NORTH TUSTIN STREET RESIDENTIAL PROJECT

FINAL
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
NO. ENV25-0001

Lead Agency:
City of Orange
Community Development Department • Planning Division
300 East Chapman Avenue
Orange, CA 92866-1591
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Date:
March 2026

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TABLE OF CONTENTS

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CHAPTER 1

NORTH TUSTIN STREET RESIDENTIAL PROJECT

PUBLIC REVIEW
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION NO. ENV25-0001

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Date:
January 2026

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TABLE OF CONTENTS

Figures

Tables

Appendices

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INITIAL STUDY/MITIGATED NEGATIVE DECLARATION NO. ENV25-0001

Project Title:
North Tustin Street Residential Project

Reference Application Numbers:
General Plan Amendment No. GPA25-0003
Zone Change No. ZC25-0002
Major Site Plan Review No. MJSP25-0002
Administrative Design Review No. ADR25-0018
Vesting Tentative Tract Map No. TTM25-0001
Environmental Review No. ENV25-0001

Lead Agency:
City of Orange
300 East Chapman Avenue
Orange, CA 92866

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Community Development Department
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Melia Homes
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Irvine, CA 92618

Contact Person and Telephone No.:
Chad Brown, Vice President of Planning & Development
(949) 417-6264

Project Location:
The Project site is located at 2375 N. Tustin Street in the City of Orange, Orange County, California (Figure 1, *Regional Location*). The Project site is adjacent to N. Tustin Street to the east, State Route (SR) 55 to the west. The N. Tustin cross street with Meats Avenue is to the south and Lincoln Avenue to the north.

Existing General Plan Designation:
General Commercial, Max FAR 1.0 (GC)

Existing Zoning Classification:
Limited Business Tustin Redevelopment Project Area (C-TR)

INTRODUCTION

The applicant for the North Tustin Street Residential Project (Project) is requesting approval from the City of Orange to demolish the existing structure and related improvements on the Project site and to construct a new residential development that would consist of 71 residences with open space, recreation, landscaping, and parking. The Project would result in a residential density of 16.76 dwelling units per acre.

The City has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to address and disclose the potential environmental effects of Project implementation in compliance with the California Environmental Quality Act (CEQA) and the Guidelines for the Implementation of the CEQA (CEQA Guidelines).

Consistent with CEQA Guidelines Section 15071, this IS/MND includes a description of the Project, an evaluation of the potential environmental impacts, mitigation as needed, and findings from the environmental review. This IS/MND evaluates the potential environmental impacts that may result from

implementation of the Project. The City is the Lead Agency under CEQA, and its City Council is responsible for the adoption of the environmental analysis and approval of the Project.

EXISTING SETTING

Regional Setting

The Project site is located at 2375 N. Tustin Street in the northern portion of the City of Orange. The Project site is identified by Assessor's Parcel Number (APN) 372-642-31. Regional access to the Project site is provided by SR-55, from either the Katella Avenue interchange or the Lincoln Avenue interchange, which both intersect with N. Tustin Street.

The Project site is located within an unsectioned area, Township 4 South, Range 9 West, of the San Bernardino Baseline and Meridian, as shown on the United States Geologic Survey (USGS) Orange, California Topographic Quadrangle map. Regional location and local vicinity maps are provided in Figure 1, *Regional Location*, and Figure 2, *Local Vicinity*.

Existing Site Conditions

The Project site comprises one parcel encompassing approximately 4.235 gross acres that is fully developed with a vacant 45,676 square-foot Best Buy retail store building that is approximately 30 feet in height. The building is surrounded by surface parking lot areas and landscaping that includes 86 ornamental trees. The existing onsite improvements were constructed in 2007 and were operational through October 2023.

The entire site is relatively flat and is accessible via the existing driveway to N. Tustin Avenue. The site is bound on the north and south sides by six- to eight-foot-high walls followed by residential uses. A temporary chain linked fence is located on the west side of the site. The Project site's existing conditions are shown in Figure 3, *Project Site Aerial*.

Existing Land Uses and Zoning Designation

The Project site has a General Plan land use designation of General Commercial (GC) that allows a maximum Floor Area Ratio (FAR) of 1.0 and is zoned Limited Business Tustin Redevelopment Project Area (C-TR), as shown on Figure 4, *Existing General Plan Designations,* and Figure 5, *Existing Zoning Designations*. The General Plan states that the GC land use designation provides for a wide range of retail and service commercial uses and professional offices. Regional shopping centers, mid- and high-rise office projects, corridor shopping districts, and neighborhood corner stores are all permitted uses. The Limited Business Tustin Redevelopment Project Area (C-TR) zoning designation is intended to provide for limited commercial uses for a wide variety of goods and services.

Surrounding Land Uses

The Project site is located within a developed residential and commercial area. The site is adjacent to commercial parcels developed with an office building that fronts N. Tustin Street to the west and a parcel that contains a freeway billboard sign to the east. The parcels that are adjacent to the east and west of the site have a General Plan land use designation of GC and a zoning designation of C-TR, which is consistent with the Project site.

The existing residential land uses to the north consist of single-story condominiums with a driveway and garages immediately adjacent to the Project site. Adjacent residential to the north of the site has a General Plan land use designation of Medium Density Residential (MDR) with an allowable density of 15-24 du/ac and a zoning designation of Residential Multiple Family Single Story Overlay (R-3(A)).

The existing residential land uses to the south of the site consist of both single-story condominiums with garages and mobile homes that have a General Plan land use designation of Low Medium Density Residential (LMDR) with an allowable density of 6-15 du/ac and zoning designations of Residential Multiple Family Single Story Overlay (R-3(A)) and Mobile Home Residential (M-H). The existing land uses, General Plan land uses, and zoning designations of areas surrounding the Project site are described in Table 1.

Table 1: Surrounding Existing Land Use and Zoning Designations

	Existing Land Use	**General Plan Designation**	**Zoning Designation**
North	Multi-Family Residences	MDR	R-3(A)
West	Commercial office building, vacant fenced parking lot, followed by N. Tustin Street	GC	C-TR
South	Multi-Family Residences and Mobile Home Residences	LMDR	R-3(A) and M-H
East	Billboard parcel followed by SR-55	GC	C-TR

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Figure 1: Regional Location

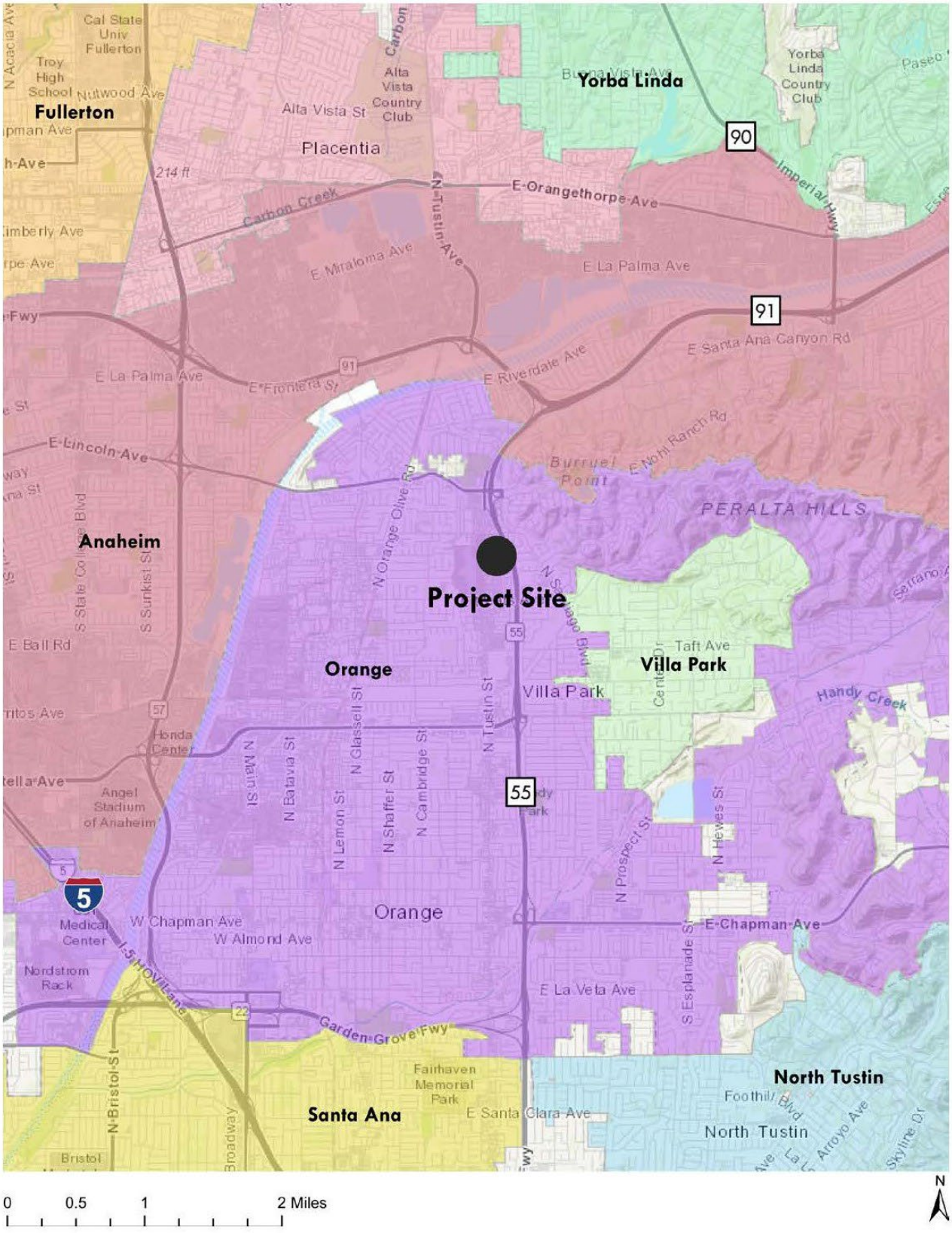

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Figure 2: Local Vicinity

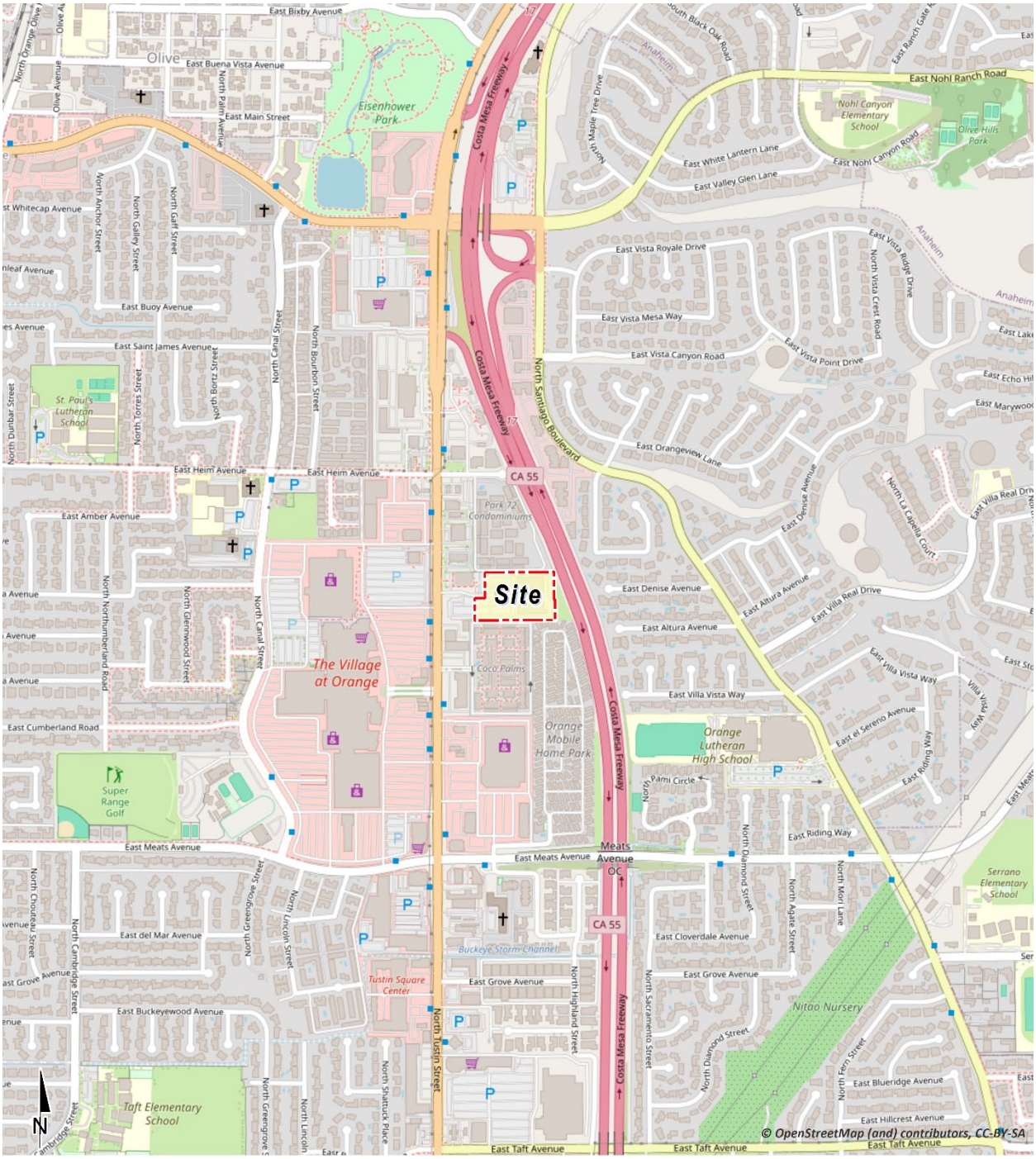

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Figure 3: Project Site Aerial

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Figure 4: Existing General Plan Designation

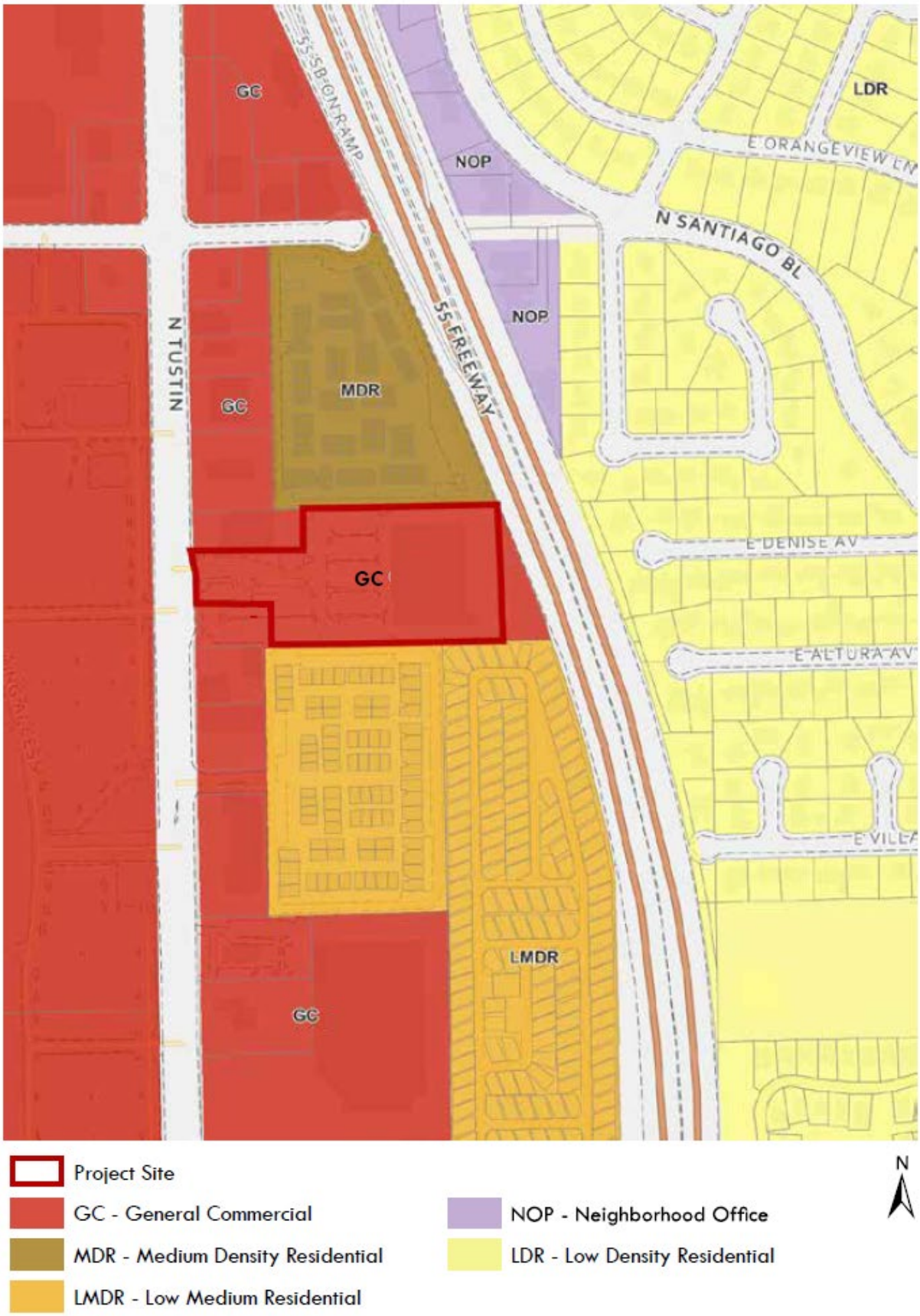

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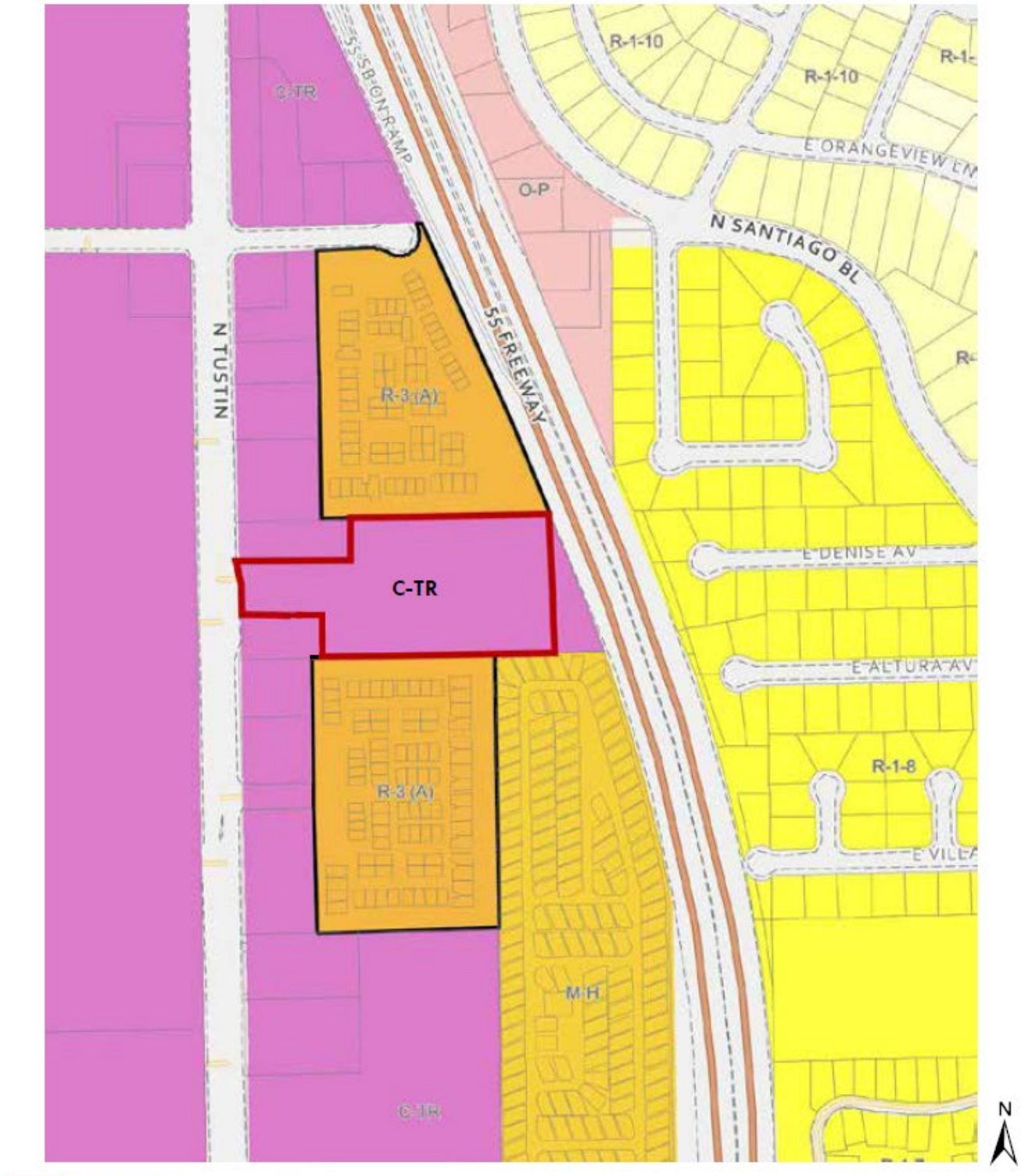
Figure 5: Existing Zoning Designation



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PROJECT DESCRIPTION

Project Overview

The applicant for the Project is requesting approval from the City of Orange to demolish the existing vacant retail commercial structure and improvements on the Project site and construct 71 paired and detached residences, open space/recreation, and parking. The residential structures would be three-stories. Each residential unit would have three or four bedrooms, ranging in size from approximately 2,008 square feet to 2,117 square feet and would be developed above two-car garages. The 71 residences on the 4.235-acre site would result in a density of 16.76 units per acre. The Project would include parking, open space, ornamental landscaping, and associated infrastructure.

The Project requests the approval of a General Plan Amendment to change the land use from GC to Medium Density Residential (MDR), as shown in Figure 6, *Proposed General Plan Land Use Designation*, which allows residential densities between 15 and 24 dwelling units per acre. The Project also includes a Zone Change to change the site zoning from C-TR to R3 (Multiple-Family Residential) (shown in Figure 7) with application of the Small Lot Subdivision Development Standards for fee simple duplex and detached residences. Additionally, the Project includes a Vesting Tentative Tract Map (TTM) for sale purposes a Major Site Plan Review, and an Administrative Design Review for consideration of the architectural design, conceptual landscaping, and overall compliance with the City's zoning regulations.

Project Features

Residential Summary and Architecture

The Project would redevelop the 4.235-acre site to provide 71 residences, as shown in Figure 8, *Conceptual Site Plan*. The Project includes 58 paired duplex homes and 13 detached residences within three-story structures that would have a maximum height of 35 feet. The Project would result in a density of 16.76 dwelling units per acre. The Project proposes five different floor plans with two variations of the floor plans. The residences would range from approximately 2,008 to 2,117 square feet, have three or four bedrooms, and a two-car garage, as shown in Table 2.

Table 2: Residential Unit Summary

Unit Type	Number of Units	Number of Stories	Number of Bedrooms	Number of Bathrooms including Powder Rooms	Square Footage
Plan 1	10	3	3	4	2,008
Plan 2	16	3	3	4	2,014
Plan 3	14	3	4	4	2,026
Plan 4	13	3	3	4	2,086
Plan 5	18	3	3	4	2,117

All of the residences would include either a roof deck (36 units) ranging from 235 to 300 square feet or a ground level fenced rear private yard (35 units) with a minimum of 240 square feet. The perimeter lots with the rear yards are adjacent to existing residences to the north and south of the site and would not have roof decks.

All residences along the east (rear) boundary would have a 10-foot setback or greater consistent with the Small Lot Subdivision Development Standards. Residences along north and south boundaries would have a minimum 10-foot setback to allow for ground level private open space yards. Five residences (four paired and one detached) would front along the west side of the parcel (towards N. Tustin Street) and would have a minimum front setback of 15 feet, consistent with the Small Lot Subdivision Development Standards.

Due to the proximity of SR-55 to the Project site, Project Design Feature (PDF) 1 is included to ensure that the third floor of the proposed residence in the northeastern most portion of the site (Lot 54) would be developed with upgraded windows that have a minimum Sound Transmission Class (STC) rating of 31. PDF-1 would be included in the Mitigation Monitoring and Reporting Program for the Project.

The residential structures would have contemporary highly articulated exterior designs utilizing a mix of stuccos, colors, variations of architectural siding elements, such as resawn wood and Hardie lap siding. Architectural elements include, metal railings, decorative metal awnings, vinyl windows with white frames and stucco trim, decorative exterior light fixtures, sectional garage doors, and articulation along building facades and roof variations with asphalt shingles. Consistent with the Small Lot Subdivision Guidelines, primary entrance doorways would face the drive aisle or landscape paseo passage and are covered by an entry porch or shallow alcove that accentuates the point of entry. The proposed building elevations are provided in Figures 9 through 14 and renderings of the Project are provided in Figure 15.

Open Space Recreation

The Project includes 6,031 square feet of common open space with a large common recreation area with sail shade structures, shaded tables and seating, a multipurpose turf area, and enhanced paving. An open space feature with landscaping and walkways is proposed throughout the internal walks in the paseo areas, as shown in Figure 16, *Open Space Plan*.

Parking and Circulation

The Project would be accessed from a 29-foot-wide driveway along the west side of the site. A 22-foot-wide secondary driveway for emergency access would be located at the northeast corner of the Project site. Each of the proposed residences would be accessed from the 25-foot-wide driveway that would circle the site and have a fire access corner radii of a 50-foot outside radius and 55-foot inside radius compliant with the City of Orange Fire Master Plan access standards.

Each of the residences would have a two-car garage, and 14 of the residences (the four-bedroom units) would have an extra dedicated unenclosed parking space on the same lot. In addition, the Project would provide 23 unenclosed guest parking spaces on the site. The Project includes a total of 179 parking spaces, which is a parking ratio of 2.52 spaces per residential unit.

Walls and Landscaping

Existing cement block walls along the north, south, and southwest boundaries of the site that range between six and eight feet in height would remain; with exception of new seven-foot-high 26-foot-wide emergency vehicle access gates that would be installed at the northeast corner of the site. A new eight-foot-high block wall with a sliding gate for vehicular access would be located along the eastern site boundary for maintenance of the existing billboard sign that is adjacent to SR-55. Additionally, a new six-foot-high wall would be located at the northwestern boundary of the site along the Project frontage. The Project wall plan is shown in Figure 17.

The proposed Project includes approximately 30,309 square feet (16.4% of the site) of landscaping with 24-inch and 36-inch box trees, 15-gallon trees, various shrubs, and groundcover. Although most of the existing trees would be removed and replaced in open space areas, the Project would retain 13 date palm trees that line the entrance to the site, as shown in Figure 18, *Conceptual Landscape Plan*.

Infrastructure

Water and Sewer

The Project applicant would install new onsite water and sewer lines, which connect to the existing 12-inch diameter water main located in N. Tustin Avenue and the existing 12-inch sewer main located within E. Heim Avenue to the north of the Project site.

Drainage

The Project would install a new onsite drainage system to accommodate the proposed site plan. Stormwater runoff would be captured by five sump curb inlet catch basins, one grate inlet, and an onsite area drain system that would route runoff to biofiltration treatment devices prior to discharge to the existing stormwater sump pump system. The sump pump system would discharge runoff into N. Tustin Street through a parkway drain, consistent with the current condition, but with an approximate seven percent decreased volume compared to the existing condition.

Project Construction

Construction activities for the Project include demolition, site preparation, grading, building construction, paving, and architectural coatings. The Project grading activities would involve removal and recompaction of the upper five feet of soil that would include approximately 8,200 cubic yards (cy) of cut and approximately 850 cy of fill, with an estimated export volume of approximately 7,350 cy.

Construction is expected to occur over approximately 14 months and would occur within the hours allowable by Orange Municipal Code Section 8.24.050, which states that construction shall occur only between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday. No construction activity is permitted on Sunday or Federal holidays. Demolition, site preparation, and grading would occur at one time, and the construction of the residences would be phased with three to 16 residences being developed at one time. The building construction listed in Table 3 provides the modeling estimate of the total days of construction and equipment, which is used for analysis purposes.

Table 3: Construction Schedule

Construction Phase	Working Days	Equipment
Demolition	20	Excavator, Rubber Tired Dozer, Concrete/Industrial saw, Crushing/Proc. Equipment
Site Preparation	5	Rubber Tired Dozer, Tractors, Loaders, Backhoes, Crawler Tractors
Grading	8	Grader, Rubber Tired Dozer, Tractors, Loaders, Backhoes, Crawler Tractors, Excavators
Building Construction	230	Crane, Forklifts, Tractors, Loaders, Backhoes, Generator Sets, Welders
Paving	18	Tractors, Loaders, Backhoes, Cement and Mortar Mixers, Pavers, Rollers, Paving Equipment
Architectural Coatings	18	Air Compressor

Discretionary and Ministerial Actions

The following discretionary and ministerial approval, permits, and studies are anticipated to be necessary for implementation of the Project:

City of Orange

- General Plan Amendment to change the land use designation from CG to MDR.
- Zone Change to change the zoning designation from C-TR to R-3 with application of the Small Lot Subdivision Ordinance (SLO) for fee simple duplex and detached residences.
- Vesting Tentative Tract Map for creation of a small lot subdivision
- Administrative Design Review
- Adoption of this IS/MND
- Ministerial approvals and permits necessary to execute the Project, including but not limited to, demolition permit, grading permit, building permit, etc.

Other Public Agencies Whose Approval is Required (Responsible or Trustee Agencies):

- SCAQMD Permit to Construct

Scheduled Public Meetings or Hearings:

This IS/MND will be considered for approval along with the Project's entitlements and schematic design plans at a noticed public hearing, which will be scheduled and noticed at a later date.

Figure 6: Proposed General Plan Designation

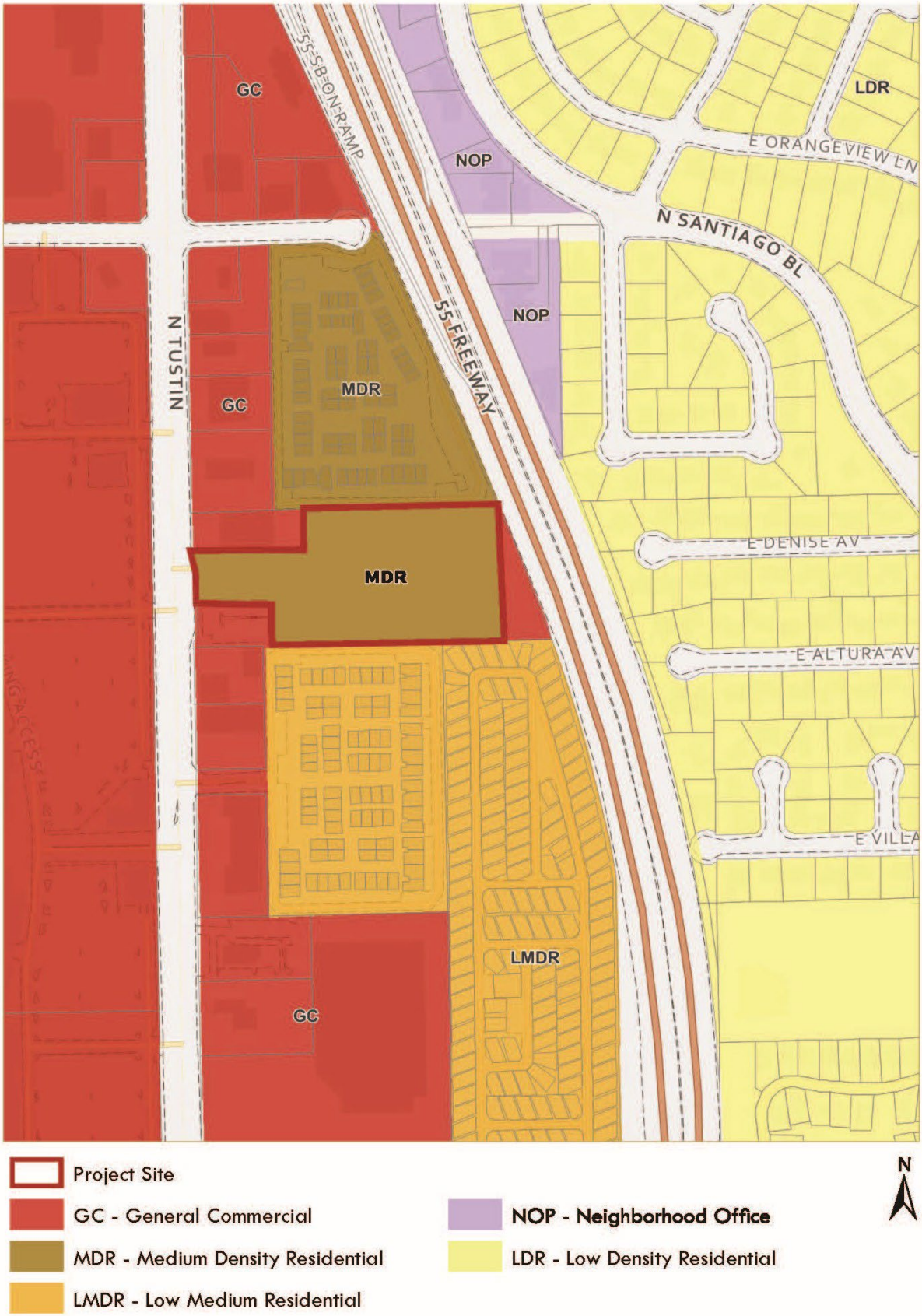

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Figure 7: Proposed Zoning Designation

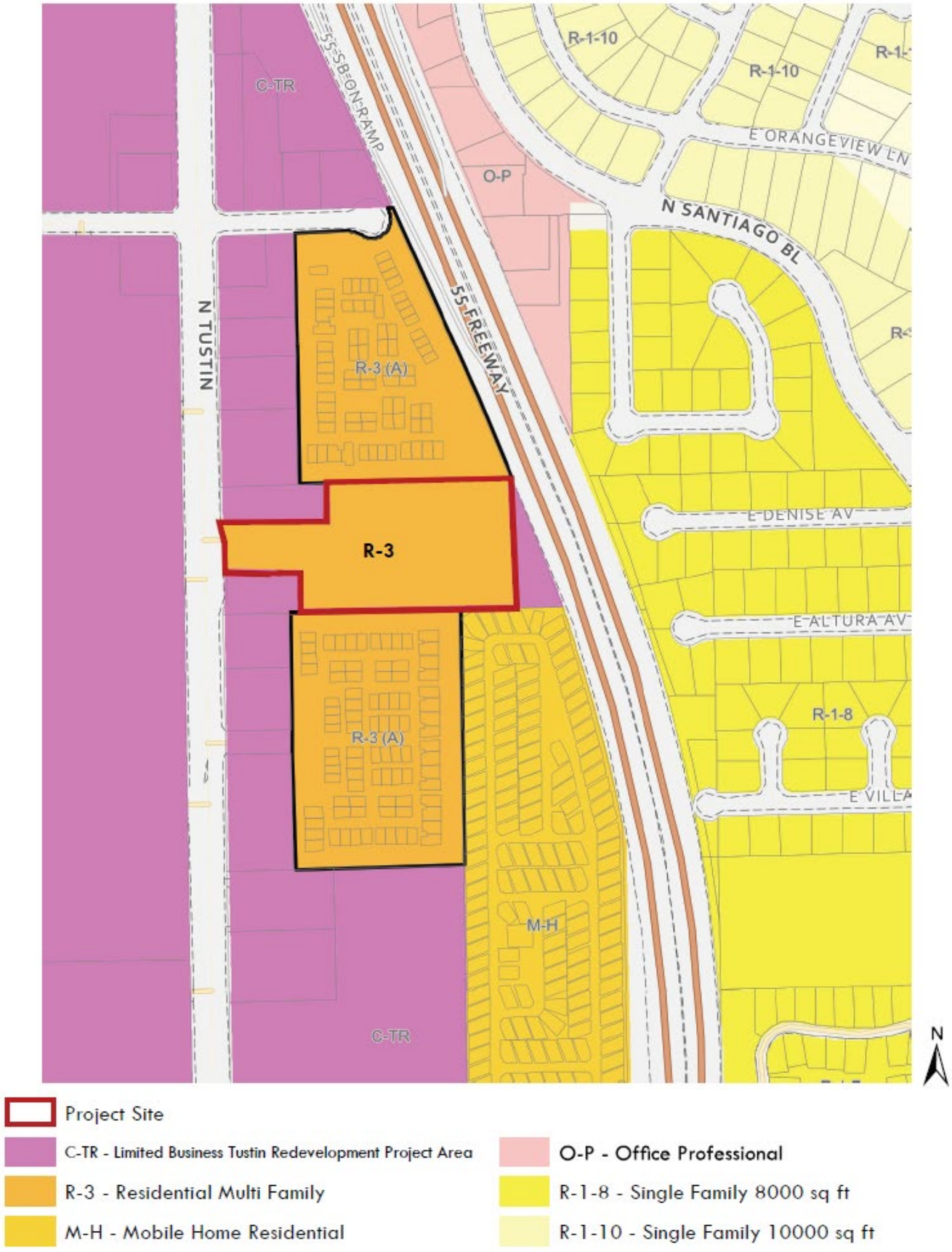

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Figure 8: Conceptual Site Plan

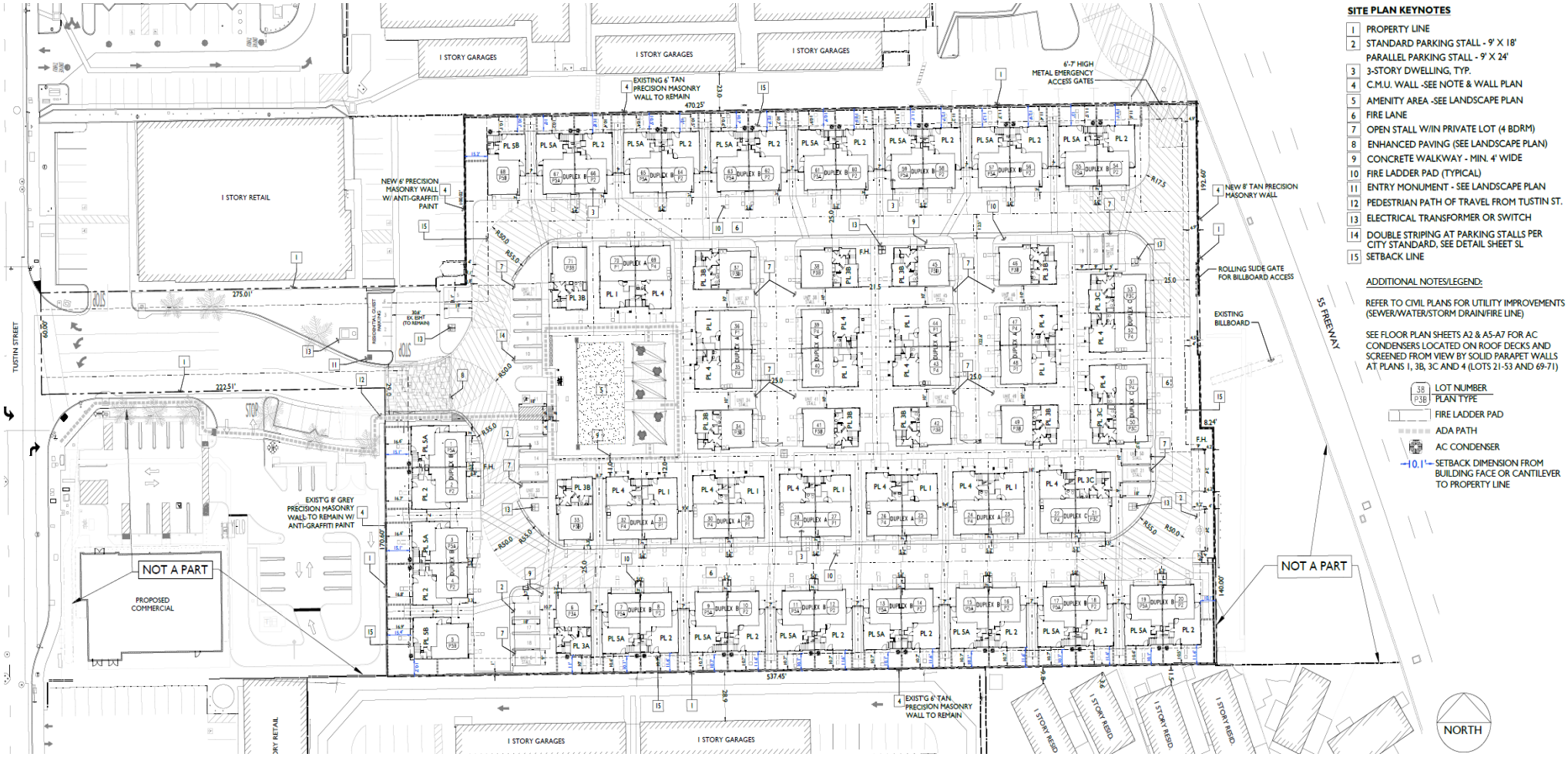

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Figure 9: Building Elevations Duplex Type A

PLAN 4 SIDE ELEVATION

PASEO ELEVATION

PLAN 1 SIDE ELEVATION

DRIVE AISLE ELEVATION

MATERIAL SCHEDULE

1. ROOF - ASPHALT SHINGLES
2. FASCIA - 2X RESAWN WOOD
3. 16/20 SAND FINISH STUCCO
4. HARDIE LAP SIDING - 6" EXPOSURE
5. DECORATIVE METAL RAILING
6. VINYL WINDOW W/ WHITE FRAME AND STUCCO TRIM
7. STUCCO CONTROL REGLET
8. EXTERIOR LIGHT FIXTURE
9. DECORATIVE METAL AWNING
10. DECORATIVE STUCCO EYEBROW
11. SECTIONAL GARAGE DOOR
12. COVERED ENTRY OR PORCH
13. WALL VINE ESPALIER

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Figure 10: Building Elevations Duplex Type B

PLAN 5A SIDE ELEVATION

FRONT - DRIVE AISLE ELEVATION

PLAN 2 SIDE ELEVATION

REAR - PRIVATE YARD ELEVATION

MATERIAL SCHEDULE

1. ROOF - ASPHALT SHINGLES
2. FASCIA - 2X RESAWN WOOD
3. 16/20 SAND FINISH STUCCO
4. HARDIE LAP SIDING - 6" EXPOSURE
5. DECORATIVE METAL RAILING
6. VINYL WINDOW W/ WHITE FRAME AND STUCCO TRIM
7. STUCCO CONTROL REGLET
8. EXTERIOR LIGHT FIXTURE
9. DECORATIVE METAL AWNING
10. DECORATIVE STUCCO EYEBROW
11. SECTIONAL GARAGE DOOR
12. COVERED ENTRY OR PORCH
13. WALL VINE ESPALIER

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Figure 11: Building Elevations Duplex Type C

PLAN 2C SIDE - ENTRY ELEVATION

PASEO ELEVATION

PLAN 3C SIDE - ENTRY ELEVATION

DRIVE AISLE ELEVATION

MATERIAL SCHEDULE

1. ROOF - ASPHALT SHINGLES
2. FASCIA - 2X RESAWN WOOD
3. 16/20 SAND FINISH STUCCO
4. HARDIE LAP SIDING - 6" EXPOSURE
5. DECORATIVE METAL RAILING
6. VINYL WINDOW W/ WHITE FRAME AND STUCCO TRIM
7. STUCCO CONTROL REGLET
8. EXTERIOR LIGHT FIXTURE
9. DECORATIVE METAL AWNING
10. DECORATIVE STUCCO EYEBROW
11. SECTIONAL GARAGE DOOR
12. COVERED ENTRY OR PORCH
13. WALL VINE ESPALIER

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Figure 12: Building Elevations Plan 3A

LEFT SIDE ELEVATION

FRONT - DRIVE AISLE ELEVATION

RIGHT SIDE ELEVATION

PRIVATE YARD - REAR ELEVATION

MATERIAL SCHEDULE

1. ROOF - ASPHALT SHINGLES
2. FASCIA - 2X RESAWN WOOD
3. 16/20 SAND FINISH STUCCO
4. HARDIE LAP SIDING - 6" EXPOSURE
5. DECORATIVE METAL RAILING
6. VINYL WINDOW W/ WHITE FRAME AND STUCCO TRIM
7. STUCCO CONTROL REGLET
8. EXTERIOR LIGHT FIXTURE
9. DECORATIVE METAL AWNING
10. DECORATIVE STUCCO EYEBROW
11. SECTIONAL GARAGE DOOR
12. COVERED ENTRY OR PORCH
13. WALL VINE ESPALIER

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Figure 13: Building Elevations Plan 3B

SIDE ELEVATION

PASEO ELEVATION

ENTRY ELEVATION

DRIVE AISLE ELEVATION

MATERIAL SCHEDULE

1. ROOF - ASPHALT SHINGLES
2. FASCIA - 2X RESAWN WOOD
3. 16/20 SAND FINISH STUCCO
4. HARDIE LAP SIDING - 6" EXPOSURE
5. DECORATIVE METAL RAILING
6. VINYL WINDOW W/ WHITE FRAME AND STUCCO TRIM
7. STUCCO CONTROL REGLET
8. EXTERIOR LIGHT FIXTURE
9. DECORATIVE METAL AWNING
10. DECORATIVE STUCCO EYEBROW
11. SECTIONAL GARAGE DOOR
12. COVERED ENTRY OR PORCH
13. WALL VINE ESPALIER

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Figure 14: Building Elevations PL 5B

LEFT SIDE ELEVATION

FRONT - DRIVE AISLE ELEVATION

RIGHT SIDE ELEVATION

PRIVATE YARD - REAR ELEVATION

MATERIAL SCHEDULE

1. ROOF - ASPHALT SHINGLES
2. FASCIA - 2X RESAWN WOOD
3. 16/20 SAND FINISH STUCCO
4. HARDIE LAP SIDING - 6" EXPOSURE
5. DECORATIVE METAL RAILING
6. VINYL WINDOW W/ WHITE FRAME AND STUCCO TRIM
7. STUCCO CONTROL REGLET
8. EXTERIOR LIGHT FIXTURE
9. DECORATIVE METAL AWNING
10. DECORATIVE STUCCO EYEBROW
11. SECTIONAL GARAGE DOOR
12. COVERED ENTRY OR PORCH
13. WALL VINE ESPALIER

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Figure 15: Project Renderings

PERSPECTIVE OF PLANS 5A/3B LOOKING NORTHEAST (LOT 67/71)

PERSPECTIVE OF TYPICAL INTERIOR PASEO

PERSPECTIVE FROM TUSTIN STREET TOWARD EAST

FRONT ENTRY PERSPECTIVE (PLANS 2 AND 5A)

PASEO PERSPECTIVE AT UNIT 32 TOWARD SOUTHEAST

PERSPECTIVE OF PROJECT ENTRY

PERSPECTIVE OF COMMON WALKWAY AT UNITS 30/31 TOWARD NORTH

PERSPECTIVE OF RECREATION AREA TOWARD SOUTHEAST

PERSPECTIVE OF MAIN RECREATION AREA VIEWED FROM PROJECT ENTRY

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Figure 16: Open Space Plan

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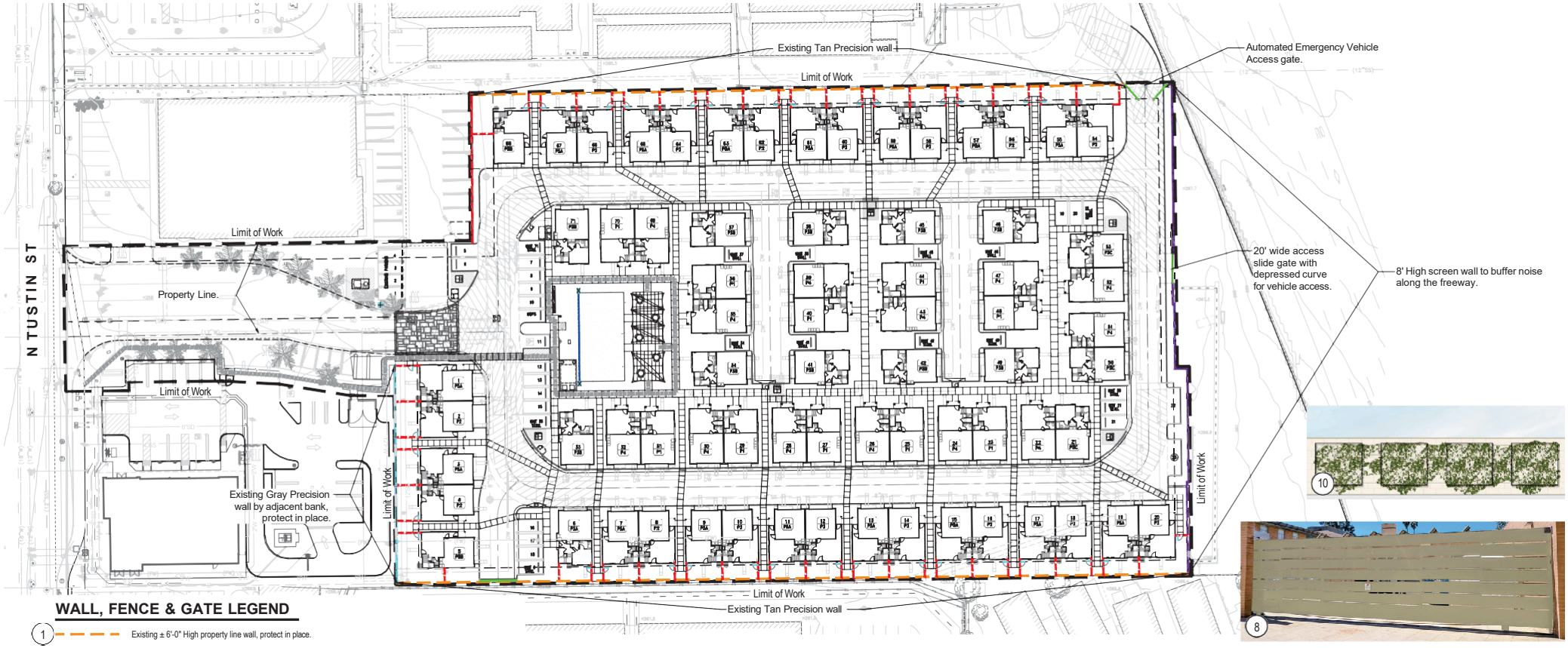
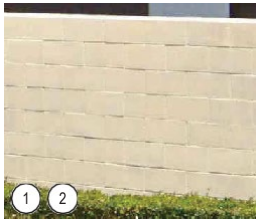
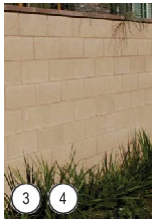


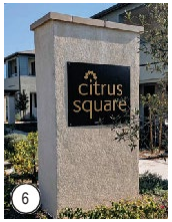
WALL, FENCE & GATE LEGEND

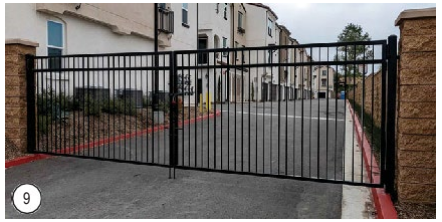
1. Existing ± 6'-0" High property line wall, protect in place.
   Existing ± 8'-0" High Gray Precision property line wall by adjacent bank property, protect in place.
2. 8'-0" New High precision block wall with rolled mortar cap, to match existing walls (tan color).
3. 6'-0" New High precision block wall with 2" high precision cap (tan color).
4. 3'-0" New Low precision block wall with 2" high precision cap (tan color).
5. 5'-6" New High vinyl private yard gate (tan color).
6. 8'-0" New High entry stucco pilaster with enhanced concrete cap and metal signage.
7. 3'-6" New Low stucco pilaster with enhanced concrete cap (open space).
8. ±8'-0" New High Sliding metal vehicular maintenance access gate (color to match wall).
9. ±7'-0" New High Auto Emergency vehicle access metal gate (14' wide ea. gate for 26' total width, black color).
10. New Metal Wall Trellis vines.

ADA Path of Travel









*Conceptual images (provided herein are conceptual and subject to change)

Note:
Perimeter walls on west side of site must be coated with an anti-graffiti paint or have faux vegetation installed to counter potential vandalism/graffiti.

0 15' 30' 60'
Scale: 1" = 30'

Figure 17: Wall Plan

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LEGEND

1. Central community open space area with enhanced paving courtyard, palm trees, shade sail overhead covers, and artificial turf for small social events and group gatherings.
2. Six community cluster mailboxes, per USPS review and approval.
3. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.
4. Proposed 20' wide access slide gate with depressed curve for vehicle access.
5. Automated Emergency Vehicle Access gate.
6. Enhanced paving at main project entry.
7. Proposed tree, per Planting Plan.
8. 5' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
9. 4' wide unit entry natural colored concrete walk, with light top-cast finish and saw-cut joints.
10. Accessible parking stall and striping, per Civil plans.
11. Guest parking stall.
12. Natural colored concrete driveway, with light broom finish and tooled joints.
13. Private patio / yard area, homeowner maintained.
14. Common area landscape, builder installed and HOA maintained.
15. Community dog bag station (black in color), for pet owners.
16. Property line.
17. Public street R.O.W.
18. Proposed public street sidewalk, per Civil plans.
19. Transformer to be screened with landscape, quantity and final locations to be determined.
20. Short term bike parking (1 bike rack to accommodate 2 bike stalls).
21. Modular wetland, per Civil plans.
22. Proposed AC condenser locations, per Architecture plans.
23. Existing landscape to remain in addition to new utility screen plantings.

Figure 18: Conceptual Landscaping Plan

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ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less Than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages.

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

DETERMINATION. On the basis of this initial evaluation:

1. I find that the project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐

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

3. I find the Project **may have a significant effect** on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☐

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

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

MS — 1-29-26

Monique Schwartz, Senior Planner — *Date*

EVALUATION OF ENVIRONMENTAL IMPACTS:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced, as discussed below).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identity the following:

   a. Earlier Analysis Used. Identify and state where they are available for review.

   b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated", describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:
   a) the significance criteria or threshold, if any, used to evaluate each question; and
   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

CHECKLIST OF ENVIRONMENTAL IMPACT ISSUES:

	1. AESTHETICS. *Except as provided in Public Resources Code Section 21099, would the project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
(a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
(c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning or other regulations governing scenic quality?	☐	☐	☒	☐
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Impact Analysis

a) Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted in two ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista or by blocking the view corridors or "vista" of the scenic resource. Important factors in determining whether the Project would block scenic vistas include the Project's proposed height, mass, and location relative to surrounding land uses and travel corridors. The City's General Plan defines scenic vistas as those "...hillsides, ridgelines or open space areas that provide a unifying visual backdrop to the urban environment."

The Project site is in an urbanized area where views are limited due to the surrounding commercial and residential developments. The Project site is currently developed with a 45,676 square foot retail commercial building that is approximately 30 feet in height with higher signage. There are no views of the surrounding foothills of the Santa Ana Mountains or the Puente-Chino Hills from public vantage points on N. Tustin Street near the Project site.

The Project would develop 71 new 3-story townhouse residences on the Project site that that would have a maximum height of 35 feet and would be setback a minimum of 290 feet from N. Tustin Street and over 50 feet from SR-55. Also, the Project would be in compliance with Orange Municipal Code Sections 17.14.270, *Small Lot Subdivision Standards*. Due to the proposed setbacks, the proposed Project would not impede any views from either N. Tustin Street or SR-55. As no scenic vistas or protected viewsheds are visible from the Project site and the proposed structures would be setback from roadway viewsheds, and the Project is consistent City development standards, no impacts to any scenic vistas would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

b) There are no officially designated state scenic highways in the vicinity of the Project (Caltrans 2025). The nearest officially designated scenic highway is State Route 91, approximately 1.3 miles northeast of the Project site. The Orange General Plan identifies portions of Santiago Canyon Road, Jamboree Road, and Newport Boulevard as potential City scenic highways. However, these roadways are not located within the vicinity of the Project site. Therefore, impacts to scenic resources within a state scenic highway would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

c) The Project site is located within a mixed commercial and residential area and is adjacent to commercial offices on the west, residential to the north and south, and a billboard parcel and the SR-55 to the east. The Project site is developed with a vacant 45,676 square foot BestBuy retail store building that is approximately 30 feet in height, surface parking lot, and landscaping. The existing character of the Project site is neither unique nor of special aesthetic value or quality.

The Project includes a General Plan Amendment to change the land use designation of the site from GC to MDR and a Zone Change to change the zoning designation from C-TR to R-3 with application of the Small Lot Subdivision Ordinance (SLO). The Project development would be consistent with the applicable land use and zoning development standards from Municipal Code Chapter 17.14, as detailed in Table AES-1.

Table AES-1: Project Consistency with Site Development Standards

Development Feature	R-3 Zoning Small Lot Subdivision Standards	Project Consistency
Minimum Lot Frontage	25 feet	**Consistent.** The Project would have minimum lot frontages of 25.02 to 52.54 feet. Therefore, the Project is consistent with this zoning standard.
Minimum Lot Depth	50 feet	**Consistent.** The Project would have minimum lot depths of 55.58 to 68.03 feet. Therefore, the Project is consistent with this zoning standard.
Minimum Yard Setbacks: Front Side Rear	 15 feet 5 feet 10 feet	**Consistent.** The Project would have minimum setbacks of 15.1 feet on the front, 10.1 feet on the side, and 10.1 feet on the rear, and would be consistent with this zoning standard.
Maximum Height	35 feet 3-stories	**Consistent.** The Project would provide 3-story townhomes with a maximum height of 35 feet. Therefore, the Project is consistent with this zoning standard.
Lot Coverage	75 percent	**Consistent.** The Project would provide lot coverages of 25 to 55.7 percent. Therefore, the Project is consistent with this zoning standard.
Minimum Usable Open Space	250 sf/unit	**Consistent.** The Project includes 6,031 square feet of common open space with a

Development Feature	R-3 Zoning Small Lot Subdivision Standards	Project Consistency
		large common recreation area. Also, residences would include either a roof deck ranging from 235 to 300 square feet or a ground level fenced rear private yard with a minimum of 240 square feet. The total private open space provided is 19,912 square feet, which equates to 280 square feet per unit. Therefore, the Project is consistent with this zoning standard.
Minimum Private Open Space	150 sf/unit	**Consistent.** The Project would provide either a 240-square-foot minimum fenced rear yard or a 235- to 300-square-foot roof deck with each residence. Therefore, the Project is consistent with this zoning standard.
Common Open Space	Only required when lot coverage of each lot exceeds 75 percent.	**Consistent.** Each lot does not exceed 75 percent lot coverage; however, 6,031 square feet of common open space is provided in the form of a central courtyard with shade sail overhead covers, picnic table seating, and open turf area. Therefore, the Project is consistent with this zoning standard.
Maximum Fence Height	6 feet: Side and rear yard setback areas along the perimeter of the proposed subdivision. 8 feet: When adjacent to commercial development.	**Consistent.** As shown on Figure 17, *Wall Plan,* a new 6-foot-high perimeter wall adjacent to commercial development to the west and a new 8-foot-high perimeter wall along the east (rear) property line adjacent to commercial development would be installed as part of the Project. The existing 6-foot-high walls on the northern and southern property lines would remain, and the existing 8-foot-high wall on the southwestern boundary adjacent to the bank property would remain.
Landscaping	Setbacks and open areas of the site not occupied by buildings shall be landscaped, including surface parking lot areas.	**Consistent.** The Project includes 51,464 square feet of landscaping / hardscaping provided.
Secured Storage	120 cubic feet / unit Must be in addition to cabinets and closets typically found within a unit (such as kitchen and bathroom cabinets, clothes, and linen closets)	**Consistent.** The Project includes 120 cubic feet per unit provided in either designated areas for shelves or overhead storage in garages.
Parking	174 Spaces Required 2 parking spaces per unit, either enclosed or covered (i.e., garage or carport). For	**Consistent.** The Project includes 179 total spaces, plus one dedicated USPS space. 142 enclosed garages spaces (71 units)

Development Feature	R-3 Zoning Small Lot Subdivision Standards	Project Consistency
	units with 4 or more bedrooms, 1 additional space shall be provided on each lot which may be enclosed or unenclosed. Enclosed or covered parking may be provided in a tandem format, except for guest parking in common parking areas. A minimum of 0.25 spaces per unit (with a minimum of 2 guest spaces) shall be provided as easily accessible and distinguishable guest parking in addition to the required parking for each unit. Guest parking may be unenclosed. 3 Bed: 114 4 Bed: 42 Guest: 18 Total Required: 174	14 unenclosed on-lot resident spaces (14 four-bedroom units) 23 unenclosed guest spaces 5 surplus parking spaces

Source: Municipal Code Tables 17.14.070 and 17.14.270

As shown in Table AES-1, the Project would adhere to the R-3 development standards with application of the Small Lot Subdivision Ordinance. Therefore, the Project would not conflict with applicable zoning or other regulations governing scenic quality and would not degrade the visual character or quality of the site or surrounding area. Impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

d) The Project site is located within a developed urban area, adjacent to residential, commercial, office and roadways. Existing sources of light in the vicinity of the Project site include streetlights, security lighting, landscape lighting, and lighting from building interiors that pass-through windows.

The Project includes installation of security lighting, signage lighting, parking area lighting, and exterior residential lighting that would have the potential to create a new source of light that could adversely affect nighttime views at adjacent residences. However, lighting on the Project site would be designed, located, and shielded in compliance with Orange Municipal Code Section 17.12.030, which would be verified by the City during the development review and permitting process. Therefore, the increase in light that would be generated by the Project would not adversely affect day or nighttime views in the area, and lighting impacts would be less than significant.

Reflective light (glare) can be caused by sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials. Generally, dark or mirrored glass would have a higher visible light reflectance than clear glass. Buildings constructed of highly reflective materials from which the sun reflects at a low angle can cause adverse glare. The proposed residential structures would include windows; however, the windows would be separated by building stucco and architectural elements and the residences would not be constructed with reflective material. Pursuant to Orange Municipal Code Section 17.12.030, exterior lighting would be shielded or oriented to prevent glare beyond the exterior boundaries of the site. With compliance to City regulations, the Project would not generate substantial sources of glare, and impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

Existing Plans, Programs, or Policies

PPP AES-1: Exterior Lighting. Exterior lighting on the Project site shall conform to the regulations within Orange Municipal Code Section 17.12.030. Lighting on any premises shall be directed, controlled, screened or shaded in such a manner as not to shine directly on surrounding premises. Lighting on any residential property shall be controlled so as to prevent glare or direct illumination of any public sidewalk or thoroughfares.

Sources

Caltrans (California Department of Transportation). 2025. *California State Scenic Highway System Map*: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa. Accessed April 2025.

City of Orange General Plan. [online]: https://www.cityoforange.org/our-city/departments/community-development/general-plan. Accessed April 2025.

City of Orange Municipal Code. 2022. [online]: https://ecode360.com/OR5214. Accessed April 2025.

	2. AGRICULTURE & FOREST RESOURCES. *(In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) Would the project:*	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☐	☒

Impact Analysis:

a) The Project site is in an urbanized area and void of agricultural uses. The existing site is comprised of a vacant 45,676 square foot retail store building, surface parking lot, and landscaping. The California Department of Conservation Farmland Mapping and Monitoring Program identifies the Project site and surrounding areas as Urban and Built-Up land (CDC 2025). No areas of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by the Project or converted to a non-agricultural use. Thus, no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

b) As described in the previous response, the Project area is void of any agricultural uses. The Project site is currently zoned C-TR (as shown in Figure 6) and is also surrounded by areas zoned and developed for commercial and residential uses. The Project site and surrounding areas are not under a Williamson Act contract. Therefore, implementation of the Project would not conflict with existing agricultural zoning or a Williamson Act contract, and no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.

Significance Determination After Mitigation: No impact.

c) The Project site is developed and located in an area that is completely developed with urban uses. The Project site and vicinity are void of forest land or timberland. In addition, the Project site currently has a land use designation of GC and is zoned C-TR. The surrounding areas are zoned for commercial and residential uses. Therefore, the Project would not conflict with forest land, timberland, or zoning for forest or timberland use and no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

d) As described in the previous response, the Project area is void of any forest land and is not zoned for forest uses. Thus, the Project would not result in the loss of forest land or conversion of forest land to non-forest uses and no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

e) As described in the previous responses, the Project area does not include and is not near any farmland or forest land or land zoned for either farm or forest uses. No other changes to the existing environment would occur from implementation of the Project that could result in conversion of farmland to non-agricultural use or forest land to non-forest use. Thus, no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

None.

Sources

California Department of Conservation 2025. Important Farmland Finder. [online]: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed April 2025.

City of Orange General Plan: https://www.cityoforange.org/our-city/departments/community-development/general-plan. Accessed April 2025.

3. AIR QUALITY. *(Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
(b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
(c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

The discussion below is based on the Air Quality, Energy, and Greenhouse Gas Impact Analysis, included as Appendix A.

Impact Analysis:

a) The Project site is located in the South Coast Air Basin (SCAB), which is within the jurisdictional boundaries of the South Coast Air Quality Management District (SCAQMD). The SCAQMD and Southern California Association of Governments (SCAG) are responsible for preparing the Air Quality Management Plan (AQMP), which addresses federal and state Clean Air Act (CAA) requirements. The 2022 AQMP details goals, policies, and programs for improving air quality in the Basin. The 2022 AQMP is based on General Plan land use designations and regional growth projections developed by SCAG.

As described in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook (1993), for purposes of analyzing consistency with the AQMP, if a proposed project would result in growth that is substantially greater than what was anticipated, then the proposed project would conflict with the AQMP. On the other hand, if a project's density is within the anticipated growth of a jurisdiction, its emissions would be consistent with the assumptions in the AQMP, and the project would not conflict with SCAQMD's attainment plans. In addition, the SCAQMD considers a project consistent with the AQMP if the project would not result in an increase in the frequency or severity of existing air quality violations or cause a new violation.

The Project would redevelop the site to provide 71 residential townhomes on 4.32 gross acres. The Project would not house more than 1,000 persons, occupy more than 40 acres of land, or encompass more than 650,000 square feet of floor area. Thus, the Project would not be defined as a regionally significant project under CEQA and would not meet SCAG's Intergovernmental Review criteria.

The 2022 AQMP was based on the Project site's existing General Plan land use designation of General Commercial (GC) that allows a maximum Floor Area Ratio (FAR) of 1.0 and emissions generated by the existing 45,676 square foot retail store building that was constructed in 2007. As detailed in Section, 17, *Transportation*, the former Best Buy store generated approximately 1,875 daily vehicle trips (Table T-1) and the proposed 71 residential units under the proposed General Plan land use designation of Medium Density Residential (MDR) would generate approximately 511 daily vehicle trips (Table T-2). Thus, the proposed Project would not result in growth in vehicle trips or related emissions and would not conflict with the AQMP attainment plan.

The Orange General Plan and General Plan Program EIR assumed population estimates based on an average of 3.16 persons per single-family dwelling unit and 2.50 persons per multiple-family unit

(General Plan EIR Table 3-1, page 3-14). The Project would develop 71 townhome residences, which would generate between 178 and 224 residents. According to the California Department of Finance, the City had a population of 139,724 in 2025 with 48,301 housing units. The increase in 71 housing units would equate to a 0.15 percent increase in housing units within the City and the increase of 224 residents would equate to a 0.16 percent increase in population, which is a less than significant increase.

Therefore, Project-generated growth and emissions would be consistent with the 2022 AQMP. In addition, as described in Response 3(b) below, the Project would not generate air quality emissions above SCAQMD significance thresholds during construction or operation. Therefore, impacts related to conflict with the AQMP from the Project would be less than significant.

Significance Determination: Less than significant.
Mitigation Measures: No mitigation required.
Significance Determination After Mitigation: Less than significant.

b) The SCAB has a non-attainment status for not meeting federal ozone standards, federal carbon monoxide standards, and state and federal particulate matter standards. Any development in the SCAB, including the Project, could cumulatively contribute to these pollutant violations. SCAQMD has established daily mass thresholds for regional pollutant emissions, listed in Table AQ-1. The methodologies from the SCAQMD CEQA Air Quality Handbook are used to evaluate project impacts, which describes that a project that would exceed any listed thresholds would have both an individually (project-level) and cumulatively significant air quality impact. If estimated emissions are less than the thresholds or reduced to below the thresholds with implementation of mitigation, impacts would be considered less than significant.

Table AQ-1: Maximum Daily Regional Emissions Thresholds

Pollutant	Construction (lbs/day)	Operations (lbs/day)
VOC	75	55
NOx	100	55
CO	550	550
PM_{10}	150	150
$PM_{2.5}$	55	55
SOx	150	150

lbs/day = pounds per day
VOCs = volatile organic compounds
NO_x = nitrogen oxides
CO = carbon monoxide
Source: Appendix A
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
SO_X = sulfur oxides

Construction
Construction associated with the Project would generate pollutant emissions from the following activities: (1) demolition of the existing structure, foundation, and pavement; (2) site preparation with removal of infrastructure; (3) grading; (4) building construction; (5) paving; and (6) architectural coating/striping. The amount of emissions generated on a daily basis would vary, depending on the intensity and the types of construction activities occurring.

In addition to PM_{10} and $PM_{2.5}$ derived from exhaust, emissions resulting from crushing asphalt hardscape had been calculated. It is mandatory for all construction projects to comply with several SCAQMD Rules, including Rule 403 for controlling fugitive dust, PM_{10}, and $PM_{2.5}$ emissions from construction

activities. Rule 403 requirements include, but are not limited to: applying water in sufficient quantities to prevent the generation of visible dust plumes, applying soil binders to uncovered areas, reestablishing ground cover as quickly as possible, utilizing a wheel washing system to remove bulk material from tires and vehicle undercarriages before vehicles exit the site, covering all trucks hauling soil with a fabric cover and maintaining a freeboard height of 12-inches, and maintaining effective cover over exposed areas. Compliance with Rule 403 and Rule 1113, included as PPP AQ-2 and PPP AQ-3 respectively, were accounted for in the construction emissions modeling for the Project. Project-generated emissions were calculated using CalEEMod version 2022.1 (provided in Appendix A). As shown in Table AQ-2, construction emissions generated by the Project would not exceed SCAQMD regional thresholds. Therefore, emissions from construction activities would be less than significant.

Table AQ-2: Construction Regional Emissions Summary

Construction Year	Maximum Daily Regional Emissions (pounds/day)					
	ROG	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Year 1 (2026)	3.9	34.7	32.1	0.1	7.7	4.4
Year 2 (2027)	66.9	10.5	15.4	<0.01	0.8	0.4
Maximum Daily Emissions 2026-2027	**66.9**	**34.7**	**32.1**	**0.1**	**7.7**	**4.4**
SCAQMD Significance Thresholds	75	100	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes: ROG = reactive organic gases, NOx = nitrogen oxides, CO = carbon monoxide, SO_2 = sulfur dioxide, PM_{10} = particulate matter 10 microns in diameter, $PM_{2.5}$ = particulate matter 2.5 microns in diameter
Source: Appendix A.

Operation

Long-term air pollutant emission impacts are those typically associated with mobile sources (e.g., vehicle and truck trips), energy sources (e.g., natural gas), area sources (e.g., architectural coatings and the use of landscape maintenance equipment), and stationary sources (e.g., use of the backup emergency generator and fire pump).

PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Entrainment of PM_{10} occurs when vehicle tires pulverize small rocks and pavement, and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other PM emission processes. Gasoline-powered engines have small rates of PM emissions compared with diesel-powered vehicles.

Energy source emissions result from activities in buildings for which natural gas is used. The quantity of emissions is the product of usage intensity (i.e., the amount of natural gas) and the emission factor of the fuel source. Greater building or appliance efficiency reduces the amount of energy for a given activity and thus lowers the resultant emissions. The emission factor is determined by the fuel source, with cleaner energy sources, like renewable energy, producing fewer emissions than conventional sources. However, the Project would not include natural gas connections, and no natural gas demand is anticipated during operation. Typically, area source emissions consist of direct sources of air emissions located at the Project site, including architectural coatings and the use of landscape maintenance equipment.

As shown in Table AQ-3, the Project would not exceed the significance criteria for VOCs, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$ emissions. Therefore, the Project would not have a significant effect on regional air quality and operations would not result in a cumulatively considerable net increase of any criteria

pollutant for which the Project is nonattainment under an applicable federal or State ambient air quality standard. Impacts would be less than significant.

Table AQ-3: Operational Regional Emissions Summary

Operational Activity	Maximum Daily Regional Emissions (pounds/day)					
	ROG	**NOx**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Mobile	1.9	1.5	16.6	<0.1	4.3	1.1
Area	4.7	<0.1	4.0	<0.1	<0.1	<0.1
Energy	<0.1	0.7	0.3	<0.1	0.1	0.1
Operational Emissions	6.7	2.3	21.0	<0.1	4.4	1.2
SCAQMD Significance Thresholds	55	55	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes: ROG = reactive organic gases, NOx = nitrogen oxides, CO = carbon monoxide, SO2 = sulfur dioxide, PM10 = particulate matter 10 microns in diameter, PM2.5 = particulate matter 2.5 microns in diameter
Source: Appendix A

Significance Determination: Less than significant.
Mitigation Measures: No mitigation required.
Significance Determination After Mitigation: Less than significant.

c) Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential dwelling units. The closest sensitive receptors to the Project site are residential uses located to the north and south of the Project site; the closest of which is approximately 16 feet (5 meters) to the south of the Project site boundary.

Localized Significance Analysis
The SCAQMD's *Final Localized Significance Threshold Methodology* recommends the evaluation of localized NO_2, CO, PM_{10}, and $PM_{2.5}$ construction-related impacts to sensitive receptors in the immediate vicinity of a project site. Such an evaluation is referred to as a localized significance threshold (LST) analysis. SCAQMD has developed LSTs that represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards and thus would not cause or contribute to localized air quality impacts. LSTs are developed based on the ambient concentrations of NOx, CO, PM_{10}, and $PM_{2.5}$ pollutants for each of the 38 source receptor areas (SRAs) in the SCAB. The Project site is located in SRA 17, Central Orange County. Project construction and operation emissions were compared to the LST screening tables in SRA 17, based on a 25-meter source-receptor distance (which is the closest screening distance provided by SCAQMD) and a disturbed acreage of 3.5 acres.

Construction. Table AQ-4 identifies the localized construction emissions at the nearest receptor location in the vicinity of the Project. As shown in Table AQ-4, the proposed Project would not exceed the SCAQMD LST thresholds. Therefore, localized construction air quality impacts would be less than significant.

Table AQ-4: Localized Emissions from Construction

Construction Year	Maximum Daily Regional Emissions (pounds/day)			
	NOx	**CO**	**PM_{10}**	**$PM_{2.5}$**
Year 1 (2026)	34.6	31.0	7.4	4.3
Year 2 (2027)	10.2	14.0	0.4	0.3
Maximum Daily Emission 2026-2027	**34.6**	**31.0**	**7.4**	**4.3**
SCAQMD LST Screening Thresholds[1]	149	984	9.5	5.5
Threshold Exceeded?	**No**	**No**	**No**	**No**

Notes: NOx = nitrogen oxides, CO = carbon monoxide, PM_{10} = particulate matter 10 microns in diameter, $PM_{2.5}$ = particulate matter 2.5 microns in diameter
[1]Significance thresholds obtained by interpolating values for 2 acres and 5 acres at a receptor distance of 25 meters.
Source: Appendix A

Operation. According to the SCAQMD LST methodology, LSTs apply to a project's stationary and on-site mobile sources. Projects that involve mobile sources that spend long periods queuing and idling at a site, such as transfer facilities or warehousing and distribution buildings, have the potential to exceed the operational LSTs. The proposed Project consists of 71 residences and is not anticipated to result in significant vehicle idling or queuing activity. Therefore, due to the lack of significant stationary source emissions, impacts related to operational LSTs would be less than significant.

Significance Determination: Less than significant.
Mitigation Measures: No mitigation required.
Significance Determination After Mitigation: Less than significant.

d) The Project would not emit other emissions, such as those generating objectionable odors, that would affect a substantial number of people. The threshold for odor is identified by SCAQMD Rule 402, Nuisance, which states:

> *A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals*.

The SCAQMD lists land uses primarily associated with odor complaints as agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. Residential uses are not associated with objectionable odors.

During construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The Project would not include any activities or operations that would generate objectionable odors and once operational, the Project would not be a source of odors. The Project would also be required to comply with SCAQMD Rule 402, as included in PPP AQ-1, which would prevent occurrences of public nuisances. Therefore, odors associated with the Project would be less than significant.

Significance Determination: Less than significant.
Mitigation Measures: No mitigation required.

Significance Determination After Mitigation: Less than significant.

Existing Plans, Programs, or Policies

PPP AQ-1: Rule 402. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

PPP AQ-2: Rule 403. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following:

- All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
- The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day.
- The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.

PPP AQ-3: Rule 1113. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only "Low-Volatile Organic Compounds" paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.

Sources:

Air Quality, Energy, and Greenhouse Gas Impact Analysis. 2025. Prepared by EPD Solutions. (Appendix A).

4. BIOLOGICAL RESOURCES. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
(b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
(c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
(d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
(f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Impact Analysis:

a) The Project site is fully developed and currently contains a vacant 45,676 square foot retail store building, surface parking lot, and non-native ornamental landscaping. The surrounding area is urbanized with residential and commercial buildings and roadways. No endangered, rare, threatened, or special status plant species (or associated habitats) or wildlife species designated by the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), or California Native Plant Society (CNPS) occur on or adjacent to the site due to lack of habitat.

The Project would redevelop the site with residences, parking areas, open space recreation areas, which would include installation of new ornamental landscaping. As no sensitive species or habitats are located within the urban and developed site, implementation of the Project would not result in a substantial adverse effect, either directly or through habitat modifications, on any sensitive species, and no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

b) Riparian habitats occur along the banks of rivers and streams. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies, known to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors. As previously described, the Project site is fully developed and located in an urbanized area and does not contain any riparian or riverine features. According to the National Wetlands Inventory, no riparian habitat or other sensitive natural communities occur on or adjacent to the Project site (USFWS 2025). Additionally, the

Project site and adjacent areas are not included in any local or regional plans, policies, and regulations that identify riparian habitat or other sensitive natural community. Therefore, no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

c) Wetlands are defined under the Federal Clean Water Act as land that is flooded or saturated by surface water or groundwater sufficient to support vegetation adapted to saturated soils. Wetlands include areas such as swamps, marshes, and bogs. As previously described, the Project is fully developed and located in an urbanized area and does not contain any wetlands (USFWS 2025). Therefore, the redevelopment of the Project site would not result in impacts to wetlands.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

d) Wildlife corridors are linear features that connect areas of open space and provide avenues for the migration of animals and access to additional areas of foraging. The Project site is within an urbanized area and is developed, paved, and surrounded on three sides by walls. The Project site is surrounded by residential and commercial uses and roadways. Therefore, the Project site does not contain, and is not adjacent to, any wildlife corridors.

The Project site currently contains 86 ornamental trees in the parking area and adjacent to the site perimeter that may be utilized by nesting birds and raptors during the nesting bird season of February 1 through August 31. If vegetation is required to be removed during nesting bird season, Mitigation Measure BIO-1 has been included to require a nesting bird survey to be conducted prior to initiating vegetation clearing to ensure that nesting birds are not harmed during Project construction. The Project includes approximately 30,309 square feet (16.4% of the site) of landscaping with 24-inch and 36-inch box trees, 15-gallon trees, various shrubs, and groundcover. Although most of the existing trees would be removed and replaced in open space areas, the Project would retain 13 date palm trees that line the entrance to the site. With the implementation of Mitigation Measure BIO-1, impacts related to nesting birds would be reduced to a less than significant level.

Significance Determination: Less than significant with mitigation incorporated.

Mitigation Measures:
MM BIO-1: Pre-construction Nesting Bird Survey. Construction plans and Project specifications shall state that if construction or vegetation removal activities are scheduled to occur during the bird breeding season (February 1 through August 31), a pre-construction nesting bird survey shall be conducted by a qualified biologist to ensure that active bird nests will not be disturbed or destroyed. The survey shall be completed no more than three days prior to initial ground disturbance. The nesting bird survey shall include the Project area and adjacent areas where Project activities have the potential to affect active nests, either directly or indirectly due to construction activity or noise. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall not occur within any disturbance limit buffer zones until the nest is deemed inactive by the qualified biologist.

Significance Determination After Mitigation: Less than significant.

e) The Project contains ornamental trees in the parking area and adjacent to the site perimeter. The Project would replace most of the existing trees and install new landscaping as shown in Figure 18, *Conceptual Landscape Plan*. The City's participation in the Natural Community Conservation Planning (NCCP) program and the Master Street Tree Plan are the primary local measures to protect biological resources. Orange Municipal Code Chapter 12.28 prohibits the removal of trees, including historic trees, from undeveloped and public interest property without a permit. In addition, the removal of recognized City of Orange Street Trees must be approved by the Director of Public Works and must comply with the provisions within the Master Street Tree Plan. These requirements include replacement or relocation of trees as necessitated. The Project would not include removal of trees from an undeveloped property or a public right-of-way. With City review and approval of the proposed landscaping site plan, the Project would not conflict with local policies and impacts would be less than significant.

Significance Determination: Less than significant.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant.

f) The City is a participant in the Orange County NCCP, which was approved in 1996. As shown in Figure 5.4-2, *NCCP Habitat Reserve Area,* from the Orange General Plan Program EIR, the Project site is not identified as a reserve, non-reserve open space, or special linkage. As such, the Project would not conflict with any of the provisions set forth in the Orange County NCCP. The Project site does not fall within any other local or regional conservation plans. Therefore, no conflict with such plans is identified and no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

None.

Sources

Tree Survey and Arborist Report. June 2025. Prepared by CalPacific Sciences. Appendix B

City of Orange. Master Street Tree Plan. [online]: https://www.cityoforange.org/home/showpublisheddocument/336/637699043683430000. Accessed March 2025.

City of Orange. 2010. Orange General Plan Program Environmental Impact Report. [online]: https://www.cityoforange.org/home/showpublisheddocument/240/637698173340500000. Accessed March 2025.

City of Orange Municipal Code. 2025. [online]: https://ecode360.com/OR5214. Accessed March 2025.

USFWS (United States Fish and Wildlife Service). 2025. National Wetlands Inventory. [online]: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/. Accessed March 2025.

5. CULTURAL RESOURCES. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to in §15064.5?	☐	☐	☐	☒
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
(c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

The discussion below is based on the Cultural Resources Study prepared by BFSA Environmental included as Appendix C.

Impact Analysis:

a) According to the State CEQA Guidelines, a historical resource is defined as something that meets one or more of the following criteria:

1) Listed in, or determined eligible for listing in, the California Register of Historical Resources;
2) Listed in a local register of historical resources as defined in Public Resources Code (PRC) Section 5020.1(k);
3) Identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or
4) Determined to be a historical resource by the project's Lead Agency.

A record search of the California Historic Resources Information System (CHRIS) was completed at the South Central Coastal Information Center (SCICC) at California State University, Fullerton (CSU Fullerton) for the Project site and a one-mile radius. The search indicated that seven historic resources have been identified within a mile of the Project site. However, no historic resources were identified as within or adjacent to the Project site. Additionally, no historical resources were identified during the field survey. The Project site contains a vacant Best Buy commercial retail building and parking lot built in 2007, which does not meet the minimum age threshold of 50 years to be considered potentially historic in accordance with CEQA. Therefore, impacts related to historic resources would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact

b) As part of the Cultural Resources Study prepared for the Project, all pertinent data within a one-mile radius surrounding the Project area, including a review of the National Register of Historic Places index, USGS data, and historic photographs were researched. Based on aerial photographs, the Project site was used as an agricultural grove as early as 1923. The grove is visible through 1963; however, by 1972 it had been removed and a commercial structure (bowling alley) with parking was developed onsite. Between 1972 and 2005 that structure and lot appear unaltered. Sometime around 2005 that structure was demolished and in 2007 the existing structure was developed onsite (Appendix C).

No archaeological resources were identified within the Project site as part of the records search with SCCIC (Appendix C). Also, the Sacred Lands File (SLF) search results were negative for any recorded

Native American sacred sites or locations of religious or ceremonial importance within the project vicinity. In addition, the Geotechnical and Infiltration Evaluation describes that the onsite soils consist of three to 5.5 feet of artificial fill overlying late to middle Pleistocene aged old alluvial fan deposits. As a result, the Cultural Resources Study (Appendix C) determined that due to the disturbed nature of the site from previous agricultural use (1946 to 1966), development occurring in 1972 and 2007, and existence of fill soils in the site, there is little to no potential for the inadvertent discovery of significant archaeological deposits. Thus, impacts would be less than significant.

Significance Determination: Less than significant.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) The Project site has not been previously used as a cemetery. Thus, human remains are not anticipated to be uncovered during construction. In the event of an accidental discovery of any human remains, California Health and Safety Code Section 7050.5 requires that disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of death, and made recommendations concerning the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. Pursuant to Section 5097.98 of the California Public Resources Code, as included as PPP CUL-1, if the coroner determines that the remains are not subject to his or her authority and if the coroner has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Compliance with existing law would ensure that no impacts to human remains would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

PPP CUL-1: Human Remains. In the event that human remains are encountered on the Project site, work within 50 feet of the discovery shall cease and the County Coroner shall be notified immediately consistent with the requirements of CEQA Guidelines Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. Prior to the issuance of grading permits, the City Community and Planning, Building, and Code Enforcement Department Director, or designee, shall verify that all grading plans specify the requirements of CEQA Guidelines Section 15064.5(e), Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.

Sources

Cultural Resources Study. 2025. Prepared by BFSA Environmental Services. (Appendix C).

6. ENERGY. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
(b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

The discussion below is based on the Air Quality, Energy, and Greenhouse Gas Impact Analysis, included as Appendix A.

Impact Analysis:

a) The proposed 71 residences would not result in wasteful, inefficient, or unnecessary consumption of energy resources during either construction or operation.

Construction

During the 14-month construction period, energy would be consumed in three general forms listed below. No natural gas use is anticipated to be used during construction.

1. Petroleum-based fuels used to power off-road construction vehicles and equipment, construction worker travel to and from the site, as well as delivery truck trips;
2. Electricity associated with providing temporary power for lighting and electric equipment; and
3. Energy used in the production of construction materials, such as asphalt, paint, fencing, lighting, and gate materials.

Transportation energy represents the largest energy use during construction and would occur from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction worker vehicles that would use petroleum fuels (e.g., diesel fuel and/or gasoline). Therefore, the analysis of energy use during construction focuses on fuel consumption. Haul trucks, construction trucks, and vendor trucks are anticipated to use diesel fuel, whereas construction workers travel are anticipated to use gasoline-powered vehicles. Estimates of diesel and gasoline fuel usage were based on default construction equipment assumptions and trip estimates from CalEEMod version 2022.1 and fuel efficiencies from EMFAC2021. The equipment total fuel consumption is a conservative estimate and likely overstates the amount of fuel usage, as various pieces of construction equipment are not expected to operate during the entire duration of the construction activity. Fuel consumption estimates are shown below in Table E-1.

Table E-1: Estimated Project Construction Energy Usage

Source	Diesel Fuel (Gallons)	Gasoline Fuel (Gallons)
Proposed Project On-Road Construction Vehicles	20,357	10,431
Proposed Project Off-Road Construction Equipment	28,458	0
Proposed Project Total Consumption	**48,815**	**10,431**
Orange County On-Road Vehicles	148,172,563	907,921,969
Orange County Off-Road Construction Equipment	14,253,307	977,564
On-Road Project Percentage (%)	**0.014**	**0.001**
Off-Road Project Percentage (%)	**0.200**	**-**

Source: Appendix A

As shown in Table E-1, the Project is estimated to consume a total of approximately 48,815 gallons of diesel fuel and approximately 10,431 gallons of gasoline fuel during construction. According to the projected 2026 fuel consumption data obtained from EMFAC2025 for Orange County, on-road vehicles would consume approximately 148,172,563 gallons of diesel fuel and 907,921,969 gallons of gasoline.

On-road construction vehicles from the proposed Project would account for 0.014 percent of diesel fuel consumption and 0.001 percent of gasoline fuel consumption within Orange County in 2026. Off-road consumption within Orange County in 2026 would total approximately 14,253,307 gallons of diesel fuel and 977,564 gallons of gasoline fuel. Off-road construction equipment from the proposed Project would account for 0.2 percent of diesel consumption within Orange County in 2026.

As such, Project construction would have a negligible effect on energy supplies within Orange County. Additionally, through construction permitting, the Project would be required to comply with regulations implemented to reduce emissions from construction, such as CCR Title 13, Motor Vehicles, Section 2449(d)(3), Idling, which limits idling times of construction vehicles to no more than 5 minutes. Thus, construction of the Project would not result in wasteful, inefficient, or unnecessary consumption of energy, and the proposed Project would result in less-than-significant energy impacts during construction. No mitigation would be required.

Operation

The operation of the proposed Project would consume electricity and petroleum. Pursuant to Title 24 Part 6 standards, the Project would be required to be all-electric. Therefore, the Project would not consume natural gas during operation. However, to provide a conservative analysis of energy impacts, default natural gas consumption values from CalEEMod have been included.

The Project would be required to install solar panels in accordance with Title 24, Part 6 requirements. However, the Project's energy consumption, shown below in Table E-2, presents a conservative estimate of energy consumption without taking credit for solar use. As shown, operation of the proposed 71 residences is estimated to use 502,606 kilowatt-hours of electricity and 77,411 gallons of gasoline per year.

The most recent data available for electricity and natural gas usage from the California Energy Commission is from 2023. In 2023, electricity consumption in Orange County was estimated at 18,759,000,000 kilowatt-hours and natural gas consumption was estimated at 60,825,476,870 thousand British thermal units. As shown in Table E-2, the proposed Project would result in a 0.003 percent increase in electricity consumption and a 0.004 percent increase in natural gas consumption within Orange County. Also, the proposed Project operations would account for 0.009 percent of gasoline fuel consumption in Orange County.

The Project would be required to adhere to all federal, State, and local requirements for energy efficiency, including the Title 24 standards, listed as PPP-1. Title 24 building energy efficiency standards establish minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, solar, and lighting, which would reduce energy usage.

Table E-2: Estimated Annual Project Operational Energy Usage

Electricity (Kilowatt-Hours)		
Proposed Project	502,606	
Orange County (2023)	18,759,000,000	
Project Percent Increase (%)	0.003	
Natural Gas (Thousands British Thermal Units)		
Proposed Project	2,721,810	
Orange County (2023)	60,825,476,870	
Project Percent Increase (%)	0.004	
Petroleum (Gasoline) Consumption		
	Annual VMT	**Gallons of Gasoline Fuel**
Proposed Project	1,881,157	77,411
Orange County (2026)	-	907,921,969
Project Percentage (%)	-	0.009

Notes: VMT = vehicle miles traveled
Source: Appendix A

Fuel consumption associated with vehicle trips generated by Project operations would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Overall, there are no unusual Project characteristics that would cause the use of energy that would be less energy efficient compared with other similar residential projects throughout the state. Therefore, impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b). The proposed Project would be required to meet the Calgreen energy efficiency standards in effect during permitting of the Project, which are included in Chapter 15.17 of the City of Orange Municipal Code. The City's administration of the requirements includes review of design components and energy conservation measures during the permitting process, which ensures that all requirements are met. In addition, the Project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy, which would be included on the residential rooftops as required by the existing Title 24 standards that are adopted by reference in Chapter 15.54 of the City of Orange Municipal Code. As such, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

PPP E-1. Title 24 and CalGreen Compliance: The Project is required to comply with the Title 24 standards that are adopted by reference in Chapter 15.54 of the City of Orange Municipal Code and the CalGreen Building Code as included in the Orange Municipal Code Section 15.17.010 to ensure efficient use of energy. Title 24 and CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.

Sources

Air Quality, Energy, and Greenhouse Gas Impact Analysis. 2025. Prepared by EPD Solutions, Inc. (Appendix A).

7. GEOLOGY AND SOILS. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
	ii) Strong seismic ground shaking?	☐	☐	☒	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv) Landslides?	☐	☐	☐	☒
(b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
(d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

The discussion below is based on the Geotechnical and Infiltration Evaluation, included as Appendix D and the Paleontological Resources Assessment, included as Appendix E.

Impact Analysis:

a) i) The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. The nearest Alquist-Priolo Fault Zone and known active fault is the Elsinore fault (Whittier Section), located approximately 6.4 miles north of the Project site. Additionally, there are no known active faults traversing the site (Appendix D). Thus, the Project would not expose people or structures to potential substantial adverse effects from rupture of a known earthquake fault that is delineated on an Alquist-Priolo Earthquake Fault Zoning Map, and impacts would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

a) ii) The Project site is located within a seismically active region of Southern California. According to the Geotechnical and Infiltration Evaluation, the nearest fault to the Project site is the is the Elsinore fault (Whittier Section) located approximately 6.4 miles north of the site. However, other active faults are located across the region. Thus, moderate to strong ground shaking can be expected at the site. The amount of motion can vary depending upon the distance to the moving fault, the magnitude of the earthquake, and the local geology.

Structures built in the City are required to be built in compliance with the California Building Code (CBC [California Code of Regulations, Title 24, Part 2]), included in Orange Municipal Code Chapter 15.04. In addition, PPP GEO-1 has been included to provide CBC provisions for earthquake safety based on factors including occupancy type, the types of soils onsite, and the probable strength of the ground motion. Compliance with the CBC would include the incorporation of: 1) seismic safety features to minimize the potential for significant effects as a result of earthquakes; 2) proper building footings and foundations; and 3) construction of the building structures so that it would withstand the effects of strong ground shaking. With compliance to the CBC, the Project would result in a less than significant impact related to strong seismic ground shaking.

Significance Determination: Less than significant.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant.

a) iii) Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist: 1) shallow groundwater; 2) low density, fine, clean sandy soils; and 3) strong ground motion. Effects of liquefaction can include sand boils, settlement, and bearing capacity failures below structural foundations. Soils that are most susceptible to liquefaction are clean, loose, saturated, and uniformly graded fine-grained sands that lie below the groundwater table within approximately 50 feet below ground surface. Lateral spreading is a form of seismic ground failure due to liquefaction in a subsurface layer.

The Project site is not located within an area identified as being potentially susceptible to liquefaction (Appendix D). The soils onsite are primarily comprised of clay, clayey sand, silty sands and fine to coarse gravel. Additionally, water was not encountered during soil borings which reached a maximum depth of 26.5± feet. The California Water Data Library shows that the depth of historic groundwater at the site is greater than 40 feet below existing grades. Due to the absence of low-density sandy soils and relatively deep groundwater, the liquefaction potential at the site is very low (Appendix D).

Furthermore, structures built in the City are required to be built in compliance with the CBC, as included in Orange Municipal Code Chapter 15.04 (and herein as PPP GEO-1), which implements specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. Compliance with the CBC, as included as PPP GEO-1, would require specific engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that structures would withstand the effects of seismic ground movement, including liquefaction and settlement. Compliance with the requirements of the CBC and the Orange Municipal Code for structural safety, included as PPP GEO-1, would reduce hazards from seismic-related ground failure to a less than significant level.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

a) iv) Landslides and other slope failures are secondary seismic effects of earthquakes. Areas that are most susceptible to earthquake-induced landslides are steep slopes underlain by loose, weak soils, and areas on or adjacent to existing landslide deposits.

As described above, the Project site is located in a seismically active region subject to strong ground shaking. However, the site is generally flat and does not contain any hills or any other areas that could be subject to landslides. The Geotechnical and Infiltration Evaluation states that site elevations range from 271 feet above sea level (amsl) in the northeastern corner to about 263 feet amsl in the southwest corner (Appendix D). In addition, the Project site is not adjacent to any hills or cliffs that could be subject to landslides. Therefore, the Project would not cause potential substantial adverse effects related to slope instability or seismically induced landslides and no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

b) **Construction.** Construction of the Project has the potential to contribute to soil erosion and the loss of topsoil. Grading and excavation activities that would be required for the Project would expose and loosen topsoil, which could be eroded by wind or water. However, the Project would be required to comply with Orange Municipal Code Title 7, Chapter 7.01 which establishes water quality and stormwater discharge standards. This includes installation of best management practices (BMPs) in compliance with the Orange County MS4 Permit to minimize soil erosion. Additionally, the Construction General Permit (CGP; Order No. 2022-0057-DWQ) issued by the State Water Resources Control Board (SWRCB), regulates construction activities to minimize water pollution, including sediment. The proposed Project would be subject to the National Pollution Discharge Elimination System (NPDES) permitting regulations, including implementation of a Stormwater Pollution Prevention Plan (SWPPP) and associated BMPs during grading and construction, which would be required during construction permitting of the Project, as detailed in Section 10, *Hydrology and Water Quality*, and included as PPP WQ-1. Adherence to the BMPs in the SWPPP would reduce, prevent, or minimize soil erosion from Project-related grading and construction activities, and impacts related to construction would be less than significant.

Operation. After completion, the Project site would be developed with residences, recreation open space, parking, and landscape improvements, and would not contain exposed soil. The proposed Project includes installation of landscaping, such that during operation of the proposed Project substantial areas of loose topsoil that could erode would not exist. In addition, as described in Section 5.10, *Hydrology and Water Quality*, the onsite drainage features that would be installed by the proposed Project have been designed to slow, filter, and slowly discharge stormwater, which would also reduce the potential for stormwater to erode topsoil during Project operations. Furthermore, implementation of the proposed Project requires City approval of a site-specific Water Quality Management Plan (WQMP) (included as PPP WQ-2), which would ensure that appropriate operational BMPs would be implemented to minimize or eliminate the potential for soil erosion or loss of topsoil to occur. As a result, potential operational impacts related to soil erosion or loss of topsoil would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) The Project site is flat and does not contain nor is adjacent to any slope or hillside area. As previously stated, the Project site is not within a landslide hazard area (Appendix D). The Project would not create slopes. Thus, on or offsite landslides would not occur from implementation of the Project.

Lateral spreading, a phenomenon associated with seismically induced soil liquefaction, is the horizontal displacement of soils due to a reduction in soil cohesion. It is typically exemplified by the formation of vertical cracks on the surface of liquefied soils and usually takes place on gently sloping ground or level ground near drainages or stream channels. Due to the absence of low-density sandy soils and relatively deep groundwater, the potential for lateral spreading is low (Appendix D). Also, as described previously, compliance with the CBC, as included as PPP GEO-1, would require specific engineering design recommendations be incorporated into grading plans and building specifications as a condition of construction permit approval to ensure that Project structures would withstand the effects of related to ground movement, including lateral spreading. Thus, impacts related to lateral spreading would be less than significant.

Differential settlement or subsidence could occur if buildings or other improvements are built on low-strength foundation materials or if improvements are constructed on different types of subsurface materials (e.g., a boundary between native material and fill). Although differential settlement generally occurs slowly enough that its effects are not dangerous to inhabitants, it can cause building damage over time. Soils susceptible to seismically induced settlement typically include dry loose sands. As previously described, the Project site does not contain such soil types; therefore, risk of settlement or subsidence at the Project site is low (Appendix D). Thus, with compliance with the CBC, included as PPP GEO-1, and compliance with the recommendations of the Geotechnical and Infiltration Evaluation (Appendix D), potential impacts related to settlement or subsidence would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

d) Expansive soils contain certain types of clay minerals that shrink or swell as moisture content changes. Shrinking or swelling can shift, crack, or break structures built on such soils. Arid or semiarid areas with seasonal changes of soil moisture experiences, such as Southern California, have a higher potential of expansive soils than areas with higher rainfall and more constant soil moisture.

Near-surface soils within the Project site consist of clay, clayey sand, silty sands and fine to coarse gravel. These soils possess a medium to high expansion potential; therefore, the Project includes installation of post-tensioned slab foundation systems for the residential structures to accommodate the soil expansion potential in compliance with the CBC (Appendix D). Compliance with the CBC, as included as PPP GEO-1, would require specific engineering design recommendations for the grading plans and building specifications as a condition of construction permit approval to ensure that structures would withstand the effects of related to ground movement, including expansive soils. Engineering design recommendations would be reviewed and approved by the City's Building Official or designee prior to issuance of building permits. Thus, impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

e) The Project would connect to existing public wastewater infrastructure and would not require the use of septic tanks or alternative methods of wastewater disposal. Therefore, the Project would not result in any impacts related to this topic.

Significance Determination: No impact.

Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

f) Sediments within the Project site were identified as Holocene and late Pleistocene young alluvial fan deposits (Appendix E). The paleontological record search revealed no fossil localities within or adjacent to the Project site. The closest fossil locality is located just over two miles northwest of the Project site, consisting of wild sheep remains in Pleistocene deposits. Between two and three miles to the northeast, proboscidean bones were found in Pleistocene terrace deposits, and a third locality, with Pleistocene rodent remains, is several miles away at the former El Toro marine base (Appendix E).

Holocene alluvium is generally considered to be geologically too young to contain significant nonrenewable paleontological resources (i.e., fossils) and is therefore typically assigned a low paleontological sensitivity. Older Pleistocene (greater than 11,700 years old) alluvial and terrace deposits in the Orange County region, however, often yield important Ice Age terrestrial vertebrate fossils such as extinct mammoths, mastodons, giant ground sloths, extinct species of horse, bison, and camel, saber-toothed cats, and others. Therefore, these Pleistocene sediments are accorded a high paleontological resource sensitivity.

Based upon these criteria, the Holocene to late Pleistocene-aged young alluvial fan deposits at the Project site have a low potential at/near the surface. The Geotechnical and Infiltration Evaluation (Appendix E) recommends over-excavation within the proposed building pad area to a depth of five feet below existing grade and to a depth of at least three feet below proposed building pad subgrade elevations, whichever is greater. The Paleontological Assessment determined that the Project grading and excavation would only reach artificial fill soils and Holocene alluvial fan deposits that have a low paleontological sensitivity. Therefore, potential impacts related to paleontological resources would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

Existing Plans, Programs, or Policies

PPP GEO-1: California Building Code. Prior to issuance of any construction permits, the project is required to demonstrate compliance with the California Building Code as included in the Orange Municipal Code Chapter 15.04 to preclude significant adverse effects associated with seismic hazards, including expansive and corrosive soils. California Building Code related and geologist and/or civil engineer specifications for the project are required to be incorporated into grading plans and specifications as a condition of construction permit approval.

PPP WQ-1: NPDES/SWPPP. Included in Section 5.10, *Hydrology and Water Quality*.

PPP WQ-2: WQMP. Included in Section 5.10, *Hydrology and Water Quality*.

Sources

Geotechnical and Infiltration Evaluation. 2024. Prepared by Geotek. (Appendix D).

Paleontological Assessment. 2025. Prepared by BFSA Environmental Services Company. (Appendix E).

City of Orange. 2010. Orange General Plan, Public Safety Element (Figure PS-1). [online]: https://www.cityoforange.org/home/showpublisheddocument/214/637698172567530000. Accessed April 2025.

USGS and CGS (U.S. Geological Survey and California Geological Survey). Quaternary Fault and Fold Database of the United States. [online]: https://www.usgs.gov/natural-hazards/earthquake-hazards/faults. Accessed April 2025.

8. GREENHOUSE GAS EMISSIONS. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
(b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

The discussion below is based on the Air Quality, Energy, and Greenhouse Gas Impact Analysis, included as Appendix A.

Impact Analysis:

a) The City's *Guidance for Greenhouse Gas Emissions Analysis Memo* states that the City utilizes the Tier 3 quantitative thresholds recommended in the SCAQMD's Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans. The SCAQMD formed a working group to identify greenhouse gas emissions thresholds for land use projects that could be used by local lead agencies in the Basin in 2008. The working group developed several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold, that could be applied by lead agencies, which includes the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a greenhouse gas reduction plan. If a project is consistent with a qualifying local greenhouse gas reduction plan, it does not have significant greenhouse gas emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to the project's operational emissions. If a project's emissions are below one of the following screening thresholds, then the project is less than significant:
    - All land use types: 3,000 $MTCO_2e$ per year
    - Based on land use type:
        - Residential: 3,500 $MTCO_2e$ per year
        - Commercial: 1,400 $MTCO_2e$ per year
        - Mixed use: 3,000 $MTCO_2e$ per year
- Tier 4 has the following options:
    - Option 1: Reduce business as usual emissions by a certain percentage; this percentage is currently undefined.
    - Option 2: Early implementation of applicable AB 32 Scoping Plan measures.
    - Option 3, 2020 Target: For service populations (SP), including residents and employees, 4.8 $MTCO_2e$ /SP/year for projects and 6.6 $MTCO_2e$ /SP/year for plans.
    - Option 3, 2035 Target: 3.0 $MTCO_2e$ /SP/year for projects and 4.1 $MTCO_2e$ /SP/year for plans.

The SCAQMD's interim thresholds used the Executive Order S-3-05-year 2050 goal as the basis for the Tier 3 screening level. Achieving the Executive Order's objective would contribute to worldwide efforts to cap CO_2 concentrations at 450 ppm, thus stabilizing global climate.

Based on the foregoing guidance, the City of Orange has elected to rely on compliance with a local air district threshold in the determination of significance of Project-related GHG emissions. Specifically, the City has selected the interim 3,000 $MTCO_2e$/yr threshold recommended by SCAQMD staff for residential and commercial sector projects against which to compare Project-related GHG emissions.

The City understands that the 3,000 $MTCO_2e$/yr threshold for residential/commercial uses was proposed by SCAQMD a decade ago and was adopted as an interim policy; however, no permanent, superseding policy or threshold has since been adopted. The 3,000 $MTCO_2e$/yr threshold was developed and recommended by SCAQMD, an expert agency, based on substantial evidence as provided in the Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold (2008) document and subsequent Working Group meetings (latest of which occurred in 2010). SCAQMD has not withdrawn its support of the interim threshold and all documentation supporting the interim threshold remains on the SCAQMD website on a page that provides guidance to CEQA practitioners for air quality analysis (and where all SCAQMD significance thresholds for regional and local criteria pollutants and toxic air contaminants also are listed). Further, as stated by SCAQMD, this threshold "uses the Executive Order S-3-05 goal [80% below 1990 levels by 2050] as the basis for deriving the screening level" and, thus, remains valid for use in 2022. Lastly, this threshold has been used for hundreds, if not thousands of GHG analyses performed for projects located within the SCAQMD jurisdiction.

Thus, for purposes of analysis in this analysis, if Project-related GHG emissions do not exceed the 3,000 $MTCO_2e$/yr threshold, then Project-related GHG emissions would clearly have a less than significant impact.

Construction

Demolition and construction activities associated with the Project would produce combustion emissions from various sources. GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

The SCAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are required to quantify and disclose GHG emissions that would occur during construction. The SCAQMD then requires the construction GHG emissions to be amortized over the life of a project, defined by the SCAQMD as 30 years, added to the operational emissions, and compared to the applicable interim GHG significance threshold tier. Using CalEEMod version 2022.1, it is estimated that the Project would generate approximately 494 MT CO_2e during construction of the Project. When annualized over the 30-year life of the Project, annual emissions would be 16 MT CO_2e, as shown in Table GHG-1.

Table GHG-1: Project Construction Greenhouse Gas Emissions

Construction Year (Phase)	Annual GHG Emissions ($MTCO_2e$)
Year 1 (2026)	217
Year 2 (2027)	277
Total Emissions	**494**
Total Emissions Amortized Over 30 Years	**16**

Source: Appendix A.

Operation

Operational or long-term GHG emissions are typically generated from mobile sources, area sources, stationary sources, indirect emissions from sources associated with energy consumption, waste sources, and water sources. Mobile-source GHG emissions would include Project-generated vehicle trips to and from the site. Area-source emissions would be associated with activities such as landscaping and maintenance. Energy source emissions would be generated at off-site utility providers from electricity demand generated by the Project. Waste source emissions include those generated by land filling and other methods of disposal related to transporting and managing Project-generated waste. In addition, water source emissions associated with the Project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment. Following guidance from the SCAQMD, GHG emissions were estimated using CalEEMod version 2022.1, shown in Table GHG-1.

As discussed above, a project would have less than significant GHG emissions if it would result in operational-related GHG emissions of less than 3,000 MT CO_2e/yr. Based on the analysis results, the Project would result in approximately 896 MT CO_2e/yr, is less than the SCAQMD threshold of 3,000 MT CO_2e/yr. Therefore, construction and operation of the Project would not generate GHG emissions that would have a significant effect on the environment and impacts would be less than significant.

In addition, The City of Orange Guidance for Greenhouse Gas Emissions Analysis Memo requests project GHG analyses include comparison of project emissions to the City's GHG inventory contained in the 2010 General Plan EIR. The GHG emissions inventory in the General Plan is from the year 2004 and totals 2,072,493 $MTCO_2e$ per year (City of Orange, 2010, pp. 5.15-21). Buildout of the General Plan (by 2030) was estimated to result in annual emissions of 3,159,568 $MTCO_2e$. The proposed Project would result in a 0.04 percent increase and 0.03 percent increase compared to the 2004 levels and estimated 2030 levels, respectively, which is less than significant.

Table GHG-2: Total Project Greenhouse Gas Emissions

Activity	Annual GHG Emissions ($MTCO_2e$)
Mobile	629
Area	1
Energy	224
Water	7
Waste	18
Refrigeration	<0.1
Project Operation Emissions	**879**
Project Construction Emissions	16
Total Project Emissions	**896**
2004 GHG Emissions Inventory	2,072,493
Percent Increase	0.04
Significance Threshold	3,000
Threshold Exceeded?	**No**

Note: Numbers have been rounded.
Source: Appendix A

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b) The proposed Project would redevelop the site with 71 residences that would comply with state programs that are designed to be energy efficient. The Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As described in the previous response, the Project would not exceed the GHG emissions threshold that is based on the Executive Order S-3-05 year 2050 goal. In addition, the project would comply with regulations imposed by the state and the SCAQMD that reduce GHG emissions, as described below:

- Global Warming Solutions Act of 2006 (AB 32) is applicable to the Project because many of the GHG reduction measures outlined in AB 32 (e.g., low carbon fuel standard, advanced clean car standards, and cap-and-trade) have been adopted and implementation activities are ongoing. The advanced clean car standards are regulations for car manufacturers; and cap-and-trade refers to a policy tool where emissions from a certain region or sector (e.g., electricity generation, petroleum refining, cement production) are limited to a certain amount and emissions reductions can be traded ultimately providing flexibility on how the emitter can comply. The Project would redevelop the Project site for new residences that would not conflict with automobile fuel regulations, car standards, or cap-and-trade. The Project would include solar infrastructure and electric vehicle plug in facilities as required by CalGreen/Title 24 regulations that are adopted by reference in Chapter 15.17 of the City of Orange Municipal Code.
- Title 24 California Code of Regulations (Title 24 / California Energy Code) establishes energy efficiency requirements for new construction that address the energy efficiency of new (and altered) residences and related infrastructure, appliances, irrigation. Title 24 is adopted by reference in Chapter 15.54 of the City of Orange Municipal Code and provides for efficient energy and water consumption. The City's administration of the requirements includes review of the energy conservation measures during the permitting process, which ensures that all requirements are met.

- Title 17 California Code of Regulations (Low Carbon Fuel Standard [LCFS]) requires low carbon content of fuel sold in California. Because the LCFS applies to any transportation fuel that is sold or supplied in California, all vehicles trips generated by the Project within the state would comply with LCFS.
- California Water Conservation in Landscaping Act of 2006 (AB 1881) provides requirements to ensure water efficient landscapes in new development and reduced water waste in existing landscapes. The Project is required to comply with AB 1881 landscaping requirements pursuant to the Title 24 regulations in Chapter 15.54 of the City of Orange Municipal Code, which would be verified by the City during the Project permitting process.

2022 CARB Scoping Plan

The 2022 CARB Scoping Plan Update sets the GHG emission reduction target for 2045 at 85 percent below 1990 levels, which was codified by SB 32. Table GHG-3 lists all GHG reduction policies applicable to residential developments. The following table also includes policies from Appendix D of the Scoping Plan, which provide GHG reduction policies for local governments to implement. The local action policies are focused on climate action planning and approval of new land use development projects. As shown below, the proposed Project would not conflict with any plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs within the 2022 Scoping Plan.

Table GHG-3: 2022 Scoping Plan Consistency Summary

Action	Consistency
GHG Emissions Reductions Relative to the SB 32 Target	
40% Below 1990 levels by 2030.	**Consistent.** The Project would comply with Title 24, Part 6 building energy requirements along with other local and State initiatives that aim to achieve the 40 percent below 1990 levels by 2030 goal.
Smart Growth/Vehicle Miles Traveled VMT	
VMT per capita reduced 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045.	**Consistent.** The Project proposes the development of a medium density residential community within a mixed use area near transit, pedestrian facilities, and the freeway. As previously discussed in the air quality section, the Project would be consistent with the growth assumptions in the 2020 Connect SoCal, so the Project would not interfere with the analysis completed for the Connect SoCal report outlining VMT reduction targets and measures.
Light-Duty Vehicle (LDV) Zero-Emission Vehicles (ZEVs)	
100% of LDV sales are ZEV by 2035.	**Consistent.** The proposed Project would be designed and constructed in accordance with Title 24 Part 6 and Part 11 requirements, which includes constructing homes to allow for electric vehicle charging.
New Residential and Commercial Buildings	
All electric appliances beginning 2026 (residential) and 2029 (commercial),	**Consistent.** The Project would comply with Title 24, Part 6 building energy requirements, which would

Action	Consistency
contributing to 6 million heat pumps installed statewide by 2030.	require all in-unit appliances for residential projects to be all-electric and Energy Star certified.
Construction Equipment	
25% of energy demand electrified by 2030 and 75% electrified by 2045.	**Consistent.** The proposed Project would be required to use construction equipment that is registered by CARB and meet CARB's standards. CARB sets its standards to be in line with the goal of reducing energy demand by 25 percent in 2030 and 75 percent in 2045.
Transportation Electrification	
Create a jurisdiction-specific ZEV ecosystem to support deployment of ZEVs statewide (such as permit streamlining, infrastructure siting, consumer education, or preferential parking policies).	**Consistent.** The proposed Project would be designed and constructed in accordance with Title 24 Part 6 and Part 11 requirements, which includes constructing homes to allow for electric vehicle charging. Therefore, the proposed Project would not interfere with the implementation of a ZEV ecosystem within the City.
Local Action Policies - VMT Reduction	
Increase public access to shared clean mobility options (such as planning for and investing in electric shuttles, bike share, car share, transit).	**Consistent.** The Project does not propose any improvements to public sidewalks or streets. However, the Project site is located in a developed urban area with sidewalks available along all nearby roadways. The proposed on-site roadway system includes walkways throughout the Project site that would connect to the off-site sidewalks. In addition, the proposed residential units would allow for charging of electric vehicles. The nearest bus stop is the Tustin-East Village Way Stop (ZONE2), which is approximately 98 feet (30 meters) west of the Project boundary.
Amend zoning or development codes to enable mixed-use, walkable, and compact infill development (such as increasing allowable density of the neighborhood).	**Consistent.** The proposed Project proposes a General Plan Amendment to change the land use designation from GC to MDR, and a Zone Change to change the designation from C-TR to R3. These changes would allow for the development of a medium density residential community on an underutilized parcel within a mixed use area of the City.
Local Action Policies - Building Decarbonization	
Adopt all-electric new construction reach codes.	**Consistent**. The proposed Project would comply with Title 24 Parts 6 and 11, which includes electric heat pumps installed during construction and electric hookups for all appliances.
Adopt policies and incentive programs to reduce electrical loads from equipment plugged into outlets (such as purchasing Energy Star equipment for municipal buildings, occupancy	**Consistent.** The proposed Project would be constructed in accordance with Title 24 CALGreen requirements, which includes installation of Energy Star equipment and appliances in new buildings.

Action	Consistency
sensors, smart power strips, equipment controllers, etc.).	
Facilitate deployment of renewable energy production and distribution and energy storage.	**Consistent.** The proposed Project would be constructed in accordance with the CALGreen Building Energy Efficiency Standards (Title 24 Part 6), including solar, and meet all other requirements related to energy efficiency standards.

Source: (California Air Resources Board, 2022, pp. 72-79)

City of Orange General Plan Policies

The City's Guidance for Greenhouse Gas Emissions Analysis Memo states that project-specific analysis should review consistency with related policies within Table NR-1 of the 2010 General Plan. Therefore, policies directly related to GHG reduction and energy efficiency for residential developments are discussed in Table GHG-4. As shown, the Project would not conflict with the General Plan policies.

Table GHG-4: General Plan GHG Policy Consistency Summary

Policy	Consistency
Circulation & Mobility 3.3: Transit-oriented design within commercial, employment, medium density residential, and mixed-use areas.	**Consistent.** The Project does not propose any improvements to public streets. However, the Project site is located in a developed urban area with sidewalks available along all nearby roadways. The proposed on-site roadway system includes walkways throughout the Project site that would connect to the off-site sidewalks. In addition, the proposed residential units would allow for charging of electric vehicles. The nearest bus stop is the Tustin-East Village Way Stop (ZONE2), which is approximately 98 feet (30 meters) west of the Project boundary.
Economic Development 3.4: Higher density residential and mixed-use projects to provide community-based workforce and market.	**Consistent.** The proposed Project proposes a General Plan Amendment to change the land use designation from GC to MDR, and a Zone Change to change the designation from C-TR to R3 to redevelop an underutilized and vacant parcel. These changes would allow for the development of a medium density residential community on an underutilized parcel within a mixed use area of the City.
Economic Development 5.4: Redevelop and rehabilitate underutilized and vacant lands and public rights-of-way.	
Growth Management 2.4: Infill development and mixed-use opportunities wherever possible as developable space becomes more limited.	
Infrastructure 2.6: Sustainable building and site designs for new construction and renovation projects.	**Consistent.** The Project would comply with Title 24, Part 6 building energy requirements along with other local and State initiatives that aim to achieve the 40 percent below 1990 levels by 2030 goal. These requirements include solar, electric heat pumps installed during
Infrastructure 4.4: Integrated and cost-effective design and technology features within new development.	

Policy	Consistency
	construction, and electric hookups for all appliances.
Natural Resources 2.1: Implement and enforce regional air quality management plans.	**Consistent.** As discussed above in the air quality section, the Project would not result in substantial unplanned growth nor would it exceed any of SCAQMD's regional or local construction and operational thresholds. Therefore, the Project would be consistent with the 2022 AQMP.
Natural Resources 2.2: Alternative transportation modes, alternative technologies, and bicycle- and pedestrian-friendly neighborhoods.	**Consistent.** The proposed Project would be designed and constructed in accordance with Title 24 Part 6 and Part 11 requirements, which includes constructing homes to allow for electric vehicle charging. The Project includes installation of bicycle racks and new sidewalks that would provide bicycle- and pedestrian-friendly neighborhoods.
Natural Resources 2.3: Native and drought-tolerant plants, proper soil preparation, and efficient irrigation systems for landscaping.	**Consistent.** The Project is required to comply with AB 1881 landscaping requirements pursuant to the Title 24 regulations in Chapter 15.54 of the City of Orange Municipal Code
Natural Resources 3.1: Evaluate the potential effects of climate change on the City's human and natural systems and prepare strategies that allow the City to appropriately respond and adapt.	**Consistent.** As shown above in Table GHG-2, the Project would not exceed SCAQMD's GHG threshold. Therefore, the Project would not impede the City's ability to reduce GHG emissions.

Overall, implementation of the Project would not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. Thus, impacts would not occur, and no mitigation measures are required.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

PPP E-1: CALGreen Compliance. As listed previously in Section 6, *Energy*.

Sources

Air Quality, Energy, and Greenhouse Gas Impact Analysis. 2025. Prepared by EPD Solutions, Inc. (Appendix A).

City of Orange. March 2020. *Local Guidance Memo for Greenhouse Gas Emissions Analysis.* [online]: https://www.cityoforange.org/home/showpublisheddocument/5729/638767809268670000. Accessed May 2025.

	9. HAZARDS AND HAZARDOUS MATERIALS. *Would the project:*	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☒	☐
(b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
(d)	Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
(e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
(f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
(g)	Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

The discussion below is based on the Phase I Environmental Site Assessment, 2024. Prepared by EDI Consultants, Inc. (included as Appendix F).

Impact Analysis:

a) A hazardous material is defined as any material that, due to its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released. Hazardous materials include, but are not limited to, hazardous substances, hazardous wastes, and any material that regulatory agencies believe would be injurious to the health and safety of persons or harmful to the environment. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment.

Construction
Construction of the Project would involve limited routine transport, use, and disposal of hazardous materials. Fuels and solvents for construction would be stored and utilized pursuant to existing regulatory requirements. The use, storage, transport, and disposal of hazardous materials for construction of the facility would be carried out in accordance with federal and state regulations. No extremely hazardous substances (such as those governed under Title 40, Part 335 of the Code of Federal Regulations) would be used, stored, transported, or disposed of during Project construction. Construction specifications prepared for the Project would identify BMPs to ensure the lawful transport, use, storage, and disposal of hazardous materials. Thus, impacts related to construction would be less than significant.

Operation
Operation of the Project would include residential uses, which would involve use of hazardous materials including solvents, cleaning agents, paints, pesticides, batteries, fertilizers, and aerosol cans. These types

of materials are not acutely hazardous and would only be used and stored in limited quantities within the Project site. The normal routine use of these hazardous materials pursuant to existing regulations would not result in a significant hazard to people or the environment in the vicinity of the Project. Therefore, the Project would not result in a significant hazard to the public or to the environment through the routine transport, use, or disposal of hazardous waste, and impacts would be less than significant. No mitigation measures are required.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b) The Project would not create a significant hazard to the public or the environment through a reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Construction
While the routine use of hazardous materials in accordance with applicable regulations during construction would not pose health risks or result in significant impacts, improper use, storage, transportation, and disposal of hazardous materials could result in accidental spills or releases. To avoid an impact related to an accidental release, the use of BMPs during construction are implemented as part of a SWPPP as required by the National Pollution Discharge Elimination System General Construction Permit. Implementation of a SWPPP (included as PPP WQ-1) would minimize potential adverse effects to workers, the public, and the environment. Construction contract specifications would include strict onsite handling rules and BMPs that include, but are not limited to:

- Establishing a dedicated area for fuel storage, refueling, and construction dewatering activities that includes secondary containment protection measures and spill control supplies;
- Following manufacturers' recommendations on the use, storage, and disposal of chemical products used in construction;
- Avoiding overtopping construction equipment fuel tanks;
- Properly containing and removing grease and oils during routine maintenance of equipment; and
- Properly disposing of discarded containers of fuels and other chemicals.

Historical Recognized Environmental Conditions
The Phase I Environmental Site Assessment (Phase I ESA) (Appendix F) identified one historical recognized environmental condition (HREC) related to the parcel adjacent to the Project site (but identified as within in the Phase I document). The property adjacent to the Project (2355 N. Tustin Street) is listed as having a former leaking underground storage (LUST) related to a previous carwash facility. The Phase I ESA details that a remediation system was implemented to remove hazardous materials and that was confirmed through soils testing, and closure was granted by the OCHCA (OCHCA) in 2014, which is the local regulatory oversight agency (Appendix F). As the case is closed post remediation and the previous LUST site is adjacent and not within the Project area, potential impacts would be less than significant.

Operation
Operation of the proposed residences would involve use and storage of common hazardous materials such as paints, solvents, cleaning products, fuels, lubricants, adhesives, sealers, and pesticides/herbicides. Normal routine use of typical commercially used products pursuant to existing

regulations would not result in a significant hazard to the environment or people in the vicinity of the Project. Thus, impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) The closest schools to the Project site is St. Paul's Lutheran School, located at 901 E Heim Avenue approximately 0.7 mile from the Project site and Prime Academy located at 2190 N. Canal Street approximately 0.7 mile from the Project site. In addition, the Project would comply with all relevant and applicable federal, state, and local laws and regulations that pertain to the release of hazardous materials.

Construction
Heavy construction equipment (e.g., dozers, excavators, tractors) would be used for construction of the proposed Project. The equipment would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which are considered hazardous materials and may also generate hazardous emissions. The use of hazardous materials would be regulated by the Orange County Environmental Health Division. Additionally, construction-related emissions would be regulated by SCAQMD Rules 401 and 403. Therefore, potential construction-related impacts at the schools caused by hazardous emissions and materials would be less than significant.

Operation
As discussed previously, operation of the proposed residences would involve use and storage of common hazardous materials such as paints, solvents, cleaning products, fuels, lubricants, adhesives, sealers, and pesticides/herbicides. Normal routine use of typical commercially used products pursuant to existing regulations would not result in a significant hazard to the environment or people in the vicinity of the Project. In addition, as discussed in Section 3, *Air Quality*, operational emissions from the Project would not exceed established localized significance thresholds. Therefore, the use of hazardous materials and the generation of hazardous emissions through Project operation would not pose a significant hazard at nearby schools, and operational impacts would be less than significant.

Significance Determination: Less than significant.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant.

d) Government Code Section 65962.5 defines hazardous materials sites as: hazardous waste facilities; hazardous waste discharges for which the State Water Quality Control Board has issued certain types of orders; public drinking water wells containing detectable levels of organic contaminants; underground storage tanks with reported unauthorized releases; and solid waste disposal facilities from which hazardous waste has migrated.

The Phase I ESA (Appendix F) included a review of federal, state, and local regulatory databases and determined that the Project site is not identified on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 as having substances that could create a significant hazard to the public or the environment. In addition, a search of the California Department of Toxic Substances Control EnviroStor database did not identify the Project site or any area within the project vicinity as a hazardous materials site. Therefore, the Project would not result in impacts related to hazardous materials sites complied pursuant to Government Code Section 65962.5.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

e) The Project site is not located within an airport land use plan (ALUC 2008). Additionally, the Project is not within two miles of a public airport. The nearest airports are the John Wayne Airport, located approximately 10 miles south of the Project site in Santa Ana and the Fullerton Municipal Airport, located approximately 8.6 miles northwest of the Project site in the City of Fullerton. Therefore, the Project would not result in an airport related safety hazard for people working in the Project area and impacts would not occur from implementation of the Project.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

f) The Project would not impair implementation of or physically interfere with adopted emergency response plans or emergency evacuation plans.

Construction
During construction, truck haul trips would transport construction debris and materials to and from Project site; however, these trips would not impact the roadway in a way that would impede emergency evacuations. The installation of driveways and connections to existing infrastructure systems that would be implemented during construction of the Project could require the temporary closure of portions of the roadway; however, construction activities would be required to ensure emergency access in accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), which would be ensured through the City's permitting process. Additionally, the Project is not directly adjacent to roadways designated by the City as evacuation routes (Orange City Fire Department). Implementation of the Project through the City's permitting process would ensure existing regulations are adhered to and would reduce potential construction related emergency access impacts to a less than significant level. Therefore, impacts related to an emergency response or evacuation plan during construction would be less than significant.

Operation
Operation of the proposed residences would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. The Project would be accessed from a 29-foot-wide driveway along the west side of the site, and a 22-foot-wide secondary driveway for emergency access would be located at the northwest corner of the Project site. Each of the proposed residences would be accessed from the 25-foot-wide driveway that would circle the site and have a fire access corner radii of a 50 foot outside radius and 55 foot inside radius compliant with the City of Orange Fire Master Plan access standards. The Project driveway and internal access would be required through the City's permitting procedures to meet the City's design standards to ensure adequate emergency access and evacuation. The Project is also required to provide fire suppression facilities (e.g., hydrants and sprinklers). The Fire Department and/or Public Works Department have reviewed the development plans as part of the permitting procedures to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). As such, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

g) The Project site is not in an area designated as a Fire Hazard Severity Zone (CAL FIRE 2025). In addition, the Project site is developed and surrounded by developed areas. Implementation of the Project would be required to adhere to the California Fire Code, as adopted by the City, and would be reviewed by the City's Building and Safety Services Division during the permitting process to ensure that the Project meets the fire protection requirements. As a result, the proposed Project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

None.

Sources

ALUC (Airport Land Use Commission). Amended 2008. Land Use Plan for John Wayne Airport (Figure 1). [online]: https://files.ocair.com/media/2021-02/JWA_AELUP-April-17-2008.pdf?VersionId=cB0byJjdad9OuY5im7Oaj5aWaT1FS.vD. Accessed May 2025.

CAL FIRE (California Department of Forestry and Fire Protection). 2025. Fire Hazard Severity Zone Viewer [online]: https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones. Accessed May 2025.

California Department of Toxic Substances Control EnviroStor Database [online]: https://www.envirostor.dtsc.ca.gov/public/. Accessed May 2025.

Orange City Fire Department. Evacuation Information. [online]: https://orangecityfire.org/evacuation-info. Accessed May 2025.

Phase I Environmental Site Assessment Report. 2024. Prepared by EDI Consultants, Inc. (Appendix F).

	10. HYDROLOGY AND WATER QUALITY. *Would the project:*	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
(b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
(c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
	(i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
	(ii) increase the rate or amount of surface runoff in a manner which would result in flooding in- or off-site;	☐	☐	☒	☐
	(iii) create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
	(iv) impede or redirect flood flows?	☐	☐	☒	☐
(d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
(e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐
(f)	Potentially impact stormwater runoff from construction activities?	☐	☐	☒	☐
(g)	Potentially impact stormwater runoff from post-construction activities?	☐	☐	☒	☐
(h)	Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☐	☐	☒	☐
(i)	Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☐	☐	☒	☐
(j)	Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☐	☐	☒	☐
(k)	Create significant increases in erosion of the project site or surrounding areas?	☐	☐	☒	☐

The discussion below is based on the Preliminary Hydrology Report prepared (included as Appendix G) and the Preliminary Water Quality Management Plan (WQMP) (included as Appendix H).

Impact Analysis:

a) The Santa Ana Regional Water Quality Control Board (RWQCB) would have jurisdiction over the groundwater quality and surface water discharges in the Project region.

Construction

Construction activities include demolition, site preparation, grading, paving, and installation of new landscaping that would expose and loosen sediment and would have the potential to degrade surface and receiving water quality via stormwater runoff. In addition, construction vehicles and equipment are prone to tracking soil from work areas to paved roadways, which could exacerbate sedimentation of receiving

waters. Pollutants of concern during construction activity generally include sediment, trash, petroleum products, concrete water, sanitary waste, and chemicals.

The Project would be required to comply with NPDES construction permit regulations and the City of Orange Local Implementation Plan (LIP), which require the preparation and implementation of a SWPPP, included as PPP WQ-1. As part of the SWPPP, erosion and sediment control measures would be included to minimize potential pollutants from entering stormwater during construction. These measures include the use of construction BMPs to ensure that impacts related to degradation of water quality would be less than significant. Erosion control BMPs used to prevent the degradation of water quality in the construction area may include the use of:

- silt fences;
- sediment/desilting basins;
- sediment traps;
- check dams;
- fiber rolls;
- gravel bag berms;
- sandbag barriers;
- straw bale barriers;
- street sweeping and vacuuming; and
- storm drain inlet protection.

Other BMPs that could be used to enhance erosion control include scheduling to avoid wet weather events, preserving existing vegetation, and placing cover material over exposed soil. BMPs would also include practices for proper handling of chemicals such as avoidance of fueling at the construction site and overtopping during fueling, and installation of containment pans. Implementation of BMPs in compliance with the City's permitting requirements would reduce potential erosion and sedimentation impacts to below a level of significance during construction.

Operation

The new residential uses would introduce pollutants such as trash and debris, oil and grease from vehicles, and pesticides and sediments from landscaping. These pollutants could potentially discharge into surface waters and result in degradation of water quality. Thus, the proposed Project would be required to comply with existing regulations that limit the potential for pollutants to discharge from the site. The Project would install a new onsite drainage system to accommodate the proposed site plan. Stormwater runoff would be captured by five sump curb inlet catch basins, one grate inlet, and an onsite area drain system that would route runoff to biofiltration treatment devices. Under Orange Municipal Code Section 7.01.060, the Project would be required to implement a Water Quality Management Plan (WQMP), included as PPP WQ-2, to ensure that the proposed drainage system controls pollutant discharge. Implementation of the WQMP would require use of Low Impact Development (LID) features, pollutant source control features, and pollutant treatment control features, which would provide that the Project would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality. A Preliminary WQMP has been prepared for the Project and is included as Appendix H. In addition, as detailed below, the Project would increase pervious area and implementation of the proposed drainage system would result in a decrease in stormflows from the site. Therefore, the proposed Project would both treat and reduce stormflows. Operational impacts related to water quality degradation would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b) The City's Urban Water Management Plan (UWMP) describes that the City relies on 77 percent groundwater, 18 percent imported water, and 5 percent surface water. The main source of the City's water supply is the Orange County Groundwater Basin. Groundwater from the Orange County Groundwater Basin is managed by the Orange County Water District (OCWD), which manages basin water supply through the Basin Production Percentage (BPP). The BPP is set based on groundwater conditions, availability of imported supplies, and precipitation. Additionally, the amount of groundwater pumped is limited by the OCWD and the Project would not directly pump water from the Project area, as water supplies would be provided by OCWD.

The proposed Project would result in an increase in pervious area; pre-development conditions contain approximately 92-percent impervious area while post-development conditions would contain approximately 87-percent impervious area (Appendix G). As a result, the proposed Project would not decrease groundwater supplies or interfere substantially with groundwater recharge; and the Project would not impede sustainable groundwater management of the basin. Thus, the proposed Project would have a less than significant impact.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) i) As detailed in the Preliminary Hydrology Study (Appendix G) prepared for the Project, the site slopes in the westerly direction towards N. Tustin Street. Existing stormwater runoff is collected in valley gutters throughout the site. East of the existing building, runoff flows to a valley gutter and into an existing storm drain inlet. To the west of the existing building, runoff flows to valley gutters that route runoff into two existing storm drain catch basins in the easterly portion of the main entrance drive aisle. Runoff in the main entrance drive aisle is routed via curb and gutter into two existing catch basins located just east of the public right-of-way of N. Tustin Street. In addition, currently offsite flows run onto the Project site at the southeast corner from the triangular shaped parcel to the east.

The Project site is located within the Santa Ana River Watershed per the Orange County Flood Control District Drainage System Map No. 15. Surface runoff from the site continues in the southerly direction in N. Tustin Street where it is conveyed into an existing catch basin and enters the existing underground storm drain system and continues to the Buckeye Storm Channel just south of Meats Avenue. Runoff converges with the Collins Storm Channel, Santa Ana River, and ultimately discharging to the Pacific Ocean.

Construction
Construction and demolition activities would disturb and expose soil, which could be moved by wind and water, resulting in erosion and sedimentation of stormwater runoff. However, the Project site does not include any slopes, which reduces the construction erosion potential. Implementation of a SWPPP through the use of construction BMPs, as required by the County of Orange MS4 Permit and City of Orange LIP, would ensure that Project impacts resulting in a degradation of water quality would be less than significant.

Operation
During Project operation, the pervious areas would be landscaped with groundcover that would inhibit erosion. There would be no substantial areas of bare or disturbed soil onsite subject to erosion. In addition, the Project is required to implement a WQMP (PPP WQ-2) that would provide operational BMPs to ensure that operation of the proposed residences would not result in erosion or siltation. With implementation of these regulations, impacts related to erosion or siltation onsite or off-site would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) ii) The Project site does not include, and is not adjacent to, a natural stream or river. According to the Federal Emergency Management Agency (FEMA) Map 06059C0154J, the Project site is within Flood Zone X, an area with minimal flood hazard.

The Preliminary WQMP (Appendix H) prepared for the Project details that the site is currently 8 percent pervious and 92 percent impervious. The proposed Project would result in an increase in pervious area with 13 percent pervious and 87 percent impervious. Thus, the Project would not result in the addition of impervious surfaces that could result in flooding.

The proposed Project would install a new onsite drainage system to accommodate the proposed site plan. Stormwater runoff would be captured by five sump curb inlet catch basins, one grate inlet, and an onsite area drain system that would route runoff to biofiltration treatment devices prior to discharge to the existing stormwater sump pump system. The sump pump system would discharge runoff into N. Tustin Street through a parkway drain, consistent with the current condition, but with an approximate seven percent decreased volume compared to the existing condition. Thus, buildout of the Project would not substantially alter the existing drainage pattern onsite.

The increase in pervious area and implementation of the proposed drainage system would result in a decrease in stormflows from the site. Table HYD-1 details that flows from a 25-year storm event would decrease by 7.2 percent. Therefore, impacts related to flooding as a result of surface runoff increase would be less than significant.

Table HYD-1: Comparison of Storm Flows with Project Implementation

	Q10 (cfs)	Q25 (cfs)	Q100 (cfs)
Existing Condition	8.040	9.728	12.526
Proposed Project Condition	7.439	9.023	11.676
Percent Decrease	**7.5%**	**7.2%**	**6.8%**

Source: Preliminary Hydrology Study (Appendix G)

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) iii) As described previously, the Project site would not substantially alter existing site drainage pattern and would reduce the impervious surfaces on the site compared to the existing conditions. The Project

proposes to install five sump curb inlet catch basins, one grate inlet, and an onsite area drain system that would route runoff to biofiltration treatment devices prior to discharge to the existing stormwater sump pump system. The proposed drainage plan meets guidelines for a 100-year, 24-hour storm event, as set by the County of Orange (Appendix G) and would decrease flows compared to the existing condition, as shown in Table HYD-1. In addition, the Project is required to implement a WQMP that would provide operational BMPs to ensure that operation of the proposed residences would reduce potential sources of pollution to stormwater. As such, the Project would not contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) iv) The Project is within Flood Zone X, an area of minimal flood hazard (FEMA 2024). The Project would increase pervious surfaces and install a drainage system that would reduce stormflows, as detailed in Table HYD-1. In addition, the Project would be required to comply with the applicable construction standards in Orange Municipal Code Section 15.60.160. The City would review the Project permit applications to ensure the proposed development would not be subject to significant flood hazard. Thus, the proposed Project would not impede or redirect flood flows, and impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

d) The Project site is within Flood Zone X, an area of minimal flooding (FEMA 2024). Thus, the Project site is not located within a flood hazard area that could be inundated with flood flows and result in release of pollutants. Impacts related to flood hazards and pollutants would not occur from the Project.

Tsunamis are tidal waves generally caused by shallow earthquakes, sea floor landslides, rock falls, and exploding volcanic islands. The Project is over 15 miles from the ocean shoreline. Based on the distance of the Project site to the Pacific Ocean, the Project is not at risk of inundation from tsunami. Therefore, the Project would not risk release of pollutants from inundation from a tsunami. No impacts would occur.

Seiching is a phenomenon that occurs when seismic ground shaking induces standing waves within a closed body of water. Seiches may cause retention structures to fail and flood downstream properties. The Project site is approximately 1.6 miles south of the Burris Basin. However, the likely spillway path is the Santa Ana River channel, which abuts the southern side of the Burris Basin. Therefore, the proposed Project would not risk release of pollutants from inundation from seiche. No impact would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

e) As described previously, the Project would result in an increase in pervious areas and a decrease in drainage. The Project would install a new onsite drainage system and stormwater runoff would be

captured by five sump curb inlet catch basins, one grate inlet, and an onsite area drain system that would route runoff to biofiltration treatment devices for filtration and treatment prior to discharge to the existing stormwater sump pump system. The sump pump system would discharge runoff into N. Tustin Street through a parkway drain. Therefore, the Project would not interfere with groundwater recharge and impacts related to groundwater recharge would not occur. As discussed further in Section 19, *Utilities and Service Systems*, water demands from the Project are a minimal percentage of the increase in water demands anticipated by the City of Orange 2020 UWMP. The 2020 UWMP determined that water supply and demands will be met, and the City would monitor groundwater withdrawals so as to not overdraft supplies. Therefore, the Project would not conflict with the OCWD groundwater management plan.

During construction and operation, the Project would be required to comply with regulations under the City's LIP. Compliance with the LIP would be ensured through the City's permitting process, as well as through post-construction BMP inspections and verifications. Therefore, impacts related to water quality control plans would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

f) As described in the previous responses, construction of the Project would require demolition of the existing building, pavement, and infrastructure and excavation activities that could temporarily impact stormwater runoff during construction activities. However, pursuant to Orange Municipal Code Title 7, Chapter 7.01, implementation of BMPs, described within the SWPPP and Erosion and Sediment Control Plans, the site would address site specific pollutant and drainage issues related to construction of the Project. Thus, impacts related to stormwater runoff would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

g) As described previously, the Preliminary Hydrology Study (Appendix G) prepared for the Project determined that the proposed Project would increase onsite pervious surfaces and would decrease runoff with the proposed catch basin and biofiltration treatment system. In addition, the Project is required to implement a WQMP biofiltration treatment system that would provide operational BMPs to ensure that operation of the proposed residences would not result in increased runoff. Table HYD-1 details that stormwater runoff from a 25-year storm event would be decrease by 7.2 percent. Therefore, the built Project would not result in increased stormwater runoff and impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

h) Construction of the proposed Project may include material storage, equipment fueling, equipment maintenance, waste handling, hazardous materials handling or storage, delivery areas, and other outdoor work areas. As described previously, the Project would be required to comply with NPDES construction permit regulations and the City of Orange LIP, which requires the preparation and implementation of a SWPPP, included as PPP WQ-1. As part of the SWPPP, control measures would be included to minimize potential pollutants from entering stormwater during construction. These measures include the use of

construction BMPs to ensure that impacts related to degradation of water quality would be less than significant.

Operation of the proposed residences would require limited transport, storage, use, and disposal of hazardous materials. Stormwater pollutants may also result from vehicles and trash. As described in Section 9, *Hazards and Hazardous Materials*, the Project would comply with state and federal regulations regarding the storage, handling, and cleaning of hazardous materials. Through the implementation of the BMPs (primarily the biofiltration treatment system) and others described within the Preliminary WQMP (Appendix H), the impacts related to release of pollutants would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

i) As described previously, the Project would be required to comply with NPDES construction permit regulations and the City of Orange LIP, which requires the preparation and implementation of a SWPPP, included as PPP WQ-1. As part of the SWPPP, control measures would be included to minimize potential pollutants from entering stormwater during construction that could affect receiving waters. These measures include the use of construction BMPs to ensure that impacts related to degradation of water quality (including the beneficial uses of the receiving waters) would be less than significant.

During Project operation stormwater runoff would be routed to a biofiltration treatment system for treatment before stormwater is discharged into the public system (Appendix G). The Preliminary Water Quality Management Plan (Appendix H) determined that implementation of the proposed biofiltration treatment system would meet storm water quality treatment requirements in accordance with the State Water Resources Control Board NPDES MS4 permit. Therefore, the Project would not result in a discharge of stormwater that would affect the beneficial uses of the receiving waters. Impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

j) As described previously, the proposed drainage system was determined to be able to accommodate a 100-year, 24-hour storm event, as required per Orange County guidelines. Additionally, a comparison of pre- and post-construction hydraulics, as shown in Table HYD-1, found that the proposed Project would reduce stormflows and provide water quality treatment. Therefore, impacts related to volume of stormwater would be less than significant.

Significance Determination: Less than significant.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant.

k) As previously discussed, construction and demolition activities would disturb and expose soil, which could be moved by wind and water, resulting in erosion and sedimentation of stormwater runoff. However, the Project site does not include any slopes, which reduces erosion potential. A majority of soil disturbance would be related to removal of existing infrastructure and site grading. The use of

construction BMPs in a SWPPP (PPP WQ-1), as required by the State Water Resources Control Board NPDES MS4 permit and City of Orange LIP, would serve to ensure that Project impacts related to erosion of the Project site or surrounding areas would be less than significant.

In addition, the Project would install landscaping that would reduce the potential for erosion. As part of the permitting approval process, the proposed drainage and water quality design (WQMP) and engineering plans would be reviewed by the City's Public Works Department to ensure that the site-specific design limits the potential for erosion on the Project site. Overall, the proposed drainage system and adherence to the existing regulations would ensure that Project impacts related to erosion would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

Existing Plans, Programs, or Policies

PPP WQ-1: NPDES/SWPPP. Prior to issuance of any grading or demolition permits, the applicant shall provide the City evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.

PPP WQ-2: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City . The WQMP shall identify all Post-Construction, Site Design. Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.

Sources

City of Orange. November 2021. 2020 Urban Water Management Plan. [online]: https://www.cityoforange.org/home/showpublisheddocument/1540/637873464981170000 Accessed April 2025.

FEMA (Federal Emergency Management Agency). 2024. Flood Insurance Rate Map (FIRM) Map No. 06059C0154J.[online]: https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd. Accessed April 2025.

Preliminary Hydrology Study. 2025. Prepared by C & V Consulting, Inc. (Appendix G).

Preliminary Water Quality Management Plan (WQMP). 2025. Prepared by C & V Consulting, Inc. (Appendix H).

11. LAND USE/PLANNING. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Physically divide an established community?	☐	☐	☐	☒
(b)	Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Impact Analysis:

a) The Project site is fully developed and currently contains a vacant commercial retail structure. The Project site is located in a completely developed area with residential uses to the north and south of the site, commercial and office uses to the west, and a parcel with a billboard sign followed by the SR 55 freeway to the east. The Project would redevelop the site with 71 new residences, which would expand the established community of residential that is adjacent to the north and the south of the site. In addition, the Project would not change roadways or install any infrastructure that would result in physical division of a community. Conversely, the fire access provided by the Project would provide connection between the Project site and parcel to the north. Thus, no impacts related to physical division of an established community would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

b) The documents regulating land use for the Project site and immediate vicinity are the Orange General Plan and the Orange Municipal Code. The Project's relationship to these planning documents is described below.

General Plan. The Project site has an existing General Plan land use designation of General Commercial (GC) that allows a maximum Floor Area Ratio (FAR) of 1.0. The GC designation provides for a wide range of retail and service commercial uses and professional offices. Regional shopping centers, mid- and high-rise office projects, corridor shopping districts, and neighborhood corner stores are all permitted uses.

The Project includes a General Plan Amendment to change the land use from GC to Medium Density Residential (MDR), which allows residential densities between 15 and 24 dwelling units per acre. The General Plan Land Use Element states that the Medium Density Residential designation provides for multi-family townhouses, condominiums, and apartments featuring some form of internal open space in areas with good access to major circulation routes, business districts, and public open space areas. Medium Density residential uses are typically found adjacent to commercial districts and near major transportation corridors.

The proposed Project is consistent with the MDR land use designation as it would provide 16.76 dwelling units per acre, which is between 15 and 24 dwelling units per acre. Consistent with the General Plan Land Use Element description of the Medium Density Residential designation, the proposed Project would provide fee simple detached and duplex residences with internal open space in areas with good access to major circulation routes (N. Tustin Street and SR 55) and business districts (along N. Tustin

Street). Additionally, the Project would comply with the goals and policies of the Orange General Plan. As shown in Table LU-1, the Project would be consistent with the land use designation, goals, and policies of the Orange General Plan. As such, no impact related to conflict with a General Plan policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect would occur.

Table LU-1: City of Orange General Plan Project Consistency

Policy	Consistency
Policy LU-1.3: Provide a range of housing densities and types to meet the diverse needs and lifestyles of residents.	**Consistent.** The proposed Project would add to the City's range of housing densities and types and would assist in meeting the City resident's diverse needs and lifestyles.
Policy LU-1.4: Ensure that new development reflects existing design standards, qualities, and features that are in context with nearby development.	**Consistent.** As shown in Table AES-1, the Project complies with development standards of the R-3 zone with application of the SLO. Further, the Project would be in context with the nearby residential and commercial development.
Policy LU-1.7: Provide a range of open space and park amenities to meet the diverse needs of current and new residents.	**Consistent.** The Project includes 6,031 square feet of common open space and recreation area for the new residents on the Project site.
Policy LU-6.1: Ensure that new development is compatible with the style and design of established structures and the surrounding environment.	**Consistent.** The Project would construct new residences with a modern architecture that would be in context with the nearby residential and commercial development. As shown in Table AES-1, the Project would be consistent with the development standards for the R-3 zone with application of the SLO.
Policy LU-6.2: In areas where residential uses abut commercial or industrial land uses, use buffering techniques to improve compatibility. Such techniques include the use of setbacks, screening, soundwalls with pedestrian access, and appearance standards.	**Consistent.** The proposed residential uses would be located adjacent to office and commercial land uses to the west. The Project includes walls, architecture, pedestrian access, and landscaping to provide a buffer between adjacent uses and enhance visual compatibility.
Policy LU-6.5: Reduce pollutant runoff from new development and urban runoff to the maximum extent practicable.	**Consistent.** As discussed in Section 10, *Hydrology and Water Quality*, the Project would be required to incorporate water quality measures with LID site design during Project operations and treatment control BMPs during all construction and grading activities to reduce runoff.
Policy LU-6.6: Enhance the walkability of both new and current development	**Consistent.** The Project includes walkways throughout the Project site that would connect to the off-site sidewalks.
Policy LU-6.8: Maximize landscaping along streetscapes and within development projects to enhance public health and environmental benefits.	**Consistent.** The proposed Project includes approximately 30,309 SF (16.4% of the site) of landscaping with 24-inch and 36-inch box trees, 15-gallon trees, various shrubs, and groundcover, as shown in Figure 18, *Conceptual Landscape Plan*.
Policy LU-6.9: Restrict development in areas where exposure to hazards such as flood, erosion, liquefaction, dam failure, hazardous materials, and toxic gases cannot be mitigated to reduce risk to residents and liability to the City.	**Not applicable.** The Project site is not within a flood or inundation zone. Additionally, as discussed in Section 7, *Geology and Soils*, the Project site is not susceptible to liquefaction.
Policy LU-6.10: Mitigate adverse air, noise, circulation, and other environmental impacts caused by new development adjacent to existing neighborhoods through use of sound walls, landscaping buffers, speed limits, and other traffic control measures.	**Consistent.** The Project would result in less than significant impacts related to air quality and circulation as identified in each environmental topic section of this document. Impacts related to noise would be less than significant and impacts related to construction vibration would be less than significant with the incorporation of Mitigation Measure NOI-1.
GOAL GM-1.0: Reduce traffic congestion within the City.	**Consistent.** As discussed in Section 17, *Transportation*, the Project would generate fewer daily trips than the previous operation of the Best Buy store. In addition, the Project

Policy	Consistency
	would not exceed traffic screening criteria, and Project impacts would be less than significant.
Policy GM-1.2: Ensure completion of transportation improvements as agreed upon by the City and developer prior to completion of a development project.	**Not applicable.** The Project does not propose or require any transportation improvements. As discussed in Section 17, *Transportation*, the Project would generate fewer daily trips than the previous commercial site usage that was supported by the existing roadway system.
Policy GM-1.3: Ensure that new development pays its fair share of street improvement costs, including regional traffic mitigation. New revenues generated from Measure M, if available, shall not be used to replace private developer funding which has been omitted for any project.	**Consistent.** The Project applicant would be required to pay applicable fees in accordance with City regulations.
Policy GM-1.5: Require new development projects to link issuance of building permits for the appropriate portion of the development plan to roadway improvements required to achieve the appropriate LOS. Monitor the implementation of this requirement for each new development project on an annual basis.	**Not Applicable.** As discussed in Section 17, *Transportation*, the Project would generate fewer daily trips than the previous commercial uses on the site that were supported by the existing roadway system. In addition, the Project would generate a limited number of vehicle trips that would not require a LOS analysis, pursuant to the City's traffic analysis guidelines.
Policy GM-1.7: Promote the expansion and development of alternative methods of transportation.	**Consistent.** The Project would include bike racks and pedestrian access throughout the site, which would encourage alternative transportation.
Policy GM-1.8: Encourage the development of housing within close proximity to jobs and services.	**Consistent.** The Project would develop new housing within a commercial and office corridor that provides both jobs and services.
Policy GM-1.9: Ensure that new developments incorporate non-motorized and alternative transit amenities such as bike racks, bus benches and shelters, and pedestrian connections.	**Consistent.** The Project would install bike racks onsite and would provide pedestrian access throughout the site and connect to the existing offsite pedestrian network.
Policy GM-1.12: Promote traffic reduction strategies through the measures adopted within the City's Transportation Demand Management (TDM) Ordinance.	**Consistent.** As discussed in Section 17, *Transportation*, the Project would reduce vehicular trips compared to the previous commercial retail uses on the Project site. The residents would be able to utilize existing transit, sidewalks, and bicycle lanes from the Project that would provide bicycle parking and sidewalk connections. Therefore, the Project is consistent with traffic reduction strategies, and the Project VMT impact would be less than significant.
Policy GM-2.4: Explore infill development or mixed-use opportunities wherever possible as developable space becomes more limited.	**Consistent.** The proposed Project consists of infill development on a parcel that has been underutilized with a vacant structure.
GOAL NR-2.0: Protect air, water, and energy resources from pollution and overuse.	**Consistent.** The Project would result in less than significant impacts related to air, water, and energy as identified in each environmental topic section of this document.
Policy NR-2.1: Cooperate with the South Coast Air Quality Management District (SCAQMD) and other regional agencies to implement and enforce regional air quality management plans.	**Consistent.** As detailed in Section 3, *Air Quality*, the Project would be consistent with the SCAQMD AQMP and would be required to implement the applicable SCAQMD Rules during Project construction and operation.
Policy NR-2.2: Support alternative transportation modes, alternative technologies, and bicycle- and pedestrian-friendly neighborhoods to reduce emissions related to vehicular travel.	**Consistent.** The Project would install bike racks onsite and would provide pedestrian access throughout the site and connect to the existing offsite pedestrian network, which would encourage alternative transportation.
Policy NR-2.3: Reduce the amount of water used for landscaping through the use of native and drought-tolerant plants, proper soil preparation, and efficient irrigation systems as parks and other City facilities are built or renovated.	**Consistent.** The Project would use drought-tolerant plants as listed in Figure 18, *Conceptual Landscape Plan.* Development of the landscape and irrigation plan would be required to comply with regulations and standards under the City of Orange Water Efficient Landscape Guidelines and Landscape Standards and Specifications.

Policy	Consistency
Policy NR-2.4: Encourage the production, distribution, and use of recycled and reclaimed water for landscaping projects, while maintaining urban runoff water quality objectives.	**Not Applicable.** No existing recycled water laterals exist within the Project vicinity. However, as discussed below, use of construction and operational BMPs would minimize stormwater pollutants, maintaining urban runoff quality.
Policy NR-2.5: Continue to work toward local and regional waste-reduction and diversion/ recycling goals and promote public education programs.	**Consistent.** The Project would be required to recycle 65 percent of construction waste and 75 percent of operational waste pursuant to the CalGreen Building Code and AB 341, respectively.
Policy NR-2.6: Encourage sustainable building and site designs for new construction and renovation projects.	**Consistent.** The Project would be required to comply with the Building Energy Efficiency Standards pursuant to Title 24 that would increase energy efficiency through building designs.
Policy NR-2.11: Protect the ecological integrity and overall health of Orange's watersheds.	**Consistent.** As required under the MS4 Permit, the Project would be required to implement BMPs through a SWPPP and WQMP. As detailed in Section 10, *Hydrology and Water Quality*, the Project would not adversely impact stormwater flowing into the local watersheds and groundwater.
Policy NR-2.12: Cooperate with water supply agencies to protect the quantity and quality of local groundwater supplies.	**Consistent.** Use of construction and operational BMPs would maintain stormwater quality, which may infiltrate into the local groundwater. In addition, the Project would be consistent with the projected water demands in the City's UWMP.
Policy NR-2.13: Control surface runoff water discharges into the stormwater conveyance system to comply with the City's National Pollutant Discharge Elimination System (NPDES) Municipal Permit and other regional permits issued by the Santa Ana Regional Water Quality Control Board.	**Consistent.** As discussed in Section 10, *Hydrology and Water Quality,* the Project would be required to incorporate water quality measures with LID site design and treatment control BMPs during all construction and grading activities to reduce runoff. The Project proposes to treat runoff onsite before stormwater is discharged.
Policy NR-2.14: Reduce pollutant runoff from new development by requiring use of the most low development impact practices and effective Best Management Practices (BMPs) currently available.	
Policy NR-2.15: Minimize the amount of impervious surfaces and associated urban runoff pollutants in new development and significant redevelopment throughout the community.	**Consistent.** The Project would provide 16.4 percent of landscape cover onsite. As discussed above, the Project would also include design features and BMPs to reduce runoff pollutants.
GOAL NR-3.0: Prepare for and adapt to the effects of climate change and promote practices that decrease the City's contribution to climate change.	**Consistent.** The Project would be required to be developed per Title 24 requirements, which would implement energy efficient building standards. In addition, the Project would not result in significant GHG emissions.
Policy NR-4.3: Reduce the impact of urban development on important ecological and biological resources.	**Consistent.** The existing Project site is comprised of a building and a paved lot. No natural habitat exists on the Project site. Therefore, buildout of the Project would not adversely impact any ecological or biological resources.
GOAL PS-1.0: Protect residents and businesses from seismic hazards and other geologic constraints.	**Consistent.** The Project would comply to all applicable CBC regulations, minimizing potential building damage and risk to human life from seismic hazards.
Policy PS-1.1: Minimize the potential loss of life and damage to structures that may result from an earthquake.	
Policy PS-2.4: Employ strategies and design features that will reduce the amount of impervious surface (i.e. paved area) within new development projects.	**Consistent.** The Project would provide 16.4 percent of landscape cover onsite.
Policy PS-3.12: Prioritize infill development within the existing developed footprint to avoid future unfunded emergency vehicle access infrastructure creating repair and	**Consistent.** The Project consists of redevelopment of a vacant commercial site for residential within an area already served by emergency vehicles. The Project is not adjacent

Policy	Consistency
maintenance liabilities; and to reduce potential wildfire hazards originating from development adjacent to environmentally sensitive open space areas.	to environmentally sensitive open space areas. The Project site plan would be reviewed and approved by the Fire Department to ensure adequate access and fire suppression resources.
Policy N-1.2: Encourage new development projects to provide sufficient spatial buffers to separate excessive noise generating land uses and noise-sensitive land uses.	**Consistent.** The Project site is surrounded by cement block walls and as detailed in Section 13, *Noise*, is adjacent to the north and the south sides by similar residential land uses. Additionally, noise impacts were determined to be less than significant.
Policy N-1.3: Incorporate design features into residential and mixed-use projects that can be used to shield residents from excessive noise.	**Consistent.** The Project site is surrounded by cement block walls that would shield residents from excessive noise. Also, as detailed in Section 13, *Noise*, the third floor of the residence on Lot 54 would include upgraded windows with a minimum STC rating of 31 to shield the residents of Lot 54 from roadway noise.
Policy N-1.4: Ensure that acceptable noise levels are maintained near noise-sensitive uses.	**Consistent.** Noise impacts would be less than significant as discussed in Section 13, *Noise.* In addition, with compliance to Mitigation Measure NOI-1, vibration impacts would be less than significant.
Policy N-1.6: Require an acoustical study for proposed developments in areas where the existing and projected noise level exceeds or would exceed the maximum allowable levels identified in Table N-3. The acoustical study shall be performed in accordance with the requirements set forth within this Noise Element	**Consistent.** As detailed in Appendix I, a Noise and Vibration Analysis has been completed for the Project and identifies potential noise impacts in accordance with the requirements of the Noise Element. Noise impacts would be less than significant as discussed in Section 13, *Noise.* In addition, with compliance to Mitigation Measure NOI-1, vibration impacts would be less than significant.
Policy N-7.1: Schedule City maintenance and construction projects so that they generate noise during less sensitive hours.	**Consistent.** Project construction would comply with City mandates on allowed construction times as per Orange Municipal Code Section 8.24.050.
Policy N-7.2: Require developers and contractors to employ noise minimizing techniques during construction and maintenance operations.	**Consistent.** Construction noise operations would be less than significant with compliance with Municipal Code Section 8.24.050 and Mitigation Measure NOI-1, construction vibration impacts would be less than significant.
Policy N-7.3: Limit the hours of construction and maintenance operations located adjacent to noise-sensitive land uses.	**Consistent.** Project construction would comply with City mandates on allowed construction times as per Orange Municipal Code Section 8.24.050. Additionally, construction noise and vibration impacts would be less than significant with compliance to MM NOI-1.
GOAL CR-1.0: Identify and preserve potential and listed historic resources, including buildings, structures, objects, sites, districts, and archaeological resources citywide.	**Consistent.** As discussed in Section 5, *Cultural Resources*, a Cultural Resources Study was conducted, and no historical or archaeological resources were found. No impacts to historical resources would occur and potential impacts to archaeological resources would be less than significant.
Policy CR-1.6: Promote the preservation of cultural and historical resources controlled by governmental agencies, including those related to City, school district, and other agencies.	**Consistent.** As discussed in Section 5, *Cultural Resources*, a Cultural Resources Study was conducted, and no historical resources were found. No impacts to historical resources would occur and potential impacts to archaeological resources would be less than significant.
GOAL CR-4.0: Identify and preserve archaeological and cultural resources.	**Consistent.** A Cultural Resources Study was conducted onsite, and no resources were found. As discussed in Section 5, *Cultural Resources*, no impacts to historic resources would occur and potential impacts to archaeological resources would be less than significant.
Policy CR-4.1: Identify, designate, and protect historically and culturally significant archaeological resources or sites.	

Policy	Consistency
Policy INF-1.6: Require that new developments fund fair-share costs associated with City provision of water, sewer, and storm drain service and are consistent with City and service provider plans to complete needed improvements and funding capacity for such improvements.	**Consistent.** The Project applicant would be required to pay applicable development impact fees in as required by City regulations.
Policy INF-3.6: Require that new developments fund fair-share costs associated with City provision of right-of-way maintenance services and are consistent with City and service provider plans to complete needed improvements and funding capacity for such improvements.	**Consistent.** The Project applicant would be required to pay applicable development impact fees in as required by City regulations.
Policy INF-4.2: Continue to require utilities to be placed underground for new development.	**Consistent.** The Project would include connections to existing underground utilities. New above ground utilities would not be constructed as part of the Project.
GOAL ED-7.0: Encourage development and preservation of affordable workforce housing to increase housing opportunities and improve quality of life for workers in Orange.	**Consistent.** The Project would construct new housing for residents who are most likely employed. The Project would increase housing opportunities with recreation and open space that provide for quality of life within the City.
Policy ED-7.1: Identify and market sites appropriate for housing development for all income groups that will support adjacent commercial development.	**Consistent.** The Project would construct new housing that would support adjacent and nearby commercial development.

Municipal Code. The Project site is zoned Limited Business Tustin Redevelopment Project Area (C-TR), which is intended to provide for limited commercial uses for a wide variety of goods and services. The Project includes a Zone Change to change the site zoning from C-TR to R3 (Multiple-Family Residential) with application of the Small Lot Subdivision Development Standards for fee simple duplex and detached residences. As previously shown in Table AES-1, the Project would comply with the development standards per Chapter 17.14, *Residential Districts*, of the Orange Municipal Code. Therefore, no impact related to Municipal Code inconsistency would occur.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

Existing Plans, Programs, or Policies

None.

Sources

City of Orange General Plan. 2010. [online]: https://www.cityoforange.org/our-city/departments/community-development/general-plan. Accessed April 2025.

12. MINERAL RESOURCES. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☐	☒

Impact Analysis:

a) The Project site is designated Mineral Resource Zone 3 (MRZ-3) by the California Geological Survey, which is defined as an area containing mineral deposits whose significance cannot be evaluated from available data. As described previously, the Project site is fully paved with asphalt and surrounded by developed areas, which do not include mining. Additionally, the Orange General Plan EIR determined that no impacts would occur to mineral resources within the City. Thus, implementation of the Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the state, and impacts would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

b) As previously discussed, the Orange General Plan EIR determined that no impacts would occur to mineral resources within the City. Thus, no impacts related to the loss of availability of a locally important mineral resource recovery site, as delineated on a local general plan, specific plan, or other land use plan, would occur as a result of the Project.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

None.

Sources

City of Orange General Plan. 2010. [online]: https://www.cityoforange.org/our-city/departments/community-development/general-plan. Accessed May 2025.

City of Orange General Plan Program EIR, 2010. Accessed May 2025: https://www.cityoforange.org/home/showpublisheddocument/240/637698173340500000

CGS (California Geological Survey). 1994. Open File Report 94-15: Generalized Mineral Land Classification of Orange County, California. Plate 1. Accessed May 2025: https://www.conservation.ca.gov/cgs/maps-data.

13. NOISE. *Would the project result in:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
(b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
(c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

The discussion below is based on the Noise and Vibration Analysis prepared by Urban Crossroads in 2025, included as Appendix I.

Noise Terminology
Various noise descriptors are utilized in this analysis, and are summarized as follows:

- **dB:** Decibel, the standard unit of measurement for sound pressure level.
- **dBA:** A-weighted decibel, an overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- **Leq:** The equivalent sound level, which is used to describe noise over a specified period of time, typically 1-hour, in terms of a single numerical value. The Leq of a time-varying signal and that of a steady signal are the same if they deliver the same acoustic energy over a given time. The Leq may also be referred to as the average sound level.
- **Lmax:** The instantaneous maximum noise level experienced during a given period of time.
- **Lmin:** The instantaneous minimum noise level experienced during a given period of time.
- **CNEL:** The Community Noise Equivalent Level, which, similar to the Ldn, is the average A-weighted noise level during a 24-hour day that is obtained after an addition of 5 dBA to measured noise levels between the hours of 7:00 pm to 10:00 pm and after an addition of 10 dBA to noise levels between the hours of 10:00 pm to 7:00 am to account for noise sensitivity in the evening and nighttime, respectively.
- **Ambient Noise:** The "ambient noise level" is the background noise level associated with a given environment at a specified time and is usually a composite of sound from many sources from many directions.

Noise Regulations

State Law
An interior CNEL of 45 dB is mandated by the State of California Noise Insulation Standards (CCR, Title 24, Part 6, Section T25-28) for residential dwellings and hotel and motel rooms. Conventional construction practices, with closed windows and fresh air supply systems or air conditioning normally suffice.

City of Orange General Plan Noise Element

The City's General Plan Noise Element includes several polices to minimize the impacts of excessive noise levels and establishes noise level requirements for all land uses. The Noise Element contains the following policies related to the Project:

- **Policy 1.3:** Incorporate design features into residential and mixed-use projects that can be used to shield residents from excessive noise.
- **Policy 1.4:** Ensure that acceptable noise level are maintained near noise-sensitive uses.
- **Policy 3.1:** Encourage noise-compatible land uses and incorporate noise-reducing design features within transit oriented, mixed-use development near rail corridors.
- **Policy 7.2:** Require developers and contractors to employ noise minimizing techniques during construction and maintenance operations.
- **Policy 7.3:** Limit the hours of construction and maintenance operations located adjacent to noise-sensitive land uses.

The Noise Element provides specific noise level standards for all land use categories that are used to regulate traffic-related noise level impacts for noise-sensitive uses; both exterior and interior noise level standards are defined.

Within the Medium Density Residential Land Use designation, as proposed by the Project, the exterior noise standards of 65 dBA CNEL only apply to common outdoor recreation areas, as detailed in footnote 4 of the Noise Element Table N-3, included herein as Table N-1. Additionally, interior noise levels are not to exceed 45 dBA CNEL. Based on the City of Orange land use compatibility guidelines and noise standards, this noise study has been prepared to satisfy an exterior noise level of 65 dBA CNEL in common outdoor recreation areas and an interior noise level of less than 45 dBA CNEL. This approach is consistent with Table N-3 of the General Plan Noise Element, which is included below as Table N-1.

In addition, the City has stationary-source hourly average L_{eq} exterior limits to control operational stationary source noise levels associated with development. These hourly and maximum performance standards (expressed in L_{eq}) for non-transportation or stationary noise sources are designed to protect noise-sensitive land uses adjacent to stationary sources from excessive noise. According to Table N-4 of the General Plan Noise Element, acceptable stationary source exterior noise levels at the sensitive receiver are 55 dBA L_{eq} during daytime (7:00 a.m. to 10:00 p.m.) hours and 45 dBA L_{eq} during nighttime (10:00 p.m. to 7:00 a.m.) hours.

Table N-1: City of Orange General Plan Interior and Exterior Noise Standards

Table N-3
Maximum Allowable Noise Exposure—Transportation Sources

Land Use		CNEL (dBA)	
Designations (as shown on Figure LU-5)	**Uses**	**Interior[1,3]**	**Exterior[2]**
Estate Low Density Residential Low Density Residential Low Medium Density Residential	Single-family, duplex, and multiple-family	45	65
	Mobile home park	N/A	65
Medium Density Residential Neighborhood Mixed-use Neighborhood Office Professional Old Towne Mixed-use General Commercial Yorba Commercial Overlay Urban Mixed-use Urban Office Professional	Single-family	45	65
	Mobile home park	N/A	65
	Multiple-family, mixed-use	45	65[4,5]
	Transient lodging—motels, hotels	45	65
	Sports arenas, outdoor spectator sports	N/A	N/A
	Auditoriums, concert halls, amphitheaters	45	N/A
	Office buildings, business, commercial and professional	50	N/A
Light Industrial Industrial	Manufacturing, utilities, agriculture	N/A	N/A
Public Facilities and Institutions	Schools, nursing homes, day care facilities, hospitals, convalescent facilities, dormitories	45	65
	Government Facilities—offices, fire stations, community buildings	45	N/A
	Places of Worship, Churches	45	N/A
	Libraries	45	N/A
	Utilities	N/A	N/A
	Cemeteries	N/A	N/A
Recreation Commercial Open Space Open Space—Park Open Space—Ridgeline Resource Area	Playgrounds, neighborhood parks	N/A	70
	Golf courses, riding stables, water recreation, cemeteries	N/A	N/A

Notes:
(1) Interior habitable environment excludes bathrooms, closets and corridors.
(2) Exterior noise level standard to be applied at outdoor activity areas; such as private yards, private patio or balcony of a multi-family residence. Where the location of an outdoor activity area is unknown or not applicable, the noise standard shall be applied inside the property line of the receiving land use.
(3) Interior noise standards shall be satisfied with windows in the closed position. Mechanical ventilation shall be provided per Uniform Building Code (UBC) requirements.
(4) Within the Urban Mixed-Use, Neighborhood Mixed-Use, Old Towne Mixed-use, and Medium Density Residential land use designations, exterior space standards apply only to common outdoor recreational areas.
(5) Within Urban Mixed-Use and Medium Density Residential land use designations, exterior noise levels on private patios or balconies located within 250 feet of freeways (I-5, SR-57, SR-55, SR-22, or SR-241) and Smart Streets and Principal Arterials identified in the Circulation & Mobility Element that exceed 70 dB should provide additional common open space.
N/A=Not Applicable to specified land use category or designation
Source: Alliance Acoustical Consultants, modified by EDAW, 2008

Source: City of Orange General Plan Noise Element, Table N-3.

City of Orange Municipal Code

Municipal Code Section 8.24.040: This code section identifies exterior noise levels standards of 55 dBA Leq for the daytime hours (7:00 a.m. to 10:00 p.m.) and 50 dBA Leq during the nighttime (10:00 p.m. to 7:00 a.m.) hours. Per Section 8.24.040(B), for Medium Density Residential General Plan land use districts, exterior noise standards shall apply to common recreation areas only and shall not apply to private exterior space (such as a private yard, patio, or balcony).

Municipal Code Section 8.24.50: This code section states that noise sources associated with construction, repair, remodeling, or grading of any real property, provided said activities take place between the hours of 7:00 a.m. and 8:00 p.m. on any day except for Sunday or a Federal holiday.

Existing Ambient Noise

To assess the existing noise level environment, 24-hour noise level measurements were taken on Wednesday, March 19, 2025 at four locations on the Project site, as shown in Figure N-1. The noise measurements were summarized to provide the equivalent or the hourly energy average sound levels (L_{eq}) to describe the existing ambient conditions. As detailed in Table N-2, the existing ambient noise on the ground at the Project site ranges from 55.3 to 63.4 dBA in the daytime and 56.3 to 65.3 dBA in the nighttime.

Table N-2: Ambient Noise Level Measurements

Location[1]	Description	Energy Average Noise Level (dBA L_{eq})[2]	
		Daytime	Nighttime
L1	Located at the site's northern boundary near the residence at 1800 E Heim Avenue	58.2	56.3
L2	Located at the site's eastern boundary near the residence at 2025 E. Denise Avenue	63.4	65.3
L3	Located at the site's southern boundary near the residence at 1931 E. Meats Avenue	57.5	58.6
L4	Located at the site's southern boundary near the residence at 2295 N. Tustin Street	55.3	57.1

Source: Appendix I

[1] See Figure N-1 for the noise level measurement locations.

[2] Energy (logarithmic) average levels.

"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

Existing Sensitive Receptors

Sensitive receptors are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. The City of Orange General Plan Noise Element defines noise-sensitive uses as residences, hospitals, convalescent and day care facilities, schools, and libraries. The nearest sensitive receptors to the Project site are the existing residences to the north and south of the site, as shown in Figure N-2 and described below:

R1: Location R1 represents the existing residence at 1800 E Heim Avenue, approximately 52 feet north of the Project site. Receiver R1 is placed at the building façade facing the Project site. A 24-hour noise measurement was taken near this location, L1

R2: Location R2 represents the existing residence at 2025 East Denise Avenue, approximately 236 feet east of the Project site. Receiver R3 is placed in the private outdoor living area (backyard) facing the Project site. A 24-hour noise measurement was taken near this location, L2.

Figure N-1: Noise Measurement Locations

Figure N-2: Sensitive Receiver Locations

R3: Location R4 represents the existing residence at 1931 East Meats Avenue, approximately 5 feet south of the Project site. Receiver R3 is placed at the building façade facing the Project site. A 24-hour noise measurement was taken near this location, L3.

R4: Location R4 represents the existing residence at 2295 North Tustin Street, approximately 56 feet south of the Project site. Receiver R4 is placed at the building façade facing the Project site. A 24-hour noise measurement was taken near this location, L4.

Impact Analysis:

a) Potential for the Project to result in increases in ambient noise levels in excess of standards established in the general plan or noise ordinance, as described previously, were evaluated in the Noise and Vibration Analysis, which is included as Appendix I, and summarized below.

Construction

Noise generated by construction equipment would include a combination of trucks, power tools, trackers, bulldozers, excavators, graders, concrete mixers, and portable generators that when combined can reach high noise levels. Construction is expected to occur in the following stages: demolition, site preparation, grading, building construction, architectural coating, paving. To describe construction noise activities, the construction noise analysis was prepared using reference construction equipment noise levels from the Federal Highway Administration (FHWA), which published the Roadway Construction Noise Model (RCNM), which includes a national database of construction equipment reference noise levels. Table N-3 provides the combined noise levels for the loudest construction activities expected for each stage of the proposed Project, assuming all equipment operates simultaneously.

Table N-3: Project Construction Reference Noise Levels

Construction Stage	Reference Construction Equipment[1]	Reference Noise Level @ 50 Feet (dBA L_{eq})	Composite Reference Noise Level (dBA L_{eq})[2]	Reference Power Level (dBA L_w)[3]
Demolition	Concrete Saw	83	86.1	117.7
	Excavator	77		
	Jack Hammer	82		
Site Preparation	Tractor	80	82.9	114.5
	Front End Loader	75		
	Dozer	78		
Grading	Tractor	80	84.2	115.9
	Grader	81		
	Compactor (ground)	76		
Building Construction	Crane	73	82.1	113.7
	Generator	78		
	Gradall	79		
Paving	Paver	74	77.8	109.5
	Dump Truck	72		
	Roller	73		
	Man Lift	68	76.2	107.8

Construction Stage	Reference Construction Equipment[1]	Reference Noise Level @ 50 Feet (dBA L_{eq})	Composite Reference Noise Level (dBA L_{eq})[2]	Reference Power Level (dBA L_w)[3]
Architectural Coating	Compressor (air)	74		
	Generator (<25kVA)	70		

Source: Appendix I
[1] FHWA Road Construction Noise Model.
[2] Represents the combined noise level for all equipment, assuming they operate at the same time, consistent with FTA Transit Noise and Vibration Impact Assessment guidance.
[3] Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings.

In addition to the typical construction activities listed above, the proposed Project includes concrete crushing as part of demolition of the existing building on the Project site. Table N-4 provides a summary of the reference average L_{eq} concrete crushing noise level with multiple pieces of construction equipment operating simultaneously, and includes source noise levels for a hoe-ram or pavement breaker, which is a percussion hammer fitted to an excavator for breaking rock, and a concrete crushing activity including an impact hammer (hoe ram), front-end loader, and dump truck. As detailed in Table N-4 the combined noise level would be 84 dBA L_{eq} at 50 feet.

Table N-4: Concrete Crushing Reference Noise Levels

Construction Stage	Reference Construction Activity[1]	Reference Noise Level @ 50 Feet (dBA L_{eq})[1]	Combined Noise Level (dBA L_{eq})[2]
Concrete Crushing	Impact Hammer (hoe ram)	83	84
	Front End Loader	75	
	Dump Truck	72	

Source: Appendix I
[1] FHWA's Roadway Construction Noise Model
[2] Represents the combined noise level for all equipment assuming they operate at the same time consistent with FTA Transit Noise and Vibration Impact Assessment guidance for general construction noise assessment.

Orange Municipal Code Section 8.24.50(I) exempts construction noise if activities occur during the hours of 7:00 a.m. to 8:00 p.m., Monday through Saturday. No construction activity is permitted on Sundays and Federal holidays. Since the City does not have daytime construction noise level limits for activities that occur with the specified hours of the Orange Municipal Code, construction noise impacts were assessed using criteria from the Federal Transit Administration *Transit Noise and Vibration Impact Assessment Manual* (FTA Manual) that considers a daytime 8-hour average exterior construction noise level of 80 dBA Leq (8 hr.) the threshold for construction noise. Therefore, to evaluate whether the Project would generate potentially significant short-term noise levels at nearby noise-sensitive residential receiver locations, a daytime exterior construction noise level of 80 dBA Leq is used.

Using the reference construction equipment noise levels and the CadnaA noise prediction model, calculations of the Project construction noise level impacts by phase at the nearby sensitive receiver locations were completed. To account for the dynamic nature of construction activities, the CadnaA construction noise analysis evaluates the noise source activities as multiple moving point sources, or construction crews, within the limits of construction. Construction impacts are based on the loudest

activity and the highest noise level calculated at each receiver location. As part of the construction noise analysis, the existing six to eight-foot-high cmu wall along the southern site boundary was modeled.

As shown in Table N-5, Project construction noise levels are expected to range from 67.5 to 75.2 dBA L_{eq} at the closest nearby receiver locations, which does not exceed the 80.0 dBA L_{eq} threshold. Thus, Project construction noise would be less than significant.

Table N-5: Project Construction Equipment Noise Levels at Receivers

Receiver Location	Construction Noise Levels (dBA L_{eq})						
	Demolition	**Site Preparation**	**Grading**	**Building Construction**	**Paving**	**Architectural Coating**	**Highest Levels**
R1	75.2	72.0	73.3	71.2	66.9	65.3	75.2
R2	67.5	64.3	65.6	63.5	59.2	57.6	67.5
R3	71.9	68.7	70.0	67.9	63.6	62.0	71.9
R4	71.3	68.1	69.4	67.3	63.0	61.4	71.3

Source: Appendix I

In addition to the typical construction activities listed above, the proposed Project includes concrete crushing as part of demolition of the existing building on the Project site. Figure N-3 shows the anticipated location of the crushing activity area in relation to the nearest receiver locations. Using the reference crushing construction equipment noise levels, calculations of the noise levels at the nearest sensitive receiver locations were completed. To assess the worst-case noise levels, the analysis relies on the highest noise levels when multiple pieces of equipment with the highest reference noise level are operating at the closest point from the edge of primary construction activity to each receiver location. As shown on Figure N-3, the closest offsite receptor from the location of the crushing activity is approximately 174 feet. The concrete crushing construction noise levels are estimated to range from 63.0 to 73.2 dBA L_{eq} at the nearest receiver locations, which would not exceed the 80 dBA L_{eq} threshold.

Regarding increases in ambient noise from construction activities, based on the allowable noise levels in residential areas of the City and the exterior construction noise level of 80 dBA Leq an increase over the existing daytime ambient noise levels more than 20 dBA Leq from construction would be substantial. To describe the temporary Project construction noise level contributions to the existing ambient noise environment, the Project construction noise levels were combined with the existing ambient noise levels measurements at the nearest off-site receiver locations. The difference between the combined Project-construction and ambient noise levels is used to describe the construction noise level contributions.

As indicated in Table N-6, the Project construction would result in temporary noise increases ranging from 5.5 to 17.1 dBA L_{eq} during the daytime hours at the nearest receiver locations, which would not exceed the 20 dBA L_{eq} construction noise increase threshold. Therefore, the temporary construction noise level increases would be less than significant.

Figure N-3: Concrete Crushing Activities and Sensitive Receiver Locations

Table N-6: Project Construction Noise Level Increases at Receivers

Receiver Location	Typical Project Construction Noise Level	Measurement Location	Reference Ambient Noise Levels	Combined Project and Ambient	Project Increase	Increase Criteria	Increase Criteria Exceeded?
R1	75.2	L1	58.2	75.3	17.1	20	No
R2	67.5	L2	63.4	68.9	5.5	20	No
R3	71.9	L3	57.5	72.1	14.6	20	No
R4	71.3	L4	55.3	71.4	16.1	20	No

Source: Appendix I

Operational

Onsite Exterior Noise. The existing ambient noise on the Project site is dominated by vehicle noise from SR-55 to the east of the Project site and N. Tustin Street to the west of the site. The Noise and Vibration analysis calculated the exterior noise levels throughout the Project site, including first through third floors and rooftop deck locations. As shown in Table N-7, the unabated exterior noise levels are estimated to range from 55.8 to 73.9 dBA CNEL in various areas throughout the proposed Project.

Table N-7: Project Exterior Noise Levels

Building	Adjacent Roadway	Unabated Exterior Noise Level (dBA CNEL)			
		1st Floor	2nd Floor	3rd Floor	Rooftop
Bldg. 1-2	Tustin St.	57.5	60.5	60.5	-
Bldg. 20, 50-51	SR-55	68.1	69.7	71.8	73.8
Bldg. 21	SR-55	67.4	68.9	70.7	-
Bldg. 46, 52-53	SR-55	69.1	71.3	73.9	72.0
Bldg. 54	SR-55	70.3	73.2	77.0	-
Bldg. 71	Tustin St.	55.8	58.7	58.7	-
Common Recreation Area	Tustin St.	55.8	-	-	-

Source: Appendix I

As detailed previously, the General Plan Noise Element and municipal code exterior noise standards of 65 dBA CNEL only applies to common outdoor recreation areas in medium-density residential land use areas. As shown on Table N-7, the common outdoor use areas (e.g., recreation area) on the Project site would have exterior noise levels up to 55.8 dBA CNEL, which would not exceed the 65 dBA CNEL exterior noise standard. Thus, onsite exterior noise would not exceed the City's criteria and impacts would be less than significant.

Interior Noise. To verify that the interior noise levels would comply with Title 24, Part 6, Section T25 28 45 dBA CNEL interior noise standard, future exterior noise levels were calculated at the first-, second- and third-floor building façade locations. Based on the site plans provided, the Project would provide air conditioning; thus, a "windows closed" condition was assumed for the purposes of the analysis.

The interior noise level is the difference between the predicted exterior noise level at the building façade and the noise reduction of the structure. Typical building construction provides a noise reduction of approximately 12 dBA with "windows open" and a minimum 25 dBA noise reduction with "windows closed." To identify the noise reduction provided by the proposed building structures, noise reduction

calculations were completed based on a sample of the interior rooms of residences located toward SR-55 and interior habitable room(s) with a high number of exterior walls and openings (windows, doors, etc.) as detailed in the architectural floor plans for the Project. The floor plans for the Project were used to estimate the "windows closed" interior noise levels. The calculations were completed using standard windows with a minimum Sound Transmission Class (STC) rating of 27 that identify a noise reduction ranging from 30.4 to 33.0 dBA CNEL, as shown in Table N-8. In addition, the interior third-floor of the residence on Lot 54 (Plan 2) was evaluated with upgraded windows with a minimum STC rating of 31, as included by PDF-1, which determined that with upgraded windows the noise reduction would range from 32.0 to 32.7 dBA.

Table N-8: Noise Reduction Calculations

Plan	Sample Rooms[1]	Calculated Floor Plan Noise Reduction[2]	
		With STC 27 Windows	With STC 31 Windows
Plan 2	Den	31.5	32.1
	Living	32.1	32.7
	Bdrm. 1	31.3	32.0
Plan 3	Bdrm. 4	30.9	-
	Kitchen	33.0	-
	Bdrm. 3	31.9	-
Plan 4	Den	30.4	-
	Kitchen	31.8	-
	Bdrm. 2	31.0	-
Plan 5	Den	32.2	-
	Living	31.3	-
	Bdrm. 1	31.7	-
Minimum Noise Reduction:		**30.4**	**32.0**

Source: Appendix I

The noise reduction data from Table N-8 was applied to each floor of the closest residences to the roadways, which is source of exterior noise at the site.

Table N-9 shows that the estimated interior noise levels using windows with a minimum STC rating of 27 at the first-floor building façade locations are expected to range from 55.8 to 70.3 dBA CNEL, and that the interior noise levels would range from 25.4 to 39.9 dBA CNEL with standard construction and windows in the closed position, which would not exceed the threshold of 45 dBA.

Table N-9: First Floor Interior Noise Levels

Building	Roadway	Noise Level at Façade	Required Interior Noise Reduction	Calculated Minimum Noise Reduction	Window STC Rating	Interior Noise Level	Exceed 45 dBA Threshold?
Bldg. 1-5	Tustin St.	57.5	12.5	30.4	27	27.1	No
Bldg. 20, 50-51	SR-55	68.1	23.1	30.4	27	37.7	No
Bldg. 21	SR-55	67.4	22.4	30.4	27	37.0	No
Bldg. 46, 52-53	SR-55	69.1	24.1	30.4	27	38.7	No
Bldg. 54	SR-55	70.3	25.3	30.4	27	39.9	No
Bldg. 71	Tustin St.	55.8	10.8	30.4	27	25.4	No

Source: Appendix I

Table N-10 shows that the estimated interior noise levels with minimum STC windows rating of 27 at the second-floor building façade locations are expected to range from 58.7 to 73.2 dBA CNEL, and the interior noise levels would range from 28.3 to 42.8 dBA CNEL with standard construction and windows in the closed position, which would not exceed the threshold of 45 dBA.

Table N-10: Second Floor Interior Noise Levels

Building	Roadway	Noise Level at Façade	Required Interior Noise Reduction	Calculated Minimum Noise Reduction	Window STC Rating	Interior Noise Level	Exceed 45 dBA Threshold?
Bldg. 1-5	Tustin St.	60.5	15.5	30.4	27	30.1	No
Bldg. 20, 50-51	SR-55	69.7	24.7	30.4	27	39.3	No
Bldg. 21	SR-55	68.9	23.9	30.4	27	38.5	No
Bldg. 46, 52-53	SR-55	71.3	26.3	30.4	27	40.9	No
Bldg. 54	SR-55	73.2	28.2	30.4	27	42.8	No
Bldg. 71	Tustin St.	58.7	13.7	30.4	27	28.3	No

Source: Appendix I

Table N-11 shows that the future noise levels at the third-floor building façade locations are expected to range from 58.7 to 77.0 dBA CNEL, and that the interior noise levels would range up to 45.0 dBA CNEL for the residence on Lot 54 with upgraded construction using windows with a minimum STC rating of 31, as included by PDF-1, and windows in the closed position. The interior noise level analysis shows that the interior noise levels for all other interior locations of all residences would range from 28.3 to 43.5 dBA with standard construction and windows in the closed position, which would not exceed the threshold of 45 dBA.

Table N-11: Third Floor Interior Noise Levels

Building	Roadway	Noise Level at Façade	Required Interior Noise Reduction	Calculated Minimum Noise Reduction	Window STC Rating	Interior Noise Level	Exceed 45 dBA Threshold?
Bldg. 1-5	Tustin St.	60.5	15.5	30.4	27	30.1	No
Bldg. 20, 50-51	SR-55	71.8	26.8	30.4	27	41.4	No
Bldg. 21	SR-55	70.7	25.7	30.4	27	40.3	No
Bldg. 46, 52-53	SR-55	73.9	28.9	30.4	27	43.5	No
Bldg. 54	SR-55	77.0	32.0	32.0	31	45.0	No
Bldg. 71	Tustin St.	58.7	13.7	30.4	27	28.3	No

Source: Appendix I

Overall, the interior noise level assessment demonstrates that with upgraded windows with a minimum STC rating of 31 for third-floor building façade of the residence on lot 54, as included by PDF-1, the 45 dBA CNEL interior noise standard would be met. For all other building façade locations, standard construction using windows with a minimum STC rating of 27 would meet the 45 dBA CNEL interior noise standard.

Project Traffic Noise. As detailed in Section 17, *Transportation*, the proposed Project would result in 511 daily trips, including 34 AM peak hour and 40 PM peak hour trips. The 40 PM peak hour trips is less than one vehicular trip per minute during the peak hour. The existing volumes on N. Tustin Street are 33,600 trips per day. The 511 daily trips equates to 1.5 percent increase in existing traffic volumes and a 0.1 dBA CNEL noise level increase at sensitive receivers along N. Tustin Street, which would not result in a perceptible noise level increase (i.e., less than 3 dBA CNEL). Therefore, impacts related to Project traffic noise would be less than significant.

Project Operational Noise. The proposed residences would generate noise from air conditioning units and from parking lot vehicle movements. At a uniform reference distance of 50 feet, typical residential air conditioning units would generate a reference noise level of 44.4 dBA Leq and parking lot vehicle movements would generate 31.4 dBA Leq (Appendix I). These noise levels were calculated at each of the sensitive receiver locations. Table N-12 shows the Project operational noise levels during the daytime hours of 7:00 a.m. to 10:00 p.m. would range from 33.6 to 47.6 dBA L_{eq} at off-site receiver locations, which is less than the 55.0 dBA daytime noise level standard.

Table N-12: Daytime Project Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)			
	R1	R2	R3	R4
Air Conditioning Units	41.2	47.6	43.3	33.4
Parking Lot Vehicle Movements	7.7	15.7	25.9	20.6
Total (All Noise Sources)	**41.2**	**47.6**	**43.4**	**33.6**

Source: Appendix I

Table N-13 shows the Project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. at the existing off-site receiver locations, which are expected to range from 30.9 to 44.9 dBA L_{eq},

and also less than the 45 dBA nighttime noise level standard. The differences between the daytime and nighttime noise levels are largely related to the estimated duration of noise activity

Table N-13: Nighttime Project Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)			
	R1	R2	R3	R4
Roof-Top Air Conditioning Units	38.5	44.9	40.6	30.7
Parking Lot Vehicle Movements	3.8	11.7	21.9	16.6
Total (All Noise Sources)	**38.5**	**44.9**	**40.7**	**30.9**

Source: Appendix I

Project Operational Increases to Ambient Noise. To describe the Project operational noise level increases, the Project operational noise levels are combined with the existing ambient noise levels measurements for the nearby receiver locations. As indicated in Table N-14, the Project would generate daytime operational noise increases ranging from less than 0.1 to 0.2 dBA L_{eq} at the nearest receiver locations. Table N-15 shows that the Project would generate nighttime operational noise level increases ranging from less than 0.1 to 0.1 dBA L_{eq} at the nearest receiver locations. These Project-related operational noise level increases would not be audible and would not exceed the significance criteria of a readily perceptible increase of 5 dBA in areas below 65 dBA and an increase of 1.5 dBA in areas above 65 dBA. Therefore, Project-related operational noise level increases at the sensitive receiver locations would be less than significant.

Table N-14: Daytime Project Operational Noise Level Increases

Receiver Location	Total Project Operational Noise Level	Measurement Location	Reference Ambient Noise Levels	Combined Project and Ambient	Project Increase	Increase Criteria	Increase Criteria Exceeded?
R1	41.2	L1	58.2	58.3	0.1	5.0	No
R2	47.6	L2	63.4	63.5	0.1	5.0	No
R3	43.4	L3	57.5	57.7	0.2	5.0	No
R4	33.6	L4	55.3	55.3	0.0	5.0	No

Source: Appendix I

Table N-15: Nighttime Project Operational Noise Level Increases

Receiver Location	Total Project Operational Noise Level	Measurement Location	Reference Ambient Noise Levels	Combined Project and Ambient	Project Increase	Increase Criteria	Increase Criteria Exceeded?
R1	38.5	L1	56.3	56.4	0.1	5.0	No
R2	44.9	L2	65.3	65.3	0.0	1.5	No
R3	40.7	L3	58.6	58.7	0.1	5.0	No
R4	30.9	L4	57.1	57.1	0.0	5.0	No

Source: Appendix I

Overall, construction and operational noise impacts would be less than significant, and no mitigation measures would be required.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b) Vibration refers to groundbourne noise and perceptible motions and has the potential to disturb people and damage buildings. Vibration levels calculated in root-mean-square (RMS), expressed in VdB, are best for characterizing human response to building vibration. Vibration levels calculated in peak particle velocity (PPV), expressed in inches per second, are best for characterizing potential for damage.

Construction
Construction activities for the proposed Project would include demolition, excavation, and grading activities, which have the potential to generate low levels of groundborne vibration. People living and working in close proximity to the Project site could be exposed to the generation of excessive groundborne vibration or groundborne noise levels related to construction activities. The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to slight structural damage at the highest levels. Ground vibration levels associated with various types of construction equipment are summarized in Table N-16.

Table N-16: Vibration Source Amplitudes for Construction Equipment

Equipment	PPV (in/sec) at 25 feet
Small bulldozer	0.003
Jackhammer	0.035
Loaded Trucks	0.076
Large bulldozer	0.089
Hoe Ram	0.089
Vibratory Roller	0.210

Source: Appendix I

Because the City Orange does not have numeric vibration level thresholds, the Caltrans Transportation and Construction Vibration Guidance Manual vibration damage thresholds were used to assess potential temporary construction-related impacts at adjacent receptors. Caltrans guidelines show that a vibration level of up to 0.3 in/sec in PPV is considered safe for older residential structures and would not result in any construction vibration damage. Thus, the construction building vibration damage criterion is 0.3 in/sec in PPV.

Based on the construction vibration assessment methodology published by the FTA and Caltrans, Table N-17 identifies the expected Project-related vibration levels at the closest receiver locations. At distances ranging from 5 to 236 feet from Project construction activities, construction vibration velocity levels are estimated to range from 0.01 to 2.35 PPV (in/sec). The Project construction vibration levels would exceed the vibration threshold of 0.30 PPV (in/sec) at the closest residence which is approximately 5-feet from the construction boundary (Receiver R3). This vibration level at the closest sensitive receiver

would not be sustained during the entire construction period and would only occur during the times that heavy construction equipment is operating adjacent to the Project site perimeter at the sensitive receiver. Construction at the Project site would be restricted to the daytime hours, consistent with City of Orange requirements, eliminating potential vibration impacts during the sensitive evening and nighttime hours.

Table N-17: Project Construction Vibration Levels - Unmitigated

Location	Distance to Const. Activity (Feet)[1]	Typical Construction Vibration Levels PPV (in/sec)						Thresholds PPV (in/sec)	Thresholds Exceeded?
		Small bulldozer	Jack-hammer	Loaded Trucks	Large bulldozer	Vibratory Roller	Highest Vibration Level		
R1	52'	0.00	0.01	0.03	0.03	0.07	0.07	0.30	No
R2	236'	0.00	0.00	0.00	0.00	0.01	0.01	0.30	No
R3	5'	0.03	0.39	0.85	1.00	2.35	2.35	0.30	**Yes**
R4	56'	0.00	0.01	0.02	0.03	0.06	0.06	0.30	No

Source: Appendix I
[1] Distance from receiver building facade to Project construction boundary (Project site boundary).
"PPV" = Peak Particle Velocity

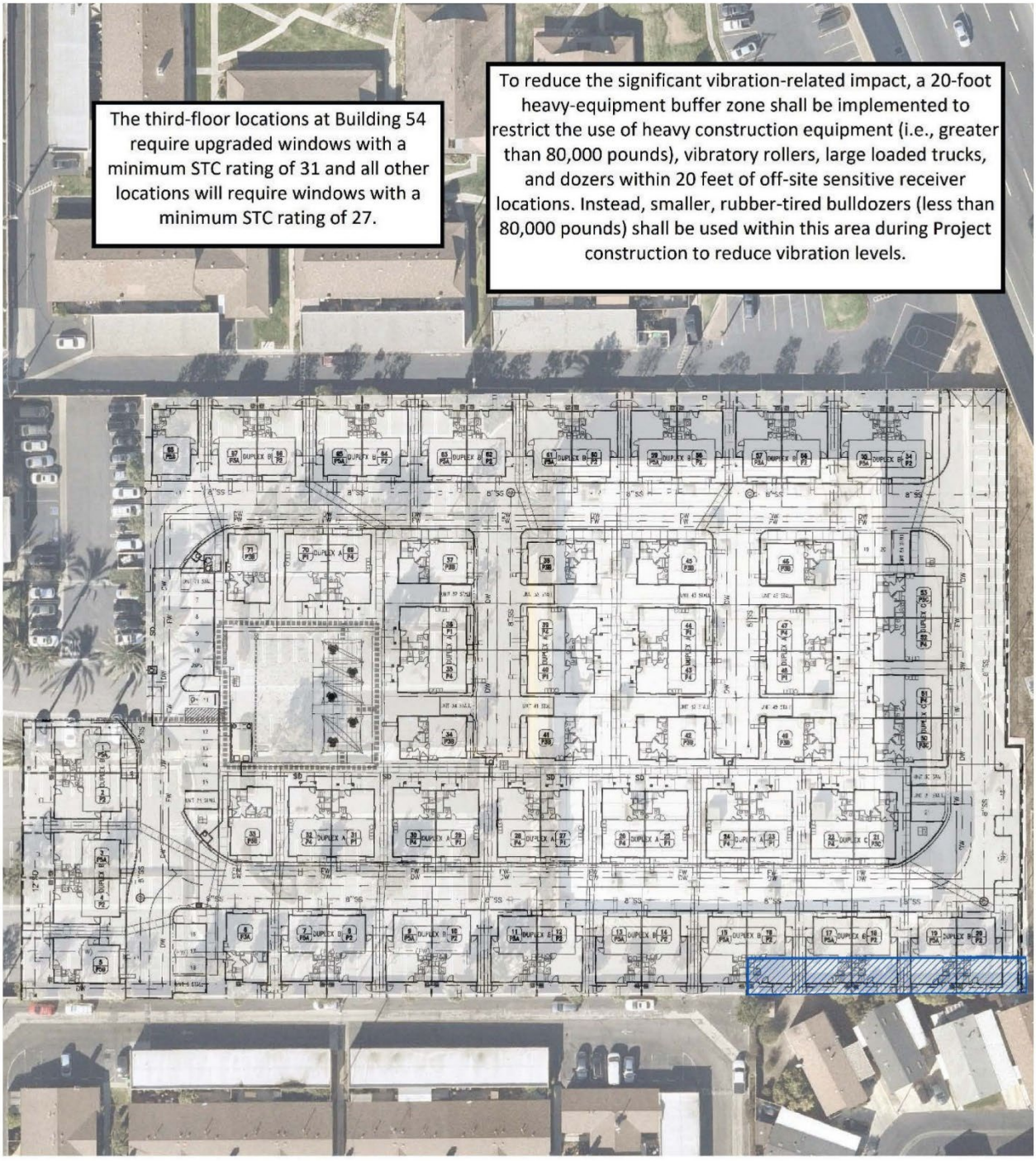
As the Project construction vibration levels would exceed the vibration thresholds at the closest residence which is approximately 5-feet from the construction boundary (Receiver R3), Mitigation Measure NOI-1 is included which requires implementation of a 20-foot equipment buffer zone to restrict the use of heavy construction equipment (greater than 80,000 pounds), vibratory rollers, large loaded trucks, and large bulldozers within 20 feet of occupied sensitive receivers (which would be Receiver R3). As detailed in Table N-18, with implementation of the 20-foot equipment buffer zone shown in Figure N-4, construction equipment vibration would be reduced to 0.29 PPV (in/sec), which would be below the 0.30 PPV (in/sec) threshold and therefore would be less than significant.

Table N-18: Project Construction Vibration Levels - Mitigated

Location	Distance to Const. Activity (Feet)[1]	Typical Construction Vibration Levels PPV (in/sec)						Thresholds PPV (in/sec)	Thresholds Exceeded?
		Small bulldozer	Jack-hammer	Loaded Trucks	Large bulldozer	Vibratory Roller	Highest Vibration Level		
R1	52'	0.00	0.01	0.03	0.03	0.07	0.07	0.30	No
R2	236'	0.00	0.00	0.00	0.00	0.01	0.01	0.30	No
R3	20'	0.00	0.05	0.11	0.12	0.29	0.29	0.30	No
R4	56'	0.00	0.01	0.02	0.03	0.06	0.06	0.30	No

Source: Appendix I
[1] Distance from receiver building facade to Project construction boundary (Project site boundary).
"PPV" = Peak Particle Velocity

Figure N-4: Noise and Vibration Measures



As detailed previously, Project construction would include concrete crushing activities. Using the vibration source level of the construction equipment list provided in Table N-16, which includes source levels for a hoe ram or breaker representing a percussion hammer fitted to an excavator for breaking rock. Table N-19 details that the concrete crushing construction equipment vibration with the highest reference vibration activity at distances ranging from 187 to 563 feet from the concrete crushing activities, as shown on Figure N-3, construction vibration levels are estimated to be less than 0.01 PPV (in/sec) and would remain below the 0.30 PPV (in/sec) threshold for vibration at all receiver locations. Therefore, potential vibration impacts would be less than significant from the Project concrete crushing construction activities.

Table N-19: Concrete Crushing Vibration Impacts at Nearest Receptor

Location	Distance to Const. Activity (Feet)	Typical Construction Vibration Levels PPV (in/sec)						Thresholds PPV (in/sec)	Thresholds Exceeded?
		Small bulldozer	Jack-hammer	Loaded Trucks	Large bulldozer	Hoe Ram	Highest Vibration Level		
R1	187'	0.00	0.00	0.00	0.00	0.00	0.00	0.30	No
R2	563'	0.00	0.00	0.00	0.00	0.00	0.00	0.30	No
R3	292'	0.00	0.00	0.00	0.00	0.00	0.00	0.30	No
R4	174'	0.00	0.00	0.00	0.00	0.00	0.00	0.30	No

Source: Appendix I
"PPV" = Peak Particle Velocity

Operational Impacts

Operation of the proposed residences would include heavy trucks for residents moving in and out of the units and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, as shown on Table N-16, vibration levels from loaded trucks generate 0.076 inch per second PPV. Truck movements on site would be travelling at very low speed, so it is expected that truck vibration at nearby sensitive receptors would be less than 0.076 inch per second PPV, which is less than the threshold of 0.3 inch per second PPV. Therefore, operational vibration impacts would be less than significant.

Significance Determination: Less than significant impact with mitigation incorporated.

Mitigation Measures:

MM NOI-1: The City of Orange (City) Director of Community Development, or designee, shall verify prior to issuance of demolition or grading permits, that the construction plans require that the construction contractor restrict the use of heavy construction equipment (i.e., greater than 80,000 pounds), vibratory rollers, large loaded trucks, and large dozers within 20 feet of any off-site receiver location. Instead, smaller, rubber-tired bulldozers (less than 80,000 pounds) shall be used within this area during Project construction to reduce vibration levels.

Significance Determination After Mitigation: Less than significant impact.

c) The Project site is neither located within an airport land use plan, nor within two miles of a public airport. The nearest airports are the John Wayne Airport, located approximately 10 miles south of the Project site in Santa Ana, and the Fullerton Municipal Airport, located approximately 8.6 miles northwest in the City of Fullerton. Therefore, the Project would not expose people residing or working

in the Project site to excessive noise levels related to a public airport or public use airport. Thus, no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

None.

Sources

Noise and Vibration Impact Analysis. 2025. Prepared by Urban Crossroads. (Appendix I).

14. POPULATION AND HOUSING. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☐	☐	☐	☒

Impact Analysis:

a) The Project site is currently developed with a vacant retail commercial building that was developed in 2007.

The California Department of Finance data from January 2025 states that there are 139,724 residents and 48,301 housing units within the City. Of these housing units, 96.8 percent of them were occupied. The different types of housing units in the City consist of 55.4 percent single-family detached residences, 10.9 percent single-family attached residences, 10.1 percent residences within buildings containing between 2 and 4 units, 21.1 percent in buildings containing 5 or more units, and 2.5 percent consist of mobile homes. The California Department of Finance data identifies the City's 2025 average household size as 2.84 persons per household. However, the City's 2021-2029 Housing Element Update identifies a 3.18 average persons per household.

The Southern California Association of Governments (SCAG) Connect SoCal 2024 demographics and growth forecasts project that the City's households will grow to 49,400 by 2035 and to 50,300 by the year 2050. This is an increase of 2,135 households between 2024 and 2050. However, the City's 2021-2029 Housing Element Update details that the City has a much larger Regional Housing Needs Allocation (RHNA) of 3,936 units. Of the RHNA units, 677 (17.2%) would be for moderate income households and 1,588 units (40.4%) would be for above moderate income households.

Construction
Construction of the Project would provide short-term jobs over an approximately 14-month period. Many of the construction jobs would be temporary and would be specific to the project. This workforce would include a variety of craftspeople, such as cement finishers, iron workers, welders, carpenters, electricians, painters, and laborers. It is anticipated that the Project-related construction labor force would already be located in the Project vicinity, travel from one construction project to another as needed, and workers would not be expected to relocate their places of residence as a consequence of working on the Project. Therefore, the Project would not be expected to induce substantial population growth or demand for housing through increased construction employment.

Operation
The Project would redevelop the site with 71 attached and detached residences. Based on the City's 2021-2029 Housing Element Update estimate of 3.18 average persons per household, the 71 residences that would be developed on the Project site would result in approximately 226 residents at full capacity. This would equate to an increase of 0.2 percent of the City's existing population and 0.1 percent of the City's existing housing units. This also equates to 3.3 percent of the SCAG projected increase in

households between 2024 and 2050, and 1.8 percent of the City's RHNA allocation. Further, the Project would equate to 3.1 percent of the City's moderate and above moderate income household RHNA allocations. This is not considered a substantial increase due to the limited number of residents and residential units that would result from the Project, which is located within an urban area.

In addition, indirect growth is related to the expansion of infrastructure, such as water, sewer, drainage, or street systems that would serve areas beyond the proposed development. The Project would be served by the existing infrastructure that currently serves the site and that the new residences would connect to. Therefore, the Project would not result in inducement of substantial population growth, either directly or indirectly, and impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b) No housing currently exists on the Project site and the site is currently developed with a vacant retail commercial building. Construction of the Project would not require the removal or displacement of existing housing, and therefore, would not require construction of replacement housing elsewhere. Thus, no impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

None.

Sources

City of Orange Municipal Code. 2022. [online]: https://library.qcode.us/lib/orange_ca/pub/municipal_code/item/title_10-chapter_10_83?view=all. Accessed May 2025.

City of Orange General Plan. 2010. [online]: https://www.cityoforange.org/391/General-Plan. Accessed May 2025.

City of Orange 2021-2029 Housing Element Update Accessed April 2025: https://www.cityoforange.org/home/showpublisheddocument/4968/638351489094930000

Connect SoCal 2024 Demographics and Growth Forecast Technical Report. Accessed April 2025: https://www.scag.ca.gov/sites/default/files/2024-05/23-2987-tr-demographics-growth-forecast-final-040424.pdf

State of California, Department of Finance, E-5 Population and Housing Estimates for Cities, Counties and the State — January 1, 2021-2025. Sacramento, California, May 2025. Accessed April 2025: https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2025/

15. PUBLIC SERVICES.	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire Protection?	☐	☐	☒	☐
ii) Police Protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

Impact Analysis:

(a) i) Fire protection and other related services in the City of Orange are provided by the Orange City Fire Department, which consists of eight stations. The Fire Chief and management staff of the City of Orange monitor service needs to evaluate adequacy of service and annual budget changes. Staffing ratios and response times are not used to determine service adequacy.

There are three City fire stations within 3.5 miles of the Project site, which are listed below.

- Station 1: 1176 E. Chapman Avenue; 3.3 miles from the Project site
- Station 2: 2900 E. Collins Avenue; 2.6 miles from the Project site
- Station 3: 1910 N. Shaffer Street; 1.4 miles from the Project site

The closest fire station to the Project site is Station No. 3, located at 1910 N. Shaffer Street, which is located approximately 1.4 roadway miles from the Project site. The Orange City Fire Department 2024 Annual Report states that the average response time is 5 minutes and 28 seconds and that the Fire Department has 40 suppression personnel and 24 administrative staff members on duty daily. The City's 2025-2026 Annual Budget and 5 Year Capital Improvement Plan identifies that the Fire Department has 115 sworn fire staff and 27 non-sworn staff, which totals 1.22 sworn fire staff per 1,000 residents.

As the existing retail building on the Project site is vacant no people are on the site, operation of the proposed Project may result in an incremental increase in demand for fire protection and emergency medical services, as new residents would be on site. However, as detailed in Section 14, *Population and Housing*, the proposed 71 residences would result in approximately 226 residents at full capacity. If equating the sworn Fire Department staff to the number of residents, the proposed Project would result in the need for 0.28 of an additional sworn staff person, which would not require construction of new or expansion of existing Fire Department facilities. Also, the Project would be required to adhere to the California Fire Code, as included in the Orange Municipal Code and ensured through the City's permitting process.

As there are currently three fire stations within 3.5 miles of the site, with the closest one 1.4 miles from the site, and due to the limited number of new residents on the site, the increase in fire service demands from the Project would be minimal and would not require construction of a new or physically altered fire station that could cause environmental impacts. Therefore, the Project would not result in the need

for new or expanded fire service facilities and impacts related to fire services would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

(a) ii) The Project site is located within the service area of the Orange Police Department. The Police Department headquarters are located at 1107 North Batavia Street, approximately 3.2 miles southwest of the Project site. The City of Orange Police Department 2024 Annual Report details that the Police Department had 95,570 calls for service in 2024 with a 4-minute average response time for emergency calls; and the dispatch received 49,276 emergency (911) calls of which 99.18 percent were answered within 10 sections. The City's 2025-2026 Annual Budget and 5 Year Capital Improvement Plan identifies that the Police Department has 165 sworn full-time officers and 78 non-sworn staff, which includes staffing for the dispatch center.

The Orange Police Department does not use officer-to-population ratio or standard response time metrics to evaluate service adequacy. Factors used to evaluate police service needs include demographics, services calls, crime trends, and population. However, as the existing retail building on the Project site is vacant and no people are currently on the site, the proposed Project may result in an incremental increase in demand for police services, as new residents would be on site. As detailed in Section 14, *Population and Housing*, the proposed 71 residences would result in approximately 226 residents at full capacity. The existing 165 sworn full-time officers equate to 1.18 officers per 1,000 City residents. The addition of 226 residents at full capacity of the proposed Project would equate to a potential need for 0.27 of an additional sworn officer, which would not require construction of new or expanded Police Department facilities.

The proposed 71 residences are adjacent to existing residential and commercial areas and are anticipated to generate a typical range of police service calls, such as theft, domestic disturbances, and vandalism. To ensure adequate services are provided and to minimize the demands on police services, security and design measures which employ defensible concepts would be utilized in Project development and construction plans. These measures incorporate the concepts of Crime Prevention Through Environmental Design (CPTED), which involve the placement, and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing, lighting and landscaping. CPTED promotes public safety, physical security, and allows residents the ability to monitor activity. In addition, the Project would comply with the requirements established in Chapter 15.52 of the Municipal Code (Building Security Ordinance #6-22). Conditions related to CPTED and the City of Orange Building Security Standards would be included in the Project. While the Project would result in new residents on the site that could create the need for police services, the limited and incremental increase would not result in the need for new or expanded police facilities, and impacts related to police services would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

(a) iii) The Project consists of development of 71 residences that would likely house students that would attend public schools. The Project site is located within the Orange Unified School District boundaries.

The District's school site locator mapping identifies that students residing on the Project site would attend the following schools:

- Serrano Elementary School, located at 17741 Serrano Avenue
- Cerro Villa Middle School, located at 17852 Serrano Avenue
- Villa Park High School, located at 18042 Taft Avenue

As the proposed Project provides detached and paired residences, the generation rate for single-family residences was used to estimate the number of students that would reside on the Project site. As shown in Table PS-1, based on the Orange Unified School District student generation rates, the proposed Project would result in 11 elementary students, three middle school students, and seven high school students, which would total 21 students at Project buildout.

Table PS-1: Project Student Generation

School Type	Single-Family Rate	Total Students
Elementary School (K–5)	0.1490	11
Middle School (6–8)	0.0470	3
High School (9–12)	0.0956	7
Total Students	**0.2916**	**21**

Source: Orange Unified School District Residential Commercial/Industrial Development School Fee Justification Study, 2025.

The School District's 2025 Residential Commercial/Industrial Development School Fee Justification Study identifies that 4,408 elementary school seats, 751 middle school seats and 160 high school seats are available to house students generated from future residential units. Thus, the 21 students that would be generated from the Project would be accommodated by existing facilities.

Additionally, pursuant to Government Code Section 65995 et seq., the need for additional school facilities is addressed through compliance with school impact fee assessment. SB 50 (Chapter 407 of Statutes of 1998) sets forth a state school facilities construction program that includes restrictions on a local jurisdiction's ability to condition a project on mitigation of a project's impacts on school facilities in excess of fees set forth in the Government Code. The Project would be required to contribute fees to the Orange Unified School District in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation under CEQA for Project-related impacts to school services.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

(a) iv) The proposed Project would add new residents to the City who would increase the demand for park facilities. As detailed in Section 14, *Population and Housing*, the Project would result in approximately 226 residents at full capacity. According to the City of Orange General Plan Natural Resources Element the City's park objective is to provide 3 acres of parkland per 1,000 residents and the City has approximately 251 acres of parkland. At a rate of 3 acres of parkland per 1,000 residents the Project's estimated 226 residents would require 0.678-acre (29,534 square feet) of parkland. However, the proposed Project includes 6,031 square feet of common open space with a large common recreation area with sail shade structures, shaded tables and seating, a multipurpose turf area, and enhanced paving. An open space feature with landscaping and walkways is proposed throughout the internal walks in the

paseo areas that provide for onsite open space and recreation. In addition, the City requires in-lieu fees for new residential projects to improve current park facilities and to acquire additional land for the construction of new parks. Therefore, due to the limited residents onsite, provision of onsite facilities, and payment of in-lieu fees the Project would not generate an increase in use of the existing parks such that substantial physical deterioration of facilities would occur or be accelerated that could cause construction of new or altered facilities. Thus, impacts related to parks would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

(a) v) The proposed Project would place limited and incremental additional demands on other public facilities. These facilities range from the City's library to streets, storm drains, and other public facilities such as City Hall, etc. However, the Project site is located within an urban and developed area of the City that is already served by public facilities. Thus, redevelopment of the site with 71 residences that would house approximately 226 residents at full capacity would have a less than significant impact on other public facilities.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

Existing Plans, Programs, or Policies

None.

Sources

City of Orange General Plan. 2010. [online]: https://www.cityoforange.org/391/General-Plan. Accessed February 24, 2023.

Orange City Fire Department 2024 Annual Report. Accessed September 2025: https://static1.squarespace.com/static/62c47583a67bd82b35d529e7/t/68407c0e69e12e18e740997f/1749056543367/2024+Annual+Report_Final+%28website%29.pdf

Orange City Fire Department. Evacuation Information. [online]: https://orangecityfire.org/evacuation-info. Accessed May 2025.

City of Orange Police Department 2024 Annual Report. Accessed September 2025: https://www.cityoforange.org/home/showdocument?id=4318&t=638163205533964554

Orange Unified School District School Locator and Maps. Accessed October 2025: https://www.orangeusd.org/our-schools/school-locator-maps

Orange Unified School District Residential Commercial/Industrial Development School Fee Justification Study, March 26, 2025. Accessed October 2025: https://www.orangeusd.org/departments/facilities-planning/developer-fees

16. RECREATION.		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	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?	☐	☐	☒	☐
(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?	☐	☐	☒	☐

Impact Analysis:

a) The City of Orange has approximately 251 acres of parkland and provides recreational services for the City. The closest parks to the Project site include Eisenhower Park and Lake that is 0.8 mile north of the Project site, Shaffer Park that is 1.5 miles southwest of the Project site, and Olive Park that is 1.7 miles from the Project site. As detailed previously, the Project would result in approximately 226 residents at full capacity and includes 6,031 square feet of common open space with a large common recreation area with sail shade structures, shaded tables and seating, a multipurpose turf area, and enhanced paving. An open space feature with landscaping and walkways is proposed throughout the internal walks in the paseo areas that provide for onsite open space and recreation. Due to the limited residents onsite and provision of onsite recreation facilities, the Project would not generate an increase in use of the existing parks such that substantial physical deterioration of facilities would occur or be accelerated. Therefore, impacts related to physical deterioration of a recreation facilities would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b) As detailed previously, the Project would result in approximately 226 residents at full capacity and includes 6,031 square feet of common open space with a large common recreation area with sail shade structures, shaded tables and seating, a multipurpose turf area, and enhanced paving. An open space feature with landscaping and walkways is proposed throughout the internal walks in the paseo areas that provide for onsite open space and recreation. The impacts of development of these recreational amenities are considered part of the impacts of the Project as a whole and are analyzed throughout the various sections of this document. For example, activities such as excavation, grading, and construction, as required for the recreational components of this Project, are analyzed in the Air Quality, Greenhouse Gas Emissions, Noise, and Transportation sections.

In addition, while the Project would contribute park development fees pursuant existing City requirements to be used towards the future expansion or maintenance parks and recreational facilities, these fees are standard with every residential development, and the Project would not require the construction or expansion of other recreational facilities that might have an adverse physical effect on the environment. As a result, impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

Existing Plans, Programs, or Policies

None.

Sources

City of Orange General Plan. 2010. [online]: https://www.cityoforange.org/391/General-Plan. Accessed October 2025.

City of Orange Park Locations Mapping. Accessed October 2025: https://www.cityoforange.org/our-city/departments/community-services/parks-and-permits/park-locations

17. TRANSPORTATION. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
(b)	Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
(c)	Substantially increase hazards due to a geometric design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
(d)	Result in inadequate emergency access?	☐	☐	☒	☐

The discussion below is based on the Level of Service (LOS) Screening Analysis prepared by EPD Solutions in 2025 (included as Appendix J) and the VMT Screening Memo prepared by EPD Solutions in 2025 (included as Appendix K).

Impact Analysis:

a) The proposed 71-unit residential Project on a developed site that is adjacent to existing roadway, transit, bicycle, and pedestrian infrastructure would not result in a conflict with any related program, plan, ordinance or policies related to the circulation system, as detailed below.

Roadway
As per the City of Orange Guidelines for TIA Section 1, a roadway analysis is not required if a project meets any of the following criteria:

1. The project generates less than 100 peak hour trips.
2. The project generates less than 1,600 average daily trips (ADT) on the Arterial Highway System.
3. The project would not add 51 or more peak hour trips to any intersection.
4. The project would not result in variations from the standards and guidelines.
5. A City Traffic Engineer determines the project does not have unique characteristics that warrant evaluation.

Construction. Construction activities associated with the Project would generate vehicular trips from construction workers traveling to and from the Project site and delivery and hauling of construction supplies to, and debris and recyclable solid waste from, the Project site. The CalEEMod modeling completed for the Project (Appendix A) shows that hauling during the demolition and grading phases of construction would generate the most vehicular trips. The demolition phase is anticipated to last for 20 work days and involves approximately 81.5 haul trips that would occur throughout the day and 30 round-trip worker trips; and the grading phase would require of 115 haul trips that would also occur throughout the day and 30 round-trip worker trips per day for 8 days (as indicated on Table 3, *Construction Schedule*).

These levels of construction traffic would not exceed the City of Orange threshold for evaluation of roadways, and it would not conflict with a circulation system program, plan, ordinance or policy. In addition, the construction related trips would generally travel from SR 55 to N. Tustin Street, which provides direct access to the Project site. Direct access from the freeway and arterial streets to the site

would provide for efficient construction trips on existing roadway facilities. Impacts would be less than significant.

Operation. The trip generation for the proposed Project was estimated in accordance with the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition (2021). The ITE Land Use Code 863 (Electronics Superstore) was applied to represent the former Best Buy store. Although no trip credit was applied for the existing 45,676 square foot Best Buy retail store building on the Project site, the number of trips previously generated from the site was included to provide an informational comparison. As shown in Table T-1, the Best Buy store is estimated to have previously generated 1,875 daily trips, 16 AM peak hour trips, and 194 PM peak hour trips.

Table T-1: Former Best Buy Store Trip Generation

				AM Peak Hour			PM Peak Hour		
Land Use	**Units**	**Daily**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Trip Rates									
863 Electronics Superstore[1]	1000 Sq. Ft. GFA	41.05	0.25	0.09	0.34	2.13	2.13	4.25
Project Trip Generation									
1 Vacant Ex-Best Buy[1] 45.676	1000 Sq. Ft. GFA	1,875	12	4	16	97	97	194
Pass By (Daily 0%, AM 0%, PM 40%)		0	0	0	0	-39	-39	-78
Total Electronics Superstore Trip Generation		1,875	12	4	16	58	58	116
Total Former Best Buy Trip Generation		**1,875**	**12**	**4**	**16**	**97**	**97**	**194**

[1]Institute of Transportation Engineers, Trip Generation Manual, 11th Edition, 2021. Land Use Code 863 - Electronics Superstore (Average Rate)
Source: Appendix J

The trips generated by the proposed 71 residences were estimated using ITE Land Use Code 215, Single-Family Attached Housing. As shown in Table T-2, the proposed Project is expected to generate a total of 511 daily trips, including 34 AM peak hour and 40 PM peak hour trips. This is less than the City's threshold to require roadway analysis, which is 100 peak hour trips, 1,600 daily trips, or 51 peak hour trips.

Table T-2: Proposed Project Trip Generation

				AM Peak Hour			PM Peak Hour		
Land Use	**Units**	**Daily**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Trip Rates									
215 Single-Family Attached Housing[1]	Dwelling Units	7.20	0.15	0.33	0.48	0.32	0.25	0.57
Project Trip Generation									
Single-Family Attached Housing[1] 71	Dwelling Units	511	11	23	34	23	17	40
Total Project Trip Generation		**511**	**11**	**23**	**34**	**23**	**17**	**40**

[1]Institute of Transportation Engineers, Trip Generation Manual, 11th Edition, 2021. Land Use Code 215 - Single-Family Attached Housing (Average Rate)
Source: Appendix J

Operation of 71 residences would result in a limited number peak hour trips that would have direct access to and from the freeway and arterial streets to the site, which would provide for efficient operational trips

on existing roadway facilities. Access to the proposed Project would be provided by a 29-foot wide accessway along the west side of the site and a 22-foot-wide secondary driveway for emergency access would be located at the northwest corner of the Project site. Each of the proposed residences would be accessed from the 25-foot-wide driveway that would circle the site and have fire access corner radii of a 50-foot outside radius and 55-foot inside radius compliant with The City of Orange Fire Master Plan access standards. In addition, the Project provides for a balance of land uses by providing additional housing in an area with commercial, retail, and service uses. Likewise, the Project supports a reduction in miles traveled by providing residences in areas with employment. Thus, the Project would not result in an impact related to roadway circulation programs, plan, ordinance, or policy.

Transit
Public transportation is provided to the City by the Orange County Transportation Authority (OCTA). There are several existing bus routes along N. Tustin Avenue, including Routes 42, 46, 50, 71, and 167. OCTA buses are equipped with wheelchair lifts, tie-downs and folding seats to accommodate most wheelchair configurations and are equipped with bicycle racks. The closest OCTA bus stop is located across from the Project site on N. Tustin Avenue.

The existing bus services would provide efficient transportation to and from the site for residents and visitors and has the potential to reduce vehicle miles traveled. In addition, because the Project is located near existing bus routes and within an existing mixed-use area, the Project is consistent with providing new residential in areas served by transit, which is consistent with regionwide policies related to addressing the circulation system. Overall, impacts related to transit services would not occur as a result of the implementation of the proposed Project.

Bicycle
While there is no existing bicycle lane located on N. Tustin Street, the Project does not involve changes to the existing bicycle lanes. The Project includes installation of bicycle racks on the Project site for use to encourage bicycle transportation. As a result, the Project would not result in conflict related to bicycle circulation or policies related to bicycle facilities.

Pedestrian facilities
Sidewalks currently exist on both sides of N. Tustin Street. The proposed Project would provide for pedestrian circulation by constructing new onsite sidewalks and pathways that would provide pedestrian access to the onsite open space areas and connect to the existing sidewalks on N. Tustin Street. The Project would provide onsite pedestrian circulation to facilitate use of the existing offsite sidewalks; and therefore, potential impacts related to pedestrian facilities or a conflict with any program, plan, ordinance, or policy related to provision of pedestrian facilities would not occur.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b) In response to Senate Bill (SB) 743, Section 15064.3 was added to the CEQA Guidelines, which became effective on July 1, 2020. CEQA Guidelines Section 15064.3 - Determining the Significance of Transportation Impacts states that Vehicle Miles Traveled (VMT) is the most appropriate measure of transportation impacts and provides lead agencies with the discretion to choose the most appropriate methodology and thresholds for evaluating VMT.

The City of Orange adopted VMT impact guidelines on July 14, 2020 to identify projects that would be considered potential VMT impacts. If a project meets one of the following criteria, then impacts would be considered less than significant and no further analysis of VMT would be required.

1. The project is located within a Transit Priority Area (TPA).
2. The project is located in a low VMT generating area.
3. The project is considered a local-serving land use.
4. The project is generating less than 110 daily vehicle trips.

Project applicability to each criterion is described below.

Screening Criteria 1 - Transit Priority Area Screening: According to the City's Guidelines, projects located in a TPA, with a FAR of more than 0.75 that do not provide more than required parking and is consistent with the Sustainable Communities Strategy (SCS) may be presumed to have a less than significant impact. The current transit services were reviewed to identify whether the Project is located within a TPA, which includes a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. (Pub. Resources Code, § 21155).

As detailed previously, public transportation in the City is provided by OCTA that operates several existing bus routes along N. Tustin Avenue, including Routes 42, 46, 50, 71, and 167. The closest OCTA bus stop is located across from the Project site on N. Tustin Avenue. The current frequency of OCTA Route 50 along N. Tustin Avenue at the Project site is 15 minutes during peak hours, which became effective in November 2025. Therefore, the Project site is currently located within a TPA.

However, the proposed Project does not satisfy all of the other required TPA screening criteria, as detailed below:

- Floor Area Ratio (FAR): The proposed Project includes 57 three-bedroom residences and 14 four-bedroom residences that would be between 2,008 and 2,117 square feet on the 4.235 gross acre site and would result in a FAR of 0.79, which would exceed a FAR of 0.75.
- Parking: The City of Orange requires a total of 174 parking stalls for the proposed Project. The Project provides a total of 179 parking stalls, which is 5 more parking stalls than required by the City. Therefore, the Project does not meet this screening criteria.
- SCS Consistency: The Project is consistent with the SCS because the Project would develop 71 townhome residences, which would generate 224 residents. According to the California Department of Finance, the City had a population of 139,724 in 2025 with 48,301 housing units. The increase in 71 housing units would equate to a 0.15 percent increase in housing units within the City and the increase of 224 residents would equate to a 0.16 percent increase in population. Compared to SCAG growth projections, the proposed 71 residences equates to 3.3 percent of the projected increase in households in the City between 2024 and 2050 and thus, is consistent with the SCS.

  Further, the City's 2021-2029 Housing Element Update details that the City has a RHNA of 3,936 units. Of the RHNA units, 677 (17.2%) would be for moderate income households and 1,588 units (40.4%) would be for above moderate income households. The proposed 71 residences equates to 1.8 percent of the City's total RHNA allocation, and 3.1 percent of the City's moderate and above moderate income household RHNA allocations. Thus, the Project's generation of housing is consistent with growth projections in the SCS.

In addition, vehicle trips included in the SCS is based on the Project site's existing General Plan land use designation of General Commercial (GC) that allows a maximum Floor Area Ratio (FAR) of 1.0 and emissions generated by the existing 45,676 square foot retail store building that was constructed in 2007. The former Best Buy store generated approximately 1,875 daily vehicle trips and the proposed 71 residential units under the proposed Project would generate approximately 511 daily vehicle trips. Thus, the proposed Project would not result in growth in vehicle trips or related emissions and would not conflict with the SCS.

- Affordable Housing Displacement: The Project site does not include existing residential units, and the proposed Project does not result in the displacement of any affordable housing.

Therefore, while the Project is in a TPA, it does not meet all the requirements for Screening Criteria 1. The Project would not meet Screening Criteria 1 because it includes five more parking stalls than required by the City.

Screening Criteria 2 - Low VMT Area Screening: The City's Guidelines utilize the "NOCC+" tool to identify low VMT-generating areas for screening purposes. Under these guidelines, projects located within areas that generate VMT below the City of Orange General Plan Buildout VMT per service population (hereafter referred to as VMT/SP) may be presumed to have a less-than-significant VMT impact and may be screened from detailed VMT analysis.

However, the land use assumptions within the NOCC+ tool and screening maps available for the Project site are inconsistent with the proposed Project, as the historical use of the site was not residential. Additionally, a preliminary review of the OCTAM model shows the Project is not located in a low VMT area. Therefore, the Project does not meet Screening Criteria 2 for low VMT areas.

Screening Criteria 3 – Low VMT Project Type: According to the City's guidelines, projects proposing local-serving uses, such as community-oriented facilities, are generally presumed to have a less-than-significant impact on VMT. Local-serving uses include K-12 schools, daycare centers, local parks, student housing, and community institutions like libraries and fire stations. Additionally, projects generating fewer than 110 average daily vehicle trips are typically not expected to substantially increase citywide or regional VMT.

The proposed residential Project (71 dwelling units) is expected to generate a total of 511 daily trips, including 34 AM peak hour and 40 PM peak hour trips. As the Project is neither a local-serving use, as defined by the City, nor does it generate fewer than 110 average daily trips, it does not meet Screening Criteria 3 for project type screening.

As the proposed Project does not meet the VMT screening criteria, as detailed above, a VMT analysis is required to identify the potential of the Project to result in an impact.

VMT Impact Thresholds

Per the City's guidelines, a project would result in a significant project-generated VMT impact if either of the following conditions are satisfied:

- The baseline project-generated VMT per service population exceeds the City of Orange General Plan Buildout VMT per service population, or

- The cumulative project-generated VMT per service population exceeds the City of Orange General Plan Buildout VMT per service population (SP). The City's VMT/SP threshold of 31.3 VMT/SP under Cumulative Year (2050) was identified by the NOCC+ Tool.

Also, the project's effect on VMT would be considered significant if it results in either of the following conditions being satisfied:

- The baseline link-level boundary Citywide VMT per service population increases under the plus project condition compared to the no project condition; or
- The cumulative link-level boundary Citywide VMT per service population increases under the plus project condition compared to the no project condition.

The cumulative "no project" shall reflect the adopted Regional Transportation plan/Sustainable Communities Strategy (RTP/SCS); as such, if a project is consistent with the SCAG RTP/SCS (Connect SoCal), then the cumulative impacts (project effect on VMT) shall be considered less than significant subject to consideration of other substantial evidence.

Project-Generated VMT

The proposed Project would develop 71 residential units on a 4.235-acre site, which would result in a residential density of 16.76 units per acre. The California Air Pollution Control Officers Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas (GHG) Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity* (October 2024) provides for a reduction in VMT calculations pursuant to Measure T-1: Increase Residential Density.

The CAPCOA Measure T-1: Increase Residential Density accounts for the VMT reduction achieved by a project that has a higher density of dwelling units compared to the average residential density within an area. Increased densities have been shown to affect the distance people travel and may result in greater options for the mode of travel they choose. Increasing residential density can result in shorter and fewer trips by single-occupancy vehicles. As defined by CAPCOA Measure T-1, "An acre in this context is defined as an acre of developed land, not including streets, school sites, parks, and other undevelopable land." Based on this, the net acreage of the Project site is 3.146 acres, which would result in a proposed residential density of 22.57 units per net acre.

The equation for the reduction in VMT is based on the residential density of the Project and the residential density of a typical development, or the residential density in the relevant TAZ[1].

- Using the residential density of TAZ 573 where the Project is located under existing conditions of 13.27 DU/ac (338 households in the 26.9 residential acre [25.47 net acre] TAZ), the Project-generated VMT would be reduced by 15.4%.

The Project's VMT analysis results, applying the 15.5% reduction of total VMT, for the Project using OCTAM are shown in Table T-3, *OCTAM VMT Analysis of Project.* As shown in Table T-3, the Project's VMT/SP would be 27.7 in the Baseline (2025) Condition and 29.1 in the Cumulative (2050) Condition, which is 11.7 percent and 7.1 percent below the threshold of 31.3. Therefore, impacts related to Project-generated VMT would be less than significant. No mitigation measures are required.

[1] Per the CAPCOA Handbook**,** *Increase Residential Density (T1)*, p. 71, the formula for VMT reduction is A = ((B - C) / C) × D, where A (0–30.0%) represents the percentage reduction in GHG emissions from project VMT in the study area, B (du/acre) is the residential density of the project development (dwelling units per acre), C is the residential density of a typical development (9.1 du/acre); however, the residential density of the relevant Transportation Analysis Zone (TAZ) should be used instead of this typical value, and D (-0.22) is the elasticity of VMT with respect to residential density.

Table T-3: OCTAM VMT Analysis of Project

Factor	Base Year 2019	Baseline 2025	Cumulative 2050
Project TAZ 573 Zone Total OD VMT	7,659	7,753	8,146
CAPCOA Measure T-1 Reduction	-15.4%	-15.4%	-15.4%
Project TAZ 573 Zone Total OD VMT with CAPCOA Measure T-1 Reduction	6,479	6,558	6,890
TAZ 573 Population	237	237	237
TAZ 573 Service Population	237	237	237
Project VMT/SP	**27.3**	**27.7**	**29.1**
Threshold General Plan Buildout VMT/SP	31.3		
Project VMT/SP Percentage Below Threshold	**-**	**11.7%**	**7.1%**
Impact?	**-**	**No**	**No**

Source: Appendix K

Project Effect On VMT

According to the City's Guidelines, if a project causes the link-level boundary Citywide VMT per service population within the City to be higher than the No Project scenario under baseline or cumulative conditions, the project's effect on VMT would be considered significant. Thus, a boundary method analysis was conducted to evaluate the Project's effect on VMT. The daily VMT within the City is calculated by the sum of total link-based VMT of all the roadways within the City. The roadways selected to calculate daily VMT are shown in Figure T-1.

To calculate the daily VMT/SP, the total daily VMT within the City is divided by the total service population of the City. The total service population within the City is calculated by the sum of total population and employees of all the TAZs within the City. The Project's effect on VMT results are shown in Table T-4. The citywide No Project VMT/SP for the City of Orange is 14.117 for Base Year (2019) and 14.514 for Cumulative Year (2050). Therefore, the City's threshold of significance for Project Baseline (2025) was interpolated to be 14.197 VMT/SP. As shown in Table T-4, the Orange Citywide Boundary VMT/SP is 0.02% lower with the Project added under Project Baseline (2025) Conditions and 0.03% lower with the Project added under Cumulative (2050) Conditions. Therefore, the Project's effect on VMT would be less than significant. No mitigation measures are required.

Figure T-1: Roadways Selected to Calculate Daily VMT

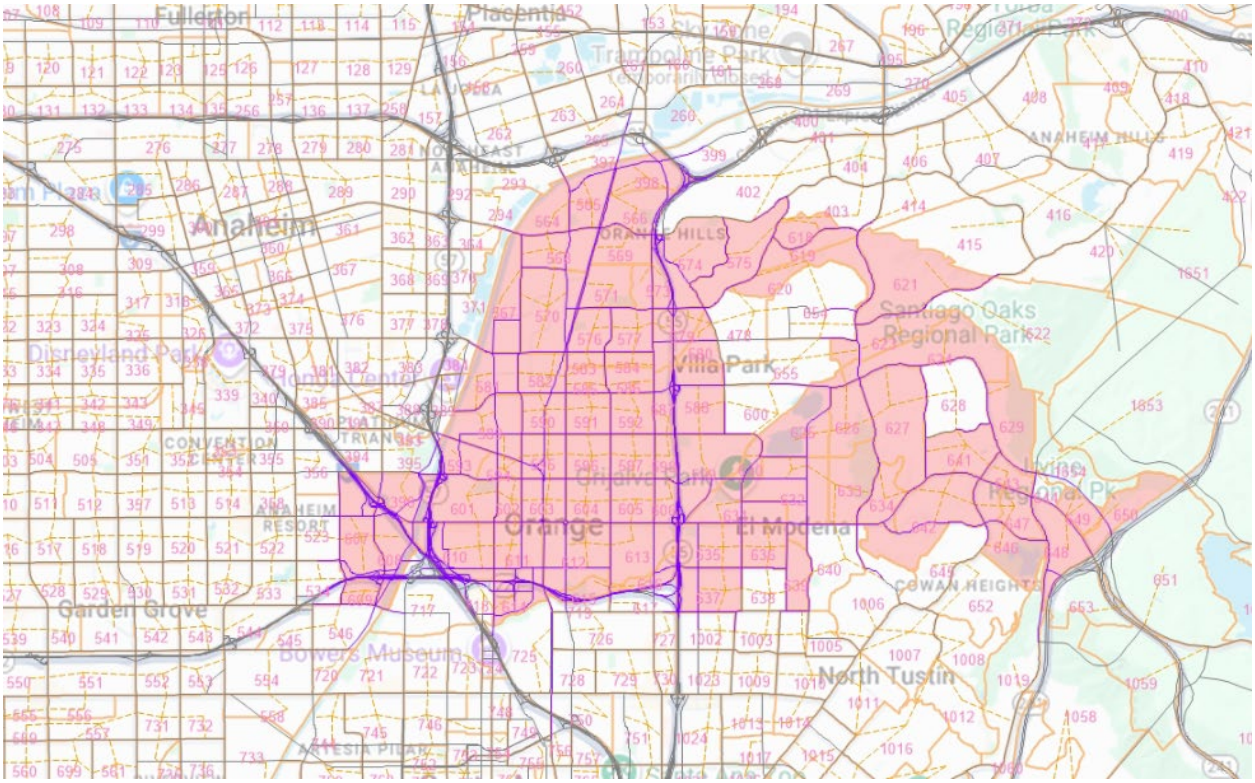


Table T-4: Project Effects on VMT

Factor	Base Year 2019	Baseline 2025	Cumulative Year 2050
Citywide Boundary VMT With Project	4,435,908	4,504,990	4,792,829
Citywide Population With Project	143,228	143,822	146,298
Citywide Employment With Project	129,924	131,703	139,118
Citywide Enrollment With Project	41,140	41,871	44,917
Citywide Service Population With Project	314,292	317,397	330,333
With Project Citywide Boundary VMT/SP	**14.114**	**14.194**	**14.509**
Citywide Boundary VMT No Project	4,433,377	4,502,607	4,791,066
Citywide Population No Project	142,991	143,585	146,061
Citywide Employment No Project	129,924	131,703	139,118
Citywide Enrollment No Project	41,140	41,871	44,917
Citywide Service Population No Project	314,055	317,160	330,096
No Project Citywide Boundary VMT/SP	**14.117**	**14.197**	**14,514**
Percent Below Threshold		-0.02%	0.03%
Impact		**No**	**No**

Source: Appendix K

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) The Project includes development of residences, open space, recreation, and circulation and parking. The Project includes only residential uses and does not include any incompatible uses, such as farm equipment.

The proposed Project site would be accessed from N. Tustin Street through a 29-foot wide accessway along the west side of the site and a 22-foot-wide secondary driveway/emergency access would be located at the northwest corner of the Project site. Each of the proposed residences would be accessed from the 25-foot-wide driveway that would circle the site and have fire access corner radii of a 50 foot outside radius and 55 foot inside radius compliant with The City of Orange Fire Master Plan access standards. Pedestrian circulation would be provided by an onsite sidewalk that would connect the proposed residential areas to the existing sidewalk along N. Tustin Street. The Project would not increase any hazards related to a design feature. The City's construction permitting process includes review of Project plans to ensure that no potentially hazardous transportation design features would be introduced by the Project. As a result, impacts related to vehicular circulation design features would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

d) The proposed construction activities and residential uses would not result in inadequate emergency access.

Construction
The proposed construction activities, including equipment and supply staging and storage, would occur within the Project site, and therefore would not require roadway lane closures that could restrict access of emergency vehicles to the Project site or adjacent areas. The installation of a new driveway and connections to existing infrastructure systems that would be implemented during construction of the proposed Project would not require closure of N. Tustin Street. Any temporary lane closures needed for utility connections or driveway access construction would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual (Caltrans 2014), as required by construction permits. Thus, implementation of the Project through the City's permitting process would ensure existing regulations are adhered to and that potential construction related emergency access impacts would not occur.

Operation
Operation of the Project would not result in inadequate emergency access. The Project driveway and internal access have been designed to meet City of Orange Fire Master Plan access standards that would be ensured through the City's permitting procedures. The Project provides a 29-foot-wide accessway along the west side of the site and a 22-foot-wide secondary driveway/emergency access at the northwest corner of the Project site. Each of the proposed residences would be accessed from the 25-foot-wide driveway that would circle the site and have fire access corner radii of a 50 foot outside radius and 55 foot inside radius compliant with The City of Orange Fire Master Plan access standards. As a result, impacts related to inadequate emergency access would not occur.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impacts.

Existing Plans, Programs, or Policies

None.

Sources

Level of Service (LOS) Screening Analysis. 2025. Prepared by EPD Solutions, Inc. (Appendix J).

Vehicle Miles Traveled (VMT) Screening Analysis. 2026. Prepared by EPD Solutions, Inc. (Appendix K).

18. TRIBAL CULTURAL RESOURCES. *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:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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).	☐	☐	☐	☒
(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.	☐	☒	☐	☐

The discussion below is based on the Cultural Resources Study prepared by BFSA Environmental Services in April 2025 (included as Appendix C) and tribal consultation pursuant to SB 18 and AB 52, as detailed below.

SB 18

As the Project includes a General Plan Amendment to change the land use designation of the Project site, the Project is required to comply with Senate Bill (SB) 18 (California Government Code Section 65352.3), which sets forth requirements for local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) to aid in the protection of tribal cultural resources. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early stage of planning to protect or mitigate impacts on tribal cultural resources.

AB 52

The Project is required to comply with AB 52 regarding tribal consultation. Chapter 532, Statutes of 2014 (i.e., AB 52), requires that Lead Agencies evaluate a project's potential to impact "tribal cultural resources (TCRs)." Such resources include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register or included in a local register of historical resources (PRC Section 21074). AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource falling outside the definition stated above nonetheless qualifies as a "tribal cultural resource."

Tribal Consultation

A record search of the NAHC Sacred Lands File (SLF) was completed for the proposed Project on March 27, 2025; the results of which were negative. The NAHC provided a list of 11 tribes who may have knowledge of cultural resources in the Project area. The City also has a list of 4 tribes that have previously requested AB 52 notifications, three of which were also listed by the NAHC.

In compliance with the SB 18 and AB 52 requirements, the City sent letters on August 27, 2025 to the following 12 tribes:

- Cahuilla Band of Indians

- Gabrieleno Band of Mission Indians – Kizh Nation
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Gabrielino Tongva Indians of California Tribal Council
- Juaneno Band of Mission Indians Acjachemen Nation – Belardes
- Juaneno Band of Mission Indians Acjachemen Nation – 84A
- Pala Band of Mission Indians
- Santa Rosa Band of Cahuilla
- Soboba Band of Luiseno Indians
- Torres Martinez Desert Cahuilla Indians
- Gabrielino/Tongva Nation
- Gabrielino/Tongva Tribe

In response, the Gabrieleno Band of Mission Indians – Kizh Nation, Juaneno Band of Mission Indians-Acjachemen Nation – Banda, and the Juaneno Band of Mission Indians ~ Acjachemen Nation - Belardes submitted requests for consultation, as detailed below.

- The Gabrieleno Band of Mission Indians - Kizh Nation submitted a request to consult on August 28, 2025. The Gabrieleno Band of Mission Indians – Kizh Nation submitted information via email on September 24, 2025 stating that the entire City area is within the Tribe's Ancestral Tribal Territory and provided proposed mitigation measures that include tribe monitoring of all ground disturbing activity. In response to a City request on October 13, 2025, the tribe responded on October 14, 2025 providing a map showing the tribe's ancestral territory that identifies the Santa Ana River, Kizh village settlements, including Pasbengna and Hotuukgna. The email provides general references to habitation sites, lithic scatters, shell middens, and bedrock mortars throughout the Orange area. The City responded in a letter sent on November 3, 2025 detailing the history of ground disturbance and existence of artificial fill on the Project site and stating that although the site is within tribal ancestral regional territory, evidence that the area has the potential to contain tribal cultural resources was not identified. The letter further stated that impacts related to tribal cultural resources are anticipated to be less than significant; however, due to requests by consulting tribes to monitor ground disturbing activities, the mitigation measures provided by the tribe, as modified by the City, requiring tribal monitoring are being included in the CEQA document for the Project. The tribe responded on November 10, 2025 asserting that the site is within their ancestral territory and provided recommended revisions to the mitigation measures that were sent by the City in the November 3, 2025 letter. The City responded in a letter on November 17, 2025 stating that the City agrees with the requested revisions to the mitigation measures proposed by Kizh Nation and they will be included in the CEQA document for the Project. The letter also stated that the City considers that a mutual agreement has been reached and that consultation is concluded.
- The Juaneno Band of Mission Indians-Acjachemen Nation – Banda submitted a request to consult on August 27, 2025. The City and the tribe had a consultation call in which the tribe stated that the site is in their ancestral territory and requested tribal monitoring. The City emailed a follow up on October 9, 2025 asking if the tribe is willing to have another tribe monitor the site. The tribe responded in email on the same day stating that they request their monitor be on the site. The City responded in a letter on November 3, 2025 detailing the history of ground disturbance and existence of artificial fill on the Project site and stating that although the site is within tribal ancestral regional territory, evidence that the area has the potential to contain tribal cultural resources was not identified. The letter further stated that impacts related to tribal cultural resources are anticipated to be less than significant; however, due to requests by consulting tribes

to monitor ground disturbing activities, mitigation measures requiring tribal monitoring are being included in the CEQA document for the Project. The City sent a follow up letter to the tribe on November 17, 2025 describing that the previous mitigation measures that were provided to the tribe in the City's November 3, 2025 letter have been modified, and that mitigation requiring monitoring would be implemented and the City considers the consultation closed. The tribe responded to the City on November 18, 2025 agreeing to the mitigation measures and concluding the consultation.

- The Juaneno Band of Mission Indians Acjachemen Nation - Belardes submitted a request to consult on September 24, 2025. The Juaneno Band of Mission Indians Acjachemen Nation – Belardes emailed the City on September 24, 2025 stating that the Project is located within their territory and requested the site record for the prehistoric resource (CA-ORA-646) that is located almost one mile from the Project site. The City responded on September 25, 2025 via email providing the requested site record and listing available times to consult on the Project. The City and the Tribe had a consultation call on October 7, 2025, in which the Tribe stated that the area is sensitive and requested that mitigation measures including native monitoring by representatives of the Juaneno Band of Mission Indians Acjachemen Nation – Belardes, and that an inadvertent discovery plan be put in place to minimize the potential impacts on buried cultural resources. The Tribe followed up via email on October 8, 2025 and provided recommended mitigation language. In response to the City's request for substantial evidence that the Project site has the potential to contain the tribe's resources, the tribe provided a 2006 resolution from the County of Orange recognizing the Juaneno Band of Mission Indians Acjachemen Nation as the Indigenous people of Orange County. The City responded in a letter on November 3, 2025 detailing the history of ground disturbance and existence of artificial fill on the Project site and stating that although the site is within tribal ancestral regional territory, evidence that the area has the potential to contain tribal cultural resources was not identified. The letter further stated that impacts related to tribal cultural resources are anticipated to be less than significant; however, due to requests by consulting tribes to monitor ground disturbing activities, the mitigation measures provided by the tribe, as modified by the City, requiring tribal monitoring are being included in the CEQA document for the Project. The City sent a follow up letter to the tribe on November 17, 2025 describing that the previous mitigation measures that were provided to the tribe in the City's November 3, 2025 letter have been modified, and that mitigation requiring monitoring would be implemented and the City considers the consultation closed. The tribe responded to the City on November 19, 2025 agreeing to the mitigation measures and concluding the consultation.
- The Pala Band of Mission Indians responded on September 24, 2025 stating that the Tribe has consulted their maps and determined that the Project is not within the boundaries of the recognized Pala Indian Reservation and beyond the boundaries of its Traditional Use Area (TUA) and defers to tribes in closer proximity to the Project area.

The City responded to the three consulting tribes on November 17, 2025 by emailing a letter that describes the substantial history of ground disturbance on the site, the existence of onsite fill soils, and that although the site is within tribal ancestral regional territory, evidence that the Project site or surrounding area have the potential to contain tribal cultural resources was not provided. The letter further stated that although impacts related to tribal cultural resources are anticipated to be less than significant, due to requests by consulting tribes (who have detailed ancestral, lineal, and/or cultural affiliation to the Project region) to monitor ground disturbing activities, mitigation measures with

protection activities that are consistent with those requested by the tribe would be included in the CEQA documentation for the proposed Project.

Impact Analysis:

a) The Project site is comprised of a fully disturbed parcel that has been used for urban uses since as early as 1928 and is currently developed with a Best Buy retail store and associated parking area that was constructed in 2007. Based on a records search of the California Historic Resources Information System and field survey, the Project site does not contain any known historic resources (Appendix C). In addition, a Sacred Lands File search from the Native American Heritage Commission indicated negative results for the presence of sacred sites. Therefore, the proposed redevelopment of the site for residential uses would not result in impacts to resources that are 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). No impacts would occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

b) As described previously in Section 5, *Cultural Resources*, no archaeological resources were identified within the Project site as part of the records search with SCCIC (Appendix C) and the site has been previously disturbed various times. It is detailed through review of historic aerials photographs and record searches that the Project site has had a long history of ground disturbance. The site was used as an agricultural grove from as early as 1928 through at least 1966. By 1972 the groves were removed and the entire site and surrounding areas were developed. A commercial structure (bowling alley) with parking was developed on the site that was later demolished around 2005. Then in 2007 the existing Best Buy retail store, parking, and landscaping were developed onsite.

The geotechnical report prepared in 2005 for development of the existing Best Buy structure (SoCal Geo 2005) identified that the site contained fill soils extended to depths of 3 to 5.5 feet and recommended excavation and recompaction of a minimum of 3 feet of the onsite soils. Likewise, the Geotechnical and Infiltration Evaluation (Appendix D) prepared for the proposed Project identifies that the onsite soils consist of 3 to 5.5 feet of artificial fill. The proposed Project grading activities would remove and recompact the upper 5 feet of soil.

Due to the disturbed nature of the site from the previous agricultural uses (1928 to 1966) and the ground disturbing developments occurring in 1972 for the bowling alley and 2007 for the existing Best Buy store, presence of artificial fill, and limited excavation depths, there is a limited potential for the inadvertent discovery of tribal cultural resources. Further, the Sacred Lands File (SLF) search results for the Project were negative for any recorded Native American sacred sites or locations of religious or ceremonial importance within the Project vicinity. Thus, potential impacts related to tribal cultural resources are anticipated to be less than significant.

The information provided by consulting tribes during the AB 52 and SB 18 tribal consultation process for the Project describes that the site is within tribal ancestral regional territory; however, evidence that the Project site or surrounding area have the potential to contain tribal cultural resources was not provided. Although impacts related to tribal cultural resources are anticipated to be less than significant,

due to requests by consulting tribes (who have detailed ancestral, lineal, and/or cultural affiliation to the Project region) to monitor ground disturbing activities, the Mitigation Measures TCR-1 through TCR-3 are included to address potential impacts to unknown tribal cultural resources. Mitigation Measure TCR-1 requires onsite monitoring by a Native American monitor. Mitigation Measure TCR-2 requires that upon discovery of a TCR, consulting tribes would be notified and all construction activities in the immediate vicinity would cease until proper assessment and recovery of the resource has been completed. Mitigation Measure TCR-3 requires that upon discovery of Native American human remains, the procedures outlined in Public Resource Code 5097.9 and California Health and Safety Code Section 7050.5 shall be carried out. As described previously and included as PPP CUL-1, California Health and Safety Code, Section 7050.5 requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Therefore, implementation of Mitigation Measures TCR-1 through TCR-3 and existing regulations potential impacts to tribal cultural resources would be less than significant.

Significance Determination: Less than significant with mitigation incorporated.

Existing Plans, Programs, or Policies

PPP CUL-1: Human Remains. California Health and Safety Code Section 7050.5. Listed previously in Section 5, *Cultural Resources*.

Mitigation Measures:

MM TCR-1: Native American Monitoring.

A. The Project plans, specifications, and grading permits shall state that the Project applicant shall retain a Native American Monitor. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject Project at all Project locations (i.e., both on-site and any off-site locations that are included in the project description and/or required in connection with the Project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

B. A copy of the executed monitoring agreement shall be submitted to the City prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

C. The monitor shall complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the Project applicant/lead agency upon written request to the Tribe.

D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the monitoring Tribe from a designated point of contact for the Project applicant/lead agency

that all ground-disturbing activities and phases that may involve ground-disturbing activities on the Project site or in connection with the Project are complete; or (2) a determination and written notification by the monitoring Tribe to the Project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact TCRs.

MM TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects.

A. Upon discovery of any TCRs, the monitoring tribe shall notify the City and Project Applicant and all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the tribal monitor and/or tribal archaeologist. The monitoring tribe shall recover and retain all discovered TCRs in the form and/or manner the monitoring tribe deems appropriate.

MM TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects.

A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

B. If Native American human remains and/or grave goods are discovered or recognized on the Project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.

C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.

E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Significance Determination After Mitigation: Less than significant impact.

Sources

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19. UTILITIES/SERVICE SYSTEMS. *Would the project:*		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
(b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
(c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
(d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes?	☐	☐	☐	☒

Impact Analysis:

a) The Project would include construction and operation of 71 residences that involves water, wastewater, drainage, and electrical infrastructure, as described below.

Water
The City's Water Division of the Public Works Department supplies potable water for residents and businesses. The Project would install new onsite water lines, which connect to the existing 12-inch diameter water main located in N. Tustin Avenue. No expansion or relocation of the existing offsite water pipelines that serve the Project site would be required.

The new onsite water system would convey water supplies to the proposed residences and landscaping through plumbing and landscaping fixtures that are compliant with the CalGreen Plumbing Code for efficient use of water, which would be verified during the development review and permitting process. Installation of the new water distribution lines would only serve the Project and would not provide new water supplies to any offsite areas. Thus, impacts related to water utility systems would be less than significant.

Wastewater
The Orange County Sanitation District (OCSD) treats wastewater from the City. Local sewer lines are owned and maintained by the City while the District owns, operates, and maintains the large trunk sewers of the regional wastewater conveyance system. The Project includes installation of a new sewer lines on the site that would connect to the City's existing 12-inch sewer line within E. Heim Avenue. The existing off-site sewer lines would accommodate the proposed Project and would not require expansion to serve the Project. Thus, impacts related to wastewater utility systems would be less than significant.

Stormwater
The Project would install a new onsite drainage system to accommodate the proposed site plan. Stormwater runoff would be captured by five sump curb inlet catch basins, one grate inlet, and an onsite

area drain system that would route runoff to biofiltration treatment devices prior to discharge to the existing stormwater sump pump system. As discussed in Section 10, *Hydrology and Water Quality*, the Project would result in an increase in pervious surfaces because the Project site is currently fully developed with a Best Buy retail store building and impervious parking areas with limited landscaping. The Preliminary WQMP (Appendix H) prepared for the Project details that the site is currently 8 percent pervious and 92 percent impervious. The proposed Project would result in a site with 13 percent pervious and 87 percent impervious area. The increase in pervious area and implementation of the proposed drainage system would result in a decrease in stormflows from the site. Table HYD-1 (in Section 10, *Hydrology and Water Quality*) details that flows from a 25-year storm event would decrease by 7.2 percent and flows from a 100-year storm would decrease by 6.8 percent. Due to the reduction in stormwater runoff, the Project would not result in an expansion of existing off-site storm water drainage facilities. Therefore, the Project would not require or result in the construction of new off-site storm water drainage facilities or expansion of existing off-site facilities. Impacts related to stormwater infrastructure would not occur.

Electric Power
The Project would connect to the existing Southern California Edison electrical distribution facilities that are adjacent to the Project site and would not require the construction of new electrical facilities.

Natural Gas
The Project would not connect to existing facilities nor require the use of natural gas.

The impacts of development of the utility infrastructure are considered part of the impacts of the Project as a whole and are analyzed throughout the various sections of this IS/MND. For example, activities such as excavation and equipment installation as required for the new residences are analyzed in the Air Quality, Greenhouse Gas Emissions, and Noise sections of this IS/MND. As detailed throughout this IS/MND, installation of onsite utility infrastructure would not result in an adverse physical effect on the environment. Thus, impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

b) The City receives imported water from the Municipal Water District of Orange County, local groundwater from the Orange County Groundwater Basin, and local surface water from the Serrano Water District. The City has prepared the 2020 Urban Water Management Plan (UWMP) in order to assess long-term water supply sources, demands, reliability, and conservation strategies. Table UT-1 shows the water supply characterization for the City, taking into account increased supply as a result of passive water savings from conservation requirements.

Table UT-1: City of Orange Projected Water Supply Projections (acre-feet)

Source	2025	2030	2035	2040	2045
OC Groundwater Basin	23,148	23,913	23,928	23,910	23,865
Imported/Purchased	2,885	3,020	3,023	3,019	3,012
Surface water	1,200	1,200	1,200	1,200	1,200
Total	**27,233**	**28,133**	**28,151**	**28,130**	**28,077**

Source: Orange 2020 UWMP.

Water use projections in the UWMP are estimated based on expected land use development, which is the existing 45,676 square foot Best Buy retail store. Thus, water usage of the existing building has been accounted for within the 2020 UWMP.

The UWMP identifies a regional water use target of 159 gallons per capita per day, and an actual gallons per capita per day of 109 in 2020. Based on the target of 159 gallons per capita per day, the anticipated residential population of 226 persons at full capacity would result in a water demand of 35,934 gallons of water per day or 40.25 acre-foot per year. This equates to 4.8 percent of the increase in anticipated water demand between 2025 and 2045, not including the reduction of water from removing the existing Best Buy store that is included in the estimated water demand. Overall, the proposed Project would redevelop a site with a current water demand and would not result in a substantial increase in water demand. The Water Service Reliability and Drought Risk Assessment section of the UWMP concludes that supply and demand are forecasted to be balanced through 2045, under normal years, single-dry years, and multiple-dry year scenarios. Therefore, impacts related to water supplies from the Project would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) The Project site receives wastewater treatment service from the Orange County Sanitation District (OCSD). Two wastewater treatment plants handle wastewater flow from the City of Orange: Reclamation Plant No. 1 in Fountain Valley, which has a treatment capacity of 174 million gallons per day (gpd), with a typical daily flow of 116 million gpd (OC San, 2025) and Treatment Plant No. 2 in Huntington Beach had a typical daily flow of 68 million. The two facilities have a combined design capacity of 332 million gallons per day (mgd) (EPA 2021). The facilities treated an average daily wastewater flow of 184 mgd (OC San, 2025), leaving a remaining capacity of 148 mgd.

The Orange General Plan EIR uses a wastewater generation rate of 104 gallons per person per day. Based on this factor, and an estimated residential population of 226 persons, the Project would generate approximately 23,504 gallons per day (gpd) of wastewater or 0.0235 mgd per day. Therefore, the Project's wastewater generation would be within the current capacity for both wastewater treatment plants and no new or expanded offsite facilities are required. Impacts related to wastewater generation would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

d) In 2024 the majority of solid waste from the City were disposed in the following landfills: Prima Deshecha Landfill in San Juan Capistrano, the Olinda Alpha Sanitary Landfill in Brea, and the Frank R. Bowerman Landfill in Irvine. Information regarding these landfills is detailed on Table UT-2. As detailed, the landfills have a daily permitted capacity of between 4,000 and 11,500 tons per day, and in August 2025 had a minimum additional capacity of between 686 and 2,548 tons per day.

Table UT-2: Landfill Capacity

Name	Max Daily Permitted (tpd)	Peak Daily Tonnage (tpd)[1]	Available Daily Disposal (tpd) [1]	Permitted Through
Prima Deshecha Landfill	4,000	3,314	686	12/31/2102
Olinda Alpha Sanitary Landfill	8,000	3,841	4,159	12/31/2036
Frank R. Bowerman Landfill	11,500	8,952	2,548	12/31/2053

[1]August 2025
Source: CalRecycle 2025

Construction
The Project would generate solid waste from construction and demolition debris during the short-term construction period. The demolition phase of construction involves removal and crushing of asphalt and the existing building. Based on the area of paved land and the average thickness and size and type of existing building, demolition would result in approximately 6,520 tons of debris. Solid waste would be disposed of in accordance with local solid waste disposal requirements. Additionally, Section 5.408.1 of the existing CalGreen Building Standards Code requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. Thus, the demolition and construction solid waste that would be disposed of at the landfill would be approximately 35 percent of the waste generated, or 2,282 tons of debris. As described in the Air Quality Analysis (Appendix A), demolition is expected to take 20 days. As such, this would equate to approximately 114.1 tons of solid waste per day. The three landfills have additional capacity of between approximately 686 and 4,159 tons per day, which would meet the construction-related landfill needs.

Operation
The CalEEMod modeling for the Project (included as Appendix A) identifies that the proposed 71 residences would generate approximately 59.2 tons of solid waste per year. However, at least 75 percent of the solid waste would be required to be recycled pursuant to AB 341, which would reduce the volume of landfilled solid waste to approximately 14.8 tons per year or 0.29 tons per week.

As described above, the supporting landfill facilities have additional capacity of between approximately 686 and 4,159 tons per day. Thus, the landfills would be able to accommodate the addition of 0.29 tons of waste per week from operation of the Project. Implementation of the Project would result in less than significant impacts on landfill capacity.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

e) The Project would result in new development that would generate an increased amount of solid waste. Pursuant to Section 5.408.1 of the California Green Building Standards Code, all construction would be required to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. AB 341 requires diversion of a minimum of 75 percent of operational solid waste, which would be implemented by provision of bind for separation of green waste, recycling, and landfill materials and through the solid waste hauler and disposal services provided throughout the City. Implementation of the Project would be required to be consistent with all mandatory federal, state and City regulations related to solid waste, which would be ensured through the City's development review and permitting process. Therefore, the proposed Project would comply with all solid waste statutes and regulations; and impacts would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

None.

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	20. WILDFIRE. *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:*	**Potentially Significant Impact**	**Less than Significant With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
(a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
(b)	Due to slope prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
(c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
(d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Impact Analysis:

a) The Project site is not within a fire hazard zone (CAL FIRE 2025). Additionally, the Project site is not within an evacuation plan area, nor does it abut any generalized evacuation routes (Orange City Fire Department). Therefore, construction activities would not interfere with emergency response or evacuation plans to the Project vicinity.

The Project site would include a 25-foot-wide fire lane and have fire access corner radii of a 50 foot outside radius and 55 foot inside radius compliant with The City of Orange Fire Master Plan access standards for emergency vehicle access during Project operation. Furthermore, development plans would be reviewed by the City to ensure adequate levels of emergency service to the Project site. Therefore, potential impacts related to an emergency response or evacuation would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

b) The Project site is currently developed and within an urbanized area of the City of Orange. The Project site is not adjacent to any wildland areas, and as determined by the CAL FIRE Hazard Severity Zone map, is not within a fire hazard zone. In addition, implementation of the Project would be required to adhere to the California Fire Code, as adopted by the Orange Municipal Code, and would be reviewed by the City's Building and Safety Services during the permitting process to ensure that the Project plans meet the fire protection requirements. The Project site does not include any slopes or prevailing winds that would exacerbate fire risks. Thus, no impacts related to other factors that would expose Project occupants to pollutant concentrations from a wildfire would occur from the Project.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

c) As described previously, the Project site is developed and within an urbanized area that is not within a wildfire hazard zone. The Project does not include any associated infrastructure that would exacerbate fire risks. Therefore, impacts related to infrastructure that could exacerbate fire risks would not occur.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

d) As described previously, the Project site is developed and within an urban area that is not within a wildfire hazard zone. In addition, the Project site is flat and surrounded by flat areas. There are no slope or hillsides that would become unstable as a result of the Project. Therefore, impacts related to flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes would not occur from the Project.

Significance Determination: No impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: No impact.

Existing Plans, Programs, or Policies

None.

Sources

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21. MANDATORY FINDINGS OF SIGNIFICANCE.		Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
(b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)	☐	☐	☒	☐
(c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Impact Analysis:

a) As described in Section 4, *Biological Resources*, the Project site is located within an urban area and is fully disturbed and developed. The parcel contains a 45,676 square foot retail store building, surface parking lot, and non-native ornamental landscaping. The site is surrounded on three sides by cmu walls, and the surrounding area contains residential, freeway signage, commercial buildings and roadways. No endangered, rare, threatened, or special status plant species (or associated habitats) or wildlife species designated by the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), or California Native Plant Society (CNPS) occur on the site. Likewise, the site contains no wetlands, riparian areas, or water bodies. Due to the existing developed urban nature of the site and surrounding area, the proposed residential development would not reduce habitat for wildlife species or threaten to eliminate or restrict range of a plant or animal community. However, the Project site contains ornamental trees that may be utilized by nesting birds and raptors. Therefore, Mitigation Measure BIO-1 has been included to conduct pre-construction surveys if vegetation is required to be removed during nesting bird season. With implementation of MM BIO-1, potential impacts related to nesting birds would be reduced to a less than significant level.

As described in Section 5, *Cultural Resources*, the Project site does not contain any buildings or structures that meet any of the California Register of Historical Resources (California Register) criteria or qualify as "historical resources" as defined by CEQA. The Project site contains a vacant Best Buy commercial retail building and parking lot built in 2007, which does not meet the minimum age threshold of 50 years to be considered potentially historic in accordance with CEQA. In addition, the Cultural Resources Study (Appendix C) determined that due to the disturbed nature of the site from previous agricultural use (1946 to 1966), development occurring in 1972 and 2007, and existence of fill soils in the site, there is little to no potential for the inadvertent discovery of significant archaeological deposits that could be important examples of the major periods of California history or prehistory. Thus, impacts would be less than significant.

However, as described in Section 18, *Tribal Cultural Resources*, although impacts related to tribal cultural resources are anticipated to be less than significant, due to requests by consulting tribes (who have detailed ancestral, lineal, and/or cultural affiliation to the Project region) to monitor ground

disturbing activities, Mitigation Measure TCR-1 through TCR-3 have been included to ensure that any inadvertent discovery of potential tribal cultural resources during ground-disturbing activities would be less than significant.

Significance Determination: Less than significant with mitigation incorporated.
Mitigation Measures: MM BIO-1 and MM TCR-1 through TCR-3, as listed previously.
Significance Determination After Mitigation: Less than significant impact.

b) Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. CEQA Guidelines Section 15130 (a) and (b), states:

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The Project site is currently developed with a warehouse and office building. The Project would redevelop the site with a vacant 45,676 square foot Best Buy retail store building, surface parking lot, and non-native ornamental landscaping. As previously described, the proposed Project would result in 1,364 fewer daily vehicle trips than the previously operating Best Buy retails store, and the 511 daily trips, including 34 AM peak hour and 40 PM peak hour trips generated by the Project less than the City's threshold to require roadway analysis, which is 100 peak hour trips, 1,600 daily trips, or 51 peak hour trips. Likewise, the Project would result in a less than significant impact related to VMT. Due to the Project's limited vehicle trips within a mixed use area containing, transit and pedestrian facilities. Cumulative impacts related to traffic would be less than significant.

As discussed in Section 3, *Air Quality*, SCAQMD's CEQA Air Quality Handbook methodology describes that any projects that result in daily emissions that exceed any of these thresholds would have both an individually (project-level) and cumulatively significant air quality impact. If estimated emissions are less than the thresholds, impacts would be considered less than significant. As shown in Table AQ-2, CalEEMod results indicate that construction emissions generated by the Project would not exceed SCAQMD regional thresholds. Operational emissions associated with the Project were modeled using CalEEMod and are presented in Tables AQ-3 and AQ-4. As shown, the Project would result in long-term regional emissions of the criteria pollutants that would be below the SCAQMD's applicable thresholds. Therefore, the Project would not result in a cumulatively considerable net increase of any criteria pollutant impacts, and operational impacts would be less than significant.

As discussed in Section 8, *Greenhouse Gas Emissions*, global climate change occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant global climate change effects in the absence of cumulative sources of GHGs. The Project's total annual GHG emissions at buildout would not exceed the City's adopted GHG emissions

threshold of 3,000 $MTCO_2e$ per year. As shown on Table GHG-2, the Project would result in approximately 896 $MTCO_2e$ per year. Therefore, the Project would not result in cumulative impacts related to GHG emissions.

As detailed previously, the potential impacts related to implementation of the Project would be less than significant or reduced to a less than significant level with implementation of mitigation measures. The cumulative effect of the Project taken into consideration with other development projects in the area would be limited. As detailed in Section 10, *Hydrology and Water Quality*, the Project would increase pervious surfaces and the proposed area drain system would route runoff to biofiltration treatment devices prior to discharge to the existing stormwater sump pump system, improving the site over the existing condition; and thus, cumulatively related impacts would not occur.

Also, as detailed in Section 14, *Population and Housing*, the proposed residences would result in approximately 226 residents at full capacity. This would equate to an increase of 0.2 percent of the City's existing population and 0.1 percent of the City's existing housing units. This also equates to 3.3 percent of the SCAG projected increase in households between 2024 and 2050, and 1.8 percent of the City's RHNA allocation. Further, the Project would equate to 3.1 percent of the City's moderate and above moderate income household RHNA allocations. Therefore, this increase in population and related demand to public services, recreation, and utilities would be less than cumulatively considerable. Overall, impacts to environmental resources or issue areas would not be cumulatively considerable; and cumulative impacts would be less than significant.

Significance Determination: Less than significant impact.
Mitigation Measures: No mitigation measures are required.
Significance Determination After Mitigation: Less than significant impact.

c) The Project proposes redevelopment of the site with 71 new residences, open space, parking, and related amenities. As described previously, the Project site is within an urban area and surrounded by consistent land uses that include residential, commercial, and roadways. The Project would result in new residences on the site that would not involve any activities that would result in a substantial negative affect on persons in the vicinity. All resource topics associated with human beings and the Project have been analyzed in accordance with CEQA and the CEQA Guidelines and were found to pose no impacts or less-than-significant impacts with implementation of existing plans, programs, or policies, or mitigation measures. Upon implementation of mitigation measures, including Mitigation Measure NOI-1 to reduce construction vibration at adjacent residences to below thresholds, the Project would not have the potential to result in substantial adverse impacts on human beings either directly or indirectly.

Significance Determination: Less than significant with mitigation incorporated.
Mitigation Measures: MM NOI-1, as listed previously.
Significance Determination After Mitigation: Less than significant impact.

Existing Plans, Programs, or Policies

As listed in previous responses.

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CHAPTER 2
RESPONSE TO COMMENTS ON THE PUBLIC REVIEW IS/MND

This chapter of the Final Initial Study/Mitigated Negative Declaration (IS/MND) contains responses to the comments that the City of Orange (Lead Agency) received during public review of the Initial Study/Mitigated Negative Declaration (IS/MND) (SCH No. 2026020142) for the North Tustin Street Residential Project during the public review period, which began February 5, 2026, and closed February 25, 2026. This document has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000 et seq.) and the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines) (Cal. Code Regs., tit. 14, § 15000 et seq.) and represents the independent judgment of the Lead Agency. This document, together with the IS/MND and the Mitigation Monitoring and Reporting Program (MMRP) comprise the Final MND. The following public comments were submitted to the City of Orange during the public review period:

1. California Department of Transportation (Caltrans), received February 25, 2026 (5 pages)
2. Pala Band of Mission Indians, received February 6, 2026 (1 page)
3. Francine Lopez, received February 18, 2026 (1 page)
4. Leslie Manderscheid, received February 23, 2026 (1 page)
5. Adrienne J. Gladson, AICP, received February 23, 2026 (3 pages)
6. Lisa Ackerman Baldwin, received February 24, 2026 (1 page)
7. Coco Palms HOA Board of Directors, received February 25, 2026 (1 page)
8. Doug Hamilton, received February 25, 2026 (1 page)

The public comments and responses to comments are included in the public record and are available to the Lead Agency decision-makers for their review and consideration prior to making their decision whether to approve the proposed Project. Pursuant to State CEQA Guidelines Section 15074(b), *Consideration and Adoption of a Negative Declaration or Mitigated Negative Declaration*, none of the comments provide substantial evidence that the Project will have significant environmental effects which would require preparation of an Environmental Impact Report. Further, none of the information in the letters or responses constitute the type of significant new information that requires recirculation of the North Tustin Street Residential Project IS/MND for further public review under State CEQA Guidelines Section 15073.5, *Recirculation of a Negative Declaration Prior to Adoption*. None of this new material indicates that the Project would result in a significant new environmental impact not previously disclosed in the IS/MND. Additionally, none of this information indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in State CEQA Guidelines Section 15073.5.

Although State CEQA Guidelines Section 15088 does not require a Lead Agency to prepare written responses to comments received on a Draft IS/MND, the City of Orange has elected to prepare the following written responses with the intent of providing a comprehensive and meaningful evaluation of the proposed Project. The number designations in the responses are correlated to the bracketed and identified portions of each comment letter.

Letter 1: Caltrans District 12, Received February 25, 2026 (1 of 5 pages)

CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 12
1750 East 4th Street, Suite 100 | SANTA ANA, CA 92705
(657) 328-6000 | FAX (657) 328-6522 TTY 711
https://dot.ca.gov/caltrans-near-me/district-12

February 25, 2026

Ms. Monique Schwartz
Senior Planner
City of Orange
300 E. Chapman Ave
Orange, CA. 92866

File: LDR/CEQA
SCH: 2026020142
12-ORA-2026-03033
SR-55 PM: 16.496

Dear Ms. Schwartz,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Mitigated Negative Declaration for the North Tustin Street Residential Project. The applicant for the Project is requesting approval from the City of Orange to demolish the existing vacant retail commercial structure and improvements on the Project site and construct 71 paired and detached residences, open space/recreation, and parking. The residential structures would be three stories. Each residential unit would have three or four bedrooms, ranging in size from approximately 2,008 square feet to 2,117 square feet and would be developed above two-car garages. The 71 residences on the 4.235-acre site would result in a density of 16.76 units per acre. The Project would include parking, open space, ornamental landscaping, and associated infrastructure. 1-1

The Project site is located at 2375 N. Tustin Street in the northern part of the City of Orange. The Project site is identified by Assessor's Parcel Number (APN) 372-642-31. Regional access to the Project site is provided by SR-55. State Route 55 is under the ownership and operation of Caltrans, which acts as a commenting agency for this project. Accordingly, Caltrans has provided the following feedback:

1. Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of

"Improving lives and communities through transportation."

Letter 1: Caltrans District 12, Received February 25, 2026 (2 of 5 pages)

land use can affect both local vehicle miles traveled and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies. 1-1 cont.

2. Caltrans supports local developments that are consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public and health safety. This can be achieved by promoting smart growth principles in projects which provide a diversity of housing choices and destinations accessible by active transportation (i.e. bicycle and pedestrian) and transit users.

3. Caltrans supports the City's progress in meeting its Regional Housing Needs Assessment (RHNA) allocation, and we encourage the City to promote the development of housing units for a variety of income levels. 1-2

4. Caltrans promotes the design of Complete Streets that include high-quality pedestrian, bicycle, and transit facilities that are safe and comfortable for users of all ages and abilities. Improvements may include providing secure bicycle parking, pedestrian-oriented LED lighting, wayfinding signage, and comfortable connections to nearby active transportation and/or transit facilities. Complete Streets improvements also promote regional connectivity, improve air quality, reduce congestion, promote improved first-/last-mile connections, and increase safety for all modes of transportation. Continue to incorporate Complete Streets in project development. 1-3

5. The project is located near several bike lanes, including but not limited to the Class II bike lane on Meats Ave south of the project location. Consider specifically referencing these and other bike lanes in the EIR and any other relevant documents. As a starting reference point, for most existing or planned bicycle facilities in Orange County, please see OCTA's Orange County Bikeways Map (online link: https://www.octa.net/getting-around/active/oc-bike/bikeways-planning/overview). 1-4

6. The project is located near several existing and planned bicycle facilities. With these features in mind, Caltrans supports the inclusion of secure and functional short-term bike parking. Short-term bike parking at public 1-5

Letter 1: Caltrans District 12, Received February 25, 2026 (3 of 5 pages)

locations should be placed in visible areas that are close to main destinations and should be installed at least 24" away from walls and other objects (e.g. trash cans, plants, etc.). With the increasing popularity of electric bikes and cargo/utility bikes, bike parking should also be designed to accommodate different styles, sizes, and weights of bikes (e.g. cargo bike, bike with trailer, adult tricycle, etc.).

- For additional guidance on bicycle parking best practices, see the "Essentials of Bike Parking" guidance created by the Association of Pedestrian and Bicycle Professionals (link to online PDF: https://www.apbp.org/Publications).

1-5 cont.

7. Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. Prior to submitting to Caltrans Permit's branch, applicant should fill out Applicant's Checklist to Determine Applicable Review Process (QMAP List) Form TR-0416 to determine if project oversight/coordination with Caltrans Project Manager is needed. If coordination is not required, please submit an encroachment permit application package (EPAP) through the Caltrans Encroachment Permit System (CEPS - https://ceps.dot.ca.gov/). EPAP should include application, PE signed and stamped site-specific traffic control plan, insurance, letter of authorizations as needed, and any other relevant documents. EPAP should be submitted as early as possible to avoid any delays.

1-6

8. Project plans and traffic control plans must be stamped and signed by a licensed engineer. For all plans, including traffic control plans, Caltrans R/W lines should be clearly labeled, which includes existing and proposed (if there are any changes to Caltrans R/W), the north arrow, the edge of pavement, and edge of the sidewalk, if applicable. When submitting the application, please include final Environmental Clearance Documentation, relevant design details including design exception approvals and construction and drainage plans, traffic control plans, traffic management plan and traffic impact study if proposed traffic delay of 30 minutes above normal recurring traffic delay is anticipated, any Caltrans R/W certifications if needed, maintenance agreement as needed, shoring plans for any excavation 5-feet or more, ADA certification, and any letter of authorizations.

Letter 1: Caltrans District 12, Received February 25, 2026 (4 of 5 pages)

Caltrans' mission is to improve lives and communities through transportation. Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Julie Lugaro at julie.lugaro@dot.ca.gov.

1-7

Sincerely,

Scott Shelley (Feb 24, 2026 11:24:32 PST)

Scott Shelley
Branch Chief,
Local Development Review - Climate Change - Transit Grants
Caltrans, District 12

"Improving lives and communities through transportation."

Letter 1: Caltrans District 12, Received February 25, 2026 (5 of 5 pages)

North Tustin Street Residential Project

Final Audit Report 2026-02-24

Created:	2026-02-24
By:	Julie Lugaro (s136148@dot.ca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAu7Q1XNv436vmiFJa6S6UdfHcKYkzCEJV

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RESPONSE TO COMMENT LETTER 1: Caltrans District 12

Comment 1-1: This comment provides an introduction and summary of the proposed Project and its location and states that regional access to the Project site is provided by State Route (SR) 55. The comment states that Caltrans recognizes there is a strong link between transportation and land use. Development can have a significant impact on traffic and congestion on State transportation facilities. In particular, the pattern of land use can affect both local vehicle miles traveled (VMT) and the number of trips. Caltrans supports collaboration with local agencies to work towards a safe, functional, interconnected, multi-modal transportation network integrated through applicable "smart growth" type land use planning and policies.

Response to Comment 1-1: The comment is introductory and informational in nature and does not contain any comments related to the IS/MND or information requiring changes to the IS/MND. The IS/MND describes the number of vehicle trips that would be generated by the Project on page 132, which would reduce trips compared to the previous commercial retail use, and would result in a less than significant impact related to VMT, as detailed on page 136 of the IS/MND. The Project would benefit from being located adjacent to an existing functional, interconnected, and multi-modal transportation network. As detailed on page 133 of the IS/MND, OCTA bus routes currently operate along N. Tustin Street and sidewalks are currently located on both sides of N. Tustin Street. The Project would install onsite bicycle parking and sidewalks that would connect to existing offsite pedestrian facilities; and thus, is consistent with the comment. Further, the Project provides for "smart growth" by implementing redevelopment of a currently underutilized site that is adjacent to existing residential within a mixed-use commercial corridor.

Comment 1-2: This comment states that Caltrans supports local developments that are consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public and health safety. This can be achieved by promoting smart growth principles in projects which provide a diversity of housing choices and destinations accessible by active transportation (i.e. bicycle and pedestrian) and transit users. The comment also states that Caltrans supports the City's progress in meeting its Regional Housing Needs Assessment (RHNA) allocation and encourages the City to promote the development of housing units for a variety of income levels.

Response to Comment 1-2: The comment is informational in nature and does not contain any comments related to the IS/MND evaluation or information requiring changes to the IS/MND. As described in the previous response, the Project is consistent with smart growth principles by implementing redevelopment of a currently underutilized site that is adjacent to existing residential within a mixed-use commercial corridor that would result in less than significant VMT impacts and is accessible/adjacent to pedestrian infrastructure and transit services. In addition, the IS/MND details in Section 14, *Population and Housing*, that the Project would provide an additional diversity of housing choices, as single-family attached residences consist of 10.9 percent of the City's housing units and residences within buildings containing between 2 and 4 units consist of 10.1 percent of the City's housing units. Also, the residences provided by the Project would equate to 3.1 percent of the City's moderate and above moderate income household Regional Housing Needs Allocation (RHNA) allocations.

Comment 1-3: This comment states that Caltrans promotes the design of Complete Streets that include high-quality pedestrian, bicycle, and transit facilities that are safe and comfortable for users of all ages and abilities. Improvements may include providing secure bicycle parking, pedestrian-oriented LED lighting, wayfinding signage, and comfortable connections to nearby active transportation and/or transit facilities. Complete Streets improvements also promote regional connectivity, improve air quality, reduce congestion, promote improved first-/last-mile connections, and increase safety for all modes of transportation. Continue to incorporate Complete Streets in project development.

Response to Comment 1-3: The comment is informational in nature and does not contain any comments related to the IS/MND evaluation or information requiring changes to the IS/MND. The Project does not include any roadway improvements. As detailed on page 16 of the IS/MND, the Project would be accessed from a 29-foot-wide driveway along the west side of the site at an existing driveway location. However, as detailed previously the Project would install onsite pedestrian facilities that would connect to the offsite sidewalks, and the Project site is currently served by transit. Further, the Project includes installation of bicycle parking and pedestrian-oriented LED lighting on the site. Thus, the Project is consistent with the principles described by the comment.

Comment 1-4: This comment states that the Project is located near several bike lanes, including but not limited to the Class II bike lane on Meats Ave south of the Project location, and to consider referencing existing bike lanes and states that most existing or planned bicycle facilities in Orange County are included on OCTA's Orange County Bikeways Map (online link: https://www.octa.net/getting-around/active/oc-bike/bikeways-planning/overview).

Response to Comment 1-4: The IS/MND describes on page 133 that there is no existing bicycle lane located on N. Tustin Street. The closest bike lane to the Project site is the Class II bike lane on Meats Avenue (referenced by the comment) that is 0.4-mile south of the Project site, and travels to the east across SR 55. The OCTA Orange County Bikeways Map referred to by the comment does not identify any additional existing or planned bike lanes in the vicinity of the Project site. The comment does not contain any comments related to the IS/MND evaluation of Project impacts.

Comment 1-5: This comment states that the Project is located near several existing and planned bicycle facilities. With these features in mind, Caltrans supports the inclusion of secure and functional short-term bike parking. Short-term bike parking at public locations should be placed in visible areas that are close to main destinations and should be installed at least 24 inches away from walls and other objects (e.g. trash cans, plants, etc.). The comment also provides guidance on bicycle parking best practices and refers to the "Essentials of Bike Parking" guidance created by the Association of Pedestrian and Bicycle Professionals (link to online PDF: https://www.apbp.org/Publications).

Response to Comment 1-5: The comment is informational in nature and does not contain any comments related to the IS/MND evaluation or information requiring changes to the IS/MND. As described in the previous response, there is no existing bicycle lane located on N. Tustin Street. The closest bike lane to the Project site is the Class II bike lane on Meats Avenue that is 0.4-mile

south of the Project site, and travels to the east across SR 55. The Project includes installation of bicycle racks near the Project site entrance and open space area, as shown on Figure 18, Conceptual Landscape Plan. Thus, the Project is consistent with the comment that short-term bike parking should be provided in public locations of the site.

Comment 1-6: This comment states that any work performed within Caltrans right-of-way will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans right-of-way prior to construction. The comment provides direction as to how to request review by Caltrans for construction in a state roadway right-of-way, and the requisite plans that are required to be submitted.

Response to Comment 1-6: The comment is informational in nature and does not contain any comments related to the IS/MND evaluation or information requiring changes to the IS/MND. The Project does not include any roadway improvements; and would not encroach into a Caltrans right-of-way. Thus, no encroachment permit or discretionary review by Caltrans would be required. As detailed on page 16 of the IS/MND, the Project would be accessed from a 29-foot-wide driveway along the west side of the site at an existing driveway location, and no work within a Caltrans right-of-way would occur.

Comment 1-7: This comment states that Caltrans' mission is to improve lives and communities through transportation. Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities.

Response to Comment 1-7: The comment is conclusionary in nature and does not contain any comments related to the IS/MND evaluation or information requiring changes to the IS/MND. The City of Orange will continue to coordinate with Caltrans regarding future proposed Projects near State transportation facilities.

Letter 2: Pala Band of Mission Indians, Received February 6, 2026 (1 page)

THPO
Pala Band of Mission Indians

TRIBAL HISTORIC PRESERVATION OFFICE
PALA BAND OF MISSION INDIANS
PMB 50, 35008 Pala Temecula Road | Pala, CA 92059
Phone 760-891-3510 | www.palatribe.com

February 6, 2026

Monique Schwartz
Senior Planner
City of Orange
mschwartz@cityoforange.org

Re: Notice of Intent to Adopt Initial Study/ Mitigated Negative Declaration No. ENV25-0001

Dear Monique Schwartz:

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). It is, however, situated in close proximity to the Reservation and information generated would likely be useful in better understanding regional culture and history. Therefore, we request as a courtesy to be kept in the information loop as the project progresses and would appreciate being maintained on the receiving list for project updates. Further, if the project boundaries are modified to extend beyond the currently proposed limits, we do request updated information and the opportunity to respond to your changes. We defer to the wishes of the Tribes who are in closer proximity to the project area. **2-1**

We appreciate involvement with your initiative and look forward to working with you on future efforts. Pala is now offering tribal monitoring services. If you have questions or need additional information, please do not hesitate to contact the THPO office by e-mail at THPO@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO SHASTA C. GAUGHEN AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

Consultation letter 3

RESPONSE TO COMMENT LETTER 2: Pala Band of Mission Indians

Comment 2-1: This comment states that the Pala Band of Mission Indians Tribal Historic Preservation Office has received the notification of the Project and have consulted maps and determined that the Project is not within the boundaries of the recognized Pala Indian Reservation, and beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). It is, however, situated in close proximity to the Reservation and information generated would likely be useful in better understanding regional culture and history. Therefore, the Tribe requests to be kept in the information loop as the Project progresses and defers to Tribes who are in closer proximity to the Project area.

Response to Comment 2-1: The comment is introductory and informational in nature and does not contain any comments related to the IS/MND or information requiring changes to the IS/MND. The Tribe will be kept on the notification list for the Project. Thus, no further response is warranted.

Letter 3: Francine Lopez, Received February 18, 2026 (1 page)

From: FL <frl3@yahoo.com>
Sent: Tuesday, February 17, 2026 8:00 PM
To: Monique Schwartz <mschwartz@cityoforange.org>
Subject: Declaration env25-001

Hello,

I received the mailer regarding this 2375 Tustin Ave project. It said we could send comments to you via email.

I would like to have noted that I disagree with the project plan for this location to build multi-family units. I live next to the property and would deeply despise having 71 additional units in this area. We already have lots of traffic, collisions, un-housed individuals and car thefts and break-ins in our community. Adding more people and cars coming in and out of this area will increase the crowding and congestion in this area. Our local stores are already barely stocked, since there are already many multi-family communities in this surrounding area. This would not be helpful to our community. We need more shopping stores and restaurants if anything. A Costco would be a more acceptable idea for the property or entertainment venue. 3-1

We don't need more pollution and congestion. Many of our neighbors have health issues due to living near the highway. If my voice matters, I would like for my opinion to be considered. Thank you! 3-2

Francine Lopez

RESPONSE TO COMMENT LETTER 3: Francine Lopez

Comment 3-1: This comment states that the commenter disagrees with the Project to build multi-family units and would deeply despise having 71 additional units in this area. The comment states that there is lots of traffic, collisions, unhoused individuals, and car thefts and break-ins in our community and that adding more people and cars coming in and out of this area will increase crowding and congestion in this area. The comment states that local stores are already barely stocked, since there are already many multi-family communities in this surrounding area. The comment states that the Project would not be helpful to the community and that more shopping stores and restaurants if anything is needed; and a Costco would be a more acceptable idea for the property or entertainment venue.

Response to Comment 3-1: The comment asserts disagreement with the Project and does not raise a specific issue with the adequacy of the IS/MND evaluation. As detailed on page 132 of the IS/MND the proposed Project is expected to generate a total of 511 daily trips, including 34 AM peak hour and 40 PM peak hour trips. This is less than the City's threshold to require roadway analysis due to potential roadway effects, which is 100 peak hour trips or 1,600 daily trips.

In addition, operation of the currently vacant Best Buy store is estimated to have previously generated 1,875 daily trips, 16 AM peak hour trips, and 194 PM peak hour trips. Thus, in comparison to the previous retail commercial operation, the proposed Project would result in a reduction of 1,364 daily vehicle trips, including a reduction of 154 PM peak hour trips. Thus, in comparison to the previous uses on the Project site the proposed Project would result in a reduction in traffic and related people coming in and out of the area.

Regarding the potential for collisions, page 139 of the IS/MND describes that the Project would be accessed from N. Tustin Street through a 29-foot wide accessway along the west side of the site and that each of the proposed residences would be accessed from the 25-foot-wide driveway that would circle the site and have fire access corner radii of a 50 foot outside radius and 55 foot inside radius compliant with The City of Orange Fire Master Plan access standards. Pedestrian circulation would be provided by an onsite sidewalk that would connect the proposed residential areas to the existing sidewalk along N. Tustin Street. The Project would not increase any hazards. The City's construction permitting process includes review of Project plans to ensure that no potentially hazardous transportation design features would be introduced by the Project.

Regarding the potential for unhoused individuals, car thefts, and break-ins in the community, the IS/MND describes on page 126 that design measures which employ defensible security concepts would be utilized in Project development and construction plans. These measures incorporate the concepts of Crime Prevention Through Environmental Design (CPTED), which involve the placement, and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing, lighting and landscaping. CPTED promotes public safety, physical security, and allows residents the ability to monitor activity. In addition, the Project would comply with the requirements established in Chapter 15.52 of the Municipal Code (Building Security Ordinance #6-22). Conditions related to CPTED and the City of Orange Building Security Standards would be included in the Project. Further, operation of the Project includes a homeowners association that would maintain the security measures implemented as part of the Project. These measures would reduce the potential for security risks related to unhoused individuals, car thefts, and break-ins.

The commentor's preference in land use on the site is not related to a potential environmental impact; however, it should be noted that the Project site is located within a mixed-use corridor along N. Tustin Street, which includes a wide variety of retail and restaurant uses. Therefore, no further response is required or provided.

Comment 3-2: This comment states that the community doesn't need more pollution and congestion and that many of our neighbors have health issues due to living near the highway and would like the commenter's opinion to be considered.

Response to Comment 3-2: As described in the previous response, the Project would generate a limited number of vehicle trips that include 511 daily trips, including 34 AM peak hour and 40 PM peak hour trips. This is less than the City's threshold to require roadway analysis related to congestion, which is 100 peak hour trips or 1,600 daily trips to identify a potential roadway effect. Thus, the Project would not result in a traffic congestion effect. In addition, in comparison to the previous retail commercial operation, the proposed Project would result in a reduction of 1,364 daily vehicle trips, including a reduction of 154 PM peak hour trips. Thus, in comparison to the previous uses on the Project site the proposed Project would result in a reduction in traffic and related emissions. Conversely, a new retail commercial or entertainment use that would build out the site under the existing General Commercial (GC) land use designation that allows a maximum Floor Area Ratio (FAR) of 1.0 would generate increased traffic and vehicular emissions compared to the proposed Project.

As detailed in, Section 3, *Air Quality*, of the IS/MND, the emissions generated from the Project would not exceed SCAQMD thresholds related to both Project level and cumulative impacts, including adjacent freeway traffic emissions. The IS/MND pages 55 through 58 detail that the Project would not generate air quality emissions above SCAQMD significance thresholds during construction or operations. Thus, air quality emissions impacts would be less than significant. The comment does not raise a specific issue with the adequacy of the IS/MND evaluation or raise any other CEQA issue, and no further response is required or provided.

Letter 4: Leslie Manderscheid, Received February 23, 2026 (1 page)

From: Leslie Manderscheid <lmande0603@gmail.com>
Sent: Monday, February 23, 2026 2:39 AM
To: Monique Schwartz <mschwartz@cityoforange.org>
Subject: Comments on North Tustin Street Residential Project IS/MND Env25-0001

Ms Schwartz:

As part of the above mentioned public review period for the Initial Study/Mitigated Negative Declaration Env25-0001 (IS/MND) dated January 2026, I am providing the following comments.

After reviewing the IS/MND, I have found a number of errors in the narratives and inadequate documentation for the current California Environmental Quality Act (CEQA) analyses. 4-1

The Project Description does not indicate the purpose and need of the Project. This should be included in the narrative.

Figures 8 and 16 (pages 23 & 39) appear to have inconsistent south side boundaries along the site entrance at Tustin Street as compared to Figures 17 (Wall Plan) and 18 (Conceptual Landscaping Plan) (pages 41 & 43) 4-2

Checklist of Environmental Impact Issues should be listed in the Table of Contents as beginning on page 45. 4-3

The Environmental Impact Issues analyses should include not only potential impacts caused by the construction and implementation of the Project, but also consider potential impacts of current external conditions, such as existing lighting at or near the site. 4-4

Appendix L – the Mitigation and Monitoring Reporting Program (MMRP):

The front page of the MMRP Appendix indicates an incorrect name of the MMRP, noting it as the Mitigation Monitoring Reporting "Plan" instead of "Program." 4-5

Aesthetics (page 3) analysis should include existing/current exterior lighting. 4-6

Hydrology and Water Quality (page 7) incorrectly indicates the applicant shall provide evidence of obtaining a "construction permit" from the State Water Resources Control Board (SWRCB). The SWRCB does not issue a construction permit. The City issues the construction permit. 4-7

Transportation (page 31) - Due to the very close proximity of CA State Route 55, the applicant needs to consult with Caltrans District 12 for an evaluation of potential impacts during construction from all construction and demolition vehicles. 4-8

After revisions to impact analyses, the applicant needs to modify the IS/MND to indicate any changes to the level(s) of impact(s). 4-9

Thank you for consideration of my comments and feel free to contact me if you have any questions.

Leslie Manderscheid (MCRP)
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RESPONSE TO COMMENT LETTER 4: Leslie Manderscheid

Comment 4-1: This comment states that the commenter found a number of errors in the narratives and inadequate documentation for the CEQA analyses, and states that the Project Description does not indicate the purpose and need of the Project. This should be included in the narrative.

Response to Comment 4-1: As substantiated by the responses below, the CEQA documentation for the Project does not contain errors in the narratives or inadequate CEQA analysis that would result in an increase in potential impacts. The first two paragraphs of the Project Description on page 15 of the IS/MND provide a detailed description of the purpose of the Project, which includes demolishing the existing vacant retail commercial structure and improvements on the Project site and constructing 71 paired and detached residences, open space/recreation, and parking. It further details that the Project includes a General Plan Amendment, a Zone Change, a Vesting Tentative Tract Map, and Administrative Design Review.

Under CEQA a project description is not required to identify a project "need". For evaluation of potential environmental impacts, CEQA Guidelines Section 15124 states that a project description must contain: (1) the project's precise location and boundaries; (2) a statement of the project's objectives and underlying purpose; (3) a general description of the project's technical, economic, and environmental characteristics; and (4) a statement briefly describing the intended uses (*Tiburon Open Space Committee v. County of Marin* (2022) 78 Cal.App.5th 700, 724, fn. 16, 738, and CEQA Guidelines, § 15124(a)-(d).). Pursuant to CEQA Guidelines Section 15124, the Project Description "should not supply extensive detail beyond that needed for the evaluation and review of the environmental impact." The details of the proposed Project are identified by the Project Applicant's application for the Project, which are detailed in the Public Review Draft IS/MND. Therefore, the Public Review Draft IS/MND accurately represents the whole of the action and evaluates the potential environmental impacts pursuant to CEQA. Section 3.0, *Project Description*, of the Public Review Draft IS/MND provides a sufficient description of the Project pursuant to the requested entitlements to meet CEQA's informational requirements under CEQA Guidelines Section 15124. The comment does not contain any information requiring changes to the IS/MND.

Comment 4-2: This comment states that Figures 8 and 16 (pages 23 & 39) appear to have inconsistent south side boundaries along the site entrance at Tustin Street as compared to Figures 17 (Wall Plan) and 18 (Conceptual Landscaping Plan) (pages 41 & 43).

Response to Comment 4-2: The conceptual plan figures in the IS/MND are not inconsistent; they identify different attributes. Figure 8, *Conceptual Site Plan,* and Figure 16, *Open Space Plan*, identify the property line as indicated in the site plan keynotes on Figure 8. Figure 17, *Wall Plan*, and Figure 18, *Conceptual Landscaping Plan,* show the limit of work, as indicated on the figures; and Figure 18 also depicts the property line in keynote 16. No changes to the IS/MND are required. However, in response to the comment Figure 18, *Conceptual Landscaping Plan*, on page 43 of the IS/MND has been replaced with the updated Figure 18, provided herein in Chapter 3, *Revisions to the Public Review IS/MND*, wherein the arrow for keynote 16 has been modified to correctly point to the property line, as identified in the legend.

Comment 4-3: This comment states that Checklist of Environmental Impact Issues should be listed in the Table of Contents as beginning on page 45.

Response to Comment 4-3: The Checklist of Environmental Impact Issues is correctly listed in the Table of Contents as beginning on page 47. This sub header is listed at the top of page 47. Page 45 provides a list of the Environmental Factors Potentially Affected and is the IS/MND determination signature page. No changes to the IS/MND are required. This comment does not raise a specific issue with the adequacy of the IS/MND evaluation or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment 4-4: The comment states that the environmental impact issues analysis should include not only potential impacts caused by the construction and implementation of the Project, but also consider potential impacts of current external conditions, such as existing lighting at or near the site.

Response to Comment 4-4: The IS/MND evaluates potential impacts of the Project on current external conditions for each resource topic area. Potential impacts related to lighting at or near the site are described on pages 50 and 51 of the IS/MND and states that the Project site is located within a developed urban area, and existing sources of light in the vicinity of the Project site include streetlights, security lighting, landscape lighting, and lighting from building interiors that pass-through windows. It also describes that the Project lighting would be designed, located, and shielded in compliance with Orange Municipal Code Section 17.12.030, which would be verified by the City during the development review and permitting process. The Project plans include a schematic lighting plan for the Project, as part of the landscape set, which provides a photometric lighting plan that shows no exterior light spill from the Project, compliant with the City's requirements. Therefore, the increase in light that would be generated by the Project would not adversely affect day or nighttime views in the area, and lighting impacts would be less than significant.

Comment 4-5: The comment states that the front page of the MMRP Appendix indicates an incorrect name of the MMRP, noting it as the Mitigation Monitoring Reporting "Plan" instead of "Program."

Response to Comment 4-5: Appendix L of the IS/MND provides the Mitigation Monitoring and Reporting Program (MMRP) for the Project, which includes an introduction that refers to the MMRP as both a monitoring program and plan. In response to the comment, the sub header and second and third paragraphs have been revised as shown below and in Chapter 3, *Revisions to the Public Review IS/MND*, in ~~strikeout~~/double underline. This comment does not raise a specific issue with the adequacy of the IS/MND evaluation or raise any other CEQA issue. Therefore, no further response is required or provided.

Mitigation Monitoring and Reporting Program ~~Plan~~

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This

requirement ensures that environmental impacts found to be potentially significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, the attached Mitigation Monitoring and Reporting Program (MMRP) checklist has been prepared for the North Tustin Street Residential Project. The table identifies Project Design Features (PDFs); Plans, Programs, and Policies (PPPs); and Mitigation Measures (MMs) required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the Project. This ~~Mitigation Monitoring and Reporting~~ MMRP checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation measure; and 3) retention of records in the City's North Tustin Street Residential project file.

This ~~Mitigation Monitoring and Reporting Program (~~MMRP~~)~~ delineates responsibilities for monitoring the Project but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the ~~Mitigation Monitoring and Reporting~~ MMRP checklist. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Comment 4-6: The comment states that Aesthetics (page 3) analysis should include existing/current exterior lighting.

Response to Comment 4-6: Refer to previous Response to Comment 3-4, which describes the IS/MND evaluation regarding existing exterior lighting and that a photometric lighting plan has been submitted to detail compliance with municipal code lighting regulations.

Comment 4-7: The comment states that the Hydrology and Water Quality (page 7) incorrectly indicates the applicant shall provide evidence of obtaining a "construction permit" from the State Water Resources Control Board (SWRCB). The SWRCB does not issue a construction permit. The City issues the construction permit.

Response to Comment 4-7: The Hydrology and Water Quality Section of the MMRP correctly states on page 7 that prior to issuance of any grading or demolition permits, the applicant shall provide the City evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the SWRCB. The SWRCB Construction General Permit requires projects that disturb one or more acres of soil to obtain coverage under the General Permit for Discharges of Stormwater Associated with Construction Activity, which is done through the SWRCB permitting system. This comment does not raise a specific issue with the adequacy of the IS/MND evaluation or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment 4-8: The comment states that due to the very close proximity of State Route 55, the applicant needs to consult with Caltrans District 12 for an evaluation of potential impacts during construction from all construction and demolition vehicles.

Response to Comment 4-8: Caltrans District 12 was notified of the proposed Project and was sent the Notice of Intent (NOI) to adopt the IS/MND along with an electronic copy of the IS/MND for review. In response, Caltrans District 12 provided the letter included as Letter 1, herein.

The Project would not have an impact on the state highway network, including State Route 55, and the site is not adjacent to freeway on or exit ramps that could be impacted by the Project. Page 131 of the IS/MND details that the most trips during construction would occur from the demolition phase that is anticipated to last for 20 work days and involves approximately 81.5 haul trips that would occur throughout the day and 30 roundtrip worker trips; and the grading phase that would require of 115 haul trips that would also occur throughout the day and 30 round-trip worker trips per day for 8 days. These levels of temporary construction traffic would not exceed the City of Orange threshold for evaluation of roadways (provided on page 131) and would be less than significant on both local roadways and State Route 55. It is also substantially less than the trips generated by the previous Best Buy store, which generated 1,875 daily trips. This comment does not raise a specific issue with the adequacy of the IS/MND evaluation or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment 4-9: The comment states that after revisions to impact analyses, the applicant needs to modify the IS/MND to indicate any changes to the level(s) of impact(s).

Response to Comment 4-9: As detailed in previous responses, the comments received do not contain any information related to a new or increased potential impact to the environment from implementation of the Project that would require changes to the IS/MND. Further, this comment also does not raise a specific issue with the adequacy of the IS/MND evaluation or raise any other CEQA issue. Thus, no further response is warranted.

Letter 5: Adrienne J. Gladson, AICP, Received February 23, 2026 (1 of 3 pages)

Adrienne J. Gladson, AICP
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February 23, 2026

Ms. Monique Schwartz, Senior Planner & RE Consulting
City of Orange
300 East Chapman Avenue
Orange, CA 92866

RE: Comments – North Tustin Residential Development Project
Draft Initial Study (IS)/Mitigated Negative Declaration (MND) - ENV25-0001
(State Clearinghouse No: None noted or found thru CEQAnet database)

The draft IS/MND needs refinements and further disclosures on overlooked (no check √) and/or incomplete answers to the IS check list questions along with providing data that supports a less than significant or no impact conclusions. There is a fair argument that project impacts with ● marks below are potentially significant. Providing a defensible document is paramount. The draft IS/MND must identify all impacts including analyzing the applicable goals and policies of the City of Orange General Plan as they relate to a project including how it specifically complies with all applicable goals/policies. Table LU-1 (pages 97-101) provides an initial start, but it needs stronger justifications, with a deeper analysis of the following issues: 5-1

- Land Use compatibility (stronger sensitivity & respect for existing adjacent one-story residential use present for decades - R-3a*)
- Aesthetics (viewshed simulations and line of sight)
  - Urban Design (quality and appropriate landscaping to soften massing)
- Natural Resources (Open Space acquisition)
- Recreation (Impacts on Parks)
- Housing (Affordability)
- Public Services
  - Sustainability (resilience/revenue positive or neutral both short and long term)

The MND should specifically identify and further analyze the following impacts:

1) Land Use: Compatibility and Aesthetics – Use of several land use alternatives for the project would assist with achieving greater compatibility (at least match Best Buy's 30-foot building height) and a better transition to an existing, established, and historically here first residential one-story neighborhood adjacent (north and south) to the project site. Use of one-story design or first floor master bedrooms in a two-story design, complete view shed details to existing residential uses and existing billboard signage next to the 55 freeway (lights, moving copy, shadows), and line of sight diagrams would all yield better sensitivity and respect to adjacent property owners. The draft provides little detail (only conceptual, no details on species and sizes) on use of mature trees and broad tree canopies to hide the units 5-2

Letter 5: Adrienne J. Gladson, AICP, Received February 23, 2026 (2 of 3 pages)

with three story massing or increasing wall heights along the perimeter or additional screening tools for these existing property owners. 5-2 cont.

2) A) Natural Resources: The Natural Resources element of the General Plan provides an **overview** on how serious the deficient is to our open space land inventory (1.8 acres per 1,000 persons in 2010). The General Plan doesn't hide the truth of our city-wide deficiency of 240 plus acres, listing several goals and policies that address this adverse impact and commits to achieve an interim goal (3-acres per 1,000 persons; acquire 275 acres) by 2030. It further looks beyond to reaching the minimum required Quimby Act goal for 5-acres per 1,000 persons (acquire 632 acres) by 2050. The Draft MND does not adequately disclose this significant deficiency in its text or discuss the cumulative impacts of other approved similar projects its analysis. No mitigation solutions are considered, nor does it consider less impactful project alternatives or land dedication. This could provide a clear *fair argument* claim that mitigating this impact is deferred and that Environmental Impact Report should be prepared. At a minimum, the MND should be revisited to address this information and provide proper mitigation. 5-3

B) Recreation: The projects' obligation to provide for its share of new open space or park land is 2/3 of an acre (3 acres per 1,000 persons per the General Plan's 2030 goal/rate) or 1.5 acres (5 acres per 1,000 persons per the General Plans 2050 goal/rate) with the latter bringing the city into compliance with the Quimby Act. The MND fails to disclose this direct impact or consider the culminative impact of other projects pending or recently entitled/built in its disclosures. The MND does disclose payment of a park fee but doesn't explain it and how it works, its history of achieving acquisition, if it actually covers the full cost of required land acquisition, park construction, operational expenses, the timing of said park land acquisition to match with unit occupancy, and the direct impact of the proposed project over use of existing park land sites citywide on a short or long-term bases. It appears the full mitigation of the land dedication for open space will be deferred, will not happen, and a fair argument can be made this impact is significant and adverse. 5-4

3) Housing: The Draft MND incorrectly discloses that the subject site is not identified as a housing opportunity site in the Housing Element. The Orange Housing Element was deemed in substantial compliance with housing law by HCD on January 2, 2024. A discussion on why this site is appropriate to add to the inventory along with what it will contribute to reaching approved goals and polices. Specifically, it should disclose that this site would be added to the available housing site inventory, convert a fully utilized commercial property to a new housing opportunity site, brings a direct and cumulative net loss of sales tax revenue, and how it provides the housing opportunities **at all incomes** (low and very low is needed not above median income levels) **and household types**. The approved Housing Element identifies the city's commitment to providing new housing for seniors, working families, and households with persons with disabilities along with other entry level household types as a limited or unmet need. As all units are three-story (specific floor plans showing the layout of each level are not disclosed, 5-5

2

*R-3a – multi-family one-story overlay zoning

Letter 5: Adrienne J. Gladson, AICP, Received February 23, 2026 (3 of 3 pages)

similarly locations for trash services and storage and fire emergency access), persons with disabilities will likely not be able to purchase or visit these homes. Barriers like this are discriminatory shutting those homebuyers out from purchasing a home to live here. Plus, units are 3 and 4 bedrooms with no option for a single story two-bedroom model that single person or small households who desire to downsize looking to purchase a smaller home. All adopted housing policies and commitments should be discussed in the MND. Additionally, any additional later city commitments in the revised adopted element (latest revision I believe is late 2023) with HCD must also be disclosed. 5-5 cont.

4) Public Services: The MND concludes that impacts to public safety (police and fire) will be incremental thus the impact is less than significant. Same is true for impacts to public works, libraries, and schools. In the response the conclusion is made that no new staff will need to be hired to cover these service areas but fails to disclose that the city has over 70 full-time staff vacancies many in police and fire. There is no discussion of how even basic level services will be maintained let alone cover the demands of this project along with the culminative impacts of all projects pending, entitled, or recently approved for occupancy. Service levels across the board would be significantly impacted creating negative impacts. Provide a comprehensive analysis of this adverse impact in the responses to comments. 5-6

Other comments:

5) The MND notes the project seeks approval through use of the Small Lot Subdivision Development Standards and requires Administrative Design Review. Please explain this review, its process, and timing. 5-7

6) Environmental Justice – no environmental justice impacts and mitigation measures are not disclosed. 5-8

Appreciate the opportunity to comment on the Draft MND and look forward to receiving a paper copy by mail of all the Responses to Comments 10 days prior to any public hearing.

Thank you,

Adrienne J. Gladson

Adrienne J. Gladson, AICP

SENT VIA EMAIL: Monique Schwartz

*R-3a – multi-family one-story overlay zoning

RESPONSE TO COMMENT LETTER 5: Adrienne J. Gladson, AICP

Comment 5-1: This comment states that the IS/MND needs refinements regarding land use compatibility, aesthetics, natural resources, recreation, housing affordability, and public services; and that the IS/MND should further evaluate applicable goals and policies of the General Plan.

Response to Comment 5-1: The comment is introductory in nature and does not identify a specific issue related to the environmental analysis within the IS/MND and opines without evidence. Further, the comment does not provide any substantial evidence nor a fair argument that the Project would result in a significant environmental impact or that changes to the IS/MND evaluation are required.

It should be noted that CEQA is an environmental protection statute; and thus, the IS/MND evaluation of Project consistency with General Plan policies is focused on the "applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect" as directed by CEQA Guidelines Appendix G checklist, and included on page 96 of the IS/MND. The comment further lists topics but does not identify specific General Plan goals or policies related to those topics, or Project related conflict with any specific General Plan policies that would result in a potentially significant environmental impact pursuant to CEQA.

Comment 5-2: This comment recommends alternatives for the Project stating that they would assist with achieving greater compatibility (at least match Best Buy's 30-foot building height) and a better transition to the one-story neighborhood adjacent to the site. The comment states that use of one-story design or first floor master bedrooms in a two-story design, complete view shed details to existing residential uses and existing billboard signage next to the 55 freeway (lights, moving copy, shadows), and line of sight diagrams would all yield better sensitivity and respect to adjacent property owners. The comment states that little detail (only conceptual, no details on species and sizes) is provided on use of mature trees and broad tree canopies to hide the units with three story massing or increasing wall heights along the perimeter or additional screening tools for these existing property owners.

Response to Comment 5-2: The comment does not raise a CEQA issue and does not raise an issue with the analysis within the IS/MND. CEQA Guidelines Appendix G provides thresholds of criteria for both aesthetics and land use, which were evaluated in the IS/MND and determined to have a less than significant impact. CEQA guidelines do not identify transitions between one- and three-story structures or between different land uses as potential impacts. Thus, no changes to the IS/MND are required.

However, as part of site design and planning of the Project, the concerns raised by the comment were evaluated. As detailed on page 2 of the IS/MND, the Project site is currently developed with one 45,676 square-foot Best Buy retail store building that is approximately 30 feet in height. The building is surrounded by surface parking lot areas and landscaping that includes 86 ornamental trees. Although separated by walls, the existing one large retail store and surface parking lot is currently inconsistent in character, bulk, and height, compared to the adjacent one-story residences.

The proposed residences would change the character of the site from large retail commercial to a residential neighborhood, which would be more consistent with the residential uses to the north and south of the site. The proposed residential structures would have a maximum height of 35 feet.

As detailed on page 16 of the IS/MND, the residential structures would have contemporary highly articulated exterior designs utilizing variations of architectural siding elements, articulation along building facades, and roof variations that would reduce the visual height of the building structures, as shown in IS/MND Figures 9 through 15.

Page 16 of the IS/MND details that the proposed residences along north and south boundaries would have a minimum 10-foot setback from the property line and not have roof decks. Figure 3 of the IS/MND provides an aerial view of the Project site and adjacent uses. As shown, a majority of the site area that is adjacent to the residential uses is bound by approximately 23 and 29-foot-wide drive aisles plus approximately 25-foot-deep garages, and guest parking in some locations. The Project is not adjacent to private open space areas to the north, and only directly adjacent to four existing residences to the southeast. Thus, most of the proposed residences would be a minimum of 60 feet from the existing adjacent residences, with exception of five proposed residences that would be set between 14 and 23 feet from four residences to the southeast; however, backyards would be contiguous, and no new public locations would be adjacent to existing residential private spaces. The setbacks from adjacent residences are shown in IS/MND Figure 8, *Conceptual Site Plan*. And Figure 17, *Wall Plan*, shows that the existing 6-foot-high walls to the north and south of the site would remain and a new 8-foot-high wall would separate the Project site from the adjacent billboard parcel.

As part of the Project plans, views from the Project site and line of sight sections from the closest adjacent residential views were prepared, and are included as Figure 1, which shows the distance, height, adjacent walls, parking areas, and buildings; along with the line of sight from the second and third floors of the proposed residences. As detailed, views from the proposed residences would be of parking areas, walls, fences, landscaping and building sides. As shown on Figure 1, adjacent private residential areas would not be visible from the proposed second and third story areas.

In addition, the Project plans included shade and shadow exhibits, included as Figure 2, that identifies the shadows on December 21, which is the winter solstice that generates the greatest shadows, and on June 21, which is summer solstice that generates the most limited shadows. As detailed, shade and shadows generated by the Project would not encroach into adjacent residential open space or private living areas. Shade and shadow would only encroach to the north into the drive aisle, garage, and parking space area.

Page 16 of the IS/MND details that Project includes approximately 30,309 square feet (16.4% of the site) of landscaping with 24-inch and 36-inch box trees, 15-gallon trees, various shrubs, and groundcover. Although most of the existing trees would be removed and replaced in open space areas, the Project would retain 13 date palm trees that line the entrance to the site, as shown in Figure 18, *Conceptual Landscape Plan*. In response to this comment, additional details regarding the species of trees from the Project's landscaping plans are provided herein as Figures 3 and 4.

Comment 5-3: This comment states that the Natural Resources Element of the General Plan provides that the City had an open space land inventory of 1.8 acres per 1,000 persons in 2010, which was a city-wide deficiency of 240 plus acres, with an interim goal of 3-acres per 1,000 persons; acquire 275 acres by 2030, and the minimum required Quimby Act goal for 5-acres per 1,000 persons (acquire 632 acres) by 2050. The comment states that the IS/MND does not adequately disclose this significant deficiency in its text or discuss the cumulative impacts of other

approved similar projects its analysis. The comment states that no mitigation solutions are considered, nor does it consider less impactful Project alternatives or land dedication. The comment asserts that this could provide a clear fair argument claim that mitigating this impact is deferred and that Environmental Impact Report (EIR) should be prepared, and at a minimum, the MND should be revisited to address this information and provide proper mitigation.

Response to Comment 5-3: The proposed Project would not result in impacts related to open space. As detailed on page 16 of the IS/MND, the proposed Project includes 6,031 square feet of common open space with a large common recreation area with sail shade structures, shaded tables and seating, a multipurpose turf area, and enhanced paving. An open space feature with landscaping and walkways is proposed throughout the internal walks in the paseo areas. In addition, the Project includes approximately 30,309 square feet (16.4% of the site) of landscaping. Thus, much of the open space and recreation needs of the Project would be satisfied by the proposed onsite amenities.

Page 127 of the IS/MND states that according to the General Plan Natural Resources Element the City's park objective is to provide 3 acres of parkland per 1,000 residents and the City has approximately 251 acres of parkland. At a rate of 3 acres of parkland per 1,000 residents the Project's estimated 226 residents would require 0.678-acre (29,534 square feet) of parkland. In addition to the 6,031 square feet of open space recreation on the site, the City requires in-lieu fees for new residential projects to improve current park facilities and to acquire additional land for the construction of new parks. Therefore, the Project would result in the provision of onsite facilities and payment of in-lieu fees for acquisition and maintenance of offsite public facilities in compliance with existing development requirements. Thus, impacts would be less than significant. It should further be noted that the City not meeting planning goals for acquisition of parkland and open space is not in itself a potential impact on the environment pursuant to CEQA. No changes to the IS/MND are required.

As substantiated by the previous and following responses, none of the conditions arise which would require preparation of an EIR pursuant to State CEQA Guidelines Sections 15064 and 15065. The petitioner challenging an MND and Project bears "the burden of proving 'the existence of substantial evidence supporting a fair argument of significant environmental impact'" (*Jensen v. City of Santa Rosa* (2018) 23 Cal.App.5th 877, 886.). No substantial evidence supporting the fair argument of any new significant environmental impacts that would result from the Project or from a new mitigation measure proposed to be implemented has been brought forward in these comments.

Comment 5-4: This comment states that the MND fails to disclose this direct impact or consider the culminative impact of other projects pending or recently entitled/built in its disclosures. The MND does disclose payment of a park fee but doesn't explain it and how it works, its history of achieving acquisition, if it actually covers the full cost of required land acquisition, park construction, operational expenses, the timing of said park land acquisition to match with unit occupancy, and the direct impact of the proposed Project over use of existing park land sites citywide on a short or long-term bases. It appears the full mitigation of the land dedication for open space will be deferred, will not happen, and a fair argument can be made this impact is significant and adverse.

Response to Comment 5-4: Refer to Response 5-3. In addition to the 6,031 square feet of open space recreation on the site, the City requires in-lieu fees for new residential projects to improve current park facilities and to acquire additional land for the construction of new parks. Thus, the Project would provide private facilities for residents and support public facilities through payment of in-lieu fees. The intent of the in-lieu fees is to achieve acquisition of public parkland through cumulative projects that would provide payment based on a nexus of proposed uses and open space and recreation demand, with larger projects providing a greater collective in-lieu fees. The cumulative provision of in-lieu fees allows the City to facilitate public areas of parkland and open space in addition to smaller areas of private recreation and open space that would be provided by individual developments.

The Project would result in approximately 226 residents at full capacity. The IS/MND describes that this limited population with provision of onsite open space and recreation and payment of in-lieu fees would result in a less than significant impact. The IS/MND determined that the limited Project population would not generate an increase in use of the existing parks or recreational facilities such that substantial physical deterioration of facilities would occur or be accelerated that could cause construction of new or altered facilities. The comment does not provide substantial evidence of a fair argument that potential environmental impacts would occur. Thus, no changes to the IS/MND are required.

Comment 5-5: This comment states that the MND incorrectly discloses that the subject site is not identified as a housing opportunity site in the Housing Element. The comment states that a discussion on why this site is appropriate to add to the inventory along with what it will contribute to reaching approved goals and policies. The comment states that the IS/MND should disclose that this site would be added to the available housing site inventory, convert a fully utilized commercial property to a new housing opportunity site, brings a direct and cumulative net loss of sales tax revenue, and how it provides the housing opportunities at all incomes (low and very low is needed not above median income levels) and household types. The comment states that the units are three-story, and asserts that persons with disabilities will likely not be able to purchase or visit these homes, which is a discriminatory barrier, and that there is no option for a single story two-bedroom model that single person or small households who desire to downsize looking to purchase a smaller home. The comment states that all adopted housing policies and commitments should be discussed in the MND.

Response to Comment 5-5: As described previously, CEQA is an environmental protection statute that focuses on impacts to the environment (CEQA Guidelines Section 15358(b)). Therefore, consistent with CEQA, the IS/MND includes an analysis of the Project's potentially significant physical impacts on the environment and does not include a discussion of the Project's economic or social effects. However, as part of overall review of the proposed Project, an economic analysis has been prepared and reviewed by the City.

The IS/MND correctly states that the site is not identified as a housing opportunity site in the Housing Element. The Housing Element and General Plan Land Use Element do not restrict the number of parcels that can provide housing within the City. Conversely, Housing Elements are required per Government Code Section 65583.a to accommodate the City's Regional Housing Need Allocation (RHNA) through eight-year planning periods. The Housing Element is required

to identify potential sites and provide policies and programs to facilitate housing. It does not restrict housing on commercial or other non-residential sites.

As detailed on page 1-5 of the Housing Element, the planning period for the current RHNA 2021-2029 planning period the City is allocated a total of 3,936 units, including 1,067 units affordable to very low-income households, 604 units affordable to low-income, 677 units affordable to moderate income, and 1,588 units affordable to above-moderate income households. Thus, 58 percent of the City's RHNA allocation is for moderate and above-moderate income households. As detailed on page 134 of the IS/MND, the proposed 71 residences equates to 1.8 percent of the City's total RHNA allocation, and 3.1 percent of the City's moderate and above moderate income household RHNA allocations. Although not previously identified as a housing site, the Project would assist in meeting the City's RHNA housing needs. Additionally, the Project would assist in expanding the diversity of housing choices within the City. The IS/MND details in Section 14, *Population and Housing*, that single-family attached residences consist of 10.9 percent of the City's housing units and residences within buildings containing between 2 and 4 units consist of 10.1 percent of the City's housing units. The proposed residences are not discriminatory to persons with disabilities; as the new construction could be modified to include features to aid specific disabilities of future residents; and the structures would be required to meet ADA and OCTA emergency access requirements, as verified through the City's development permitting process.

Further, the Project does not hinder the City's ability to meet other income levels. The Housing Element details on page 3-56 that the City has adequate capacity to accommodate its 2021-2029 RHNA with a five percent buffer in excess of the City's very-lower income RHNA need and a 2 percent buffer in excess of the City's lower income RHNA. Although the comment opines that smaller residences of one-story with two-bedrooms should be an option, the Housing Element identifies that 56.2 percent of households within the City are family households and the average household size in the City is 3.08 persons. Further, the opinion of Project merits related to bedrooms do not pertain to the potential for significant physical impacts pursuant to CEQA, and no change to the IS/MND is required.

Comment 5-6: This comment states that the MND concludes that impacts to public safety (police and fire) will be incremental thus the impact is less than significant. Same is true for impacts to public works, libraries, and schools. The comment states that in the response the conclusion is made that no new staff will need to be hired to cover these service areas but fails to disclose that the City has over 70 full-time staff vacancies, many in police and fire. There is no discussion of how even basic level services will be maintained let alone cover the demands of this Project along with the culminative impacts of all projects pending, entitled, or recently approved for occupancy. The comment states that service levels across the board would be significantly impacted, creating negative impacts. The comment requests comprehensive analysis of this adverse impact in the responses to comments.

Response to Comment 5-6: As described previously, CEQA is an environmental protection statute; and thus, impacts related to provision of public services are based upon the need for new or expanded facilities that, construction of which, could cause significant environmental impacts, as detailed in CEQA Guidelines Appendix G Checklist and within the IS/MND on page 125.

Specifically regarding basic levels of service, the IS/MND details on page 125 that the closest fire station is 1.4 roadway miles from the Project site, has an average response time of 5 minutes and 28 seconds, and has 1.22 sworn fire staff per 1,000 residents. It is detailed that based on the existing staff ratio, the proposed Project would result in the need for 0.28 of an additional sworn staff person, which would not require construction of new or expansion of existing Fire Department facilities. Also, the Project would be required to adhere to the California Fire Code, as included in the Orange Municipal Code and ensured through the City's permitting process. Furthermore, as part of review of the proposed Project, the Fire Department has reviewed the Project plans and determined that due to the limited number of new residents on the site, the increase in fire service demands from the Project would be minimal and the Department would be able to provide services, in addition to existing needs within the City.

Also, the IS/MND describes on page 126 that the Police Department had 95,570 calls for service in 2024 with a 4-minute average response time for emergency calls; and the dispatch received 49,276 emergency (911) calls of which 99.18 percent were answered within 10 seconds. The IS/MND also describes that the City's existing 165 sworn full-time officers equate to 1.18 officers per 1,000 City residents. The addition of 226 residents at full capacity of the proposed Project would equate to a potential need for 0.27 of an additional sworn officer, which would not require construction of new or expanded Police Department facilities. Further, the IS/MND describes that the Project would comply with the requirements established in Chapter 15.52 of the Municipal Code (Building Security Ordinance #6-22) that incorporate the concepts of Crime Prevention Through Environmental Design (CPTED), which involve the placement, and orientation of structures, access and visibility of common areas, placement of doors, windows, addressing, lighting and landscaping to reduce needs for police services. Further, as part of review of the proposed Project the Police Department has reviewed the Project plans and has confirmed the ability to serve the Project, in addition to existing needs within the City.

Likewise, the City's Public Works Department has reviewed the Project and has confirmed the ability to serve, as detailed in Section 19, *Utilities and Service Systems*, of the IS/MND. No specific concerns regarding public works services were identified by the comment. Potential impacts related to libraries were described on page 128 where it states that the Project site is located within an urban and developed area of the City that is already served by public facilities. Thus, redevelopment of the site with 71 residences that would house approximately 226 residents at full capacity would have a less than significant impact.

In addition, page 126 and 127 of the IS/MND describes that 11 elementary school students, 3 middle school students, and 7 high school students, are anticipated to be generated by the Project (based on Orange Unified School District assumptions). Page 127 of the IS/MND details that the School District's 2025 Residential Commercial/Industrial Development School Fee Justification Study identifies that 4,408 elementary school seats, 751 middle school seats and 160 high school seats are available to house students generated from future residential units. Thus, the 21 students that would be generated from the Project would be accommodated by existing facilities. Additionally, pursuant to Government Code Section 65995 et seq., the Project would be required to contribute school impact fees to the school district. Impacts related schools would be less than significant. Overall, impacts related to public services would be less than significant, and no changes to the IS/MND are required.

Comment 5-7: This comment states that the MND notes the Project seeks approval through use of the Small Lot Subdivision Development Standards and requires Administrative Design Review. Please explain this review, its process, and timing.

Response to Comment 5-7: As detailed on page 15 if the IS/MND, the Project includes a Zone Change to change the site zoning from C-TR to R3 (Multiple-Family Residential) with application of the Small Lot Subdivision Development Standards for fee simple duplex and detached residences. Additionally, the Project includes an Administrative Design Review for consideration of the architectural design, conceptual landscaping, and overall compliance with the City's zoning regulations.

As part of the development review and permitting process, the City would ensure that the Project meets the R3 zoning requirements with application of the Small Lot Subdivision Development Standards for fee simple duplex and detached residences. The Administrative design review would ensure Project compliance with applicable standards prior to issuance of construction permits. This comment does not raise any issue with the adequacy of the IS/MND evaluation or raise any other CEQA issue. Further, the comment does not provide any substantial evidence that the Project would result in a significant environmental impact or that changes to the IS/MND evaluation are required.

Comment 5-8: This comment states Environmental Justice – no environmental justice impacts and mitigation measures are not disclosed. The comment also concludes the letter by stating they look forward to a response to comments 10 days prior to a hearing.

Response to Comment 5-8: This comment does not provide any substantial evidence that the Project could result in a significant environmental impact or that changes to the IS/MND evaluation are required. CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). Moreover, CEQA also requires a project evaluate its impacts in relation to changes in an area's population, housing needs and coverage under adequate public services. Any potential environmental justice effects are social issues that are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Thus, consistent with CEQA, the IS/MND includes an analysis of the Project's potentially significant physical impacts on the environment pursuant CEQA Guidelines Appendix G threshold criteria and does not include discussion of environmental justice.

This comment is conclusionary in nature. As described on page 1, State CEQA Guidelines Section 15088 does not require a Lead Agency to prepare written responses to comments received on a Draft IS/MND. However, the City of Orange has elected to prepare written responses with the intent of providing a comprehensive and meaningful evaluation of the proposed Project. As substantiated by the previous responses above, none of the conditions arise which would require changes to the evaluation of the IS/MND.

Letter 6: Lisa Ackerman Baldwin, Received February 24, 2026 (1 page)

From: Lisa Ackerman <ap4tiques@aol.com>
Sent: Tuesday, February 24, 2026 5:06 PM
To: Monique Schwartz <mschwartz@cityoforange.org>
Subject: Study Mitigated Neg Dec ENV25-0001

Dear Monique,

Thank you for taking time to meet me at the counter last week.

I have had the opportunity to review some of the 100+ page report. I know a lot of time went into it. Nevertheless, I am very concerned about how this zoning change would affect our city and how the proposed development which is precipitating this action will affect property values and quality of life in the surrounding neighborhoods. 6-1

Though the report states that there would be little impact to traffic, I disagree. The times of day that vehicles would be leaving that development would most likely correspond with the residents in our condominium complex, Coco Palms at 2295 N. Tustin Street, just to the south. This will lead to a back up of north bound traffic with the signal control, and exasperate south bound Tustin traffic even more for those hoping to turn left out of our community. 6-2

Additionally, our community is only a one-story development. We certainly don't want three story residents with south facing windows looking down on us, nor do we want to have to look up at them. It is a perception thing. And a safety thing. 6-3

As a resident of our city, I am also very concerned about the loss of this commercial zoning, which has the potential to bring much needed sales tax revenue. While there would be property taxes paid by residents, I would rather property taxes PLUS SALES TAXES paid by a commercial tenant. 6-4

Finally, some of our residents noticed that when the previous building, a bowling alley, was demolished and Best Buy was built, cracks in foundations began to show up in our units. We are very concerned that with demolition of Best Buy and concrete crushing operations, even in the middle of the development, will have a negative impact to our properties. 6-5

I don't know if you have heard from the residents at Park 72 yet. If I were them, I also would not be in favor of the emergency gate emptying into that property.

Thank you for including my thoughts into the Public Comment section. Please be so kind to share with the planning commissioners and council members. 6-6

All The Best,

Lisa Ackerman Baldwin, owner 2295 N. Tustin #28, Orange, CA 92865
Mailing Address and current residence - 705 E. Barkley Avenue, Orange 92867

Lisa Ackerman Baldwin
ap4tiques@aol.com

RESPONSE TO COMMENT LETTER 6: Lisa Ackerman Baldwin

Comment 6-1: This comment expresses concern about how the zoning change would affect the city and how the proposed Project will affect property values and quality of life in the surrounding neighborhoods.

Response to Comment 6-1: The comment does not contain any comments related to the IS/MND or information requiring changes to the IS/MND. CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). Any economic and social effects of the proposed project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the IS/MND includes an analysis of the Project's potentially significant physical impacts on the environment and does not include a discussion of the Project's economic or social effects.

The change from a vacant commercial site to a residential neighborhood was reviewed in the IS/MND pursuant to CEQA, which determined that potential impacts related to land use, population and housing, public services, recreation, transportation, and utilities and services systems (such as related to the quality of life) would be less than significant. No specific comments related to the IS/MND evaluation of physical environmental impacts were raised by the comment.

Comment 6-2: This comment asserts disagreement that little impact on traffic would result. The comment states that the times of day that vehicles would be leaving Project site would most likely correspond with the residents in of Coco Palms at 2295 N. Tustin Street, just to the south that would lead to a backup of north bound traffic with the signal control, and exasperate south bound Tustin traffic for those turning left out of the community.

Response to Comment 6-2: The comment provides opinion and does not provide any substantial evidence that the trip generations (IS/MND Tables T-1 and T-2) that were prepared pursuant to accepted Institute of Transportation Engineers trip generation rates and reviewed and approved by the City's Traffic Engineering Division are inaccurate. As shown in Table T-2, the proposed Project is expected to generate 34 AM peak hour and 40 PM peak hour trips, which is less than the City's threshold to require roadway analysis of 100 peak hour trips.

Regarding the vehicular trips from the change in zoning, Table T-1 identifies that the Best Buy store is estimated to have previously generated 1,875 daily trips, including 194 PM peak hour trips. Potential future uses under the existing GC land use designation that allows a maximum FAR of 1.0 would generate a similar volume of trips. In comparison, Table T-2 shows that the proposed Project is expected to generate a total of 511 daily trips, including 40 PM peak hour trips. Therefore, the Project would result in 1,364 fewer daily trips and 154 fewer PM peak hour trips than the previous commercial retail use on the site.

Comment 6-3: This comment states that as an adjacent one-story development they don't want three story residents with south facing windows looking down, nor want to have to look up at them; that it is a perception and safety thing.

Response to Comment 6-3: The comment does not raise a CEQA issue and does not raise an issue with the analysis within the IS/MND. However, as part of site design and planning of the Project,

the concerns raised by the comment were evaluated. Page 16 of the IS/MND details that the proposed residences along north and south boundaries would have a minimum 10-foot setback from the property line and not have roof decks. Figure 3 of the IS/MND provides an aerial view of the Project site and adjacent uses. As shown, a majority of the site area that is adjacent to the residential uses is bound by approximately 23 and 29-foot-wide drive aisles plus approximately 25-foot-deep garages, and guest parking in some locations. The Project is not adjacent to private open space areas to the north, and only directly adjacent to four existing residences to the southeast. Thus, most of the proposed residences would be a minimum of 60 feet from the existing adjacent residences, with exception of five proposed residences that would be set between 14 and 23 feet from four residences to the southeast; however, those backyards would be contiguous, and no new public locations would be adjacent to existing residential private spaces. The setbacks from adjacent residences are shown in IS/MND Figure 8, *Conceptual Site Plan*. And Figure 17, *Wall Plan*, shows that the existing 6-foot-high walls to the north and south of the site would remain.

As part of the Project plans, views from the Project site and line of sight sections from the closest adjacent residential views were prepared, and are included as Figure 1, which shows the distance, height, adjacent walls, parking areas, and buildings; along with the line of sight from the second and third floors of the proposed residences. As detailed, views from the proposed residences would be of parking areas, walls, fences, landscaping and building sides. As shown on Figure 1, adjacent private residential areas would not be visible from the proposed second and third story areas.

Comment 6-4: This comment expresses concern about the loss of this commercial zoning and related sales tax revenue.

Response to Comment 6-4: The comment provides an opinion about the Project that is not related to the IS/MND evaluation and does not include information requiring changes to the IS/MND. As described previously, CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). Any economic and social effects of the proposed Project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the IS/MND does not include a discussion of the Project's economic effects, including those related to sales tax revenue. However, as part of overall review of the proposed Project an economic analysis has been prepared and reviewed by the City.

Comment 6-5: This comment states that residents noticed that when the previous building, a bowling alley, was demolished and the Best Buy was built, cracks in foundations began to show up. The comment expresses concern that with demolition of Best Buy and concrete crushing operations, even in the middle of the development, will have a negative impact to our properties.

Response to Comment 6-5: Potential impacts related to construction vibration were evaluated as detailed on pages 118 through 121 of the IS/MND and Mitigation Measure NOI-1 is included which requires implementation of a 20-foot equipment buffer zone to restrict the use of heavy construction equipment (greater than 80,000 pounds), vibratory rollers, large loaded trucks, and large bulldozers within 20 feet of occupied sensitive receivers. As detailed in Table N-18 of the IS/MND, with implementation of the 20-foot equipment buffer zone, construction equipment

vibration would be below the Caltrans Transportation and Construction Vibration Guidance Manual vibration damage threshold for building vibration damage. Therefore, potential impacts related to construction vibration would be less than significant.

Comment 6-6: This comment refers to residents to the north of the Project and states that the commenter would not be in favor of the emergency gate emptying into that property. The comment provides thanks for including the comments into the public comments section

Response to Comment 6-6: The comment provides an opinion about the Project that is not related to the IS/MND evaluation and does not include information requiring changes to the IS/MND. Further, the comment is conclusionary in nature, and no further response is warranted.

Letter 7: Coco Palms HOA Board of Directors, Received February 25, 2026 (1 page)

From: Cynthia Hesketh <thinkagentmorehouse@gmail.com>
Sent: Wednesday, February 25, 2026 6:57 PM
To: Monique Schwartz <mschwartz@cityoforange.org>
Subject: Melia Homes, Initial Study/ Mitigated Negative Declaration No. ENV25-0001

To: City of Orange Community Development Department, Planning Division
Attn: Monique Schwartz, Senior Planner
Re: Initial Study/Mitigated Negative Declaration – Amelia Homes (2375 N. Tustin St.)

Dear Ms. Schwartz,

The Board of Directors of the Coco Palms community, located at 2295 N. Tustin St., submits this letter to formally express our concerns regarding the proposed residential development at 2375 N. Tustin St. (Amelia Homes). While we understand the need for housing, the transition from General Commercial to Medium Density Residential at this specific site presents several significant impacts to our community: 7-1

- Privacy and Rooftop Gardens: The proposed three-story structures include roof patios/gardens. These elevated outdoor spaces will directly overlook our existing homes, creating a significant privacy intrusion for Coco Palms residents.
- Zoning Impact: We are concerned that rezoning this land from commercial to residential will result in a permanent loss of sales tax revenue for the City of Orange, further straining municipal services that will now be utilized by a higher density of residents. 7-2
- Infrastructure and Utilities: We have concerns regarding the adequacy of the existing plumbing and sewage infrastructure on Tustin St. to support an additional 71 high-density units. 7-3
- Traffic and Parking: The addition of approximately 226 new residents will significantly impact traffic flow on Tustin St. Furthermore, we are concerned that inadequate on-site parking will lead to spillover into neighboring areas. 7-4
- Waste Management: We request that trash dumpsters be placed at a sufficient distance from our property line to ensure that odors do not impact our residents. 7-5
- Construction Noise: Given the proximity of the sites, we request strict enforcement of noise ordinances, particularly regarding rock crushing and heavy machinery, to protect our residents' quality of life during the construction phase. 7-6

We ask that these points be included in the official record for the Planning Commission and City Council.

Sincerely,

Cynthia Morehouse
Brenda Badgwell
John Sarfati
Anders Peterson
Coco Palms HOA Board of Directors

Cynthia Morehouse
REALTOR® | 02104262
THINK BOUTIQ REAL ESTATE
949.903.2893
thinkagentmorehouse@gmail.com

RESPONSE TO COMMENT LETTER 7: Coco Palms HOA Board of Directors

Comment 7-1: This comment expresses concern about the transition from General Commercial to Medium Density Residential at the site and privacy impacts from rooftop gardens. The comment states that the proposed three-story structures include roof patios/gardens that would directly overlook existing homes, creating a significant privacy intrusion.

Response to Comment 7-1: Page 15 of the IS/MND describes that the perimeter lots with the rear yards are adjacent to existing residences to the north and south of the site and would not have roof decks. As shown on Figure 16, *Open Space Plan*, all of the residences with proposed roof decks are located in the center of the Project site and all of the proposed residences along the north and south boundaries would have a private yard adjacent to perimeter walls. Thus, no roof decks would overlook existing residences.

Page 16 of the IS/MND details that the proposed residences along north and south boundaries would have a minimum 10-foot setback from the property line. Figure 3 of the IS/MND provides an aerial view of the Project site and adjacent uses, including the Coco Palms Community. As shown, the site is adjacent to 29-foot-wide drive aisles plus approximately 25-foot-deep garages, and guest parking in the Coco Palms Community to the south of the Project site.

As part of the Project plans, views from the Project site and line of sight sections from the closest existing residences were prepared, and are included as Figure 1, which shows the distance, heights, adjacent walls, parking areas, and buildings; along with the line of sight from the second and third floors of the proposed residences. As detailed, the closest proposed residence would be set back 61 feet and 10 inches from existing residences in the Coco Palms community. Figure 1 also shows that views from the proposed residences of the Coco Palms areas would be of parking, walls, landscaping and building sides. Private residential areas would not be visible from the proposed second and third story areas.

Comment 7-2: This comment expresses concern that rezoning this land from commercial to residential will result in a permanent loss of sales tax revenue for the City of Orange, further straining municipal services that would be utilized by a higher density of residents.

Response to Comment 7-2: The comment is not related to the IS/MND evaluation and does not include information requiring changes to the IS/MND. CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). Any economic effects of the proposed Project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the IS/MND does not include a discussion of the Project's economic effects, including those related to sales tax revenue. However, as part of overall review of the proposed Project an economic analysis has been prepared and reviewed by the City; and the City has verified the ability to provide municipal services to the Project, in addition to existing City service demands.

Comment 7-3: This comment expresses concern regarding the adequacy of the existing plumbing and sewage infrastructure on Tustin Street to support an additional 71 high-density units.

Response to Comment 7-3: As detailed on page 147 of the IS/MND, the Project would install new onsite water and sewer lines, which connect to the existing 12-inch diameter water main located in N. Tustin Avenue and existing 12-inch sewer line within E. Heim Avenue. The existing off-site water and sewer lines would accommodate the proposed Project, as confirmed by the City's Public Works Department, and would not require expansion to serve the Project.

Comment 7-4: This comment states that the addition of approximately 226 new residents will significantly impact traffic flow on Tustin Street and that inadequate on-site parking will lead to spill over into neighboring areas.

Response to Comment 7-4: As detailed on page 132 of the IS/MND the proposed Project is expected to generate a total of 511 daily trips, including 34 AM peak hour and 40 PM peak hour trips. This is less than the City's threshold to require roadway analysis due to potential roadway effects, which is 100 peak hour trips or 1,600 daily trips. Thus, the proposed Project would not significantly impact traffic flow on N. Tustin Street. Regarding parking, the proposed Project includes a two-car garage for each residence, and 14 of the residences (the four-bedroom units) would have an extra dedicated unenclosed parking space on the same lot. In addition, the Project would provide 23 unenclosed guest parking spaces on the site. The Project includes a total of 179 parking spaces, which is 5 more than required by the City. Thus, the Project includes adequate parking pursuant to City requirements.

Comment 7-5: This comment requests that trash dumpsters be placed at a sufficient distance from our property line to ensure that odors do not impact residents.

Response to Comment 7-5: The proposed Project does not include dumpsters. Each of the proposed residences would have separate 35-gallon trash, recycle, and organic bins; and solid waste pick ups would occur along the internal drive aisle, towards the center of the site, and not along the property lines. Due to the distance, residential building, fence, and wall barriers and the limited volume of solid waste within each 35-gallon bin, impacts related to odors are anticipated to be less than significant.

Comment 7-6: This comment expresses concern about construction noise and requests strict enforcement of noise ordinances, particularly regarding rock crushing and heavy machinery, to protect resident quality of life during the construction phase. The comment asks that these points be included in the official record for the Planning Commission and City Council.

Response to Comment 7-6: The IS/MND includes evaluation of the Project construction noise, including concrete crushing, at the closest residences in the Coco Palms Community on pages 109 through 113, which was determined to be less than significant pursuant to criteria from the Federal Transit Administration *Transit Noise and Vibration Impact Assessment Manual*. In addition, the City's construction permitting would ensure that construction is limited to the hours allowable by Orange Municipal Code Section 8.24.050, which states that construction shall occur only between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday. No construction activity is permitted on Sunday or Federal holidays. The comment will be included in the Final IS/MND along with all other comments received.

Letter 8: Doug Hamilton, Received February 25, 2026 (1 page)

From: Doug Hamilton <dougsellshomes@msn.com>
Sent: Wednesday, February 25, 2026 7:07 PM
To: Monique Schwartz <mschwartz@cityoforange.org>
Subject: Comments regarding the former Best Buy site

Regarding the former Best Buy site, some residential zoning on that site would be good, however the project should be sent back for revisions. There should be a Commercial Zoning component running North and South, facing Tustin St. This would be located across the front of the housing development. The new housing tract should be located behind the new commercial retail space. It's a compromise that's completely reasonable, and our Councilmembers then protect the City's budget with a recognition that sales tax revenue sources from properties zoned Commercial must be preserved at all costs! Councilmembers can't change zoning, thereby reducing sales tax revenue and then ask the voters to increase citywide sales taxes upon themselves to make up the difference. I'm simply not willing to vote for a future sales tax increase until I see Councilmember votes that protect the careful balance of zoning throughout our city as it relates to sales tax revenue and good management practices that protect our City's budget! 8-1

Sincerely,

Doug Hamilton
Orange Resident, 39 years
(714) 325-0060

RESPONSE TO COMMENT LETTER 8: Doug Hamilton

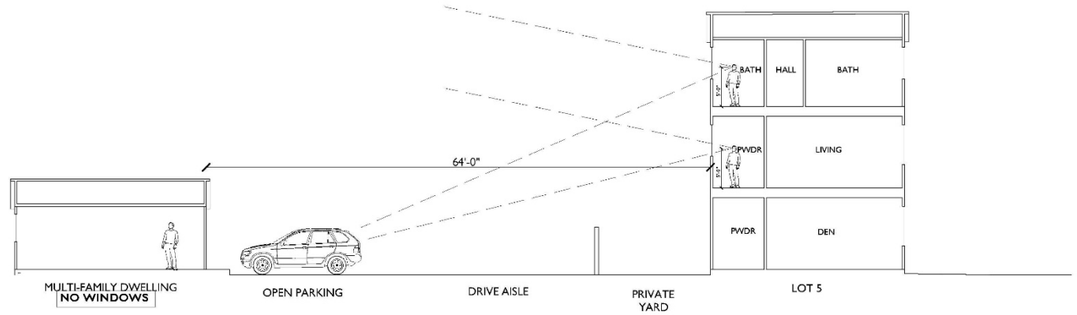
Comment 8-1: This comment suggests that there should be a commercial zoning component running north and south, facing Tustin Street across the front of the housing development, and that the new housing tract be located behind the new commercial retail space. The comment states that it's a compromise that would protect the City's budget and that sales tax revenue sources from properties zoned Commercial must be preserved at all costs. The comment asserts that Councilmembers protect the careful balance of zoning throughout our city as it relates to sales tax revenue and good management practices that protect the City's budget.

Response to Comment 8-1: The proposed Project is consistent with the comment, whereby commercial uses would be located along N. Tustin Street, in front of the proposed residences. As detailed on IS/MND Figure 8, *Conceptual Site Plan*, the Project site would be accessed by a 29-foot-wide driveway that would also serve the existing retail use to the north of the driveway and a proposed commercial use to the south of the driveway. As shown on IS/MND Figure 8, *Conceptual Site Plan*, and Figure 18, *Conceptual Landscaping Plan,* the proposed residences would not front N. Tustin Street but would be set behind (east of) commercial uses, as suggested by the comment.

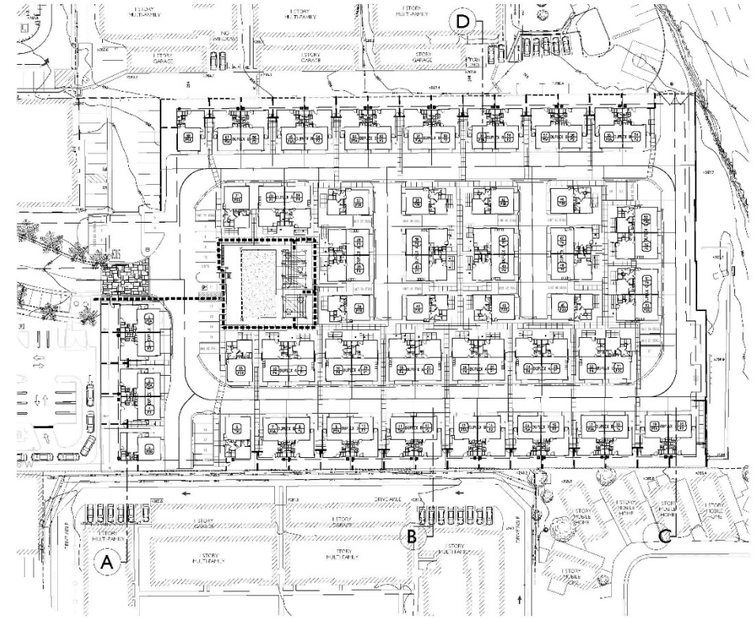
The comment provides an opinion about the Project that is not related to the IS/MND evaluation and does not include information requiring changes to the IS/MND. It should be further noted that CEQA is an environmental protection statute that is concerned with the physical changes to the environment (CEQA Guidelines Section 15358(b)). Any economic and social effects of the proposed Project are not treated as effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Therefore, consistent with CEQA, the IS/MND does not include a discussion of the Project's economic effects, including those related to sales tax revenue. However, as part of overall review of the proposed Project an economic analysis has been prepared and reviewed by the City.

Figure 1: Proposed Project Line of Sight Sections

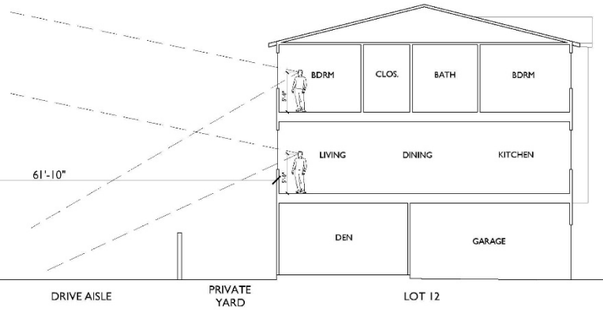
VIEW OF ADJACENT MULTI-FAMILY DWELLING



SECTION A



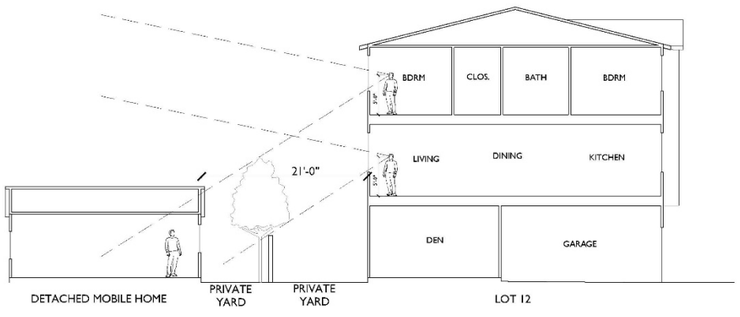
KEY PLAN (NO SCALE)



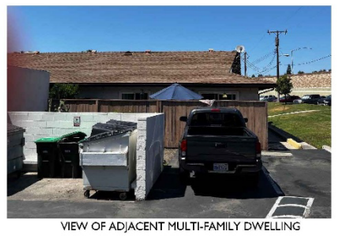
SECTION B

VIEW OF ADJACENT MULTI-FAMILY DWELLING

VIEW OF ADJACENT DETACHED MOBILE HOME



SECTION C



VIEW OF ADJACENT MULTI-FAMILY DWELLING

SECTION D

Figure 2: Proposed Project Shade and Shadow

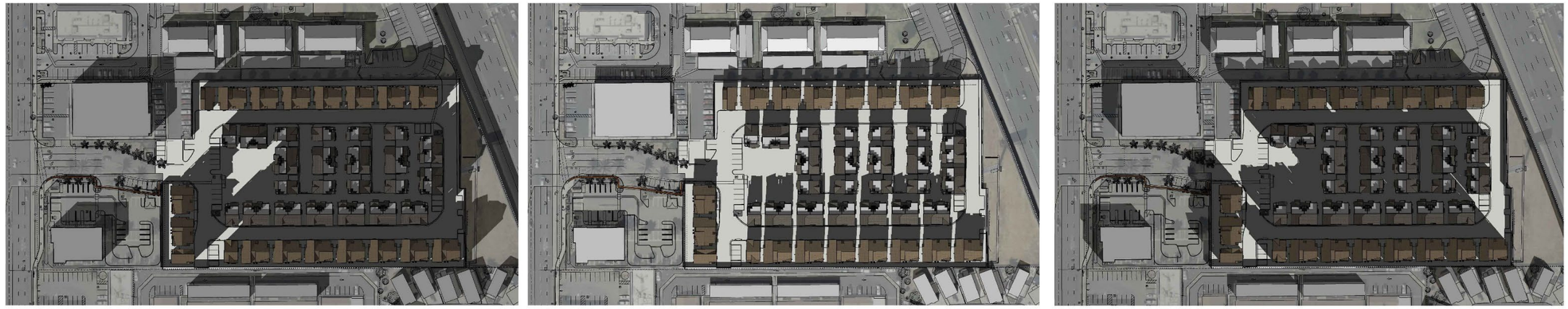
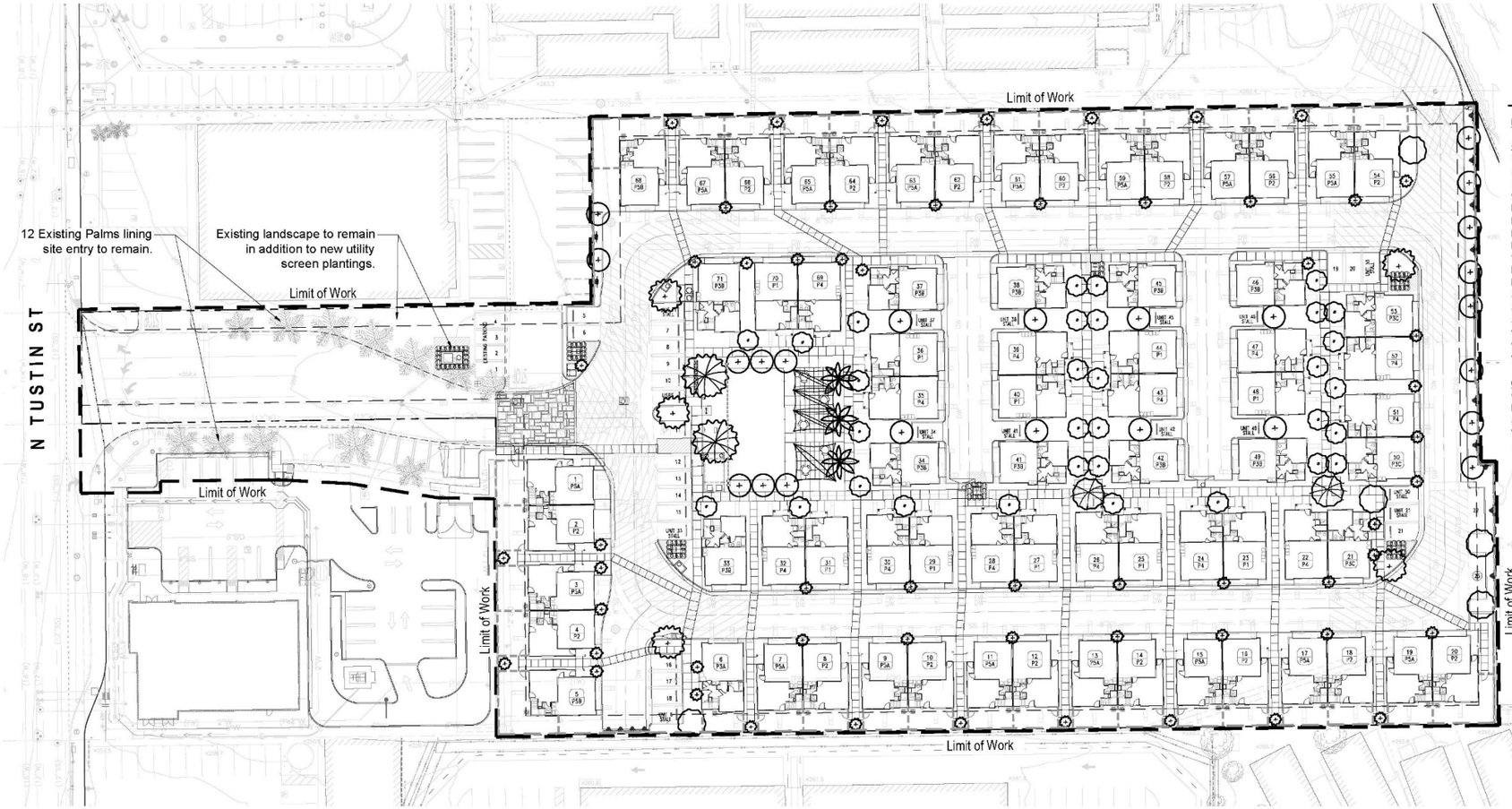


Figure 3: Proposed Schematic Planting Plan



SHRUB & GROUNDCOVER SCHEDULE

BOTANICAL NAME	COMMON NAME	SIZE	WUCOLS	SPACING
SHRUBS				
Agave x `Blue Flame`	Blue Flame Agave	15 g	Low	36" o.c.
Aloe x `Blue Elf`	Aloe	1 g	Low	24" o.c.
Anigozanthos x 'Big Red'	Big Red Kangaroo Paw	5 g	Low	24" o.c.
Callistemon viminalis `Little John`	Dwarf Weeping Bottlebrush	5 g	Low	36" o.c.
Dianella revoluta	Little Rev Flax Lily	1 g	Low	18" o.c.
Hesperaloe parviflora `Brake Lights`	`Brake Lights` Red Yucca	1 g	Low	36" o.c.
Laurus nobilis	Sweet Bay	15 g	Low	36" o.c.
Plant leaf to leaf. Evergreen shrub for utility screen, Columnar.				
Lavandula stoechas `Silver Anouk`	Spanish Lavender	5 g	Low	30" o.c.
Muhlenbergia rigens	Deer Grass	5 g	Low	36" o.c.
Salvia clevelandii	Cleveland Sage	5 g	Low	48" o.c.
Salvia greggii `Furmans Red`	Furman`s Red Salvia	5 g	Low	24" o.c.
Salvia leucantha `Santa Barbara`	Mexican Bush Sage	5 g	Low	48" o.c.
Westringia fruticosa `Blue Gem`	`Blue Gem` Coast Rosemary	15 g	Low	36" o.c.
Westringia fruticosa `Low Horizon`	Groundcover Coast Rosemary	5 g	Low	24" o.c.
Westringia fruticosa `Morning Light`	`Morning Light` Coast Rosemary	5 g	Low	36" o.c.
GROUND COVERS				
Carex divulsa	Berkeley Sedge	1 g	Low	24" o.c
Lantana x `New Gold`	New Gold Lantana	1 g	Low	36" o.c.
Salvia x 'Bee's Bliss'	Bee's Bliss Sage	1 g	Low	60" o.c.
Westringia fruticosa `Low Horizon`	Low Horizon Coast Rosemary	1 g	Low	36" o.c.

NOTES:
1. Irrigation (including spray and/or drip) will be provided, in the Construction Document phase, and to be installed per local California water regulations (AB1881).
2. Transformers, back-flow preventers & other above-ground utilities to be screened with landscape as permitted per local codes & regulations.
3. The plant palette listed provides a list of plant material to select from when preparing final landscape construction documents for this project. However, substitutions may be required due to availability, soils tests, or other conditions.
4. All trees within 5' of hardscape to be installed with deep root barriers.
5. Refer to lighting plans for site lighting and ambient enhanced lighting.
6. 12 existing palms to be retained at site entry and 73 trees on-site to be removed.
7. Locations and quantities of shrubs and groundcover to be determined in final design.

PLANTING LEGEND

Symbol	Type/Form	Suggestions Botanical Name (Common Name)	Trunk	Size	WUCOLS (R3)	Qty.
	PALMS					
	Vertical	Phoenix dactylifera (Date Palm)	Single	10' BT	Low	3
	TREES					
	Specimen	Jacaranda mimosifolia (Jacaranda)	Multi	36" Box	Low	2
	Focal	Magnolia grandiflora 'Little Gem (Southern Magnolia)	Single	24" Box	Mod.	2
	Deciduous Flowering	Lagerstroemia indica x fauriei 'Natchez' (Crape Myrtle)	Single	15 Gal.	Mod.	24
	Evergreen Flowering	Arbutus unedo 'Marina' (Marina Strawberry Tree)	Single	24" Box	Low	32

PLANTING LEGEND

Symbol	Type/Form	Suggestions Botanical Name (Common Name)	Trunk	Size	WUCOLS (R3)	Qty.
	Street	Lophostemon confertus (Brisbane Box)	Single	24" Box	Low	5
	Medium	Geijera parviflora (Australian Willow)	Single	15 Gal.	Low	5
	Columnar	Laurus nobilis 'Columnar' (Sweet Bay)	Single	15 Gal.	Low	57
					TOTAL=	130
	SHRUBS					
	Utility Screen	Laurus nobilis (Bay Laurel)	Single	15 Gal.	Low	83

PLANTING LEGEND

Symbol	Type/Form	Suggestions Botanical Name (Common Name)	Trunk	Size	WUCOLS (R3)	Qty.
	VINES					
	Vines	Macfadyena unguis-cati (Cat's Claw Vine)	-	15 Gal.	Low	15
	GROUNDCOVER					
	Artificial Turf	-	-	-	-	1,835 SF

Schematic Planting Plan

0 15' 30' 60'
Scale: 1" = 30'

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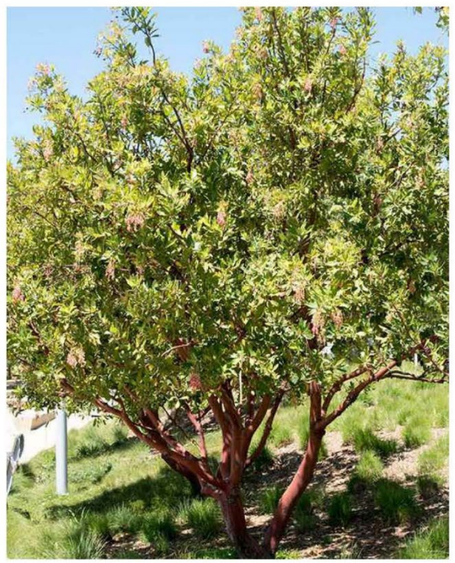
Figure 4: Proposed Tree Images

Phoenix dactylifera
Date Palm

Jacaranda mimosifolia
Jacaranda

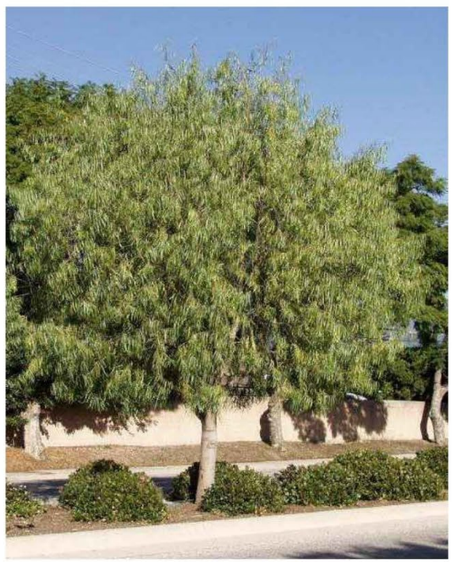
Magnolia grandiflora 'Little Gem'
Southern Magnolia

Lagerstroemia indica x *fauriei* 'Natchez'
Crape Myrtle



Arbuts unedo 'Marina'
Marina Strawberry Tree

Lophostemon confertus
Brisbane Box



Geijera parviflora
Australian Willow

Laurus nobilis
Sweet Bay

CHAPTER 3
REVISIONS TO THE PUBLIC REVIEW IS/MND

This chapter of the Final Initial Study/Mitigated Negative Declaration (IS/MND) contains revisions to the Public Review IS/MND based upon: (1) clarifications required to prepare a response to a specific comment; and/or (2) typographical errors. These revisions do not alter any impact significance conclusions as disclosed in the IS/MND. Changes made to the IS/MND text are identified here in ~~strikeout~~ text to indicate deletions and in double underlined text to signify additions.

Revisions in Response to Written Comments and City Changes to Text

The following revisions, organized by IS/MND Section, have been made in response to comments received on the IS/MND and to provide additional clarification.

Figure 18, Conceptual Landscaping Plan

Figure 18, *Conceptual Landscaping Plan*, on page 43 of the IS/MND has been replaced with the updated Figure 18, provided below, wherein the arrow for keynote 16 correctly points to the property line, as identified in the legend.

Appendix L, Mitigation Monitoring and Reporting Program

The sub header and second and third paragraphs on the first page of the Mitigation Monitoring and Reporting Program (MMRP) of Appendix L have been revised as follows:

Mitigation Monitoring and Reporting Program ~~Plan~~

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be potentially significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, the attached Mitigation Monitoring and Reporting Program (MMRP) checklist has been prepared for the North Tustin Street Residential Project. The table identifies Project Design Features (PDFs); Plans, Programs, and Policies (PPPs); and Mitigation Measures (MMs) required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the Project. This ~~Mitigation Monitoring and Reporting~~ MMRP checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation measure; and 3) retention of records in the City's North Tustin Street Residential project file.

This ~~Mitigation Monitoring and Reporting Program (~~MMRP~~)~~ delineates responsibilities for monitoring the Project but also allows the City flexibility and discretion in determining how best

to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the ~~Mitigation Monitoring and Reporting~~ MMRP checklist. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

LEGEND

1. Central community open space area with enhanced paving courtyard, palm trees, shade sail overhead covers, and artificial turf for small social events and group gatherings.
2. Six community cluster mailboxes, per USPS review and approval.
3. Proposed wall, pilaster, gate or fence, per Wall & Fence Plan.
4. Proposed 20' wide access slide gate with depressed curve for vehicle access.
5. Automated Emergency Vehicle Access gate.
6. Enhanced paving at main project entry.
7. Proposed tree, per Planting Plan.
8. 5' wide community natural colored concrete sidewalk, with light top-cast finish and saw-cut joints.
9. 4' wide unit entry natural colored concrete walk, with light top-cast finish and saw-cut joints.
10. Accessible parking stall and striping, per Civil plans.
11. Guest parking stall.
12. Natural colored concrete driveway, with light broom finish and tooled joints.
13. Private patio / yard area, homeowner maintained.
14. Common area landscape, builder installed and HOA maintained.
15. Community dog bag station (black in color), for pet owners.
16. Property line.
17. Public street R.O.W.
18. Proposed public street sidewalk, per Civil plans.
19. Transformer to be screened with landscape, quantity and final locations to be determined.
20. Short term bike parking (1 bike rack to accommodate 2 bike stalls).
21. Modular wetland, per Civil plans.
22. Proposed AC condenser locations, per Architecture plans.
23. Existing landscape to remain in addition to new utility screen plantings.

*Conceptual images (provided herein are conceptual and subject to change)

0 15' 30' 60'
Scale: 1" = 30'

Melia Homes

Figure 18: Conceptual Landscaping Plan

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CHAPTER 4
MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be potentially significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

In compliance with Public Resources Code Section 21081.6, the attached Mitigation Monitoring and Reporting Program (MMRP) checklist has been prepared for the North Tustin Street Residential Project. The table identifies Project Design Features (PDFs); Plans, Programs, and Policies (PPPs); and Mitigation Measures (MMs) required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the Project. This MMRP Checklist is intended to provide verification that all applicable mitigation measures relative to significant environmental impacts are monitored and reported. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation measure; and 3) retention of records in the City's North Tustin Street Residential Project file.

This MMRP delineates responsibilities for monitoring the Project but also allows the City flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented. This includes the review of all monitoring reports, enforcement actions, and document disposition, unless otherwise noted in the MMRP checklist. If an adopted mitigation measure is not being properly implemented, the designated monitoring personnel shall require corrective actions to ensure adequate implementation.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Initial Study/Mitigated Negative Declaration, which provides general background information on the reasons for including specified mitigation measures.
- Periodic meetings may be held during Project implementation to report on compliance of mitigation measures.
- Responsible parties provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The City prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.

- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the MMRP, if required, would be made in accordance with CEQA and would be permitted after review and approval by the City. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in CEQA Guidelines Section 15162. No change will be permitted unless the MMRP continues to satisfy the requirements of Public Resources Code Section 21081.

Mitigation Monitoring and Reporting Program Checklist

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
Aesthetics						
PPP AES-1	**Exterior Lighting.** Exterior lighting on the Project site shall conform to the regulations within Orange Municipal Code Section 17.12.030. Lighting on any premises shall be directed, controlled, screened or shaded in such a manner as not to shine directly on surrounding premises. Lighting on any residential property shall be controlled so as to prevent glare or direct illumination of any public sidewalk or thoroughfares.	Prior to Building Permits. City of Orange Building & Safety	Prior to Building Permits. City of Orange Building & Safety			
Air Quality						
PPP AQ-1	**Rule 402.** The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.	Prior to Demolition, Grading and Building Permits City of Orange Building & Safety	During construction City of Orange Building & Safety			

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
PPP AQ-2	**Rule 403.** The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following: • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. • The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered, with complete coverage of disturbed areas, at least 3 times daily during dry weather; preferably in the mid-morning, afternoon, and after work is done for the day. • The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.	Prior to Demolition, Grading and Building Permits City of Orange Building & Safety	During Construction City of Orange Building & Safety			
PPP AQ-3	**Rule 1113.** The Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only "Low-Volatile Organic Compounds" paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.	Prior to Building Permits City of Orange Building & Safety	During Construction City of Orange Building & Safety			

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
Biological Resources						
MM BIO-1	**Pre-construction Nesting Bird Survey.** Construction plans and Project specifications shall state that if construction or vegetation removal activities are scheduled to occur during the bird breeding season (February 1 through August 31), a pre-construction nesting bird survey shall be conducted by a qualified biologist to ensure that active bird nests will not be disturbed or destroyed. The survey shall be completed no more than three days prior to initial ground disturbance. The nesting bird survey shall include the Project area and adjacent areas where Project activities have the potential to affect active nests, either directly or indirectly due to construction activity or noise. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall not occur within any disturbance limit buffer zones until the nest is deemed inactive by the qualified biologist.	Prior to Demolition and Grading Permits City of Orange Planning	Prior to Demolition and Grading Permits Qualified Biologist			
Cultural Resources						
PPP CUL-1	**Human Remains.** In the event that human remains are encountered on the Project site, work within 50 feet of the discovery shall cease and the County Coroner shall be notified immediately consistent with the requirements of CEQA Guidelines Section	Prior to Grading Permits.	During Construction			

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. Prior to the issuance of grading permits, the City Community and Planning, Building, and Code Enforcement Department Director, or designee, shall verify that all grading plans specify the requirements of CEQA Guidelines Section 15064.5(e), Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above..	City of Orange Planning	City of Orange Planning			
Energy						
PPP E-1	**Title 24 CalGreen Compliance**: T The Project is required to comply with the Title 24 standards that are adopted by reference in Chapter 15.54 of the City of Orange Municipal Code and the CalGreen Building Code as included in the Orange Municipal Code Section 15.17.010 to ensure efficient use of energy. Title 24 and CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.	Prior to Building Permits. City of Orange Building & Safety	Before construction. City of Orange Building & Safety			
Geology and Soils						
PPP GEO-1	**California Building Code.** Prior to issuance of any construction permits, the project is required to demonstrate compliance with the California Building Code as included in the Orange Municipal Code	Prior to Building Permits	Before construction.			

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	Chapter 15.04 to preclude significant adverse effects associated with seismic hazards, including expansive and corrosive soils. California Building Code related and geologist and/or civil engineer specifications for the project are required to be incorporated into grading plans and specifications as a condition of construction permit approval.	City of Orange Building & Safety	City of Orange Building & Safety			
Greenhouse Gas Emissions						
PPP E-1	**Title 24 CalGreen Compliance.** As listed previously in *Energy.*	Prior to Building Permits City of Orange Building & Safety	Before Construction City of Orange Building & Safety			
Hydrology and Water Quality						
PPP WQ-1	**NPDES/SWPPP.** Prior to issuance of any grading or demolition permits, the applicant shall provide the City evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan	Prior to Grading and Demolition Permits City of Orange Public Works	Prior to Construction City of Orange Public Works			

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	(SWPPP) and a monitoring program and reporting plan for the construction site.					
PPP WQ-2	**WQMP.** Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City . The WQMP shall identify all Post-Construction, Site Design. Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.	Prior to Grading and Building Permits City of Orange Building and Public Works	Prior to Construction City of Orange Building and Public Works			
Noise						
PDF-1	**Interior Noise.** Project building plans, specifications, and permits shall detail that the third floor of the residence in the northeastern most portion of the site (Lot 54) will be developed with upgraded windows that have a minimum Sound Transmission Class (STC) rating of 31.	Prior to Building and Occupancy Permits City of Orange Building and Public Works	Site inspection of Lot 54 prior to Occupancy Permits City of Orange Building and Public Works			
MM NOI-1	**Vibration.** The City of Orange (City) Director of Community Development, or designee, shall verify prior to issuance of demolition or grading permits, that the construction plans require that the construction contractor restrict the use of heavy construction equipment (i.e., greater than 80,000 pounds), vibratory	Prior to Grading and Demolition Permits	During Construction City of Orange Building & Safety			

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	rollers, large loaded trucks, and large dozers within 20 feet of any off-site receiver location. Instead, smaller, rubber-tired bulldozers (less than 80,000 pounds) shall be used within this area during Project construction to reduce vibration levels.	City of Orange Building & Safety				
Tribal Cultural Resources						
MM TCR-1	**Native American Monitoring.** A. The Project plans, specifications, and grading permits shall state that the Project applicant shall retain a Native American Monitor. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject Project at all Project locations (i.e., both on-site and any off-site locations that are included in the project description and/or required in connection with the Project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. B. A copy of the executed monitoring agreement shall be submitted to the City prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.	Prior to Ground Disturbing Activities City of Orange Planning	During Construction Native American Monitor			

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	C. The monitor shall complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs shall identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the Project applicant/lead agency upon written request to the Tribe. D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the monitoring Tribe from a designated point of contact for the Project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the Project site or in connection with the Project are complete; or (2) a determination and written notification by the monitoring Tribe to the Project applicant/lead agency that no future, planned construction activity and/or					

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	development/construction phase at the Project site possesses the potential to impact TCRs.					
MM TCR-2	**Unanticipated Discovery of Tribal Cultural Resource Objects.** A. Upon discovery of any TCRs, the monitoring tribe notify the City and Project Applicant and all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the tribal monitor and/or tribal archaeologist. The monitoring tribe shall recover and retain all discovered TCRs in the form and/or manner the monitoring tribe deem appropriate.	During Ground Disturbing Activities City of Orange Planning	During Construction Native American Monitor			
MM TCR-3	**Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects.** A. MM TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects. B. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.	During Ground Disturbing Activities City of Orange Planning	During Construction Native American Monitor			

No.	Project Design Feature / Plan, Program, Policy / Mitigation Measure	Time Frame and Responsible Party for Implementation	Time Frame and Responsible Party for Monitoring	Verification of Compliance		
				Initials	Date	Remarks
	C. If Native American human remains and/or grave goods are discovered or recognized on the Project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. D. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.					
PPP CUL-1	**Human Remains.** California Health and Safety Code Section 7050.5. Listed previously in Section 5, *Cultural Resources*.	Prior to Grading Permits City of Orange Planning	During Construction City of Orange Planning			