

Addendum to the City of Rancho Santa Margarita General Plan Final Environmental Impact Report for the Housing Element Implementation and Rezoning Project

State Clearinghouse No. 2018041075

July 2024

Prepared for:

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**ADDENDUM TO THE
CITY OF RANCHO SANTA MARGARITA GENERAL PLAN
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE HOUSING
ELEMENT IMPLEMENTATION AND REZONING PROJECT**

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LEAD AGENCY: CITY OF RANCHO SANTA MARGARITA
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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. 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) (General Plan FEIR) and adopted the updated Conservation/Open Space, Economic Development, Land Use, Noise and Safety Elements of the Rancho Santa Margarita General Plan. Most recently, on February 9, 2022, in compliance with State Housing Element Law Government Code Sections 65580-65590.1, and to meet the requirements of California Government Code Section 65302(g), the City Council adopted the 2021-2029 Housing Element and an update to its General Plan Safety Element (Safety Element), which included adoption of the Addendum to the City of Rancho Santa Margarita General Plan Final Environmental Impact Report for the 2021-2029 Housing Element and Safety Element Update (2022 Addendum).

Subsequent to the 2022 adoption, the City has initiated the required rezoning program to accommodate its Regional Housing Needs Allocation (RHNA) consistent with the programs outlined in the adopted 2021-2029 Housing Element, including amending the Land Use Element, inclusive of the Land Use Map, and amendments to the zoning text and zoning map; refer to Section 2. Therefore, the City now proposes the Housing Element Implementation and Rezoning Project (referenced herein as "the Project").

1.2 CEQA REQUIREMENTS

The purpose of this document is to analyze the potential differences between the impacts identified in the General Plan FEIR, as previously addended, and those that would potentially be associated with the proposed Project. No site-specific development is proposed at this time.

Pursuant to provisions of CEQA and the State CEQA Guidelines, the City is the Lead Agency with discretion to approve the proposed Project. As part of its decision-making process, the City is required to review and consider whether the proposed Project would create new significant impacts or significant impacts that would be substantially more severe than those disclosed in the 2020 General Plan FEIR. (Public Resource Code § 21166; CEQA Guidelines § 15162.) If major revisions to the 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 have occurred, the City may adopt an Addendum to the General Plan FEIR to summarize its

findings that no subsequent or supplemental CEQA document is required. (CEQA Guidelines § 15164.)

In accordance with CEQA, after approving a project and prior to approving further discretionary action, 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 2020 Update included updates to the Conservation/Open Space, Economic Development, Land Use, Noise, and Safety Elements.

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 2020 existing conditions were anticipated by 2040.

All cities and counties in California are required to adopt a Housing Element and to update it at least every eight years. In 2022, the City adopted the 2021-2029 Housing Element and Safety Element Update. The 2021-2029 Housing Element was required to include an inventory of land suitable and available for residential development to meet the City's regional housing need allocation (RHNA) of 680 units by income level. 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 uses than the 2020 General Plan development assumptions (refer to the Rancho Santa Margarita General Plan Final EIR discussion below).

Updates to the Safety Element were also completed to meet the requirements of California Government Code Section 65302(g) (Section 65302) as updated by Senate Bills 1241, 379, 99, and

1035, and to incorporate the Rancho Santa Margarita Local Hazard Mitigation Plan by reference (pursuant to SB 379).

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 potential project impacts was based upon various assumptions regarding existing and future conditions in Rancho Santa Margarita, including historical development patterns, limited number of parcels being developed at the maximum density or intensity, and reasonably anticipated development.

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.

Addendum to the Rancho Santa Margarita General Plan Final EIR

The City has since adopted one addenda to the General Plan FEIR: 2022 Addendum to the City of Rancho Santa Margarita General Plan Final Environmental Impact Report for the 2021-2029 Housing Element and Safety Element Update (2022 Addendum). The 2021-2029 Housing Element

identified 15 sites in order to accommodate the City's remaining RHNA (640 units¹) and introduced two new mechanisms to allow for residential development, to be created subsequent to Housing Element adoption. These mechanisms include a "Workforce Housing Overlay" to be applied to three sites within the Business Park district, totaling 38.43 acres and a "Mixed-Use" land use and zoning designation to be applied to 12 sites (13 parcels) in the City's central core, totaling 26.62 acres. The RHNA includes 40 ADUs, the potential for 344 units resulting from implementation of the Workforce Housing Overlay on the three sites, and the potential of 326 units on 12 sites resulting from implementation of the Mixed-Use designation/zone, that could result in 710 additional dwelling units overall, or 182 more dwelling units than analyzed in the 2020 General Plan FEIR. The 2022 Addendum evaluated the potential environmental impacts of the 182 additional dwelling units and associated reduction in non-residential development capacity of 1,091,985 square feet that could occur under implementation of the 2021-2029 Housing Element. The 2022 Addendum is incorporated here by reference. The phrase "General Plan FEIR" throughout this document means the General Plan FEIR as previously addended.

The 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 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 2022 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.

¹ The 640 remaining units are a result of the City's total RHNA of 680 units less 40 ADUs.

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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 Housing Element Implementation and Rezoning Project 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.

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3 DESCRIPTION OF THE PROPOSED PROJECT

3.1 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.

3.2 PROJECT CHARACTERISTICS

The adopted 2021-2029 Housing Element identifies several programs, including Program 1 (RHNA/Shortfall), Program 2 (Adequate Sites Monitoring), Program 11 (Density Bonus), Program 14 (Zoning Code and General Plan Amendments), and Program 15 (Development Review Procedures). Program 1 commits the City to amend the Rancho Santa Margarita Zoning Code (RSMZC) to establish the Workforce Housing Overlay and amend the General Plan Land Use Element and RSMZC to establish the Mixed-Use land use designation and zoning district, and to amend the zoning map to zone adequate candidate sites to meet its RHNA. Program 2 commits the City to formalize procedures to evaluate capacity and ensure adequate capacity is available for the remaining RHNA. Program 11 commits the City to implement density bonuses consistent with State law. Program 14 commits the City to adopt amendments to the RSMZC and General Plan to address recent changes to State law and create consistency with the 2021-2029 Housing Element. Program 15 commits the City to develop procedures to address streamlining requirements of Senate Bill (SB) 35 and objective development standard requirements of SB 330.

To comply with Housing Element Programs 1, 2, 11, 14, and 15, an amendment to the General Plan Land Use Element, inclusive of the Land Use Map (Figure LU-1), a text amendment to RSMZC, and an amendment to the Zoning Map are proposed, as described below.

3.2.1 LAND USE ELEMENT AMENDMENT

The Land Use Element would be amended to implement Housing Element Programs 1 and 14, provide overall internal consistency with the 2021-2029 Housing Element, provide updated existing and estimated development conditions, and provide minor text updates and revisions for clarification and accuracy purposes, such as corrected references to the RSMZC, as described below.

Table LU-1 (Land Use Development Related Goals and Policies by Element) would be revised to correctly reference the 2021-2029 Housing Element related goals and policies.

The Business Park (BP) designation description would be updated to acknowledge the potential for limited residential development that may be permitted on properties within the BP designation with Workforce Housing Overlay zoning, described below under Zoning Text Amendments.

The Mixed-Use (MU) designation description would be updated, consistent with the 2021-2029 Housing Element, to allow a maximum development of 35 dwelling units (du) per net acre and to provide for combinations of uses typically found within the High Density Residential (HDR) and General Commercial (C) designations. Similarly, Table LU-2 (Land Use Classification System) would be revised to provide consistency with the updated MU designation description and the Workforce Housing Overlay (WHO) concept.

Existing text would also be revised to update the Mixed-Use and Shopping Centers descriptions in the “Future Land Use Opportunities” discussion to acknowledge the adopted Housing Element and location of Mixed-Use sites, and existing and future development potential.

Table LU-3 (Land Use Plan Development Capacity Summary) would be revised to reflect updated (2022) existing development conditions since preparation of the 2020 General Plan Update. Table LU-3 and Table LU-4 (General Plan Update Net Growth [increase over existing conditions]) would be updated to include the MU designation and estimated development conditions associated with the proposed amendment to the land use designation of 12 sites identified in the 2021-2029 Housing Element from C and BP to MU, which includes the related reduction in estimated non-residential development previously evaluated in the 2022 Addendum. Similar updates to Tables LU-3 and LU-4 would occur to the estimated development conditions for the BP designation associated with the Workforce Housing Overlay and to the estimated dwelling units within the residential land use designations to reflect the 40 ADUs; both identified in the 2021-2029 Housing Element and previously evaluated in the 2022 Addendum.

The Land Use Map (Figure LU-1) would be amended to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changed from General Commercial to Mixed-Use and two sites changed from Business Park to Mixed-Use; refer to Figure 3, Proposed General Plan Land Use Map.

3.2.2 ZONING TEXT AND MAP AMENDMENTS

Zoning Text Amendments

A new Workforce Housing Overlay (WHO) District (Section 9.03.150) would be added within Chapter 9.03 (Zoning Districts and Standards) of the RSMZC to implement the WHO, providing regulations and development standards for the development of workforce housing. The purpose of the WHO District is to allow for the development of attainable housing options within employment centers, thereby attracting and retaining employees; protect the character and composition of the Business Park; plan for a range of housing opportunities to meet existing and

projected needs; allow for a variety of housing types and prices; to ensure new residential development and modifications to existing development continue to honor the master plan's vision of the community; and establish appropriate density and development standards on adequate sites to accommodate the City's RHNA. Except as otherwise provided by State law, residential development in the WHO would be limited to the Estimated Dwelling Units for the Business Park land use designation set forth in Table LU-3 of the General Plan Land Use Element.

A new Mixed-Use District (Section 9.03.160) would be added within Chapter 9.03 (Zoning Districts and Standards) of the RSMZC to implement the General Plan Mixed-Use designation, providing regulations and development standards for the development of mixed-uses. The purpose of the Mixed-Use District (MU) is to provide the ability for development projects to combine compatible uses where people can live, work, shop and dine on a neighborhood scale; encourage property owners to make efficient use of their land and propose unique mixes of development to meet the demands of the surrounding community; plan for a range of housing opportunities to meet existing and projected needs; allow for a variety of housing types and prices; to ensure new residential development and modifications to existing development continue to honor the master plan's vision of the community; and establish appropriate density and development standards on adequate sites to accommodate the City's RHNA. Except as otherwise provided by State law, residential development in the Mixed-Use District would be limited to the Estimated Dwelling Units for the Mixed-Use land use designation set forth in Table LU-3 of the General Plan Land Use Element.

A new Zoning Code Chapter, Chapter 9.13: Objective Development Standards for Multi-Family and Mixed-Use Development, would be added to the RSMZC to implement Housing Element Program 15 to adopt objective development requirements for multi-family and mixed-use development. Chapter 9.13 provides objective development standards for site design, architectural style, and building design, as well as standards specific to the El Paseo Corridor (residential and/or mixed-use development along El Paseo between Richard Reese Way and Alma Aldea).

A new Zoning Code Chapter, Chapter 9.14, Housing Development Project Special Regulations, would be added to the RSMZC to implement Housing Element Programs 11 related to implementing density bonuses consistent with State law, 14 related to updating the Zoning Code to address recent changes in State law and to create consistency with the Housing Element, and 15 related to procedures to streamline housing development.

In addition to the new RSMZC sections and chapters described above, several updates would be made to other sections of the RSMZC to provide consistency and to comply with the 2021-2029 Housing Element Programs:

- Chapter 9.01 (General Provisions) – New definitions would be added corresponding to the new chapters and sections described above.
- Table 9.03.1 Zoning District/General Plan Designation Consistency Matrix revised to incorporate Mixed-Use and Workforce Housing.

- Table 9.03.2 (Uses in Residential Districts) would be modified to add “Supportive Housing” as a permitted use in RM and RH Zones pursuant to State law.
- Sections 9.04.070 (Fences, walls, hedges and landscape screening), 9.04.090 (Solid waste and recycling facilities), 9.05.070 (Landscape and screening), and 9.05.080 (Lighting) would be revised to clarify objective standards. Specific dimensions and design standards would also be added to Section 9.04.090 for required trash enclosures.
- Section 9.04.200 (Transitional and Supportive Housing) would be added pursuant to State law.
- Section 9.05.040 (Density bonus) would be repealed and replaced by new proposed Section 9.14.040 (Residential Density Bonus)
- Tables 9.06.020 (General standards applying to all uses and zoning districts) and 9.06.030 (Accessible parking facilities) would be modified to specify emergency shelter and senior parking standards.
- Section 9.08.010 (Consistency with the General Plan) would be revised to add language referencing compliance with the requirements of State law and add reference to the General Plan Housing Element.
- Section 9.08.050 (Alternative development standards) would add language specific to the application of alternative development standards.
- Sections 9.08.060 (Amendment of the General Plan), 9.08.070 (Zoning code map amendment/change of zone district), and 9.08.080 (Zoning code text amendment) would be revised to add “no net loss” to the required findings for approval of a General Plan Amendment, Zoning Code change, and Zoning Code Text Amendment, respectively.

Zoning Map Amendment

The Zoning Map would be amended to change the zoning district on 12 sites identified in the 2021-2029 Housing Element, with 10 sites changing from CG (Commercial – General) to MU (Mixed-Use) and two sites changing from BP (Business Park) to MU, and to apply the WHO to three sites identified in the 2021-2029 Housing Element; refer to Figure 4, Proposed Zoning Map.

General Plan FEIR and Proposed Project Development Potential

The General Plan FEIR, as addended, analyzed the potential environmental impacts from 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 and 2021-2029 Housing Element, which included the development potential associated with 40 ADUs, 344 residential units resulting from implementation of the WHO, and the potential of 326 residential units resulting from implementation of the Mixed-Use designation/zone. Overall, the General Plan FEIR, as addended, analyzed the environmental impacts based on the anticipated growth of 710 residential units and 1,993,029 square feet of non-residential uses. Table 1 provides a summary comparison of the development potential analyzed in the 2020 General Plan FEIR and 2022 Addendum.

As previously described, the proposed Project would implement the 2021-2029 Housing Element by amending the Land Use Map to change the land use designation on 12 sites (10 sites changing

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from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed-Use) and amending the Zoning Map to change the zoning district on 12 sites (10 sites changing from CG to MU and two sites changing from BP to MU) and to apply the WHO to three sites identified in the 2021-2029 Housing Element, resulting in the potential development of 670 residential units. In combination with the 40 ADUs, the potential development of 710 residential units is consistent with the residential development analyzed within the 2022 Addendum; refer to Table 1.

Table 1: Analyzed Development Potential

Development Type	2020 General Plan	2022 Addendum		Proposed Project	
	Net Development Potential	Change Compared to 2020 General Plan	Net Development Potential	Change Compared to 2022 Addendum	Net Development Potential
Residential (dwelling units)	+528	+182	+710	0	+710
Population (persons)	+1,692	+533	+2,225	0	+2,225
Non-Residential (square feet)	+3,085,014	-1,091,985	+1,993,029	0	+1,993,029

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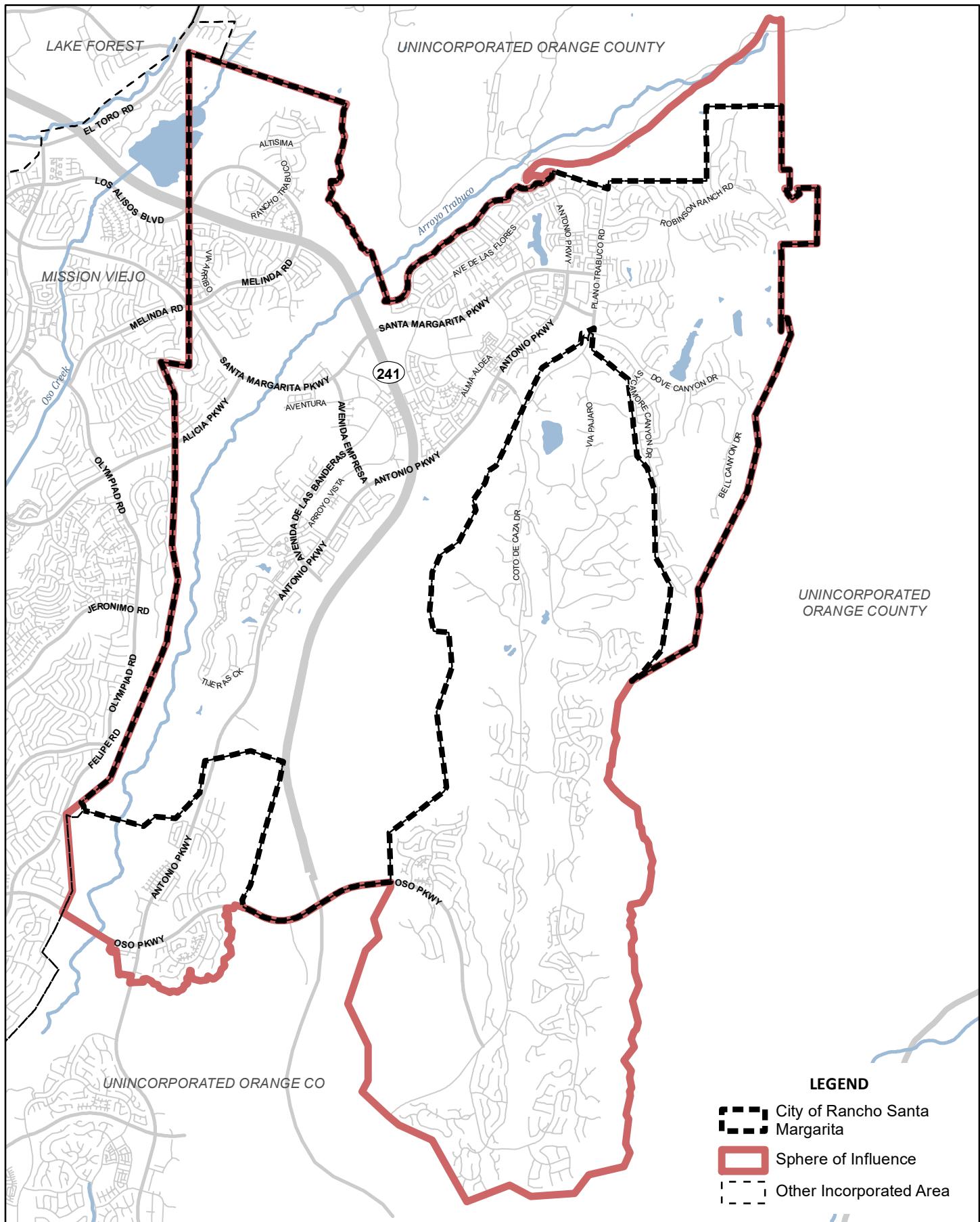


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Miles

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

Figure 1. Regional Location Map

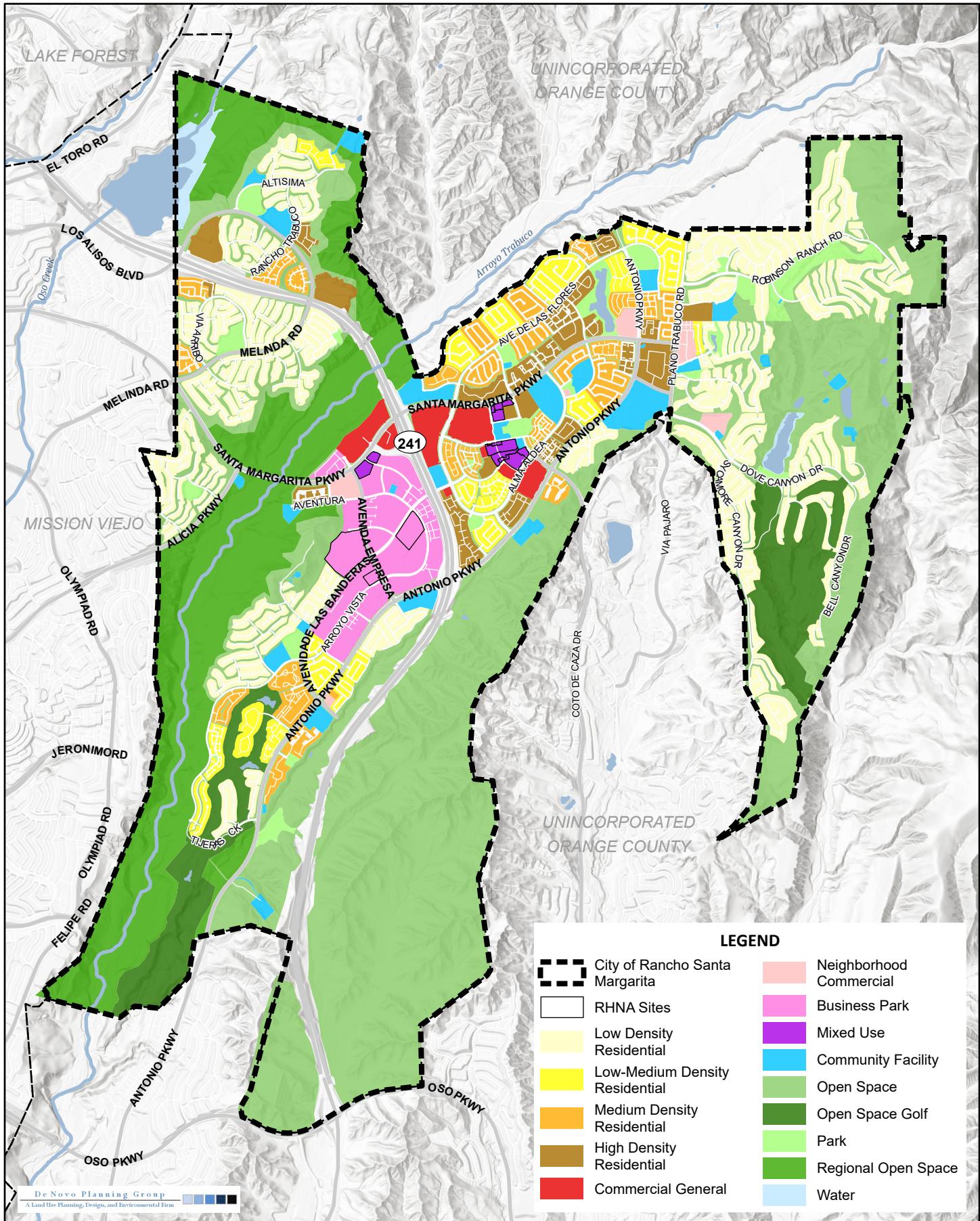


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Figure 2. General Plan Study Area

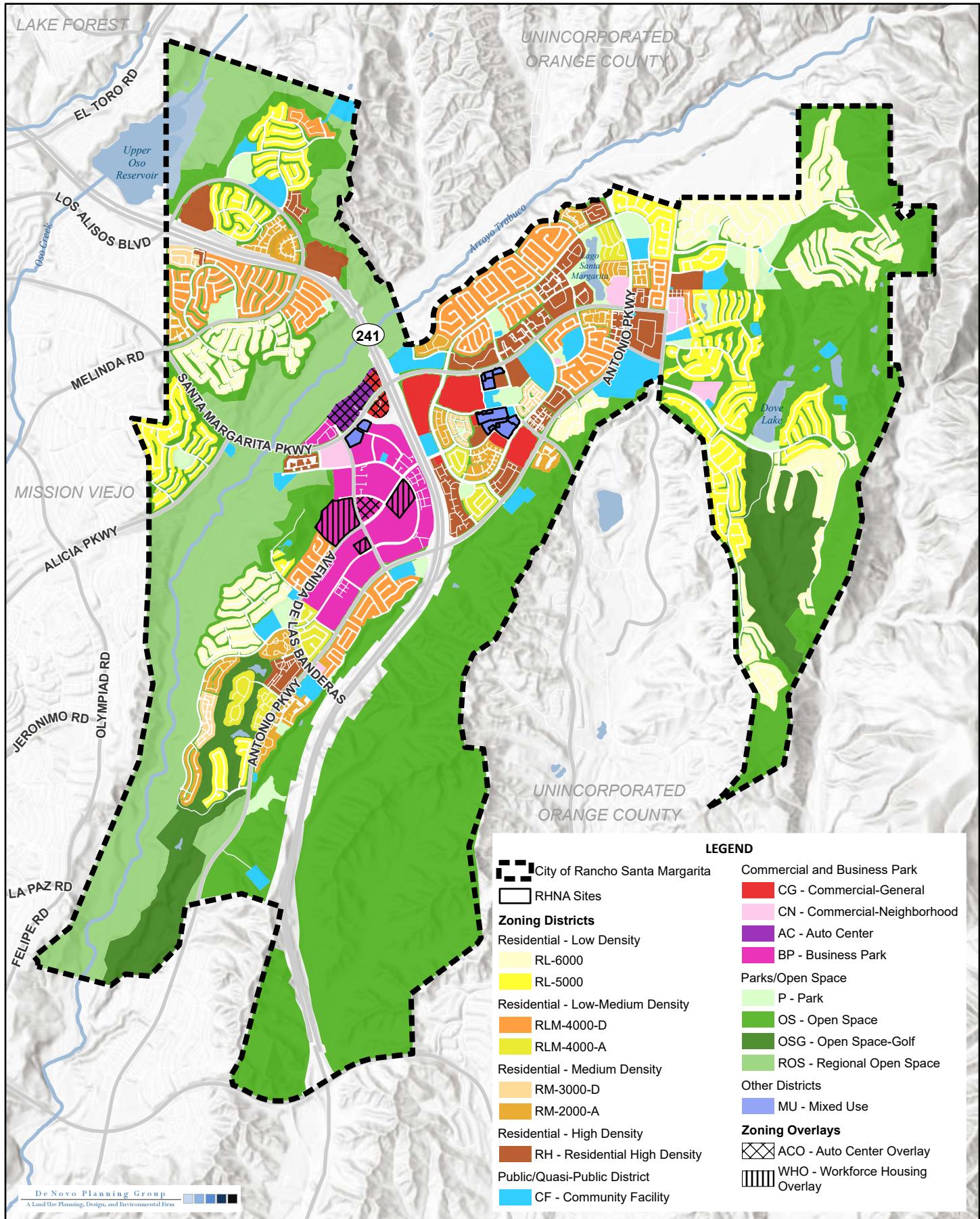
Sources: Orange County GIS; USGS; LAFCO. Map date: November 16, 2021.





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Figure 3. Proposed General Plan Plan Use Map



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Figure 4. Proposed Zoning Map

4 ENVIRONMENTAL APPROACH AND ANALYSIS

This analysis has been prepared to determine whether the proposed Project could result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts in the General Plan FEIR, as previously addended. The phrase "General Plan FEIR" throughout this document means the General Plan EIR, which is comprised of two Volumes (Volume 1 contains the Draft EIR and Volume 2 contains the Final EIR, including comments and responses, errata, and the mitigation monitoring program), as previously addended by the 2022 Addendum to the City of Rancho Santa Margarita General Plan Final Environmental Impact Report for the 2021-2029 Housing Element and Safety Element Update (2022 Addendum). This review is limited to evaluating whether the Project would trigger further environmental analysis, such as a subsequent EIR, supplemental EIR, or subsequent mitigated negative declaration. Where no such analysis is triggered, the City may document its findings in an addendum. (CEQA Guidelines Sections 15162, 15164.)

This analysis is based on the CEQA Guidelines Appendix G Checklist and provides a summary of impacts in the General Plan FEIR and the potential impacts associated with the proposed Project. This comparative analysis provides the City with the factual basis for determining whether the Project would require additional environmental review.

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CEQA Appendix G: Environmental Checklist

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
I. AESTHETICS						
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	
II. AGRICULTURE AND FORESTRY RESOURCES						
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. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by						X

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Government Code Section 51104(g)?						
d. Result in the loss of forest land or conversion of forest land to non-forest use?						X
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?						X
III. AIR QUALITY						
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	
IV. BIOLOGICAL RESOURCES						
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		

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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		
V. CULTURAL RESOURCES						
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		
VI. ENERGY						
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?					X	

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b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?					X	
VII. GEOLOGY AND SOILS						
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"> • 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? 					X	
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

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f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					X	
VIII. GREENHOUSE GAS EMISSIONS						
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		
IX. HAZARDS AND HAZARDOUS MATERIALS						
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					X	

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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?					X	
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?					X	
X. HYDROLOGY AND WATER QUALITY						
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"> • 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? 					X	

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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	
XI. LAND USE AND PLANNING						
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	
XII. MINERAL RESOURCES						
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	
XIII. NOISE						
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						X

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airport, would the project expose people residing or working in the project area to excessive noise levels?						
XIV. POPULATION AND HOUSING						
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	
XV. PUBLIC SERVICES						
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"> • Fire protection? • Police protection? • Schools? • Parks? • Other public facilities? 					X	
XVI. RECREATION						
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					X	

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the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?						
XVII. TRANSPORTATION						
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	
XVIII. TRIBAL CULTURAL RESOURCES						
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		
XIV. UTILITIES AND SERVICE SYSTEMS						
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power,					X	

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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?					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	
XX. WILDFIRE						
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	

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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	

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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 With Application of Mitigation from FEIR	Less Than Significant Impact/No Changes or Information Requiring Preparation of an SMND or SEIR	No Impact
Except as provided in Public Resources Code Section 21099, would the project:						
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	

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

General Plan FEIR

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 General Plan FEIR does not propose site-specific development. The Housing Element policies and programs 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. Therefore, the General Plan FEIR concluded that implementation of the General Plan would not significantly impact the City's scenic vistas and impacts would be less than significant in this regard.

Proposed Project

The Project does not propose site-specific development. The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. As determined in the General Plan FEIR, these sites are located within the business park and commercial core areas of the City and are not characterized as scenic vistas. Further, the Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, the Project would not have a substantial adverse effect on a scenic vista and impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The sites proposed for changes to the land use designations and zoning districts are not characterized as scenic vistas. The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts 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?

General Plan FEIR

There are no officially designated or eligible State scenic highways in Rancho Santa Margarita. Thus, the General Plan FEIR concluded development anticipated by the General Plan would not substantially damage scenic resources within a State scenic highway.

Proposed Project

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

Conclusion

There are no State scenic highways in Rancho Santa Margarita. The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts to 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?***

General Plan FEIR

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 residential development would be subject to conformance with applicable RSMZC requirements and be guided by relevant General Plan Update policies. Therefore, the General Plan FEIR concluded impacts would be less than significant in this regard.

Construction activities for future residential development accommodated through implementation of the General Plan 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 would be required to implement 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. The General Plan FEIR concluded that with implementation of Mitigation Measures AES-1, construction-related impacts to visual character would be less than significant.

As stated, the General Plan Housing Element 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 General Plan Update policies. If necessary, mitigation would be recommended to reduce potential impacts to a less than significant level. Therefore, the General Plan FEIR concluded implementation of the General Plan would not significantly impact the City's visual character over the long-term.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. More specifically, the Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites.

As discussed in the General Plan FEIR, 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. As part of the Project, a new WHO District (Section 9.03.150) would be added within Chapter 9.03 (Zoning Districts and Standards) of the RSMZC to implement the WHO, providing regulations and development standards for the development of workforce housing. The purpose of the WHO District is to allow for the development of attainable housing options within employment centers, thereby attracting and retaining employees; protect the character and composition of the Business Park; plan for a range of housing opportunities to meet existing and projected needs; allow for a variety of housing types and prices; to ensure new residential development and modifications to existing development continue to honor the master plan's vision of the community; and establish appropriate density and development standards on adequate sites to accommodate the City's RHNA.

Similarly, a new MU District (Section 9.03.160) would be added within Chapter 9.03 (Zoning Districts and Standards) of the RSMZC to implement the General Plan Mixed-Use designation, providing regulations and development standards for the development of mixed-uses. The purpose of the MU District is to provide the ability for development projects to combine compatible uses where people can live, work, shop and dine on a neighborhood scale; encourage property owners to make efficient use of their land and propose unique mixes of development to meet the demands of the surrounding community; plan for a range of housing opportunities to meet existing and projected needs; allow for a variety of housing types and prices; to ensure new residential development and modifications to existing development continue to honor the master plan's vision of the community; and establish appropriate density and development standards on adequate sites to accommodate the City's RHNA.

Additionally, as part of the Project, a new Zoning Code Chapter, Chapter 9.13: Objective Development Standards for Multi-Family and Mixed-Use Development, would be added to the RSMZC to implement Housing Element Program 15 to adopt objective development requirements for multi-family and mixed-use development. Chapter 9.13 provides objective development

standards for site design, architectural style, and building design, as well as standards specific to the El Paseo Corridor (residential and/or mixed-use development along El Paseo between Richard Reese Way and Alma Aldea). The purpose of the objective development standards (ODS) are to ensure high-quality design and architectural character consistent with the community. The ODS support the goals and policies of the General Plan and would ensure future multi-family and mixed-use developments enhance and are compatible with the City's overall character. As such, the ODS proposed under the Project would not conflict with applicable zoning or other regulations governing scenic quality.

Future residential development would continue to be subject to conformance with applicable RSMZC requirements, including development standards that address density, setbacks, building heights and landscaping requirements, and be guided by relevant General Plan policies, including Conservation/Open Space Element Policy 2.2 to encourage and maintain high-quality architectural and landscaping design to preserve the community's visual character and Land Use Element Policy 2.3 to ensure that architecture and other physical characteristics of new development and land uses are consistent and compatible in scale and style with existing development, surrounding land uses, and available infrastructure. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts resulting from conflicts with applicable zoning and other regulations governing scenic quality beyond those identified in the General Plan FEIR.

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.

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

General Plan FEIR

Future residential development accommodated through implementation of the General Plan 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 General Plan Land Use Element. If necessary, as a part of the later, project-specific CEQA process for a 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 General Plan FEIR concluded that implementation of the General Plan would not result in significant light and glare impacts.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project does not allow for greater residential development than anticipated in the General Plan and analyzed in the General Plan FEIR. The residential development potential associated with the sites proposed for land use and zoning changes would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Therefore, impacts associated with new sources of substantial light or glare would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with the creation of a new source of substantial light or glare beyond those identified in the General Plan FEIR.

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
Would the project:						
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?						X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?						X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?						X
d. Result in the loss of forest land or conversion of forest land to non-forest use?						X
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?						X

- a. **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**
- b. **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**
- c. **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**
- d. **Result in the loss of forest land or conversion of forest land to non-forest use?**

e. ***Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

General Plan FEIR

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 General Plan FEIR concluded that implementation of the General Plan would not result in any impacts to agriculture or forestry resources.

Proposed Project

As concluded in the General Plan FEIR, there are 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. The Project would amend the Land Use Element to change the land use designation on 12 sites, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. 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. Therefore, the Project would not result in any impacts to agriculture or forestry resources.

Conclusion

The Project 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
Would the project:						
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	

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

General Plan FEIR

At the time the General Plan FEIR was prepared, the adopted 2016 Air Quality Management Plan (2016 AQMP) incorporated Southern California Association of Government's (SCAG) growth forecasts and growth assumptions from the City's 2002 General Plan. 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. Therefore, the General Plan EIR concluded that future development would result in lower ROG, NOx, and CO emissions compared to conditions considered in the 2016 AQMP, and as a result, would not delay timely attainment of the air quality standards or the interim emissions reductions specified in the 2016 AQMP.

The 2020 General Plan anticipated less overall growth when compared to the 2002 General Plan, which was determined to be consistent with the 2016 AQMP and the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). In addition, the 2020 General Plan, including the Housing Element Update, was included in the next iteration of AQMP (2022 AQMP). The General Plan was determined to be consistent with the South Coast Air Quality Management District (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.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to conflicts with or obstructing implementation of the applicable AQMP beyond those identified in the General Plan FEIR. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, the Project would be consistent with the associated population growth incorporated into the 2016 and 2022 AQMP and would not conflict with or obstruct implementation of the 2016 or 2022 AQMP. Impacts would be less than significant.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts resulting from conflicts with or obstructing implementation of the AQMP beyond those identified in the General Plan FEIR.

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?*

General Plan FEIR

Short-Term Construction Impacts. 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 is dependent on a variety of factors, including but not limited to 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 residential development occurs in a logical manner consistent with policies in the General Plan, and that additional environmental review is conducted under CEQA, as needed.

Construction-related activities associated with residential development 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 General Plan 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. 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.

As described in the 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 would be required to comply with RSMZC Section 9.08.220, Environmental Review Procedures, and all applicable SCAQMD rules and regulations as well as other control measures to reduce construction emissions (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 General Plan would facilitate future residential development and generate construction emissions that could potentially exceed SCAQMD thresholds, impacts would be significant and unavoidable.

Long-Term Operational Impacts. The General Plan does not propose site-specific development. Future residential development associated with implementation of the General Plan would increase regional pollutants over current conditions, specifically PM₁₀ and PM_{2.5}. Future site-specific residential 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.

Mobile source ROG, NOx, and CO emissions associated with implementation of the General Plan 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 General Plan policies would also support 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 General Plan would facilitate future development and generate operational emissions that could potentially exceed SCAQMD thresholds, the General Plan FEIR concluded long-term mobile and stationary source emissions impacts would be significant and unavoidable.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. More specifically, the Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites,

with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Therefore, short-term construction activities and potential air quality impacts associated with future residential development activities would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts resulting from exceedance of criteria pollutant thresholds beyond those identified in the General Plan FEIR.

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_x, CO, PM₁₀, and PM_{2.5}) 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.

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

General Plan FEIR

Criteria pollutant emissions health effects are highly dependent on a multitude of interconnected variables. In particular, ozone precursors VOCs and NO_x 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 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 (Environmental Review Procedures) 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 General Plan would not result in an increase in CO hotspot emissions within the City that could expose sensitive receptors to pollutant concentrations. The General Plan encourages 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. The General Plan FEIR determined the potential trips associated

with implementation of the General Plan would not be at a level where a CO hotspot would be experienced within the City; therefore, impacts would less than significant in this regard.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The residential development potential associated with the sites proposed for land use and zoning changes would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Therefore, short-term construction activities and potential air quality impacts to sensitive receptors associated with future residential development activities would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts resulting from the exposure of sensitive receptors to substantial pollutant concentrations beyond those identified in the General Plan FEIR.

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

General Plan FEIR

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, as discussed in the General Plan FEIR, 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 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 General Plan would not emit objectionable odors that would affect a substantial number of people. The threshold is if a project creates an odor nuisance pursuant to SCAQMD Rule 402, *Nuisance*, which include facilities such as wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food manufacturing facilities. Thus, residential development would not result in significant or highly objectionable odor. Odor impacts would be less than significant.

Proposed Project

The Project proposes land use and zoning amendments required to implement the 2021-2029 Housing Element policies, which were evaluated for CEQA purposes in the General Plan FEIR. The Project would not introduce any new land uses with the potential for other emissions or provide for greater residential development potential than anticipated by the General Plan and analyzed in the General Plan FEIR; thus impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with the generation of other emissions adversely affecting a substantial number of people beyond those identified in the General Plan FEIR.

City of Rancho Santa Margarita | Addendum to the General Plan FEIR for the
Housing Element Implementation and Rezoning Project

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

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?**

General Plan FEIR

Future development associated with the General Plan would increase urbanization throughout the City with the potential to result in direct or indirect impacts to candidate, sensitive, or special-status species. The General Plan included policies intended to preserve ecological and biological resources. Additionally, the 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.

The General Plan Housing Element policies and programs 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 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. Therefore, the General Plan FEIR concluded that through compliance with the General Plan policies and implementation of Mitigation Measure BIO-1, potential impacts to candidate, sensitive, or special-status species would be reduced to a less than significant level.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element to change the land use designation on 12 sites, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. As determined in the General Plan FEIR, these sites are located within the business park and commercial core areas of the City 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. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts on any species identified as a candidate, sensitive, or special status species beyond those identified in the General Plan FEIR.

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.

- 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?***

General Plan FEIR

The City of Rancho Santa Margarita contains 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.

The General Plan Housing Element policies and programs 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 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 California Department of Fish and Wildlife (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 General Plan policies. Therefore, the General Plan FEIR concluded that through compliance with the General

Plan policies and implementation of Mitigation Measure BIO-1, potential impacts to riparian habitat, other sensitive natural communities, federally protected wetlands or wildlife movement corridors would be reduced to a less than significant level.

Proposed Project

The Project proposes to implement the 2021-2029 Housing Element programs, which was evaluated for CEQA purposes in the General Plan FEIR. As determined in the General Plan FEIR, the sites proposed for land use and zone changes are located within the business park and commercial core areas of the City and, due to their already developed and urbanized nature, 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. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development specific to these sites. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts on riparian habitat or other sensitive natural communities, or federally protected wetlands or wildlife movement corridors, beyond those identified in the General Plan FEIR.

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?***

General Plan FEIR

There are four designated wildlife corridors under the Orange County's Southern Subregion Natural Community Conservation Plan/Master Streambed Alteration Agreement/Habitat Conservation Plan (NCCP/MSAA/HCP) that either occur within City limits or are immediately outside of them and provide wildlife movement opportunities into or out of the City. The City of Rancho Santa Margarita is not a Participating Landowner under the NCCP/MSSA/HCP. The General Plan includes policies intended to preserve ecological and biological resources. Additionally, the General Plan FEIR determined implementation of Mitigation Measure BIO-1 would ensure impacts to wildlife corridors are less than significant.

Proposed Project

The Project proposes to implement the 2021-2029 Housing Element programs, which was evaluated for CEQA purposes in the General Plan FEIR. As determined in the General Plan FEIR, the sites proposed for land use and zone changes are located within the business park and commercial core areas of the City, and there are no wildlife corridors or native wildlife nursery sites within these areas. The Project would not provide for additional residential development potential,

alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development specific to these sites. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated 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 beyond those identified in the General Plan FEIR.

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

General Plan FEIR

The City's 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. The General Plan is not anticipated to conflict with the Tree City USA Ordinance. Future development activities associated with implementation of the General Plan would be reviewed for consistency with the RSMMC, including the Tree City USA Ordinance. Thus, the General Plan FEIR concluded that the General Plan would not result in significant impacts with the City's Tree City USA Ordinance.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs, which were evaluated in the General Plan FEIR. The Project's proposed actions, including modifications to the Zoning Code, would not conflict with any local policies or ordinances protecting biological resources or result in modifications to RSMMC Chapter 7.04. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, beyond those identified in the General Plan FEIR.

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?*

General Plan FEIR

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, future development accommodated through implementation of the General Plan would be subject to conformance with Mitigation Measure BIO-1. Thus, the 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.

Proposed Project

As determined in the General Plan FEIR, 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. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan beyond those identified in the General Plan FEIR.

General Plan FEIR Mitigation Measures: Refer to Mitigation Measure BIO-1.

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
Would the project:						
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		

The City certified the 2020 General Plan FEIR before CEQA Guidelines Appendix G was revised to address paleontological resources within the Geology and Soils section and to address tribal cultural resources within the Tribal Cultural Resources section. 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?***

General Plan FEIR

As discussed in the General Plan FEIR, no historical resources have been identified in the General Plan Study Area. It is possible that future development in accordance with the General Plan 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 2021-2029 Housing Element does not propose site-specific development; rather, it includes 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. These sites are located within the business park and commercial core areas of the City and do not contain any historical resources. Further, 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 General Plan policies and Mitigation Measures CUL-1 through CUL-3 would reduce potential impacts to historical resources to a less than significant level.

Proposed Project

As discussed in the General Plan FEIR, no historical resources have been identified in the General Plan Study Area. The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element to change the land use designation on 12 sites, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. The Project's proposed actions would not have any impacts relative to historical resources beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development specific to these sites. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with historical resources beyond those identified in the General Plan FEIR.

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.

- 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.**

General Plan FEIR

As discussed in the General Plan FEIR, forty-three archaeological resources have been recorded within the General Plan Study Area consisting of one prehistoric district, 37 prehistoric sites, one prehistoric isolate, two historic sites, one historic isolate, and one multi-component site. Only the Upper Aliso Creek Archaeological District and two archaeological sites identified as contributing elements have been formally evaluated for inclusion in the National Register of Historic Places (NRHP) and California Register of Historic Resources (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 General Plan FEIR included Mitigation Measures CUL-4 through CUL-10 to reduce potential impacts on archeological resources associated with future development.

Construction activities for future residential development anticipated in the Housing Element 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. Additionally, ground-disturbing activities (e.g., excavation, grading, vegetation removal, and construction) associated with future projects under the General Plan could have the potential to unearth, damage, and/or destroy known and unknown tribal cultural resources. 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. The General Plan FEIR concluded that compliance with the General Plan policies and implementation of Mitigation Measures CUL-4 through CUL-10 would minimize potential impacts on archeological and tribal cultural resources and impacts would be less than significant.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. As previously described, the Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to archaeological or tribal cultural resources beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development specific to these sites. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with archeological and tribal cultural resources beyond those identified in the General Plan FEIR.

General Plan FEIR Mitigation Measures:

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 of 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.

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

General Plan FEIR

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 General Plan 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. The General Plan FEIR concluded that compliance with the aforementioned regulations would ensure impacts related to the disturbance of human remains are less than significant.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The sites identified for land use and zone changes to comply with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions would not have any impacts associated with the potential disturbance of human remains beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with human remains beyond those identified in the General Plan FEIR.

General Plan FEIR Mitigation Measures:

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.

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

General Plan FEIR

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 General Plan 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. Construction activities for future residential development anticipated in the Housing Element would primarily occur as infill development or redevelopment within urban areas. 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. 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. Given the City's high paleontological sensitivity, the 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 General Plan to less than significant levels.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The sites identified for land use and zone changes to comply

with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions would not have any impacts to a unique paleontological resource or site or unique geologic feature beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with paleontological resources beyond those identified in the General Plan FEIR.

General Plan FEIR Mitigation Measures:

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
Would the project:						
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?					X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?					X	

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?***

General Plan FEIR

As discussed in the General Plan FEIR, 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.

Although construction and operational activities associated with implementation of the General Plan Housing Element 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 Update. Based on a building's energy use intensity, 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 Update would result in an energy consumption of approximately 56.1 million kBtu/year. Thus, the General Plan FEIR concluded implementation of the General Plan, including

the Housing Element, 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.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. Specifically, the Project would amend the Land Use Element, to change the land use designation on 12 sites, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Therefore, potential energy impacts associated with construction and operation of future residential development activities would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with wasteful, inefficient, or unnecessary consumption of energy resources beyond those identified in the General Plan FEIR.

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

General Plan FEIR

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 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. Additionally, the 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 vehicle miles traveled (VMT), which would reduce fuel consumption. The Housing Element facilitates new residential development and contains policies and programs to 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. 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. As such, the General Plan FEIR concluded that implementation of the General Plan would not result in any significant energy impacts and would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The proposed Project would not have any impacts relative to conflicts with or obstructing implementation of State or local plan for renewable energy or energy efficiency beyond those identified in the General Plan FEIR. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with conflicts with or obstructing implementation of State or local plan for renewable energy or energy efficiency beyond those identified in the General Plan FEIR.

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Housing Element Implementation and Rezoning Project

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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
Would the project:						
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"> • 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?					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	

The City certified the 2020 General Plan FEIR before CEQA Guidelines Appendix G was revised to address paleontological resources within the Geology and Soils section. 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?**

General Plan FEIR

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 General Plan FEIR concluded that implementation of the General Plan 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 General Plan 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 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.

Proposed Project

As concluded in the General Plan FEIR, the City is not located within a State-designated Alquist-Priolo Earthquake Fault Zone. As such, the Project 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.

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The sites identified for land use and zone changes to comply with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions would not have any impacts relative to seismic ground shaking, seismic-related ground failure (i.e., liquefaction), and seismic-related landslides beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with rupture of a known fault on the Alquist-Priolo Map or seismic ground shaking, seismic-related ground failure (i.e., liquefaction), and seismic-related landslides, beyond those identified in the General Plan FEIR.

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

General Plan FEIR

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.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The sites identified for land use and zone changes to comply with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions would not have any impacts relative to substantial soil erosion or the loss of top soil beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with soil erosion or the loss of topsoil beyond those identified in the General Plan FEIR.

- 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?**

General Plan FEIR

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 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.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The sites identified for land use and zone changes to comply with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions would not have any impacts relative to geologic units or soil that are unstable or would become unstable or risks associated with expansive soil beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with a geologic unit or soil that is unstable,

potentially resulting in landslide, lateral spreading, subsidence, liquefaction or collapse, or expansive soils, beyond those identified in the General Plan FEIR.

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?*

General Plan FEIR

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.

Proposed Project

As determined in the General Plan FEIR, no septic tanks or alternative wastewater disposal systems are proposed in the City. The Project's proposed actions would not have impacts associated with septic tanks or alternative wastewater disposal systems beyond those identified in the General Plan FEIR. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with the use of septic tanks or alternative waste water disposal systems beyond those identified in the General Plan FEIR.

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Housing Element Implementation and Rezoning Project

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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
Would the project:						
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		

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

General Plan FEIR

The General Plan FEIR estimated that the 2020 General Plan Update would generate 334,480 million tons of carbon dioxide equivalent (MTCO₂eq) 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 MTCO₂eq per year per person in 2040 which is above the 3.3 MTCO₂eq per year per person efficiency standard for plans.² The majority of the GHG emissions from the 2020 General Plan Update would come from the mobile and energy sectors. Although the General Plan includes policies that would help the City reduce its GHG emissions, the City's 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.

As stated, the General Plan Housing Element proposes housing policies that encourage housing production within the City, including identifying candidate sites, currently designated for non-

² 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.

residential development, as viable for future residential uses. These sites are located within the business park and commercial core areas of the City. The 2021-2029 Housing Element identified the potential to accommodate 710 units, which would be 182 more units than anticipated by the 2020 General Plan Update. However, 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 Update. Thus, implementation of the General Plan Housing Element would consume less energy, and as a result, would generate fewer GHG emissions associated with energy consumption, than assumed in the 2020 General Plan. Further, the Housing Element 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 a result, implementation of the 2021-2029 Housing Element would generate fewer GHG emissions associated with mobile sources than the 2020 General Plan.

Although implementation of the 2021-2029 Housing Element is not anticipated to exceed GHG emissions when compared to the 2020 General Plan, implementation of the Housing Element would still facilitate future development and generate GHG emissions that could potentially contribute to exceedance of the City's GHG efficiency standard. Therefore, the General Plan FEIR concluded that impacts associated with GHG emissions would continue to be significant and unavoidable.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. The residential development potential associated with the sites proposed for land use and zoning changes would be consistent with the residential development potential anticipated in the 2021-2029 Housing Element and analyzed in the General Plan FEIR specific to these sites. Therefore, GHG emissions associated with future residential development activities would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts resulting from GHG emissions beyond those identified in the General Plan FEIR.

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

General Plan FEIR

The 2020 General Plan's long-term GHG emissions would exceed the 3.3 MTCO₂eq per year per person efficiency standard and would result in a significant and unavoidable impact. However, the General Plan FEIR concluded that the General Plan, including the Housing Element, would be consistent with several goals, policies, strategies, programs, and actions in the California Air Resources Board's (CARB) 2017 Scoping Plan and the SCAG 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS). Therefore, the General Plan FEIR concluded that the General Plan would not conflict with applicable GHG reduction plans, policies, or regulations and a less than significant impact would occur.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to conflicts with applicable GHG plans, policies or regulations. The residential development potential associated with the sites proposed for land use and zoning changes would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts resulting from conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing GH emissions beyond those identified in 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
Would the project:						
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	

The City certified the 2020 General Plan FEIR before CEQA Guidelines Appendix G was revised to address wildfires within the Wildfires section. 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?***

General Plan FEIR

Implementation of the General Plan would accommodate the future development of residential and non-residential uses. The General Plan Housing Element policies and programs 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. 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. However, the Housing Element 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. Ultimately, the 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 General Plan would be less than significant.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to creating a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous materials beyond those identified in the General Plan FEIR.

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?*

General Plan FEIR

Construction activities associated with implementation of the General Plan could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions. Implementation of Mitigation Measure HAZ-1, which requires preparation of a project-specific Phase I Environmental Site Assessment (ESA) for properties identified on any list of hazardous materials would be required to identify specific Recognized Environmental Conditions (RECs) and associated remedial activities, if required. 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. Implementation of Mitigation Measure HAZ-1 and 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 the General Plan FEIR concluded impacts would be less than significant in this regard.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project's proposed actions would not have any impacts relative to reasonably foreseeable upset and accidental conditions involving the release of hazardous materials into the environment beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment beyond those identified in the General Plan FEIR.

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.

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

General Plan FEIR

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 General Plan FEIR concluded compliance with 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, 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. The General Plan Housing Element 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. 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 General Plan would be less than significant.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project's proposed actions would not have any impacts relative to hazardous emissions, or the handling of hazardous materials or substances within one-quarter mile of an existing or proposed school beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with hazardous emissions or hazardous materials within one-quarter mile of an existing or proposed school, beyond those identified in the 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?***

General Plan FEIR

Future development associated with implementation of the General Plan 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.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project's proposed actions would not result in impacts associated with hazardous materials sites beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with hazardous materials sites beyond those identified in the General Plan FEIR.

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?***

General Plan FEIR

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.

Proposed Project

The Project 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. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to safety hazards or excessive noise due to airports beyond those identified in the General Plan FEIR.

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

General Plan FEIR

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 General Plan anticipates growth in Rancho Santa Margarita, but would not result in changes to the circulation patterns or emergency access routes. In addition, the General Plan includes several policies intended to assist in the implementation and maintenance of the EOP (Safety Element Policies 1.1 and 1.2).

The General Plan Housing Element 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. 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. Therefore, the General Plan FEIR concluded that impacts related to emergency response plans would be less than significant.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to adopted emergency response plans or emergency evacuation plans beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to adopted emergency response plans or emergency evacuation plans beyond those identified in the General Plan FEIR.

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

General Plan FEIR

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 Very High Fire Hazard Severity Zone (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 General Plan. 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.

The General Plan Housing Element 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, as well as relevant General Plan policies. As a result, the 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.

Proposed Project

The Project proposes to implement the 2021-2029 Housing Element programs, which was evaluated for CEQA purposes in the General Plan FEIR. As determined in the General Plan FEIR, the sites proposed for land use and zone changes are located within the business park and

commercial core areas of the City and are not located within an area of the City identified as a very high fire hazard severity zone. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development specific to these sites. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with wildland fires beyond those identified in the General Plan FEIR.

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
Would the project:						
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"> 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? 					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	

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?***

General Plan FEIR

Future development associated with implementation of the General Plan 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 General Plan 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 General Plan FEIR concluded impacts would be less than significant.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element to change the land use designation on 12 sites, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. These sites are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to water quality standards, or degrade surface or groundwater quality, or conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, beyond those identified in the General Plan FEIR.

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

General Plan FEIR

Implementation of the General Plan would allow for additional development, potentially resulting in an increase in hardscapes, and thus, interfering with groundwater recharge. However, the

majority of the City of Rancho Santa Margarita has been built out, 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 General Plan land use plan does not allow any development within the floodplains of Trabuco Creek and Tijeras Canyon Creek, and General Plan implementation would not result in any groundwater extraction. Further, the Housing Element 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. Thus, the General Plan FEIR concluded that impacts to groundwater recharge would be less than significant.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The sites identified for land use and zone changes to comply with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions would not have any impacts relative to groundwater supplies and groundwater recharge beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to groundwater supplies or recharge beyond those identified in the General Plan FEIR.

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?***

General Plan FEIR

The General Plan 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 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. Future construction in accordance with the General Plan 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. The General Plan Housing Element 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 100-year flood zones, as mapped by FEMA. Further, the General Plan 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, the General Plan FEIR concluded that impacts would be less than significant related to flood flows.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The sites identified for land use and zone changes to comply with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions

would not have any impacts relative to substantial alteration of existing drainage patterns beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts to existing drainage patterns in a manner which would result in substantial erosion or siltation on- or off-site; a substantial 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, beyond those identified in the General Plan FEIR.

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

General Plan FEIR

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 General Plan 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 Santa Margarita Water District (SMWD) and the Trabuco Water Treatment Plant owned and operated by the Trabuco Canyon Water District (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 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, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. As determined in the General Plan FEIR, the sites identified for land use and zone changes to comply with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City and are not located within a flood area or tsunami zone. The Project's proposed actions would not have any impacts relative to release of pollutants due to project inundation beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to the release of pollutants in flood hazard, tsunami, or seiche zones, beyond those identified in the General Plan FEIR.

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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
Would the project:						
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	

a. Physically divide an established community?

General Plan FEIR

While the General Plan does not propose site-specific development, the General Plan anticipates the development of residential and non-residential uses. Given that the City is developed, it is anticipated that future development permitted by the General Plan 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 General Plan would not physically divide any established communities.

Implementation of the General Plan 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 land use plan, General plan goals and policies, and the RSMMC. As such, the General Plan FEIR concluded that impacts would be less than significant in this regard.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. These sites are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions would not have any impacts relative to dividing an established community beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with dividing an established community beyond those identified in the General Plan FEIR.

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?

General Plan FEIR

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 prior 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, the 2020 General Plan Update would be considered regionally significant. The General Plan Housing Element includes 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. 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. Future residential development would be reviewed on a project-by-project basis for consistency with the General Plan Policies, RSMMC, and any other applicable policies and regulations adopted for the purpose of avoiding or mitigating an environmental effect. The General Plan would be consistent with SCAG's regional planning efforts and the General Plan EIR concluded a less than significant impact would occur in this regard.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect beyond those identified in the General Plan FEIR. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts resulting from conflicts with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect beyond those identified in 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
Would the project:						
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					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	

- 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?***

General Plan FEIR

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 General Plan were determined to be less than significant.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. As determined in the General Plan FEIR, the sites identified for land use and zone changes to comply with the 2021-2029 Housing Element are located within the business park and commercial core areas of the City where no significant mineral deposits are present. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with mineral resources beyond those identified in the General Plan FEIR.

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
Would the project result in:						
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				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

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?***

General Plan FEIR

Short-Term Construction. While implementation of the General Plan 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 General Plan 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 Sundays 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 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 General Plan, 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. New development may include HVAC units, thus adjacent sensitive uses may experience noise levels that exceed City Noise Standards. However, implementation of Mitigation Measure NOI-4 would reduce noise generated by mechanical equipment through placement away from sensitive receptors and utilization of acoustical shielding. Overall, the General Plan FEIR concluded that all mobile and stationary source impacts would be reduced to less than significant levels by complying with the City's Noise Ordinance, Mitigation Measure NOI-4, and project-specific mitigation measures.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. More specifically, the Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Further, applicable mitigation measures identified in the General Plan FEIR would continue to be implemented. Therefore, short-term construction and long-term operational noise impacts associated with future residential development activities would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, beyond those identified in the General Plan FEIR.

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.

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

General Plan FEIR

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. The General Plan FEIR concluded that upon compliance and/or adherence to Mitigation Measures NOI-2 and NOI-3, short-term vibration impacts would be reduced to a less than significant level.

The 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.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to groundborne vibration or groundborne noise levels beyond those identified in the General Plan FEIR. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with groundborne vibration or groundborne noise levels beyond those identified in 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?

General Plan FEIR

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. The General Plan FEIR concluded that the General Plan would not expose people residing or working in the project area to excessive noise level.

Proposed Project

The Project would not expose people residing or working in the project area to excessive noise levels as the City is not located within an Airport Influence Area, nor are there private airstrips in City.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with excessive noise levels from airports beyond those identified in the General Plan FEIR.

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 MND or EIR	No Impact
Would the project:						
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?					X	
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?					X	

- 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?*

General Plan FEIR

As discussed in the General Plan FEIR, implementation of the 2020 General Plan would result in additional residential and non-residential uses over existing conditions. 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 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.

The General Plan 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 2040, allowing for development of necessary services and

infrastructure commensurate with the proposed growth. General Plan growth projections form the basis of SCAG's planning and policy documents, including regional growth forecasts; as such, the growth anticipated by the General Plan would be considered in SCAG's updated growth forecasts for the City. Further, implementation of the General Plan 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 General Plan FEIR concluded the project would not conflict with SCAG growth forecasts and impacts would be considered less than significant.

The Housing Element Update includes housing policies and programs that would encourage housing production within the City to comply with new laws, the City's RHNA allocation, 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 would continue to allow for the development of residential and non-residential uses on sites designated for such uses. As such, the General Plan FEIR concluded that implementation of the General Plan Update would not result in the displacement of housing.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. More specifically, the Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. These sites are located within the business park and commercial core areas of the City and do not contain housing. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Impacts relative to population growth and displacement of people or housing would remain unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with induced substantial unplanned population growth in an area either directly or indirectly or the displacement of substantial numbers of existing people or housing beyond those identified in the General Plan Final FEIR.

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
<p>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:</p> <ul style="list-style-type: none"> • Fire protection? • Police protection? • Schools? • Parks? • Other public facilities? 					X	

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?**

General Plan FEIR

Fire Protection. Implementation of the General Plan 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. The General Plan FEIR concluded that impacts would 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 General Plan 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 General Plan 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 General Plan FEIR determined implementation of the General Plan 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 General Plan 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 General Plan 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 2,225 persons would require approximately 6.7 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 General Plan's projected development slightly exceeds the City's existing surplus parkland, 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 General Plan would be adequately served by the City's existing parkland and anticipated new parkland development. The General Plan FEIR concluded that impacts would be less than significant in this regard.

Other Public Facilities. Future residential development associated with the General Plan would increase demands on public facilities, such as libraries. The General Plan Land Use Element includes policies to 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, the General Plan FEIR concluded impacts would be less than significant in this regard.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. These sites are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project would be consistent

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with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Impacts to public services would remain unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts due to the potential adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physically altered governmental facilities beyond those identified in the General Plan Final FEIR.

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	

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?***

General Plan FEIR

Future development anticipated by the General Plan 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 2,225 persons would require approximately 6.7 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 General Plan's projected development slightly exceeds the City's existing surplus parkland, 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 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 General Plan would be adequately served by the City's existing parkland and anticipated new parkland development. The General Plan FEIR concluded that impacts would be less than significant in this regard.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. These sites are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Impacts to existing neighborhood and regional parks or other recreational facilities remain unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to the increase in use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, beyond those identified in the General Plan FEIR.

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?

General Plan FEIR

The General Plan and Housing Element do not propose recreational facilities. Implementation of the General Plan 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. Construction of new parks and recreational facilities, if required, would be subject to environmental review under CEQA requirements. The General Plan policies would not result in significant impacts to parks and recreation facilities. Overall, future development anticipated in the General Plan would be adequately served by the City's existing parkland and anticipated new parkland development and impacts were determined to be less than significant.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to the construction or expansion of recreational facilities. The

Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development specific to the sites proposed for land use and zone changes. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts associated with the construction of recreation or park facilities beyond those identified in the General Plan FEIR.

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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
Would the project:						
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	

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?***

General Plan FEIR

Development associated with the General Plan 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 General Plan promote and support multimodal opportunities within the City. The General Plan is a long-range regulatory planning document and does not propose any specific development. However, future individual projects developed in accordance with the General Plan would be guided by 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 General Plan

FEIR concluded that with implementation of Mitigation Measure T-1, impacts would be less than significant.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element to change the land use designation on 12 sites, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. These sites are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project's proposed actions would not have any impacts relative to conflicts with a program, plan, ordinance or policy addressing the circulation system. It is noted that automotive delay, as described by Level of Service (LOS) or similar measures of traffic congestion, is no longer considered a significant impact under CEQA; as such, General Plan FEIR Mitigation Measure T-1 is not required to be implemented. Impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts that would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities, beyond those identified in the General Plan FEIR.

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.

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

General Plan FEIR

The General Plan FEIR calculated existing and future VMT based upon anticipated development and identified an increase in daily VMT. The General Plan includes goals and policies that encourage VMT reduction, including the 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.

The General Plan Housing Element identifies candidate sites currently designated as Commercial General or Business Park viable for future residential uses. Development of housing associated with implementation of the Housing Element would result in new vehicle trips; however, future development of the candidate sites with residential uses would result in an associated reduction in the non-residential development potential assumed in the 2020 General Plan. 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 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.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to conflict or inconsistencies with CEQA Guidelines section 15064.3 subdivision (b) beyond those identified in the General Plan FEIR. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts that would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), beyond those identified in the General Plan FEIR.

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

General Plan FEIR

Implementation of the General Plan 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, the General Plan FEIR concluded that the General Plan would not result in significant impacts involving inadequate design features or incompatible uses.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to an increase in hazards due to a geometric design feature or incompatible use beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development specific to the sites proposed for land use and zone changes. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts that would substantially increase hazards due to a geometric design feature or incompatible uses, beyond those identified in the General Plan FEIR.

d. Result in inadequate emergency access?

General Plan FEIR

Development in accordance with the proposed project is not anticipated to result in inadequate emergency access. Additionally, the General Plan 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; the General Plan FEIR concluded a less than significant impact would occur in this regard.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts as a result of inadequate emergency access beyond those identified in the General Plan FEIR. The Project would not provide for additional residential development potential, alter the sites identified for residential development, or modify anticipated construction activities associated with future residential development specific to the sites proposed for land use and zone changes. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts resulting in inadequate emergency access beyond those identified in the General Plan FEIR.

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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
Would the project:						
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?					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	

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?**

General Plan FEIR

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. In addition, the General Plan Housing Element 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 and served by existing water infrastructure. As such, the General Plan FEIR concluded that growth anticipated by the General Plan 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 future development anticipated by the General Plan would either be treated by TCWD or SMWD. TCWD and SMWD wastewater treatment facilities would have combined remaining capacity to treat the projected wastewater demands in addition to the provider's existing commitments. In addition, the General Plan Housing Element 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 and served by existing wastewater infrastructure. As such, the General Plan FEIR concluded that development anticipated by the General Plan 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 General Plan 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. In addition, the General Plan Housing Element 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 and served by existing stormwater infrastructure. Overall, future construction in accordance with the General Plan would be required to meet all applicable regional and local drainage standards, as discussed above. The General Plan FEIR concluded that impacts on drainage systems within the City would be less than significant.

Electricity, Natural Gas and Telecommunications. The General Plan Housing Element 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. Future residential development would likely connect to existing electricity, natural gas and telecommunication facilities. The General Plan FEIR concluded that 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.

Proposed Project

The proposed Project implements the 2021-2029 Housing Element, which was evaluated for CEQA purposes in the General Plan FEIR. The Project would amend the Land Use Element, including the Land Use Map to change the land use designation on 12 sites, identified in the 2021-2029 Housing Element, with 10 sites changing from General Commercial to Mixed-Use and two sites changing from Business Park to Mixed Use; amend the Zoning Code and Zoning Map to create a new WHO and a new Mixed Use District and change the zoning district on the 12 sites, with 10 sites changing from CG to MU and two sites changing from BP to MU; and apply the WHO to three sites identified in the 2021-2029 Housing Element. These sites are located within the business park and commercial core areas of the City and are already developed and urbanized. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR specific to these sites. Impacts to utilities and service systems would remain unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts that would 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, beyond those identified in the General Plan FEIR.

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

General Plan FEIR

The General Plan 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. The General Plan Housing Element policies and programs 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. As such, it can be assumed that these areas of expected reuse and redevelopment under the proposed project, would predominantly be provided by SMWD.

SMWD would have adequate water supplies to accommodate the General Plan'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 General Plan 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 General Plan FEIR concluded compliance with the regulatory framework would reduce potential water supply and infrastructure impacts to less than significant levels.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to water supplies beyond those identified in the General Plan FEIR. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to water supplies beyond those identified in the General Plan FEIR.

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?***

General Plan FEIR

Future development associated with implementation of the General Plan 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. Future development anticipated by the General Plan 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 General Plan 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 anticipated development 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, the General Plan FEIR concluded that project implementation would not result in an exceedance of wastewater treatment requirements and impacts would be less than significant.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to wastewater treatment capacity beyond those identified in the General Plan FEIR. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to wastewater capacity beyond those identified in the General Plan FEIR.

- 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?**

General Plan FEIR

The projected growth anticipated by the General Plan 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 General Plan would not result in significant impacts to solid waste disposal services and facilities. Additionally, future development resulting from the implementation of the General Plan 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, the General Plan FEIR concluded that implementation of the proposed project would result in less than significant impacts.

Proposed Project

The Project proposes to amend the Land Use Element, Zoning Code, and Zoning Map to comply with and implement the 2021-2029 Housing Element programs. The Project's proposed actions would not have any impacts relative to solid waste capacity or compliance with statutes and regulations related to solid waste beyond those identified in the General Plan FEIR. The Project would be consistent with the residential development potential anticipated in the General Plan Housing Element and analyzed in the General Plan FEIR. Therefore, impacts would be unchanged from those identified in the General Plan FEIR.

Conclusion

The Project would not result in new significant impacts or a substantial increase in the severity of previously identified significant impacts related to solid waste beyond those identified in the General Plan FEIR.

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
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:						
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?					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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Housing Element Implementation and Rezoning Project

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