



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

From: Community Development Department
32400 Paseo Adelanto
San Juan Capistrano, California 92675

Subject: General Plan Amendments 13-003, 13-004, 13-005, and 13-006, Code Amendments 13-001, 13-002, Rezone 13-002, and 13-004; applications for Updating the Housing Element, Updating the Density Bonus Program, Changing the Affordability Family / Senior Housing district to Very High Density, Increasing the maximum residential density to thirty dwelling units per acre, and changing the zoning for four sites (APN: 121-050-21, 666-131-09/14/15, 675-081-17/18, and 650-011-27)

NOTICE IS HEREBY GIVEN that the City of San Juan Capistrano has prepared and intends to adopt a Mitigated Negative Declaration in connection with the subject project. The Mitigated Negative Declaration identifies potential effects with respect to Biological Resources and Cultural Resources. The Mitigated Negative Declaration also includes proposed mitigation measures that will ensure that the proposed project will not result in any significant, adverse effects on the environment. The City's decision to prepare a Mitigated Negative Declaration should not be construed as a recommendation of either approval or denial of this project.

PROJECT DESCRIPTION:

- a) Consideration of General Plan Amendment 13-005, Updating the Housing Element for the 2014 through 2021 Planning Period; and,
- b) Consideration of Code Amendment 13-002, Updating the Density Bonus Program and General Plan Amendment 13-004 and Code Amendment 13-002, Changing the Residential Land Use Name from Affordable Family / Senior Housing to Very High Density and Maximum Density for the District from 25 to 30 Dwelling Units Per Acre, and adding additional zoning standards;
- c) Consideration of General Plan Amendment 13-003, Code Amendment 13-001, and Rezone 13-002, for Changing the Land Use and Zoning Designation for three separate sites to Very High Density, identified as:
 1. Northwest Corner of Camino Capistrano and Junipero Serra Road (APN: 121-050-21, The Groves). A 4.4 acre Vacant Site;
 2. Terminus of Paseo Tirador (APN: 666-131-09/14/15, Ventanas). A 9.0 acre Vacant Site; and
 3. Northeast Corner of Camino Las Ramblas and Avenida California (APN: 675-081-17/18, Las Ramblas). A .49 acre Vacant Site.

- d) Consideration of General Plan Amendment 13-006 and Rezone 13-004, Changing the Land Use and Zoning Designation of a one acre Parcel at 29582 Spotted Bull Lane, from Public and Institutional to Low Density Residential, and Residential Single Family-40,000 Zoning.

PUBLIC REVIEW PERIOD: the public review period is from **Thursday, November 28, 2013 to Wednesday, December 18, 2013.**

PROJECT MANAGER: Laura Stokes, Housing Coordinator/Assistant Planner; phone: (949) 443-6313; e-mail: lstokes@sanjuancapistrano.org; Fax number: (949) 661-5451; Mailing address: Development Services Department, 32400 Paseo Adelanto, San Juan Capistrano, CA 92675.

NOTICE IS FURTHER GIVEN that the City invites members of the general public to review and comment on this environmental documentation. Written comments may be mailed, e-mailed, or faxed to the project manager. Copies of the Negative Declaration and supporting documents are available for public review and inspection at the Planning Department located in City Hall at 32400 Paseo Adelanto. The City's Planning Commission and City Council will conduct public hearings at future dates to be determined. You will receive a separate public notice for those hearings. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised during the public review period on the proposed Negative Declaration (ND) or at the future public hearings.



By order of William Ramsey, AICP
Environmental Administrator



INITIAL STUDY

City of San Juan Capistrano, California

1. PROJECT:

1) General Plan Amendment: General Plan Amendment to a) Adopt and implement the 2014-2021 Updated Housing Element, b) Rename the Affordable Family/Senior Housing residential land use designation to Very High Density (VHD) residential land use, c) Increase the maximum residential density from 25 dwelling units per acre to 30 dwelling units per acre for the Very High Density residential land use, and d) Amend two Opportunity sites from their existing land use to Very High Density residential land use.

2) Code Amendment: Municipal Code amendment to a) Rename the Affordable Family/Senior Housing zoning district to Very High Density (VHD) residential zoning district, b) Increase the maximum residential density from 25 dwelling units per acre to 30 dwelling units per acre for the Very High Density residential district, c) add additional zoning standards to the Very High Density Residential d) Update the Density Bonus Program to comply with state law, and e) Rezone three Opportunity sites from their existing zoning to Very High Density residential zoning district.

2. LEAD AGENCY:

City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

3. CONTACT PERSON & PHONE:

Laura Stokes
Housing Coordinator / Assistant Planner
Development Services
(949) 443-6313
lstokes@sanjuancapistrano.org

4. PROJECT LOCATION: The City of San Juan Capistrano 2014-2021 Housing Element Update and associated General Plan and Zoning Code Amendments apply to all properties designated and zoned for residential development within the municipal boundaries of the City. Located in southern Orange County, San Juan Capistrano is bounded by the cities of Mission Viejo to the north, San Clemente to the southeast, Dana Point to the southwest, unincorporated Orange County to the east, and Laguna Niguel to the west. The City's planning area encompasses approximately 14 square miles. Exhibit 1 (Regional Context and Vicinity Map) illustrates the City's location within Orange County and its local context.

5. APPLICANT:

City of San Juan Capistrano
Development Services Department
32400 Paseo Adelanto
San Juan Capistrano, CA 92675

6. GENERAL PLAN DESIGNATION: The residential land use designations that support housing development consist of the following:

Very Low Density (0-1.0 DU/Acre) – The Very Low Density residential land use designation provides for the development of very low density single-family dwellings and accessory buildings and is generally located in hillside areas. Uses such as mobile and modular homes, second single-family units, guest houses, public facilities, and other which are compatible with and oriented toward serving the needs of very low density single-family neighborhoods may also be allowed.

Low Density (Maximum of 2.0 DU/Gross Acre) – The Low Density residential land use designation provides for the development of low density single-family dwellings and accessory buildings. Uses such as mobile and modular homes, second single-family units, guest houses, public facilities, and others which are compatible with and oriented toward serving the needs of low density single-family neighborhoods may also be allowed.

Medium Low Density (Maximum of 3.5 DU/Gross Acre) – The Medium Low Density residential land use designation provides for the development of medium low density single-family dwellings and accessory buildings. Uses such as mobile and modular homes, second single-family units, guest houses, churches, schools, family day care homes, public facilities, and others which are compatible with and oriented toward serving the needs of medium low density single-family neighborhoods may also be allowed.

Medium Density (Maximum of 5.0 DU/Gross Acre) – The Medium Density residential land use designation provides for the development of medium density single-family detached and attached dwelling units, mobile home parks, duplexes and multi-family dwellings, such as townhomes and condominiums, as well as accessory buildings. Uses such as mobile homes and modular homes, second single-family units, guest houses, churches, schools, family day care homes, public facilities, and others which are compatible with and oriented toward serving the needs of medium density single-family neighborhoods may also be allowed.

Medium High Density (Maximum of 8.0 DU/Gross Acre) – The Medium High Density residential land use designation provides for the development of medium high density single-family detached and attached dwelling units, mobile home parks, duplexes and multi-family dwellings, such as townhomes and condominiums, as well as accessory buildings. Uses such as mobile homes and modular homes, second single-family units, guest houses, churches, schools, family day care homes, public facilities, and others which are compatible with and oriented toward serving the needs of medium high density single-family neighborhoods may also be allowed.

High Density (Maximum of 18.0 DU/Gross Acre) – The High Density residential land use designation provides for the development of high density single-family detached and attached dwelling units, mobile homes, modular homes, duplexes, and multi-family dwellings, such as townhomes, condominiums, apartments, and cooperatives, as well as accessory buildings. Uses such as mobile and modular homes, second single-family units, guest houses, churches, schools, family day care homes, public facilities, and others which are compatible with and oriented toward serving the needs of high density single-family neighborhoods may also be allowed.

Affordable Family/Senior Housing (Maximum of 25.0 DU/Gross Acre) – The Affordable Family/Senior Housing residential land use designation provides for the development of high density multi-family dwellings for affordable housing for both families and seniors, such as condominiums, apartments, and cooperatives, as well as accessory buildings. Uses such as mobile homes and modular homes, second single-family units, guest houses, churches, schools, family day care homes, public facilities, and others which are compatible with and oriented toward serving the needs of senior housing projects may also be allowed. This designation applies only to residential projects that provide for the long-term affordability of specified residential units consistent with the provisions of the Housing Element.

Planned Community (PC) (Special Uses District) –

The purpose of the Planned Community designation is to allow for the utilization of innovative land planning and building design. The Planned Community Designation allows for flexibility in the design of a development project which may not be available with the other land use designations. The percentage mix of land uses for the planned communities serves as a guideline for developers, but may be modified with the approval of the City.

- ZONING:** The San Juan Capistrano Zoning Code provides for multiple residential zoning classifications. Each of the classifications is described below.

Residential Garden/4,000 District (RG-4,000) – The purpose and intent of the Residential Garden/4,000 District is to provide for the establishment and regulation of residential areas developed with garden, patio,

duplex, or zero-lot-line homes, attached or detached, located and maintained in accordance with the General Plan.

Residential Garden/7,000 District (RG-7,000) – The purpose and intent of the Residential Garden/7,000 District is to provide for the establishment and regulation of residential areas developed with garden, patio, duplex, or zero-lot-line homes, attached or detached, located and maintained in accordance with the General Plan.

Single-Family/4,000 District (RS-4,000) – The purpose and intent of the Single-Family/4,000 District is to provide for the establishment and regulation of residential areas developed with single-family detached dwellings, all on individual lots owned and maintained by individual homeowners.

Mission Residential District/4,000 District (MRD 4,000) – The purpose and intent of the Mission Residential District/4,000 District is to provide for residential density and development standards to ensure that new development maintains and enhances the distinctive historic neighborhood character of the Mission Hill/Mission Flat residential neighborhood consisting of about twenty-seven (27) acres generally bordered by La Zanja Street to the north, Acjachema Street to the south, El Camino Real to the west, and Interstate 5 to the east. The designation allows predominantly single-family residential development on lots generally ranging from 4,000 to 7,500 square feet consistent with the distinctive neighborhood character established in the District.

Single-Family/7,000 District (RS-7,000) – The purpose and intent of the Single-Family/7,000 District is to provide for the establishment and regulation of residential areas developed with single-family detached dwellings, all on individual lots owned and maintained by individual homeowners.

Single-Family/10,000 District (RS-10,000) – The purpose and intent of the Single-Family/10,000 District is to provide for the establishment and regulation of residential areas developed with single-family detached dwellings, all on individual lots owned and maintained by individual homeowners.

Single-Family/20,000 District (RSE-20,000) – The purpose and intent of the Single-Family/20,000 District is to provide for the establishment of residential areas of low density, located and maintained in accordance with the General Plan; and Regulate such areas in order to preserve and perpetuate a spacious, low-density residential character.

Single-Family/40,000 District (RSE-40,000) – The purpose and intent of the Single-Family/40,000 District is to provide for the establishment and control of large lot estate type residential areas of low density located and maintained in accordance with the General Plan; and encourage the preservation of a semi-rural residential character without the maintenance of farm-size acreage.

Multiple-Family District (RM) – The purpose and intent of the Multiple-Family District is to provide for the establishment and regulation of multiple-family residential areas of various medium-to-high unit densities, located and maintained in accordance with the General Plan.

Hillside Residential District (HR) – The purpose and intent of the Hillside Residential District Implement the programs and policies of the General Plan, including the Safety Element as it relates to protection from geologic hazards (unstable soils, prevention of erosion, and the like) and the Conservation and Open Space Element relating to the maintenance of the natural character and amenity of hillsides as a scenic resource of the City. The purpose it also to provide for the utilization of innovative land planning and building design as a means of achieving high quality, flexibility, and efficiency in the design of residential subdivisions within hillside areas of the City.

Mobile Home Park District (MHP) – The purpose and intent of the Mobile Home Park District is to provide a district for the establishment and regulation of mobile home parks, planned, developed, and maintained as an integral unit and incorporating utilities, landscaping, recreation facilities, and other amenities.

Residential/Agriculture District (RA) – The purpose and intent of the Residential/Agriculture District is to provide for the maintenance and use of land for small farms and orchards, excluding commercial animal

raising, in association with single-family dwellings and implement the General Plan concept of providing for large lot, rural residential uses, including, but not limited to, low-density areas where the topography is not amenable to estate-type developments.

Planned Residential Development District (PRD) – The purpose and intent of the Planned Residential Development District is to provide for the establishment, maintenance, and regulation of condominium residential developments. Provide a means of achieving quality, variety, and flexibility in condominium-type developments on relatively large areas of land. Provide for attractive residential developments planned as units, incorporating coordinated building design, integrated greenbelt areas, recreation facilities within developments, a more efficient use of open space, a separation of pedestrian and vehicular traffic, and an increase in overall project amenities.

Affordable Family/Senior Housing District (AF/SH) – The purpose and intent of the Affordable Family/Senior Housing District is to provide for the establishment and regulation of multiple-family residential areas of higher densities that provide for affordable housing for the City's lower income family and senior households, located and maintained in accordance with the General Plan.

Planned Community District (PC) –

The purpose and intent of the Planned Community (PC) District is to encourage the use of modern land planning and design techniques to create developments integrating a mixture of different types of land uses. The regulations for the Planned Community (PC) District are designed to permit the adoption of a Comprehensive Development Plan (CDP) providing for a diversity of uses, building relationships, and open spaces within planned building groups, while insuring compliance with the General Plan.

8. PROJECT DESCRIPTION:

The proposed project consists of several tasks:

1) General Plan Amendment: General Plan amendment to a) Adopt and implement the 2014-2021 Updated Housing Element, b) Rename the Affordable Family/Senior Housing residential land use designation to Very High Density (VHD) residential land use, and c) Increase the maximum residential density from 25 dwelling units per acre to 30 dwelling units per acre for the Very High Density residential land use, and d) Amend two Opportunity sites from their existing land use to Very High Density residential land use.

2) Code Amendment: Code amendment to a) Rename the Affordable Family/Senior Housing zoning district to Very High Density (VHD) residential zoning district, b) Increase the maximum residential density from 25 dwelling units per acre to 30 dwelling units per acre for the Very High Density residential district, c) add additional zoning standards to the Very High Density Residential d) Update the Density Bonus Program to comply with state law, and e) Rezone three Opportunity sites from their existing zoning to Very High Density residential zoning district.

1. Housing Element

The Housing Element is one of the seven General Plan Elements mandated by the state of California (Sections 65580 to 65589.8 of the California Government Code). California law requires that the Housing Element consist of "identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing." As required by state law, the City must plan for its share of the region's new housing needs in the five state-defined income categories by identifying an adequate supply of land zoned at appropriate densities to accommodate needs in each income category. The Housing Element is a tool for decision-makers and the public use to understand and meet housing needs in San Juan Capistrano. While the law does not require local governments to actually construct housing to meet identified needs, it does require that the community address housing needs in its discretionary planning actions such as creating opportunities for housing in the land use plan and facilitating development through policies. To meet this goal, the Housing Element identifies vacant or underdeveloped areas with existing or proposed residential General Plan Land Use designations to accommodate the City's projected housing needs.

Housing Element Statutory Requirements

State law requires the Housing Element be updated at least every eight years, on a timeline consistent with the Regional Transportation Plan, unless extended by the legislature. Article 10.6, Sections 65580–65589.8, Chapter 3 of Division 1 of Title 7 of the Government Code sets forth the legal requirements for a housing element and encourages the provision of affordable and decent housing in suitable living environments for all communities to meet statewide goals. This 2014-2021 Housing Element update is a policy document for the City regarding its current and projected future housing needs, as identified by the state department of Housing and Community Development Department (HCD) and the Southern California Association of Governments (SCAG). The element sets forth City goals, policies, and programs to address those identified needs.

Government Code Section 65583 requires that housing elements include the following main components:

- An assessment of housing needs (including the needs of special needs groups), analysis of constraints to housing development, and an inventory of resources related to the meeting of these needs.
- A review of the previous Housing Element’s goals, policies, programs, and objectives to ascertain the effectiveness of each of these components, as well as the overall effectiveness of the programs in the previous Housing Element.
- A statement of community goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing.
- Actions that the City is undertaking or intends to undertake, in implementing the policies set forth in the Housing Element.

Housing Needs

The San Juan Capistrano 2014-2021 Housing Element profiles community demographics and examines the related housing needs of various groups, including owners versus renters, lower-income households, overcrowded households, elderly households, special needs groups, and homeless persons, among others.

California housing element law requires that each city and county develop local housing programs designed to meet their “fair share” of housing needs for all income groups, based on projected population growth. The HCD Housing Policy Division develops the RHNA for each region of the state, represented by councils of governments, which for San Juan Capistrano is SCAG. SCAG determines the housing allocation for each city and county within its six-county jurisdiction. SCAG has assigned San Juan Capistrano a housing allocation of 638 units for the 2014-2021 planning period. Table 1 (San Juan Capistrano 2014-2021 RHNA) identifies the total projected housing needs for the 2014-2021 Housing Element.

Table 1
San Juan Capistrano 2014-2021 RHNA

Income Group	% of County AMI	2013 Total Housing Units Allocated	Percent of Units
Very Low	0-50%	147	23%
Low	51-80%	104	16%
Moderate	81-120%	120	19%
Above Moderate	120% +	267	42%
Total	—	638	100%

Source: Southern California Association of Governments, 2012

State law requires that a community provide an adequate number of sites to allow for and facilitate production of the city’s regional share of housing. To determine whether a city has sufficient land to accommodate its share of regional housing needs for all income groups, each city must identify “adequate sites.” Under state

law (California Government Code Section 65583.c.1), adequate sites are those with appropriate zoning and development standards, with services and facilities, needed to facilitate and encourage the development of a variety of housing for all income levels. Land considered suitable for residential development includes the following:

- Vacant residentially zoned sites
- Vacant non-residentially zoned sites that allow residential uses (such as mixed-use)
- Underutilized residentially zoned sites that are capable of being developed at a higher density or with greater intensity
- Non-residential zoned sites that can be redeveloped for, and/or rezoned for, residential use (via program actions)

Opportunity Sites

An important component of the San Juan Capistrano 2014-2021 Housing Element is the identification of sites and future housing development opportunities to meet the RHNA. To accommodate the 2014-2021 RHNA allocation of 638 units, the City has identified eight sites (16 specific parcels) (Shown in Exhibit 2). Four of the sites (#5, #6, #7, #8) will require rezoning. Three sites (#5, #6, #7) will be rezoned as Very High Density Residential (VHD), which is the proposed new title for the Affordable Family/Senior Housing zoning district. In addition to being renamed, the district is also proposed to receive a maximum density increase which will allow a maximum density of 30 dwelling units per acre. The City will meet its RHNA allocation as a result of the three rezoned Opportunity Sites (#5, #6, #7). As shown in Table 2 (Opportunity Sites Inventory), these parcels total approximately 44.04 acres and could accommodate up to 807 units.

Table 2
Opportunity Sites Inventory

	Opportunity Site	Zoning	Permitted Density	Acres	Potential Dwelling Units
1	The Oaks (APN:664-041-09/10)	Open Space Recreation District/ RS-10,000	3.5 du/ac	10.2	29
2	Calle Lorenzo (APN: 649-052-08 & 649-053-13)	Single-Family- 4,000 District	8 du/ac	1.89	12
3	C. Romer Homestead (APN: 666-241-12)	Planned Community (PC)	-	0.35	8
4	Ranch San Juan Apartments (APN: 664-251-11)	Planned Community (PC)	-	4	96
5	The Groves (APN: 121-050-21)	Office Commercial District (OC)	-	2	48
6	Camino Las Ramblas (APN: 675-081-17/18)	Planned Community (PC)	-	9.5	228
7	Ventanas (APN: 666-131-07/09/13/14/15/16)	Planned Community (PC)	-	9	216
8	Regional Occupational Program Downtown Parcel (CUSD) (APN: 124-170-02)	General Open Space (GOS)	-	7.1	170
TOTAL AVAILABLE SITES/CAPACITY				44.04	807

Source: City of San Juan Capistrano 2014-2021 Housing Element

The Opportunity sites (vacant and underutilized) serve as the basis for the environmental impact analysis in this Initial Study. This is based on the fact that specific policies and direction within the proposed Housing Element are guiding these parcels to be developed or recycled and therefore could lead to a future physical change in the environment.

As the City of San Juan Capistrano is almost entirely built out, the majority of land identified in the proposed Housing Element Sites Inventory focuses on vacant and underutilized land that could support infill housing development. Approximately 44.04 acres (sixteen parcels) have been identified in the inventory of potential housing sites. The inventory of vacant land zoned specifically for residential use totals 24.5 acres (Sites #4, #5, #6, and #7). Site #4 is currently zoned as Planned Community with the same General Plan Land Use designation. Site #5 is currently zoned as Office Commercial District and has a General Plan Land Use designation of Office/Research Park. This site will require a General Plan Land Use Amendment as well as a zone change. This site will be rezoned as Very High Density Residential and will also have a General Plan Land Use designation of Very High Density Residential and a new maximum density of 30 dwelling units per acre. Site #6 is currently zoned as Planned Community and has the same General Plan Land Use Element designation. Uses on Site #6 are regulated with a Comprehensive Development Plan (CDP 81-01) which identifies the site to be used for public, institutional, and recreational open space uses. This site will maintain General Plan Land Use designation of Planned Community and will also be rezoned as Very High Density Residential and a new maximum density of 30 dwelling units per-acre. Site #7 is zoned Planned Community and has a General Plan Land Use Element designation of Industrial Park. Site #7 will have a General Plan Land Use designation of Planned Community and will be rezoned as Very High Density residential and a new maximum density of 30 dwelling units per acre.

The inventory of underutilized land totals 19.54 acres (Sites #1, #2, #3, and #8). Site #1 is currently zoned as Single-Family 10,000 District with a Medium Low Density Residential General Plan Land Use designation. Site #2 is zoned as a Single-Family 4,000 District and has a General Plan Land Use designation of Medium High Density Residential. Site #3 is zoned Planned Community and has the same General Plan Land Use designation. Site #8 is zoned General Open Space and has the same General Plan Land Use designation.

Vacant Sites:

A total of 24.5 acres of vacant property has been identified as suitable for accommodating housing construction. Using expected densities, an analysis of available vacant properties identifies the potential for up to 588 new housing units within the incorporated City limits, as shown in Table 3 (Vacant Sites Land Inventory).

**Table 3
Vacant Sites Land Inventory**

General Plan Designation	Zoning	Affordability Level	Maximum Density du/ac	Anticipated Development Capacity	Total Vacant Acreage	Potential Housing Units
Planned Community (Site #4: Rancho San Juan Apartments)	Planned Community	Very Low	--	96	4	96
Office/Research Park (Site #5: The Groves)	Office Commercial District (OC)	Very Low	--	48	2	48
Planned Community (Site #6: Camino Las Ramblas)	Planned Community (PC)	Very Low	--	228	9.5	228
Industrial Park (Site #7: Ventanas)	Planned Community (PC)	Very Low	--	216	9	216
Total					24.5 ac	588

Underutilized Sites:

A total of 19.54 acres of underutilized property has been identified as suitable for accommodating housing construction, (see Table 4). The sites presented below represent the most realistic opportunities for recycling to higher-density residential uses based on underutilized character of the site, developer interest, ease of

access from major roads, size of sites, and location near transit and services. The four sites have a potential combined capacity for 219 units.

Table 4
Underutilized Sites Land Inventory

General Plan Designation	Zoning	Affordability Level	Maximum Density	Anticipated Development Capacity	Total Vacant Acreage	Potential Housing Units
Medium Low Density (Site #1: The Oaks)	RS-10,000	Above Moderate	3.5	29	10.2	29
Medium High Density (Site #2: Calle Lorenzo)	RS-4,000	Above Moderate	8	12	1.89	12
Planned Community (Site #3: C. Romer Homestead)	Planned Community	Very Low	--	8	0.35	8
General Open Space (Site #8: Regional Occupational Program Downtown Parcel)	General Open Space	Very Low	--	170	7.1	170
Total					19.54 ac	219

Constraints to Housing Production

The housing constraints section of the Housing Element analyzes barriers that may hinder the City's ability to achieve its housing objectives or to obtain the necessary resources to assist in the production, maintenance, and improvement of the overall housing stock. Governmental, market, infrastructure, and environmental factors may constrain the provision of adequate and affordable housing. The City has established a goal to minimize governmental constraints on housing production and affordability.

Housing Plan

The Housing Plan guides the development and preservation of a balanced inventory of housing to meet the needs of present and future residents. To achieve this goal, the Housing Plan identifies long-term housing goals and shorter-term policies to address the identified housing needs. The goals and policies are then implemented through a series of housing programs. Programs identify specific actions the City plans to undertake toward achieving each goal and policy. The following goals, policies, and implementation programs represent the policy direction of the 2014-2021 Housing Element.

Housing Opportunities

Goal 1: Provide a broad range of housing opportunities with emphasis on providing housing which meets the special needs of the community.

Policy 1.1: Consistent with the Land Use Element, provide a range of different housing types and unit sizes for varying income ranges and lifestyles.

Policy 1.2: Continue the City's program of allowing the placement of mobile homes, factory built housing on vacant residential parcels in single family zoning districts.

Policy 1.3: Encourage both the private and public sectors to produce or assist in the production of housing with particular emphasis on housing affordable to persons with disabilities, elderly, large families, female-headed households with children, and homeless.

Policy 1.4: Facilitate the development of second dwelling units on single-family parcels.

Program 1: Adequate Sites – The City has a Regional Housing Needs Assessment (RHNA) value of 638 units for the 2014-2021 planning period. The inventory of residential sites yielded over 44 acres of vacant and developable land with the development capacity to yield over 800 new units. The City will maintain an inventory of available sites for residential development and provide it to prospective residential developers upon request.

Housing to Meet the Needs of all Income Levels

Goal 2: To the maximum extent feasible, encourage and provide housing opportunities for persons of lower and moderate incomes.

Policy 2.1: Encourage the development of affordable housing through the Density Bonus, Inclusionary Housing, and City financial assistance programs.

Policy 2.2: Facilitate housing development that is affordable to extremely low-, lower-, and moderate-income households by providing technical assistance, regulatory incentives and concessions, expedited development review, and financial resources as funding permits.

Policy 2.3: Continue to utilize federal and state subsidies, as well as City housing in-lieu fees in a cost-efficient manner, to the fullest extent to meet the needs of lower-income residents, including extremely low-income residents.

Policy 2.4: Implement affordability agreements for all housing projects that receive financial assistance from the City.

Policy 2.5: Encourage mixed use development on a case-by-case basis to allow for increased housing opportunities.

Policy 2.6: Target City owned sites available for housing production for working families.

Policy 2.7: Promote the development of affordable and special needs housing near transit and/or "smart growth areas".

Policy 2.8: Encourage energy efficient design in new and rehabilitated development and in existing housing units as a means to lowering housing costs.

Program 2: Mixed-Use Zoning – The City Council amended their policies to allow for the inclusion of mixed-use development with the approval of the Historic Downtown Master Plan. To further increase residential capacity in a mixed use context, the City will also explore additional locations to implement mixed-use zoning provisions. Once additional mixed-use areas are identified, the City will add zoning text designating the specific sites to allow residential uses as secondary uses.

Program 3: Inclusionary Housing and In-Lieu Fees – Developers of new residential developments with two or more units are required to provide 10% of the development as affordable housing or pay fees in-lieu of reserving affordable housing units for very low, low, and moderate income households. The City will continue to implement and evaluate this program and its impacts on developments.

Program 4: Housing Choice Voucher Program – The City will continue to participate in the County of Orange Housing Choice Voucher Rental Assistance Program, which provides rental assistance to eligible very low and low-income households.

Program 5: Affordable Housing Funding – The City will facilitate or support the applications of experienced housing developers and homeless service providers for financing to develop affordable housing. The City will meet with potential affordable housing developers, provide site information, assist in the entitlement process, and consider on a case-by-case basis other incentives.

Program 6: Affordability Covenant for Accessory Units – The City has developed an approach to allow for affordability covenants for new secondary dwelling units and will encourage interested property owners to use this mechanism to expand affordable housing opportunities in the City.

Program 7: Mobile Home Park Rent Control Ordinance – The City's rent control ordinance governs the maximum annual rent increases in all seven of the City's mobile home parks. The City will continue to implement the ordinance to ensure that the City's 1,266 mobile homes continue to be the most affordable homeownership option within the City.

Program 8: Mortgage Credit Certificate Program (MCC) – The City will continue to participate in and promote Mortgage Credit Certificates through the County of Orange. This program entitles qualified first time homebuyers to take a federal income tax credit of 15 percent of the interest paid on the mortgage. The City will increase awareness of the MCC program by providing information on the City's website. Flyers and brochures will also be made available to residents at key public locations.

Removal of Governmental Constraints

Goal 3: Reduce or remove governmental constraints to the development, improvement, and maintenance of housing where feasible and legally permissible.

Policy 3.1: Periodically review City regulations, ordinances, permitting processes, and residential fees to ensure that they do not constrain housing development and are consistent with state law.

Policy 3.2: Continue cooperative agreements, as appropriate, with state, County and other agencies, so that community housing needs are met to the greatest degree possible.

Policy 3.3: Offer financial and/or regulatory incentives, where feasible, to offset or reduce the costs of developing quality housing affordable to a wide range of households.

Policy 3.4: Accommodate housing needs for extremely low-income households and special needs persons in the City's development regulations.

Program 9: Reasonable Accommodation Procedure – The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices and procedures where such accommodation may be necessary to provide individuals with disabilities equal housing opportunities. The City will create a process for making requests for reasonable accommodation to land use and zoning decisions and procedures regulating the siting, funding, development and use of housing for people with disabilities. Information will be provided to residents on reasonable accommodation procedures via public counters and the City website.

Program 10: Transitional and Supportive Housing – Transitional and supportive housing units are allowed in the City based on the type and character of development. Transitional housing provides longer term housing (up to two years), coupled with supportive services such as job training and counseling to individuals and families who are transitioning from homelessness to permanent housing. To reflect state law, the zoning code will explicitly address transitional housing and supportive housing. Consistent with state law, transitional and supportive housing that is provided in single-, two-, or multi-family dwelling units, group residential, residential care facilities, or boarding house uses will be permitted, conditionally permitted or prohibited in the same manner as the other single-, two- or multi-family dwelling units, group residential, residential care facilities, or boarding house uses.

Conserve, Preserve, and Improve the Housing Stock

Goal 4: Create and maintain decent housing and a suitable living environment for all households in the community.

Policy 4.1: Encourage all households to maintain and rehabilitate all housing to prevent deterioration.

Policy 4.2: Preserve all housing and neighborhoods throughout the City in a safe environment to live, work and play.

Policy 4.3: Encourage the rehabilitation of deteriorating houses where feasible and provide assistance when necessary for households who cannot afford the costs of such improvements.

Policy 4.4: Provide and maintain an adequate level of services and facilities in all areas of the City.

Program 11: Residential Rehabilitation – The City will continue to apply for grant funding (CDBG and HOME) to assist in the rehabilitation of housing.

Equal Housing Opportunities

Goal 5: Promote equal opportunity for all residents to reside in housing of their choice.

Policy 5.1: Prohibit discrimination in the sale, rental, or financing of housing based on race, color, ancestry, religion, national origin, sex, sexual orientation, gender identity, age, disability/medical condition, familial status, marital status, source of income, or any other arbitrary factor.

Policy 5.2: Continue efforts to facilitate the unimpeded access to housing without consideration of arbitrary distinctions.

Policy 5.2: Accommodate persons with disabilities who seek reasonable waiver or modification of land use controls and/or development standards pursuant to procedures and criteria set forth in the Zoning Ordinance.

Policy 5.2: Continue adopted procedures whereby the City refers apparent violations of the law to enforcement agencies for consideration of remedial actions.

Program 12: Fair Housing and Equal Housing Opportunity – The City will continue to abide by and enforce fair housing laws. To assist in education and understanding of fair housing rights and protections, the City will continue to distribute information on fair housing and refer fair housing questions and housing discrimination claims to the Fair Housing Council of Orange County. All housing advertising, housing public hearing notices, and contracts for housing-related work include fair housing language as required by the state of California. The City will continue to display the fair housing and equal housing opportunity logos on all housing information, housing website pages, and at the Development Services Department front counter.

2. Code Amendments

The update to the Affordable Family/Senior Housing zone with a density of 25 dwelling units per acre to a Very High Density (VHD) Residential zone with a density of 30 dwelling units per acre will affect new development of residential zoned properties currently zoned Affordable Family / Senior Housing. There are currently no undeveloped sites within the City which are zoned Affordable Family / Senior Housing. The update to the Density Bonus Program may affect new development of residential zoned properties within the City. The update to the Affordable Family / Senior Housing zone with a density of 25 dwelling units per acre to a Very High Density (VHD) Residential zone with a density of 30 dwelling units per acre will affect new development of residential zoned properties currently zoned Affordable Family / Senior Housing. There are currently no undeveloped sites within the City which are zoned Affordable Family / Senior Housing.

Changes to the Municipal Code will include:

- Amendments to Municipal Code Sections 9-3.301 et al. of the Municipal Code regarding a name change from Affordable Family / Senior Housing to Very High Density Residential, increase in residential density from 25 dwelling units per acre to 30 dwelling units per acre, and add additional zoning standards to the Very High Density Residential regarding amenities.
- Text changes to Sections 9-2.105, Table 2-1; Section 9-3.101(a)(11); Section 9-3.501(d)(3); Section 9-3.501(g); Section 9-3.505(c)(1)(c); Section 9-3.535(g)(3); Section 9-3.537, Table 3-39; Section 9-3.543(g)(1)(K); Section 9-3.551(a); Section 9-4.511(b); and Appendix A.
- Amendments to Section 9-3.505(c) et al. of the Municipal Code regarding density bonuses. Under state law, cities and counties must provide density bonuses and other incentives to developers to encourage affordable and senior housing. A density bonus of up to 35 percent is allowed by right for affordable housing projects that meet specific criteria. Developers may request up to two additional incentives or concession for projects that include at least thirty (30) percent of the total housing units for lower income households, or at least fifteen (15) percent for very low income households, or at least thirty (30) percent of the units for persons or households of moderate income in a common interest.

9. SURROUNDING LAND USE(S) & PROJECT SETTING:

San Juan Capistrano is located in a coastal valley one mile from the ocean and is divided by Interstate 5 freeway that runs north and south through the City. Located in southern Orange County, San Juan Capistrano is bounded by the cities of Mission Viejo to the north, San Clemente to the southeast, Dana Point to the southwest, unincorporated Orange County to the east, and Laguna Niguel to the west. The City's planning area encompasses approximately 14 square miles. San Juan Capistrano is approximately 90 percent built out, with limited vacant land available for development. With more than 600 feet of vertical relief, the City's terrain consists primarily of gently to steeply containing deep cut canyons and gullies rolling hills.

The Opportunity Sites identified in the Housing Element have specific surrounding land uses that must be noted because these conditions serve as the baseline for environmental analysis in this Initial Study. The existing surrounding land uses are summarized in Table 5 (Opportunity Sites Surrounding Land Uses).

Table 5
Opportunity Sites Surrounding Land Uses

Site	N	NE	E	SE	S	SW	W	NW
#1	Very Low Density Residential	General Open Space	General Open Space	General Open Space	General Open Space	General Open Space	Medium Low Density Residential	Very Low Density Residential
#2	Medium High Density Residential	Medium High Density Residential	Medium High Density Residential	Quasi Industrial	Quasi Industrial	High Density Residential	High Density Residential	Medium High Density Residential
#3	General Commercial	General Commercial	Affordable Family/ Senior Housing	Assisted Care Facilities	Assisted Care Facilities	General Commercial	General Commercial	General Commercial
#4	General Open Space	Planned Community	Planned Community	Planned Community	General Open Space	Planned Community	Planned Community	Planned Community
#5	Community Park	Community Park	Office/ Research Park	Planned Community	Assisted Care Facilities	General Open Space	General Open Space	General Open Space
#6	Planned Community	Medium Low Density Residential	Medium Low Density Residential	General Open Space	General Open Space	High Density Residential	High Density Residential	Planned Community

#7	Industrial Park	Industrial Park	Community Park	General Open Space	General Open Space	I-5 & General Commercial	I-5 & General Commercial	I-5 & General Commercial
#8	Medium High Density Residential	Medium High Density Residential	General Open Space	General Open Space	Existing Public Schools	Public & Institutional	Public & Institutional	Medium High Density Residential

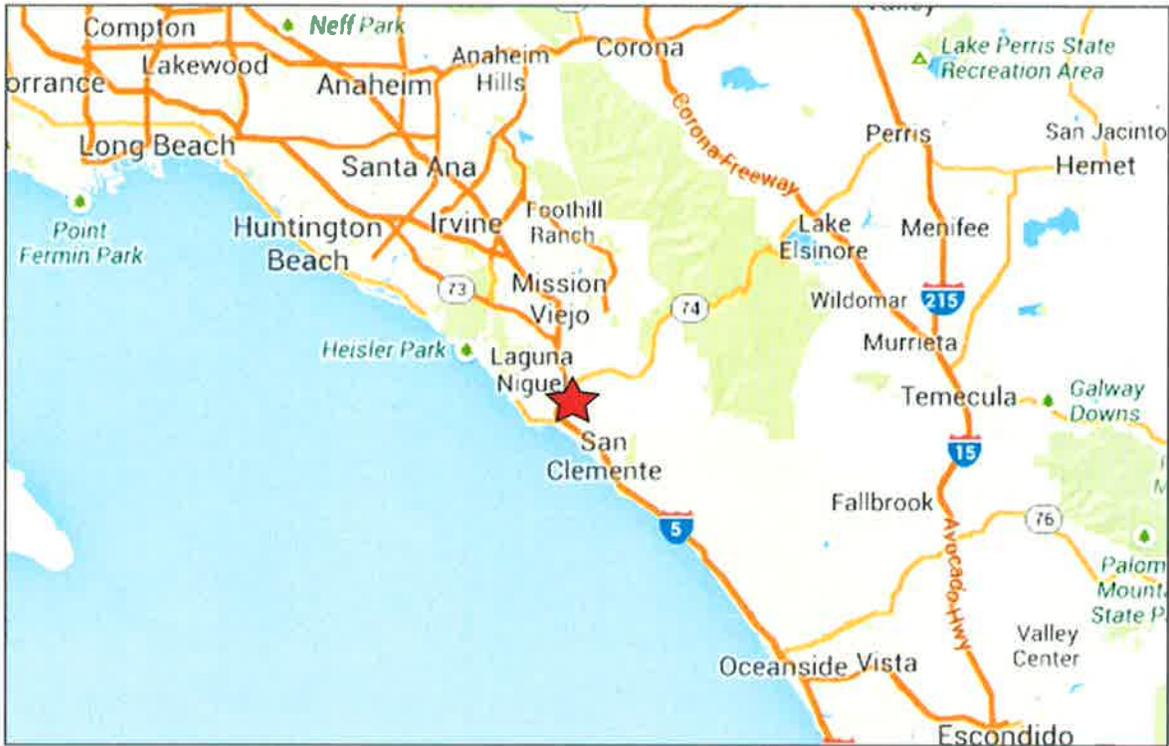
10. OTHER REQUIRED AGENCY APPROVALS: None

11. PREVIOUS ENVIRONMENTAL DOCUMENTATION: None

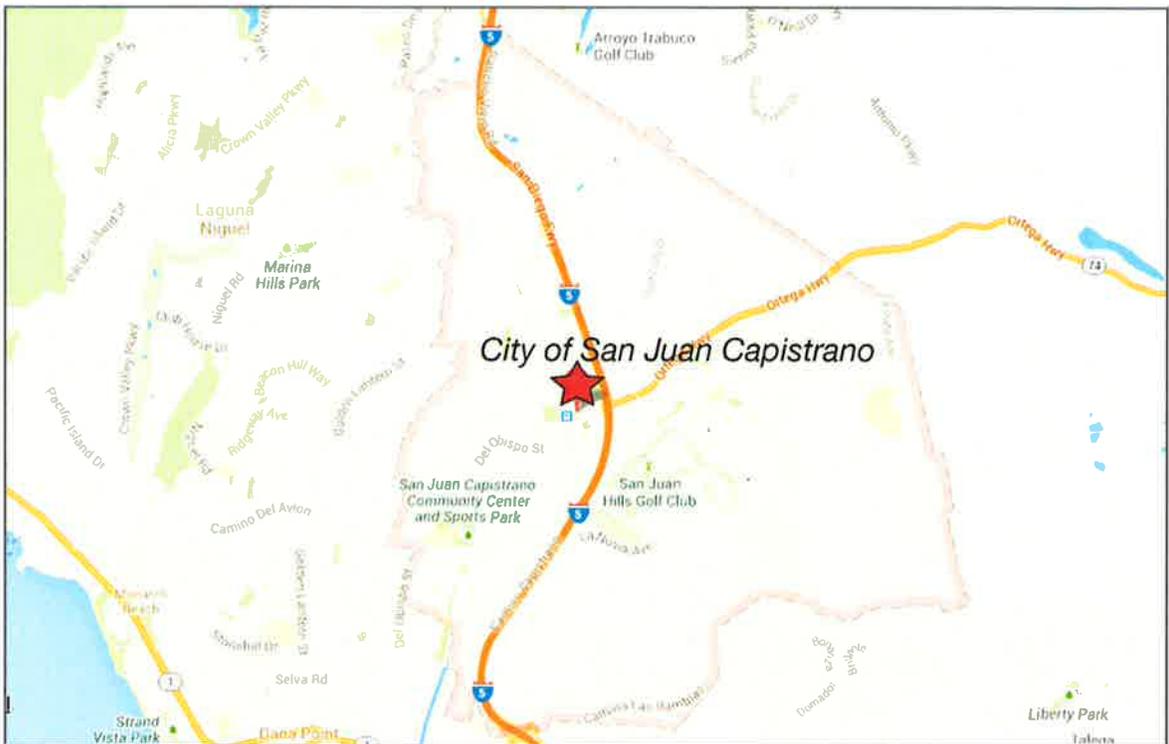
12. CONSULTATION:

- A. Federal, state, and Other Local Agencies:
 - California Native American Heritage Commission
- B. City of San Juan Capistrano
 - Nelson Miller, Interim Development Services Director
 - William A. Ramsey, AICP, Assistant Development Services Director
 - David Contreras, Senior Planner
- C. Documents & resources:
 - City of San Juan Capistrano, General Plan.
 - City of San Juan Capistrano, Title 9, Land Use Code.
 - City of San Juan Capistrano, Environmental Review Guidelines.

This Page Intentionally Left Blank.



Regional



Vicinity



Exhibit 1 Regional and Vicinity Map

City of San Juan Capistrano Housing Element Initial Study
San Juan Capistrano, CA

This Page Intentionally Left Blank

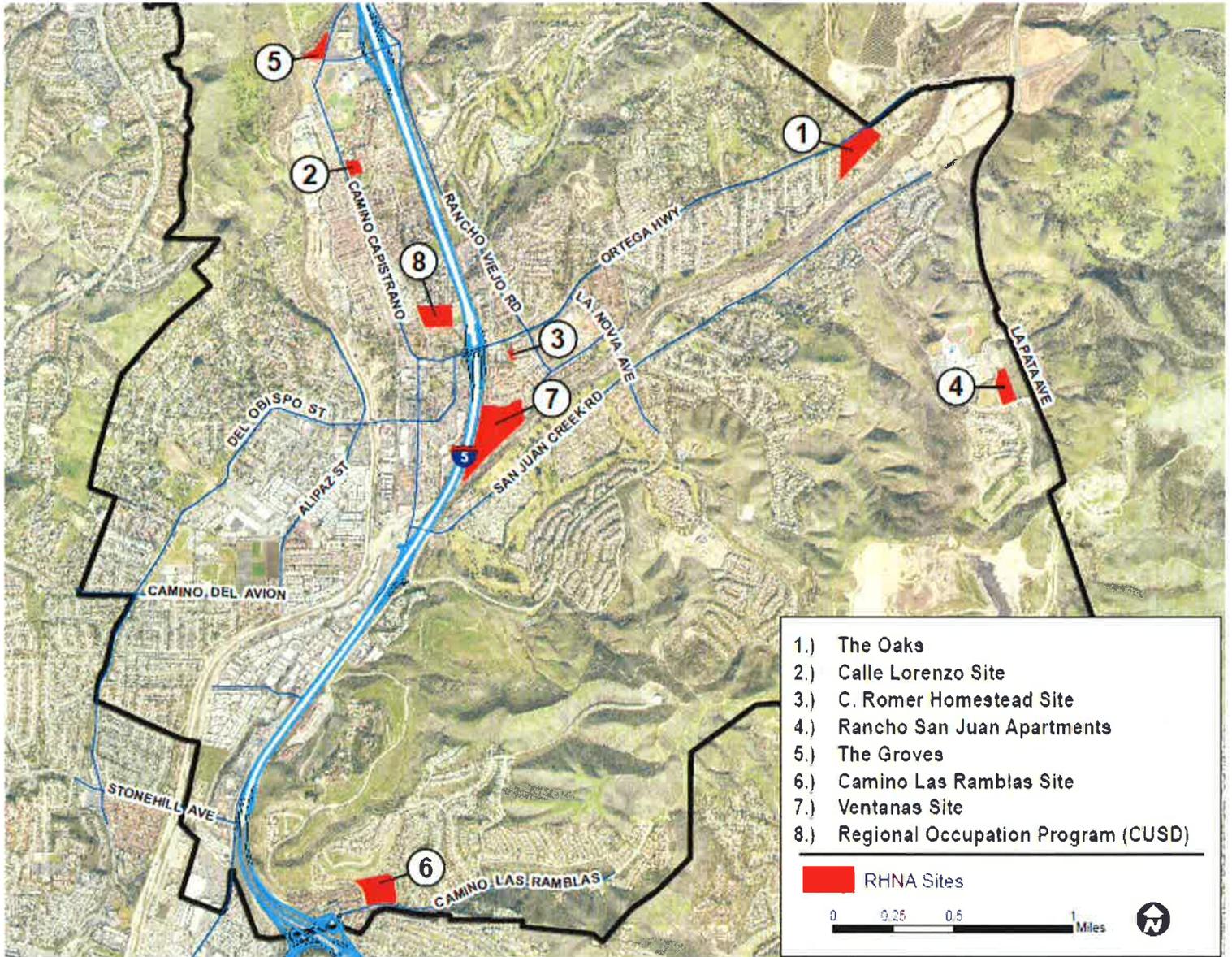


Exhibit 2 RHNA Sites

City of San Juan Capistrano Housing Element Initial Study
San Juan Capistrano, CA

This Page Intentionally Left Blank

13. SUMMARY OF ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages:

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Hazards & Hazardous Mats. | <input type="checkbox"/> Hydrology & Water Quality | <input type="checkbox"/> Land Use & Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population & Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation & Traffic |
| <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

14. DETERMINATION. (To be completed by lead agency) Based on this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

15. ENVIRONMENTAL ADMINISTRATOR DETERMINATION (Section 9-2.201 of SJC Municipal Code): The initial study for this project has been reviewed and the environmental determination is hereby approved:



William Ramsey, AICP, Assistant Development Services Director
Environmental Administrator

16. ENVIRONMENTAL CHECKLIST

This section analyzes the potential environmental impacts which may result from the proposed project. For the evaluation of potential impacts, the questions in the Initial Study Checklist (Section 2) are stated and answers are provided according to the analysis undertaken as part of the Initial Study. The analysis considers the project's short-term impacts (construction-related), and its operational or day-to-day impacts. For each question, the following should be provided:

- 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 City 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," as described in (5) below, may be cross-referenced).
- 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 identify 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) 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) Include a source list and list of individuals contacted or consulted.
- 8) This form is consistent with the California Environmental Quality Act (CEQA) Guidelines and all Initial Studies performed on projects within the city must use this format.
- 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.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.1 AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic building along a State-designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Have a substantial adverse effect on a scenic vista? Less than Significant Impact. Scenic vistas can be impacted by development in two ways. First, a structure may be constructed that blocks the view of a vista. Second, the vista itself may be altered (i.e., development on a scenic hillside). Features identified by the community as having aesthetic value worth protecting and promoting include: the “small-village, rural atmosphere”; extensive open spaces; the natural environment; the ridgelines; the historical character of the community; and the high quality, unobtrusive design of the various public and private physical elements that make up the human environment.¹ The proposed project would result in the adoption and implementation of housing policies that could encourage new housing production. However, much of San Juan Capistrano is developed, and any new development would likely occur on previously developed sites. Furthermore, the Opportunity Sites are all within a fully urbanized area visually dominated by residential and commercial land uses. Development projects in the City are subject to review and approval by the Development Services Director, Planning Commission, and City Council. The Council holds public hearings and applies conditions to entitlements to ensure that community design elements of a project implement General Plan policies and are compatible with the character of the immediate surrounding area. Although new development on the Opportunity Sites may result in higher densities, implementation of existing General Plan policies, would result in impacts to scenic vistas that will be less than significant.

General Plan Goals & Policies

Conservation & Open Space Goal 5: Shape and guide development in order to achieve efficient growth and maintain community scale and identity.

Policy 5.2: Ensure that new development integrates and preserves areas designated for scenic, historic, conservation, or public safety reasons.

Policy 5.3: Ensure that no buildings will encroach upon any ridgeline designated for preservation.

Community Design Goal 3: Preserve and enhance natural features.

Policy 3.1: Limit development of important natural characteristics such as ridgelines, unique hillside features, and creeks.

Policy 3.3: Preserve and enhance scenic transportation corridors, including Interstate 5 and the railroad.

Policy 3.4: Preserve important viewsheds.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a state scenic highway? No Impact. No designated state scenic highways are located within

the City; however, the California Scenic Highway Mapping System identified state Highway 74 as being eligible for the state scenic highway designation. State Highway 74 is not officially designated as a state scenic highway. Thus, no impact to scenic resources visible from a state scenic highway will occur.²

c) Substantially degrade the existing visual character or quality of the site and its surroundings? *Less than Significant Impact.* Implementation of the proposed project could result in a significant impact if it resulted in substantial degradation of the existing visual character or quality of the site and its surroundings. Degradation of visual character or quality is defined by substantial changes to the existing site appearance through construction of structures such that they are poorly designed or conflict with the site's existing surroundings. In order to preserve important community design features, the City has identified design factors that should be considered when designing new development. Design factors important to community design include: the building materials used in construction; building placement; height and mass; the scale and form of already developed areas and their relationship to existing open spaces; the design and placement of other structures (signs, roads, utility towers, etc.); and the treatment of hillsides to form buildable sites.³ Future housing development could change the on- and off-site visual character of the area in which it is constructed. Development of the Opportunity Sites could potentially change vacant or already developed land to residential development. The proposed General Plan amendments and zone changes associated with the Opportunity Sites do not propose any specific development proposals or infrastructure construction. Therefore, these amendments will not result in any impacts that were not addressed in the General Plan EIR. The General Plan addresses the conservation and enhancement of the visual quality of San Juan Capistrano's environment via the following General Plan goals, policies and design criteria.

General Plan Policies

Land Use Goal 2: Control and direct future growth within the City to preserve the rural and village-like character of the community.

Policy 2.2: Assure that new development is consistent and compatible with the existing character of the City.

Land Use Goal 7: Enhance and maintain the character of neighborhoods.

Policy 7.1: Preserve and enhance the quality of San Juan Capistrano neighborhoods by avoiding or abating the intrusion of non-conforming buildings and uses.

Policy 7.2: Ensure that new development is compatible with the physical characteristics of its site, surrounding land uses, and available public infrastructure.

Community Design Goal 1: Encourage and preserve a sense of place.

Policy 1.2: Encourage high-quality and human scale design in development and maintain the character of the City.

Community Design Goal 2: Preserve the historic character of the community.

Policy 2.1: Encourage development which complements the City's traditional, historic character through site design, architecture, and landscaping.

General Community Design Criteria⁴

- Compatibility of building materials with the natural and existing human environment;
- Use of low building profiles;
- Discourage strip commercial development along arterial streets;
- Use of visually pleasing roof materials, especially for buildings in the valley areas visible from surrounding hillsides;
- Use of open space to distinguish and separate different types of land use;
- Discouragement of large, sterile expanses of uses such as large parking lots or storage yards;

- Use of landscaping;
- Sensitive treatment of the natural topography, including ridgelines;
- Integration of pedestrian and bicycle trails into the open space network;
- Inclusion of energy conservation measures in new project design;
- Use of appropriate spaces or screening buffers between conflicting uses; and,
- Sign controls.

Adherence to the existing General Plan policies and design guidelines would result in a less than significant impact on the visual character and quality of the City related to future housing constructed pursuant to the Housing Element.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? *Less than Significant Impact.* Future housing development would result in new sources of lighting. Future housing development would be required to adhere to the Zoning Code through the development review process. The Zoning Code requires that all lighting use shielded luminaries with glare control to prevent light spillover onto adjacent areas.⁵ Additionally, the City has lighting design criteria which limit lighting in hillside residential areas.⁶ Compliance with existing City practices, procedures, and policies for lighting will ensure that lighting and glare impacts associated with potential new development are less than significant.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.2 AGRICULTURAL AND FOREST RESOURCES. Would the project:				
a. Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance as depicted on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA. Resources Agency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflicts 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 51101(g)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Results in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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? **No Impact.** The map of Important Farmland in California (2010) prepared by the Department of Conservation identifies several areas within San Juan Capistrano that are designated as Unique Farmland and Farmland of Statewide Importance; however, the majority of the City is designated as urban and built-up land. San Juan Capistrano has historically been an agricultural community with its valley producing a wide variety of crops. Therefore, the General Plan identifies land designated as Agri-Business which provides for the production and sale of agricultural crops. The Zoning Code also includes a Farm Market (FM) District and a Residential/Agriculture District. The Opportunity Sites are not located within an area designated as Unique Farmland or Farmland of Statewide Importance and are not designated as agricultural by the General Plan or Zoning Code. Therefore, there will be no conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to a non-agricultural use as a result of this project. No impact will occur.^{7 8 9}

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? **No Impact.** The California Department of Conservation indicates that two Williamson Act contracts are active in San Juan Capistrano. The Zoning Code includes a Farm Market (FM) District and a Residential/Agriculture District. The Opportunity Sites are not located within an area under an active William Act Contract and are not located in an area designated as agricultural by the Zoning Code. Therefore, there will be no conflict with existing zoning for agricultural use or a Williamson Act contract. Furthermore, adherence to the General Plan policies will ensure no impacts to agricultural lands occur. No impact will occur.¹⁰

General Plan Policies

Conservation & Open Space Goal 3: Preserve existing agricultural activity.

Policy 3.1: Implement economic programs that promote the long-term viability of designated agricultural parcels within the City.

Policy 3.2: Reduce the negative impacts resulting from urban uses and neighboring agricultural uses in close proximity.

c) Conflicts 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 51101(g))? **No Impact.** Public Resources Code Section 12220(g) identifies forest land as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. No properties in San Juan Capistrano are zoned for forest land, timberland, or timberland production. Furthermore, the California Department of Forestry and Fire Protection describes the land cover in the City as mostly urban with some rangeland shrubs and herbaceous vegetation.¹¹ No impacts to forest land or timberland will occur.

d) Results in the loss of forest land or conversion of forest land to non-forest use? **No Impact.** Due to the urban character of San Juan Capistrano, there is no forest land.¹² Therefore, there will be no loss of forest land or conversion of forest land as a result of the implementation of the proposed Housing Element. No impact will occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? **No Impact.** The City does contain sites zoned for agriculture. However, none of the Opportunity Sites are located on land zoned as agricultural or designated by the state as Farmland of Statewide Importance. None of the Opportunity Sites contain forest land or forest cover. No agricultural sites will be converted to non-agricultural use and no conversion of forest land will occur. No impacts will occur.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.3 AIR QUALITY. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate an air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under the applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Conflict with or obstruct implementation of the applicable air quality plan? *No Impact.* The City is located within the South Coast Air Basin (Basin) under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). SCAQMD and SCAG are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the Basin. The AQMP is a series of plans adopted for the purpose of reaching short- and long-term goals for those pollutants for which the Basin is designated as a "nonattainment" area because it does not meet federal and/or state Ambient Air Quality Standards (AAQS). To determine consistency between the project and the AQMP, the project must comply with all applicable SCAQMD rules and regulations, comply with all proposed or adopted control measures, and must be consistent with the growth forecasts utilized in preparation of the Plan.

A significant impact could occur if the proposed project conflicts with or obstructs implementation of the South Coast Air Basin 2012 AQMP. Conflicts and obstructions that hinder implementation of the AQMP can delay efforts to meet attainment deadlines for criteria pollutants and maintaining existing compliance with applicable air quality standards. Pursuant to the methodology provided in Chapter 12 of the 1993 SCAQMD CEQA Air Quality Handbook, consistency with the South Coast Air Basin 2012 AQMP is affirmed when a project: 1) does not increase the frequency or severity of an air quality standards violation or cause a new violation; and 2) is consistent with the growth assumptions in the AQMP. Consistency review is presented below.

1. The project (including potential future housing development facilitated by the Housing Element policy on proposed Opportunity Sites) proposes changes to Land Use and zoning designations as well as an increase in density for the new Very High Density designation. The increase in density allowed is greater than that analyzed in the General Plan EIR; therefore consistency analysis is required.

2. The CEQA Air Quality Handbook indicates that consistency with AQMP growth assumptions must be analyzed for new or amended General Plan elements, Specific Plans, and "significant projects." Significant projects include airports, electrical generating facilities, petroleum and gas refineries, designation of oil drilling districts, water ports, solid waste disposal sites, and off-shore drilling facilities. The project consists of a General Plan amendment to update the proposed 2014-2021 Housing Element and amendments to Land Use and zoning designations; therefore consistency analysis is required.

The Housing Element identifies eight opportunity sites for future residential development. The Opportunity Sites could result in approximately 807 new dwelling units and 2,340 new residents (807 dwelling units at 2.9 persons per household). SCAG provides population projection estimates in five-year increments from 2005 to 2035. According to the latest growth forecast (2012), SCAG estimates that the City would have a population of 37,800 in 2035. SCAG growth projections are utilized as the basis for both the Regional Transportation

Plan (RTP) and the AQMP. Build-out of the General Plan would accommodate a population of 38,520 persons, which would be higher than projected by SCAG, and thus provides sufficient residential land uses to accommodate growth projections for the City. In addition, the proposed Housing Element Opportunity Sites are projected to meet the City's allocated RHNA (638 units). Therefore, by providing sites for housing sufficient to achieve the RHNA, the Housing Element is contributing in the short term toward consistency with long-term growth projections and the 2012 AQMP. The proposed Housing Element does propose densities higher than already permitted in the existing General Plan and thus a General Plan and Zoning Code amendment will be required and the Density Bonus Program will be updated to comply with state law. Implementation would not result in an increase in population and households over that contemplated in the RTP and AQMP. These increases are within the growth assumptions estimated by SCAG and therefore would not result in a conflict with or obstruction of the AQMP. The proposed Housing Element and associated General Plan and Zoning Code amendments do not propose or anticipate any specific development proposals or infrastructure construction. Therefore, these amendments will not conflict with or obstruct the AQMP.

Based on the consistency analysis presented above, the proposed project will not conflict with the AQMP; no impact will occur.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? Less than Significant Impact. The proposed Housing Element and associated General Plan and Zoning Code Amendments do not authorize any specific development project or land-altering activity that would involve construction of new housing or any other development project. These amendments will not result in any direct emissions that could contribute to an existing or potential violation of an air quality standard. The Housing Element update would have no effect on rules and procedures governing assessment or control of air pollutant emissions.

The proposed General Plan and Zoning Code Amendments will not directly result in construction of any development or infrastructure; however, future residential development supported by the policies of the updated Housing Element will result in short-term criteria pollutant emissions. Short-term criteria pollutant emissions will occur during site preparation, grading, building construction, paving, and painting activities associated with new development. Emissions will occur from use of equipment, worker, vendor, and hauling trips, and disturbance of onsite soils (fugitive dust). Pursuant to CEQA, short-term, project-specific, construction-related emissions will be analyzed as individual development proposals are submitted. Mitigation will be applied, on a case-by-case basis where necessary. Such mitigation typically includes requirements for use of low-VOC paints, installation of diesel particulate filters on older construction equipment, and limitations on hauling distances and/or daily trips.

To address operational emissions from a typical development project, an air quality modeling analysis is typically performed to determine if a project could regionally or locally cause a violation of any air quality standard. Using the California Emissions Estimator Model (CalEEMod), long-term emissions from the planning area were modeled. Table 6 (Opportunity Sites Proposed Operational Daily Emissions in lbs/day) summarizes the operational daily emissions that could occur from new development from the identified opportunity sites. This reflects a worst-case scenario and does not account for uses currently existing at the Opportunity Sites. There are no established or daily emissions thresholds for program-level environmental analysis. Analysis of program-level air quality impacts are assessed through consistency with the AQMP and identification of policies, regulations, and rules that will reduce pollutant emissions from future development projects. The following emissions summary is provided solely for disclosure purposes.

Table 6
Opportunity Sites Proposed Operational Daily Emissions (lbs/day)

Source	ROG	NO_x	CO	SO₂	PM¹⁰	PM^{2.5}
<i>Summer</i>						
Area Sources	41.18	3.99	293.58	0.65	32.97	32.96
Energy Demand	0.23	1.96	0.84	0.01	0.16	0.16
Mobile Sources	11.82	29.63	137.74	0.67	43.72	12.26
Summer Total	53.24	35.59	432.76	1.33	76.84	45.38
<i>Winter</i>						
Area Sources	41.18	3.99	293.58	0.65	32.97	32.95
Energy Demand	0.23	1.96	0.84	0.01	0.16	0.16
Mobile Sources	12.14	30.94	137.29	0.63	43.72	12.27
Winter Total	53.55	36.90	431.71	1.29	76.84	45.38
Source: MIG Hogle-Ireland 2013						

Based on the modeling data, total operational emissions from new development in the planning area guided by the proposed Housing Element opportunity sites would slightly exceed the threshold for oxides of nitrogen (NOX) during the winter months. This is a worst-case scenario and does not take into account the emissions from current uses on the site that would be removed. It should be noted that the daily thresholds are not intended to be applied to the program-level; however, they do provide a baseline for comparing incremental increases in emissions guided by the program.

Any future proposed development project would also be subject to SCAQMD's rules and regulations. The Cypress General Plan includes goals and policies that require coordination with other agencies and the reduction in automobile emissions. With application of SCAQMD rules and the following General Plan goals and policies, no new or more significant impacts relative to air quality standards would result from implementation of General Plan Amendments than those analyzed in the General Plan EIR. Because the proposed General Plan Amendments are consistent with the AQMP (see Section 16.3.a) and future development projects supported by the General Plan Amendments will be subject to environmental review to ensure that daily criteria pollutant thresholds will not be exceeded, impacts will be less than significant.

General Plan Policies

- Conservation & Open Space Policy 6.1: Cooperate with the South Coast Air Quality Management District and Southern California Association of Governments in their efforts to implement the regional Air Quality Management Plan.
- Conservation & Open Space Policy 6.2: Cooperate and participate in regional air quality management and planning, programs and enforcement measures.
- Conservation & Open Space Policy 6.3: Implement City-wide traffic flow improvements.
- Conservation & Open Space Policy 6.4: Achieve a greater balance between jobs and housing in San Juan Capistrano.
- Conservation & Open Space Policy 6.5: Integrate air quality planning with land use and transportation planning.
- Conservation & Open Space Policy 6.6: Promote energy conservation and recycling by the public and private sectors.

c) 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 (including releasing emissions

which exceed quantitative thresholds for ozone precursors)? **Less than Significant Impact.** The SCAQMD has prepared an Air Quality Management Plan to set forth a comprehensive and integrated program that will lead the Basin into compliance with the federal 24-hour PM_{2.5} air quality standard, and to provide an update to the SCAQMD's commitments toward meeting the federal 8-hour ozone standards. The Basin is currently in non-attainment for state and federal criteria pollutants ozone, nitrogen dioxide, and fine particulate matter (PM_{2.5} and PM₁₀).

New development facilitated by the Housing Element update will be required to comply with SCAQMD rules and regulations aimed at reducing construction-related pollutant emissions, including fugitive dust and other particulates, as well as organic compounds and other ozone precursors found in paints and other coatings. Considering that the proposed General Plan and Zoning Code amendments are consistent with the development projections of the San Juan Capistrano General Plan and the breadth of existing standards and regulations, implementation of the proposed housing policies of the Housing Element update would not change or otherwise interfere with the regional pollutant control strategies of the AQMP. The project's impact on cumulative levels of regional ozone or particulates is therefore less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations? **Less than Significant Impact.** Common sensitive receptors include children under age 14, the elderly over age 65, athletes, and people with cardiovascular and chronic respiratory diseases. The project promotes development of housing that could likely accommodate children and the elderly; however, adoption of the Housing Element update does not authorize construction or redevelopment of any specific housing units. The proposed General Plan and Zoning Code amendments do change residential land use designations by increasing the maximum residential density to thirty dwelling units per acre. However, the proposed amendments do not propose or anticipate any specific development proposals or infrastructure construction. Through its standard development review process that includes review pursuant to CEQA statutes and guidelines, the City will ensure that any future development projects developed pursuant to proposed General Plan policies and programs provide adequate protection for residents from any local air pollution sources. Project impacts on sensitive receptors would be less than significant.

e) Create objectionable odors affecting a substantial number of people? **Less than Significant Impact.** Residential land uses typically do not create objectionable odors. No new odor sources would result from adoption of the Housing Element because it does not authorize construction of any specific new housing project or redevelopment of existing housing. Furthermore, the General Plan Amendment would not authorize any relaxation or elimination of current requirements for proper waste storage and disposal for new development projects. Therefore, the potential for the project to create objectionable odors is considered less than significant.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.4 BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the USFWS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 (DFG) or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 the USFWS? Less than Significant with Mitigation Incorporated. When a species is proposed for listing as threatened or endangered under the Endangered Species Act, areas essential to the species conservation must be considered. These areas are known as "critical habitat". Opportunity Site #7 (Ventanas) contains areas identified by the U.S. Fish and Wildlife Service as Critical Habitat for the Endangered Arroyo Toad (*Anaxyrus californicus*).¹³ Predation from introduced aquatic species and the loss of habitat, coupled with habitat modifications due to the establishment of nonnative plants and the manipulation of water levels in many central and southern California streams and rivers led to the federal-listing of the Arroyo Toad as an Endangered Species in 1994. San Juan Creek traverses a portion of Opportunity Site #7 and is designated as a wetland by the USFWS National Wetlands Inventory. Optimal breeding habitat for the toad consists of low-gradient sections of slow-moving streams with shallow pools, nearby sandbars, and adjacent stream terraces. Adult toads are often found on sandy alluvial terraces adjacent to the stream that may be sparsely-to-heavily vegetated with brush and trees.¹⁴ Although a portion of Site #7 is identified as having critical habitat, there is evidence that the sites have been cleared and developed in the past. Little vegetation exists on the site except for portions of the sites adjacent to the creek bed. The Federal Endangered Species Act states that a critical habitat designation does not necessarily restrict further development. Only activities that involve a Federal Permit, license, or funding, and are likely to destroy or adversely modify the area of critical habitat will be affected. There is the potential for the development on the Site to receive Federal Housing and Urban Development funds in the future for the construction of affordable housing. If this funding occurs, the USFWS will coordinate with the Federal funding agency involved and, where appropriate, require private or other landowners to amend their project or incorporate mitigation so that the significant impacts to critical habitat. For projects not subject to Federal requirements, alteration or removal of sensitive on-site habitat could result in significant impacts to the Arroyo toad due to a reduction in habitat and/or harm due to development of the site. To ensure that future

development on Site # 7 does not substantially affect the Arroyo toad or its habitat, Mitigation Measure B1 has been incorporated. Mitigation Measure B1 requires a general biological survey to be performed prior to approval of entitlements to identify any on-site sensitive species and to assess the value of the existing habitat in supporting sensitive species.

No construction projects are proposed as part of the 2014-2021 Housing Element Update, General Plan Amendments, and Zoning Code Amendments. Any future development will be subject to individual CEQA review that will include assessment of any potential impacts to sensitive species and their habitat. The proposed project would, therefore, not have a substantial adverse effect on any species identified as a candidate, sensitive, or special-status species in local or regional plans or by the California Department of Fish and Game or U.S. Fish and Wildlife Service with implementation of existing standards and incorporation of Mitigation Measure B-1.

Mitigation Measure B-1

A biological resources assessment shall be prepared for any development proposal prior to approval of entitlements located on any land within a Critical Habitat designation or identified in the General Plan Environmental Impact Report as riparian habitat. This assessment shall identify the habitat types and quality, identify species occurrence and distribution, determine the specific impacts to biological resources and characterize the biological significance of those impacts, and define measures to avoid, reduce or compensate for any significant impacts attributable to a proposed project. The reduction in impacts may include a redesign of the project. The compensation may include creating and/or preserving in perpetuity equivalent or better quality habitat at a minimum 1:1 ratio, as will be determined through project-specific analysis. The biological resources assessment shall be prepared by a qualified biologist and submitted to the Development Services Director for review/approval in consultation with the biologist and other as appropriate to the project. The biological resources assessment shall be included in the CEQA compliance documentation for all such proposals.

*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 (DFG) or U.S. Fish and Wildlife Service? **Less than Significant with Mitigation Incorporated.*** The majority of San Juan Capistrano is urbanized and previously developed, and has landscaping consisting of non-native, ornamental plants. However, three creeks are located within San Juan Capistrano. Two of the Opportunity Sites are adjacent to creeks. Trabuco Creek traverses the northwestern edge of the Site #5 and is designated as a wetland by the USFWS National Wetlands Inventory. San Juan Creek traverses a portion of Site #7 and is designated as a wetland by the USFWS National Wetlands Inventory.

According to the General Plan EIR, three plant communities exist within San Juan Capistrano that are considered to be sensitive and contain sensitive wildlife: scrub, grasslands and riparian. Coastal sage scrub describes a wide variety of low, scrubby native plant associations that occur on lowland bluffs and hillsides from southern Oregon to Baja California, Mexico. Characteristic species of coastal sage scrub include California sage brush and several species of sage and buckwheat.¹⁵ The coastal sage scrub is a fragmented and dispersed community embedded within a mosaic of other vegetation communities. Sage scrub occurs within pockets throughout the City that are surrounded by grasslands in the southern and western areas, but are isolated among development in the north-central portion of the City.¹⁶ Significant portions of the coastal sage scrub habitat are located within the Natural Community Conservation permanent reserve system. Sage scrub is habitat for the U.S. Fish and Wildlife Service Threatened California gnatcatcher, and thus also receives regulatory protection from the USFWS. Other sensitive species supported by sage scrub expected to occur within the City include Chalcedon checkerspot, Mormon metalmark, Acmon blue, southern California rufous-crowned sparrow, coastal cactus wren, Bell's sage sparrow, San Diego horned lizard, San Diego banded gecko, orange-throated whiptail, coastal whiptail, northern red diamond rattlesnake, pallid bat, California mastiff bat, northwestern San Diego pocket mouse, San Diego desert woodrat, San Diego black-tailed jackrabbit, and mountain lion.¹⁷

Grasslands are present on a large portion of the remaining vacant land within the City. Local grasslands are typically dominated by non-native grasses and forbs; however, pockets of grasslands containing native bunchgrasses and annual wildflowers are considered to be sensitive. Sensitive species likely to occur in grassland habitat include the California ringlet, rural/farmer skipper, San Diego horned lizard, northern harrier,

white-tailed kite, California horned lark, grasshopper sparrow, San Diego black-tailed jackrabbit, and American badger.

Riparian habitat exists along the City's three major creeks: San Juan Creek, Trabuco Creek and Oso Creek. Species that are likely to be found within the City's riparian habitat include: least Bell's vireo, yellow warbler, yellow breasted chat, downy woodpecker, coast range newt, western spadefoot toad, southwestern arroyo toad, southwestern pond turtle, California legless lizard, two-striped garter snake, San Diego ringneck snake, Cooper's hawk, red-shouldered hawk, tri-colored blackbird, western tiger swallowtail, mourning cloak, and Lorquin's admiral.

Although portions of Sites #5 and #7 are designated wetlands with associated riparian habitat, there is evidence that the sites have been cleared and developed in the past. No construction projects are proposed as part of the 2014-2021 Housing Element Update, General Plan Amendments, and Zoning Code Amendments. Any future development will be subject to individual CEQA review that will require assessment of potential impacts to biological resources, including riparian habitat that could support sensitive species. To ensure that future development on Site # 5 and Site # 7 does not substantially affect sensitive riparian habitat, Mitigation Measure B-1 has been incorporated. Mitigation Measure B1 requires a general biological survey to be performed prior to approval of entitlements to identify any on-site sensitive species and to assess the value of the existing habitat in supporting sensitive species. Impacts to riparian habitat will be less than significant with mitigation incorporated.

*c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? **Less than Significant Impact.*** According to the Federal National Wetlands Inventory, wetlands within San Juan Capistrano exist primarily along San Juan Creek, Trabuco Creek and Oso Creek. Trabuco Creek traverses the eastern portion of Site #5 (The Groves) and is designated as a wetland by the USFWS National Wetlands Inventory. San Juan Creek traverses the eastern portion of Site #7 (Ventanas) and is designated as a wetland by the USFWS National Wetlands Inventory. Impacts to Section 404 wetlands from potential future housing development constructed pursuant to the policies of the proposed Housing Element could occur if future housing projects interrupt or otherwise alter on-site wetlands.

Section 401 of the CWA requires an applicant to obtain certification for any activity that may result in a discharge of a pollutant into waters of the United States. As a result, proposed fill in waters and wetlands requires coordination with the appropriate State Regional Water Quality Control Board (RWQCB) that administers Section 401 and provides certification. The RWQCB also plays a role in review of water quality and wetland issues, including avoidance and minimization of impacts. Section 401 certification is required prior to the issuance of a Section 404 permit, as discussed below.

Under Section 404 of the CWA the U.S. Army Corps of Engineers (ACOE) has jurisdiction over *Wetlands and Waters of the United States*. Permitting of activities that could discharge fill or dredge materials or otherwise adversely modify wetlands or other waters of the United States and associated habitat is required. Permits authorized by ACOE under the Act typically involve mitigation to offset unavoidable impacts on wetlands and other waters of the United States in a manner that achieves no net loss of wetland acres or values.

The California Department of Fish and Wildlife (CDFW), through provisions of the Fish and Game Code Sections 1600-1603, is empowered to issue agreements (Streambed Alteration Agreements) for projects that would "divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake" (Fish and Game Code Section 1602[a]). Streams and rivers are defined by the presence of a channel bed, banks, and intermittent flow. The limits of CDFW jurisdiction are also based on riparian habitat and may include wetland areas that do not meet US Army Corps of Engineers (ACOE) criteria for soils and/or hydrology (e.g., where riparian woodland canopy extends beyond the banks of a stream away from frequently saturated soils).

Future housing development will be subject to environmental review pursuant to CEQA and the City's local development review procedures. This includes assessment of biological resources. Any project impacts streams or wetlands are subject to Federal Section 401 and/or 404 permitting and State Section 1600 stream

alteration requirements. These regulations require identification and mapping of any wetland resources and implementation of appropriate mitigation as discussed above to ensure no net loss of wetland area or values. Implementation of existing regulations will ensure that impacts to wetlands are less than significant.

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?

Less than Significant Impact. Based on Natural Community Conservation Planning surveys, biologists believe that a number of species, including the California gnatcatcher, coyote, fox, and others use the Trabuco and Oso Creeks and adjacent lands as corridors for movement between the Coastal and Southern Subregional NCCP open space areas. Despite alterations, San Juan Creek also provides connectivity from eastern off-site habitat areas to the southern San Juan Capistrano grasslands and scrub areas.¹⁸ Trabuco Creek traverses the east side of Site #5 (The Groves). Future development would not be authorized to disrupt the hydrologic function of any waterway pursuant to local, state, and federal laws prohibiting loss or alteration of these resources; therefore, movement of wildlife and aquatic species through local riparian corridors would not be substantially impacted by future housing development. Impacts will be less than significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy/ordinance? **No Impact.** The San Juan Capistrano General Plan Conservation and Open Space Element contains policies intended to protect biological resources. Implementation of the proposed Housing Element and land uses changes would not authorize construction. Any future projects will be subject to individual CEQA review. Adherence to the following General Plan policies will reduce impacts to biological resources.

General Plan Policies

Conservation & Open Space Policy 2.1: Use proper land use planning to reduce the impact of urban development on important ecological and biological resources.

Conservation & Open Space Policy 2.2: Preserve important ecological and biological resources as open space.

Conservation & Open Space Policy 2.3: Develop open space uses in an ecologically sensitive manner.

Conservation & Open Space Policy 2.4: Continue to designate the City as a bird sanctuary to preserve and protect the populations of all migratory birds which serve as a prime resource to the character and history of the community.

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? **No Impact.** San Juan Capistrano lies on the border of both the Coastal and Southern Subregions of the Orange County Natural Community Conservation Plan and Habitat Conservation Planning Area.¹⁹ The planning area for the NCCP covers 208,000 acres and the Reserve System Obligation covers 37,378 acres. The City does not contain Reserve System acreage, thus, the City is not a signatory to the Implementation Agreement for the sub-region.²⁰ Therefore the project would not result in conservation planning impacts.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.5 CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in ' 15064.5 of CEQA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to ' 15064.5 of CEQA?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) Cause a substantial adverse change in the significance of a historical resource as defined in ' 15064.5 of CEQA? *No Impact.* The General Plan Cultural Resources Element identifies areas where historic buildings and structures occur. Site #8 is located within an area that has a high concentration of historic buildings and structures; however, no historic structures exist on the site.²¹ None of the Opportunity Sites are located on a property recognized by the National Register of Historic Places or the State Office of Historic Preservation.²² Therefore, no impact will occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5 of CEQA? *Less than Significant with Mitigation Incorporated.* According to the City of San Juan Capistrano General Plan Cultural Resources Element, much of the City is identified as containing prehistoric and historic archaeological resources.²³ Thus, a majority of the Opportunity Sites are located within areas believed to contain prehistoric and historic archaeological resources. In the unlikely event that archaeological materials are uncovered, Mitigation Measure C-1 is incorporated to ensure that uncovered resources are evaluated, left in place if possible, or curated as recommended by a qualified anthropologist or paleontologist. In addition, General Plan policies require strict adherence to CEQA guidelines where archaeological or paleontological resources may be affected. Impacts to buried cultural resources will be less than significant with mitigation incorporated.

General Plan Policies

Cultural Resources Policy 1.1: Balance the benefits of development with the project's potential impacts to existing cultural resources.

Cultural Resources Policy 1.2: Identify, designate, and protect buildings and sites of historic importance.

Cultural Resources Policy 1.3: Identify funding programs to assist private property owners in the preservation of buildings and sites of historic importance.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? *Less than Significant with Mitigation Incorporated.* Paleontological resources have been uncovered in various portions of the City. The valley area, with its alluvial deposits has less potential to produce fossils, while the older foothills have a higher potential to yield fossils. The Capistrano and Monterey Formations and San Onofre Breccia, mainly located in the eastern foothills of the City, are considered to be of high paleontological importance due to the numerous fossil sites which have been found in these bedrock units.²⁴ The Paleontological sites are abundant in southern Orange County, especially along the coast and in creek areas. In the event that paleontological materials are uncovered, Mitigation Measure C-1 is incorporated to ensure that uncovered resources are evaluated, left in place if possible, or curated as recommended by a qualified anthropologist or paleontologist. Impacts to buried cultural resources will be less than significant with mitigation incorporated.

d) Disturb any human remains, including those interred outside of formal cemeteries? *Less than Significant with Mitigation Incorporated.* No known cemeteries or human burials have been identified in the proposed housing development sites. However, it is possible that unknown human remains could be located in the area, and if proper care is not taken during future housing project construction completed pursuant to Housing Element policy, particularly during excavation activities, damage to or destruction of these unknown remains could occur. To ensure that any such materials or human remains, if found, are properly identified (and the resource recovered, if necessary), before grading or other earthmoving activities proceed in that immediate area, Mitigation Measure C-1 is included. Mitigation Measure C-1 requires compliance with state law for the notification and recovery of buried remains. Impacts to buried remains will be less than significant with mitigation incorporated.

Mitigation Measure C-1:

In the event that subsurface resources are encountered during the course of grading and/or excavation for projects completed pursuant to Housing Element policy, all development shall temporarily cease in these areas until the City of San Juan Capistrano Planning Division is contacted and agrees upon a qualified archaeologist/paleontologist to be brought onto the project site to properly assess the resources and make recommendations for their disposition. In the event that human remains are discovered, there shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. These code provisions require notification of the County Coroner and the Native American Heritage Commission, who in turn must notify those persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. The applicable project applicant shall bear all costs associated with implementing this mitigation measure.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.6 GEOLOGY AND SOILS. Would the project:				
a. Expose people or structures to 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, or based on other substantial evidence of a known fault (Refer to DM&G Pub. 42)?; or, (ii) strong seismic ground shaking?; or, (iii) seismic-related ground failure, including liquefaction?; or, (iv) landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18- 1-B of the 1994 UBC, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Expose people or structures to 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? **Less than Significant Impact.*** The project site is located within the seismically active southern California region and would likely be subjected to groundshaking, thus exposing existing facilities to seismic hazards. No known active seismic faults traverse the City of San Juan Capistrano.²⁵ However, the City is located within 50 miles of several known potential sources of strong shaking, including the offshore segment of the Newport-Inglewood fault system located approximately six miles west of the City and the San Andreas Fault system located approximately 50 miles east of the city. The City is not identified as an Alquist-Priolo Earthquake Fault Zone. Furthermore the *County of Orange General Plan* indicates that the project site is not within an Alquist Priolo Special Study Zone. The General Plan and zoning code amendments do not increase any risks associated with fault rupture, as no land use policy changes are proposed which would allow development where it was not previously permitted, however the amendments will increase development intensities by increasing the maximum residential density. No changes are proposed to General Plan policies in place to protect against earthquake hazards. Future housing development constructed pursuant to Housing Element policy would be subject to all applicable City, state, and local building regulations, including the California Building Code (CBC) seismic standards as approved by the City Building & Safety Division. Impacts would be less than significant.

*ii) Strong seismic ground shaking? **Less than Significant Impact.*** Ground shaking can vary greatly due to the variation in earth properties. The City is subject to strong ground shaking, as is the entirety of Southern California. As discussed above, the City is not located within an Alquist-Priolo Earthquake Fault Zone, and no trace of any known active or potentially active fault passes through the identified Opportunity Sites. However, as with all properties in the seismically active Southern California region, all future projects would be susceptible to ground shaking during a seismic event and could expose persons and structure to potentially medium to strong seismic ground motion. As such, all future projects could result in a potentially significant impact with respect to strong ground shaking. There are several active and potentially active fault zones in the

region that could affect the project site. The faults include the Cristianitos, Laguna Canyon, Shady Canyon, Temple Hill, offshore Newport-Inglewood, offshore Palos Verdes, Elsinore, San Jacinto, and San Andreas.²⁶ A future, site-specific project involving physical development of the property would be required to be in conformance with the Uniform Building Code (UBC), the City's Seismic Hazard Mitigation Ordinance, and other applicable standards. This project will have no impact as no physical improvements are proposed that would alter existing conditions. Nonetheless, as discussed above in Section VI(a)(i), all future projects would be designed and constructed in compliance with all applicable City and state codes and requirements, including those established in the California Code of Regulations, Title 24, Part 2, Volume 2. The CBC regulations are designed to protect building occupants and limit the damage sustained by buildings during seismic events. The General Plan Safety Element identifies seismicity as a key safety issue and contains the following goals and policies to reduce seismic hazards within the City. In addition, a soil investigation report is required as a condition of approval of the General Plan EIR. Therefore, impacts will be less than significant.

General Plan Policies

Safety Element Policy 1.1: Reduce the risk of impacts from geologic and seismic hazards by applying proper development engineering, building construction, and retrofitting requirements.

*iii) Seismic-related ground failure, including liquefaction? **Less than Significant Impact.*** Liquefaction is a phenomenon that occurs when soil undergoes transformation from a solid state to a liquefied condition due to the effects of increased pore-water pressure. This typically occurs where susceptible soils (particularly the medium sand to silt range) are located over a high groundwater table. Affected soils lose all strength during liquefaction and foundation failure can occur.

A large portion of the City is susceptible possible ground failure due to liquefaction hazards.²⁷ The potential for liquefaction is particularly high in the floodways located downstream of the confluence of San Juan Creek and Trabuco Creek.²⁸ The City recognizes the potential impacts to housing and has included Policy 1.1 within the General Plan Safety Element (listed above). These policies require the review of soils and geologic conditions for liquefaction potential. The City's Seismic Hazard Mitigation Ordinance contains requirements for structural design of new development and redevelopment to minimize structural damage from earthquakes and their secondary effects, such as liquefaction.

Areas subject to liquefaction are noted in Figure S-1 (Geologic Hazards Map) in the General Plan Safety Element. The proposed opportunity sites are located in areas identified by the General Plan as having the potential for liquefaction. However, appropriate measures that reduce the ground-shaking and liquefaction effects of earthquakes are identified in the California Building Code, including specific provisions for seismic design of structures. The project does not itself involve new construction in any area of the City. All future development projects will be subject to the City's standard environmental review process for evaluation of liquefaction potential and other geologic hazards. Considering implementation of existing policies and standards, impacts associated with liquefaction or other ground failure will be less than significant.

*iv) Landslides? **Less than Significant Impact.*** Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. In general, landslides are abundant in areas underlain by shale and siltstone bedrock materials. The bedrock units most susceptible to landsliding are the Capistrano (Tc) and Monterey (Tm) formations. The Capistrano Formation comprises much of the City's hillside slopes. Several of the Opportunity Sites are within a known or highly suspected landslide area.^{29 30} Successful development in portions of the City subject to landslides requires detailed engineering analysis and continuous inspection during construction. During review of development and redevelopment proposals, the City requires surveys of geological conditions by state licensed engineering geologists and civil engineers when appropriate. Impacts will be less than significant with implementation of existing regulations and City review processes.

*b) Result in substantial soil erosion or the loss of topsoil? **Less than Significant Impact.*** Topsoil is used to cover surface areas for the establishment and maintenance of vegetation due to its high concentrations of organic matter and microorganisms. The project does not propose or authorize any particular housing development, infrastructure project, or other development activity. Little, if any, native topsoil is likely to occur

at any of the Opportunity Sites since the area has historically been developed. Furthermore, the project does not propose or authorize any particular housing development or any construction. The project does propose General Plan and Municipal Code amendments to increase the maximum residential density and to update the Density Bonus Program. All future development projects are subject to environmental and engineering review, including assessment and mitigation of soil erosion. During construction activities of housing proposed pursuant to Housing Element policy, there is the potential to expose surficial soils to wind and water erosion during construction activities. Wind erosion is required to be minimized through soil stabilization measures required by South Coast Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust), such as daily watering. Water erosion will be prevented through the City's standard erosion control practices required pursuant to the California Building Code and the National Pollution Discharge Elimination System (NPDES), such as silt fencing or sandbags. Impacts related to soil erosion would be less than significant with implementation of existing regulations.

*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? **Less than Significant Impact.*** Liquefaction and seismically induced settlement or ground failure are generally associated with strong seismic shaking in areas where ground water tables are at relatively shallow depths (within 50 feet of the ground surface) and/or when the area is underlain by loose, cohesionless deposits. During a strong ground shaking event, saturated, cohesionless soils may acquire a degree of mobility to the extent that the overlying ground surface distorts. In extreme cases, saturated soils become suspended in groundwater and become fluid-like. Seismic settlement often occurs when loose to medium dense granular soils settle during ground shaking, and can cause structural damage to buildings when settlement is non-uniform. Such ground settlement hazards may be identified by on-site geologic investigations that are required of individual developments. No subsidence has been reported within San Juan Capistrano.

General Plan Safety Element Policy 1.1 listed above and the CBC requires all new development to have a site-specific geology report prepared by a registered geologist or soils expert and submitted to the City, which would ensure impacts related to expansive soils would be evaluated on a project-by-project basis and mitigated as necessary. Compliance with the goals and policies of the General Plan and the Building Code would ensure potential impacts would be reduced to a less than significant level.

*d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property? **Less than Significant Impact.*** Expansion and contraction of volume can occur when expansive soils undergo alternating cycles of wetting (swelling) and drying (shrinking). During these cycles, the volume of the soil changes markedly, and can cause structural damage to building and infrastructure if the potentially expansive soils were not considered in project design and construction. Compaction of loose soils and poorly consolidated alluvium occur as a result of strong seismic shaking. The amount of compaction may vary from a few inches to several feet and may be significant in areas of thick soil cover. Topsoil, recent alluvium and weathered bedrock are typically porous and may be subject to hydro-collapse; therefore, these materials can be considered unsuitable for the support of engineered fills and structures. The soils of the Monterey and Capistrano formations are considered moderately to highly expansive, thus expansive soils are considered a hazard in San Juan Capistrano.^{31 32} The CBC requires that a soil and geological report be prepared for any development, including future potential housing. Presence of expansive soils and identification of measures to eliminate this constraint (such as removal and replacement with suitable engineered materials) will be determined through site-specific geotechnical evaluations to be conducted as part of the City's routine development review procedures. Such routine procedures will apply to all future development projects. As such, potential impacts associated with expansive soils would be less than significant.

*e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? **No Impact.*** San Juan Capistrano is served by a fully functional sewer system. No septic systems will be utilized in future development. No impact could occur.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.7 GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? *Less than Significant Impact.* Climate change is the distinct change in measures of climate for a long period of time. Climate change is the result of numerous, cumulative sources of greenhouse gas emissions all over the world. Natural changes in climate can be caused by indirect processes such as changes in the Earth’s orbit around the Sun or direct changes within the climate system itself (i.e. changes in ocean circulation). Human activities can affect the atmosphere through emissions of greenhouse gases (GHG) and changes to the planet’s surface. Human activities that produce GHGs are the burning of fossil fuels (coal, oil and natural gas for heating and electricity, gasoline and diesel for transportation); methane from landfill wastes and raising livestock, deforestation activities; and some agricultural practices.

Greenhouse gases differ from other emissions in that they contribute to the “greenhouse effect.” The greenhouse effect is a natural occurrence that helps regulate the temperature of the planet. The majority of radiation from the Sun hits the Earth’s surface and warms it. The surface in turn radiates heat back towards the atmosphere, known as infrared radiation. Gases and clouds in the atmosphere trap and prevent some of this heat from escaping back into space and re-radiate it in all directions. This process is essential to supporting life on Earth because it warms the planet by approximately 60° Fahrenheit. Emissions from human activities since the beginning of the industrial revolution (approximately 250 years ago) are adding to the natural greenhouse effect by increasing the gases in the atmosphere that trap heat, thereby contributing to an average increase in the Earth’s temperature. Greenhouse gases occur naturally and from human activities. Greenhouse gases produced by human activities include carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF6). Since 1750, it is estimated that the concentrations of carbon dioxide, methane, and nitrous oxide in the atmosphere have increased over 36 percent, 148 percent, and 18 percent, respectively, primarily due to human activity. Emissions of greenhouse gases affect the atmosphere directly by changing its chemical composition while changes to the land surface indirectly affect the atmosphere by changing the way the Earth absorbs gases from the atmosphere.

No new development is associated with the General Plan Amendments proposed to address AB 162. As such, these amendments would not generate greenhouse gas emissions either directly or indirectly.

GHG emissions for the build-out of housing units facilitated by the Housing Element were quantified utilizing the California Emissions Estimator Model (CalEEMod) version 2011.1.1 to determine if the project could have a cumulatively considerable impact related to greenhouse gas emissions. A numerical threshold for determining the significance of greenhouse gas emissions in the South Coast Air Basin has not officially been adopted by the SCAQMD. Individual projects may be required to have a greenhouse gas emissions inventory, prepared to determine if individual projects exceed applicable screening or impact thresholds and would thus potentially contribute substantially to climate change and associated impacts. A summary of short- and long-term emissions and the analysis for each are included below.

Short-Term Emissions

Future development projects will result in short-term greenhouse gas emissions from construction. Greenhouse gas emissions will be released by equipment used for demolition, grading, paving, and other building construction activities. GHG emissions will also result from worker and vendor trips to and from

project sites and from demolition and soil hauling trips. Construction activities are short-term and cease to emit greenhouse gases upon completion, unlike operational emissions that are continuous year after year until operation of the use ceases. Because of this difference, SCAQMD recommends that construction emissions be amortized over a 30-year operational lifetime. This normalizes construction emissions so that they can be grouped with operational emissions in order to generate a precise project GHG inventory.

Typically, construction-related GHG emissions contribute insubstantially (less than one percent) to a project's annual greenhouse gas emissions inventory and mitigation is not effective in reducing a project's overall contribution to climate change. Implementation of AB32 and SB375 through California Air Resources Board's (ARB) Scoping Plan and SCAG's RTP/SCS are designed to achieve the required reduction in greenhouse gas emissions, as is further discussed in Section 16.7.b. With the cooperation and support of these plans, short-term climate change impacts due to future construction activities will be less than significant.

Long-Term Emissions

Future development projects will result in continuous GHG emissions from mobile, area, and other operational sources. Mobile sources, including vehicle trips to and from development projects, will result primarily in emissions of CO₂, with minor emissions of CH₄ and N₂O. The most significant GHG emission from natural gas usage will be methane. Electricity usage by future development and indirect usage of electricity for water and wastewater conveyance will result primarily in emissions of carbon dioxide. Disposal of solid waste will result in emissions of methane from the decomposition of waste at landfills coupled with CO₂ emission from the handling and transport of solid waste. These sources combine to define the long-term greenhouse gas inventory for typical development projects.

Table 7 (Opportunity Sites Proposed Greenhouse Gas Emissions Inventory) summarizes annual operational impacts from maximum allowed development on the identified Opportunity Sites. This represents a worst-case scenario and does not account for uses currently in operation at the Opportunity Sites. There is no adopted threshold promulgated by SCAQMD or CARB for assessment of program-level GHG emissions. Analysis of program-level climate change impacts are assessed through consistency with state and regional greenhouse gas emissions reduction plans and identification of policies, regulations, and rules that will reduce pollutant emissions from future development projects. Consistency analysis with state and regional greenhouse gas emissions reductions plans is provided in Section 16.7.b.

Table 7
Opportunity Sites Proposed Greenhouse Gas Emissions Inventory

Source	GHG Emissions (MT/YR)			
	CO ₂	CH ₄	N ₂ O	TOTAL*
Area	242.01	0.31	0.0032	249.49
Energy	1,261.06	0.047	0.02	1,266.89
Mobile	6,969.89	0.18	0.00	6,973.70
Waste	81.26	4.80	0.00	182.12
Water	319.91	0.50	0.04	343.84
GRAND TOTAL	8,874.13	5.84	0.06	9,016.04

Source: MIG|Hogle-Ireland 2013

* MTCO₂E/YR

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? *No Impact.* Significant impacts would occur if the proposed project conflicted with or interfered with implementation of any existing GHG reduction plan that is projected to achieve greenhouse gas reduction targets. The two primary reduction plans are California Air Resources Board (CARB) Scoping Plan and SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), as discussed below.

California Air Resources Board Scoping Plan (AB32)

The CARB Scoping Plan is the comprehensive plan to reach the GHG reduction targets stipulated in AB32. The key elements of the plan are to expand and strengthen energy efficiency programs, achieve a statewide renewable energy mix of 33 percent, develop a cap-and-trade program with other partners in the Western

Climate Initiative (includes seven states in the United States and four territories in Canada), establish transportation-related targets, and establish fees. CARB estimates that implementation of these measures will reduce GHG emissions in the state by 136 MMTCO₂E by 2020; therefore, implementation of the Scoping Plan will meet the 2020 reduction target of 80 MMTCO₂E, which is a reduction of 27 percent compared to the projected business as usual 507 MMTCO₂E.

Many of the strategies identified in the Scoping Plan are not applicable at the General Plan or project level, such as long-term technological improvements to reduce emissions from vehicles. Some measures are applicable and supported by the project, such as provision of mixed-use developments. Finally, while some measures are not directly applicable, the project would not conflict with their implementation. Reduction measures are grouped into 18 action categories, as follows:

1. **California Cap-and-Trade Program Linked to Western Climate Initiative Partner Jurisdictions.** Implement a broad-based California cap-and-trade program to provide a firm limit on emissions. Link the California cap-and-trade program with other Western Climate Initiative Partner programs to create a regional market system to achieve greater environmental and economic benefits for California. Ensure California's program meets all applicable AB 32 requirements for market-based mechanisms. These programs involve capping emissions from electricity generation, industrial facilities, and broad scoped fuels. The project does not involve any such uses.

2. **California Light-Duty Vehicle Greenhouse Gas Standards.** Implement adopted Pavley standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals. This is not applicable as this is a statewide measure establishing vehicle emissions standards.

3. **Energy Efficiency.** Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned utilities). The City's General Plan and proposed Housing Element promotes energy efficient building design, as well as implementation of existing building and other codes regulating minimum energy, water, and waste efficiency consistent with 2011 CALGREEN requirements and would thus be consistent and not interfere with this program.

4. **Renewables Portfolio Standards.** Achieve 33 percent renewable energy mix statewide by 2020. This establishes the minimum statewide renewable energy mix and is not applicable at a City level or below for implementation. The proposed General Plan Amendments would not interfere with the implementation of this program.

5. **Low Carbon Fuel Standard.** Develop and adopt the Low Carbon Fuel Standard. This is not applicable to a City as this establishes reduced carbon intensity of transportation fuels.

6. **Regional Transportation-Related Greenhouse Gas Targets.** Develop regional greenhouse gas emissions reduction targets for passenger vehicles. As is detailed below, the proposed General Plan Amendments would not potentially conflict with and would support the implementation of SCAG's RTP/SCS to achieve the required GHG reduction goals by 2020 and 2035 based on consistency with growth projections. The existing General Plan includes policies to reduce vehicle miles traveled by encouraging mixed-use, infill, and improved jobs-housing balance, and alternative modes of transportation.

7. **Vehicle Efficiency Measures.** Implement light-duty vehicle efficiency measures. This is not applicable to a city as this identifies measures such as minimum tire-fuel efficiency, lower friction oil, and reduction in air conditioning use.

8. **Goods Movement.** Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities. Identifies measures to improve goods movement efficiencies such as advanced combustion strategies, friction reduction, waste heat recovery, and electrification of accessories. The proposed General Plan Amendments will not result in the development of uses that will involve the movement of goods and therefore would not interfere with eventual implementation.

9. **Million Solar Roofs Program.** Install 3,000 megawatts of solar-electric capacity under California's existing solar programs. Sets goal for use of solar systems throughout the state. The proposed General Plan Amendments would not interfere with but instead would directly support installation of alternative energy sources through existing General Plan policies and programs.

10. **Medium- and Heavy-Duty Vehicles.** Adopt medium-duty (MD) and heavy-duty (HD) vehicle efficiencies. Aerodynamic efficiency measures for HD trucks pulling trailers 53-feet or longer that include improvements in trailer aerodynamics and use of rolling resistance tires were adopted in 2008 and went into effect in 2010. Future, yet to be determined improvements, includes hybridization of MD and HD trucks. The proposed Housing Element would not directly result in development of industrial uses. In addition, this type of development would be required to have their fleet equipment be consistent with the current applicable efficiency measures at the time of operation. The proposed General Plan Amendments would not interfere with implementation of this program.

11. **Industrial Emissions.** Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce greenhouse gas emissions and provide other pollution reduction co-benefits. Reduce greenhouse gas emissions from fugitive emissions from oil and gas extraction and gas transmission. Adopt and implement regulations to control fugitive methane emissions and reduce flaring at refineries. These measures are applicable to large industrial facilities (> 500,000 MTCO₂E/YR) and other intensive uses such as refineries. While it is unlikely that a qualifying heavy industrial facility such as these would be located in the City, if one were, it would be subject to these state requirements; the proposed General Plan Amendments would not interfere with implementation.

12. **High Speed Rail.** Support implementation of a high speed rail system. This is not applicable as the General Plan Amendments have no bearing on high speed rail facilities.

13. **Green Building Strategy.** Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. The existing General Plan and proposed Housing Element promotes energy efficient building design as well as implementation of existing building and other codes regulating minimum energy, water, and waste efficiency consistent with 2011 CALGREEN requirements and would thus be consistent and not interfere with this program. General Plan Amendments to comply with AB 162 do not pertain to new building projects or building strategies and would not interfere with any green building programs.

14. **High Global Warming Potential Gases.** Adopt measures to reduce high global warming potential gases. The proposed General Plan Amendments would not directly result in generation of high global warming potential gases, and would not interfere with implementation of any future changes in air conditioning, fire protection suppressant, or other emission requirements.

15. **Recycling and Waste.** Reduce methane emissions at landfills. Increase waste diversion, composting and other beneficial uses of organic materials, and mandate commercial recycling to move toward zero-waste. The proposed Housing Element is consistent since implementing housing development will be required to recycle a minimum of 50 percent from construction activities per state requirements. General Plan Amendments to comply with AB 162 do not permit any specific new development to occur and thus would not interfere with any recycling and waste-reduction programs.

16. **Sustainable Forests.** Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation. The 2020 target for carbon sequestration is 5 million MTCO₂E/YR. This is not applicable as the City does not contain any areas defined as forest.

17. **Water.** Continue efficiency programs and use cleaner energy sources to move and treat water. The proposed Housing Element is consistent since implementing development will include use of low-flow fixtures and water efficient landscaping per state requirements. General Plan Amendments to comply with AB 162 do not pertain to new building projects or building strategies and thus would not interfere with any water conservation programs.

18. **Agriculture.** In the near-term, encourage investment in manure digesters and at the five-year Scoping Plan update determine if the program should be made mandatory by 2020. The City does not contain any agricultural land use designations, and any policies related to agriculture land uses would not be applicable.

As summarized above, the proposed General Plan Amendments will not potentially conflict with Regional Transportation-Related GHG targets and would not conflict with any of the other provisions of the Scoping Plan. The existing General Plan and proposed General Plan Amendments in fact support four of the action categories through energy efficiency, green building, recycling/waste, and water conservation through these proposed and current policies.

Regional Transportation Plan/Sustainable Communities Strategy (SB375)

The 2012 Regional Transportation Plan/Sustainable Communities Strategy and the goals, policies, and programs included within it are projected to obtain and exceed applicable GHG reduction targets of eight percent by 2020 and 13 percent by 2035. Projected reductions by the RTP/SCS are nine percent by 2020 and 16 percent by 2035. Ultimately, the RTP/SCS is keyed to implement the requirements of AB32 at the regional level. For a program-level analysis, if the proposed General Plan Amendments are consistent with the assumptions of the RTP/SCS, then long-term development within the planning area will meet regional reduction targets. Furthermore, long-term development would meet the broader statewide reduction goals of 1990 levels by 2020 and 80 percent beyond that by 2050. The proposed General Plan Amendments would, therefore, not contribute substantially to climate change impacts if they are consistent with the regional and statewide climate change planning efforts.

As assumed in the RTP/SCS, based on current City boundaries, San Juan Capistrano is forecast to grow to a total population of 38,100 by 2020 and 37,800 by 2035. Build-out of the General Plan would result in a population of 38,520 persons, slightly higher than that estimated by SCAG. The projected growth is generally consistent. In addition, the proposed Housing Element and opportunity sites are projected to meet the City's allocated RHNA. Therefore, by providing sites to accommodate the RHNA, the Housing Element is contributing short-term towards consistency with long-term growth projections and the RTP/SCS. Therefore, the existing General Plan and proposed Housing Element is consistent with the population growth forecasts of the RTP/SCS because it does provide the capacity for residential development to accommodate the projected population growth and not direct growth elsewhere, which would interfere with implementation of the RTP/SCS.

The Housing Element includes a section discussing potential energy conservation opportunities, including the encouragement of "green buildings" that are designed/renovate/re-used/operated in a manner that enhances resource efficiency. The Housing Element also encourages the use of energy conservation devices and maximum utilization of federal, state and local government programs including the Orange County Home Weatherization Program. These programs are intended to help homeowners implement energy conservation measures. Additionally, Southern California Edison offers various rebate programs for energy efficient appliances and makes available to residents energy efficient kits at no cost. Housing implementation programs include efforts to promote energy efficiency improvements to households, as well as energy efficient housing design and practices in City ordinances. No impact will occur.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.8 HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? **No Impact.** The San Juan Capistrano 2014-2021 Housing Element is a policy document intended to facilitate maintenance of the existing housing stock and production of new housing to meet the targeted housing needs of the community. Residential development does not require and is not expected to require the manufacturing, use, transportation, disposal, or storage of dangerous quantities of hazardous materials. Residential uses do not generate hazardous wastes or emissions, except for very small quantities of typical household cleaning agents, automotive maintenance products, paints, pesticides, and herbicides. The proposed Housing Element, General Plan Amendments, and Zoning Code Amendments would not conflict with any hazardous materials regulations and would not exempt any future development from the City's programs to control and safely dispose of hazardous materials and wastes or to reduce the volume of wastes requiring landfill disposal. Thus, no impact will result.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? **Less than Significant Impact.** Upon completion of construction, future residential development that may be facilitated by this Housing Element update would not generate hazardous air emissions, and would not involve the handling of any acutely hazardous substances or wastes. Thus, the updated Housing Element would not result in impacts related to the presence of any hazardous materials or emissions within a quarter mile of a school. The proposed General Plan and Zoning Code Amendments do not revise any General Plan policies and are limited to updating the Housing Element and Density Bonus Program, renaming a zoning district and land use designation while increasing the maximum density, and rezoning three site. These updates and amendments

do not propose or anticipate any specific development proposals or infrastructure construction. Therefore, these amendments will not result in any impacts that were not addressed in the General Plan EIR.

With regard to construction, due to the majority of the City being developed, housing development pursuant to Housing Element policy will likely involve demolition of existing structures. SCAQMD Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities) requires work practices that limit asbestos emissions from building demolition and renovation activities, including the removal and disturbance of asbestos containing materials (ACM). This rule is generally designed to protect uses and persons adjacent to demolition or renovation activity from exposure to asbestos emissions. Rule 1403 requires surveys of any facility being demolished or renovated for the presence of all friable and Class I and Class II non-friable ACM. Rule 1403 also establishes notification procedures, removal procedures, handling operations, and warning label requirements, including HEPA filtration, the glovebag method, wetting, and some methods of dry removal that must be implemented when disturbing appreciable amounts of ACM (more than 100 square feet of surface area). All future housing developments will be subject to the City's standard environmental review process for evaluation of hazards. Considering implementation of existing policies and standards, impacts associated with asbestos hazards will be less than significant.

Exposure of construction workers to lead-based paint during demolition activities is also of concern, similar to exposure to asbestos. Exposure of surrounding land uses to lead from demolition activities is generally not a concern because demolition activities do not result in appreciable emissions of lead. If lead contamination exists on future housing sites, 8 CCR Section 1532.1 (California Construction Safety Orders for Lead) is applicable to the demolition of all existing structures requiring exposure assessment and compliance measures to keep worker exposure below action levels. The project is also subject to Title 22 requirements for the disposal of solid waste contaminated with excessive levels of lead. Impacts due to lead exposure and contamination will be less than significant with adherence to existing regulations.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? *Less than Significant Impact.* No specific new development is associated with the Housing Element Update, Density Bonus Program Update and the associated General Plan and Zoning Code Amendments. There are three schools located within ¼-mile of the Opportunity Sites: San Juan Elementary School (31642 El Camino Real), San Juan Hills High School (29211 Vista Montana) and J. Serra High School (31422 Camino Capistrano). Residential development does not require and is not expected to require the manufacturing, use, transportation, disposal, or storage of dangerous quantities of hazardous materials. As discussed in Section 16.8 b), existing regulations address potential off-site construction-related hazards associated with demolition of the existing onsite structures. Impact will be less than significant with implementation of existing regulations listed in Section 16.8 b).

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? *Less than Significant Impact.* According to the databases maintained as the Cortese List, the Opportunity Sites identified in the Housing Element update are not:

- listed as a hazardous waste and substance site by the Department of Toxic Substances Control (DTSC),³³
- listed as a hazardous solid waste disposal site by the SWRCB and CalEPA,³⁴
- currently subject to a Cease and Desist Order (CDO) or a Cleanup and Abatement Order (CAO) as issued by the SWRCB,³⁵ or
- developed with a hazardous waste facility subject to corrective action by the DTSC.³⁶

There are three open leaking underground storage tank cleanup sites listed by the State Water Resources Control Board (SWRCB) in the vicinity of the Opportunity Sites. However, no open LUST sites exist on any of the Opportunity Sites. Since these are open cases, they are already in the process of remediating the existing hazards identified and would diminish any potential impacts to future residential development in the area.³⁷

Open LUST Cleanup Sites

Chevron #9-3417 (T0605902379)

32009 Camino Capistrano
LUST Cleanup Site
Cleanup Status: Open-Verification Monitoring as of 1/15/13

Ultramar/San Juan Service (T0605902555)
26572 Junipero Serra
LUST Cleanup Site
Cleanup Status: Open-Site Assessment as of 2/19/99

Capistrano Car Wash (T0605999189)
32841 Camino Capistrano
LUST Cleanup Site
Cleanup Status: Open-Site Assessment as of 6/1/00

Any future development will be subject to the City's standard environmental review that will include identification of any contaminated site possibly not already identified and implementation of appropriate cleanup and disposal procedures; therefore, less than significant impacts related to contaminated sites will occur. This is consistent with the policies of the General Plan Safety Element. The Updated Housing Element and associated amendments propose no changes to these safety measures. Impacts will be less than significant.

General Plan Policies

Safety Element Policy 2.3: Cooperate with responsible federal, state, and county agencies, to minimize the risk to the community from the use and transportation of hazardous materials through the City.

*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 for people residing or working in the project area? **No Impact.*** There are no public airports or private airstrips within two miles of the Opportunity Sites. San Juan Capistrano is not located within an airport planning area or airport environs land use plan.³⁸ The closest airport to San Juan Capistrano is John Wayne-Orange County Airport located approximately twelve miles northwest of the City. No specific new development is associated with the General Plan Amendments, and no changes to safety policies related to air traffic are proposed. No impacts will occur.

*f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? **No Impact.*** There are no private airstrips within the City of San Juan Capistrano. There will be no impact.^{39 40}

*g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? **Less than Significant Impacts.*** The General Plan Amendments will not change or interfere with the emergency response plans of the City and the project components do not propose any alteration to vehicle circulation routes that could interfere with such plans. In accordance with City policies, the City will review all development proposals to determine the possible impacts of each development on emergency services. Impacts will be less than significant.

*h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? **No Impact.*** Portions of the City are identified by the Department of Forestry and Fire Protection as Very High Fire Hazard Severity Zones. According to the Fire Hazard Severity Zone Map for the San Juan Capistrano, Opportunity Site #6 is located within a Very High Fire Hazard Severity Zone.⁴¹

General Plan Policies

Safety Element Policy 1.3: Reduce the risk of wildfire hazards by requiring fire retardant landscaping and project design for development located in areas of high wildfire risk.

Safety Element Policy 1.4: Reduce the risk of fire to the c community by coordinating with the Orange County Fire Authority.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.9 HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. Result in significant alternation of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Could the proposed project result in increased erosion downstream?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
n. Result in increased impervious surfaces and associated increased runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
s. Have a potentially significant adverse impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
u. Impact aquatic, wetland, or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Potentially impact stormwater runoff from construction or post construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
w. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
x. Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
y. Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
z. Create significant increases in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Violate any water quality standards or waste discharge requirements? *Less than Significant Impact.*

The project is a policy document that facilitates the production of housing, updates the Density Bonus Program, changes the name of the Affordable Family/Senior land use and zoning district to Very High Density residential while also increasing the maximum density, and rezones three sites to Very High Density residential. This project does not include any components that would change or conflict with water quality regulations or any waste discharge standards. All new development projects must comply with the City's local procedures to control storm water runoff to prevent violations of regional water quality standards, in accordance with its co-permittee obligations under the countywide municipal storm water permit program, a component of the NPDES program of the Federal Clean Water Act. New housing projects will be required to comply with Title 8, Chapter 14 (Water Quality Regulations) of the City's Municipal Code, which contains regulations to meet federal, state, and County water quality requirements related to urban runoff. Furthermore, General Plan Conservation & Open Space Element Goal 7 which encourages the protection of water quality and Policy 7.3 which encourages the conservation and protection of watershed areas. All future development must connect to sewer; direct discharges of wastewater to surface or ground waters will not be permitted. Impacts will be less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? *Less than Significant Impact.* The City receives its

water from three sources. Water is purchased from Metropolitan Water District of Southern California (MWDSC). MWDSC's imported water sources are a blend of State Water Project water from Northern California, and water from the Colorado River Aqueduct. Furthermore, the City is supplied with treated water from the Ground Water Recovery Plant and two potable production wells located in the Northern portion of the City. The San Juan Valley groundwater basin underlies the City of San Juan Capistrano. The basin is comprised of four subbasins: Upper San Juan, Middle San Juan, Lower San Juan, and Lower Trabuco. The City lies within the boundaries of the Lower Trabuco, Lower San Juan, and Middle San Juan subbasins. Groundwater levels within the lower San Juan Creek are relatively close to ground surface. Depth to water levels measured during 2004 and 2005 were typically less than twenty feet in the Lower and Middle San Juan subbasins. Water levels in the Lower Trabuco subbasin were deeper with an average depth to water of about fifty feet.⁴² The primary water-bearing unit within the San Juan Valley Groundwater Basin is Quaternary alluvium. Recharge of the basin is from flow in San Juan Creek, Oso Creek, and Arroyo Trabuco and precipitation to the valley floor. Wells in this Basin typically yield from 450 to 1,000 gallons per minute.⁴³

Conservation of water resources became increasingly important throughout Southern California in the 1980s and early 1990s, when the entire region suffered a severe drought. In recognition of California's limited water supply, the City has adopted a Water Conservation Ordinance (Title 6 Sanitation and Health, Chapter 12 Water Conservation). The purpose of the ordinance is to establish standards and procedures for year-round water conservation, to promote the efficient use of water, to reduce or eliminate the waste of water in the City, to complement the City's water quality regulations and urban runoff reduction efforts, and enable implementation of the City's water shortage contingency measures. These water conservation programs already in place would result in further protection of groundwater resources in the City. In addition, the General Plan Conservation & Open Space Element includes policies to conserve water resources including the production and use of recycled water. Impacts related to groundwater recharge and depletion will be less than significant.

General Plan Policies

Conservation & Open Space Policy 7.1: Coordinate water quality and supply programs with the responsible water agencies.

Conservation & Open Space Policy 7.2: Encourage the production and use of recycled water.

*c, m) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? Could the proposed project result in increased erosion downstream? **Less than Significant Impact.** Wind and water both cause erosion that could be deposited in local or regional washes and other water bodies. Due to the urbanized nature of the City, future housing development will not substantially alter the drainage pattern of the area, and will not result in substantial erosion or siltation on or off site or downstream. Future housing development on the Opportunity Sites and other development constructed pursuant to General Plan policies will be required to implement standard on-site drainage controls and storm water conveyance devices to direct any drainage appropriately. Impacts related to erosion and siltation will be less than significant.*

*d-e, k-l, n-o, y) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? 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? Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediments, nutrients, oxygen-demanding substances, and trash) Result in significant alteration of receiving water quality during or following construction? Result in increased impervious surfaces and associated increased runoff? Create significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm? Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes? **Less than Significant Impact.** The majority of San Juan Capistrano is occupied by urban uses, with drainage infrastructure well established. No subdivisions are proposed or facilitated through the updated Housing Element policy, General Plan and Zoning Code Amendments, Density Bonus Program Update, or rezoning of*

Opportunity Sites (#5, #6, #7) which could affect existing streams or rivers. Residential development typically does not generate significant water pollutants through point discharges but does contribute to water quality impacts due to community-wide and regional urban runoff. However, four of the eight identified Opportunity Sites are currently developed with predominately impervious materials. As such, surface run-off from new development is not anticipated to substantially increase. In addition, all new housing or redevelopment projects will be required to construct the necessary drainage improvements to adequately accommodate any additional runoff, in compliance with existing City requirements. The proposed General Plan Amendments associated would not permit specific new development or induce growth. Thus, the Amendments would not create or contribute to water runoff water. Impacts will be less than significant.

*f, s-t) Otherwise substantially degrade water quality? Have a potentially significant adverse impact on groundwater quality? Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? **No Impact.*** The project does not propose any uses that will have the potential to otherwise degrade water quality and groundwater quality beyond those issues discussed in Section 16.9 herein. The proposed project will not contribute to an exceeded applicable surface or groundwater receiving water quality objective or degradation of beneficial uses. The proposed General Plan Amendments do not authorize construction or redevelopment of any particular project, and would not result in any new or more extensive sources of water pollutants. The proposed project will not result in any violation of applicable water quality standards established by the Clean Water Act and implemented by the San Diego Regional Water Quality Control Board (RWQCB) through the regional National Pollution Discharge Elimination System (NPDES) permit. No impact will occur.

*g-h) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? Place within a 100-year flood hazard area structures which would impede or redirect flood flows? **Less than Significant Impact.*** A portion of Opportunity Site #7 (Ventanas) and the entirety of Opportunity Site #8 is located within Zone AE which is subject to inundation by the 1-percent-annual-chance flood event. Mandatory flood insurance purchase requirements and floodplain management standards apply (FEMA Panels 06059C0506J and 06059C0443J).⁴⁴ The proposed project proposes a code amendment affecting densities of residential developments and does not include development plans at this time. The City's General Plan includes a Floodplain Management Element and the municipal code contains a Floodplain Management overlay district. Future residential development will require submittal of a Tentative Tract Map application and will require project-specific CEQA review, and review for compliance with the City's General Plan and Floodplain Management district. Therefore, less than significant impacts would occur.

*i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? **Less than Significant.*** Implementation of the proposed Housing Element Update does not propose the actual development of housing and thus would not expose people or structures to hazards involving flooding or the failure of a levee or dam. However, the General Plan Safety Element states that portions of the City are subject to potential risk of hazards associated with failure of the Trampas Canyon Dam, located two miles east of the City limits within a tributary of San Juan Creek. In addition, San Juan Capistrano contains three major creeks, San Juan Creek, Trabuco Creek, and Oso Creek carrying water runoff from the hills northeast of the City to the Pacific Ocean in the south. Trabuco Creek traverses a portion of Opportunity Site #5 and San Juan Creek is adjacent to Opportunity Site #7.⁴⁵ Flood hazards are addressed in the General Plan and Municipal Code. The City's Municipal Code includes Floodplain Management Regulations (Title 8, Chapter 11) and the Floodplain Management Environmental Overlay District (Title 9, Chapter 3, Article 4). The purpose and intent of the Floodplain Management District is to discourage development of the 100-year floodplain in order to protect people and property from flood impacts. Furthermore, the district maintains the City's eligibility in the Federal Nation Flood Insurance Program. Impacts will be less than significant with implementation of the floodplain standards set forth in the Municipal Code.

General Plan Policies

Safety Element Policy 1.2: Protect the community from flooding hazards by providing and maintaining flood control facilities and limiting development within the floodplain.

j) Inundation by seiche, tsunami, or mudflow? *Less than Significant.* A tsunami is a large wave that generates in the ocean, generally from an earthquake, and builds intense strength and height before impacting a coast. The City is protected from tsunamis due to its inland location. [General Plan Safety Element p.14]. A seiche is the process by which water sloshes outside its containing boundaries, generally due to an earthquake. This generally occurs with uncovered, above-ground reservoirs. The City's reservoirs and swimming pools are enclosed bodies of water that are subject to seiches during earthquakes. Mudflows require a slope, water, and unconsolidated soil to occur. The terrain of San Juan Capistrano consists predominantly of gently to steeply rolling hills containing deep-cut canyons and gullies. The City contains more than 600 feet of vertical relief. Furthermore, the abundant shales and siltstones underlying the hills of San Juan Capistrano are highly porous and do not hold together well when wet, which can lead to slope instability and landslides. The Opportunity Sites and their surroundings do not contain steep slopes. Impacts will be less than significant.

p-q) Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired? Tributary to other environmentally sensitive areas? *Less than Significant Impact.* San Juan and Trabuco Creek converge in San Juan Capistrano and discharge into the Pacific Ocean at Doheny State Beach. These water bodies are not listed on the California Clean Water Act Section 303(d) list of water quality limited segments requiring TMDLs.⁴⁶ The City is primarily built out with the proposed Opportunity Sites located on developed or previously developed land. Furthermore, the City's Water Quality regulations (Title 8, Chapter 14) establish requirements for development and redevelopment project site designs to reduce surface runoff pollution and erosion. Future development will not increase pollutants. Impacts will be less than significant.

r,u) Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters? Impact aquatic, wetland, or riparian habitat? *Less than Significant Impact.* According to National Wetlands Inventory, wetlands within San Juan Capistrano exist primarily along San Juan Creek, Trabuco Creek and Oso Creek. Trabuco Creek traverses the eastern portion of Site #5 (The Groves) and is designated as a wetland by the USFWS National Wetlands Inventory. San Juan Creek traverses the eastern portion of Site #7 (Ventanas) and is designated as a wetland by the USFWS National Wetlands Inventory. Future development will be in accordance with the City's Water Quality Regulations (Title 8, Chapter 14) and therefore will not impact surface water quality on marine, fresh, or wetland waters or impact aquatic, wetland, or riparian habitats. Impacts will be less than significant.

V, X, Z) Potentially impact stormwater runoff from construction or post construction, affect the beneficial uses of receiving waters, or create significant increases in erosion? *Less than Significant Impact.* Implementation of the proposed Housing Element Update and General Plan Amendments do not propose the actual development of housing and thus would not impact stormwater runoff from construction or post construction. The Santa Ana and San Diego Regional Water Quality Control Boards have addressed the obligation to implement the Clean Water Act by issuing waste discharge requirements governing stormwater runoff for the County, Orange County Flood Control District and the incorporated cities of Orange County. These permits shall be referred to collectively herein as the National Pollution Discharge Elimination System Permit or "NPDES Permits." The City is participating as a "co-permittee" under the NPDES Permits in the development and adoption of an ordinance to accomplish the requirements of the Clean Water Act. Furthermore, the City's Water Quality Regulations establish requirements for development and redevelopment project site designs to reduce surface runoff pollution and erosion and establish requirements for the management of surface runoff flows from development and redevelopment projects, both to prevent erosion and to protect and enhance existing water-dependent habitats. Impacts will be less than significant.

w) 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? *No Impact.* The proposed Opportunity Sites will not include 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. Furthermore, the proposed Housing Element Update and General Plan Amendments do not propose the actual development of housing and thus would not impact stormwater runoff. No impact will occur.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.10 LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Physically divide an established community? *No Impact.* A significant impact would occur if the proposed project were sufficiently large or configured in such a way so as to create a physical barrier within an established community. The Land Use Element Amendment renames the Affordable Family/Senior Housing land use designation to Very High Density and increases the maximum density to thirty dwelling units per acre but does not propose changes to policy. The eight proposed Opportunity Sites identified in the Housing Element are scattered throughout the City and are surrounded primarily by residential and commercial uses. The proposed Housing Element would not create any sort of physical barrier within the community. No impact will occur.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? *Less than Significant Impact.* The San Juan Capistrano Housing Element sets forth policies to encourage housing development consistent with adopted land use policies established in the General Plan. The Housing Element does not include any goals, policies, or programs that would conflict with adopted General Plan goals and policies to mitigate environmental effects. General Plan and Zoning Code amendments will increase the maximum residential density to thirty dwelling units per acre; however, no conflicts with existing policies would occur. There will be no significant impact on any plan, policy, or regulation of an agency having jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Impacts will be less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan? *No Impact.* As stated in 16.4(f) above, San Juan Capistrano lies on the border of both the Coastal and Southern Subregions of the Orange County Natural Community Conservation Plan and Habitat Conservation Planning Area.⁴⁷ The planning area for the NCCP covers 208,000 acres and the Reserve System Obligation covers 37,378 acres. The City does not contain Reserve System acreage, thus, the City is not a signatory to the Implementation Agreement for the sub-region.⁴⁸ Therefore the project would not result in conservation planning impacts.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.11 MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) 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? Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? **No Impact.** The General Plan does not identify any mineral resources in San Juan Capistrano. The identified Opportunity Sites are located in completely urbanized areas. No impact will occur.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.12 NOISE. Would the project:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fundamentals of Sound and Environmental Noise

The primary sources of noise affecting San Juan Capistrano are the various modes of transportation. Because the City is bounded by three freeways and divided by various north-south and east-west arterial streets, most areas of San Juan Capistrano are affected by traffic noise.

Noise is generally defined as unwanted sound. Sound (and therefore noise) consists of energy waves that people receive and interpret. Sound pressure levels are described in logarithmic units of ratios of sound pressures to a reference pressure, squared. These units are called *bels*. In order to provide a finer description of sound, a *bel* is subdivided into ten decibels, abbreviated dB. To account for the range of sound that human hearing perceives, a modified scale is utilized known as the A-weighted decibel (dBA). Since decibels are logarithmic units, sound pressure levels cannot be added or subtracted by ordinary arithmetic means. For example, if one automobile produces a sound pressure level of 70 dBA when it passes an observer, two cars passing simultaneously would not produce 140 dB. In fact, they would combine to produce 73 dBA. This same principle can be applied to other traffic quantities as well. In other words, doubling the traffic volume on a street or the speed of the traffic will increase the traffic noise level by 3 dBA. Conversely, halving the traffic volume or speed will reduce the traffic noise level by 3 dBA. A 3 dBA change in sound is the level where humans generally notice a *barely perceptible* change in sound and a 5 dBA change is generally *readily perceptible*.⁴⁹

Noise consists of pitch, loudness, and duration; therefore, a variety of methods for measuring noise has been developed. According to the California General Plan Guidelines for Noise Elements, the following are common metrics for measuring noise:⁵⁰

L_{EQ} (Equivalent Energy Noise Level): The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over given sample periods. LEQ is typically computed over 1-, 8-, and 24-hour sample periods.

CNEL (Community Noise Equivalent Level): The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of five decibels to sound levels in the evening from 7:00 P.M. to 10:00 P.M.

and after addition of ten decibels to sound levels in the night from 10:00 P.M. to 7:00 A.M.

L_{DN} (Day-Night Average Level): The average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of ten decibels to sound levels in the night after 10:00pm and before 7:00am.

CNEL and L_{DN} are utilized for describing ambient noise levels because they account for all noise sources over an extended period of time and account for the heightened sensitivity of people to noise during the night. L_{EQ} is better utilized for describing specific and consistent sources because of the shorter reference period.

Fundamentals of Environmental Groundborne Vibration

Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second, and in the U.S. is referenced as vibration decibels (VdB).

The background vibration velocity level in residential and educational areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors causes most perceptible indoor vibration. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration velocity level, and 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. The general human response to different levels of groundborne vibration velocity levels is described in Table 8 (Human Reaction to Groundborne Vibration).

Table 8
Human Response to Groundborne Vibration

Vibration Velocity Level	Human Reaction
65 VdB	Approximate threshold of perception for many people.
75 VdB	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find that transportation-related vibration at this level is unacceptable.
85 VdB	Vibration acceptable only if there are an infrequent number of events per day.

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment*, May 2006

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? **Less than Significant Impact.** The primary contributor to ambient noise in the planning area is traffic, particularly from Interstate 5 and the Ortega Highway. As detailed in the General Plan, since a minimal amount of development is possible within the City, a minimal amount of traffic and traffic noise is expected on the major roads that could impact existing or future residential uses or other noise sensitive uses. The San Juan Capistrano General Plan identifies standards for land uses and noise compatibility, as summarized in Table 9 (Interior and Exterior Noise Standards). In addition, Section 9-3.531 of the Municipal Code establishes additional time of day based land use noise standards as shown in Table 10 (Municipal Code Exterior Noise Standards). Table 11 shows the Maximum Noise Level Not to be Exceeded During a Period of Time pursuant to Municipal Code Sec.9-3.531.

**Table 9
Interior and Exterior Noise Standards**

Land Use	Exterior Noise Standards*	Interior Noise Standards
Residential (all) – Single family, multiple-family, duplex, mobile	65 dB(A)	45 dB(A)
Residential – Transient lodging, hotels, motels, nursing homes, hospitals, assisted care facilities	65 dB(A)	45 dB(A)
Private offices, churches, libraries, theaters, concert halls, meeting halls, schools	65 dB(A)	45 dB(A)
General commercial, retail, reception, restaurant	65 dB(A)	50 dB(A)
Manufacturing, industrial**	---	---
Parks, playgrounds	65 dB(A)***	---
Golf courses, outdoor spectator sports	70 dB(A)***	---

Source: City of San Juan Capistrano. General Plan Noise Element. 1999

* In Community Noise Level Equivalent (CNEL)

** Noise standards not applied to Industrial districts

*** Outdoor environment limited to playground areas, picnic areas, and other areas of frequent human use.

**Table 10
Municipal Code Exterior Noise Standards**

Noise Zone	Time	Allowable Noise Level
Residential and Public Institutional Districts	7 a.m.—7 p.m.	65 dB(A)
	7 p.m.— 10 p.m.	55 dB(A)
	10 p.m.—7 a.m.	45 dB(A)
Commercial Districts	Anytime during the day	65 dB(A)

Source: San Juan Capistrano Municipal Code (Title 9, Chapter 3, Article 5, Sec.9-3.531)

**Table 11
Maximum Noise Levels**

Maximum Noise Level Not to be Exceeded During Period of Time	Period of Time
Exterior noise standard plus 20 dB(A)	Any period of time
Exterior noise standard plus 15 dB(A)	Cumulative period of more than 1 minute in any hour
Exterior noise standard plus 10 dB(A)	Cumulative period of more than 5 minutes
Exterior noise standard plus 5 dB(A)	Cumulative period of more than 15 minutes in any hour
Exterior noise standard	Cumulative period of more than 30 minutes in any hour

Source: San Juan Capistrano Municipal Code (Title 9, Chapter 3, Article 5, Sec.9-3.531)

The proposed General Plan amendments will increase maximum residential densities to 30 dwelling units per

acre in the Very High Density zones, in excess of those analyzed by the General Plan EIR. However, as discussed in Section 16.3, Air Quality, the proposed General Plan amendments will be consistent with growth SCAG growth projections and will therefore not result in any substantial traffic or other noise sources as analyzed in the General Plan EIR. Future housing developments on the proposed Opportunity Sites and in other areas of the City are subject to the policies of the existing General Plan designed to minimize noise impacts to residential properties. The following noise policies of the General Plan will be implemented during the City's standard environmental review process during the entitlement process for future housing developments. Impacts to residential development related to noise levels in excess of established standards and permanent increases in ambient noise levels will be less than significant with implementation of the noise policies of the General Plan.

General Plan Policies

Noise Goal 1: Minimize the effects of noise through proper land use planning.

Policy 1.1: Utilize noise/land use compatibility standards as a guide for future planning and development decisions.

Policy 1.2: Provide noise control measures and sound attenuating construction in areas of new construction or rehabilitation.

Noise Goal 2: Minimize transportation-related noise impacts.

Policy 2.1: Reduce transportation-related noise impacts to sensitive land uses through the use of noise control measures.

Policy 2.2: Control truck traffic routing to reduce transportation-related noise impacts to sensitive land uses.

Policy 2.3: Incorporate sound-reduction design in development projects impacted by transportation-related noise.

Policy 2.4: Oppose airport operations that will result in excessive noise from overflights.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? Less than Significant Impact. Groundborne vibration can result in impacts from minor annoyances to people to major shaking that damages buildings. There are no railways within the City. The primary source of groundborne vibration within the City would be heavy construction activities. According to the Caltrans *Transportation- and Construction-Induced Vibration Guidance Manual*, transportation sources are not a significant source of vibration and therefore are not discussed below.

Groundborne vibration generated by construction projects is usually highest during pile driving, rock blasting, soil compacting, jack-hammering, and demolition-related activities. Next to pile driving, grading activity has the greatest potential for vibration impacts if large bulldozers or large trucks are used. Housing does not utilize machinery that would generate substantial amounts of vibration. The construction of future potential housing developments could utilize machinery that would generate substantial amounts of ground vibration because multiple-lot housing developments generally require mass grading. Construction of future development is not likely to require rock blasting considering the built-out character of the area or piling driving because the Opportunity Sites are generally not subject to liquefaction hazards; however, jack hammering will also likely be required for demolition activities. Table 12 (Common Construction Vibration) summarizes vibration levels from common construction equipment. Impacts to structures can occur from 0.08 PPV to 2.00 PPV depending on the duration of the vibration and the age of the structure. Similarly, human annoyance to vibration can occur from 0.01 PPV to 2.00 PPV depending on the duration.

Table 12
Common Construction Vibration

Equipment	PPV (in/sec at 25 ft.)
Crack-and-Seat Operations	2.400
Vibratory Roller	0.210
Large Bulldozer	0.089
Caisson Drilling	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Small Bulldozer	0.003

Source: California Department of Transportation 2004

Vibration impacts are temporary and rare except in cases where large equipment is used near existing, occupied development. Construction noise and associated vibration will be controlled through the time restrictions currently established in the City's Noise Control requirements. Section 9-3.531 of the Municipal Code exempts noise sources associated with construction, repairs, remodeling, or the grading of any real property, except that such activities shall not be exempt from the provisions of this section if conducted from 6:00 p.m. to 7:00 a.m. on Monday through Friday, or from 4:30 p.m. to 8:30 a.m. on Saturday, or at any time on Sunday or a national holiday. As such construction is exempted from noise standards, construction is typically required to be performed within these hours to not potentially conflict with normal noise standards. Therefore, potential construction related vibration impacts would be minimized to daytime hours. Per standard practice and City policy for noise analysis, future development projects that utilize vibration inducing equipment, in particular when located near sensitive uses/buildings, will be analyzed individually for potential vibration impacts. Typical vibration mitigation includes routing and placement of equipment to maximize distance to receptors and use of alternative equipment, such as use of drilled, sonic, or vibratory pile drivers as opposed to impact drivers. Subsurface dampeners can also be utilized to reduce groundborne vibration. With implementation of existing regulations, policies, and practices, impacts related to exposure to groundborne vibration will be less than significant. No impacts would be associated with vibration from rail lines or construction as associated with General Plan amendments to the Land Use and Safety Elements, as no policy changes, developments, or infrastructure improvements are proposed.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? **Less than Significant Impact.** Residential land uses do not typically produce excessive noise either individually or cumulatively that could substantially increase existing, ambient noise levels. The future development of the Opportunity Sites will increase ambient noise levels due to increased traffic generation in the project vicinity. The identified Opportunity Sites are anticipated to generate a total of approximately 5,440 daily vehicle trips.⁵¹ Thus, development of the Opportunity Sites would partially contribute to the noise volumes identified in the General Plan EIR. The Housing Element does not propose any specific development or any land use changes that would invalidate this prior finding or further increase traffic levels beyond those analyzed in the General Plan EIR. Project specific increases in ambient noise levels due to future development on each Opportunity Site will be evaluated as development is proposed over the long-term pursuant to existing policies and procedures. With these existing policies and procedures, impacts related to increases in ambient noise levels will be less than significant. No new development or changes to policy are proposed through the other General Plan amendments, and no impacts would occur.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? **Less than Significant Impact.** The updated General Plan Amendments do not authorize the development or redevelopment of any particular site but do include policies that could facilitate development of future housing. Temporary increases in local noise levels would be associated with construction activities to develop new housing. Construction noise will be controlled through the time restrictions currently established in the City's noise control requirements. The updated Housing Element would not result in any new or more severe temporary noise impacts associated with residential construction. Continued enforcement of the City's noise restrictions will reduce temporary noise impacts associated with the General Plan Amendments to a less-than-significant level.

e, f) 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 expose people residing or working in the project area to excessive noise levels? For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? **No Impact.** There are no public airports or private airstrips within two miles of the Opportunity Sites. San Juan Capistrano is not located within an airport planning area or airport environs land use plan.⁵² The closest airport to San Juan Capistrano is John Wayne-Orange County Airport located approximately twelve miles northwest of the City. No specific new development is associated with the General Plan Amendments, and no changes to safety policies related to air traffic are proposed. No impacts will occur.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.13 POPULATION & HOUSING. Would the project:				
a. Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? *Less than Significant Impact.* Adoption and implementation of the Housing Element will not directly result in population growth. Population growth is a complex interaction among immigration, emigration, birth, deaths, and economic factors. The proposed Housing Element is designed to guide and accommodate the inevitable population growth the community will face over the short and long term. The Census reported the City had a population of 33,826 in 2000 and 34,593 as of 2010, which would represent an approximately 2.27 percent increase. SCAG’s Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) estimated a 2008 population for San Juan Capistrano of 34,400 and projects an estimated population of 38,100 and 37,800 by 2020 and 2035, respectively.

The Opportunity Sites identified in the Housing Element would result in an increase of approximately 807 new dwelling units and approximately 2,413 new residents (807 dwelling units at 2.99 persons per household). This increase is within the growth assumptions estimated by SCAG and therefore will adequately accommodate future residential growth. In addition, the proposed Housing Element and Opportunity Sites are projected to meet the City’s RHNA (638 units), which is correlated with the City’s long-term growth projected by SCAG. Impacts will be less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? *Less than Significant Impact.* The proposed Housing Element is designed to encourage and facilitate housing development and preserve and enhance existing housing stock. San Juan Capistrano is urbanized and is primarily built out. There are few vacant parcels and some underutilized properties that may be recycled for the purpose of new housing and mixed-use development. This natural recycling of land will not result in the loss of housing units because such redevelopment will result in the development of new housing units. The Opportunity Sites identified in the proposed Housing Element are either vacant or underutilized. However, Opportunity Sites 1, 3, 6, and 9 each has either single-family or multi-family development constituting a total of approximately 46 dwelling units. Goal 1 of the Housing Element encourages maintenance and preservation of the existing housing stock; therefore, future development and redevelopment of Opportunity Sites and other housing development constructed pursuant to the Housing Element update will have less than significant impacts on the City’s existing housing stock.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? *Less than Significant Impact.* The proposed Housing Element will not displace any people because the project does not authorize the demolition or conversion of any housing unit. Although housing units do currently exist on several of the Opportunity Sites, the Housing Element does not authorize the acquisition of any existing residential dwelling unit. New housing, if constructed on these sites, will produce more units than exist today, providing greater opportunities for people to purchase or rent homes in San Juan Capistrano. The impact will be less than significant.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.14 PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-e) Fire protection? Police protection? Schools? Parks? Other public facilities? The updated San Juan Capistrano Housing Element sets forth policies and programs to encourage housing development consistent with adopted General Plan land use policies. Residential development constructed pursuant to Housing Element policy will incrementally increase the need for fire and police protection, schools, and parks. SCAG estimates that the City's population will be 37,800 in 2035. The Housing Element's goal to facilitate 807 very low- to above moderate-income units by 2021 would increase the local housing stock from 11,940 units as of 2010 (2010 Census count) to 12,747 units, and would increase the resident population by approximately 2,413 persons (807 dwelling units at 2.99 persons per household). The other proposed General Plan and Zoning Code amendments relating to the maximum residential density increase and update to the Density Bonus Program do not change any applicable land use designations and do not propose or anticipate any specific development proposals or infrastructure projects. Therefore, these amendments will not result in any impacts that were not addressed in the General Plan EIR. The General Plan EIR indicates that build out of the land use plan would result in less than significant impacts to parks, schools, fire, or police services.

Parks

According to San Juan Capistrano's parkland standard, there is an existing surplus of approximately five acres in the City.⁵³ The City requires a parkland dedication of five acres per 1,000 residents or an in-lieu fee payment as a required condition for approval of a residential subdivision Section 9-5.107 (Parkland in-lieu fee). Site #8 (Regional Occupational Program Downtown Parcel) is currently designated as General Open Space by the General Plan Land Use Map. The site contains a baseball diamond and is directly north of the San Juan Elementary School. The potential conversion of this site from General Open Space to residential use would comply with the Quimby Act as well as General Plan goals and policies. The developer of the site would have to pay an in-lieu fee if the minimum five acres of park per 1,000 residents is not provided to offset incremental impacts of development on existing parks. Any future housing development will be required to pay development impact fees in accordance with this existing regulation; thus deterioration of existing parks and recreation facilities will be less than significant as a result of future housing development because parks and recreation facilities will be incrementally expanded to meet future residential demand. The following General Plan policies and implementation measures will assist in reducing the impact on parks.

Parks & Recreation Goal 1: Provide, develop, and maintain ample park and recreational facilities that provide a diversity of recreational activities.

Policy 1.1: Coordinate with local groups to identify and meet the community's recreational needs.

Policy 1.2: Work with the County and other agencies for the development of regional parks and regional linkages which will be accessible to City residents.

Policy 1.3: Identify and implement funding programs to maintain and expand park and recreational facilities.

Policy 1.4: Develop and maintain a balanced system of public and private recreational lands, facilities, and programs to meet the needs of the community.

Policy 1.5: Operate and maintain public park and recreational facilities in a manner that ensures safe and convenient access for all members of the community.

Policy 1.6: Increase the accessibility of existing open space areas for recreational facilities.

Policy 1.7 Provide parkland improvements and facilities that are durable and economical to maintain.

Policy 1.8: Publicize park and recreation opportunities in San Juan Capistrano to the community.

Policy 1.9: Utilize existing public utility easements for recreation and open space.

Schools

Any impact on the provision of school services is mitigated through the payment of development impact fees pursuant to the Leroy F. Green School Facilities Act. With payment of required fees, impact will be less than significant.

Fire and Police

Future potential plans for development and redevelopment will be reviewed by City staff to determine any impacts of development on emergency services and are also subject to review by San Juan Capistrano's Police Department and the Orange County Fire Authority for compliance with applicable standards and policies. Future potential plans for development are also subject to the policies of the General Plan Safety Element. The Safety Element and Public Services & Utilities Element policies are designed to ensure adequate provision of public services in response to long-term growth. Property taxes and other special taxes paid by future property owners will also support the incremental expansion of public services as the population in the City grows. Impacts to public services will be less than significant.

General Plan Policies

Public Services and Utilities Goal 3: Work effectively with the Capistrano Unified School District to provide a sufficient level of public education.

Policy 3.1: Work closely with Capistrano Unified School District in determining and meeting community needs for public education and related activities.

Policy 3.2: Work with Capistrano Unified School District in investigating potential locations and funding sources for new schools, including a future high school.

Public Services & Utilities Goal 1: Work with the Orange County Sheriff's Department to provide a sufficient level of law enforcement

Policy 1.1: Work closely with the Orange County Sheriff's Department in determining and meeting community needs for law enforcement services.

Policy 1.2: Periodically evaluate the level of law enforcement service to ensure that San Juan Capistrano has appropriate levels of law enforcement services.

Public Services and Utilities Goal 2: Work with the Orange County Fire Authority to provide a sufficient level of fire protection.

Policy 2.1: Work closely with the Orange County Fire Authority in determining and meeting community needs for fire protection services and facilities.

Policy 2.2: Periodically evaluate the level of fire protection service to ensure that San Juan Capistrano has appropriate levels of fire protection services.

Safety Goal 3: Protect citizens and businesses from criminal activity.

Policy 3.1: Coordinate with the Orange County Sheriff's Department to reduce the risk of criminal activity.

Policy 3.2: Apply design techniques and standards aimed at reducing criminal activity to new development and redevelopment.

Policy 3.3: Promote after school programs, volunteer programs and Neighborhood Watch Programs to reduce the risk of criminal activity.

Policy 3.4: Improve public awareness of both the responsiveness of the Orange County Sheriff's Department and ways to reduce criminal activity within the City.

Libraries

Prior to future development, consultation with library system officials would be required to ensure that existing facilities will be sufficient to provide library services to additional residents. Such consultation will provide for any impacts to be addressed and mitigated at the time a development proposal is put forward.

Public Services & Utilities Goal 5: Work with the Orange County Public Library to provide a sufficient level of library facilities and services.

Policy 5.1: Work closely with the Orange County Public Library in determining and meeting community needs for library facilities and services, including hours of operation.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.15 RECREATION. Would the project:				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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? **No Impact.** As discussed in Section 16.14.d, the project has the potential to result in the indirect need for recreational facilities by promoting housing development.

Site #8 (Regional Occupational Program Downtown Parcel) is currently designated as General Open Space by the General Plan Land Use Map. The site contains a baseball diamond and is directly north of the San Juan Elementary School. The potential conversion of this site from General Open Space to residential use would comply with the Quimby Act as well as General Plan goals and policies. As discussed in Section 4.14.d, San Juan Capistrano requires development to pay an in-lieu fee if the minimum five acres of park per 1,000 residents is not provided to offset incremental impacts of development on existing parks. Any future housing development will be required to pay development impact fees in accordance with this existing regulation; thus deterioration of existing parks and recreation facilities will be less than significant as a result of future housing development because parks and recreation facilities will be incrementally expanded to meet future residential demand. The other proposed General Plan Amendments related to the maximum residential density increase pertain to recreation because increased density could increase the use of existing park facilities. However, no land use changes or infrastructure projects are proposed and no changes to parkland are proposed. Therefore, these amendments will not result in any impacts that were not addressed in the General Plan EIR.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? **Less than Significant Impact.** The General Plan Amendments would not result in the direct construction of any recreation facilities. Future potential construction of recreation facilities in response to incremental, long-term population increases will be subject to the City's standard environmental review process pursuant to CEQA. Local recreation facilities typically do not result in significant impacts. Impacts related to the potential construction of future recreation facilities will be less than significant.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.16 TRANSPORTATION/TRAFFIC. Would the project:				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel, and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion/management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel, and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?* **Less than Significant Impact.** Development of housing on the proposed Opportunity Sites would result in approximately 5,440 daily trips at build-out based on the Institute of Traffic Engineers (ITE) 8th Edition *Trip Generation* manual. (This calculation does not account for any discount on trips associated with existing uses on the Opportunity Sites.) SCAG estimates that the City's population will be 37,800 in 2035. The Housing Element's goal to facilitate 807 very low- to above moderate-income units by 2021 would increase the local housing stock from 11,940 units as of 2010 (2010 Census count) to 12,747 units, and would increase the resident population by approximately 2,413 persons (807 dwelling units at 2.99 persons per household). The increase in population would not exceed 2012-2035 Regional Transportation Plan population growth projections. The proposed Opportunity Sites would implement the General Plan Land Use plan. The proposed General Plan Amendments would increase maximum residential density to 30 dwelling units per acre in the Very High Density zone; however, the proposed General Plan amendments will be consistent with growth SCAG growth projections and will therefore not result in a substantial increase in traffic than analyzed in the General Plan EIR. The Housing Element does not propose any specific development that would invalidate this prior finding or significantly increase traffic levels beyond those analyzed in the General Plan EIR. On an individual development basis, traffic assessments will be required for all future residential development during the City's standard environmental review process to determine project specific traffic generation, traffic distribution, modal splits, impacted intersections and roadways, project-specific fair-share improvement fees, and applicable regional transportation fees. The other proposed General Plan Amendments relating to the maximum residential density increase and the update of the Density Bonus Program do not propose or anticipate any specific development proposals or infrastructure projects. Therefore, these amendments will

not result in any impacts that were not addressed in the General Plan EIR. Impacts related to substantial traffic congestion will be less than significant with implementation of the following General Plan policies.

General Plan Policies

Circulation Goal 1: Provide a system of roadways that meets the needs of the community.

Policy 1.1: Provide and maintain a City circulation system that is in balance with the land uses in San Juan Capistrano.

Policy 1.2: Implement the City's Master Plan of Streets and Highways.

Policy 1.3: Coordinate improvements to the City circulation system with other major transportation improvement programs.

Policy 1.4: Improve the San Juan Capistrano circulation system roadways in concert with land development to ensure sufficient levels of service.

Policy 1.5: Improve existing arterial system that serves regional circulation patterns in order to reduce local congestion (Ortega Highway at I-5).

Policy 1.6: Reduce the congestion along local arterial roadways in commercial areas by driveway access consolidation, parking area interconnections and similar actions.

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion/management agency for designated roads or highways? *Less than Significant Impact.* The Congestion Management Program (CMP) is administered by the Orange County Transportation Authority (OCTA). The CMP establishes a service goal of LOS E or better on all CMP roadway segments. There are two CMP intersections within the City: I - 5 NB Ramps/Ortega Highway³ and I - 5 SB Ramps/Ortega Highway. Any future housing development would be required to have prepared a traffic impact analysis (TIA) if such project would generate 2,400 or more daily trips. For developments that will directly access a CMP Highway System link, a TIA is required if it will result in 1,600 or more daily trips. As identified in Section 4.15.a above, the proposed Housing Element would result in 5,440 trips. For individual development projects, the City will determine if a traffic impact analysis is required as part of the City's standard environmental review process and determine potential future impacts to CMP facilities. The proposed General Plan Amendments would not alter any land use that could increase development intensity that could potentially create a greater impact than was already analyzed by the General Plan EIR. No specific development proposals or infrastructure projects are proposed. Therefore, these amendments will not result in any impacts that were not addressed in the General Plan EIR. Impacts related to level of service standards on CMP facilities will be less than significant.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? *No Impact.* The updated Housing Element is focused on achieving local housing objectives and does not authorize any construction that would result in the need to redirect or otherwise alter air traffic patterns. The proposed General Plan and Zoning Code amendments are intended to increase the maximum residential density and do not authorize specific construction or infrastructure projects. Furthermore, the proposed General Plan Amendments will not result in substantial population growth that could significantly increase air traffic. Therefore, the project will have no air traffic impacts.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? *No Impact.* The project does not involve the construction of any roadway and would have no effect on the City's street and site design standards. No impact will occur.

e) Result in inadequate emergency access? *Less than Significant Impact.* The project does not involve any road construction or any development activity and thus will not obstruct or restrict emergency access to or through the City. Future housing development facilitated by implementation of Housing Element policies will be subject to site plan review. In conjunction with the review and approval of building permits, the Orange

County Fire Authority reviews all plans to ensure compliance with all applicable emergency access and safety requirements. With continued application of project review procedures, impacts involving emergency access will be less than significant.

*f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? **No Impact.*** The project includes programs and policies to encourage the development of new housing units to meet the City's regional fair share of housing and to identify flood hazards, as required by state law. None of these actions authorizes any design, plans, or projects for construction of specific new development or redevelopment housing or any infrastructure project. Furthermore, the project would not have any growth-inducing effects, as no changes to policy are proposed. The proposed General Plan Amendment, including Housing Element policies and programs would not conflict with or have an effect on any local or regional policies involving support of alternative transportation. The General Plan Amendments do not conflict with General Plan transportation policies that support public transit and will not interfere with the current or future goals involving the local bus systems. The project will have no impact on alternative transportation plans.

	Potentially Significant Impact	Less Than significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.17 UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? *No Impact.* The City of San Juan Capistrano's Sewer and Wastewater Division is responsible for maintaining the City's sewer collection system. The City's sewer is collected and treated at the South Orange County Wastewater Authority's (SOCWA) JB Latham treatment plan and then discharged into the ocean. Wastewater treatment requirements for the Orange County Sanitation District treatment facilities are established by the Santa Ana Regional Water Quality Control Board (RWQCB). These treatment requirements establish pollutant limits for effluent discharges to receiving waters. Future housing development will result in typical residential wastewater discharges and will not require new methods or equipment for treatment that are not currently permitted for existing treatment plants. Furthermore, residential development is not subject to point-source discharge requirements. The project will not impact compliance with RWQCB treatment requirements. Future housing development will not interfere with compliance with RWQCB wastewater treatment requirements. The proposed General Plan and Zoning Code amendments will increase the maximum residential density but do not propose or anticipate any specific development proposals or infrastructure projects. Thus, no impact will occur.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? *Less than Significant Impact.* Future housing development will incrementally increase water demand and wastewater discharges. The City receives its water from three sources. Water is purchased from Metropolitan Water District of Southern California (MWDSC). MWDSC's imported water sources are a blend of State Water Project water from Northern California, and water from the Colorado River Aqueduct. Furthermore, the City is supplied with treated water from the Ground Water Recovery Plant and two potable production wells located in the Northern portion of the City. Conservation of water resources became increasingly important throughout Southern California in the 1980s and early 1990s, when the entire region suffered a severe drought. In recognition of California's limited water supply, the City adopted a Water Conservation Ordinance (Section 6-12.01). The ordinance places mandatory restrictions on water waste at all times.

The proposed updated Housing Element and General Plan Amendments would alter residential land use by increasing maximum residential density from 25 dwelling units per acre to 30 dwelling units per acre. However, this increased density will not create a greater impact than was already analyzed by the General Plan EIR. No additional water or wastewater facilities or expansions are proposed as part of the General Plan Amendments. The City will identify the need for expansion of water and wastewater facilities, such as water and sewer mains, as needed, on a project-by-project basis during its standard environmental review process. Any environmental impacts related to the construction or expansion of water or wastewater facilities will be analyzed and mitigated for at the time of development. Water conservation programs already in place as well as General Plan policies would result in further protection of ground water resources in San Juan Capistrano. Therefore, implementation of the proposed General Plan and Zoning Code amendments would result in less than significant impacts.

General Plan Policies

Conservation & Open Space Goal 7: Protect water quality.

Policy 7.1: Coordinate water quality and supply programs with the responsible water agencies.

Policy 7.2: Encourage the production and use of recycled water.

Policy 7.3: Conserve and protect watershed areas.

c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? *Less than Significant Impact.* The updated Housing Element is focused on achieving local housing objectives and does not authorize any construction that would result in the construction of new storm water drainage facilities or the expansion of existing facilities. Drainage improvements are constructed on a project-by-project basis. This typically involves routing a major drainage course through a project by concentrating the flow into an acceptable drainage facility. Construction of drainage devices will be entirely on-site and will be subject to standard construction requirements for erosion control and water quality requirements. Future housing development will comply with existing standards and regulations for conveyance of storm water. The proposed General Plan and Zoning Code Amendment will increase the maximum residential density. No additional storm water drainage facilities or expansions are proposed as part of the General Plan amendments. A less than significant impact to the environment from construction of storm drain infrastructure will occur.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? *Less than Significant Impact.* The City is responsible for water distribution in San Juan Capistrano and provides services throughout its fourteen square mile service area. The City receives its water from two main sources, the San Juan Basin, which is managed by the San Juan Basin Authority (SJBA) and imported water from the Municipal Water District of Orange County (MWDOC). Groundwater is pumped from two domestic wells located throughout the City, and imported water is treated at the Diemer Filtration Plant and is delivered to the City through two imported water connections. Currently, the total water demand for the City is approximately 8,780 acre-feet annually consisting of 6,380 acre-feet of imported water, 1,980 of local groundwater, and 430 acre-feet of combined non-domestic and recycled water. The City is projecting an increasing water demand trend of 18% in the next 25 years.⁵⁴

The General Plan EIR determined that with the water conservation programs in place, there will be a less than significant impact to water resources with General Plan build out. The proposed General Plan Amendments would not alter any land use that could increase development intensity that could potentially create a greater impact than was already analyzed by the General Plan EIR. The proposed General Plan Amendments would not result in any population growth or additional demand on water supplies; rather, the Amendments will guide development to accommodate anticipated population growth in the community through the year 2021. Therefore, the proposed project would not result in the need for new or expanded water supplies, nor revise any policies associated with water supply or demand, and impacts will be less than significant.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? *Less than Significant Impact.* Wastewater treatment requirements are established by the Santa Ana RWQCB. The City will review future development as part of the standard environmental review process to determine adequate capacity to serve the discharge needs in comparison to treatment plant capacity. Impacts will be less than significant.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? *No Impact.* San Juan Capistrano is served by a number of landfills. The Prima Deshecha landfill is located in San Juan Capistrano and is owned and operated by OC Waste and Recycling. The facility has a permitted capacity of 4,000 tons/day and has a closure date of December 2067. Olinda Alpha Landfill is owned and operated by OC Waste and Recycling and is permitted to handle 8,000 tons/day of refuse. This landfill is projected to close in 2021. The Frank R. Bowerman landfill, located in Irvine, is owned and operated by OC Waste and Recycling and has a permitted maximum of 11,500 tons/day. The Frank R. Bowerman landfill is currently slated for closure in December 2053. Additionally, other landfills are available to serve the City. Compliance with City and County waste reduction programs and policies would reduce the volume of solid waste entering landfills. Individual development projects within the City would be required to comply with applicable state and local regulations, thus reducing the amount of landfill waste by at least 50 percent. Future housing would increase the volume of solid waste generated in the City that is diverted to existing landfills, thus contributing to the acceleration of landfill closures or the use of more distant sites. However, the closure dates for the various landfills range from 2021 to 2067. Combined remaining capacities at the landfills would be adequate to accommodate future housing. Furthermore, no revisions associated with the General Plan Amendments would affect the development assumptions and related impact conclusions as determined by the General Plan EIR. Impacts related to sufficient landfill capacity are anticipated to be less than significant.

g) Comply with federal, state, and local statutes and regulations related to solid waste? *No Impact.* Residential waste collection in San Juan Capistrano is disposed of in regional landfills, as described above. All new residential development will be required to comply with state mandates and City regulations regarding reduction/recycling of household waste. None of the proposed housing strategies inherent in the proposed Housing Element or information provided in the other General Plan Amendments would have any effect upon or result in any conflicts with solid waste disposal regulations, as the scope of these revisions does not increase development capacity over what was previously analyzed in the General Plan EIR. No impact will occur.

	Potentially Significant Impact	Less Than Significant w/ Mitigation Incorporated	Less than Significant Impact	No Impact
16.18 MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have impacts which are individually limited, but cumulatively considerable (Cumulatively considerable means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to decrease below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory? Less than Significant with Mitigation Incorporated. The preceding analyses and discussions of responses in the preceding analysis conclude that the proposed project would have no effect upon sensitive biological resources, and would not result in significant impacts to historical, archaeological, or paleontological resources with mitigation incorporated. Impacts related to scenic resources will be less than significant. The project is a policy document that will not have any direct environmental impacts. All residential development facilitated by Housing Element policy will occur pursuant to adopted General Plan land use policy and other General Plan policies intended to minimize environmental impacts. Amendments associated with increased maximum residential density and with the update of the Density Bonus Program make no revisions to policy and do not alter any development assumptions considered in the General Plan EIR. The City hereby finds that impacts related to degradation of the environment will be less than significant, that no impacts to biological resources will occur, and that impacts to cultural resources will be less than significant with application of Mitigation Measure C-1.

b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? No Impact. The General Plan Conservation & Open Space, Land Use, Community Design, and Floodplain Management Elements includes long-term environmental goals to protect natural resources within the City. Goals include the preservation and enhancement of open space and natural features and protection of water quality in local creeks and floodplains. The proposed Housing Element identifies opportunities to accommodate anticipated housing needs within the City over the long-term. As discussed throughout this Initial Study and particularly in Sections 16.9, 16.10, 16.14, and 16.15, the Housing Element will not result in significant environmental impacts related to water quality, park or recreational facilities, or conflicts with the environmental goals and policies of the General Plan. As an element of the General Plan, the project defines the long-term housing goals of the City and has no immediate, short-term goals that would compromise the long-term environmental goals of the General Plan. The City hereby finds that the project will not achieve short-term goals to the disadvantage of long-term environmental goals.

c) Does the project have impacts which are individually limited, but cumulatively considerable ("Cumulatively considerable" means the project's incremental effects are considerable when compared to the past, present, and future effects of other projects)? **Less than Significant Impact with Mitigation Incorporated.** Cumulative impacts can result from the interactions of environmental changes resulting from one proposed project with changes resulting from other past, present, and future projects that affect the same resources, utilities and infrastructure systems, public services, transportation network elements, air basin, watershed, or other physical conditions. Such impacts could be short term and temporary, usually consisting of overlapping construction impacts, as well as long term, due to the permanent land use changes involved in the project.

As discussed throughout the Initial Study, there are potential project-level impacts that have been identified. Potential project-level impacts and proposed mitigation measures are presented in the Cultural Resources (Section 16.5) section of this Initial Study. Refer the identified section for further discussion of the specific mitigation measures established to address any identified potential project level impacts. Cumulative impacts on greenhouse gases, an inherently cumulative issue, are discussed in Section 16.7.

Cumulative effects resulting from full implementation of the City's land use policies were evaluated in the General Plan EIR. The proposed General Plan Amendments would not change any of these policies and do not propose any specific development or redevelopment project that could contribute to short-term or long-term cumulative impacts that were not addressed sufficiently in the General Plan EIR. The proposed project does not include any changes to land use designations and thus is consistent with the project analyzed in the General Plan EIR. Overall, the long-term development of the Housing Opportunity sites is consistent with the growth projections identified in the regional population growth forecast completed by SCAG. As such, the proposed Housing Element update would not result in new or additional cumulative impacts. With the implementation of the mitigation measure prescribed at the project-level, the cumulative impacts would be less than significant.

d) Does the project have environmental effects which will have substantial adverse effects on human beings, directly or indirectly? **Less than Significant Impact.** Based on the analysis of the project's impacts in the responses to items 16.1 thru 16.17, there is no indication that this project could result in substantial adverse effects on human beings. The analysis concludes that direct and indirect environmental effects will at worst require mitigation to reduce to less than significant levels. Under each environmental consideration addressed in the preceding analysis, the proposed project is considered to have little or no adverse impacts on people and the environment.

17. PREPARATION. The initial study for the subject project was prepared by:



Laura Stokes, Housing Coordinator / Assistant Planner

References:

- ¹ General Plan EIR p. 5.1-1
- ² California Scenic Highway Mapping System, CalTrans
- ³ General Plan EIR p. 5.1-1
- ⁴ Community Design Element p.8
- ⁵ Zoning Code Title 9, Section 3.529 Lighting Standards
- ⁶ Community Design Element p.13
- ⁷ Farmland Mapping & Monitoring Program Important Farmland Map 2010
- ⁸ Zoning Code Section 9-3.311 Farm Market District
- ⁹ Zoning Code 9-3.301 Residential Districts
- ¹⁰ Orange County Williamson Act Parcels 2004 Ag Preserves Map
- ¹¹ FRAP Land Cover Map 2006
- ¹² FRAP Land Cover Map 2006
- ¹³ USFWS Critical Habitat Mapper
- ¹⁴ USFWS Critical Habitat Mapper

- 15 General Plan Conservation & Open Space Element p.18
- 16 General Plan EIR Biological Resources p.5.4-3
- 17 General Plan EIR Biological Resources p.5.4-5
- 18 General Plan Conservation & Open Space Element p.19
- 19 General Plan Plan Conservation and Open Space Plan p.18]
- 20 CA Dept. of Fish and Game website: <http://www.dfg.ca.gov/habcon/nccp/status/OrangeCoastal/>]
- 21 General Plan Cultural Resources Element Figure CR-1 p.10
- 22 [<http://www.nps.gov/nr/research/>] [<http://ohp.parks.ca.gov/ListedResources/?view=county>]
- 23 General Plan Cultural Resources Element Figure CR-2, Locations of Prehistoric and Historic Archeological Resources p.15
- 24 General Plan Cultural Resources Element p.14
- 25 Division of Mines and Geology Special Publication 42
- 26 Div of Mines & Geology San Juan Capistrano Quad Seismic Hazard Zone Report 053 p. 24
- 27 Seismic Hazard Zones Map San Juan Capistrano Quad
- 28 General Plan EIR p.5.6-7
- 29 General Plan Safety Element Figure S-1 Geological Hazards
- 30 State Seismic Hazards Zone Map
- 31 GP EIR p.5.6-9
- 32 GP Safety Element p.13
- 33 http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm
- 34 <http://www.calepa.ca.gov/sitecleanup/corteselist/CurrentList.pdf>
- 35 <http://www.calepa.ca.gov/sitecleanup/corteselist/>
- 36 <http://www.calepa.ca.gov/sitecleanup/corteselist/SectionA.htm#Facilities>
- 37 <https://geotracker.waterboards.ca.gov/>
- 38 Orange County ALUC Airport Planning Areas Map
- 39 <http://www.airnav.com/airports/>
- 40 http://www.faa.gov/airports/airport_safety/airportdata_5010/
- 41 http://www.fire.ca.gov/fire_prevention/fhsz_maps_orange.php]
- 42 <http://www.mwdh2o.com/mwdh2o/pages/yourwater/supply/groundwater/gwas.html>
- 43 Groundwater Bulletin 118
- 44 FEMA Map Service Center
<https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>
- 45 <https://msc.fema.gov/webapp/wcs/stores/servlet/FemaWelcomeView?storeId=10001&catalogId=10001&langId=-1>
- 46 http://www.waterboards.ca.gov/water_issues/programs/tmdl/303d_lists2006_epa.shtml
- 47 GP Conservation and Open Space Plan p.18]
- 48 CA Dept. of Fish and Game website: <http://www.dfg.ca.gov/habcon/nccp/status/OrangeCoastal/>]
- 49 California Department of Transportation. Basics of Highway Noise: Technical Noise Supplement. November 2009
- 50 California Governor's Office of Planning and Research. General Plan Guidelines. 2003
- 51 California Emissions Estimator Model.
- 52 Orange County ALUC Airport Planning Areas Map
- 53 1999 General Plan Parks & Rec Element
- 54 City of San Juan Capistrano 2010 Urban Water Management Plan June 2011