the late 1980s and early 1990s, the soonest a building would meet the minimum age criteria for consideration as a historical resource (50 years) would be 2035 for any structures constructed on or after 1985. It is possible that future development in accordance with the 2020 General Plan Update would require assessment of buildings or structures constructed between 1985 and 1990 for potential impacts and may result in the identification of historical resources later in time. Potentially historic resources can be directly impacted by demolition activities or extensive remodeling and can be indirectly impacted by noise, dust, and changes to the existing setting and viewshed. The 2020 General Plan FEIR concluded that implementation of Mitigation Measures CUL-1 through CUL-3 would reduce potential impacts on historical resources to less than significant levels.

**b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?**

**4.18a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

**4.18b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Forty-three archaeological resources have been recorded within the Study Area consisting of one prehistoric district, 37 prehistoric sites, one prehistoric isolate, two historic sites, one historic isolate, and one multi-component site. The prehistoric district is National Register of Historic Places (NRHP)-eligible and listed in the California Register of Historic Resources (CRHR). Two prehistoric sites identified in the records search are contributing elements of the Upper Aliso Creek Archaeological District and are recorded as lithic scatter and quarry sites. The multi-component site is the Trabuco Adobe site in O'Neill Park. Only the Upper Aliso Creek Archaeological District and two archaeological sites identified as contributing elements have been formally evaluated for inclusion in the NRHP and CRHR and are considered to be tribal cultural resources. The other prehistoric sites, including the Trabuco Adobe site, are all considered to be potential tribal cultural resources.

Redevelopment and development of previously undeveloped areas have the potential to impact known and unknown archaeological and tribal cultural resources. A spatial analysis was conducted to assess archaeological resource areas (including those that qualify as tribal cultural resources) sensitivity and potential for impacts. The analysis used the proposed land use designations for each parcel and California Historical Resources Information System (CHRIS) data to identify portions of known archaeological resources areas that have already been developed (low sensitivity), remain undeveloped (high sensitivity), and those that include a mixture of developed and undeveloped areas (moderate sensitivity). Although unlikely, the areas of low and moderate sensitivity (fully developed and partially developed) may contain archaeological resources preserved as deeply buried deposits underneath the developments, or on the surface in small open spaces within the respective parcels. As such, the 2020 General Plan FEIR included Mitigation Measures CUL-4 through CUL-10 to reduce potential impacts on archeological resources associated with future development.

Additionally, ground-disturbing activities (e.g., excavation, grading, vegetation removal, and construction) associated with future projects under the 2020 General Plan Update could have the potential to unearth, damage, and/or destroy known and unknown tribal cultural resources. Implementation of Mitigation Measures CUL-4 through CUL-10 would minimize potential impacts on tribal cultural resources and impacts would be less than significant.

**c. *Disturb any human remains, including those interred outside of formal cemeteries?***

The City is largely built out with relatively little vacant land available for new development. Most development opportunities exist through infill and redevelopment. Therefore, development in accordance with the 2020 General Plan Update is unlikely to disturb human remains, including those interred outside of formal cemeteries, during earth removal or disturbance activities. Nevertheless, if human remains are found, those remains would require proper treatment, in accordance with applicable laws. State of California Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5-7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission and consultation with the individual identified by the Native American Heritage Commission to be the most likely descendant. If human remains are found during excavation, excavation must stop near the find and any area that is reasonably suspected to overlay adjacent remains until the County coroner has been notified, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Compliance with the aforementioned regulations would ensure impacts related to the disturbance of human remains are less than significant.

**4.7 f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

According to geologic mapping, the surficial geology of the Study Area is composed of 24 geologic units including volcanic and sedimentary rocks from the Jurassic to the Miocene and alluvial deposits from the Pleistocene to the recent. Many of the sedimentary units are of an age to preserve fossils and are known to contain paleontological resources. The records search and literature review revealed that all these sediments, except the Trabuco Formation and the young alluvial sediments, have preserved significant vertebrate fossils both in the Study Area and elsewhere in the region, and therefore have high paleontological sensitivity.

Future development in accordance with the 2020 General Plan Update would mostly consist of infill development or redevelopment within urban areas. Most undeveloped, park, or open space areas would be preserved, including O'Neill Regional Park, Arroyo Trabuco and Tijeras Canyon. However, while development would predominantly occur in urban areas of the City, there is potential to uncover previously undiscovered paleontological resources when excavating to greater depths than prior development. Given the City's high paleontological sensitivity, the 2020 General Plan FEIR concluded that impacts on paleontological resources are potentially significant and compliance with Mitigation Measure CUL-11 would reduce potential paleontological resource impacts associated with the 2020 General Plan Update to less than significant levels.

## **Analysis of Modified Project**

### **Housing Element**

**a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?**

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City and do not contain any historical resources.

Further, 2020 General Plan FEIR Mitigation Measure CUL-1 would require that a historical resources assessment be prepared should the potential for a future project to impact historical resources be anticipated. Mitigation Measure CUL-2 requires the Secretary of the Interior's Standards for the Treatments of Historic Properties should be used if future projects involve the relocation, rehabilitation, or alteration of a historical resource, and Mitigation Measure CUL-3 requires recordation of a historical resource should it be demolished or significantly altered to assist in reducing adverse impacts to the greatest extent possible. Compliance with the 2020 General Plan Update policies and Mitigation Measures CUL-1 through CUL-3 would reduce potential impacts to historical resources to a less than significant level.

**b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?**

**4.18a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

**4.18b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Construction activities for future residential development anticipated in the Housing Element Update would primarily occur as infill development or redevelopment within urban areas. However, there is the potential that this development could impact known and unknown archaeological resources. Accordingly, 2020 General Plan FEIR Mitigation Measure CUL-4 would

require that an archaeological resources assessment be conducted for future development projects to identify any known archaeological resources and the sensitivity of the site for unknown archeological resources. Mitigation Measures CUL-5 through CUL-7 detail the steps that would be required should the archaeological resources assessment identify known resources or determine that the site has high or medium resource sensitivity. Lastly, Mitigation Measures CUL-8 through CUL-10 detail required protocol related to flagging culturally sensitive areas within a project site; halting construction work in the event of an artifact discovery; and Coroner notification in the event of a human burial recovery. Compliance with the 2020 General Plan Update policies and Mitigation Measures CUL-4 through CUL-10 would reduce potential impacts to archeological resources and tribal cultural resources to a less than significant level.

**c. *Disturb any human remains, including those interred outside of formal cemeteries?***

Construction activities for future residential development accommodated through implementation of the Housing Element Update could disturb human remains, including those interred outside of formal cemeteries, during earth removal or disturbance activities. Future residential development would be subject to conformance with State regulations regarding proper treatment of human remains. Therefore, impacts would be less than significant in this regard.

**4.7 f. *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

As stated, construction activities for future residential development anticipated in the Housing Element Update would primarily occur as infill development or redevelopment within urban areas. However, there is the potential for construction activities to uncover previously undiscovered paleontological resources, for example, if the excavation depth for new development exceeds the excavation depth for prior development. 2020 General Plan FEIR Mitigation Measure CUL-11 would require preparation of a paleontological resources mitigation and monitoring plan and different levels of monitoring in areas identified as having potential paleontological sensitivity. Implementation of Mitigation Measure CUL-11 would reduce potential impacts associated with future residential development on paleontological resources to a less than significant level.

**Safety Element**

- a. *Cause a substantial adverse change in the significance of a historical resource pursuant to § 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 formal cemeteries?***

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to cultural resources, tribal cultural

resources, or paleontological resources. The Rancho Santa Margarita General Plan includes policies and programs to protect the historic resources of the City and reduce potential impacts to archeological resources, tribal cultural resources, paleontological resources, and human remains. Further, as discussed above, the 2020 General Plan FEIR includes mitigation measures to reduce potential impacts to cultural resources, tribal cultural resources, and paleontological resources to a less than significant level. The Safety Element Update would not conflict with implementation of these General Plan policies and programs or 2020 General Plan FEIR mitigation measures.

## Conclusion

The revisions to the Housing Element and Safety Element would not result in new or greater impacts to cultural resources beyond those identified in the 2020 General Plan FEIR. Following compliance with the 2020 General Plan FEIR mitigation measures and General Plan policies, there would be no new significant impacts to cultural resources or a substantial increase in the severity of previously identified significant impacts.

### 2020 General Plan FEIR Mitigation Measures:

- CUL-1 To ensure identification and preservation of potentially historic resources (as defined by CEQA § 15064.5 a resource listed in, eligible for listing in, or listing in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or local register), projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) shall be conditioned as follows: prior to any construction activities that could impact potential or previously identified historical resources, the project proponent shall provide a historical resources assessment performed by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for architectural history or history (as defined in 48 Code of Federal Regulations 44716) to the City of Rancho Santa Margarita Planning Division for review and approval. The historical resources assessment shall include a records search at the South Central Coastal Information Center (SCCIC) and a survey in accordance with the California Office of Historic Preservation (OHP) guidelines to identify any previously unrecorded potential historical resources that may be potentially affected by the proposed project.
- CUL-2 If a project subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) requires the relocation, rehabilitation, or alteration of a historical resource (defined above), the project proponent shall utilize the Secretary of the Interior's Standards for the Treatment of Historic Properties to the maximum extent possible to ensure the historical significance of the resource is not impaired. The application of the standards shall be overseen by an architectural historian or historic architect meeting the Secretary of the Interior's Professional Qualification Standards. Prior to any construction activities that may affect the historical resource (defined above), a report, meeting industry standards, shall identify and specify the treatment of character-defining features and construction activities and be provided to the City of Rancho Santa Margarita Planning Division for

review and approval. A project proponent, its construction personnel, and all subcontractors shall comply with the procedures outlined in the resulting report.

CUL-3 If a project subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) would result in the demolition or significant alteration of a historical resource previously recorded, evaluated, and/or designated in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or local register, recordation shall take the form of Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation, and shall be performed by an architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards. Recordation shall meet the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering, which defines the products acceptable for inclusion in the HABS/HAER/HALS collection at the Library of Congress. The specific scope and details of documentation shall be developed at the project level in coordination with the City of Rancho Santa Margarita Planning Division and performed prior to the first issuance of any demolition, building, or grading permits.

CUL-4 To ensure identification and preservation of archaeological resources and avoid significant impacts to those resources within the City of Rancho Santa Margarita, all projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) shall be screened by the City to determine whether an Archaeological Resources Assessment study is required. Screening shall consider the type of project and whether ground disturbances will occur. Ground disturbances include activities such as grading, excavation, trenching, boring, or demolition that extend below the current grade. If there will be no ground disturbance, then an Archaeological Resources Assessment shall not be required. If there will be ground disturbances, prior to issuance of any permits required to conduct ground disturbing activities, the City shall require an Archaeological Resources Assessment be conducted under the supervision of an archaeologist that meets the Secretary of the Interior's Professionally Qualified Standards in either prehistoric or historic archaeology.

All Archaeological Resources Assessments shall include records searches conducted through the following databases through the respective repositories: California Historical Resources Information System (CHRIS) records search conducted through the South Central Coastal Information Center (SCCIC); Sacred Land Files (SLF) search through the Native American Heritage Commission (NAHC). The records searches shall be conducted for the proposed project site and a radius of no less than 0.5 miles. The results shall be documented in the Archaeological Resources Assessment and shall state if the project site has been adequately assessed for archaeological resources and whether archaeological resources are present within the project site or radius. Determining the adequacy of previous studies shall consider the methods utilized in the study and whether an intensive pedestrian survey and/or subsurface archaeological excavation was conducted, and the

date of the study. The Archaeological Resources Assessment shall summarize the type of resource and whether it has been evaluated for significance at the federal, state, or local level. For resources identified directly within the project site, any details concerning the integrity of the resource, if available, shall be included in the results. If the area in which ground disturbances are proposed, including the horizontal and vertical extent, have been adequately assessed for the presence of archaeological resources and no archaeological resources are present, then the results shall be presented in a report or memo, submitted to the Rancho Santa Margarita Planning Division for approval, and no further work shall be required to avoid impacts to archaeological resources.

If the area of proposed ground disturbances has not been adequately assessed, additional background research shall be conducted to assess the likelihood that unidentified archaeological resources may be present on the surface and below ground. The assessment shall be based on substantial information. If undeveloped surfaces are present and the project area has not been surveyed within the past 10 years, a Phase I (intensive) pedestrian survey shall be undertaken. Pedestrian surveys shall include an assessment of the likelihood for buried archaeological resources to occur. If the surface has been developed, the assessment shall consider the likelihood of buried archaeological resources to be present below or intermixed with existing disturbances. If the results of the Phase I survey are negative and the likelihood of buried archaeological resources is found to be low, the results shall be documented in a report or memo, submitted to the Rancho Santa Margarita's Development Services Department for approval, and no further work shall be required to avoid impacts to archaeological resources.

If the likelihood of buried archaeological resources being present is assessed as medium or high, the assessment shall consider whether subsurface exploration is feasible and necessary to avoid potential impacts to as yet unidentified archaeological resources, and make recommendations for completing the Phase I investigation. If subsurface exploration is recommended, the methods shall conform to those used for Phase II investigations and include specific information about what information is required to complete an adequate Phase I assessment.

By performing a records search, consulting with the NAHC, and conducting background research and, if needed, a Phase I survey, the archaeologist shall classify the project site as having high, medium, or low sensitivity for unidentified archaeological resources. The results of the Archaeological Resources Assessment shall be summarized in a report or memo and submitted to the City of Rancho Santa Margarita Planning Division for review and approval. The Archaeological Resources Assessment shall meet or exceed standards in the Office of Historic Preservation's *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format* (1990) and *Guidelines for Archaeological Research Designs* (1991).

CUL-5 For projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) and subject to the requirement for an Archaeological Resources Assessment (Mitigation Measure CUL-4). If the required Assessment identifies potentially significant archaeological resources (defined as resources that have not been evaluated for listing to the NRHP, CRHR, or local register), a Phase II Testing and Evaluation investigation shall be performed by an archaeologist who meets the Secretary of the Interior's Professionally Qualified Standards prior to any construction-related ground-disturbing activities to determine the significance of the identified archaeological resources. If the resources are determined to be significant through Phase II testing and site avoidance is not possible, appropriate site-specific mitigation measures shall be developed and implemented by the project proponent in coordination with an archaeologist meeting the Secretary of the Interior's Professionally Qualified Standards. These might include a Phase III data recovery program that would be implemented by the archaeologist and shall be performed in accordance with the Office of Historic Preservation's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format (1990) and Guidelines for Archaeological Research Designs (1991). Additional options can include 1) interpretative signage 2) educational outreach that helps inform the public of the past activities that occurred in this area, or 3) funding a Phase III data recovery of a similar site outside of the proposed project that would allow the project to continue on an unimpeded timeline, but would still contribute to the public knowledge of past human activity.

CUL-6 For projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) and subject to the requirement for an Archaeological Resources Assessment (Mitigation Measure CUL-4). If potentially significant archaeological resources are not identified through an Archaeological Resources Assessment, but a project site is identified as being highly sensitive for archaeological resources (Mitigation Measure CUL-4), an archaeologist, supervised by an archaeologist meeting the Secretary of the Interior's Professionally Qualified Standards, shall monitor all ground-disturbing construction and pre-construction activities in areas with previously undisturbed soil within depths that archaeological resources can occur. The archaeologist shall inform all construction personnel prior to construction activities of the proper procedures in the event of an archaeological discovery. The pre-construction training shall be held in conjunction with the project's initial on-site safety meeting and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity (defined as within a 30-meter radius) of the discovery shall be halted while the resources are evaluated for significance by an archaeologist who meets the Secretary of the Interior's Professionally Qualified Standards. If the discovery proves to be significant, it shall be curated with a recognized scientific or educational repository.

CUL-7 For projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) and subject to the requirement for an Archaeological Resources Assessment (Mitigation Measure CUL-4). If potentially significant archaeological resources are not identified through an Archaeological Resources Assessment but a project site is identified as having medium sensitivity for archaeological resources (Mitigation Measure CUL-4), an archaeologist who meets the Secretary of the Interior's Professionally Qualified Standards shall be retained on an on-call basis. The archaeologist shall inform all construction personnel prior to construction activities about the proper procedures in the event of an archaeological discovery. The pre-construction training shall be held in conjunction with the project's initial on-site safety meeting and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the on-call archaeologist is contacted. If the on-call archaeologist determines that the discovery is significant, it shall be curated with a recognized scientific or educational repository.

CUL-8 Projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) a site containing or adjacent to a cultural resource that is unevaluated for listing to, recommended eligible for listing to, listed as eligible for listing to, or already listed on the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or local register, shall be conditioned as follows: Prior to issuance of a grading or building permit, the construction limits shall be clearly flagged prior to commencement of any pre-construction or construction activities to assure impacts to eligible cultural resources are avoided or minimized to the extent feasible. Prior to construction activities, an archaeologist, supervised by an archaeologist meeting the Secretary of the Interior's Professionally Qualified Standards, shall verify that the flagging clearly delineates the construction limits and eligible resources to be avoided. Since the location of some eligible cultural resources is confidential, these resources will be flagged as environmentally sensitive areas (ESA).

CUL-9 Projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) and subject to the requirement for an Archaeological Resources Assessment (Mitigation Measure CUL-4) shall be conditioned as follows: In the event of any archaeological discovery regardless of if an archaeological monitor is present, construction work shall halt within a 30-meter radius of the find until its eligibility can be determined by an archaeologist that meets the Secretary of the Interior's Professionally Qualified Standards. Any artifact or feature shall be recovered, prepared to the point of curation, identified by an archaeologist that meets the Secretary of the Interior's Professionally Qualified Standards, listed in a database to facilitate analysis, and deposited in a designated archaeological curation facility.

CUL-10 Projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) and subject to the requirement for an Archaeological Resources Assessment (Mitigation Measure CUL-4) shall be conditioned as follows: In the event of a human burial recovery, all construction work shall halt within a 30-meter radius of the find. The Orange County Coroner shall be contacted immediately. If the Coroner and archaeologist that meets the Secretary of the Interior's Professionally Qualified Standards agree that the human remains are prehistoric, the Native American Heritage Commission (NAHC) shall be contacted to determine the Most Likely Descendant (MLD). The MLD will make recommendations for the treatment and potential repatriation of the remains. The recommendations shall be followed, as deemed appropriate by a qualified archaeologist.

CUL-11 Projects subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) and that involve ground-disturbing activities shall implement the following:

- A paleontological resources mitigation and monitoring plan (PRMMP) tailored to the proposed development project shall be prepared by a qualified paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for a Principal Investigator or Project Paleontologist. The qualified paleontologist shall submit a letter of retention to the project proponent no fewer than 15 days before any grading or excavation activities commence. The letter shall include a resume for the qualified paleontologist that demonstrates fulfillment of the SVP standards. The PRMMP shall be prepared before any grading activities begin. The PRMMP shall address mitigation and monitoring specific to the project area and construction plan, which may include one or more of the following: construction worker training, monitoring protocols, protocol for identifying the conditions under which additional or reduced levels of monitoring (e.g., spot-checking) may be appropriate, fossil salvage and data collection protocols in the event of an unanticipated discovery, curation facilities for any significant fossils that may be salvaged, and a final report summarizing the results of the program. The PRMMP shall take into account updated geologic mapping, geotechnical data, updated paleontological records searches, and any changes to the regulatory framework. The PRMMP shall adhere to and incorporate the performance standards and practices from the current SVP Standard procedures for the assessment and mitigation of adverse impacts to paleontological resources. The qualified paleontologist shall submit the final PRMMP to the City of Rancho Santa Margarita Planning Division for review and approval before issuance of a grading permit.
- All projects involving ground disturbances in areas mapped as having high potential paleontological sensitivity (refer to Exhibit 5.11-1, *Paleontological Sensitivity of Geologic Units*) shall be monitored by a qualified paleontological monitor, as defined above, on a full-time basis. Monitoring shall include inspection of exposed sedimentary units during active excavations within sensitive geologic sediments. The monitor shall have authority to temporarily divert activity away from exposed fossils to

evaluate the significance of the find and, should the fossils be determined to be significant, shall professionally and efficiently recover the fossil specimens and collect associated data for curation as detailed below. Qualified paleontological monitors shall use field data forms to record pertinent geologic data, measure stratigraphic sections (if applicable), and collect appropriate sediment samples from any fossil localities.

- All projects involving ground disturbance in areas mapped with low-high potential paleontological sensitivity (refer to Exhibit 5.11-1) shall only require paleontological monitoring if construction activity exceeds the depth of the low sensitivity surficial sediments as determined by a qualified paleontologist, as defined above, on a site-specific basis. The underlying sediments may have high paleontological sensitivity, and therefore work in those units may require paleontological monitoring.
- All projects involving ground disturbance in areas mapped as the Trabuco Formation (Ktr) with low paleontological sensitivity (refer to Exhibit 5.11-1) shall incorporate worker training prior to any ground-disturbing activity to ensure construction workers are aware that while paleontological sensitivity is low, fossils may still be encountered. A qualified paleontologist, as defined above, shall be appointed to oversee the training, remain on-call in the event fossils are found, and have the authority to divert activity should fossils be found on-site.
- If found, recovered fossils shall be prepared to the point of curation, identified by a qualified paleontologist, as defined above, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility.

## 4.6 ENERGY

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?					X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?					X	

### 2020 General Plan FEIR Conclusions

The 2020 General Plan FEIR does not include a stand-alone Energy analysis section. The City certified the 2020 General Plan FEIR before Appendix G of the State CEQA Guidelines was revised to include a checklist item specific to a project's impacts relating to Energy. However, the topic of energy is addressed in 2020 General Plan FEIR Section 6.0, Other CEQA Considerations.

**a. *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

The 2020 General Plan Update would be expected to demand approximately 218,836 million kilowatt hours (kWh) of electricity per year, approximately 3,944,797 therms of natural gas per year, and approximately 21,724,046 gallons of fuel per year. The electricity usage would constitute an approximate 1.07 percent increase over Orange County's typical annual electricity consumption and an approximate 0.69 percent increase in the typical annual natural gas consumption. The project-related vehicle fuel consumption would increase Orange County's consumption by 1.74 percent. The 2020 General Plan FEIR concluded implementation of the 2020 General Plan would not cause wasteful, inefficient, and unnecessary consumption of energy or require construction of new or retrofitted buildings that would have excessive energy requirements for daily operation.

**b. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?***

Development within the City would be required to comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage. Furthermore, the electricity provider, Southern California Edison, is subject to California's

Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electricity service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 50 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures projects will not result in the waste of finite energy resources. The 2020 General Plan FEIR concluded implementation of the 2020 General Plan would not result in any significant energy impacts.

## **Analysis of Modified Project**

### **Housing Element**

**a. *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. However, in addition to residential development, the 2020 General Plan FEIR analyzed development of up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.

The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the General Plan and analyzed in the 2020 General Plan FEIR.

Although construction and operational activities associated with implementation of the Housing Element Update would result in increased energy consumption compared to existing conditions, the potential amount of energy consumed would not result in greater energy demand than would occur with implementation of the 2020 General Plan and analyzed in the 2020 General Plan FEIR. Based on a building's energy use intensity (EUI), expressed as the energy per square foot per year (kBtu/ft<sup>2</sup>/yr), the 182 additional residential units would result in an energy consumption of

approximately 21.7 million kBtu/year.<sup>7,8</sup> The non-residential development potential assumed by the 2020 General Plan would result in an energy consumption of approximately 56.1 million kBtu/year.<sup>9</sup> Thus, the Modified Project would potentially consume less energy and would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources.

**b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

Implementation of the Housing Element Update would facilitate new residential development. The Rancho Santa Margarita General Plan includes policies and programs relating to energy conservation. The Conservation/Open Space Element includes policies to reduce potential impacts to energy resources including encouraging green design features during the development review process. As described in the 2020 General Plan FEIR, future development projects would be required to comply with the California Building Code (CBC), including Title 24 energy efficiency standards, which are expected to substantially reduce the growth in electricity and natural gas use. Mitigation Measure GHG-1 also requires the City to implement an Energy Action Plan (EAP) which would identify opportunities to implement a variety of energy-related programs and projects.

Additionally, 2020 General Plan Land Use Policies encourage reductions in transportation energy demand through alternative transportation options and policies that support transit, bicycle, and pedestrian improvements. These policies would also support balanced land uses, providing options to reduce vehicle trips and VMT, which would reduce fuel consumption. The Housing Element Update policies and programs encourage housing production within the City's business and commercial core, which would place residents in proximity to employment, retail and service uses, and transportation options, providing additional opportunities to reduce vehicle trips and VMT and associated fuel consumption. Thus, the Modified Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

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<sup>7</sup> Based on an EUI of 59.6 kBtu/ft<sup>2</sup> and an average unit size of 2,000 square feet per residential unit.

<sup>8</sup> Energy Star Portfolio Manager Technical Reference, US Energy Use Intensity by Property Type (energystar.gov), April 2021.

<sup>9</sup> Based on an EUI of 51.4 kBtu/ft<sup>2</sup> for retail uses, which is conservatively used as one of the lower energy consumption factors based on the types of non-residential development that could occur within the candidate sites.

### **Safety Element**

- 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?**

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to energy resources and conservation. The Rancho Santa Margarita General Plan includes policies and programs intended to reduce energy usage and promote conservation. The Safety Element Update would not conflict with implementation of these General Plan policies and programs.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts related to energy beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant impacts to energy or a substantial increase in the severity of previously identified significant impacts.

## 4.7 GEOLOGY AND SOILS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					X	
<ul style="list-style-type: none"> <li>• 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.</li> <li>• Strong seismic ground shaking?</li> <li>• Seismic-related ground failure, including liquefaction?</li> <li>• Landslides?</li> </ul>						
b. Result in substantial soil erosion or the loss of topsoil?					X	
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?					X	
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?					X	
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?					X	
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					X	

## 2020 General Plan FEIR Conclusions

The City certified the 2020 General Plan FEIR before CEQA Guidelines Appendix G was revised to address paleontological resources within Section 4.7, Geology and Soils. For purposes of this analysis, the topic of paleontological resources is discussed in Section 4.5, Cultural Resources, consistent with the 2020 General Plan FEIR.

**a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- **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.**
- **Strong seismic ground shaking?**
- **Seismic-related ground failure, including liquefaction?**
- **Landslides?**

Rupture of Known Fault on the Alquist-Priolo Map. The City of Rancho Santa Margarita is not located within a State-designated Alquist-Priolo Earthquake Fault Zone. As a result, the 2020 General Plan FEIR concluded implementation of the 2020 General Plan Update would not expose people or structures to potentially substantial adverse effects involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map.

Seismic Ground Shaking, Seismic-related Ground Failure (i.e., liquefaction), and Seismic-Related Landslides. Development associated with the 2020 General Plan Update could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, seismic-related ground failure (i.e., liquefaction), and seismic-related landslides. Numerous controls would be imposed on future developments through the City's permitting process, in order to lessen impacts associated with seismic-related ground failure. Specifically, development would be evaluated by the City engineer on a site-by-site basis to determine the potential for seismic-related ground failure and adverse soil conditions. Pursuant to Safety Element Policy 2.1, the City would ensure future development reduces the risk of impacts from geologic and seismic hazards by applying and enforcing development standards and building construction codes to meet the minimum State standards for seismic safety. Overall, the 2020 General Plan FEIR concluded that compliance with the CBC, as adopted by reference in RSMMC Title 10, Buildings and Construction would ensure impacts related to seismic-related ground shaking, ground failure, and landslides would be less than significant.

**b. Result in substantial soil erosion or the loss of topsoil?**

Construction activities associated with future development would include clearing, excavation, and grading, which would displace soils and temporarily increase the potential for soils to be

subject to wind and water erosion. Following compliance with the established regulatory framework (i.e., RSMMC Section 10.12.370, Erosion and Sediment Control Plans, National Pollutant Discharge Elimination System (NPDES), and SCAQMD Rule 403), project construction would result in less than significant impacts involving soil erosion and loss of topsoil.

- 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?**

Project implementation could result in development/improvements that are located on a geologic unit or soil that is unstable, or that would become unstable, and potentially result in landslides or subsidence. Numerous controls would be imposed on future developments/improvements through the City's permitting process, in order to lessen impacts associated with unstable geologic/soil units (i.e., lateral spreading, subsidence, and settlement) and expansive soils. Specifically, development would be evaluated by the City engineer on a site-by-site basis to determine the potential for unstable geologic/soils units. Further, all future structures would be subject to compliance with the CBC pursuant to RSMMC Title 10, *Buildings and Construction*, which include regulations for how buildings are designed, engineered, and constructed. According to the CBC, special foundation design consideration must be employed where unstable soils exist. Overall, the 2020 General Plan FEIR concluded that compliance with the CBC, as adopted by reference in RSMMC Title 10, *Buildings and Construction* would ensure impacts related to unstable geologic units and expansive soils would be less than significant.

- 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?**

No septic tanks or alternative wastewater disposal systems are proposed within the City. All new development would be required to connect to existing sewer mainlines and service lines. Therefore, no impact would occur in this regard.

## **Analysis of Modified Project**

### **Housing Element**

- a. **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**
  - **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.**
  - **Strong seismic ground shaking?**

- ***Seismic-related ground failure, including liquefaction?***
- ***Landslides?***

Rupture of Known Fault on the Alquist-Priolo Map. The City of Rancho Santa Margarita is not located within a State-designated Alquist-Priolo Earthquake Fault Zone; therefore, the proposed Modified Project would not expose people or structures to potentially substantial adverse effects involving rupture of a known earthquake fault. No impact would occur in this regard.

Seismic Ground Shaking, Seismic-related Ground Failure (i.e., liquefaction), and Seismic-Related Landslides. The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City.

Similar to the development anticipated in the 2020 General Plan Update, the housing development anticipated in the Modified Project could occur in seismically active regions and could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, seismic-related ground failure (i.e., liquefaction), and seismic-related landslides. Future residential development would be subject to conformance with applicable Federal, State, and local laws and regulations and be guided by relevant 2020 General Plan Update policies, which would reduce potential impacts to a less than significant level.

**b. *Result in substantial soil erosion or the loss of topsoil?***

Similar to the development anticipated in the 2020 General Plan Update, construction activities for future housing development anticipated in the Housing Element Update would displace soils and temporarily increase the potential for soils to be subject to wind and water erosion. Construction-related impacts to soils would be short-term and would cease upon construction completion. Further, construction activities associated with residential development would be subject to conformance with applicable Federal, State, and local laws and regulations and be guided by relevant 2020 General Plan Update policies, which would reduce potential impacts to a less than significant level.

**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?***

Similar to the development anticipated in the 2020 General Plan Update, the housing development anticipated by the Modified Project could occur in areas located on a geologic unit or soil that is unstable, and/or expansive soils.

As with the development anticipated under the 2020 General Plan Update, numerous controls would be imposed on future developments/improvements under the Housing Element Update through the City's permitting process, in order to lessen impacts associated with unstable geologic/soil units (i.e., lateral spreading, subsidence, and settlement) and expansive soils. Specifically, development would be evaluated by the City engineer on a site-by-site basis to determine the potential for unstable geologic/soils units. Further, all future structures would be subject to compliance with the CBC pursuant to RSMMC Title 10, *Buildings and Construction*, which include regulations for how buildings are designed, engineered, and constructed. According to the CBC, special foundation design consideration must be employed where unstable soils exist. Similar to the conclusion in the 2020 General Plan FEIR, compliance with the CBC, as adopted by reference in RSMMC Title 10, *Buildings and Construction* would ensure impacts related to unstable geologic units and expansive soils would be less than significant.

**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?***

No septic tanks or alternative wastewater disposal systems are proposed within the City; therefore, no impact would occur in this regard.

**Safety Element**

**a. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

- 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.***
- Strong seismic ground shaking?***
- Seismic-related ground failure, including liquefaction?***
- Landslides?***

**b. *Result in substantial soil erosion or the loss of topsoil?***

**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?***

The Safety Element would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to geology and soils. The Safety Element includes several policies intended to protect and prepare the community from/for natural hazards and avoid or minimize adverse geologic or seismic hazards to people or structures. Policies and programs protect residents from substantial adverse effects involving surface rupture, seismic ground shaking, seismic-related ground failure (i.e., liquefaction), or landslides, and to reduce impacts involving soil erosion and loss of topsoil, unstable geologic/soil units, and expansive soils. The Safety Element Update would not conflict with implementation of these General Plan policies and programs.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts related to geology and soils beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant impacts to geology and soils or a substantial increase in the severity of previously identified significant impacts.

## 4.8 GREENHOUSE GAS EMISSIONS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X		
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X		

### 2020 General Plan FEIR Conclusions

a. **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

The majority of the GHG emissions from the 2020 General Plan will come from the mobile and energy sectors. The City is estimated to generate 334,480 million tons of carbon dioxide equivalent (MTCO<sub>2</sub>eq) in the year 2040. Based on the anticipated City population of 51,404 persons in 2040, the City would have a GHG efficiency standard of 6.5 MTCO<sub>2</sub>eq per year per person in 2040 which is above the 3.3 MTCO<sub>2</sub>eq per year per person efficiency standard for plans.<sup>10</sup>

Land Use Element Policies 4.2 through 4.6 encourage the integration of transportation and land use planning to provide mobility options and comfort for pedestrians, bicyclists, transit users, and personal vehicles through adequate infrastructure and balanced allocation of space to promote alternative transportation options and increase recreational opportunities. Conservation/Open Space Element Policy 4.1 would require the City to cooperate with SCAQMD and SCAG to help reduce GHG emissions in the City to the maximum extent feasible. In addition, compliance with

<sup>10</sup> The standard for plans is based upon the SCAQMD suggested tiered approach for evaluating GHG emissions. Tier 4, Option 3 provides an efficiency standard for plans relative to a 2035 target date.

Conservation/Open Space Element Policy 7.1 and 7.2 would help the City reduce its GHG emissions through the implementation of Citywide GHG-reducing programs and projects, and by promoting sustainable development and resource conservation through education.

However, mobile emissions represent over half of the GHG emissions at General Plan year 2040 and its location limits the opportunity to significantly reduce mobile emissions, as Rancho Santa Margarita is not directly accessible to regional transit opportunities provided within the County.

Mitigation Measure GHG-1 requires the City to implement an Energy Action Plan (EAP) which would identify opportunities to further reduce GHG emissions through a variety of energy-related programs and projects. However, GHG emissions reduction for the City is not anticipated to be below the 3.3 MTCO<sub>2</sub>eq per year per service population threshold. Therefore, the 2020 General Plan FEIR concluded the 2020 General Plan Update would have significant and unavoidable impact on GHG emissions.

***b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

The project's long-term GHG emissions would exceed the 3.3 MTCO<sub>2</sub>eq per year per person efficiency standard and would result in a significant and unavoidable impact. However, the 2020 General Plan FEIR concluded that the 2020 General Plan Update would be consistent with several goals, policies, strategies, programs, and actions in CARB's 2017 Scoping Plan and the SCAG 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS). The City would also cooperate with SCAQMD and SCAG in their efforts to implement the regional AQMP. Therefore, the 2020 General Plan FEIR concluded that the 2020 General Plan Update would not conflict with applicable GHG reduction plans, policies, or regulations and a less than significant impact would occur.

## **Analysis of Modified Project**

### **Housing Element**

***a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. However, in addition to residential development, the 2020 General Plan FEIR analyzed development of up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.

The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the General Plan and analyzed in the 2020 General Plan FEIR.

Although construction and operational activities associated with implementation of the Housing Element Update would result in GHG emissions, the emissions would not exceed those identified in the 2020 General Plan FEIR. The potential construction and operational GHG emissions associated with the 182 additional residential units identified in the Housing Element Update would be offset by the construction and operational GHG emissions associated with a portion of the non-residential development potential that was assumed in the 2020 General Plan FEIR and would no longer be available. The majority of the GHG emissions from the 2020 General Plan come from the mobile and energy sectors. As discussed in Section 4.6, Energy, the 182 additional residential units would result in an energy consumption of approximately 21.7 million kBtu/year. The non-residential development potential assumed by the 2020 General Plan would result in an energy consumption of approximately 56.1 million kBtu/year. Thus, the Modified Project would consume less energy, and as a result, would generate fewer GHG emissions associated with energy consumption.

As described in the 2020 General Plan FEIR, General Plan Land Use Element and Conservation/Open Space Element policies would support the reduction of GHG emissions in the City to the maximum extent feasible. Additionally, Mitigation Measure GHG-1 requires the City to implement an Energy Action Plan (EAP) which would identify opportunities to further reduce GHG emissions through a variety of energy-related programs and projects. The General Plan's Land Use policies further encourage GHG emission reductions with the development of car-free and pedestrian only zones, alternative transportation options, and support transit, bicycle, and pedestrian improvements. These policies would also support balanced land uses which would provide options to reduce vehicle trips and VMT, which would reduce mobile source emissions.

The Housing Element Update policies and programs encourage housing production within the City's business park and commercial core, which would place residents in proximity to employment, retail and service uses, and transportation options, providing additional opportunities to reduce vehicle trips and VMT and associated GHG emissions, as mobile emissions represent over half of the GHG emissions associated with implementation of the General Plan. In order to accommodate the RHNA for each income category, the Housing Element Update identifies two new mechanisms to allow for residential development, to be created following Housing Element adoption as part of a separate approval process, on sites considered viable for housing development. The Workforce Housing Overlay and Mixed-Use Housing land use and zoning designations would encourage more flexible, compact, and diverse uses by providing the ability for development projects to be combined or be located in proximity to compatible uses, reducing vehicle trips and mobile source emissions. As discussed in Section 4.17, Transportation,

the 182 additional residential units would result in approximately 1,227 average daily trips. The non-residential development potential assumed by the 2020 General Plan would result in approximately 3,067 average daily trips. Thus, the Modified Project would generate fewer trips than what was assumed in the 2020 General Plan FEIR, and as a result, would generate fewer GHG emissions associated with mobile sources.

Although it is anticipated that implementation of the Housing Element Update would not exceed GHG emissions when compared to the 2020 General Plan Update, implementation of the Housing Element Update would still facilitate future development and generate GHG emissions that could potentially contribute to exceedance of the City's GHG efficiency standard. Therefore the Modified Project's impacts associated with GHG emissions would continue to be significant and unavoidable, consistent with the findings in the 2020 General Plan FEIR.

**b. *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

The Housing Element Update would not conflict with applicable GHG plans, policies or regulations. The Housing Element Update proposes housing policies and programs to comply with State law, including demonstrating the City's ability to accommodate its RHNA of 680 units. The objectives of the RHNA include increasing housing supply and the mix of housing types; promoting infill, equity, and environment; and ensuring jobs housing balance and fit. Additionally, as stated, the Housing Element Update would further support policies associated with GHG emission reductions through reducing vehicle trips and VMT by identifying policies and programs that encourage housing production that would place residents in proximity to employment, retail and service uses, and transportation options, providing additional opportunities to reduce vehicle trips and VMT and associated mobile source emissions, which would be consistent with the General Plan and with the 2017 CARB Scoping Plan and 2016-2040 RTP/SCS programs and policies.

### **Safety Element**

**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?***

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to GHG emissions. The Rancho Santa Margarita General Plan includes policies and programs to reduce GHG emissions impacts associated with new development. Further, as discussed above, the 2020 General Plan FEIR includes a mitigation measure to implement an EAP to identify opportunities to further reduce GHG emissions. The Safety Element Update would not conflict with implementation of these policies and programs or 2020 General Plan FEIR mitigation measures.

## Conclusion

The revisions to the Housing Element and Safety Element would not result in new or greater impacts related to GHG emissions beyond those identified in the 2020 General Plan FEIR. Following compliance with the 2020 General Plan FEIR mitigation measure and General Plan policies, there would be no new significant GHG impacts or a substantial increase in the severity of previously identified significant impacts.

### 2020 General Plan FEIR Mitigation Measures:

GHG-1 Within 24 months of adoption of the proposed General Plan, the City of Rancho Santa Margarita shall implement an Energy Action Plan (EAP). The EAP shall:

- Evaluate the City's current green building requirements every three years, consistent with Building Code updates, to consider additional requirements for new residential and nonresidential development to ensure that new development meets or exceeds adopted green building measures in the state.
- Establish a program to encourage and incentivize existing development to install solar panels.
- Encourage the use of electric equipment for City construction contracts.
- When feasible, the City shall offer incentives for use of energy reduction measures such as expedited permit processing and reduced fees.
- Coordinate periodic community outreach to leverage community involvement, interest, and perspectives in implementing energy reduction measures.
- Review and evaluate the availability of renewable energy sources for consumers within Rancho Santa Margarita.
- Encourage the business community to reduce energy consumption through innovative technologies such as the use of cogeneration facilities.
- Work with large employers and retail shopping centers to ensure access to EV charging stations.

In addition, to implement the EAP, the City shall appoint an Implementation Coordinator to oversee the successful implementation of all selected EAP strategies. The primary function of the Implementation Coordinator will be to create a streamlined approach to manage implementation of the EAP.

City of Rancho Santa Margarita | 2021-2029 Housing Element Update and Safety Element Update  
Addendum to the General Plan FEIR

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## 4.9 HAZARDS AND HAZARDOUS MATERIALS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X	
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?				X		
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X		
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X		
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?					X	
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					X	
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?					X	

### 2020 General Plan FEIR Conclusions

The City certified the 2020 General Plan FEIR before CEQA Guidelines Appendix G was revised to address wildfires within Section 4.20, Wildfires. For purposes of this analysis, the topic of wildfires is discussed below, consistent with the organization of the 2020 General Plan FEIR.

**a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Implementation of the 2020 General Plan Update would accommodate the future development of residential and non-residential uses. Increased development would result in an increase in the routine transport, use, and storage of hazardous materials in the City, potentially resulting in accidental releases. The 2020 General Plan FEIR concluded compliance with the requirements of Federal, State, and local laws and regulations regarding the use and storage of hazardous materials would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with implementation of the 2020 General Plan Update would be less than significant.

**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?***

Construction activities associated with implementation of the 2020 General Plan Update could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions. Future development involving the storage and handling of hazardous materials would be required to maximize containment and provide for prompt and effective clean-up, if an accidental release occurs. The Orange County Health Care Agency (OCHCA) Environmental Health Division (EHD) and Orange County Fire Authority (OCFA) would routinely inspect all hazardous materials or chemicals used by future commercial uses to ensure that these materials are being stored and handled in accordance with all applicable Federal, State, and local standards and regulations. Compliance with all applicable Federal, State, and local laws related to the storage and handling of hazardous materials would reduce the likelihood and severity of accidents, and impacts would be less than significant in this regard.

**c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

The City of Rancho Santa Margarita is served by a variety of public and private schools. Construction activities could emit or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The 2020 General Plan FEIR concluded compliance with Mitigation Measure HAZ-1 and the established regulatory framework would reduce impacts related to the accidental release of hazardous materials during construction to a less than significant level. Further, future development within the City could potentially emit or handle hazardous materials within one-quarter mile of an existing or proposed school. Adherence to existing regulations would ensure compliance with safety standards related to the use and storage of hazardous materials, and the safety procedures mandated by applicable Federal, State, and local laws and regulations, which would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with implementation of the 2020 General Plan Update would be less than significant. The applicable regulatory framework is discussed at length in the 2020 General Plan FEIR.

**d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Future development associated with implementation of the 2020 General Plan Update would be evaluated at the project-level to determine whether any development sites are on the Cortese List. Any development activities occurring on documented hazardous materials sites would be required to undergo remediation and cleanup under the supervision of the Department of Toxic Substances Control (DTSC) and the San Diego Regional Water Quality Control Board (RWQCB) prior to construction. Impacts would be reduced to less than significant following compliance with existing Federal, State, and local regulations.

**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?**

The closest public airport, John Wayne Airport, is located approximately 15.5 miles to the west of Rancho Santa Margarita. Based on the Airport Environs Land Use Plan for John Wayne Airport, the City is outside of the John Wayne Airport Influence Area. There are no private airstrips in the project area. Project development would not result in a safety hazard for people residing or working in the City.

**f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

The City has developed an Emergency Operations Plan (EOP) to address planned response to emergency situations, such as natural disasters, national security emergencies, and technological incidents. The EOP establishes policies and procedures for emergency response, identifies authorities, and assigns responsibilities for response activities. The 2020 General Plan Update anticipates growth in Rancho Santa Margarita; however, the 2020 General Plan Update is a policy plan to guide future development in the City. The 2020 General Plan Update does not propose any site-specific land use changes or modifications to the Circulation Element and therefore would not result in changes to the circulation patterns or emergency access routes. In addition, the 2020 General Plan Update includes several policies intended to assist in the implementation and maintenance of the EOP (Safety Element Policies 1.1 and 1.2). Therefore, impacts to emergency response plans would be less than significant.

**g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Wildland fires within the City are a significant risk given the sizable portion of land that remains as open space within the Study Area, including rugged topography with highly flammable native vegetation. Almost all open space land within the City is identified as a VHFHSZ in addition to portions of several residential communities, including Rancho Trabuco, Robinson Ranch, and

Dove Canyon. VHFHSZs are also present within the adjacent communities of Trabuco Oaks to the north and Coto de Caza to the south.

The City manages the risk of wildfire to people or structures through its land use planning practices, RSMMC, and General Plan policies. The Orange County Fire Authority (OCFA) has responsibility for wildfire suppression on all private land in the Study Area. Any proposed development plans are reviewed by the OCFA to determine if fuel modification plans or other preventative measures are required. The fire flow rates from the Uniform Fire Code are also implemented by the OCFA and reviewed for any new development. The Rancho Santa Margarita Fire Code (RSMMC Chapter 10.06, Adoption of the Fire Code, and Chapter 10.07, Amendments to the Fire Code) adopts the California Fire Code and relevant amendments and serves as the City's main ordinance to reduce the risk of structural fire hazards. In addition, several policies intended to reduce the risk of life and property from wildfire hazards are included in the 2020 General Plan Update. Future development would be sited in accordance with the General Plan Land Use Map and would be subject to compliance with the Rancho Santa Margarita Fire Code to reduce the risk of wildfire to people or structures.

As a result, the 2020 General Plan FEIR concluded project implementation would not expose people or structures to a significant risk involving wildland fires and a less than significant impact would occur in this regard.

## **Analysis of Modified Project**

### **Housing Element**

a. ***Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City.

Here, the Modified Project calls for the reduction of potential non-residential development in favor of increased potential residential development. Residential development does not typically involve the routine transport, use, or disposal of hazardous materials at a level that would result in a potentially significant impact. Hazardous materials utilized in residential developments are common household items and chemicals used in landscape maintenance. Compliance with the requirements of Federal, State, and local laws and regulations regarding the use and storage of hazardous materials would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with implementation of the Housing Element Update would be less than significant.

- 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 Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Future residential development accommodated through implementation of the Housing Element could be located on a site which is included on a list of hazardous materials sites or could include the removal of structures with the potential to contain Asbestos Containing Materials (ACMs), Lead Based Paints (LBPs), or other contaminants. Construction activities could result in accidental release of hazardous materials into the environment, potentially exposing construction workers and the public, including schools located within one-quarter mile of a site. However, all future development would be subject to applicable Federal, State, and local laws and regulations regarding upset and accident conditions involving the release of hazardous materials. Further, future residential development would be required to comply with 2020 General Plan FEIR Mitigation Measure HAZ-1, which requires preparation of a project-specific Phase I ESA for any properties identified on any list of hazardous materials compiled pursuant to Government Code Section 65962.5. If applicable, the site would be required to undergo remediation and cleanup prior to construction. Therefore, following compliance with existing Federal, State, and local regulations, the Housing Element Update would not create a significant hazard to the public or the environment and impacts would be less than significant in this regard.

- 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?**

The Housing Element Update would not result in a safety hazard for people residing or working in the City as the City is not located within an Airport Influence Area, nor are there private airstrips in City.

- f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

The Housing Element Update does not propose site specific development; however, it would encourage housing production on candidate sites that are located within the business park and commercial core areas of the City. These areas are currently served by roadways and are located within an area identified as having at least two emergency evacuation routes; refer to the Safety Element discussion below. Any future development would be subject to conformance with applicable RSMZC requirements and would be reviewed to ensure adequate emergency access

is provided and that proposed development would not interfere with an emergency response plan.

**g. *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

The Housing Element Update does not propose site specific development; however, it would encourage housing production on candidate sites that are located within the business park and commercial core areas of the City. The candidate sites are not located within an area of the City identified as a VHFHSZ. New residential development would be reviewed by the OCFA and would be required to comply with the RSMMC, which adopts the California Fire Code with amendments to reduce the risk of wildfire to people or structures. Further, residential development would be guided by relevant 2020 General Plan Update policies, which would reduce potential impacts to a less than significant level. Refer also to the Safety Element discussion below.

**Safety Element**

- 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 Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***
- 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?***

The Safety Element includes several policies intended to protect and prepare the community from hazards and hazardous conditions, including from human activity and wildland fires. The Safety Element Update would not result in any modifications to existing land use designations or modify any existing General Plan policies or programs specific to hazards and hazardous conditions. The

Safety Element Update proposes the following two new policies (Policies 1.5 and 1.6) and modifications to two existing policies (Policy 4.1 and 4.6):

Policy 1.5: Coordinate with local, state, and federal agencies to evaluate the capacity, safety, and viability of evacuation routes under a range of emergency scenarios, and update plans as necessary.

Policy 1.6: Monitor changing weather patterns with local, regional, state, and/or federal partners to evaluate effectiveness of existing essential infrastructure and programs.

Policy 4.1: Reduce the risk of wildfire hazards by working with Homeowner Associations, Business Park Associations, and other property owners and Orange County Fire Authority (OCFA) to maintain fire retardant landscaping, and buffer zones, community fire breaks, and private road and public road clearance in areas of high wildfire risk.

Policy 4.6: Require new development to be located, designed, and constructed to provide adequate defensibility and fuel modification zones, and minimize the risk of loss resulting from fires through:

- pre-development review by OCFA,
- on-going implementation of OCFA Fire Prevention Programs,
- minimizing development in VHFHSZs when feasible, and
- evaluating re-development after a large fire.

Additionally, the Safety Element Update includes an analysis consistent with Senate Bill 99 to identify residential developments in hazard areas that do not have at least two emergency evacuation routes. The analysis identified three residential areas with limited emergency access points, which would involve continued coordination with OCFA and OCSD to ensure adequate exit strategies are available for these areas. These areas do not include any of the sites identified as candidate sites for the Housing Element Update.

The modifications and additions to the Safety Element Update would further support and expand upon opportunities to improve the safety of the community, including requiring new development to be located, designed, and constructed to provide adequate defensibility and fuel modification zones, and minimize the risk of loss resulting from fires.

## **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts related to hazards and hazardous materials or wildfires beyond those identified in the 2020 General Plan FEIR. Following compliance with the 2020 General Plan FEIR mitigation measure and General Plan policies, there would be no new significant hazards and hazardous materials and wildfire impacts or significant impacts or a substantial increase in the severity of previously identified significant impacts.

2020 General Plan FEIR Mitigation Measures:

HAZ-1 Prior to issuance of any grading or building permit (whichever occurs first) for a project subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) on a site identified on any list of hazardous materials compiled pursuant to Government Code Section 65962.5, a formal Phase I Environmental Site Assessment (ESA) shall be prepared in accordance with ASTM Standard Practice E 1527-05 or the Standards and Practices for All Appropriate Inquiry (AAI). The Phase I ESA shall identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified Hazardous Materials Specialist with Phase II/site characterization experience prior to demolition, and/or construction. The Hazardous Materials Specialist shall identify proper remedial activities appropriate to the hazardous material(s) found (e.g., removal and disposal; bio-remediation; pump and treat; soil vapor extraction, and in situ oxidation), as necessary.

## 4.10 HYDROLOGY AND WATER QUALITY

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?					X	
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?					X	
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: <ul style="list-style-type: none"> <li>result in substantial erosion or siltation on- or off-site;</li> <li>substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;</li> <li>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; or</li> <li>impede or redirect flood flows?</li> </ul>					X	
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?					X	
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?					X	

### 2020 General Plan FEIR Conclusions

a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*

**e. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

Future development projected in the 2020 General Plan Update may contribute to water quality degradation in the City. The significance of these water quality impacts would vary depending upon the level of construction activity, weather conditions, soil conditions, increased sedimentation of drainage systems within the area, compliance with NPDES permit requirements, and proper installation of best management practices (BMPs).

The City is located within the San Diego Regional Water Quality Control Board (RWQCB) region. The Water Quality Control Plan for the San Diego Basin (Plan) guides and coordinates the management of water quality in the Region. The purpose of the Plan is to: (1) designate beneficial uses of the Region's surface and ground waters; (2) designate water quality objectives for the reasonable protection of those uses; and (3) establish an implementation plan to achieve the objectives. The implementation plan describes the key Regional Board regulatory programs and policies the Board uses to manage and control water quality, such as the NPDES program that protects water quality from point source pollutants.

New development and significant reconstruction projects within the City would be required to comply with RSMMC Chapter 5.10, Water Quality Control, which requires compliance with the Drainage Area Management Plan (DAMP), NPDES permit, and any BMP conditions and requirements established by the City in order to meet Federal and State water quality requirements related to storm water runoff. Additionally, all new development over an acre in size is also required to obtain coverage under the Construction General Permit through the San Diego RWQCB NPDES program. The permit requires development and implementation of a Stormwater Pollution Prevention Plan (SWPPP), which would identify point and nonpoint sources of pollutant discharge that could adversely affect water quality in the City. The SWPPP would also designate project-specific BMPs that would be appropriate for achieving minimal pollutant discharge during construction and operations. Each applicant under the Construction General Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must list BMPs implemented on the construction site to reduce stormwater runoff and must contain a visual monitoring program; a chemical monitoring program for "nonvisible" pollutants to be implemented if there is a failure of BMPs; and a monitoring plan if the site discharges directly to a water body listed on the State's 303(d) list of impaired waters. Examples of construction BMPs include soil and wind erosion controls, sediment controls, tracking controls, non-stormwater management controls; and waste management controls. Compliance with the Construction General Permit requirements would minimize construction water quality impacts.

To ensure the City's municipal storm drain system complies with the San Diego RWQCB MS4 permit requirements, the City developed its comprehensive Stormwater Program Local Implementation Plan (LIP), which guides development in a manner that regulates urban water runoff in and around the City. Each project would be reviewed to determine compliance with the MS4 permit and LIP requirements to ensure future operational activities do not degrade the City's water quality.

Additionally, depending on the project type, a Water Quality Management Plan (WQMP) may be required under the San Diego RWQCB's NPDES permit. The WQMP would identify the sources of potential pollutants, describe practices to reduce or eliminate the potential pollutants, discuss downstream facilities and potential impairments, and address the responsibility, frequency, and cost to maintain BMPs utilized as part of the WQMP for the project.

Overall, future development associated with implementation of the 2020 General Plan Update would be required to comply with a number of local, State, and Federal regulations that ensure pollutant runoff generated by future projects would not exceed water quality standards or conflict with or obstruct implementation of a water quality control plan; refer to the discussion of groundwater below. Therefore, since the City would continue to comply with waste discharge requirements, the 2020 General Plan FEIR concluded impacts would be less than significant.

**b. *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

Implementation of the proposed Project would allow for additional development, potentially resulting in an increase in hardscapes, and thus, interfering with groundwater recharge. However, at this time, the majority of the City of Rancho Santa Margarita has been built out (with the exception of Chiquita Ridge and the Northeast Future Planned Community), leaving little opportunity for significant new development which could interfere substantially with groundwater recharge; refer to Section 4.19 regarding groundwater supplies. In addition, the proposed land use plan does not allow any development within the floodplains of Trabuco Creek and Tijeras Canyon Creek, and Project implementation would not result in any groundwater extraction. Thus, the 2020 General Plan FEIR concluded the 2020 General Plan Update would not substantially impact groundwater recharge and impacts would be less than significant.

**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:***

- ***result in substantial erosion or siltation on- or off-site;***
- ***substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;***
- ***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; or***
- ***impede or redirect flood flows?***

The General Plan Update does not propose any site-specific development potentially altering existing drainage patterns. Depending on the project type, hydrology and drainage studies may

be required per County and City regulations, which would include an analysis of pre- and post-development hydrology conditions for the project site. Changes in drainage flow paths, percent imperviousness, and flowrate comparisons would be identified in these studies to ensure a project does not substantially alter a site's drainage pattern, resulting in substantial erosion, flooding, or significant risk of loss. The County and City require individual development projects to prepare drainage and hydrology analyses that ensure on- and off-site drainage facilities can accommodate any increases in stormwater flows. Implementation of these provisions, which may include low impact development design, BMPs, and possibly on-site retention techniques, would minimize increases in peak flow rates or runoff volumes. Compliance with the Municipal Code would ensure impacts on drainage patterns within the City and runoff volumes are reduced to less than significant levels.

Development associated with the General Plan Update may contribute to runoff, which could exceed the capacity of the existing drainage system. New development projects would be required to provide adequate stormwater drainage system improvements and/or connections to ensure the Citywide drainage system has adequate capacity to accommodate existing and future uses. Additionally, the County of Orange and City of Rancho Santa Margarita require individual development projects to prepare drainage and hydrology analyses that ensure on- and off-site drainage facilities can accommodate any increases in stormwater flows. Implementation of these provisions, which may include low impact development design, BMPs, and possibly on-site retention techniques, would minimize increases in peak flow rates or runoff volumes.

2020 General Plan Land Use Element Policy 8.1 encourages cooperation with OC Flood Control District and homeowners' associations to ensure adequate level of drainage and flood control facilities are provided and maintained within the community. Future construction in accordance with the 2020 General Plan Update would be required to meet all applicable regional and local drainage standards and compliance with the RSMMC would ensure impacts on drainage patterns within the City and runoff volumes are reduced to less than significant levels.

Portions of the City are located within 100-year flood zones, as mapped by FEMA, including areas along Trabuco Creek and Tijeras Canyon Creek. However, no existing homes or structures are located within these 100-year flood zones and the 2020 General Plan Update does not propose any changes to the existing land use plan. Further, the 2020 General Plan Update includes a number of goals and policies in the Land Use Element and Safety Element related to flood control protection and flood hazard reduction to protect the community. As such, development in accordance with the 2020 General Plan Update would have a less than significant impact related to flood flows.

**d. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

As stated, portions of the City are located within 100-year flood zones, as mapped by FEMA. However, no existing homes or structures are located within these 100-year flood zones and the 2020 General Plan Update does not propose any changes to the existing land use plan that would

place development within a flood hazard zone. Therefore, there would be no risk of inundation or release of pollutants associated with a flood hazard zone.

Due to the City's inland location within Orange County (more than nine miles from the Pacific Ocean) and elevation above sea level, the potential for a tsunami to impact the City is low. The City also is not identified on any Orange County tsunami inundation maps as an affected coastal city or community. Therefore there would be no risk of inundation or release of pollutants associated with a tsunami zone.

Seiches involve an enclosed body of water oscillating due to ground shaking, usually following an earthquake. Lakes and reservoirs are typical bodies of water affected by seiches. Rancho Santa Margarita Lake is located north of Santa Margarita Parkway and west of Antonio Parkway. Lake Mission Viejo is located approximately one mile southwest from the City. Three reservoirs are also located in the City, Upper Oso Reservoir and Upper Chiquita Reservoir, which are owned and operated by the SMWD and the Trabuco Water Treatment Plant owned and operated by the TCWD. These areas of the City may be vulnerable to seiches that may occur from seismic activities.

RSMMC Chapter 10.02, Codes Adopted by Reference, adopts the California Building Code (CBC), which requires future buildings and structures to be designed in compliance with CBC standards to reduce geologic hazards and potential damage from seismic activities and related hazards, including seiches. The most recent State seismic and geologic hazards guidelines are required to be implemented for structural design of future projects. Additionally, flood control standards required by the City, State, and Federal agencies would ensure design measures are implemented to minimize damage during potential seiche events. The probability of seiches is low and the reservoirs are continually monitored by the SMWD and TCWD to identify and repair structural issues. Thus, impacts would be less than significant in this regard.

## **Analysis of Modified Project**

- a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?***
  
- e. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

## **Housing Element**

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses.

Future residential development accommodated through implementation of the Housing Element Update could contribute to water quality degradation in the City. Future residential development, similar to the future non-residential development contemplated in the 2020 FEIR, would be subject to conformance with applicable Federal, State, and local laws and regulations explained above

and be guided by relevant General Plan policies, which would reduce impacts to less than significant.

**b. *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

The Housing Element Update does not propose site-specific development; rather, it identifies candidate sites, currently developed and designated for non-residential development, as viable for residential uses. These sites are primarily developed and therefore do not provide for significant groundwater recharge opportunities; refer to Section 4.19 regarding groundwater supplies. Thus, the Modified Project would not 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:***

- ***result in substantial erosion or siltation on- or off-site;***
- ***substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;***
- ***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; or***
- ***impede or redirect flood flows?***

Due to the developed nature of the existing sites, development of residential uses would not significantly increase runoff or alter existing drainage patterns. New residential development projects would be required to comply with the RSMMC to ensure impacts on drainage patterns within the City and runoff volumes are reduced to less than significant levels. New residential development projects would be required to provide adequate stormwater drainage system improvements and/or connections to ensure the Citywide drainage system has adequate capacity to accommodate existing and future uses, and would be required to meet all applicable regional and local drainage standards. Therefore, impacts would be less than significant in this regard.

**d. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?***

The Housing Element Update identifies candidate sites, currently developed and designated for non-residential development, as viable for residential uses. These sites are not located within a flood hazard area. Therefore, there would be no risk of inundation or release of pollutants associated with a flood hazard zone. Additionally, due its inland location, the City does not

contain any areas identified as a tsunami hazard zone. Therefore there would be no risk of inundation or release of pollutants associated with a tsunami zone.

Lakes and reservoirs located within the area are subject to seiche during a seismic event. New residential development would be required to comply with the City's RSMMC, which adopts the CBC. The CBC requires future buildings and structures to be designed to reduce potential damage from seismic activities and related hazards, including seiches. The candidate sites are located within a developed area of the City. The potential development of the sites with residential development in lieu of non-residential development, as anticipated by the 2020 General Plan FEIR, would not increase the potential for the release of pollutants associated with potential inundation of the sites as a result of a seiche. Impacts would be less than significant in this regard.

#### **Safety Element**

- 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:**
  - result in substantial erosion or siltation on- or off-site;**
  - substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;**
  - 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; or**
  - impede or redirect flood flows?**
- d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**
- e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

The Safety Element would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to hydrology and water quality. The Rancho Santa Margarita General Plan includes policies and programs to protect water quality and groundwater recharge, reduce potential impacts to drainage patterns, and reduce impacts due to inundation.

The Safety Element Update would not conflict with implementation of these General Plan policies and programs.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater hydrology and water quality impacts beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant hydrology impacts or a substantial increase in the severity of previously identified significant impacts.

## 4.11 LAND USE AND PLANNING

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Physically divide an established community?					X	
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?					X	

### 2020 General Plan FEIR Conclusions

#### a. *Physically divide an established community?*

The 2020 General Plan Update anticipates the net development of approximately 528 dwelling units and 3,085,014 square feet of non-residential development. Rancho Santa Margarita was primarily developed as a series of Planned Communities prior to incorporation, which have now been built out, leaving little opportunity for significant new development. Given that the City is primarily developed, it is anticipated that future development permitted by the 2020 General Plan Update would primarily consist of infill and redevelopment.

The only areas of vacant lands that could be developed within the Study Area are the Chiquita Ridge property and the Northeast Future Planned Community. While future development could occur within 55 acres of the Chiquita Ridge property, a minimum of 37 acres is required to be preserved for natural habitat as part of a settlement agreement in 2009 with the County. Future development of the Northeast Future Planned Community would be subject to annexation by the City and approval of a Specific Plan. This area would be subject to detailed planning and development of residential, commercial, community facility, recreation and open space uses to ensure that future development would be complementary to the master planned development of Rancho Santa Margarita and properly planned for its interface with Trabuco Canyon and adjacent neighborhoods. Therefore, the project would not physically divide any established communities.

All future development in the City would be evaluated at a project-specific level for consistency with the proposed land use plan to ensure the development enhances the community, complements the small-town village character of Rancho Santa Margarita, and does not

physically divide an established community. As such, impacts were determined to be less than significant in this regard.

**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?**

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted 2016 RTP/SCS. The 2020 General Plan Update was a strategic refresh of the 2002 General Plan and involved updating and modernizing the goals and policies, introducing a new Mixed-Use land use designation, and updating the General Plan existing conditions and development projections through the year 2040. Therefore, it is concluded that the project is regionally significant. SCAG's 2016 RTP/SCS goals and policies were adopted to help focus future investments on the best-performing projects and strategies to preserve, maintain and optimize the performance of the existing transportation system. The 2020 General Plan Update would be consistent with SCAG's regional planning efforts and the General Plan EIR concluded less than significant impact would occur in this regard.

## **Analysis of Modified Project**

### **Housing Element**

**a. Physically divide an established community?**

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City. Implementation of the Housing Element would not physically divide an established community, as future development is anticipated to occur as infill development and would be evaluated at a project-specific level for consistency with the proposed land use plan, General plan goals and policies, and the City's RSMMC.

**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?**

Implementation of the Housing Element Update would not conflict with any applicable land use plan, policy, or regulation adopted for the purposes of avoiding or mitigating an environmental effect. The Housing Element Update proposes housing policies and programs to comply with State law, including demonstrating the City's ability to accommodate its RHNA of 680 units. The objectives of the RHNA include increasing housing supply and the mix of housing types; promoting infill, equity, and environment; and ensuring jobs housing balance and fit.

As discussed, the RHNA of 680 units is greater than the residential development contemplated by the 2020 General Plan of 528 units. However, as demonstrated throughout this Addendum, implementation of the Housing Element Update would result in similar or reduced impacts when

compared to the 2020 General Plan Update. Future residential development would be reviewed on a project-by-project basis for consistency with the 2020 General Plan Policies, RSMMC, and any other applicable policies and regulations adopted for the purpose of avoiding or mitigating an environmental effect. Residential projects would be required to implement applicable 2020 General Plan FEIR mitigation measures and additional project-specific mitigation measures, if required, to reduce potential impacts associated with the proposed development. Thus, impacts would be less than significant in this regard.

### **Safety Element**

- 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?***

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to land use. The Rancho Santa Margarita General Plan includes policies and programs to ensure development occurs consistent with the overall intent and character of the community and takes into consideration the relationship between development and environmental quality, protection of natural water resources, potential hazards, and social and economic objectives. The Safety Element Update would not conflict with implementation of these General Plan policies and programs.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater land use impacts beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant land use impacts or a substantial increase in the severity of previously identified significant impacts.

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Addendum to the General Plan FEIR

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## 4.12 MINERAL RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
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?					X	
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?					X	

### 2020 General Plan FEIR Conclusions

- 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?***

The California Department of Conservation, Division of Mines and Geology, designates areas as Mineral Resource Zones (MRZ). MRZ-1 is defined as areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. MRZ-2 is defined as areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence. MRZ-2 areas are considered significant mineral resource areas. MRZ-3 is defined as areas containing mineral deposits the significance of which cannot be evaluated from available data. The City of Rancho Santa Margarita includes areas designated as Mineral Resource Zones (MRZs) 1, 2 and 3. MRZ-2 areas in the City lie within the general area of O'Neill Park along the Arroyo Trabuco Creek and continue along the Trabuco Creek through the Sphere of Influence (SOI), both north and south of Rancho Santa Margarita. Based on the developed nature of the City, it is unlikely that suitable mineral resources would be available in areas of adequate size and remoteness to be economically viable for mineral extraction. Potential impacts to mineral resources as a result of implementation of the 2020 General Plan Update were determined to be less than significant.

## **Analysis of Modified Project**

### **Housing Element and Safety Element**

- 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?**

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites as viable for future residential uses. These sites are located within the business park and commercial core areas of the City where no significant mineral deposits are present. The Safety Element Update proposes new policies to address climate adaptation and resiliency planning and minor modifications to existing policies to address wildland fire hazards. The City also prepared an analysis consistent with Senate Bill 99 to identify residential developments in hazard areas that do not have at least two emergency evacuation routes. No goals, policies or programs from the current Safety Element were eliminated as part of this update. The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to mineral resources.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts to mineral resources beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant mineral resources impacts or a substantial increase in the severity of previously identified significant impacts.

## 4.13 NOISE

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project result in:</b>						
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?				X		
b. Generation of excessive groundborne vibration or groundborne noise levels?				X		
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?						X

### 2020 General Plan FEIR Conclusions

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?**

Short-Term Construction. While implementation of the 2020 General Plan Update would not directly result in new development within the City, it projects additional development within the City, which would generate noise during construction activities. Construction noise levels are dependent upon the specific locations, site plans, and construction details of individual projects, which have not yet been identified. Construction would be localized and would occur intermittently for varying periods of time. Because specific project-level information is not available at this time, it is not possible to quantify the construction noise impacts at specific sensitive receptors. Construction of individual developments associated with implementation of the 2020 General Plan Update could temporarily increase the ambient noise environment in the vicinity of each individual project. Pursuant to RSMMC Section 5.04.70, *Special Provisions*, construction of future projects would be limited to occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday, and between 9:00 a.m. and 8:00 p.m. on Sunday's and Federal holidays per

the City's Noise Ordinance. Additionally, the Noise Ordinance defines the interior and exterior noise level limits for residential land uses. Development projects would be subject to environmental review, and specific mitigation measures would be implemented to reduce noise impacts during construction.

Construction noise levels would be reduced through implementation of Mitigation Measure NOI-1, which would require construction BMPs for projects subject to CEQA review (i.e., non-exempt projects). Further, RSMMC Chapter 12.04, Vehicle Size, Weight, and Load, would require heavily loaded construction trucks to route away from residential streets, which would further reduce construction noise. Therefore, the 2020 General Plan FEIR concluded compliance and/or adherence to the City's Noise Ordinance, RSMMC, and Mitigation Measure NOI-1, would reduce short-term construction noise impacts to less than significant levels.

Long-Term Operational. With implementation of the 2020 General Plan Update, some residential uses would experience noise levels that would exceed the City's Noise and Land Use Criteria Compatibility Criteria due to the increase in roadway noise. However, long-term mobile traffic noise impacts were determined to be less than significant. It is noted that individual development projects would be reviewed for project-specific impacts during any required environmental review. If project-specific significant impacts are identified, specific mitigation measures will be required. Additionally, commercial and industrial land uses would be located near sensitive receptor areas. These uses currently generate occasional stationary noise impacts. All mobile and stationary source impacts would be reduced to less than significant levels by complying with the City's Noise Ordinance and project-specific mitigation measures.

**b. Generation of excessive groundborne vibration or groundborne noise levels?**

Ground-borne vibration generated during construction activities would primarily impact existing sensitive uses that are located adjacent to or within the vicinity of specific projects. Vibration levels could reach up to 87 VdB for typical construction activities (and up to 104 VdB if pile driving activities were to occur) at sensitive uses located within 25 feet of construction. For sensitive uses that are located at or within 25 feet of potential project construction sites, sensitive receptors at these locations may experience vibration levels during construction activities that exceed the Federal Transit Administration (FTA) vibration impact threshold of 85 VdB for human annoyance. Upon compliance and/or adherence to Mitigation Measures NOI-2 and NOI-3, short-term vibration impacts were determined to be reduced to a less than significant level.

The 2020 General Plan does not include any industrial land use designations and industrial land uses with the potential to generate vibration do not occur within the City. Thus, potential operational vibration impacts were not anticipated by the General Plan FEIR.

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?***

The closest public airport, John Wayne Airport, is located approximately 15.5 miles to the west of Rancho Santa Margarita. Based on the Airport Environs Land Use Plan for John Wayne Airport, the City is outside of the John Wayne Airport Influence Area. There are no private airstrips in the project area. Project development would not expose people residing or working in the project area to excessive noise level.

## **Analysis of Modified Project**

### **Housing Element**

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?***

Construction. The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City.

Although construction activities associated with implementation of the Housing Element Update would result in increased noise levels, these construction noise levels would be consistent with those anticipated in the 2020 General Plan FEIR. As discussed in the 2020 General Plan FEIR, construction noise levels are dependent upon the specific locations, site plans, and construction details of individual projects, which have not yet been identified. Construction noise levels would be reduced through implementation of Mitigation Measure NOI-1, which would require construction BMPs for projects subject to CEQA review (i.e., non-exempt projects). Further, RSMMC Chapter 12.04, Vehicle Size, Weight, and Load, would require heavily loaded construction trucks to route away from residential streets, which would further reduce construction noise. Compliance and/or adherence to the City's Noise Ordinance, RSMMC, and Mitigation Measure NOI-1, would reduce short-term construction noise impacts to less than significant levels.

Long-Term Operational. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. However, in addition to residential development, the 2020 General Plan FEIR analyzed development of up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.

The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the General Plan and analyzed in the 2020 General Plan FEIR.

Although operational activities associated with implementation of the Housing Element Update would result in increased noise, noise levels would not exceed operational noise conditions identified in the 2020 General Plan FEIR. As discussed in Section 4.17, Transportation, vehicle trips associated with the Modified Project would be reduced when compared to the 2020 General Plan Update. Thus, long-term mobile traffic noise impacts would be less than significant.

The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Residential uses associated with future development of these sites could experience noise levels that would exceed the City's Noise and Land Use Criteria Compatibility Criteria. It is noted that individual development projects would be reviewed for project-specific impacts during any required environmental review. If project-specific significant impacts are identified, specific mitigation measures will be required.

Future residential development would create stationary noise typical of any new residential development. Noise from residential stationary sources would primarily occur during the "daytime" activity hours assuming noises decrease during nighttime hours (e.g., people go to sleep and/or close their windows), and thus, result in a less than significant impact. Overall, mobile and stationary source impacts would be reduced to less than significant levels by complying with the City's Noise Ordinance and General Plan FEIR mitigation measures.

**b. Generation of excessive groundborne vibration or groundborne noise levels?**

Construction activities associated with implementation of the Housing Element Update could generate ground-borne vibration at existing sensitive uses that are located adjacent to or within the vicinity of specific projects. Future development would be required to comply with 2020 General Plan FEIR Mitigation Measures NOI-2 and NOI-3, which would reduce short-term vibration impacts to a less than significant level.

The Housing Element Update would not introduce any industrial land use designations or result in the development of industrial uses with the potential to generate operational vibration within the City. Thus, operational vibration impacts would not occur.

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?***

The Housing Element Update would not expose people residing in the City to excessive noise levels, as the City is not located within an Airport Influence Area, nor are there private airstrips in City. Additionally, the City is not located within two miles of a public airport or public use airport.

### **Safety Element**

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?***

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to noise. The Rancho Santa Margarita General Plan includes policies and programs to reduce noise impacts associated with construction and operational activities. Further, as discussed above, the 2020 General Plan FEIR includes mitigation measures associated with construction and operation noise impacts associated with new development. The Safety Element Update would not conflict with implementation of these General Plan policies and programs or 2020 General Plan FEIR mitigation measures.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater noise impacts beyond those identified in the 2020 General Plan FEIR. Following compliance with the 2020 General Plan FEIR mitigation measures and General Plan policies, there would be no new significant noise impacts or a substantial increase in the severity of previously identified significant impacts.

#### 2020 General Plan FEIR Mitigation Measures:

NOI-1 For projects that are subject to California Environmental Quality Act (CEQA) review (i.e., non-exempt projects), project applicants shall ensure through contract specifications that construction best management practices (BMPs) will be implemented by all project contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed and approved by the City

Development Services Department prior to issuance of a grading or building permit (whichever is issued first). BMPs to reduce construction noise levels may include, but are not limited to, the following:

- Ensure that construction equipment is properly muffled according to industry standards and is in good working condition.
- Place noise-generating construction equipment and construction staging areas away from sensitive uses.
- Construction activities shall occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday, pursuant to Section 5.04.070(5) of the Rancho Santa Margarita Noise Ordinance.
- Implement noise attenuation measures, as needed, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.
- Use electric air compressors and similar power tools rather than diesel equipment, where feasible.
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes.
- Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party and the Development Services Department.

NOI-2 Projects that are subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) with construction activities within 25 feet of an occupied sensitive use (i.e., historical buildings, residential, senior care facilities, hospitals, and schools/day care centers) shall be required to prepare a project-specific vibration impact analysis to evaluate potential construction vibration impacts associated with the project, and to determine any specific vibration control mechanisms that shall be incorporated into the project's construction bid documents to reduce such impacts. Contract specifications shall be included in construction documents, which shall be reviewed and approved by the City Engineer prior to issuance of a grading permit.

NOI-3 Projects that are subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) within 100 feet of a historic structure(s) shall implement the following measures to reduce the potential for architectural/structural damage resulting from elevated groundborne noise and vibration levels:

- Pile driving within 50 feet of any historic structure(s) shall utilize alternative installation methods, such as pile cushioning, jetting, predrilling, cast-in-place systems, and resonance-free vibratory pile drivers.

- As accessible, a preconstruction survey of all eligible for listing or listed historic buildings under the National Register of Historic Places, California Register of Historic Resources, and/or local historic database(s) within 50 feet of proposed construction activities shall be conducted. Fixtures and finishes within 50 feet of construction activities susceptible to damage shall be documented photographically and in writing. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating any damage caused by construction activities. Construction vibration monitoring shall be conducted at the edges of these historic properties and construction activities shall be reduced, as needed, to ensure no damage occurs.
- Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structure(s). Contractors shall limit construction vibration levels during pile driving and impact activities in the vicinity of the historic structure(s) in accordance with the California Department of Transportation (Caltrans) *Transportation and Construction Vibration Guidance Manual*, dated September 2013.

NOI-4 Prior to issuance of any building permits for projects that are subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) adjacent to sensitive uses (i.e., residential, senior care facilities, hospitals, and schools/day care centers), the applicant shall submit plans for review and approval by the City Engineer that demonstrate all noise from HVAC equipment will be shielded from sensitive uses such that stationary noise associated with the HVAC equipment is 65 dBA or less when measured 50 feet from the noise source.

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## 4.14 POPULATION AND HOUSING

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
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)?					X	
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?					X	

### 2020 General Plan FEIR Conclusions

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)?*

Implementation of the 2020 General Plan Update would result in 528 additional dwelling units and 3,085,014 additional square feet of non-residential uses over existing conditions. The 2040 population projection associated with these residential land uses is approximately 1,692 persons. Additionally, the 2020 General Plan Update's non-residential development potential is approximately 3,085,014 square feet. The employment projection is estimated at approximately 6,439 jobs through the General Plan planning period (2040). Although future development would likely involve improvements/ modifications to existing roads or infrastructure, the 2020 General Plan Update does not call for the extension of roads or other infrastructure into undeveloped areas and is not considered growth-inducing in this regard. However, implementation of the 2020 General Plan Update would facilitate new homes and businesses, which could be characterized as direct inducement of population growth, though, any such growth would not be considered substantial.

Potential growth inducing impacts are also assessed based on a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint. SCAG is the responsible agency for developing and adopting regional housing, population, and employment growth forecasts for local Orange County governments, among other counties. SCAG provides household, population, and employment projection estimates in five-year

increments through 2040. The 2020 General Plan Update is projected to result in a population of approximately 51,404 persons (2040). The City's projected population would be approximately 5.6 percent greater than SCAG's forecast. Similarly, the City's projected housing stock and employment would be approximately 4.6 percent and 1.3 percent greater than SCAG forecasts, respectively. The 2020 General Plan Update growth projections would exceed SCAG 2040 population, housing stock, and employment projections for the City of Rancho Santa Margarita. General Plan growth projections form the basis of SCAG's planning and policy documents, including regional growth forecasts. Thus, the growth anticipated with the General Plan Update would be considered in SCAG's updated growth forecasts for the City.

The 2020 General Plan Update accounts for the project's anticipated population growth and establishes goals and policies to accommodate such growth. It is the City's goal (Land Use Element Goal 2) to control and direct future land use so that the community is protected and enhanced. The City would ensure new development funds its share of community services and facilities, such as parks, schools, trails, and utilities (Land Use Element Policy 2.4). Additionally, the forecast population growth would occur incrementally through 2040, allowing for development of necessary services and infrastructure commensurate with the proposed growth. Further, project implementation would result in an improved job to housing balance for the City and subregion. Thus, although the 2020 General Plan Update would induce population growth in the City over SCAG 2040 projections, the 2020 General Plan FEIR concluded the project would not conflict with SCAG growth forecasts and impacts would be considered less than significant.

**b. *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

The 2020 General Plan Update did not propose any changes to site-specific land use designations within the City. Future development would continue to allow for the development of residential and non-residential uses on sites designated for such uses. Implementation of the 2020 General Plan Update would not result in the displacement of housing.

## **Analysis of Modified Project**

### **Housing Element**

**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)?***

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. However, in addition to

residential development, the 2020 General Plan FEIR analyzed development of up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.

The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the General Plan and analyzed in the 2020 General Plan FEIR.

The Housing Element Update proposes housing policies and programs to comply with State law, including demonstrating the City's ability to accommodate its RHNA of 680 units. The objectives of the RHNA include increasing housing supply and the mix of housing types; promoting infill, equity, and environment; and ensuring jobs housing balance and fit. As discussed, the RHNA is greater than the residential development contemplated by the General Plan. Thus, development associated with implementation of the Housing Element Update would potentially result in a greater population than anticipated by the 2020 General Plan FEIR. However, the General Plan Update accounts for the project's anticipated population growth and establishes goals and policies to accommodate such growth. It is the City's Goal (Land Use Element Goal 2) to control and direct future land use so that the community is protected and enhanced. The City would ensure new development funds its share of community services and facilities, such as parks, schools, trails, utilities (Land Use Element Policy 2.4). Additionally, the forecast population growth would occur incrementally through 2029, allowing for development of necessary services and infrastructure commensurate with the proposed growth.

Implementation of the Housing Element would provide new residential opportunities, such as workforce housing, in proximity to existing employment within the City. Workforce housing would provide opportunities for employees currently residing outside the City, to live within proximity to existing jobs, providing environmental benefits, such as reduced VMT and associated mobile source air quality and greenhouse gas emissions.

Although future development would likely involve improvements/ modifications to existing roads or infrastructure, the Modified Project does not involve the extension of roads or other infrastructure into undeveloped areas and is not considered growth-inducing in this regard. Overall, the Modified Project would not induce substantial unplanned population growth in an area, either directly or indirectly and impacts would be less than significant.

***b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as

viable for future residential uses. These sites are located within the business park and commercial core areas of the City and do not include any existing residential uses. Future development of the candidate sites would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

### **Safety Element**

- 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?***

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to population and housing. The Rancho Santa Margarita General Plan includes policies and programs to reduce impacts associated with increased population and housing within the City.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater population and housing impacts beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant population and housing impacts or a substantial increase in the severity of previously identified significant impacts.

## 4.15 PUBLIC SERVICES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
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: <ul style="list-style-type: none"> <li>• Fire protection?</li> <li>• Police protection?</li> <li>• Schools?</li> <li>• Parks?</li> <li>• Other public facilities?</li> </ul>					X	

### 2020 General Plan FEIR Conclusions

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:*

- **Fire protection?**
- **Police protection?**
- **Schools?**
- **Parks?**
- **Other public facilities?**

Fire Protection. Implementation of the 2020 General Plan Update would result in additional demands on existing fire and paramedic services, as individual projects are developed and associated increases in population are realized. Future development is assumed to occur over

several years through 2040; thus, any increase in demand for fire protection services would occur gradually as additional development and associated population growth is added to the City. Orange County Fire Authority (OCFA) would continue to regularly monitor fire department resources to ensure that adequate facilities, staffing, and equipment are available to serve existing and future development and population increases. Further, as development occurs, a proportional increase in property tax, charges for OCFA services, and other funding sources would increase and offset impacts of new development on OCFA's existing resources in the City. OCFA has determined that increased demands for paramedic services as a result of future development may require additional staff. Future development would be reviewed by OCFA to determine paramedic requirements applicable to specific development. Additionally, as future developments gradually occur, a proportional increase in property tax, charges for OCFA services, and other funding sources would gradually increase and offset impacts on OCFA's existing resources, including paramedic services and staffing. Additional paramedic staff could be hired at a later date when the need arises. Further, OCFA would continue to regularly monitor the emergency life safety service needs of the City. Impacts were determined to be less than significant in this regard.

Police Protection. The General Plan projects additional dwelling units and nonresidential development by the year 2040, which would increase demand for police protection services provided by the Orange County Sheriff's Department (OCSD). Additional facilities, personnel, and equipment may be required to maintain adequate levels of police protection within the City. Full development assumed by the 2020 General Plan Update is expected to occur gradually over time through 2040; thus, any increase in demand for police protection services would similarly occur gradually as additional development and associated population growth is added to the City, which also depends on the economic market demands. As individual projects are proposed within the City, OCSD service levels and staffing requirements would be evaluated on an annual basis to determine if additional staffing and/or facilities would be required. Implementation of the 2020 General Plan Update policies would help minimize risks related to criminal activities and heighten awareness for public safety and would not result in significant impacts to police protection services. As such, the 2020 General Plan FEIR determined implementation of the 2020 General Plan Update would result in less than significant impacts in this regard.

Schools. School districts assess development impact fees against residential and commercial/industrial development to mitigate impacts resulting from the increase in demand for school related services. Pursuant to SB 50, payment of fees to the applicable school district is considered full mitigation for project impacts, including impacts related to 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, or other performance objectives for schools. Therefore, individual development projects in accordance with the 2020 General Plan Update would be required to pay the statutory fees, so that school facilities would be constructed/expanded, if necessary, at the nearest sites to accommodate the impact of project-generated students, reducing impacts to a less than significant level.

Parks. Future development anticipated by the 2020 General Plan Update would increase demands on current parks and recreational facilities within the City. Based on the City's adopted standard of 3.0 acres per 1,000 residents, the population increase of 1,692 persons would require approximately 5.1 acres of parkland. These demands could be partially met through the City's surplus parkland of 4.9 acres. While the required parkland to serve the 2020 General Plan Update's projected development slightly exceeds the City's existing surplus parkland by 0.2 acres, future development projects may also develop new parks, thereby increasing the City's overall parkland acreage, or pay park in-lieu fees. Pursuant to RSMMC Chapter 9.11, Local Park Code, all park fees and interest accrued from such fees to the City would be used to develop new or rehabilitate existing neighborhood or community park or recreation facilities.

The 2020 General Plan Update does not propose modifications to existing Open Space Land Use Designations. Implementation of the 2020 General Plan Update would continue to allow for and accommodate the future development of Parks, Open Space Golf, and Regional Open Space land uses which would further contribute to the City's existing parkland. It is noted that construction of new parks and recreational facilities, if required, would be subject to environmental review under CEQA requirements.

The 2020 General Plan Land Use Element includes goals and policies intended to ensure new development funds its share of parks (Land Use Element Policy 2.4) and maintains the City's standard of 3.0 acres of active park land per 1,000 residents (Land Use Element Policy 12.1). In addition, several policies include support cooperation between the City and Homeowners' Associations and other recreation providers to ensure that parks, community centers, and recreational opportunities and programs are provided and maintained (Land Use Element Policies 13.1 through 13.5). Overall, future development anticipated in the 2020 General Plan Update would be adequately served by the City's existing parkland and anticipated new parkland development. Impacts would be less than significant.

## **Analysis of Modified Project**

### **Housing Element**

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:*

- **Fire protection?**
- **Police protection?**
- **Schools?**
- **Parks?**

- ***Other public facilities?***

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. However, in addition to residential development, the 2020 General Plan FEIR analyzed development of up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.

The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the General Plan and analyzed in the 2020 General Plan FEIR.

Fire and Police Protection. The additional residential development associated with implementation of the Housing Element Update would result in an increase in demand for fire and police protection services. However, the increased demand associated with the 182 additional residential units identified in the Housing Element Update would be partially offset by the reduction in the demand for services associated with a portion of the non-residential development potential that was assumed in the 2020 General Plan FEIR and would no longer be available. Similar to the 2020 General Plan Update, the Modified Project may result in the need for additional OCFA and OCSD resources. Any increase in demand for police and fire protection services would occur gradually as additional development and associated population growth is added to the City. As individual projects are proposed within the City, OCFA and OCSD service levels and staffing requirements would be evaluated on an annual basis to determine if additional staffing and/or facilities would be required. Further, as development occurs, a proportional increase in property tax, charges for OCFA and OCSD services, and other funding sources would increase and offset impacts of new development on existing fire and police protection resources in the City. Thus, impacts would be less than significant.

Schools. Although residential development associated with implementation of the Housing Element Update would result in a greater number of students than anticipated by the 2020 General Plan FEIR, school districts serving the City would continue to assess development impact fees against residential development to mitigate impacts resulting from the increase in demand for school related services. Pursuant to SB 50, payment of fees to the applicable school district is considered full mitigation for project impacts, including impacts related to 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, or other performance objectives for schools. Therefore, new residential development projects associated with implementation of the Housing Element Update would be required to pay the statutory fees, so that school facilities can be constructed/expanded, if necessary, at the nearest sites to accommodate the impact of project-generated students, reducing impacts to a less than significant level.

Parks. Implementation of the Housing Element Update would result in 182 additional residential units and 533 more people than anticipated by the 2020 General Plan FEIR.<sup>11</sup> Future residential development associated with the Modified Project would increase demands on current parks and recreational facilities within the City. Based on the City's adopted standard of 3.0 acres per 1,000 residents, the population increase of 533 persons would require approximately 1.6 acres additional of parkland than anticipated by the 2020 General Plan FEIR. The required parkland to serve the projected development associated with the Modified Project would exceed the City's existing parkland. However, the City currently has 154 acres of public parkland and based on the parkland to population ratio, has an existing surplus of 4.9 acres of parkland. Future residential development projects may develop new parks, thereby increasing the City's overall parkland acreage, or pay park in-lieu fees. Pursuant to RSMMC Chapter 9.11, *Local Park Code*, all park fees and interest accrued from such fees to the City would be used to develop new or rehabilitate existing neighborhood or community park or recreation facilities.

The Housing Element Update does not propose modifications to existing Open Space Land Use Designations. Construction of new parks and recreational facilities associated with potential residential development would be subject to environmental review under CEQA requirements. Residential development within the City would be required to comply with RSMZC Chapter 9.11, *Local Park Code*, as appropriate. Additionally, the 2020 General Plan Land Use Element includes goals and policies to ensure new development funds its share of parks and maintains the City's standard of 3.0 acres of active park land per 1,000 residents. Thus, impacts to parks and recreation facilities would be less than significant.

Other Public Facilities. Implementation of the Housing Element Update would result in 182 additional residential units and 533 more people than anticipated by the 2020 General Plan FEIR. Future residential development associated with the Modified Project would increase demands on public facilities, such as libraries. The Rancho Santa Margarita Library is operated by OC Public Libraries. OC Public Libraries is a network of community libraries with 33 branches accessible to residents throughout the County. The increase in population would not result in the need for new or physically altered library facilities. The 2020 General Plan Land Use Element includes policies to

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<sup>11</sup> Population increase based on 2.93 persons per household (2020 General Plan FEIR Table 5.2-4).

work with the County to provide library services and facilities that meet State standards for library facilities and meet the needs of the community (Policy 14.1). Any increase in demand for library facilities would occur gradually as additional development and associated population growth is added to the City and the County. OC Public Libraries would monitor library facility and service needs to determine if additional staffing and/or facilities would be required throughout the County. As development occurs, a proportional increase in property tax and other funding sources would increase and offset impacts of new development on existing library facilities. Thus, impacts would be less than significant.

### **Safety Element**

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:*

- **Fire protection?**
- **Police protection?**
- **Schools?**
- **Parks?**
- **Other public facilities?**

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to public services. The Rancho Santa Margarita General Plan includes policies and programs to reduce impacts to public services associated with new development. The Safety Element Update would not conflict with implementation of these General Plan policies and programs.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts to public services beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant public services impacts or a substantial increase in the severity of previously identified significant impacts.

## 4.16 RECREATION

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
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?					X	
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?					X	

### 2020 General Plan FEIR Conclusions

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?**

As discussed in Section 4.15, Public Services, future development anticipated by the 2020 General Plan Update would increase demands on current parks and recreational facilities within the City. Based on the City's adopted standard of 3.0 acres per 1,000 residents, the population increase of 1,692 persons would require approximately 5.1 acres of parkland. These demands could be partially met through the City's surplus parkland of 4.9 acres. While the required parkland to serve the 2020 General Plan Update's projected development slightly exceeds the City's existing surplus parkland by 0.2 acres, future development projects may also develop new parks, thereby increasing the City's overall parkland acreage, or pay park in-lieu fees. Pursuant to RSMMC Chapter 9.11, Local Park Code, all park fees and interest accrued from such fees to the City would be used to develop new or rehabilitate existing neighborhood or community park or recreation facilities.

The 2020 General Plan Land Use Element includes goals and policies intended to ensure new development funds its share of parks (Land Use Element Policy 2.4) and maintains the City's standard of 3.0 acres of active park land per 1,000 residents (Land Use Element Policy 12.1). In addition, several policies include support cooperation between the City and Homeowners' Associations and other recreation providers to ensure that parks, community centers, and recreational opportunities and programs are provided and maintained (Land Use Element Policies

13.1 through 13.5). Overall, future development anticipated in the 2020 General Plan Update would be adequately served by the City's existing parkland and recreational facilities and anticipated new parkland development. Impacts would be less than significant.

**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?**

Implementation of the 2020 General Plan Update would continue to allow for and accommodate the future development of Parks, Open Space Golf, and Regional Open Space land uses which would further contribute to the City's existing parkland. It is noted that construction of new parks and recreational facilities, if required, would be subject to environmental review under CEQA requirements. The 2020 General Plan Update policies would not result in significant impacts to parks and recreation facilities. Overall, future development anticipated in the 2020 General Plan Update would be adequately served by the City's existing parkland and anticipated new parkland development and impacts were determined to be less than significant.

## **Analysis of Modified Project**

### **Housing Element**

**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?**

The City currently has 154 acres of public parkland and based on the parkland to population ratio, has an existing surplus of 4.9 acres of parkland. Additionally, O'Neill Regional Park, which is approximately 3,358 acres in size, is located along the western portion of the City. Implementation of the Housing Element Update would result in 182 additional residential units and 533 more people than anticipated by the 2020 General Plan FEIR. Future residential development associated with the Modified Project would increase the use of existing neighborhood and regional parks or other recreational facilities in the City. However, the increase use of parks and recreational facilities within the City would not result in their substantial physical deterioration. Future residential development projects may develop new parks, thereby increasing the City's overall parkland acreage, or pay park in-lieu fees. Pursuant to RSMMC Chapter 9.11, Local Park Code, all park fees and interest accrued from such fees to the City would be used to develop new or rehabilitate existing neighborhood or community park or recreation facilities. Additionally, the 2020 General Plan Land Use Element includes goals and policies to ensure new development funds its share of parks and maintains the City's standard of 3.0 acres of active park land per 1,000 residents. Additional goals and policies provide for recreational facilities and programming. Thus, impacts would be less than significant.

**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?**

The Housing Element Update does not propose recreational facilities. Construction of new parks and recreational facilities associated with potential residential development would be subject to environmental review under CEQA requirements. Thus, impacts would be less than significant in this regard.

**Safety Element**

**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?**

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to recreation services and facilities. The Rancho Santa Margarita General Plan includes policies and programs to support the provision of recreation services and facilities to adequately serve the City's residents. The Safety Element Update would not conflict with implementation of these General Plan policies and programs.

**Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts to recreation services and facilities beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant recreational impacts or a substantial increase in the severity of previously identified significant impacts.

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## 4.17 TRANSPORTATION

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X		
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?					X	
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?					X	
d. Result in inadequate emergency access?					X	

### 2020 General Plan FEIR Conclusions

The City certified the 2020 General Plan FEIR before the above checklist item (b) was added to the State CEQA Guidelines and prior to VMT becoming the required CEQA metric instead of Level of Service (LOS) in evaluating transportation impacts. However, the topic of existing and future VMT is addressed in the 2020 General Plan FEIR's Transportation section.

**a. *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

Development associated with the 2020 General Plan Update would not conflict with or interfere with any adopted policies, plans or programs related to public transit, bicycle, or pedestrian facilities. Instead, goals and policies proposed under the 2020 General Plan Update promote and support multimodal opportunities within the City. Specifically, proposed Land Use Element Goal 4 is aimed towards integrating transportation and land use planning to provide mobility options and comfort for pedestrians, bicyclists, transit users, and personal vehicles. Land Use Element Policy 4.1 encourages establishing appropriately scaled car-free and pedestrian-only zones in high pedestrian demand locations; Land Use Element Policy 4.2 ensures the City's rights-of-way provide adequate infrastructure for the safe and comfortable movement of vehicles, bicyclists, and pedestrians; and Land Use Element Policy 4.3 encourages balancing street space for alternative transportation options with on-street parking. Further, Land Use Element Policy 4.4 supports the

creation of multiuse trails within the City and their connection to regional trails; Land Use Element Policy 4.5 supports transit, bicycle, and pedestrian improvements that connect within the City and to neighboring jurisdictions; and Land Use Element Policy 4.6 encourages nodes of interest and activity, public open spaces, and other development areas that are highly accessible by pedestrians, bicyclists, and transit users. Additionally, proposed Land Use Element Goal 12 is aimed towards, among other things, providing a balance of high-quality active and passive public open spaces, a regional trail system, and recreation facilities based on community needs. Land Use Element Policy 12.5 encourages coordination with adjacent jurisdictions to facilitate regional trail connections.

The roadway segment analysis for future development conditions anticipated by the 2020 General Plan Update indicates that the roadway network would provide adequate capacity to accommodate projected future traffic demands on all the Study Area roadway segments, with two segments approaching capacity and two segments potentially exceeding the theoretical daily capacity.

The 2013 Circulation Element recognizes that the roadway segment analysis is used as a planning tool to evaluate the adequacy of existing roadway segment capacities. A volume-to-capacity (v/c) ratio greater than 1.01 ("potentially exceeds") suggests that additional site-specific review would be required upon identification of future development projects as detailed in the 2013 Circulation Element. Alicia Parkway to Avenida Empresa (No. 46) would "potentially exceed" the average daily capacity thresholds under existing conditions (2016) and for 2020 General Plan Update development conditions in 2040. Santa Margarita Parkway from the SR-241 Westbound Ramps to Avenida de Las Flores (No. 48) would potentially transition from "approaching" under existing conditions to "potentially exceed" by 2040. It should be noted that these roadway segments are located along Santa Margarita Parkway, which is one of three major arterials that provide regional access to the City, the others being Alicia Parkway and Antonio Parkway.

As a land use guiding document, the 2020 General Plan Update does not propose any site-specific development. Therefore, it is uncertain when forecast traffic volumes on these roadway segments would generate a v/c ratio greater than 1.26 ("Exceeds Capacity") as the exact location and nature of future development is currently unknown. In addition, adjacent intersections may continue to provide the lanes needed to achieve acceptable peak hour level of services and therefore segment capacity improvements may not be needed. Future development projects would be reviewed by the City's Traffic Engineer to determine if a more detailed evaluation of potential transportation system impacts would be required based on the City's traffic impact analysis requirements (Mitigation Measure T-1). Traffic performance would be assessed consistent with 2013 Circulation Element Table C-3 (Circulation System Performance Criteria).

The 2020 General Plan Update itself is a long-range regulatory planning document and does not propose any specific development. However, future individual projects developed in accordance with the 2020 General Plan Update would be guided by 2013 Circulation Element goals and policies and undergo individual CEQA review, which may require preparation of a

traffic impact analysis to determine potential project impacts on the City's roadway network (Mitigation Measure T-1). If potential impacts are determined at that time, project-specific mitigation measures requiring improvements or funding for future improvements would be specified. As such, the 2020 General Plan FEIR concluded the 2020 General Plan Update would result in a less than significant impact on roadway segment capacities with implementation of Mitigation Measure T-1.

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

The 2020 General Plan FEIR calculated existing and future VMT based upon the development anticipated by the 2020 General Plan Update. An increase in daily VMT of nine percent was identified. The 2020 General Plan Update includes goals and policies that encourage VMT reduction, including introduction of a new Mixed-Use (MU) land use designation and policies that encourage walkable neighborhoods and multimodal opportunities, integrating land use and transportation planning and providing adequate infrastructure for the safe and efficient movement of all modes of travel.

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

Implementation of the 2020 General Plan Update is not anticipated to result in inadequate design features or incompatible uses nor would it propose or approve any site specific development project. Through the City's development review process, future development would be evaluated to determine the appropriate land use permit for authorizing its use and the conditions for its establishment and operation. Future development projects would be evaluated on a case-by-case basis to ensure that adequate access and circulation to and within the development would be provided. Access to development sites would be required to comply with all applicable RSMMC and City design standards and would be reviewed by the City and OCFA to ensure that inadequate design features or incompatible uses do not occur. The City and OCFA would review future development to ensure that structures are designed to meet adopted standards and that adequate emergency access is provided. Therefore, implementation of the 2020 General Plan Update was concluded to not result in significant impacts involving inadequate design features or incompatible uses.

**d. Result in inadequate emergency access?**

Development in accordance with the proposed project is not anticipated to result in inadequate emergency access. Additionally, the 2020 General Plan Update does not propose or approve any site specific development project. Future development projects would be required to comply with the City's development review process including review for compliance with the RSMZC. New developments would also be required to comply with all applicable fire and building codes and ordinances for construction and access to the site during both construction and operational phases. Individual projects would be reviewed by OCFA to determine the specific fire

requirements applicable to the specific development and to ensure compliance with these requirements. This would ensure that new developments would provide adequate emergency access to and from the site. Further, the City and OCFA would review any modifications to existing roadways to ensure that adequate emergency access or emergency responses would be maintained. Emergency response and evacuation procedures would be coordinated through the City in coordination with the OCSD and OCFA, resulting in less than significant impacts.

## **Analysis of Modified Project**

### **Housing Element**

**a. *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City.

New residential development associated with implementation of the Housing Element Update would not conflict with adopted policies, plans, or programs related to public transit, bicycle, or pedestrian facilities. The Housing Element Update would further the General Plan goals and policies that support improvements, integration, and increased use of these facilities by encouraging the development of residential uses within the City's Business Park and commercial core, thereby providing improved accessibility to employment, retail, and services, allowing for alternative transportation options.

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

The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. However, in addition to residential development, the 2020 General Plan FEIR analyzed development of up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.

The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the General Plan and analyzed in the 2020 General Plan FEIR.

Although development of housing associated with implementation of the Housing Element Update would result in new vehicle trips, the new vehicle trips would not exceed those identified

in the 2020 General Plan FEIR. Based on Institute of Transportation Engineers (ITE) trip generation rates, the 182 additional residential units would result in approximately 1,227 average daily trips.<sup>12</sup> This conservatively assumes all trips are new trips and does not take into consideration any trips associated with existing development that may be removed. The non-residential development potential assumed by the 2020 General Plan would result in approximately 3,067 average daily trips.<sup>13</sup> Thus, the Modified Project would generate fewer trips than what was assumed in the 2020 General Plan FEIR.

As described in the 2020 General Plan FEIR, General Plan Land Use policies encourage the development of car-free and pedestrian only zones, alternative transportation options, and support transit, bicycle, and pedestrian improvements. These policies would also support balanced land uses which would provide options to reduce vehicle trips and VMT. The Housing Element Update policies and programs encourage housing production within the City's business park and commercial core, which would place residents in proximity to employment, retail and service uses, and transportation options, providing additional opportunities to reduce vehicle trips and VMT, further supporting the General Plan Land Use Policies. In order to accommodate the RHNA for each income category, the Housing Element Update identifies two new mechanisms to allow for residential development, to be created following Housing Element adoption as part of a separate approval process, on sites considered viable for housing development. The Workforce Housing Overlay and Mixed-Use Housing land use and zoning designations would encourage more flexible, compact, and diverse uses by providing the ability for development projects to be combined or be located in proximity to compatible uses, reducing VMT.

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

Implementation of the Housing Element would not result in inadequate design features or incompatible uses. Through the City's development review process, future development would be evaluated to determine the appropriate land use permit for authorizing its use and the conditions for its establishment and operation. Future residential development projects would be evaluated on a case-by-case basis to ensure that adequate access and circulation to and within the development would be provided. Access to residential development sites would be required

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<sup>12</sup> Institute of Transportation Engineers (ITE) Trip Generation manual, 11<sup>th</sup> Edition; ITE trip rate of 6.74 trips per dwelling unit for multi-family housing (low-rise).

<sup>13</sup> Institute of Transportation Engineers (ITE) Trip Generation manual, 11<sup>th</sup> Edition; ITE trip rate for office parks of 11.07 trips per thousand square feet (tsf) for the sites located within the business park and ITE trip rate for retail plaza of 54.45 per tsf for the sites located within the commercial core. The trips are calculated based on the remaining available capacity and do not take into consideration any trip reduction.

to comply with all applicable RSMMC and City design standards and would be reviewed by the City and OCFA to ensure that inadequate design features or incompatible uses do not occur. The City and OCFA would review future development to ensure that structures are designed to meet adopted standards and that adequate emergency access is provided. Therefore, the Modified Project would not result in significant impacts involving inadequate design features or incompatible uses.

**d. *Result in inadequate emergency access?***

The Housing Element Update does not propose site specific development; however, it would encourage housing production on candidate sites that are located within the business park and commercial core areas of the City. These areas are currently served by roadways and are located within an area identified as having at least two emergency evacuation routes; refer to the Safety Element discussion below. Any future development would be subject to conformance with applicable RSMZC requirements and would be reviewed to ensure adequate emergency access is provided.

**Safety Element**

- a. *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***
- b. *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?***
- 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?***

The Safety Element Update would not result in any modifications to existing land use designations or modify any existing General Plan policies or programs specific to transportation. The Safety Element Update proposes the following new policy (Policy 1.5) and modifications to existing policy (Policy 4.1) pertaining to evacuation routes and private and public roads.

Policy 1.5: Coordinate with local, state, and federal agencies to evaluate the capacity, safety, and viability of evacuation routes under a range of emergency scenarios, and update plans as necessary.

Policy 4.1: Reduce the risk of wildfire hazards by working with Homeowner Associations, Business Park Associations, and other property owners and Orange County Fire Authority (OCFA) to maintain fire retardant landscaping, and buffer zones, community fire breaks, and private road and public road clearance in areas of high wildfire risk.

Additionally, the Safety Element Update includes an analysis consistent with Senate Bill 99 to identify residential developments in hazard areas that do not have at least two emergency

evacuation routes. The analysis identified three residential areas with limited emergency access points, which would involve continued coordination with OCFA and OCSD to ensure adequate exit strategies are available for these areas. These areas do not include any of the sites identified as candidate sites for the Housing Element Update. The modifications and additions to the Safety Element Update would further support and expand upon opportunities to improve the safety of the community.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts related to transportation beyond those identified in the 2020 General Plan FEIR. Following compliance with the 2020 General Plan FEIR mitigation measure and General Plan policies, there would be no new significant transportation impacts or a substantial increase in the severity of previously identified significant impacts.

#### 2020 General Plan FEIR Mitigation Measures:

- T-1 As determined by the City Traffic Engineer, projects that are subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) and generate 50 or more peak hour trips shall be required to prepare a Traffic Impact Analysis to assess potential project-specific impacts in accordance with CEQA.

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## 4.18 TRIBAL CULTURAL RESOURCES

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:						
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X		
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X		

2020 General Plan FEIR Section 5.11, Tribal and Cultural Resources, addresses the topic of tribal cultural resources. For purposes of this analysis, Tribal Cultural Resources are discussed in Section 4.5, Cultural Resources, consistent with the organization of the 2020 General Plan FEIR.

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## 4.19 UTILITIES AND SERVICE SYSTEMS

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>Would the project:</b>						
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?					X	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?					X	
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?					X	
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?					X	
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?					X	

### 2020 General Plan FEIR Conclusions

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?**

Water. All water infrastructure construction activities associated with future development would be subject to compliance with the existing local, State, and Federal laws, ordinances, and regulations, which would ensure impacts are reduced to less than significant levels. In particular,

future development would be subject to compliance with Santa Margarita Water District (SMWD) and Trabuco Canyon Water District (TCWD's) Design Criteria and Standard Drawings for Water and Sewer Facilities and the most recently adopted edition of the Uniform Building Code. This framework establishes planning and design requirements for the water distribution systems. The City would continue to coordinate with both water districts to ensure adequate water distribution facilities are available to serve future development. As such, growth anticipated by the 2020 General Plan Update would not require or result in the construction of new water treatment facilities or expansion of existing facilities.

Wastewater Treatment. Depending on where development occurs within the City, wastewater generated by the 2020 General Plan Update would either be treated by TCWD or SMWD. TCWD's Robinson Ranch Wastewater Treatment Plant (RRWWTP) has a capacity of 0.85 million gallons per day (mgd) and an average flow of 0.74 mgd; thus, the RRWWTP has a remaining capacity of 0.11 mgd. SMWD has a number of wastewater treatment facilities. The Oso Creek Water Reclamation Plant (OCWRP) has a design capacity of three mgd and current flow of only 1.7 mgd; the 3A Water Reclamation Plant (WRP) has a capacity of six and 2.4 mgd for secondary and tertiary treatment, respectively, and current flows of 1.9 mgd for both secondary and tertiary treatment; and J.B. Latham has a capacity of 13 mgd and current flow of 9.18 mgd. As such, TCWD and SMWD wastewater treatment facilities would have combined remaining capacity to treat the project-generated 0.80 mgd of wastewater. Development anticipated by the 2020 General Plan Update would not result in a determination by TCWD or SMWD that either have inadequate capacity to serve the project's projected wastewater treatment demands and would not require the construction of new or expanded wastewater treatment facilities, the construction of which could cause significant environmental effects.

Stormwater Drainage. The City is primarily developed; however, the 2020 General Plan Update anticipates future growth which may result in an increased amount of impervious surface, potentially impacting existing storm drain and flood control facilities. New development projects would be required to provide adequate stormwater drainage system improvements and/or connections to ensure the Citywide drainage system has adequate capacity to accommodate existing and future uses. Additionally, the County of Orange and City of Rancho Santa Margarita require individual development projects to prepare drainage and hydrology analyses that ensure on- and off-site drainage facilities can accommodate any increases in stormwater flows. Implementation of these provisions, which may include low impact development design, BMPs, and possibly on-site retention techniques, would minimize increases in peak flow rates or runoff volumes.

Land Use Element Policy 8.1 encourages cooperation with OC Flood Control District and homeowners' associations to ensure adequate level of drainage and flood control facilities are provided and maintained within the community. Overall, future construction in accordance with the 2020 General Plan Update would be required to meet all applicable regional and local drainage standards, as discussed above. Impacts on drainage systems within the City would be less than significant.

**b. *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

The 2020 General Plan Update anticipates additional development beyond existing conditions, potentially resulting in an increase in the City's population, and thus, an overall increase in total water demand. SMWD and TCWD provide water services to the City. However, most of the City's business park and commercial-designated lands, as well as a majority of the City's residential areas, are located within SMWD's service area. As such, it can be assumed that these areas of expected reuse and redevelopment under the proposed project, would predominantly be provided by SMWD.

As such, a Water Supply Assessment was prepared by the SMWD to analyze whether water demand generated by the proposed project would be adequately accommodated by existing SMWD water supplies. SMWD would have adequate water supplies to accommodate the 2020 General Plan Update's net water demand in addition to existing and future demands from 2020 through 2040 for normal, single dry, and multiple dry years. All water infrastructure construction activities associated with future development would be subject to compliance with the existing local, State, and Federal laws, ordinances, and regulations, which would ensure impacts are reduced to less than significant levels. As such, growth anticipated by the 2020 General Plan Update would not require or result in the construction of new water treatment facilities or expansion of existing facilities, and SMWD would have sufficient water supplies to serve the project from existing entitlements and resources. The 2020 General Plan FEIR concluded compliance with the regulatory framework would reduce potential water supply and infrastructure impacts to less than significant levels.

**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?***

Future development associated with implementation of the 2020 General Plan Update would accommodate an increase in the City's population and employment, and thus, an overall increase in demand on the existing sewer system associated with increased sewage flows. Depending on where development occurs within the City, wastewater generated by the proposed project would either be treated by TCWD or SMWD. Development of the proposed project would not result in a determination by TCWD or SMWD that either have inadequate capacity to serve the project's projected wastewater treatment demands and would not require the construction of new or expanded wastewater treatment facilities, the construction of which could cause significant environmental effects.

Future developments would be reviewed by the City and TCWD or SMWD, depending on where development occurs, during plan check review in order to determine if sufficient local and trunk sewer capacity exists to serve the specific development. The City and TCWD or SMWD would ensure that new development does not exceed the capacity of wastewater conveyance and treatment facilities, and that new development pays its fair share to increase capacity of those

facilities. Thus, the 2020 General Plan Update policies would not result in significant impacts to wastewater service and facilities. Further, future development projects within either TCWD or SMWD's service areas would be required to pay connection fees to connect to the existing sewer system, which would mitigate the impact of the development on TCWD and SMWD's sewer system.

Furthermore, wastewater flows generated by the proposed project would not interfere with TCWD and SMWD's ability to meet wastewater treatment requirements of the San Diego Regional Water Quality Control Board (RWQCB) because the project-generated flows would be well within the design capacities of TCWD and SMWD's wastewater treatment facilities. Therefore, it was concluded that project implementation would not result in an exceedance of wastewater treatment requirements and impacts would be less than significant.

- 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?**

The projected growth anticipated by the 2020 General Plan Update would potentially impact solid waste disposal services and the capacity of landfill facilities that serve the City. Project-generated solid waste would be adequately accommodated by all landfills serving the City. In addition, compliance with City, County, and State waste reduction programs and policies would further reduce the volume of solid waste entering landfills. Thus, the 2020 General Plan Update policies would not result in significant impacts to solid waste disposal services and facilities. Additionally, future development resulting from the implementation of the 2020 General Plan Update would be reviewed on a project-by-project basis to ensure that solid waste disposal services and landfill facilities would be available to serve the development. All development projects would be required to comply with Federal, State, and local statutes and regulations related to solid waste. As such, implementation of the proposed project was concluded to result in less than significant impacts.

## **Analysis of Modified Project**

### **Housing Element**

- 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?**

The Modified Project does not propose site-specific development. The Housing Element Update proposes housing policies and programs that would encourage housing production within the City to comply with new laws and reinforce existing policy direction, including identifying candidate sites, currently designated for non-residential development, as viable for future residential uses.

These sites are located within the business park and commercial core areas of the City. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. However, in addition to residential development, the 2020 General Plan FEIR analyzed development of up to 3,085,014 additional square feet of non-residential uses, of which 2,307,725 square feet would potentially occur within the Business Park and Commercial General land use designations.

The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Based upon the General Plan development assumptions, the candidate sites have a current non-residential development capacity of up to 1.1 million square feet. Any future development of these sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the General Plan and analyzed in the 2020 General Plan FEIR.

Water and Wastewater. Future residential development could require the relocation or construction of new or expanded water and wastewater facilities. All water and wastewater infrastructure construction activities would be subject to compliance with the existing local, State, and Federal laws, ordinances, and regulations, which would ensure impacts are reduced to less than significant levels. In particular, future residential development would be subject to compliance with SMWD and TCWD's Design Criteria and Standard Drawings for Water and Sewer Facilities and the most recently adopted edition of the California Building Code. This framework establishes planning and design requirements for distribution systems. As discussed in Response 4.19(c), below, adequate wastewater treatment capacity would be available to serve the Modified Project and impacts would be less than significant.

Stormwater Drainage. Future residential development would be required to provide adequate stormwater drainage system improvements and/or connections to ensure the Citywide drainage system has adequate capacity to accommodate existing and future uses. Additionally, the County of Orange and City of Rancho Santa Margarita require individual development projects to prepare drainage and hydrology analyses that ensure on- and off-site drainage facilities can accommodate any increases in stormwater flows. Future construction of stormwater drainage facilities would be required to meet all applicable regional and local drainage standards and impacts would be less than significant.

Electricity, Natural Gas and Telecommunications. The Housing Element Update identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. The candidate sites are located within the business park and commercial core areas of the City and are either developed or adjacent to existing development with existing electricity, natural gas and telecommunications facilities located within the area. The proposed Housing Element Update identifies the potential to accommodate 710 units, which would be 182 more units than analyzed in the 2020 General Plan FEIR. Future residential development would likely connect to existing electricity, natural gas and telecommunication facilities. However, any construction activities associated with new facilities needed to serve the proposed development

would be subject to compliance with the existing local, State, and Federal laws, ordinances, and regulations, which would ensure impacts are reduced to less than significant levels.

**b. *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

Residential development associated with implementation of the Housing Element Update would result in increased water demand. However, the amount of water demand would not exceed the amount identified in the 2020 General Plan FEIR. The 182 additional residential units would result in a water demand of approximately 81,900 gallons per day (gpd).<sup>14</sup> This conservatively does not take into consideration the water demand associated with existing development that may be removed. The non-residential development potential that would no longer be available would result in the reduction of approximately 71,571 gpd of water.<sup>15</sup> Thus, the Modified Project would generate less water demand than what was assumed in the 2020 General Plan FEIR.

Since the 2020 General Plan FEIR determined that sufficient water supplies would be available to serve the anticipated future development during normal, dry and multiple years, and the Modified Project would result in less water demand than anticipated by the 2020 General Plan FEIR, sufficient water supplies would be available to serve the Modified Project.

**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?***

Residential development associated with implementation of the Housing Element Update would result in increased wastewater generation. However, the amount of wastewater generated would not exceed the amount identified in the 2020 General Plan FEIR. The 182 additional residential units would result in approximately 31,850 gallons per day (gpd) of wastewater.<sup>16</sup> This conservatively does not take into consideration the wastewater associated with existing development that may be removed. The non-residential development potential that would no longer be available would

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<sup>14</sup> Water demand factor of 450 gpd/dwelling unit (General Plan FEIR Table 5.17-14).

<sup>15</sup> Water demand generation factor of 225 gpd/thousand square feet (General Plan FEIR Table 5.17-14). The water demand is calculated based on the remaining available non-residential development capacity and does not take into consideration any reductions associated with existing development.

<sup>16</sup> Wastewater generation factor of 175 gpd/dwelling unit (General Plan FEIR Table 5.18-1).

result in the reduction of approximately 71,571 gpd of wastewater.<sup>17</sup> Thus, the Modified Project would generate less wastewater than what was assumed in the 2020 General Plan FEIR.

Since the 2020 General Plan FEIR determined that adequate capacity would be available to serve the projected wastewater treatment demands in addition to the provider's existing commitments, and the Modified Project would result in the generation of less wastewater than anticipated by the 2020 General Plan FEIR, adequate capacity would be available to serve the Modified Project.

- 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?**

Although residential development associated with implementation of the Housing Element Update would result in increased solid waste generation, the amount of solid waste generated would not exceed the amount identified in the 2020 General Plan FEIR. The 182 additional residential units would result in approximately 2,226 pounds of solid waste per day.<sup>18</sup> This conservatively does not take into consideration the solid waste associated with existing development that may be removed. The non-residential development potential that would no longer be available would result in the reduction of approximately 4,135 pounds of solid waste per day.<sup>19</sup> Thus, the Modified Project would generate less solid waste than what was assumed in the 2020 General Plan FEIR.

In addition, future residential development would be required to comply with City, County, and State waste reduction programs and policies, which would further reduce the volume of solid waste entering landfills. Residential development would be reviewed on a project-by-project basis to ensure that solid waste disposal services and landfill facilities would be available to serve the development. All development projects would be required to comply with Federal, State, and local statutes and regulations related to solid waste. The Modified Project would result in less than significant impacts related to solid waste.

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<sup>17</sup> Wastewater generation factor of 225 gpd/thousand square feet (General Plan FEIR Table 5.18-1). The wastewater generation is calculated based on the remaining available non-residential development capacity and does not take into consideration any reductions associated with existing development.

<sup>18</sup> Solid waste generation factor of 12.23 pounds per unit per day (General Plan FEIR Table 5.19-2).

<sup>19</sup> Solid waste generation factor of 13 pounds per 1,000 square feet per day (General Plan FEIR Table 5.19-2). The solid waste generation is calculated based on the remaining available non-residential development capacity and does not take into consideration any reductions associated with existing development.

### **Safety Element**

- 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?**
- 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?**

The Safety Element Update would not result in any modifications to existing land use designations or modify any General Plan policies or programs specific to utilities and service systems. The Rancho Santa Margarita General Plan includes policies and programs to ensure that adequate utility services and facilities are provided and maintained to meet the needs of development without negatively impacting the existing community.

### **Conclusion**

The revisions to the Housing Element and Safety Element would not result in new or greater impacts related to utilities and service systems beyond those identified in the 2020 General Plan FEIR. Following compliance with the General Plan policies, there would be no new significant utilities impacts or a substantial increase in the severity of previously identified significant impacts.

## 4.20 WILDFIRE

Thresholds:	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstance Requiring Major EIR Revisions	Information Showing Greater Significant effects than Previous EIR	No Additional Significant Impact/ Less Than Significant Impact With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>						
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?					X	
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?					X	
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?					X	
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?					X	

The City certified the 2020 General Plan FEIR before the above checklist items were added to the State CEQA Guidelines. However, the topic of wildfire hazards is addressed in 2020 General Plan FEIR Section 5.10, Hazards and Hazardous Materials. For purposes of this analysis, the topic of wildfires is discussed in Section 4.9, Hazards and Hazardous Materials, consistent with the organization of the 2020 General Plan FEIR.

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