ATTACHMENT 2
EXHIBIT A

APRIL 2025

PUBLIC REVIEW DRAFT
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

VICTORIA PLACE PROJECT

PREPARED FOR

CITY OF COSTA MESA CALIFORNIA
CITY OF THE ARTS
INCORPORATED 1953

PREPARED BY

Michael Baker
INTERNATIONAL

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PUBLIC REVIEW DRAFT
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Victoria Place Project

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April 2025

JN 204361

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AVAILABILITY OF THE DRAFT IS/MND AND APPENDICES

The Notice of Intent to Adopt (NOI), Draft IS/MND, and Appendices are available for download at the City's official website.

https://www.costamesaca.gov/government/departments-and-divisions/economic-and-development-services/planning/environmental-notices-and-reports

In addition to the City's official website, these documents are also available for review at the Office of Planning and Research's (OPR) CEQAnet online database:

https://ceqanet.opr.ca.gov/

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1.0 INTRODUCTION

The Victoria Place Project (herein referenced as the "project") involves development of a residential common interest development community comprising of 18 duplexes (36 dwelling units) and four detached units for a total of 40 dwelling units; refer to Section 2.0, *Project Description*. Following a preliminary review of the proposed project, the City of Costa Mesa (City) has determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study addresses the direct, indirect, and cumulative environmental effects of the project, as proposed.

1.1 STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with CEQA (Public Resources Code Section 21000-21177) and pursuant to California Code of Regulations Section 15063, the City of Costa Mesa, acting in the capacity of Lead Agency under CEQA, is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration for that project. Such determination can be made only if "there is no substantial evidence in light of the whole record before the Lead Agency" that such impacts may occur (Public Resources Code Section 21080(c)).

The environmental documentation, which is ultimately selected by the City in accordance with CEQA, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not; however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and/or other discretionary approvals would be required.

The environmental documentation is subject to a public review period. During this review, agency and public comments on the document relative to environmental issues should be addressed to the City. Following review of any comments received, the City will consider these comments as a part of the project's environmental review and include them with the Initial Study documentation for consideration by the City.

1.2 PURPOSE

CEQA Guidelines Section 15063 identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include:

- A description of the project, including the location of the project;
- Identification of the environmental setting;
- Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries;
- Discussion of ways to mitigate significant effects identified, if any;
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls; and
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study.

1.3 CONSULTATION

As soon as a Lead Agency (in this case, the City of Costa Mesa) has determined that an Initial Study would be required for the project, the Lead Agency is directed to consult informally with all Responsible Agencies and Trustee Agencies that are responsible for resources affected by the project, to obtain the recommendations of those agencies as to whether an EIR or Negative Declaration should be prepared for the project. Following receipt of any written comments from those agencies, the Lead Agency considers any recommendations of those agencies in the formulation of the preliminary findings. Following completion of this Initial Study, the Lead Agency initiates formal consultation with these and other governmental agencies as required under CEQA and its implementing guidelines.

1.4 INCORPORATION BY REFERENCE

The following documents were utilized during preparation of this Initial Study and are incorporated into this document by reference. The documents are available for review at the City of Costa Mesa, Economic and Development Services Department, Planning Division, 77 Fair Drive, Costa Mesa, California 92626.

- *City of Costa Mesa 2015-2035 General Plan* (as amended through May 7, 2024). The *City of Costa Mesa 2015-2035 General Plan* (General Plan) provides a source of information and a policy framework for managing future growth and development and for establishing a system of land use administration tailored to the needs of the City. The General Plan sets forth the Vision for Costa Mesa for the next two decades and focuses on protecting and enhancing diverse residential neighborhoods, accommodating business that service local needs and attract regional/international spending, and providing cultural educational, social, and recreational amenities to the communities. The General Plan ensures that developments to public and private infrastructure are consistent with the City's goals, objectives, and policies. The General Plan includes the following elements: Land Use, Circulation, Growth Management, Housing, Conservation, Noise, Safety, Community Design, Open Space and Recreation, and Historical and Cultural Resources. Each element provides regulatory background, environmental setting, and goals, policies, and actions.

- *Final Environmental Impact Report for the 2015–2035 General Plan*, State Clearinghouse No. 2015111053, prepared by MIG, Inc., June 26, 2016 (herein referenced as the "General Plan EIR"). The *Final Environmental Impact Report for the 2015–2035 General Plan* was prepared to assess the long-range and cumulative environmental consequences that could result from the adaptation and implementation of the proposed General Plan Amendments. However, the General Plan Amendments would not authorize any specific development project, other form of land use approval, or any specific public facilities or capital facilities expenditures or improvements.

- *Costa Mesa Municipal Code* (current through Ordinance No. 2024-02, adopted August 6, 2024). The *Costa Mesa Municipal Code* (Municipal Code) provides regulations for government administrative operations, construction, development, infrastructure, public safety, and business operations within the City. The City's Zoning Code (Municipal Code Title 13, *Planning, Zoning, and Development*) is intended to promote public health, safety, and general welfare within the City. The Zoning Code implements the General Plan; classifies different land uses and structures in appropriate places and regulates such land uses to serve the needs of the City; establishes conditions which allow the various land use types to exist in harmony and to promote the stability of existing land uses by protecting them; and prevents undue intensity of land use or development to maintain a suitable balance between developed land and open space, among others.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The City of Costa Mesa (City) encompasses approximately 16 square miles and is located in the western portion of Orange County; refer to Exhibit 2-1, *Regional Vicinity*. Surrounding jurisdictions include Santa Ana to the north, Irvine and Newport Beach to the east, Newport Beach to the south, and Huntington Beach and Fountain Valley to the west.

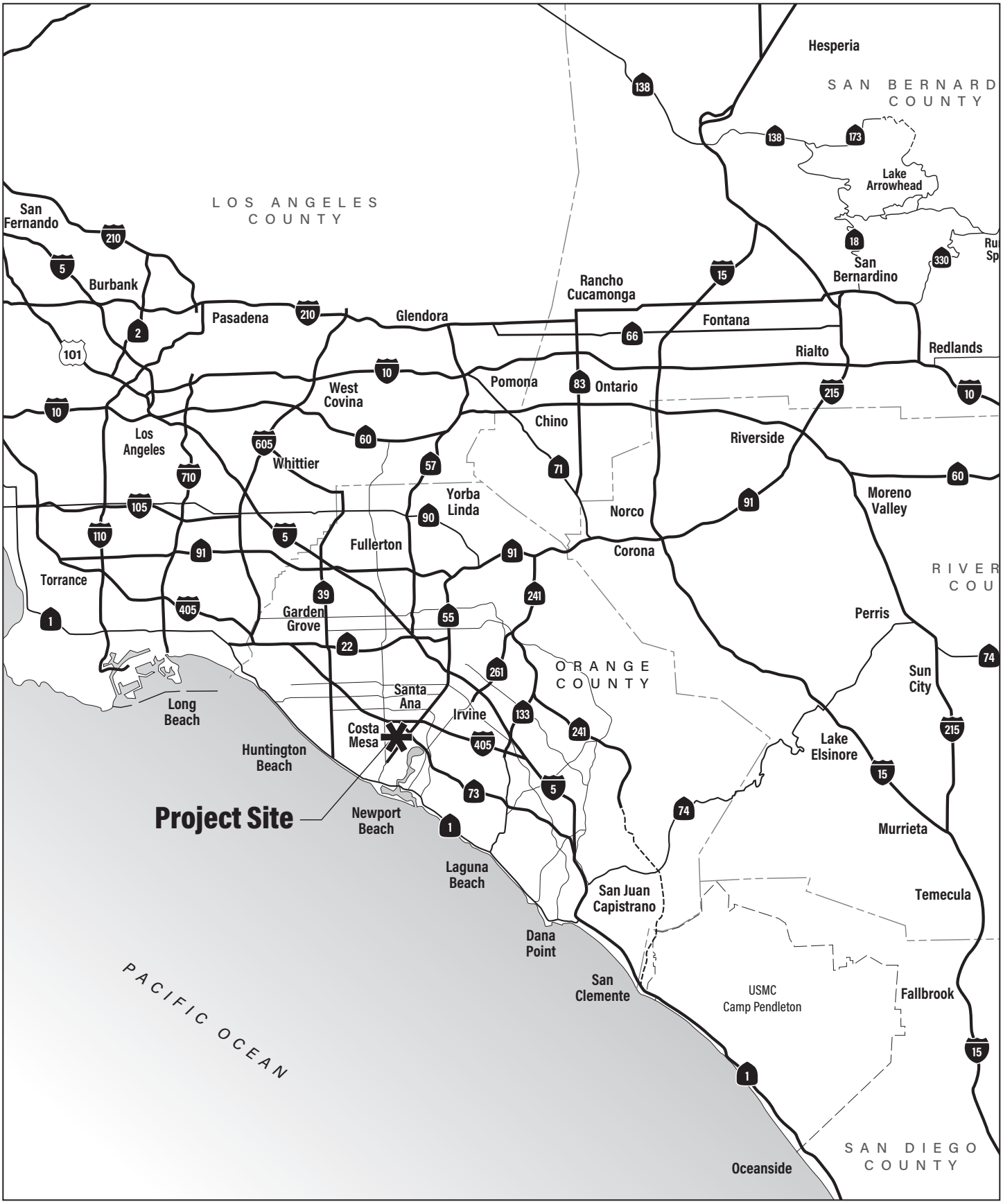
The proposed Victoria Place Project (project) site is approximately 1.77 acres and is located at 220, 222, 234, and 236 Victoria Street (Assessor's Parcel Numbers [APNs] 419-111-19 through -21) in the southern portion of the City; refer to Exhibit 2-2, *Site Vicinity*. Specifically, the project site is located along Victoria Place, north of the intersection of Victoria Street and Newport Boulevard, and to the west of the Costa Mesa Freeway (State Route 55 [SR-55]). Regional access to the project site is available via Interstate 405 (I-405) and SR-55. Local access to the project site is provided via Victoria Street and Newport Boulevard.

2.2 ENVIRONMENTAL SETTING

The project site is located within a highly developed and urbanized area of Costa Mesa. The project site is currently developed with existing commercial retail buildings, a residential unit repurposed as a commercial use, and storage yards. Specifically, approximately 18,567 square feet commercial retail use and storage are located on-site; refer to Table 2-1, *Existing Structures* and *Exhibit 2-2b*, Existing Buildings. Additionally, the site contains a one-story residential structure built in 1954. However, rent rolls indicate that for the past 58 years, the structure has been used as a commercial or storage facility for a plumbing business rather than as a residential unit. Currently vacant and in a state of disrepair, the structure has not been occupied for the past five years. Access to the project site is currently provided by Victoria Place, which connects Victoria Street and Newport Boulevard. A total of 17 street parking stalls (16 standard parking stalls and one Americans with Disabilities (ADA) stall) are located along Victoria Place. The site is relatively flat with an elevation of approximately 85 feet above mean sea level. The existing structures on-site were constructed prior to the 1990s and is in its current configuration since.

Table 2-1
Existing Structures

Tenant/Business	Use	Square Footage/Units
220 Victoria Street		
Suite A	Storage	500 square feet
Suite B	Boat Storage and Commercial Retail (Harvey's Boat Storage)	1,400 square feet
222 Victoria Street		
Suite A	Commercial Retail (Allied Lighting)	6,834 square feet
234 Victoria Street		
Suite A	Originally constructed as residential use, but has been utilized for commercial purposes for the past 58 years (Currently Vacant)	1 Unit Approximately 2,000 square feet
Suite B	Commercial (Suburban Plumbing)	2,333 square feet
236 Victoria Street		
--	Commercial Retail (Battery Mart)	5,500 square feet
	Total Commercial Square Footage	**18,567 square feet**



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VICTORIA PLACE PROJECT

Regional Vicinity

Exhibit 2-1

Source: Google Earth Pro, December 2024

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Site Vicinity

Exhibit 2-2

Source: Google Earth Pro, December 2024

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VICTORIA PLACE PROJECT

Existing Buildings

Exhibit 2-2b

GENERAL PLAN LAND USE DESIGNATION AND ZONING

The General Plan Land Use Map designates the project site as General Commercial. According to the City's General Plan Land Use Element, the General Commercial land use designation permits a wide range of commercial uses. Uses permitted on this land use designation includes hotels, service establishments, retail stores, restaurants, and theaters.

Residential and other noncommercial uses may be allowed through the Planned Development process. According to the City's Zoning Map, the project site is zoned General Business District (C2).

SURROUNDING LAND USES

Surrounding land uses include a mixture of commercial and residential uses. Specifically, land uses surrounding the project site include the following:

- *North:* Multi-family residences are located to the north of the project site. These areas are designated High Density Residential (20 dwelling units per acre [du/ac]), and zoned Multiple Family Residential (R3).

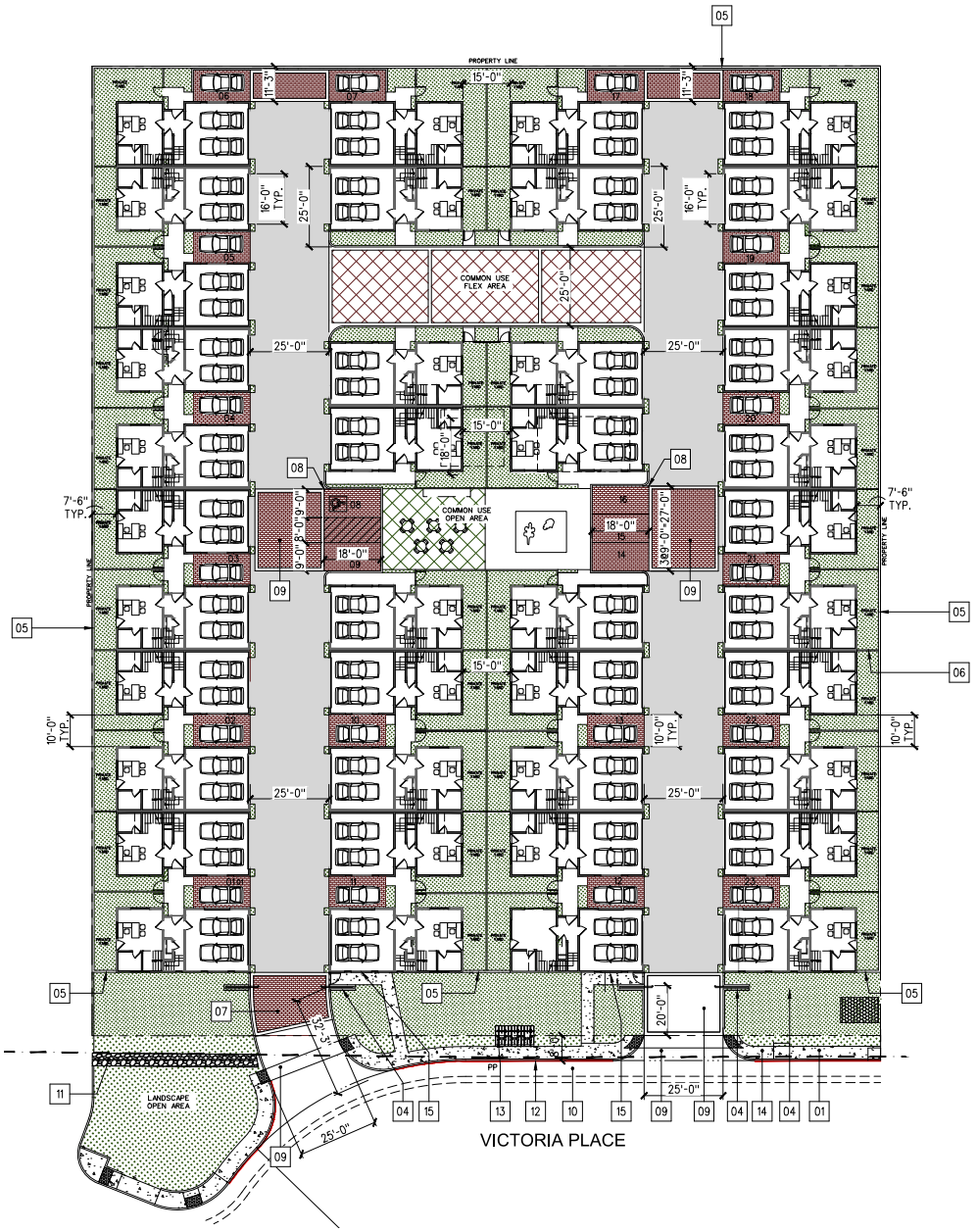
- *East:* A surface parking lot bounds the project site to the east. Located further east are multi-family residential building and commercial use (Advanced Marine Services). These areas are designated General Commercial and zoned General Business District (C2);

- *South:* The frontage street, Victoria Place, bounds the project site to the south. A commercial building (Jiffy Lube) and Victoria Street is located further south of the project site. Armstrong Garden Centers is situated further south. These areas are designated General Commercial and zoned Local Business (C1) (Jiffy Lube) and C2 (Armstrong Garden Centers);

- *West:* Commercial uses (Herb's Garage Auto Service Center, Paper Cliché, Costa Mesa Kendo Dojo, and Marshall's Taekwondo) are located to the west of the project site. These land uses are designated General Commercial and zoned C2. Residential uses (Victoria Garden Villas) are located further west. These land uses are designated High Density Residential and zoned Multiple Family Residential (R3).

2.3 PROJECT CHARACTERISTICS

The project proposes to develop a 40-unit residential common interest development community comprising of 18 duplexes and four detached units fronting Victoria Place; refer to Exhibit 2-3, *Conceptual Site Plan*. Specifically, the 76,923-square foot lot area (or approximately 1.77 acres) would be developed with 18 duplexes, or 36 units, with a square footage of 2,751 square feet per unit (which includes 425-square feet of space available for a home office on the ground floor); refer to Exhibit 2-4a, *Duplex Floor Plan*. The project would also construct four detached units; refer to Exhibit 2-4b, *Detached Unit Floor Plan*. The four detached, situated along Victoria Place, would have a square footage of 2,751-square feet per unit (which includes 427 square feet of space available for a home office on the ground floor).



KEYNOTES:

NO.	DESCRIPTION
1.	NEW SIDEWALK PER CITY STDS. - SEE GRADING PLAN
2.	ACCESSIBLE STALLS AND LOADING ZONE
3.	CURB-CUT RAMP WITH TRUNCATED DOMES
4.	MOTOR-OPERATED DOUBLE-SLIDING GATES WITH CARD READER
5.	NEW +7' HIGH CONCRETE BLOCK WALL - SPLIT-FACED BLOCK
6.	+6'-0" HIGH WOOD FENCES BETWEEN RESIDENCES
7.	DECORATIVE PAVING - TOPCAST OR EQ. WITH SCORED PATTERN
8.	CARPORT ABOVE
9.	NEW DRIVEWAY APPROACH
10.	NEW CLASS II BIKE LANE PER CITY STDS.
11.	PARKWAY DRAIN - SEE CIVIL
12.	RED "NO PARKING" PAINT FOR CURB ALONG STREET FRONTAGE
13.	(2) INVERTED "U" BIKE RACKS
14.	CURB RAMP WITH TRUNCATED DOMES
15.	KNOX BOXES PER CITY STDS.
16.	SEGMENTED GARAGE DOOR WITH GLASS PANELS - 16'-0" WIDE - TYP.

Source: Bundy-Finkel Architects 2025

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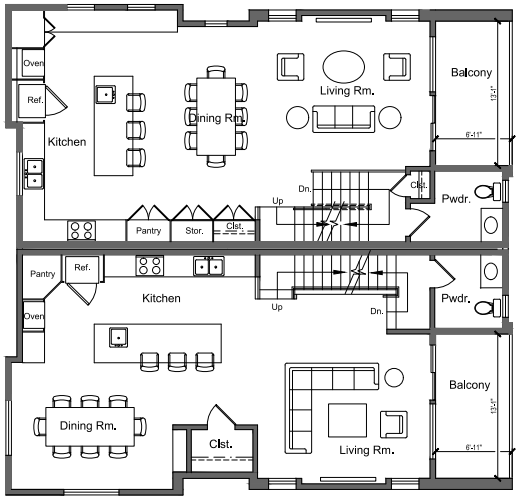
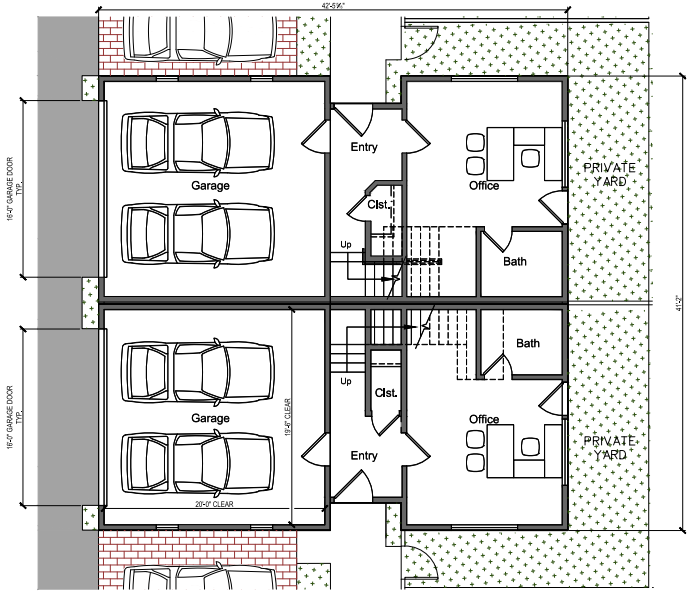
VICTORIA PLACE PROJECT

Conceptual Site Plan

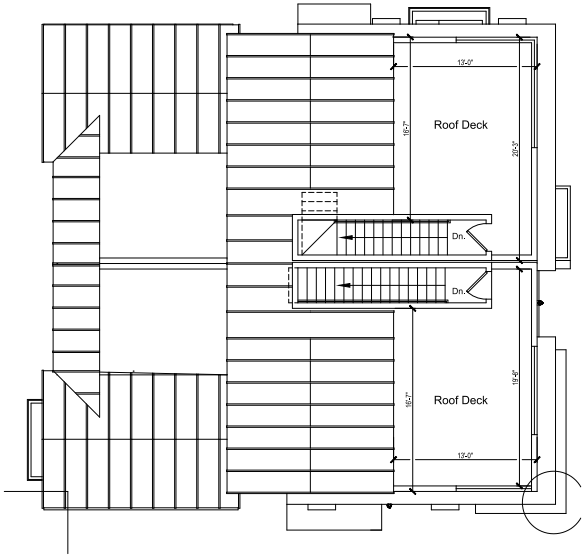
Exhibit 2-3



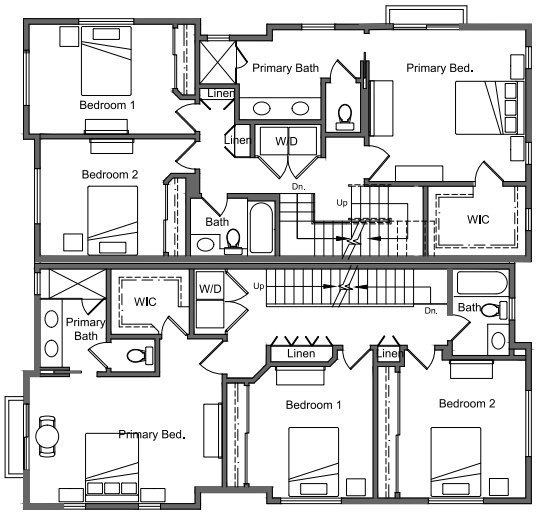
SECOND FLOOR PLAN - DUPLEX UNIT



FIRST FLOOR PLAN - DUPLEX UNIT



SCHEME 1 - ROOF PLAN DUPLEX UNIT



THIRD FLOOR PLAN - DUPLEX UNIT

Source: Bundy-Finkel Architects 2025

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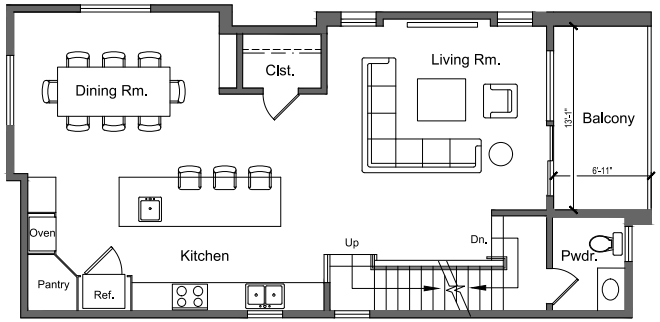
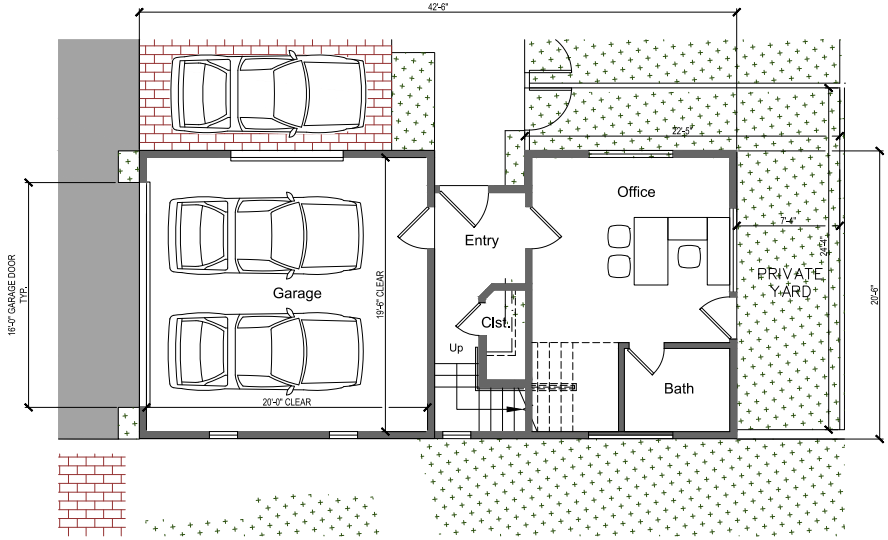
VICTORIA PLACE PROJECT

Duplex Floor Plan

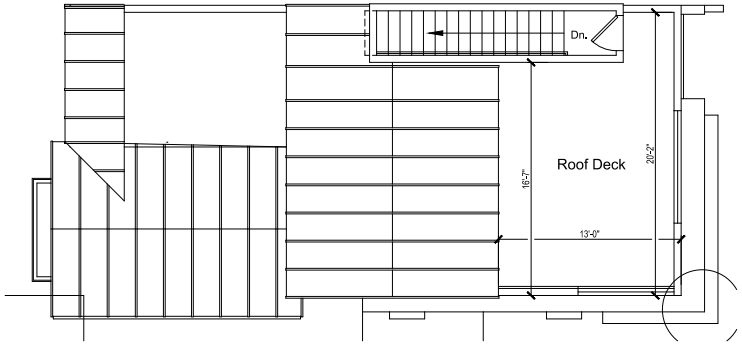
Exhibit 2-4a



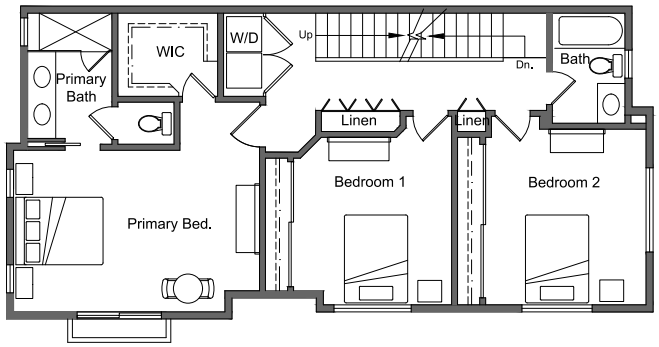
SECOND FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"



FIRST FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"



ROOF PLAN - DETACHED UNIT
1/4"=1'-0"



THIRD FLOOR PLAN - DETACHED UNIT
1/4"=1'-0"

Source: Bundy-Finkel Architects 2025

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VICTORIA PLACE PROJECT

Detached Unit Floor Plan

Exhibit 2-4b

The project includes the following planning applications for approval:

- **GENERAL PLAN AMENDMENT**

  The applicant is requesting a General Plan Amendment to apply the Residential Incentive Overlay designation to the project site. The General Plan Residential Incentive Overlay designation is strategically applied to specific commercial properties located along Harbor Boulevard and Newport Boulevard to expand development opportunities on properties that are not developed to their full potential or supporting outdated buildings and underperforming uses. Applying the overlay to the project site will modify the site's underlying General Plan General Commercial designation to allow residential development to occur at a maximum density of 30 units per acre. The General Plan Amendment will modify the Land Use Element maps, figures, text and tables to update the Land Use Element to apply the Residential Incentive Overlay designation on the project site.

- **ZONE CODE AMENDMENT**

  The project applicant is requesting a Zoning Code Amendment to re-zone the project site from C2 – General Business District to Residential Incentive Overlay District to implement the General Plan Residential Incentive Overlay designation. The Zone Code Amendment will apply a specific set of zoning provisions outlined in Costa Mesa Municipal Code (CMMC) Article 12, *Residential Incentive Overlay District,* to the proposed residential common interest development.

  The City's Municipal Code allows major land use changes within designated industrial and commercial corridors to proceed through the discretionary review and approval process without requiring voter approval. While this particular project involves a General Plan Amendment and a Zoning Code Amendment—both of which require final approval by the City Council—it qualifies for an exemption from voter approval under Costa Mesa Municipal Code (CMMC) Title 13, Chapter IX, Article 22: *An Ordinance to Give the People of Costa Mesa Control of Their Future.* According to CMMC Section 13-200.106(g)(1), as referenced in Figure 13-200.106, projects that support the revitalization of designated commercial and industrial corridors by providing housing and/or mixed-use development are exempt from the voter approval requirement. This project is located within one of the qualifying corridors described in the ordinance, Section 13-200.106 (g)(1): *Newport Boulevard/Old Newport Boulevard from Mesa Drive to the city limit, and Superior Avenue from Newport Boulevard to the city limit*. As a result, voter approval is not required for this project to proceed.

- **TENTATIVE TRACT MAP**

  A tentative tract map subdivision is necessary to merge the existing properties on-site and divide the property for future individual ownerships through the condominium subdivision process pursuant to the Costa Mesa Municipal Code and Subdivision Map Act.

- **MASTER PLAN**

  A Master Plan approval is required for all new development within the Residential Incentive Overlay District. The Master Plan process establishes the project's design framework including consideration of deviations from standards in exchange for high-quality projects. As part of the Master Plan process, the project must comply with specific Master Plan findings.

ARCHITECTURAL ELEMENTS

Building elevations are shown on Exhibits 2-5a, *Project Site Building Elevations*, through 2-5e, *Building Elevations – Renderings*. As detailed, the three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. The exterior building colors would include a variety of neutral earth tones, white, and black while the exterior building features would include tempered glass railing, wood plank siding, sheet metal awnings, simulated stone wood tiles, and slate wood tile, among others; refer to Exhibits 2-5a through 2-5e. Additionally, all units would include a balcony on the second floor and roof decks.

SITE ACCESS AND PARKING

Vehicular site access would be provided via two unsignalized driveways at the southern end of the project along Victoria Place; refer to Exhibit 2-3. Both driveways connect to internal drive aisles that form an "H"-shaped roadway pattern on-site. The 25-foot-wide internal drive aisles would also serve as fire access lanes pursuant to the City's Municipal Code requirements. New sidewalks would be constructed along the project frontage at Victoria Place which would allow pedestrian access to the residential community. The project also proposes locking residential pedestrian gates for pedestrian access for all on-site residents only.

Based on Municipal Code Section 13-85, *Parking required*, units with three or more bedrooms are required to provide 3.25 tenant parking spaces per unit (with covered parking proposed) and 0.5 guest parking spaces. Based on the proposed 40 dwelling units (18 duplexes [36 dwelling units] and four detached units), the proposed project would require a total of 150 parking stalls. Each duplex unit and detached unit would include an attached two-car garage, totaling to 80 parking garage spaces. Additionally, 18 open surface parking spaces between each duplex, and five covered carports for guests; refer to Exhibit 2-3. Thus, the project would provide 103 parking spaces in total. As the project would only construct 103 parking spaces, the project Applicant is seeking a deviation to the required parking pursuant to Municipal Code Section 13-83.63(e).

OPEN SPACE AND LANDSCAPING

Pursuant of Municipal Code Section 13-83.64, *Residential incentive overlay district development standards*, the proposed project would be required provide 40 percent of the total site area as open space. Additionally, 50 percent of the required open space area are required to be common use open space. Recreational facilities for children are required for residential projects with 12 or more units.

The project site is approximately 77,101 square feet and as such, a total of 30,840 square feet of open space is required pursuant of Municipal Code Section 13-83.64. Of the 30,840 square feet of open space, approximately 15,420 square feet is required to be dedicated to common use open space. The proposed project would provide a total of 32,437 square feet of open space, of which 9,817 square feet would be dedicated to common use open space and 2,620 square feet would be provided as private use open space (backyards). Of the proposed common use open space area proposed, 6,317 square feet would be for the on-site children play area and 3,500 square feet would be for a dedicated flex space area. The project also proposes 22,620 square feet of private open space (i.e., balconies and roof decks). The flex space would be designed as a large communal area for a variety of gatherings including barbecues, mixers, holiday events, and other community activities. It should be noted that the flex space would be paved in order to allow for vehicular traffic when not in use, including emergency vehicles (e.g., a fire engine). As the project would only construct 9,817 square feet of common use open space, the project Applicant is seeking a deviation to the required common use open space pursuant to Municipal Code Section 13-83.63(e).

SOUTH (VICTORIA PLACE)
3/32"=1'-0"

EAST
3/32"=1'-0"

NORTH
3/32"=1'-0"

WEST
3/32"=1'-0"

Source: Bundy-Finkel Architects 2025

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VICTORIA PLACE PROJECT

Project Site Building Elevations

Exhibit 2-5a

BUILDING 1 - STREET ELEVATION
1/4"=1'-0"

BUILDING 2 - STREET ELEVATION
1/4"=1'-0"

BUILDING 3 - STREET ELEVATION
1/4"=1'-0"

BUILDING 4 - STREET ELEVATION
1/4"=1'-0"

Source: Bundy-Finkel Architects, December 2024

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Victoria Place Street Elevations - Detached Units

Exhibit 2-5b

WEST ELEVATION
1/4"=1'-0"

SOUTH (STREET) ELEVATION
1/4"=1'-0"

EAST ELEVATION
1/4"=1'-0"

NORTH ELEVATION
1/4"=1'-0"

Source: Bundy-Finkel Architects 2025

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VICTORIA PLACE PROJECT

Detached Units Building Elevations

Exhibit 2-5c

SIDE / ENTRY ELEVATION
1/4"=1'-0"

SIDE / ENTRY ELEVATION
1/4"=1'-0"

FRONT / GARAGE ELEVATION
1/4"=1'-0"

REAR ELEVATION
1/4"=1'-0"

Source: Bundy-Finkel Architects 2025

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Duplex Building Elevations

Exhibit 2-5d

TYPICAL ROOF DECK

COMMON USE PLAY / BBQ AREA

VIEW FROM VICTORIA STREET

VIEW FROM VICTORIA STREET

POCKET PARK / STREET FRONTAGE

VIEW FROM VICTORIA PLACE

VIEW FROM VICTORIA PLACE

COMMON USE PLAY / BBQ AREA

AERIAL VIEW FROM SOUTHEAST

Source: Bundy-Finkel Architects, December 2024

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Renderings

Exhibit 2-5e

Landscaping would be installed at Victoria Parkway as well as within the new community; refer to Exhibit 2-6, *Conceptual Landscape Plan*. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. Additionally, the Victoria Parkway has been designed to include seating areas, shade trees, lush landscaping, bioswale, and other amenities. Other ornamental landscaping would be installed throughout the project site, including along the project frontage, drive aisles, building perimeters, and entryways; refer to Exhibit 2-6. Planting materials would include a variety of trees (i.e., Bloodgood London Plane, Afghan Pine, Brisbane Box, Hopseed Bush, etc.), shrubs (i.e., Atlas Fescue, Spanish Lavender, Blue Flame Agave, etc.), and groundcover.

WALLS AND FENCING

A seven-foot-tall concrete block wall is proposed along the site perimeter except along Victoria Place. The block wall would be designed in accordance with Municipal Code Section 13-75, *Fences and walls*. Wood fencing (six feet in height) would be provided between the private backyards of each duplex unit. A motor-operated double-sliding gates would be present at the entrance of the two driveways along Victoria Place. The motor-operated double-sliding gates would only permit the entry of residents, guests, and public services (i.e., police, fire protection services, trash collection services, etc.).

UTILITIES AND SERVICES

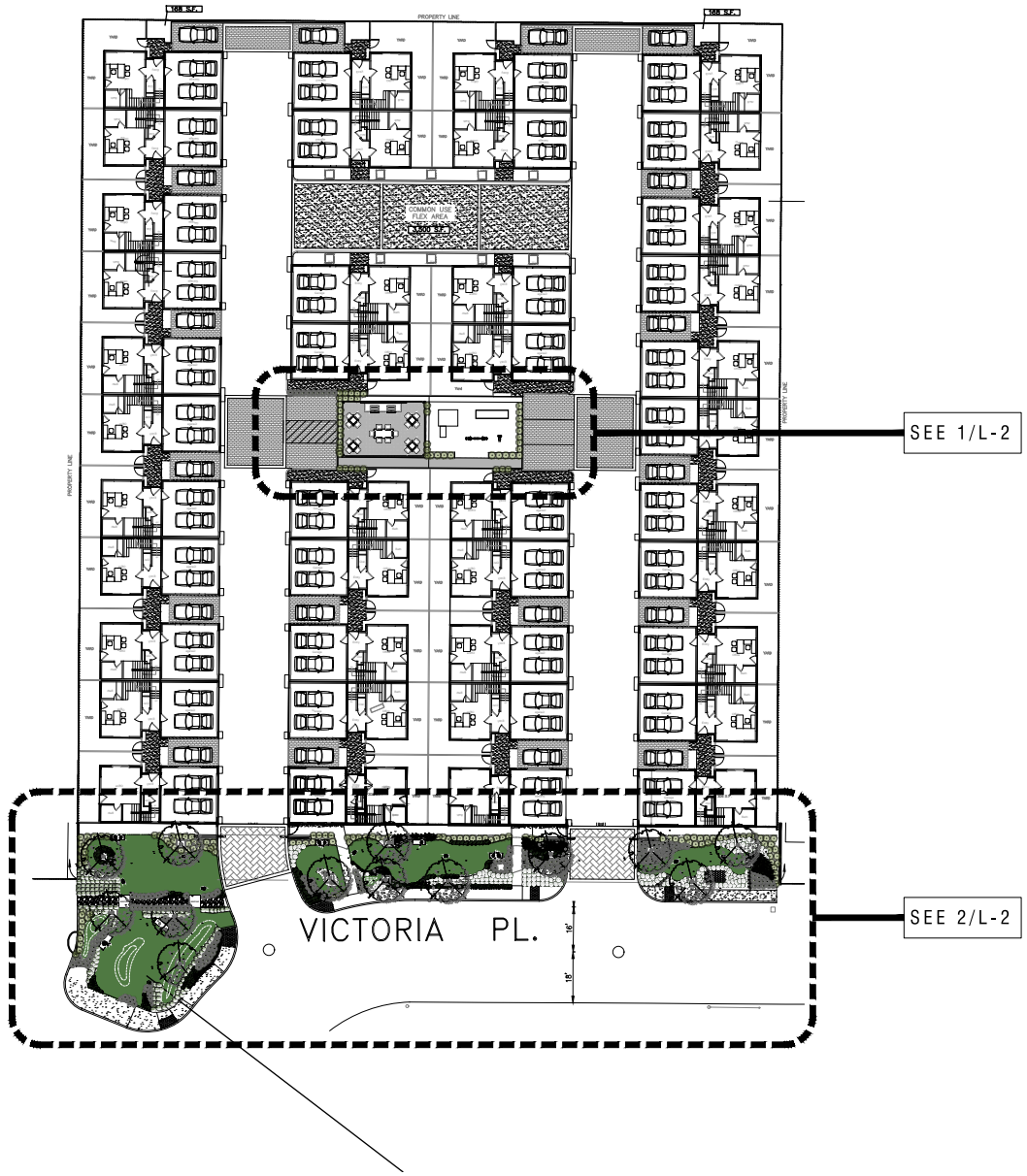
The project proposes connections to the existing utilities located in public rights-of-way; refer to Exhibit 2-7, *Conceptual Utility Plan*. The following is a description of proposed utilities to serve the project:

- *Water*. The project site would be served by the Mesa Water District (MWD). The project proposes private one-inch service water laterals that connect to the existing 12-inch water main in Victoria Place. The western portion of the project would connect to a proposed 6-inch water main in the western portion of the Victoria Parkway. The new 6-inch water main would then connect to an existing 12-inch water main in Victoria Place. The eastern portion of the project site would connect to the existing 12-inch water main in Victoria Place near the central portion of the project frontage.

- *Sewer*. Costa Mesa Sanitary District (CMSD) would provide sanitary sewer services to the project site. The project proposes to construct private four-inch lateral with six-inch main sewer lines throughout the site to connect to the existing 21-inch sewer line in Victoria Place via two connection points.

- *Drainage*. The project proposes to construct an on-site storm drain system with a modular wetland system. The project proposes to construct private four- to eight-inch storm drains throughout the site. The new storm drains would convey storm water flows to the modular wetland system unit at the southeast corner in Victoria Parkway to be treated before being conveyed to the existing 24-inch storm drain in Victoria Place at one point of connection. Should the storm event exceed the capacity of the modular wetland system unit, the water would bypass the system to flow into the existing storm drain. Additionally, an 18-inch outlet pipe would be installed to connect to the proposed curb opening catch basin near the Newport Boulevard and Victoria Place intersection; refer to Exhibit 2-7. The new outlet pipe would be installed via trenching.

- *Dry Utilities*. Southern California Edison and Southern California Gas Company would provide electricity and natural gas services to the site, respectively. The project would install appropriate connections on-site to the existing system present in Victoria Place. The project also proposes to underground existing power lines along the project frontage at Victoria Place.



Source: Studio Berzunza 2025

Michael Baker INTERNATIONAL

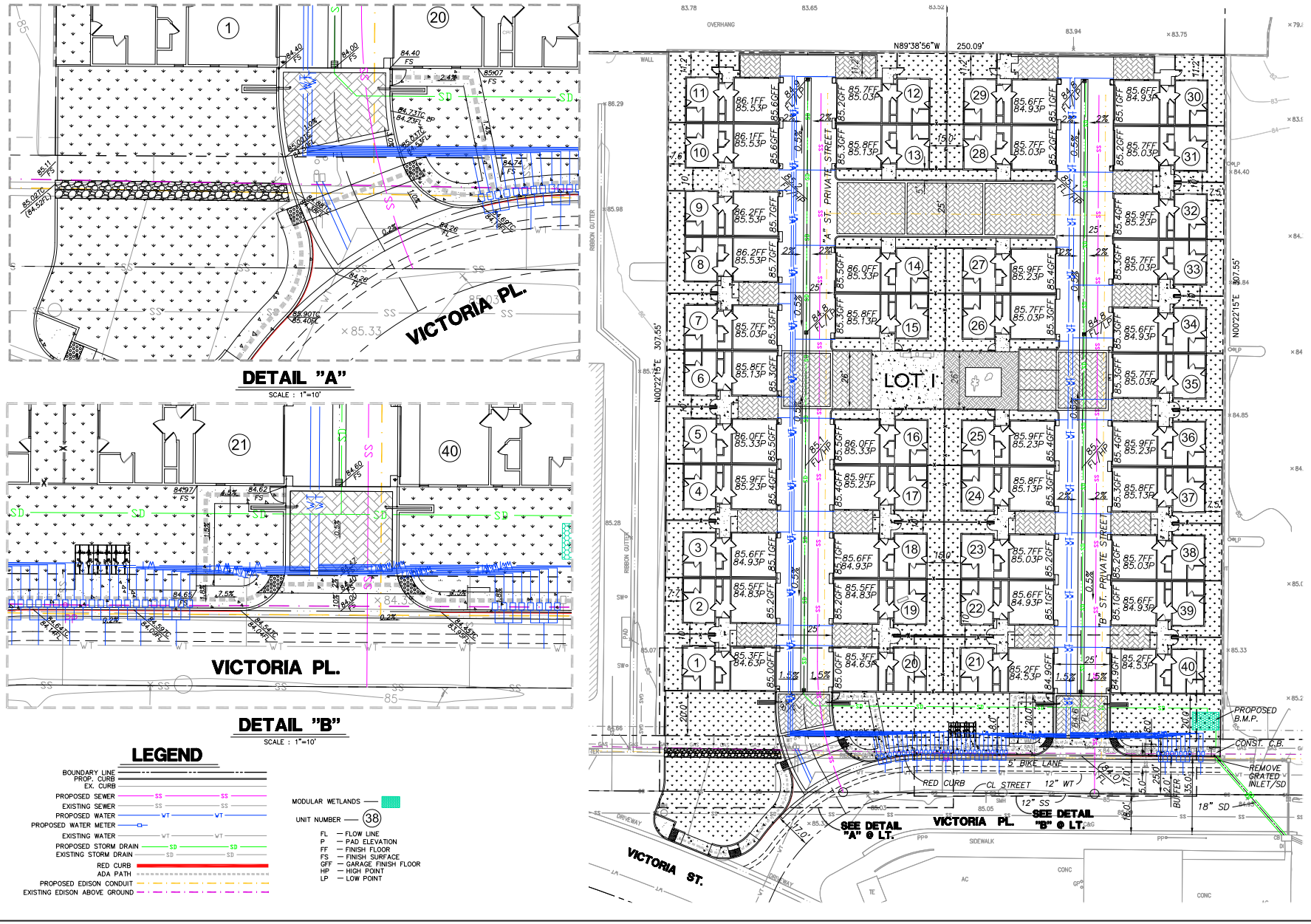
NOT TO SCALE

03/2025 • JN 204361

VICTORIA PLACE PROJECT

Conceptual Landscape Plan

Exhibit 2-6



Source: CA Engineering, Inc. 2025

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03/2025 • JN 204361

VICTORIA PLACE PROJECT

Conceptual Utility Plan

Exhibit 2-7

2.4 PHASING/CONSTRUCTION

Construction activities are anticipated to occur in one phase for approximately 12 to 15 months, commencing in 2025, and to be completed in 2027. Operation of the proposed project would begin in 2027. Demolition, grading, and paving activities would occur for the first two month with building construction occurring for the remaining time. The proposed project would require the demolition of approximately 20,623 square feet of existing structures. Project earthwork would require 8,570 cubic yards of cut/fill; the site grading would be balanced and no import/export of soils would be necessary.

2.5 AGREEMENTS, PERMITS, AND APPROVALS

The proposed project would require agreements, permits, and approvals from the City of Costa Mesa prior to construction. These discretionary actions are listed below and may change as the project entitlement process proceeds.

- General Plan Amendment (PGPA-24-0001): to modify the Land Use Element maps, figures, text, and tables to identify the site with a Residential Incentive Overlay designation;
- Zoning Code Amendment: to update the City's Zoning Map with the Residential Incentive Overlay District for the site and to allow for residential development;
- Tentative Tract Map (TTM No. 19351): to merge the existing properties and divide the site for individual ownership through the condominium subdivision process; and
- Master Plan Approval: approval of a Master Plan for developments within the Residential Incentive Overlay District. The Master Plan process establishes the project's design framework including consideration of deviations from standards (i.e., parking requirements) in exchange for high quality projects.

Further, discretionary approvals from the following responsible agencies may be required:

- Orange County Airport Land Use Commission – Determination of Consistency with Airport Environs Land Use Plan for John Wayne Airport.

- Santa Ana Regional Water Quality Control Board – Issuance of a National Pollution Discharge Elimination System (NPDES) Permit.

- Costa Mesa Sanitation District – Approval of proposed sewer improvements.

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3.0 INITIAL STUDY CHECKLIST

3.1 BACKGROUND

1. **Project Title:**
   Victoria Place Project

2. **Lead Agency Name and Address:**
   City of Costa Mesa
   Economic and Development Department
   77 Fair Drive
   Costa Mesa, California 92626

3. **Contact Person and Phone Number:**
   Victor Mendez, Senior Planner
   714.754.5276

4. **Project Location:**
   The proposed project is located at 220, 222, 234, and 236 Victoria Street (Assessor's Parcel Numbers [APNs] 419-111-19 through -21) in the southern portion of the City.

5. **Project Sponsor's Name and Address:**
   WMC LLC
   Tony Weeda
   1024 Bayside Drive Suite 109
   Newport Beach, California 92629

6. **General Plan Designation:**
   General Commercial

7. **Zoning:**
   General Business District (C2)

8. **Description of Project:**
   The project involves demolition of existing on-site uses and the development of a new residential common interest development community comprising of 18 duplexes (36 dwelling units) and four detached units for a total of 40 dwelling units; refer to Section 2.4, *Project Characteristics*. The proposed project also consists of a General Plan Amendment, Zone Code Amendment, Tentative Tract Map, and a Master Plan to establish the residential development.

9. **Surrounding Land Uses and Setting:**
   Surrounding land uses include a mixture of commercial and residential uses. Specifically, land uses surrounding the project site include:

   - *North:* Multi-family residences (Lido Apartment Homes) are located to the north of the project site. These areas are designated High Density Residential (20 dwelling units per acre [du/ac]), and zoned Multiple Family Residential District (R3).

   - *East:* A surface parking lot bounds the project site to the east. Located further east are multi-family residential building and commercial use (Advanced Marine Services). These areas are designated General Commercial and zoned General Business District (C2);

- *South:* The frontage street, Victoria Place, bounds the project site to the south. A commercial building (Jiffy Lube) and Victoria Street is located further south of the project site. Armstrong Garden Centers is situated further south. These areas are designated General Commercial and zoned Local Business District (C1) (Jiffy Lube) and C2 (Armstrong Garden Centers);

- *West:* Commercial uses (Herb's Garage Auto Service Center, Paper Cliché, Costa Mesa Kendo Dojo, and Marshall's Taekwondo) are located to the west of the project site. These land uses are designated General Commercial and zoned C2.Residential uses (Victoria Garden Villas) are located further west. These land uses are designated High Density Residential and zoned R3.

10. **Other public agencies whose approval is required:**
    Santa Ana Regional Water Quality Control Board and the Orange County Airport Land Use Commission (ALUC).

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**
    In accordance with Senate Bill 18 and Assembly Bill 52, the City reached out to the California Native American Heritage Commission (NAHC) due to the project's requirement for a General Plan Amendment and subject to environmental review pursuant to CEQA, requesting a list of tribes that are traditional and culturally affiliated with the project area. The NAHC provided a list of tribes, and the City subsequently distributed letters to Native American tribes to notify them of the proposed project and offer the opportunity for consultation. Refer to Section 4.18, *Tribal Cultural Resources*.

3.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation

- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Mandatory Findings of Significance

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the CEQA Guidelines Appendix G and used by the City of Costa Mesa in its environmental review process. For the preliminary environmental assessment undertaken as part of this Initial Study's preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the development's impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the development. To each question, there are four possible responses:

- *No Impact*. The project would not have any measurable environmental impact on the environment.

- *Less Than Significant Impact*. The project would have the potential for impacting the environment, although this impact would be below established thresholds that are considered to be significant.

- *Less Than Significant Impact With Mitigation Incorporated*. The project would have the potential to generate impacts which may be considered as a potentially significant effect on the environment, although mitigation measures or changes to the project's physical or operational characteristics can reduce these impacts to levels that are less than significant.

- *Potentially Significant Impact*. The project would have impacts which are considered potentially significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

Where potential impacts are anticipated to be potentially significant, mitigation measures will be required, so that impacts may be avoided or reduced to less than significant levels.

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4.0 ENVIRONMENTAL ANALYSIS

4.1 AESTHETICS

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

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

No Impact. A scenic vista is generally defined as a view of undisturbed natural lands exhibiting a unique or unusual feature that comprises an important or dominant portion of the viewshed.[1] Scenic vistas may also be represented by a particular distant view that provides visual relief from less attractive views of nearby features. Other designated federal and State lands, as well as local open space or recreational areas, may also offer scenic vistas if they represent a valued aesthetic view within the surrounding landscape of nearby features.

According to the City's General Plan EIR, Costa Mesa sits atop a plateau approximately one mile from the Pacific Ocean. The Pacific Ocean can be seen along the City's western boundary, where the coastline creates a distinctive visual background. The eastern edge of the City affords some views of Upper Newport Bay. Views to the north and east include the San Gabriel Mountains (distant) and Santa Ana Mountains (nearby), respectively. Natural features in the City include the channelized Santa Ana River, which runs along the City's entire western border, and open space lands in Fairview Park and Talbert Regional Park. The Santa Ana River has a sandy bottom and irregular pockets of vegetation. Scenic vistas within the City are limited to large areas of undeveloped land that offer views of scenic resources such as Upper Newport Bay, the Santa Ana River, and the Santa Ana Mountains.

The project site and surrounding area are situated in an urbanized area of the City. The closest areas with visual resources include Newport Back Bay, approximately 0.97 mile to the east, and Costa Mesa Country Club, approximately 0.64 mile to the northwest. Existing public views of the project site, as well as visual resources in the area (including the Santa Ana Mountains), are not afforded due to the relatively flat topography, existing structures, and mature trees. As such, no impacts to existing scenic views or vistas would result.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[1] A viewshed is the geographical area which is visible from a particular location.

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

No Impact. According to the California Department of Transportation, there are no officially designated, or eligible, State scenic highways in the project vicinity.[2] The nearest scenic highway is Pacific Coast Highway (PCH or Highway 1) (designated as eligible for listing), which is located approximately 2.45 miles south of the project site. Views of the project site are not readily afforded from PCH due to topographic conditions and intervening vegetation and structures. Thus, the project would not substantially damage scenic resources within a State scenic highway. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. The project site is located within a highly developed and urbanized area of Costa Mesa. The project site is currently developed with existing commercial retail buildings, a residential unit repurposed as a commercial use, and storage yards. Surrounding land uses include a mixture of commercial and residential uses. Residential uses include multi-family residences to the north and multi-family residential (Victoria Garden Villas) further west of the project site. Based on the project's urbanized setting, the following analysis evaluates the project's potential to conflict with applicable zoning and other regulations governing scenic quality.

CONSTRUCTION

As discussed in Section 2.5, *Phasing/Construction*, construction activities are anticipated to occur over a duration of approximately 12 to 15 months. During this time, short-term construction activities, construction equipment, and truck traffic would be visible to local roadway travelers along Victoria Place and Victoria Street. Existing relatively flat topography and intervening perimeter block walls would screen residential and commercial uses to the west, north, and east from the majority of the project's proposed construction activities. While public views of construction activities would be visible from Victoria Place and Victoria Street, these construction-related visual impacts are considered to be temporary and would cease upon construction completion. Overall, the project's construction-related impacts to visual character/quality of the project site and its surrounding areas are less than significant.

OPERATIONS

The project proposes to develop a 40-unit residential common interest development community comprising of 18 duplexes and four detached units fronting Victoria Place; refer to Exhibit 2-3, *Conceptual Site Plan*. Exhibit 2-5a, *Building Elevations*, through Exhibit 2-5e, *Renderings*, illustrate the proposed building elevations by unit type, as well as perspectives from different vantage points, including public views along Victoria Place. Development of the proposed residential common interest development community at the project site would require a General Plan Amendment and Zoning Code Amendment to allow residential land uses on-site.

The General Plan Land Use Map designates the project site as General Commercial. The General Commercial land use designation permits a wide range of commercial uses (such as hotels, service establishments, retail stores,

[2] California Department of Transportation, *California State Scenic Highway System Map*, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways, accessed December 9, 2024.

restaurants, and theaters). The proposed Land Use Element update would result in a fifth property location being designated with this Overlay and enable residential development on the property up to 30 dwelling units per acre. Table 4.1-1, *General Plan Consistency Analysis Governing Scenic Quality*, includes a consistency analysis of the project with General Plan goals and policies governing scenic quality.

Table 4.1-1
General Plan Consistency Analysis Governing Scenic Quality

Relevant Section	Consistency Analysis
Goal CD-1 Strengthen the image of the City as experienced from sidewalks and roadways.	***Consistent.*** New public sidewalks would be constructed along the project frontage at Victoria Place which would allow pedestrian access to the residential community Landscaping would be installed at Victoria Parkway as well as within the new community; refer to Exhibit 2-6, *Conceptual Landscape Plan*. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. The project also proposes locking residential pedestrian gates for pedestrian access into the project site for resident access only.
Objective CD-1A Contribute to City beautification by enhancing the visual environment of Costa Mesa's vehicular and pedestrian paths and corridors.	***Consistent.*** Refer to Response to Goal CD-1 above. The project would not result in any changes to right-of-way improvements in the City's designated vehicular and pedestrian paths and corridors.
Policy CD-1.3 Promote treatments for walls and fences and utility cabinets along public rights-of-way that contribute to an attractive street and sidewalk environment. Require that new walls and fences complement the style and character of the local district and adjacent buildings. Newly constructed or reconstructed walls and fences adjacent to sidewalks and roadways should incorporate architectural treatments such as pilasters, masonry, or wrought iron, and should integrate tiered plantings to soften their appearance.	***Consistent.*** A seven-foot-tall concrete block wall is proposed along the site perimeter except along Victoria Place. The block wall would be designed in accordance with Municipal Code Section 13-75, *Fences and walls*. Wood fencing (six feet in height) would be provided between the private backyards of each duplex unit. Motor-operated double-sliding gates would be present at the entrance of the two driveways along Victoria Place. Ornamental landscaping would be installed throughout the project site, including along the project frontage, drive aisles, building perimeters, and entryways.
Policy CD-1.4 Promote a consistent landscape character along City streets to reinforce the unique qualities of each corridor and district, including the development of landscaped medians. Support implementation of the recommended street tree palette for each City street, as identified in the City of Costa Mesa Streetscape and Median Development Guidelines.	***Consistent.*** Refer to Responses to Goal CD-1 and Objective CD-1A above.
Policy CD-1.5 Encourage electric and communication lines to be placed underground and electrical substations and telephone facilities to be screened to minimize visual impacts from sidewalks, streets, and adjacent properties. Support utility undergrounding through conditions of project approval, preparation of undergrounding plans, and the formation of assessment districts.	***Consistent.*** All proposed on-site utilities would be located underground. The project would also underground existing overhead powerlines along the project's frontage along Victoria Place.

Relevant Section	Consistency Analysis
Goal CD-2 Enhance the existing character and strengthen the identity of Costa Mesa's districts.	***Consistent.*** The project site is situated in the Downtown/Triangle District (Triangle) and bounds the College Park District to the south. The Triangle is an activity hub intended to draw both local and regional visitors. It sits in the heart of Costa Mesa's downtown, which runs along Newport Boulevard and 19th Street. This area includes a variety of pedestrian scale retail spaces, fine restaurants, a movie theatre, and nightclubs. Given that the project site bounds the College Park District to the south, it is acknowledged that the homes within the College Park District are a mix of residential densities and architectural types. The majority of the units are higher residential density complexes located along Newport Boulevard, Wilson Street, and Victoria Street. This district also includes College Park, an older single-family residential tract. As such, the proposed 40-unit residential common interest development community with public right-of-way improvements along Victoria Place would complement these districts identified in the General Plan.
Objective CD-2A Encourage future development and redevelopment to reinforce district scale, identity, and urban form.	***Consistent.*** Refer to Response to Goals CD-2 above.
Policy CD-2.2 Support and seek land uses and development that correspond or enrich our existing districts.	***Consistent.*** Refer to Response to Goals CD-2 above.
Goal CD-6 Enhance opportunities for new development and redevelopment to contribute to a positive visual image for the City of Costa Mesa that is consistent with the district image.	***Consistent.*** Refer to Response to Goals CD-2 above.
Policy CD-7.1 Ensure that new and remodeled structures are designed in architectural styles that reflect the City's eclectic quality, yet are compatible in scale and character with existing buildings and the natural surroundings within residential neighborhoods. Continue to update and maintain the Costa Mesa Residential Guidelines.	***Consistent.*** Building elevations are shown on Exhibits 2-5a, through 2-5e. As detailed, the three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. The exterior building colors would include a variety of neutral earth tones, white, and black while the exterior building features would include tempered glass railing, wood plank siding, sheet metal awnings, simulated stone wood tiles, and slate wood tile, among others. Additionally, all units would include a balcony on the second floor and roof decks for visual articulation. As a result, the proposed architecture promotes design excellence and is consistent with Costa Mesa's Residential Design Guidelines.

Relevant Section	Consistency Analysis
Policy CD-7.2 Preserve the character and scale of Costa Mesa's established residential neighborhoods where possible; when new residential development is proposed, encourage that the new structures are consistent with the prevailing character of existing development in the immediate vicinity, and that new development does not have a substantial adverse impact on adjacent areas.	***Consistent.*** Refer to Response to Policy CD-7.1 above.
Sources: City of Costa Mesa, 2015-2035 General Plan, 2016.	

Residential Incentive Overlay District

According to the City's Zoning Map, the project site is zoned General Business District (C2). The project includes a request for a Zoning Code Amendment to re-zone the project site from C2 to Residential Incentive Overlay District to implement the General Plan Residential Incentive Overlay designation. The Zone Code Amendment would apply a specific set of zoning provisions outlined in Municipal Code Article 12, *Residential Incentive Overlay District,* to the proposed residential common interest development.

The Residential Incentive Overlay District currently applies to four sites along Harbor and Newport Boulevards on properties with underlying General Plan land use designations of Commercial Residential, General Commercial or Medium Density Residential. Pursuant to Municipal Code Section 13-83.60, the purpose and intent of the Residential Incentive Overlay District is to create new housing opportunities for residential development at strategic locations along Harbor Boulevard and Newport Boulevard that exhibit excellence in design, site planning, integration of uses and structures, and protect the integrity of neighboring development.

All development proposed in the Residential Incentive Overlay District requires approval of a master plan pursuant to Municipal Code Chapter III, *Planning Applications*. The Master Plan process establishes the project's design framework including consideration of deviations from standards in exchange for high-quality projects. As part of the Master Plan process, the project must comply with specific Master Plan findings for the Residential Incentive Overlay District. For those findings pertaining to regulations governing scenic quality; refer to Table 4.1-2, *Municipal Code Consistency Analysis Governing Scenic Quality*. Refer to Section 4.11, *Land Use and Planning*, Table 4.11-2, *Residential Incentive Overlay District Development Standards Consistency Analysis*, for a discussion concerning the project's consistency with other applicable zoning requirements.

Table 4.1-2
Municipal Code Consistency Analysis Governing Scenic Quality

Relevant Section	Consistency Analysis
Section 13-83.63(c) *Master plan findings for residential incentive overlay district.* The approval of the master plan for a residential development project in the residential incentive overlay district shall be subject to the following findings:	

Relevant Section	Consistency Analysis
(2) The project includes adequate resident-serving amenities in the common open space areas and/or private open space areas in areas including, but not limited to, patios, balconies, roof terraces, walkways, and landscaped areas.	***Consistent.*** The project site is approximately 77,101 square feet and as such, a total of 30,840 square feet of open space is required pursuant of Municipal Code Chapter 13-83.64. Of the 30,840 square feet of open space, approximately 15,420 square feet is required to be dedicated to common use open space. The proposed project would provide a total of 32,437 square feet of open space, of which 9,817 square feet would be dedicated to common use open space and 22,620 square feet would be provided as private use open space (backyards).. Of the 9,817 square feet of common use open space area proposed, 6,317 square feet would be for the on-site children play area and 3,500 square feet would be for a dedicated flex space area The flex space would be designed as a large communal area for a variety of gatherings including barbecues, mixers, holiday events, and other community activities. It should be noted that the proposed project would not meet the required common use open space and as such, the project Applicant is seeking a deviation to the required common use open space pursuant to Municipal Code Section 13-83.63(e)
(3) The project is consistent with the compatibility standards for residential development in that it provides adequate protection for residents from excessive noise, odors, vibration, light and glare, toxic emanations, and air pollution.	***Consistent.*** Refer to Response 4.1(d) below pertaining to the projects less than significant light and glare impacts.
(4) The proposed residences have adequate separation and screening from adjacent commercial uses through site planning considerations, structural features, landscaping, and perimeter walls.	***Consistent.*** The proposed project would install appropriate seven-foot-high perimeter concrete block walls to the west, north, and east consistent with Municipal Code 13-75, *Fences and walls*. Proposed landscaping would Landscaping would be installed at Victoria Parkway as well as within the new community; refer to Exhibit 2-6. The landscaping area in front of the detached units along Victoria Place would consist of fauna and flora gardens with pedestrian walkways into the residential community. Additionally, the Victoria Parkway has been designed to include seating areas, shade trees, lush landscaping, bioswale, and other amenities. Other ornamental landscaping would be installed throughout the project site, including along the project frontage, drive aisles, building perimeters, and entryways; refer to Exhibit 2-6. Planting materials would include a variety of trees (i.e., Bloodgood London Plane, Afghan Pine, Brisbane Box, Hopseed Bush, etc.), shrubs (i.e., Atlas Fescue, Spanish Lavender, Blue Flame Agave, etc.), and groundcover.
Section 13-83.63(d) *Application of Development Standards:*	***Consistent.*** Refer to Response to Section 13-83.63(4) above.

Relevant Section	Consistency Analysis
(1) *Height.* Maximum building height is three stories (rooftop terraces are permitted and not considered a story), provided privacy concerns of adjacent established residential neighborhoods are adequately addressed through the setback of upper stories or other design approaches.	***Consistent.*** The project proposes three stories, with roof deck space. Building heights would be up to 39 feet and six inches measured from above natural/finished grade. Refer to Section 4.11, *Land Use and Planning*, Table 4.11-2, for a discussion of the project's proposed setbacks.
(2) *Density.* Housing within the residential incentive overlay district is limited to a maximum density of 30 units per acre.	***Consistent.*** The project proposes 40 units on the 1.77-acre site, for a total density of 22.6 units per acre.
Sources: City of Costa Mesa, City of Costa Mesa Municipal Code Ordinance No. 23-03, adopted February 22, 2023.	

As indicated in Table 4.1-2, the proposed project would be consistent with applicable Municipal Code requirements that govern scenic quality. Further, the project would be subject to design review as required by the City's Site Development Permit process. This regulatory procedure would enforce the City's regulations governing scenic quality for the project site and surrounding area to ensure the proposed development complies with all applicable Residential Incentive Overlay District standards, including, but not limited to permitted uses, development standards and all supplemental regulations. Additionally, development of the proposed project would also be subject to several Standard Conditions of Approval in place to minimize aesthetic impacts. As a result, implementation of the proposed project would not conflict with applicable zoning and other regulations governing scenic quality. Impacts would be less than significant.

Standard Conditions of Approval:

SCA AE-1 All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc. with the existing structure(s). Plans submitted for plan check shall indicate how this will be accomplished.

SCA AE-2 The landscaping of this project shall comply with the City's landscaping requirements and any applicable guidelines (i.e. Water Efficient Landscape Guidelines). The final landscape plan shall meet tree count, tree selection, shrub count, groundcover and turf requirements per the City's Zoning Code.

SCA AE-3 Prior to issuance of building permits, a final landscape plan indicating the landscape palette and the design/material of paved areas shall be submitted for review and approval by the Planning Division. The private street shall also be enhanced with pervious pavers, colored concrete, or other treatment to the satisfaction of the Director of Economic and Development Services.

SCA AE-4 Enhanced landscaping is required within the front setback under the direction of Planning Staff. Landscaping should not exceed 3 feet in height in front of the patio wall.

SCA AE-5 No exterior roof access ladders, roof drain scuppers, or roof drain downspouts are permitted. This condition relates to visually prominent features of scuppers or downspouts that not only detract from the architecture but may be spilling water from overhead without an integrated gutter system which would typically channel the rainwater from the scupper/downspout to the ground. An integrated downspout/gutter system which is painted to match the building would comply with the condition. This condition shall be completed under the direction of the Planning Division.

SCA AE-6 Second floor windows shall be designed and placed to minimize direct lines-of-sight into windows on adjacent neighboring properties, and to minimize visibility into abutting residential side and rear

yards. Every effort shall be made to maintain the privacy of abutting property owners. Prior to issuance of a building permit, applicant shall provide a window placement study demonstrating compliance with this condition.

SCA AE-7 All fencing onsite must be block walls. The applicant shall submit a detailed block wall plan for review. The location and heights of block walls shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. The private, interior walls between the homes shall be a minimum of six feet in height.

Mitigation Measures: No mitigation measures are required.

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. There are two primary sources of light: light emanating from building interiors that pass through windows and light from exterior sources (i.e., street lighting, parking lot lighting, building illumination, security lighting, and landscape lighting). Light introduction can be a nuisance to adjacent uses and diminish the view of the clear night sky. There are nominal nighttime lighting and glare sources within the project boundaries (i.e., security lighting and lighting from interior building sources). However, other sources of lighting and glare are present in the project vicinity, including vehicular lighting along arterial streets, streetlights along Newport Boulevard and Victoria Street, nearby traffic signals, security lighting and interior building illumination, and landscape lighting associated with surrounding commercial uses. Daytime glare is present in association with reflection of typical building materials, such as glass, stucco, wood, and galvanized steel.

A significant impact may occur if lighting, as part of the proposed project, exceeds adopted thresholds for light and glare, including exterior lighting or light spillover, or if the proposed project creates a substantial new source of light or glare. Residential uses to the north of the project site represent the closest light-sensitive uses to the project.

CONSTRUCTION

Project construction activities could involve temporary glare impacts as a result of construction equipment and materials. However, pursuant to Municipal Code Section 13-279, *Exceptions for Construction*, construction hours are limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. through 6:00 p.m. Saturdays unless a temporary nighttime construction waiver is approved by the City's Director of Economic and Development Services (refer to SCA AE-8). No nighttime construction activities are proposed. Further, construction is not allowed on Sundays and specified Federal holidays. As SCA AE-8 would prohibit construction during the evening hours, and nighttime construction is not proposed, construction of the proposed project is not anticipated to result in new sources of light or glare. Impacts would be less than significant in this regard.

OPERATIONS

New sources of light would emanate from residential building interiors and exterior sources, including building illumination, parking and security lighting, and landscape lighting. Lighting for vehicular driveways would be similar to the existing condition along Victoria Place. Additionally, the project proposes a seven-foot-high concrete block wall along the project perimeter, including the northern perimeter along residential uses to the north. SCA AE-9 would require preparation of a Lighting Plan and Photometric Study for review and approval by the City's Director of Economic and Development Services. The Lighting Plan and Photometric Study would include performance standards to minimize the project's potential to result in lighting impacts. Such standards include the following:

- Lighting design and layout shall limit spill light to no more than 0.5 foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for the safety and security purposes on-site; and

- Glare shields may be required for select light standards.

SCA AE-10 would also require that all on-site lighting be provided in all parking areas, vehicular access ways, and along major walkways. The lighting must be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts, and shall be of a type approved by the Director of Economic and Development Services.

With implementation of SCA AE-9 and SCA AE-10, operational nighttime lighting and glare from the proposed project would be minimized to reduce light spillover to adjacent properties and impacts in this regard would be less than significant.

Last, it is acknowledged that the project would result in construction of new buildings on-site. New buildings would be of similar reflectivity of other buildings present in the surrounding area, as new materials would also consist of glass, wood, and stucco building materials similar to the existing on-site and surrounding area. Daytime glare conditions would be less than significant.

Standard Conditions of Approval:

SCA AE-8 All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day

SCA AE-9 Prior to the issuance of Building Permits, the Applicant shall submit a Lighting Plan and Photometric Study for the approval of the City's Economic and Development Services Department. The Lighting Plan shall demonstrate compliance with the following: (a) Lighting design and layout shall limit spill light to no more than 0.5 foot candle at the property line of the surrounding neighbors, consistent with the level of lighting that is deemed necessary for safety and security purposes on site. (b) Glare shields may be required for select light standards.

SCA AES-10 On-site lighting shall be provided in all parking areas, vehicular access ways, and along major walkways. The lighting shall be directed onto driveways and walkways within the project and away from dwelling units and adjacent properties to minimize light and glare impacts, and shall be of a type approved by the Director of Economic and Development Services.

Mitigation Measures: No mitigation measures are required.

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4.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	**Potentially Significant Impact**	**Less Than Significant Impact With Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d. Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

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. According to the California Department of Conservation, the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.[1] No farmland exists within the site vicinity. Thus, no impact would occur in this regard.

***Standard Conditions of Approval*:** No SCAs are applicable to this threshold of significance.

***Mitigation Measures*:** No mitigation measures are required.

[1] California Department of Conservation, *California Important Farmland Finder*, https://maps.conservation.ca.gov/DLRP/CIFF/, accessed November 15, 2024.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is currently zoned General Business District (C2). This zoning is not associated with agricultural uses. A Williamson Act contract are voluntary contracts formed between a county/city and a landowner for the purpose of restricting specific parcels of land to agricultural or related open space use. According to the *California Williamson Act Enrollment Finder* online interactive map, Orange County is a non-reporting participant of the Williamson Act.[2] Orange County, which the project site is located in, is a non-reporting participant of the Williamson Act. Due to the existing nature of the site (commercial and industrial uses), the project site is not associated with agricultural or open space use. As such, the project site is not covered under an existing Williamson Act contract. Thus, project implementation would not conflict with existing zoning for agricultural use, or a Williamson Act contract. No impact would occur in this regard.

***Standard Conditions of Approval*:** No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. As discussed, the project site is currently zoned C2 which permits a wide range of local commercial uses (i.e., commercial retail, hotels, restaurants, etc.). The existing zoning of the site is not associated with forest land, timberland, or timberland production. Further, project implementation would not result in the rezoning of forest land, timberland, or timberland zoned timberland production. No impacts would occur.

***Standard Conditions of Approval*:** No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

No Impact. Refer to Response 4.2(c). No impacts would occur in this regard.

***Standard Conditions of Approval*:** No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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. Refer to Responses 4.2(a) through 4.2(d). No impacts would occur.

***Standard Conditions of Approval*:** No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[2] California Department of Conservation, California Williamson Act Enrollment Finder, https://maps.conservation.ca.gov/dlrp/WilliamsonAct/App/index.html, accessed December 3, 2024.

4.3 AIR QUALITY

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

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

Less Than Significant Impact. The project site is located within the South Coast Air Basin (Basin), which is governed by South Coast Air Quality Management District (SCAQMD). To reduce emissions, the SCAQMD adopted the *2022 Air Quality Management Plan* (2022 AQMP), which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving State and Federal air quality standards. The AQMP is a regional and multi-agency effort, including the SCAQMD, California Air Resources Board (CARB), the Southern California Association of Governments (SCAG), and the U.S. Environmental Protection Agency (EPA).

The 2022 AQMP pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (2020-2045 RTP/SCS). SCAG updates the RTP/SCS every four years, and the most recent plan, the 2024-2050 RTP/SCS (Connect SoCal 2024), was adopted on April 4, 2024. Connect SoCal 2024 is a vision for the future of Southern California that includes policies, strategies, and projects to advance the region's mobility, economy, and sustainability through 2050. However, SCAQMD has not adopted an updated AQMP to incorporate the Connect SoCal 2024. While SCAG recently adopted the Connect SoCal 2024, the SCAQMD has not released an updated AQMP. As such, this consistency analysis is based on the 2022 AQMP and the RTP/SCS that was adopted at the time, the 2020-2045 RTP/SCS. According to the SCAQMD's CEQA Air Quality Handbook, projects must be analyzed for consistency with two main criteria, as discussed below.

Criteria for determining consistency with the AQMP are defined by the following indicators:

Criterion 1:

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

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

Since the consistency criteria pertains to pollutant concentrations, rather than to total regional emissions, an analysis of the project's pollutant emissions relative to localized pollutant concentrations is used as the basis for evaluating project consistency. As discussed in Response 4.3(c), localized concentrations of carbon monoxide (CO), nitrogen oxides (NO_X), particulate matter less than 10 microns in diameter (PM_{10}), and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) would be less than significant during project

construction and operations. Therefore, the proposed project would not result in an increase in the frequency or severity of existing air quality violations.[1]

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

As discussed in Response 4.3(b), the proposed project would result in emissions that are below the SCAQMD thresholds. Therefore, the project would not have the potential to cause or affect a violation of the ambient air quality standards.

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

The proposed project would result in less than significant impacts regarding localized concentrations during project construction and operations; refer to Responses 4.3(b) and 4.3(c). As such, the project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions.

Criterion 2:

With respect to the second criterion for determining consistency with SCAQMD and SCAG air quality policies, it is important to recognize that air quality planning within the Basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether the proposed project exceeds the assumptions utilized in preparing the forecasts presented in the 2022 AQMP. Determining whether a project exceeds the assumptions reflected in the 2022 AQMP involves the evaluation of the three criteria outlined below. The following discussion provides an analysis of each of these criteria.

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

Growth projections included in the 2022 AQMP form the basis for the projections of air pollutant emissions and are based on general plan land use designations and SCAG's 2020-2045 RTP/SCS demographics forecasts. The population, housing, and employment forecasts within the 2020-2045 RTP/SCS are based on local general plans as well as input from local governments, such as the City. The SCAQMD has incorporated these same demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment) into the 2022 AQMP.

The General Plan Land Use Map designates the project site as General Commercial. According to the City's General Plan Land Use Element, the General Commercial land use designation permits a wide range of commercial uses. Uses permitted on this land use designation includes hotels, service establishments, retail stores, restaurants, and theaters.

The City's Residential Incentive Overlay District is situated along Harbor and Newport Boulevards on properties with underlying General Plan land use designations of Commercial Residential, General Commercial or Medium Density Residential. The Overlay adds a land use option for residential development of up to 30 dwelling units per acre (du/acre) on these sites compared to the Commercial Residential (maximum of 17.4 du/acre), General Commercial (no residential permitted except in mixed-use developments), and the Medium Density Residential (maximum of 12 du/acre) land use designations. The added overlay and higher densities were intended to incentivize redevelopment of these parcels. The proposed General Plan Amendment would apply the Residential Incentive Overlay District to the project site by updating the Land Use Element maps, figures, text, and tables. The underlying land use designation of General Commercial

[1] Because reactive organic gases (ROGs) are not a criteria pollutant, there is no ambient standard or localized threshold for ROGs. Due to the role ROG plays in ozone formation, it is classified as a precursor pollutant and only a regional emissions threshold has been established.

does not need to be changed. The Zone Code Amendment would apply the Residential Incentive Overlay District to implement the provisions of the General Plan overlay, which would require future development to implement applicable development standards, and undergo the City's review process on a project-by-project basis. The Residential Incentive Overlay designation provides opportunities to increase residential development density, incentivizing the redevelopment of sites that may otherwise remain underdeveloped. This overlay allows for a higher maximum residential density, which encourages more efficient use of land and supports the city's housing goals. Thus, the project would be consistent with the types, intensity, and patterns of land use envisioned for the site vicinity with approval of the General Plan Amendment.

According to the Section 4.14, *Population and Housing*, based on the City's average household size of 2.52, the 40 units would introduce up to 101 additional residents within the City and current population is 109,423 persons as of January 1, 2024.[2] The forecast population for the City in 2045 is 123,700 persons.[3] The project's anticipated population increase (101 persons) would represent approximately 0.7 percent of the City's anticipated population growth between 2024 and 2045, or less than 0.01 percent of the City's projected population by the year 2045. Therefore, the project's potential growth-inducing impacts would be considered less than significant since the 101 additional residential would represents less than 0.01 percent increase from the City's current population and well within the projected growth by 2045. As the SCAQMD has incorporated these same projections into the 2022 AQMP, it can be concluded that the project would be consistent with the projections. A less than significant impact would occur in this regard.

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

The proposed project would result in less than significant air quality impacts. Compliance with all feasible emission reduction rules and measures identified by the SCAQMD would be required as identified in Responses 4.3(b) and 4.3(c). As such, the proposed project meets this 2022 AQMP consistency criterion.

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

Land use planning strategies set forth in the 2022 AQMP are primarily based on the 2020-2045 RTP/SCS. The project proposes residential community with 40 dwelling units. The project site is near the existing bus stops located along Newport Boulevard and Fairview Road served by the Orange County Transportation Authority (OCTA). Furthermore, the project would provide bicycle parking spaces, electric vehicle charging stations, and vanpool/carpool parking spaces, which would promote alternative mode of transportation. As such, the proposed project would be consistent with the land use planning strategies set forth in the 2022 AQMP and would meet this AQMP consistency criterion.

In summary, the proposed project would not result in substantial population growth, and project emissions would not substantially contribute to the Basin's nonattainment designations and would not interfere with SCAQMD's implementation of the 2022 AQMP. Furthermore, the project would be consistent with the General Plan Objective CON-4.A that pursues the prevention of the significant deterioration of local and regional air quality as the emissions associated with project would not exceed operational and construction thresholds established by the SCAQMD. Due to these factors the proposed project would be consistent with the 2022 AQMP.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

[2] State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2021-2024 with 2020 Census Benchmark, May 2024*, https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/, accessed November 25, 2024.

[3] Southern California Association of Governments, *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy Demographics & Growth Forecast*, September 3, 2020.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact.

Criteria Pollutants

The following discusses the specific criteria pollutants of concern considered as part of this analysis.

Carbon Monoxide (CO). CO is an odorless, colorless toxic gas that is emitted by mobile and stationary sources as a result of incomplete combustion of hydrocarbons or other carbon-based fuels. In cities, automobile exhaust can cause as much as 95 percent of all CO emissions. CO replaces oxygen in the body's red blood cells. Individuals with a deficient blood supply to the heart, patients with diseases involving heart and blood vessels, fetuses (unborn babies), and patients with chronic hypoxemia (oxygen deficiency) as seen in high altitudes are most susceptible to the adverse effects of CO exposure. People with heart disease are also more susceptible to developing chest pains when exposed to low levels of carbon monoxide.

Ozone (O_3). O_3 occurs in two layers of the atmosphere. The layer surrounding the earth's surface is the troposphere. The troposphere extends approximately 10 miles above ground level, where it meets the second layer, the stratosphere. The stratospheric (the "good" O_3 layer) extends upward from about 10 to 30 miles and protects life on Earth from the sun's harmful ultraviolet rays. "Bad" O_3 is a photochemical pollutant, and needs volatile organic compounds (VOCs), NO_X, and sunlight to form; therefore, VOCs and NO_X are O_3 precursors. To reduce O_3 concentrations, it is necessary to control the emissions of these O_3 precursors. Significant O_3 formation generally requires an adequate amount of precursors in the atmosphere and a period of several hours in a stable atmosphere with strong sunlight. High O_3 concentrations can form over large regions when emissions from motor vehicles and stationary sources are carried hundreds of miles from their origins.

While O_3 in the upper atmosphere (stratosphere) protects the Earth from harmful ultraviolet radiation, high concentrations of ground-level O_3 (in the troposphere) can adversely affect the human respiratory system and other tissues. O_3 is a strong irritant that can constrict the airways, forcing the respiratory system to work hard to deliver oxygen. Individuals exercising outdoors, children, and people with pre-existing lung disease such as asthma and chronic pulmonary lung disease are considered to be the most susceptible to the health effects of O_3. Short-term exposure (lasting for a few hours) to O_3 at elevated levels can result in aggravated respiratory diseases such as emphysema, bronchitis and asthma, shortness of breath, increased susceptibility to infections, inflammation of the lung tissue, increased fatigue, as well as chest pain, dry throat, headache, and nausea.

Nitrogen Dioxide (NO_2). NO_X are a family of highly reactive gases that are a primary precursor to the formation of ground-level O_3 and react in the atmosphere to form acid rain. NO_2 (often used interchangeably with NO_X) is a reddish-brown gas that can cause breathing difficulties at elevated levels. Peak readings of NO_2 occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations). NO_2 can irritate and damage the lungs and lower resistance to respiratory infections such as influenza. The health effects of short-term exposure are still unclear. However, continued or frequent exposure to NO_2 concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO_2 may aggravate eyes and mucus membranes and cause pulmonary dysfunction.

Coarse Particulate Matter (PM_{10}). PM_{10} refers to suspended particulate matter, which is smaller than 10 microns or ten one-millionths of a meter. PM_{10} arises from sources such as road dust, diesel soot, combustion products, construction operations, and dust storms. PM_{10} scatters light and significantly reduces visibility. In addition, these particulates penetrate into lungs and can potentially damage the respiratory tract. On June 19, 2003, the California Air Resources

Board (CARB) adopted amendments to the Statewide 24-hour particulate matter standards based upon requirements set forth in the Children's Environmental Health Protection Act (Senate Bill 25).

Fine Particulate Matter ($PM_{2.5}$). Due to recent increased concerns over health impacts related to $PM_{2.5}$, both State and federal $PM_{2.5}$ standards have been created. Particulate matter impacts primarily affect infants, children, the elderly, and those with pre-existing cardiopulmonary disease. In February 2024, the EPA lowered the federal primary $PM_{2.5}$ annual standard to 9.0 microgram per cubic meter (ug/m^3) from the 12.0 ug/m^3 standard set in 2012. The secondary annual standard remains at 15.0 ug/m^3. States and Tribal Authorities will submit initial recommendations of areas that do not attain this standard (i.e., nonattainment areas) to EPA by February 2025, and EPA will finalize area designations by February 2026.

Sulfur Dioxide (SO_2). SO_2 is a colorless, irritating gas with a rotten egg smell; it is formed primarily by the combustion of sulfur-containing fossil fuels. Sulfur dioxide is often used interchangeably with SO_X. Exposure of a few minutes to low levels of SO_2 can result in airway constriction in some asthmatics.

Volatile Organic Compounds (VOC). VOCs are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O_3 to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. Exceptions to the VOC designation include CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The SCAQMD uses the terms VOC and ROG (see below) interchangeably.

Reactive Organic Gases (ROG). Similar to VOC, ROG are also precursors in forming O_3 and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROG and NO_X react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O_3, which is a criteria pollutant. The SCAQMD uses the terms ROG and VOC interchangeably.

Short-Term Construction Emissions

The project involves construction activities associated with demolition, grading, building construction, paving, and architectural coating applications. The project would export approximately 500 tons of building materials during demolition and would also export approximately 8,570 cubic yards of earthwork materials during grading.

The California Emissions Estimator Model (CalEEMod) version 2022.1 was utilized to calculate the project's construction-related and operational air pollutants emissions. CalEEMod relies upon trip generation rates and project specific land use data to calculate emissions. Exhaust emission factors for typical diesel-powered heavy equipment are based on CalEEMod program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of construction period, number of pieces and types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported on- or off-site. Refer to Appendix A, *Air Quality/Greenhouse Gas Emissions/Energy Data*, for the CalEEMod outputs and results. Table 4.3-1, *Project-Generated Construction Emissions*, presents the anticipated daily short-term construction emissions.

Table 4.3-1
Construction Related Emissions

Emissions Source	Maximum Daily Emissions (pounds/day)[1]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction Related Emissions[2]						
Year 1	3.15	31.50	32.70	0.06	5.43	2.78
Year 2	41.00	8.76	10.80	0.02	0.52	0.32
Maximum Daily Emissions	**41.00**	**31.50**	**32.70**	**0.06**	**5.43**	**2.78**
SCAQMD Thresholds	*75*	*100*	*550*	*150*	*150*	*55*
Threshold Exceeded?	***No***	***No***	***No***	***No***	***No***	***No***

Notes:
1. The higher emissions between summer and winter are presented. Emissions were calculated using CalEEMod version 2022.1, as recommended by the SCAQMD.
2. Modeling assumptions include compliance with SCAQMD Rule 403 which requires the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour.

Source: Refer to Appendix A for detailed model input/output data.

Fugitive Dust Emissions

Construction activities are a source of fugitive dust emissions that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the project area. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill, and truck travel on unpaved roadways (including demolition as well as construction activities). Fugitive dust emissions vary substantially from day to day, depending on the level of activity, specific operations, and weather conditions. Fugitive dust from grading, excavation and construction is expected to be short-term and would cease upon project completion. Most of this material is inert silicates, rather than the complex organic particulates released from combustion sources, which are more harmful to health.

Dust (larger than 10 microns) generated by such activities usually becomes more of a local nuisance than a serious health problem. Of particular health concern is the amount of PM_{10} generated as a part of fugitive dust emissions. PM_{10} poses a serious health hazard alone or in combination with other pollutants. $PM_{2.5}$ is mostly produced by mechanical processes. These include automobile tire wear, industrial processes such as cutting and grinding, and re-suspension of particles from the ground or road surfaces by wind and human activities such as construction or agriculture. $PM_{2.5}$ is mostly derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary sources. These particles are either directly emitted or are formed in the atmosphere from the combustion of gases such as NO_X and SO_X combining with ammonia. $PM_{2.5}$ components from material in the Earth's crust, such as dust, are also present, with the amount varying in different locations.

Construction activities would comply with SCAQMD Rule 403, which requires that excessive fugitive dust emissions be controlled by regular watering or other dust prevention measures. Adherence to Rule 403 greatly reduces PM_{10} and $PM_{2.5}$ concentrations. It should be noted that these reductions were applied in CalEEMod. As depicted in Table 4.3-1, total PM_{10} and $PM_{2.5}$ emissions would not exceed the SCAQMD thresholds during construction. Therefore, construction-related air quality impacts from fugitive dust emissions would be less than significant.

Construction Equipment and Worker Vehicle Exhaust

Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, employee commutes to the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to/from the site. As presented in Table 4.3-1,

construction equipment and worker vehicle exhaust emissions would not exceed the established SCAQMD thresholds for all criteria pollutants. Therefore, impacts in this regard would be less than significant.

ROG Emissions

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates ROG emissions, which are O_3 precursors. In accordance with the methodology prescribed by the SCAQMD, the ROG emissions associated with paving and architectural coating have been quantified with the CalEEMod model. The project would be required to comply with SCAQMD Rule 1113 – *Architectural Coating,* which provides specifications on painting practices as well as regulation on the ROG content of paint used during all architectural coating activities for the proposed structures. ROG emissions associated with the proposed project would be less than significant; refer to Table 4.3-1.

Total Daily Construction Emissions

As indicated in Table 4.3-1, criteria pollutant emissions during construction of the proposed project would not exceed the SCAQMD significance thresholds. Thus, total construction-related air emissions would be less than significant.

Naturally Occurring Asbestos

Asbestos is a term used for several types of naturally occurring fibrous minerals that are a human health hazard when airborne. The most common type of asbestos is chrysotile, but other types such as tremolite and actinolite are also found in California. Asbestos is classified as a known human carcinogen by State, federal, and international agencies and was identified as a toxic air contaminant by the CARB in 1986.

Asbestos can be released from serpentinite and ultramafic rocks when the rock is broken or crushed. At the point of release, the asbestos fibers may become airborne, causing air quality and human health hazards. These rocks have been commonly used for unpaved gravel roads, landscaping, fill projects, and other improvement projects in some localities. Asbestos may be released to the atmosphere due to vehicular traffic on unpaved roads, during grading for development projects, and at quarry operations. All of these activities may have the effect of releasing potentially harmful asbestos into the air. Natural weathering and erosion processes can act on asbestos bearing rock and make it easier for asbestos fibers to become airborne if such rock is disturbed. According to the Department of Conservation Division of Mines and Geology, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report*, serpentinite and ultramafic rocks are not known to occur within the project area.[4] Thus, there would be no impact in this regard.

Long-Term Operational Emissions

Long-term air quality impacts would consist of mobile source emissions generated from project-related traffic and emissions from stationary area and energy sources. Emissions associated with each of these sources were calculated and are discussed below. As a conservative analysis, emissions from existing uses on-site were not modeled or deducted from project-generated emissions. Table 4.3-2, *Long-Term Air Emissions*, presents the project's anticipated operational emissions.

[4] Department of Conservation Division of Mines and Geology, *A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos Report*, August 2000, https://ww3.arb.ca.gov/toxics/asbestos/ofr_2000-019.pdf, accessed November 25, 2024.

Table 4.3-2
Long-Term Air Emissions

Emissions Source	Maximum Daily Emissions (lbs/day)[1, 2]					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Project Summer Emissions						
Mobile Source	0.92	0.65	7.39	0.02	1.79	0.46
Area Source	2.01	0.02	2.27	<0.01	<0.01	<0.01
Energy Source	0.02	0.39	0.16	<0.01	0.03	0.03
Total Emissions	**2.95**	**1.06**	**9.82**	**0.02**	**1.82**	**0.49**
SCAQMD Regional Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**
Project Winter Emissions						
Mobile Source	0.91	0.70	6.90	0.02	1.79	0.46
Area Source	1.80	0.00	0.00	0.00	0.00	0.00
Energy Source	0.02	0.39	0.16	<0.01	0.03	0.03
Total Emissions	**2.74**	**1.09**	**7.07**	**0.02**	**1.82**	**0.49**
SCAQMD Regional Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1. Emissions were calculated using CalEEMod, version 2022.1.
2. The numbers may be slightly off due to rounding.

Source: Refer to Appendix A, for detailed model input/output data.

Mobile Source

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, SO_X, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern (NO_X and ROG react with sunlight to form O_3 [photochemical smog], and wind currents readily transport SO_X, PM_{10}, and $PM_{2.5}$). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

The vehicle emission factors were CalEEMod default values for Orange County in the project's buildout year. Project-generated trips are based on the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, and dated December 20, 2024. Based on the VMT Screening Analysis, the project would generate approximately 298 trips, without taking trip credits from the existing uses. As shown in Table 4.3-2, maximum daily emissions generated by vehicle traffic associated with project operation would not exceed established SCAQMD thresholds. As such, impacts in this regard would be less than significant.

Area Source Emissions

Area source emissions include those generated by architectural coatings, consumer products, and landscape maintenance equipment associated with the development of the proposed project. It is important to note that the project would use all-electric landscaping equipment. However, as a conservative analysis, this project design feature was not modeled in the CalEEMod. As shown in Table 4.3-2, area source emissions during both summer and winter would not exceed established SCAQMD thresholds. Impacts would be less than significant.

Energy Source Emissions

Energy source emissions would be generated because of electricity usage associated with the proposed project. According to the project applicant, the project would not consume natural gas on-site. The primary use of electricity by the project would be for space heating and cooling, water heating, ventilation, lighting, appliances, landscaping equipment, and electronics. Criteria air pollutant emissions from electricity use were not quantified since criteria pollutants emissions occur at the site of the power plant, which is off-site. Furthermore, the project would install solar-ready roofs. Additionally, the project would also install high efficiency lighting, energy efficient appliances, and exceed Title 24 Standards. However, as a conservative analysis, these project design features (no natural gas usage, high efficiency lighting, energy efficient appliances, and exceeding Title 24 Standards) were not accounted for in the modeling. The project's criteria pollutant emissions from energy sources would be minimal and not exceed established SCAQMD thresholds; refer to Table 4.3-2. Impacts in this regard would be less than significant.

Total Operational Emissions

As shown in Table 4.3-2 the total operational emissions for both summer and winter would not exceed established SCAQMD thresholds. Therefore, impacts in this regard would be less than significant.

Air Quality Health Impacts

Adverse health effects induced by criteria pollutant emissions are highly dependent on a multitude of interconnected variables (e.g., cumulative concentrations, local meteorology and atmospheric conditions, and the number and character of exposed individual [e.g., age, gender]). In particular, O_3 precursors, VOCs and NO_x, affect air quality on a regional scale. Health effects related to O_3 are therefore the product of emissions generated by numerous sources throughout a region. Existing models have limited sensitivity to small changes in criteria pollutant concentrations, and, as such, translating project-generated criteria pollutants to specific health effects or additional days of nonattainment would produce meaningless results. In other words, the project's less than significant increases in regional air pollution from criteria air pollutants would have nominal or negligible impacts on human health.

Further, as noted in the Brief of Amicus Curiae by the SCAQMD[5], the SCAQMD acknowledged it would be extremely difficult, if not impossible to quantify health impacts of criteria pollutants for various reasons including modeling limitations as well as where in the atmosphere air pollutants interact and form. Furthermore, as noted in the Brief of Amicus Curiae by the San Joaquin Valley Air Pollution Control District (SJVAPCD)[6], SJVAPCD has acknowledged that currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project's air emissions and specific human health impacts.

The SCAQMD acknowledges that health effects quantification from O_3, as an example is correlated with the increases in ambient level of O_3 in the air (concentration) that an individual person breathes. SCAQMD's Brief of Amicus Curiae states that it would take a large amount of additional emissions to cause a modeled increase in ambient O_3 levels over the entire region. The SCAQMD states that based on their own modeling in the SCAQMD's *2012 Air Quality Management Plan*, a reduction of 432 tons (864,000 pounds) per day of NO_x and a reduction of 187 tons (374,000 pounds) per day of VOCs would reduce O_3 levels at highest monitored site by only nine parts per billion. As such, the SCAQMD concludes that it is not currently possible to accurately quantify O_3 -related health impacts caused by NO_x or VOC emissions from relatively small projects (defined as projects with regional scope) due to photochemistry and

[5] South Coast Air Quality Management District, *Application of the South Coast Air Quality Management District for Leave to File Brief of Amicus Curiae in Support of Neither Party and Brief of Amicus Curiae. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno*, 2014.

[6] San Joaquin Valley Air Pollution Control District, *Application for Leave to File Brief of Amicus Curiae Brief of San Joaquin Valley Unified Air Pollution Control District in Support of Defendant and Respondent, County of Fresno and Real Party In Interest and Respondent, Friant Ranch, L.P. In the Supreme Court of California. Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno v. County of Fresno*, 2014.

regional model limitations. Thus, as the project would not exceed SCAQMD thresholds for construction and operational air emissions, the project would have a less than significant impact for air quality health impacts.

Cumulative Construction Impacts

With respect to the proposed project's construction-period air quality emissions and cumulative Basin-wide conditions, the SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the 2022 AQMP pursuant to Clean Air Act mandates. The project would be required to comply with SCAQMD Rule 403 requirements and implement all feasible SCAQMD rules to reduce construction air emissions to the extent feasible. Rule 403 requires that fugitive dust be controlled with the best available control measures in order to reduce dust so that it does not remain visible in the atmosphere beyond the property line of the proposed project. In addition, the proposed project would comply with adopted 2022 AQMP emissions control measures. Pursuant to SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., Rule 403 compliance and compliance with adopted AQMP emissions control measures) would also be imposed on construction projects throughout the Basin, which would include related projects.

As discussed above, the project's short-term construction emissions would be below the SCAQMD thresholds and would result in a less than significant impact. Thus, it can be reasonably inferred that the project's construction emissions would not contribute to a cumulatively considerable air quality impact for nonattainment criteria pollutants in the Basin. Thus, a less than significant impact would occur in this regard.

Cumulative Operational Impacts

The SCAQMD has set forth both a methodological framework as well as significance thresholds for the assessment of a project's cumulative operational air quality impacts. The SCAQMD's approach for assessing cumulative impacts is based on the SCAQMD's 2022 AQMP forecasts of attainment of NAAQS in accordance with the requirements of the Federal and State CAAs. This forecast also considers SCAG's forecasted future regional growth. As such, the analysis of cumulative impacts focuses on determining whether the project is consistent with the growth assumptions upon which the SCAQMD's 2022 AQMP is based. If the project is consistent with the growth assumptions, then the future development would not impede the attainment of NAAQS, and a significant cumulative air quality impact would not occur.

As discussed above, the project would not result in long-term air quality impacts, as the project's operational emissions would not exceed the SCAQMD adopted operational thresholds. Emission reduction technology, strategies, and plans are constantly being developed. As a result, the project would not contribute a cumulatively considerable net increase of any non-attainment criteria pollutant or expose sensitive receptors to potentially significant health risk impacts. Therefore, cumulative operational impacts associated with the implementation of the project would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact.

Localized Significance Thresholds

Localized Significance Thresholds (LSTs) were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized air

quality impacts. The SCAQMD provides the LST lookup tables for one-, two-, and five-acre projects emitting CO, NO_X, $PM_{2.5}$, and/or PM_{10}. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The SCAQMD recommends that any project over five acres should perform air quality dispersion modeling to assess impacts to nearby sensitive receptors. The project site is located within Source Receptor Area (SRA) 17, Central Orange County LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. In order to identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction and operational impacts (stationary sources only).

Sensitive Receptors

Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. The CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. The closest sensitive receptors are the multi-family residential uses adjoining to the north of the project site.

Construction LST

Localized Significance Thresholds (LSTs) were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised October 2009]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with project-specific level projects. The SCAQMD provides the LST look-up tables for one-, two-, and five-acre projects emitting CO, NO_X, $PM_{2.5}$, or PM_{10}. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The project site is located within Source Receptor Area (SRA) 17 (Central Orange County).

The SCAQMD guidance on applying CalEEMod to LSTs specifies the number of acres a particular piece of equipment would likely disturb per day.[7] SCAQMD provides LST screening thresholds for one-, two-, and five-acre site disturbance areas; SCAQMD does not provide LST screening thresholds for projects over five acres. The proposed project would only actively disturb approximately one acre per day during all construction phases. Therefore, the LST screening thresholds for one acre were utilized for the LST analysis, which are the most stringent screening thresholds. Further, the nearest sensitive receptors are located immediately to the north of the project site. LST screening thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, the lowest LST values for 25 meters were used, per SCAQMD guidance.

Table 4.3-3, *Construction Localized Significance Modeling Results,* shows the localized construction-related emissions. The localized emissions presented in this table are less than those in Table 4.3-3 because localized emissions include only on-site emissions (i.e., from construction equipment and fugitive dust) and do not include off-site emissions (i.e., from the worker, vendor, and hauling trips). As shown in Table 4.3-3, the proposed project's construction emissions would not exceed the LST screening thresholds for SRA 17. Therefore, construction LST impacts would be less than significant.

[7] The number of acres represent the total acres traversed by grading equipment. To properly grade a piece of land, multiple passes with equipment may be required. The disturbance acreage is based on the equipment list and days of the grading phase according to the anticipated maximum number of acres a given piece of equipment can pass over in an 8-hour workday.

Table 4.3-3
Construction Localized Significance Modeling Results

Maximum Emissions	Maximum Daily Emissions (pounds/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Year 1 [1,3]	14.10	15.10	3.42	1.93
Year 2 [2,3]	8.57	9.96	0.29	0.27
Maximum Daily Emissions	**14.10**	**14.50**	**3.42**	**1.93**
Localized Significance Threshold Mass Rate Screening Criteria[4]	91	696	4	3
Thresholds Exceeded?	***No***	***No***	***No***	***No***

Note:
1. Maximum on-site daily emissions occur during grading phase for NOx, PM_{10}, and $PM_{2.5}$, and during demolition phase for CO in Year 1 (2025).
2. Maximum on-site daily emissions occur during building construction phase for NOx, CO, PM_{10}, and PM_2 in Year 2 (2026).
3. Modeling assumptions include compliance with SCAQMD Rule 403 which requires the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour.
4. The Localized Significance Threshold Mass Rate Screening Criteria was determined using Appendix C of the SCAQMD *Final Localized Significant Threshold Methodology* guidance document for pollutants NO_X, CO, PM_{10}, and $PM_{2.5}$. The Localized Significance Threshold was based on the anticipated daily acreage disturbance for construction (approximately one acre; therefore, the one-acre threshold was used) and Source Receptor Area 17.

Operational LST

According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend extended periods queuing and idling at the site (e.g., warehouse or transfer facilities). The proposed project does not include includes stationary sources or propose uses that attract mobile sources. Thus, no long-term LST analysis is needed. Operational LST impacts would be less than significant in this regard.

Carbon Monoxide Hotspots

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (e.g., adversely affecting residents, school children, hospital patients, and the elderly).

The Basin is designated as an attainment/maintenance area for the federal CO standards and an attainment area under State standards. There has been a decline in CO emissions even though vehicle miles traveled (VMT) on U.S. urban and rural roads have increased; estimated anthropogenic CO emissions have decreased 68 percent between 1990 and 2014. In 2014, mobile sources accounted for 82 percent of the nation's total anthropogenic CO emissions.[8] Three major control programs have contributed to the reduced per-vehicle CO emissions, including exhaust standards, cleaner burning fuels, and motor vehicle inspection/maintenance programs.

According to the SCAQMD *CEQA Air Quality Handbook*, a potential CO hotspot may occur at any location where the background CO concentration already exceeds 9.0 parts per million (ppm), which is the 8-hour California ambient air quality standard. As previously discussed, the site is located in SRA 17. Communities within SRAs are expected to have similar climatology and ambient air pollutant concentrations. The highest hourly recorded CO value at the Anaheim-812 W Vermont Street Monitoring Station between 2021 and 2023 was 2.594 ppm, which is well below the

8 U.S. Environmental Protection Agency, *Carbon Monoxide Emissions*, https://cfpub.epa.gov/roe/indicator_pdf.cfm?i=10, accessed November 27, 2024.

9.0-ppm standard. Given that the background CO concentration does not currently exceed 9.0 ppm, a CO hotspot would not occur at the project site. Therefore, CO hotspot impacts would be less than significant in this regard.

Air Quality Health Impacts

The proposed project would involve the development of a residential community that would result in very limited operational activities, including landscaping maintenance operations, that would generate diesel particulate matter (DPM) or other toxic air contaminants (TAC) emissions. As shown in Table 4.3-2, the project would generate nominal particulate matter emissions during operation. Therefore, operation of the proposed project is not anticipated to result in an elevated cancer or other health risk to nearby sensitive receptors, and, as such, the health impact during operation of the proposed project would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. According to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include any uses identified by the SCAQMD as being associated with odors.

Construction activities associated with the project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short-term in nature and cease upon project completion. In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment exhaust. The project would also be required to comply with the SCAQMD Rule 1113 – *Architectural Coating*, which would minimize odor impacts from ROG emissions during architectural coating. Any odor impacts to existing adjacent land uses would be short-term and negligible. As such, the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be less than significant in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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4.4 BIOLOGICAL RESOURCES

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

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

No Impact. The project site is located within a built out, urbanized area of the City and is currently developed with commercial retail and storage uses. The project site is mostly paved hardscape, with nominal non-native (ornamental) landscaping (i.e., turf and ornamental plantings at the building frontage). Based on the project site's disturbed hardscape condition and lack of native vegetation, project development would not adversely impact candidate, sensitive, or special status species. Further, no habitat that could support such species are present on-site. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

No Impact. Riparian habitats are those occurring along the banks of rivers and streams. Sensitive natural communities are natural communities that are considered rare in the region by regulatory agencies, know to provide habitat for sensitive animal or plant species, or known to be important wildlife corridors.

The project site is currently developed with existing commercial/retail buildings, a residential unit repurposed as a commercial use, storage yard, and a partially paved lot in an urbanized area of the City. As discussed in the General Plan EIR, the City has identified two sensitive natural communities: the Southern Cottonwood Willo Riparian Forest within the Santa Ana River and Southern Coastal Salt Marsh found in the Talbert Regional Park. Additionally, the General Plan EIR identified that vernal pools are present in Fairview Park. The project site is located approximately 2.5 miles from the Santa Ana River, two miles from Talbert Regional Park, and 1.5 miles from Fairview Park. As such, no riparian habitat or other sensitive natural communities are present on-site or in the project vicinity. Thus, the project would not create a substantial adverse effect on any riparian habitat or other sensitive natural communities. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. No State or federally protected wetlands are located within the project site.[1] As discussed in Response 4.4(a), the project site is currently developed and does not include areas of native vegetation. Further, no existing water features are situated on-site. As such, the project would not involve direct removal, filing, hydrological interruption, or other direct or indirect impact to wetlands. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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?

No Impact . As stated, the project site is predominantly developed and surrounded on all side by existing urban uses. There are no areas within the project vicinity which could function as a wildlife corridor or nursery site for native and migratory wildlife. Further, the project site consists of mostly impervious surfaces and minimal ornamental landscaping. No trees are located on site that would provide suitable nesting habitat for migratory birds. As such, the project would no result in impacts pertaining to the interference of the movement of native resident or migratory fish or wildlife species or with any established native resident or migratory wildlife corridors, nor would the project impede the use of native wildlife nursery sites.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

[1] U.S. Fish and Wildlife Service, *National Wetlands Inventory*, https://www.fws.gov/wetlands/data/Mapper.html, accessed November 24, 2024.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The City has adopted various provisions regarding the planting and removal of trees along public right-of-way in Municipal Code Title 15, Chapter V, *Parkway Trees*. However, as discussed above, the project site is developed and does not include any trees on-site. As such, the project would not involve removal of public trees in street right-of-way. As such, the proposed project would not conflict with any local policies or ordinances protecting biological resources.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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. According to the California Department of Fish and Wildlife's *California Natural Community Conservation Map*, the City is located within the boundaries of the *Orange County Natural Community Conservation Plan and Habitat Conservation Plan for the Central and Coastal Subregion* (NCCP/HCP).[2] The NCCP/HCP is intended to protect and manage habitats supporting a broad range of plant and animal populations found within the Central and Coastal Subregion. Additionally, the NCCP/HCP establishes a habitat Reserve System which allows participating members to proceed with projects containing impacts to sensitive plant or animal populations located outside of the Reserve System. According to the General Plan EIR, the City is not a participant or permittee to the NCCP/HCP. The County's Talbert Nature Preserve and Talbert Regional Park (within the City boundary), however, is included as an area that could support future NCCP/HCP reserves. The project site is located approximately two miles to the east of the County's Talbert Nature Preserve and Talbert Regional Park. No other approved local, regional, or State habitat conversation plans apply to the site.[3] Thus, the proposed project would not conflict with any provisions related to such plans, and no impacts would occur.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[2] California Department of Fish and Wildlife, *California Regional Conservation Plans*, August 2023, https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline, accessed November 24, 2024.

[3] County of Orange, *Natural Communities Conservation Plan and Habitat Conservation Plan and EIR and EIS, Map Section*, https://occonservation.org/wp-content/uploads/2015/04/NCCP-EIR-Map-Section.pdf, accessed December 3, 2024.

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4.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?				✓
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		✓		
c. Disturb any human remains, including those interred outside of dedicated cemeteries?			✓	

This section is primarily based upon the *Victoria Place Project Cultural Resources Assessment, City of Costa Mesa, Orange County, California*, (Cultural Report) prepared by Michael Baker International, December 2024; refer to Appendix B, *Cultural Resources Assessment*.

a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?

No Impact. As part of the Cultural Report, a South Central Coastal Information Center (SCCIC) records search, literature review and historical map review, historical society consultation, field survey, Native American Heritage Commission Sacred Lands File request, and archaeological sensitivity analysis were conducted to determine whether the project could result in a significant adverse change to cultural resources in accordance with CEQA. The field survey was conducted on November 21, 2024. The records search of the California Historical Resources Inventory System (CHRIS) was conducted at the SCCIC to identify previously recorded cultural resources and previously conducted cultural resource studies within a 0.5-mile of the project site. The CHRIS search results were provided on December 5, 2024 and included a review of the National Register of Historic Places, Archaeological Resources Directory for Orange County, Built Environment Resources Directory for Orange County, and California Historic Resources. The Cultural Report also included a review of available historic United States Geologic Survey 7.5-minute topographic quadrangle maps and consultation request with the Native American Coordination. According to the record search of the Native American Heritage Commission (NAHC) Sacred Land File, the results for the project site was positive. The NAHC recommends contacting Native American Tribes who may have knowledge of cultural resources on the site; refer to Appendix B.

Record Search Results

The records search identified seven previous cultural resource studies conducted within a 0.5-mile radius of the project site. No cultural resources study was previously conducted within the project site. Additionally, no buildings or archeological artifacts, features, materials, or residues were identified within the project site during the field survey.

Historical Evaluation For On-Site Buildings

To be eligible for listing in the California Register of Historical Resources (CRHR), a property must be at least 50 years of age and possess significance at the local, State, or national level, under one or more of the following criteria:

- **Criterion 1.** It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- **Criterion 2.** It is associated with the lives of persons important in our past;

- **Criterion 3.** It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic value;

- **Criterion 4.** It has yielded, or may yield, information important in history or prehistory.

According to Cultural Report, the existing structures on-site are not eligible for listing under the CRHR. The evaluation of the project's eligibility is discussed below:

- **Criterion 1.** The majority of existing structures on-site were constructed prior to 1953 which was many decades after the period of early development in the area. However, one of the street-facing former residences on-site was constructed in 1938 which makes it one of the earlier buildings in the immediate area. Nevertheless, none of the structures on-site are known to have made a significant contribution to broad patterns of local, regional, state, or national culture and history. As such, the project does not meet the threshold for historical significance under California Register Criterion 1.

- **Criterion 2.** The Cultural Report states that no past owners or occupants at the 220, 222, and 234 Victoria Street did not turn up any evidence of people who made demonstrably significant contributions to the history of the nation, state, or region. However, the most significant owner or resident of the subject property is James C. Klingensmith (1871-1938), since he is the first recorded resident of the house that was in place on the subject property by 1938 (earliest structure on-site).T Nevertheless, there is no mention of Klingensmith in local newspapers aside from his obituary, and no indication that he or any other residents made demonstrably significant contributions to the history of the nation, state, or region. Therefore, the subject properties do not meet the threshold for historical significance under California Register Criterion 2.

- **Criterion 3.** The commercial buildings on the project site are common examples of utilitarian commercial and industrial architecture. The residential structure is a common and radically altered example of a vernacular-style residence with elements of the Spanish Revival style evident in the stucco cladding and red tile roof. None of the structures (commercial and residential) possess high artistic value or distinctive character-defining features. Specifically, none of the buildings embody the distinctive characteristics of a type, period, or method of construction, nor are they known to be the work of a master architect or craftsman. Therefore, the buildings on the subject parcels do not meet the threshold for historical significance under California Register Criteria 3.

- **Criterion 4.** The structures were constructed using common techniques and materials. Additionally, the site was graded during construction of the buildings. Therefore, the site is not expected to yield important information pertaining to prehistory or history. The subject properties do not meet the threshold for historical significance under California Register Criteria 4.

Additionally, the City maintains a list of locally designated cultural resources known as the Register of Historic Places. Pursuant to Municipal Code Section 13-200.9, *Historical preservation procedures,* the following criteria were established to determine the designation and approval requirements for a building, structure, site, object, district, improvement, or natural feature that is over 50 years of age, or in special circumstances under 50 years, as a local landmark.

- Exemplifies or reflects special elements of the city's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history; or
- Is identified with persons or events significant in local, state, or national history; or
- Embodies distinctive characteristics of a style, type, period, or method of construction; or

- Is a valuable example of the use of indigenous materials or craftsmanship; or
- Represents the work of a notable builder, designer, or architect; or
- Contributes to the significance of an historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or
- Has a unique location or singular physical characteristics or is a view or vista representing an established and familiar visual feature of a neighborhood, community or of the city; or
- Embodies elements of architectural design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation; or
- Is similar to other distinctive properties, sites, areas, or objects based on a historic, cultural, or architectural motif; or
- Reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning; or
- Is a type of building or is associated with a business or use which was once common but is now rare; or
- Yields, or may yield, information important in prehistory or history; and retains the integrity of those characteristics necessary to convey its significance.

According to Cultural Report, the existing structures on-site are not eligible for listing under the City's Register of Historic Places. The evaluation of the project's eligibility is discussed below:

- **City of Costa Mesa Criterion A -** The subject property does not exemplify or reflect special elements of the city's cultural, social, economic, political, aesthetic, engineering, architectural, or natural history. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion B -** The subject property is not identified with persons or events significant in local, state, or national history. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion C -** The subject property does not embody distinctive characteristics of a style, type, period, or method of construction. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion D -** The subject property is not a valuable example of the use of indigenous materials or craftsmanship. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion E -** The subject property does not represent the work of a notable builder, designer, or architect. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion F -** The subject property does not contribute to the significance of a historic area, being a geographically definable area possessing a concentration of historic or scenic properties or thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion G -** The subject property does not have a unique location or singular physical characteristics, nor does it comprise a view or vista representing an established and familiar visual feature of a neighborhood, community, or of the city. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion H -** The subject property does not embody the characteristics of design, detail, materials, or craftsmanship that represent a significant structural or architectural achievement or innovation. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion I -** The subject property is not similar to other distinctive properties, sites, areas, or objects based on a historic, cultural, or architectural motif. Therefore, it does not meet the significance threshold under this criterion.

- **City of Costa Mesa Criterion J -** The subject property does not reflect significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion K -** The subject property is not a type of building and is not associated with a business or use which was once common but is now rare. Therefore, it does not meet the significance threshold under this criterion.
- **City of Costa Mesa Criterion L -** The subject property is not likely to yield information important in prehistory or history, nor does it retain integrity of those characteristics necessary to convey its significance. Therefore, it does not meet the significance threshold under this criterion.

The project site does not meet the criteria for listing in the CRHR and the City's Register of Historic Places, as the properties lack historic significance. As such, the existing structures on-site are not identified as a historical resource as defined by CEQA Guidelines Section 15064.5(a). The proposed project would not cause a substantial adverse change in the significance of a historical resource. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant Impact With Mitigation Incorporated. As discussed in Response 4.5(a) and detailed in the Cultural Report, no previously recorded cultural resources were identified within the project site during the records search or field survey, and the project site has a low sensitivity for prehistoric and historic archaeological sites. Factors that support the sensitivity analysis include the local environmental conditions, record search information, and local land use history. Local environmental conditions that indicate low sensitivity include the long distance from viable water sources and the topography. Availability of close water would have been necessary, such as on a river terrace, especially for sizeable prehistoric occupation. Additionally, the project area has been intensely developed since the 1950s and has previously been disturbed by prior development. Nonetheless, Project-related construction could uncover undiscovered archaeological resources during earth-moving activities.

As anticipated earth-moving activities include excavation for new fill and installation of underground utilities, construction activities have the potential to impact undiscovered archaeological resources. Thus, Mitigation Measure CUL-1 requires the project Applicant retain a qualified professional archaeologist who meets the Secretary of the Interior's Standards for professional archaeology that would be on-call during any demolition, grading, and excavation activities. The qualified archaeologist would inform workers about regulatory requirements for the protection of cultural resources. A The qualified archaeologist would ensure the applicant submits a written Project Monitoring Plan to the City's Director of Economic and Development Services for review and approval. Additionally, in the event resources of a potentially cultural nature are encountered during any stage of project construction, all construction work within 50 feet (15 meters) of the find must cease and the qualified archaeologist must assess the find for importance. Construction activities may continue in other areas. Work must be allowed to continue outside of the buffer area. If the discovery is determined to not be culturally significant by the qualified archaeologist, work would be permitted to continue in the buffer area. With implementation of Mitigation Measures CUL-1, the project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines, and impacts would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures:

CUL-1 Prior to issuance of grading permits, the City of Costa Mesa shall ensure a qualified archaeologist who meets the Secretary of the Interior's Standards for professional archaeology has been retained for the project and shall be on-call during all demolition and grading/excavation. The qualified archaeologist shall ensure the following measures are followed for the project:

- Prior to any ground disturbance, the qualified archaeologist, or their designee, shall provide worker environmental awareness protection training to construction personnel regarding regulatory requirements for the protection of cultural (prehistoric and historic) resources. As part of this training, construction personnel shall be briefed on proper procedures to follow should resources of a potentially cultural nature be discovered during construction. Workers shall be provided contact information and protocols to follow in the event that inadvertent discoveries are made. The training can be in the form of a video or PowerPoint presentation. Printed literature (handouts) can accompany the training and can also be given to new workers and contractors to avoid the necessity of continuous training over the course of the project.
- Prior to any ground disturbance, the applicant shall submit a written Project Monitoring Plan (PMP) to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information (including the qualified archeologist and the Native American Monitor per Mitigation Measure TCR-1), specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds.
- In the event resources of a potentially Native American nature are discovered during any stage of project construction, all construction work within 50 feet (15 meters) of the discovered tribal cultural resource ("TCR") shall cease and the Kizh Monitor shall assess the discovery. Construction activities outside the buffer zone may continue during the Kizh Monitor's assessment.
  - Non-Native American (Non-TCR) Discoveries: If warranted based on the qualified archaeologist's evaluation of the archaeological (but non-TCR) discovery, the archaeologist shall collect the resource and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including discussing the significance (depth, nature, condition, and extent of the resource), identifying final Cultural Mitigation Measures, if any, that the City of Costa Mesa's Director of Economic and Development Services shall verify are incorporated into future construction plans, and providing cost estimates.
  - Conjoined Archaeological and Native American (TCR) Discoveries: If, following consultation with the Kizh Monitor, it is determined that a historic or prehistoric discovery includes Native American materials or resources, then the Kizh Monitor shall determine the appropriate treatment of the discovered TCR(s) consistent with Mitigation Measure TCR-1. The Kizh Monitor shall prepare a TCR discovery report, which may include descriptions and evaluations of the area and conditions at the site of the discovery (i.e., depth, nature, condition, and extent of the resources), as well as a discussion of the significance to the Kizh Nation.
  - The requirements of Section 15064.5 of the CEQA Guidelines shall be followed. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Kizh Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource consistent with Mitigation Measure TCR-1.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. Due to the level of disturbance in the site vicinity, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or ground-disturbing activities. Nonetheless, if human remains are found, those remains would require proper treatment in accordance with applicable laws. State of California Public Resources Health and Safety Code Section 7050.5 through 7055 describe the general provisions for human remains. Specifically, State Health and Safety Code Section 7050.5 requires if any human remains are accidentally discovered during excavation of a site, the County Coroner shall be notified of the find immediately, and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. As required by State law, if the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). Following compliance with the aforementioned regulations, impacts related to the disturbance of human remains are less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.6 ENERGY

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

Regulatory Framework

California Building Energy Efficiency Standards

The 2022 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Title 24 standards.

California Green Building Standards

The 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as CALGreen, went into effect on January 1, 2023. The California Green Building Standards (CALGreen) is the first-in-the-nation mandatory green buildings standards code. The California Building Standards Commission developed the green building standards to meet the goals of California's landmark initiative Assembly Bill (AB) 32, which established a comprehensive program of cost-effective reductions of greenhouse gases (GHGs) to 1990 levels by 2020. CALGreen was developed to (1) reduce GHGs from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the environmental directives of the administration. CALGreen requires that new buildings employ water efficiency and conservation, increase building system efficiencies (e.g., lighting, heating/ventilation and air conditioning [HVAC], and plumbing fixtures), divert construction waste from landfills, and incorporate electric vehicles charging infrastructure. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials.[1]

Senate Bill 100

Senate Bill (SB) 100 (Chapter 312, Statutes of 2018) requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours (kWh) of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024; 52 percent by December 31, 2027; 60 percent by December 31, 2030; and 100 percent by December 31, 2045. The bill requires the California Public Utilities Commission (CPUC), California Energy Commission (CEC), State

[1] U.S. Green Building Council, *Green Building Costs and Savings*, https://www.usgbc.org/articles/green-building-costs-and-savings, accessed November 28, 2024.

board or the California Air Resources Board's (CARB), and all other State agencies to incorporate the policy into all relevant planning. In addition, SB 100 requires the CPUC, CEC, and CARB to utilize programs authorized under existing statutes to achieve that policy and, as part of a public process, issue a joint report to the Legislature by January 1, 2021, and every four years thereafter, that includes specified information relating to the implementation of SB 100.

Thresholds of Significance

Appendix F of the CEQA Guidelines is an advisory document that assists environmental document preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. The analysis in Response 4.6(a) relies upon Appendix F of the CEQA Guidelines, which includes the following criteria to determine whether this threshold of significance is met:

- **Criterion 1**: The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- **Criterion 2**: The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- **Criterion 3**: The effects of the project on peak and base period demands for electricity and other forms of energy.
- **Criterion 4**: The degree to which the project complies with existing energy standards.
- **Criterion 5**: The effects of the project on energy resources.
- **Criterion 6**: The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Quantification of the project's energy usage is presented and addresses **Criterion 1**. The discussion on construction-related energy use focuses on **Criteria 2, 4,** and **5**. The discussion on operational energy use is divided into transportation energy demand and building energy demand. The transportation energy demand analysis discusses **Criteria 2, 4,** and **6**, and the building energy demand analysis discusses **Criteria 2, 3, 4,** and **5.**

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

Less Than Significant Impact.

Project-Related Sources of Energy Consumption

This analysis focuses on three sources of energy that are relevant to the proposed project: electricity, natural gas, and transportation fuel for vehicle trips associated with new development and for project construction. However, it is acknowledged that the proposed project would possibly be all electric, since as of July 2024, Southern California Edison (SCE) is requesting "only electric" on-site to participate in new future service. However, in order to provide a conservative analysis of the project's energy consumption, the following evaluation assumes that the project would utilize both electricity and natural gas during its operation.

The analysis of operational electricity/natural gas usage is based on the California Emissions Estimator Model version 2022.1 (CalEEMod) modeling results for the project, which quantifies energy use for occupancy. The project's estimated electricity/natural gas consumption is based primarily on CalEEMod's default settings for Orange County, and consumption factors provided by Southern California Edison (the electricity provider for the City of Costa Mesa and the project site). The results of the CalEEMod modeling are included in Appendix A, *Air Quality/GHG/Energy Data*. The amount of operational fuel consumption was estimated using the California Air Resources Board's Emissions

Factor 2021 (EMFAC2021) computer program which provides projections for typical annual fuel usage in Orange County, and the project's annual vehicle miles traveled (VMT) outputs from CalEEMod. The estimated construction fuel consumption is based on the project's construction equipment list timing/phasing, and hours of duration for construction equipment. As a conservative analysis, energy consumption from existing uses on-site were not modeled or deducted from project-related energy consumption.

The project's estimated energy consumption is summarized in Table 4.6-1, *Energy Consumption*. As shown in Table 4.6-1, the project's electricity usage would constitute an approximate 0.0014 percent increase over Orange County's typical annual electricity consumption. Based on the project Applicant, the project would not consume natural gas. However, the project's natural gas usage has been calculated using CalEEMod as a conservative analysis and is shown for informational purpose only. The project's off-road construction equipment off-road construction fuel consumption, on-road construction fuel consumption, and operational vehicle fuel consumption would increase Orange County's consumption by 0.1344 percent, 0.0008 percent, and 0.0051 percent, respectively.

Table 4.6-1
Energy Consumption

Energy Type	Project Annual Energy Consumption[1]	Orange County Annual Energy Consumption[2]	Percentage Increase Countywide
Electricity Consumption[3]	282 MWh	20,243,722 MWh	0.0014%
Natural Gas Consumption[3]	15,334 Therms	572,454,744 Therms	0.0027%
Fuel Consumption			
Construction Off-Road Fuel Consumption	17,766 gallons	13,217,148 gallons	0.1344%
Construction On-Road Fuel Consumption	9,691 gallons	1,250,175,098 gallons	0.0008%
Operational Automotive Fuel Consumption	62,229 gallons	1,255,133,663 gallons	0.0051%

Notes:
1. Project electricity consumptions as modeled in California Emissions Estimator Model Version 2022.1 (CalEEMod) computer model. Project fuel consumption calculated based on CalEEMod results. Countywide operational fuel consumption, off-road construction equipment diesel fuel consumption, and on-road fuel consumption are from CARB EMFAC2021.
2. The project's increase in electricity consumption is compared to the total consumption in Orange County in 2022 (latest year with data available). The project increases in construction off-road and on-road fuel consumption are compared with the projected Orange Countywide off-road fuel consumption and Orange Countywide on-road fuel consumption in 2025 (first year of construction), respectively. The project increases in operational automotive fuel consumption is compared with the projected Countywide on-road fuel consumption in 2026 (first year of operation).
3. Orange County electricity consumption data source: California Energy Commission, *Electricity Consumption by County*, http://www.ecdms.energy.ca.gov/elecbycounty.aspx, accessed November 28, 2024.
   Orange County natural gas consumption data source: California Energy Commission, *Natural Gas Consumption by County*, http://www.ecdms.energy.ca.gov/elecbycounty.aspx, accessed November 28, 2024.

Source: Refer to Appendix A, *Air Quality/Greenhouse Gas Emissions/Energy Data* for CalEEMod outputs and assumptions used in this analysis.

Construction-Related Energy Consumption

During construction, the project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels for construction vehicles and other energy-consuming equipment would be used during demolition, grading, building construction, paving, and architectural coating. As indicated in Table 4.6-1, the project's off-road fuel consumption and on-road fuel consumption during construction would be approximately 17,766 gallons and 9,691 gallons, respectively. Consequently, the project's off-road construction equipment diesel fuel consumption and on-road construction fuel consumption would increase Orange County's consumption by 0.1344 percent and 0.0008 percent,

respectively. As such, construction of project would have a minimal effect on the local and regional energy supplies and would not require additional capacity (**Criterion 2**).

Some incidental energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off (i.e., Title 13, California Code of Regulations Section 2485). Project construction equipment would also be required to comply with the latest U.S. Environmental Protection Agency (EPA) and CARB engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. In addition, because the cost of fuel and transportation is a significant aspect of construction budgets, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction (**Criterion 4**).

Substantial reductions in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than nonrecycled materials.[2] The integration of green building materials can help reduce environmental impacts associated with the extraction, transport, processing, fabrication, installation, reuse, recycling, and disposal of these building industry source material. The project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. Further, it is noted that construction fuel use is temporary and would cease upon completion of construction activities. There are no unusual project characteristics that would necessitate the use of construction equipment, or building materials, or methods that would be less energy efficient than at comparable construction sites in the region or State. Therefore, fuel energy and construction materials consumed during construction would not represent a significant demand on energy resources (**Criterion 5**) and a less than significant impact would occur in this regard.

Operational Energy Consumption

Transportation Energy Demand

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. According to the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, and dated December 20, 2024. Based on the VMT Screening Analysis, the project would generate approximately 298 trips, without taking trip credits form the existing uses. The operational analysis utilizes the total daily trips, which does not account for pass-by trips, to provide a worst-case scenario. As indicated in Table 4, operational fuel consumption is estimated to be approximately 62,229 gallons per year, which would increase Countywide automotive fuel consumption by 0.0051 percent. As such, the project does not propose any unusual features that would result in excessive long-term operational fuel consumption (**Criterion 1 and 2**).

The key drivers of transportation-related fuel consumption for the project are passenger vehicle and light- and medium-duty trucks trips also account for a portion of the transportation-related fuel consumption. The proposed project would provide electric vehicle (EV) charging facility as per the most current and applicable version of the Title 24 standards pertaining to EV capable spaces and parking stalls with EV chargers. The project would also include features such as bicycle parking and vanpool/carpool parking, which would promote near-zero and zero-emissions technologies and encourage alternative modes of transportation. Additionally, the project site is surrounded by bus stops that are serviced by Orange County Transportation Agency (OCTA). Thus, the project would encourage and support the use

[2] California Department of Resources Recycling and Recovery, *Construction and Demolition Debris Recycling*, https://calrecycle.ca.gov/condemo/, accessed November 28, 2024.

of EVs and alternative modes of transportation, thus reducing petroleum fuel consumption **(Criterion 4** and **Criterion 6)**.

Therefore, fuel consumption associated with vehicle trips generated by the project would not be considered inefficient, wasteful, or unnecessary compared to other similar developments in the region. A less than significant impact would occur in this regard.

Building Energy Demand

The CEC developed 2024 to 2040 forecasts for energy consumption and peak demand in support of the 2023 IEPR for each of the major electricity and natural gas planning areas and the State based on the economic and demographic growth projections. CEC forecasted baseline electricity consumption grows at a rate of about 1.7 percent annually through 2040.[3] The natural gas consumption grows at a rate of about 0.2 percent annually through 2035.[4] As shown in Table 4.6-1, the project's operational energy consumption would result in an annual electricity consumption of 282 MWh. As previously stated, the project would not consume natural gas during operation. However, the project's natural gas usage has been calculated using CalEEMod as a conservative analysis and is shown for informational purpose only. Table 5.5-3 also shows the operational energy consumption would result in approximately 0.0014 percent increase in electricity consumption and approximately 0.0027 percent increase in natural gas consumption over the current Countywide usage. As such, energy consumption would be significantly below CEC's forecasts and the current Countywide usage. Therefore, the project would be consistent with the CEC's energy consumption forecasts and would not require additional energy capacity or supplies **(Criterion 1** and **Criterion 2)**. The project would also consume energy during the same time periods as other surrounding residential and commercial developments. As a result, the project would not result in unique or more intensive peak or base period electricity demand **(Criterion 3)**.

The project would be required to comply with the most current and applicable version of the Title 24 Building Energy Efficiency Standards (commonly known as Title 24), which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. The project would also comply with the CALGreen Code pertaining to the installation of EV charging stations. Compliance with the most current and applicable Title 24 standards significantly reduces energy usage **(Criterion 4)**.

Furthermore, the electricity provider, SCE, is subject to California's RPS. The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 60 percent of total procurement by 2030 and 100 percent of total procurement by 2045. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance of such energy resources further ensures that new development projects will not result in the waste of the finite energy resources. In compliance with Title 24, including the CALGreen Code, the project would install high efficiency lighting and energy efficient appliances. The project would also include solar ready roofs. As a result, the project would ensure energy consumption to be kept to a minimum through these components **(Criterion 5)**.

Based on the analysis above, the project would not cause wasteful, inefficient, and unnecessary consumption of building energy during project operation, or preempt future energy development or future energy conservation. As such, impacts resulting from the proposed project would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

[3] California Energy Commission, *2023 Integrated Energy Policy Report, page 130*, July 14, 2024.

[4] Based on *2023 Integrated Energy Policy Report*, the gas forecast is updated every two years, in odd years. As such, the natural gas consumption shown here is based on the California Energy Commission, *Final 2022 Integrated Energy Policy Report Update, page 140*, May 10, 2023.

Mitigation Measures: No mitigation measures are required.

b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Less than Significant Impact. The City does not have an adopted renewable energy or energy efficiency plan. State and regional plans for renewable energy and energy efficiency include the California Energy Commission's Integrated Energy Policy Report (IEPR), Title 24 standards, and CALGreen standards. The project would be required to comply with Title 24 and CALGreen standards and incorporates all applicable energy efficiency measures. Energy efficiency measures typical for residential projects include installation of energy efficient windows, insulation, lighting, ventilation systems, and water efficient fixtures, conservation of roof areas for future installation of solar panels, as well as provision of electric vehicles charging infrastructure, among others. Compliance with Title 24 and CALGreen standards would also be consistent with the CPUC Strategic Plan strategies and the IEPR building energy efficiency recommendations, which would ensure project conformance with the State's energy reduction goals. As such, the proposed project would result in less than significant impacts associated with renewable energy or energy efficiency plans.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.7 GEOLOGY AND SOILS

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

This section is primarily based upon the following technical studies.

- *Soil and Foundation Evaluation Report, Proposed Multi-Tenant Building Complex, 220, 222, and 234 Victoria Street, Costa Mesa, California* (Geotechnical Evaluation), prepared by Soil Pacific, Inc., September 19, 2024; refer to Appendix C, *Geotechnical Evaluation;*

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

1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. Southern California is located within a seismically active margin between the North American and Pacific tectonic plates. Nonetheless, based on the Geotechnical Evaluation prepared for the project, the project site is not located within an Alquist-Priolo earthquake fault zone. As such, no impacts would occur in this regard.

***Standard Conditions of Approval*:** No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

2) Strong seismic ground shaking?

Less Than Significant Impact. The Geotechnical Evaluation concluded that the project site would likely experience strong seismic ground shaking during the project's lifetime as expected for the southern California region. Based on the Geotechnical Evaluation, soils at the site consist of fill soils to a depth of approximately one to two feet below grade underlain by stiff to very stiff silts and clays underlain by medium and very dense sand and silty sands. As such, the project would require over excavation of the fill soils and recompacted to support the proposed foundations, slabs on grade, and pavement. The Geotechnical Evaluation prepared for the project includes recommendations for clearing, site preparation, excavations, foundations, utility trench backfill placement, retaining wall design, concrete, slabs, and hardscape design, pavement section design, drainage, balancing earthwork, and adherence to existing seismic design requirements of the California Building Code (CBC). As required by Municipal Code Section 5-1, *Construction Codes Adopted*, the project is required to comply with the recommendations outlined in project-specific Geotechnical Evaluation and comply with the most recent edition of the CBC (SCA GEO-1). Upon compliance with Geotechnical Evaluation recommendations, existing seismic design requirements of the California Building Code, and any subsequent seismic design requirements imposed by the City (as implemented through SCA GEO-1), the project would not directly or indirectly cause potential substantial adverse effects with respect to strong seismic ground shaking. Impacts would be reduced to less than significant levels.

***Standard Conditions of Approval*:**

SCA GEO-1 Design, grading, and construction shall be performed in accordance with the requirements of the California Building Code applicable at the time of grading as well as the appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the City of Costa Mesa Building official prior to issuance of grading permits.

Mitigation Measures: No mitigation measures are required.

3) Seismic-related ground failure, including liquefaction?

No Impact. Liquefaction and seismically-induced settlement or ground failure is generally related to strong seismic shaking events where the groundwater occurs at shallow depth (generally within 50 feet of the ground surface) or where lands are underlain by loose, cohesionless deposits. Liquefaction typically results in the loss of shear strength of a soil, which occurs due to the increase of pore water pressure caused by the rearrangement of soil particles induced by shaking or vibration. During liquefaction, soil strata behave similarly to a heavy liquid.

According to the Geotechnical Evaluation prepared for the project, the project site is not located in a zone of potential seismically-induced liquefaction. Further, it is noted that groundwater was not encountered during subsurface exploration conducted as part of the Geotechnical Evaluation. Based on the Phase II ESA prepared for the project site[1], groundwater is expected to be greater than 50 feet below ground surface. No impact would occur in this regard.

***Standard Conditions of Approval*:** No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[1] ENCON Technologies, Inc., *Phase II ESA Report, Subsurface Soil and Soil Gas Investigation, Multi-Tenant Commercial and Light Industrial Property 220, 222, and 234 Victoria Street, Costa Mesa, California 92627*, dated July 31, 2023; refer to Appendix D, *Hazardous Materials Documentation*.

4) Landslides?

No Impact. The project site and surrounding area is generally flat and, according to the Geotechnical Evaluation, the project site is not located within a State of California Seismic Hazard Zone for earthquake-induced landslides. Thus, no impact would occur in this regard.

***Standard Conditions of Approval*:** No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact.

Construction

As discussed in Section 4.10, *Hydrology and Water Quality*, the project site is greater than one acre in size, and would be required to obtain a General Construction Permit under the National Pollutant Discharge Elimination System (NPDES) program. The General Construction Permit requires the project Applicant to prepare and implement a stormwater pollution prevention plan (SWPPP), which would specify best management practices (BMPs) to be implemented during construction of the project to prevent erosion, minimize siltation impacts, and protect water quality. Pursuant to Municipal Code Section 8.32, *Control of urban runoff*, would require all new development and significant reconstruction within the City be undertaken in accordance with the Orange County Drainage Area Management Plan (DAMP). The DAMP outlines requirements that would ensure water quality and satisfy the NPDES permit regulations. Additionally, the proposed project has prepared a water quality management plan (WQMP) which would ensure the health of local bodies of waters through the management of stormwater runoff pollution prevention during construction and operations. Additionally, the proposed project would be subject to compliance with SCA HYD-1 through SCA HYD-3, which would ensure construction BMPs are implemented to minimize potential impacts to water quality. Construction activities would be required to comply with water quality best management practices (BMPs) as outlined in the WQMP. Compliance with applicable BMPs in the SWPPP and WQMP would ensure construction impacts on soil erosion and loss of topsoil are less than significant.

Operations

The proposed project would implement the DAMP and WQMP which overall site design, low impact development (LID), and hydromodification BMPs capable of minimizing stormwater pollutants of concern during project operations. Specifically, the WQMP would require the project to install six on-site storm drains that direct stormwater runoff flows into a modular wetland system unit to be treated. The treated water would than flow into the existing storm drain along Victoria Place. In the event of storm flows in excess of the design storm flows, runoff would bypass the MWS unit and be conveyed directly to the existing storm drain along Victoria Place. Other BMPs identified in the WQMP that helps prevent the loss of topsoil include common area landscape management, use of efficient irrigation systems/landscape design, smart controllers, source control to minimize runoff, and other non-structural and structural BMPs; refer to Appendix E, *Hydrology Report and WQMP*. Upon compliance with the NPDES, DAMP, as well as BMP identified for the project, impacts concerning substantial soil erosion and loss of topsoil would be less than significant.

***Standard Conditions of Approval*:** Refer to Section 4.10, *Hydrology and Water Quality* for a discussion of SCA HYD-1 through SCA HYD-3.

Mitigation Measures: No mitigation measures are required.

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. Refer to Responses 4.7(a)(3), 4.7(a)(4), and 4.7(d) for a discussion concerning liquefaction, landslides and slope stability, and expansive soils.

Lateral Spreading

Lateral spreading is limited displacement ground failure, often associated with liquefaction. Lateral spreading is typically exemplified by the formation of vertical cracks on the surface of liquefied soils, and usually takes place on gently sloping ground or level ground with nearby free surface such as a drainage or stream channel. Given the project site is not located within a liquefaction zone, the probability of lateral spreading occurring during a seismic event is also considered to be unlikely. No impacts would occur in this regard.

Subsidence/Collapse

Subsidence can occur in various ways during an earthquake. Large areas of land can subside drastically during an earthquake because of offset along fault lines; land subsidence can also occur as a result of settling and compacting of unconsolidated sediment (i.e., settlement) from seismic shaking. Collapsible soils generally have loose soil structures that can greatly decrease in volume upon wetting, additional loading, or both. Soil collapse typically occurs due to the addition of water.

According to the Geotechnical Evaluation, it is anticipated that existing surficial soils may shrink approximately five to 10 percent when removed and replaced as compacted fill and subsidence is anticipated to be negligible. The Geotechnical Evaluation prepared for the project includes recommendations for adequate reinforcement of concrete flatwork, slabs, and hardscape to further reduce potential impacts associated with soil shrinkage. As required by Municipal Code Section 5-1, *Construction Codes Adopted*, the project is required to comply with the recommendations outlined in project-specific Geotechnical Evaluation (SCA GEO-1). Accordingly, upon compliance with Geotechnical Evaluation recommendations (SCA GEO-1), impacts would be less than significant.

***Standard Conditions of Approval*:** Refer to SCA GEO-1.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. Expansive soils are those that undergo volume changes as moisture content fluctuates, swelling substantially when wet or shrinking when dry. Soil expansion can damage structures by cracking foundations, causing settlement, and distorting structural elements.

According to the Geotechnical Evaluation, on-site soils are anticipated to have a low expansion potential. Nonetheless, the Geotechnical Evaluation prepared for the project includes recommendations for adequate reinforcement of concrete flatwork, slabs, and hardscape to further reduce potential impacts associated with soil expansion potential. As required by Municipal Code Section 5-1, *Construction Codes Adopted*, the project is required to comply with the recommendations outlined in project-specific Geotechnical Evaluation (SCA GEO-1). As such, site-specific design recommendations identified in the Geotechnical Evaluation would be integrated in the project design plans (SCA GEO-1) and impacts would be less than significant in this regard.

***Standard Conditions of Approval*:** Refer to SCA GEO-1.

Mitigation Measures: No mitigation measures are required.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. No septic tanks or alternative wastewater systems would be constructed as part of the project. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact With Mitigation Incorporated. According to the Cultural Resources Assessment, the project site is located on Myford sandy loam that comprise of old Quaternary deposits dating to the late Pleistocene. Additionally, Holocene soils overlie these Pleistocene deposits. The Holocene-age deposits in the project site have low sensitivity. However, potential fossil-bearing units may be present in Pleistocene-age deposits. As such, ground-disturbing activities have the potential to destroy or otherwise adversely impact significant paleontological resources below young Holocene-age soils at unknown depths within the project site.

Based on the Geotechnical Evaluation, construction of the proposed project would require excavation of the fill below the existing grade surface. Thus, excavation during development of the project has the potential to extend into deposits with high paleontological sensitivity and has the potential to encounter undocumented scientifically significant paleontological resources. As such, the proposed project would implement Mitigation Measure GEO-1 and Mitigation Measure GEO-2. Mitigation Measure GEO-1 requires paleontological monitoring to be present if project construction occurs at depths that could encounter highly sensitive sediments for paleontological resources. Mitigation Measure GEO-2 provides procedures for construction workers to follow in the event of any fossil discovery to ensure grading is halted to assess the find for significance and any paleontological finds are properly excavated and preserved. With implementation of these mitigation measures, impacts in this regard would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures:

GEO-1 Prior to issuance of a grading permit and any ground-disturbing activities, the project applicant shall consult with a geologist or paleontologist to confirm whether anticipated grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If confirmed that underlying sediments may have high sensitivity, construction activity shall be monitored by a qualified paleontologist retained by the project applicant and a written Project Monitoring Plan (PMP) shall be submitted to the City of Costa Mesa's Director of Economic and Development Services for review and approval. The monitoring plan shall include monitor contact information, specific procedures for field observation, diverting and grading to protect finds, and procedures to be followed in the event of significant finds. The paleontologist shall have the authority to halt construction during construction activity. Because the project area is immediately underlain by Holocene sediments (low sensitivity) and the depth of these sediments is unknown, spot-check monitoring shall be conducted to identify potential fossils and the lithological transition to Pleistocene sediments. If Pleistocene-aged sediments are discovered at depth, monitoring shall transition to full-time as ground-disturbing activities occur at or below this identified depth because these Pleistocene units have been identified as having high sensitivity for paleontological resources.

GEO-2 In the event of any fossil discovery, regardless of depth or geologic formation, construction work shall halt within a 50-foot radius of the find until a qualified paleontologist retained by the project applicant can determine its significance. Significant fossils shall be recovered, prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and deposited in a designated paleontological curation facility in accordance with the standards of the Society of Vertebrate Paleontology (2010). The most likely repository is the Natural History Museum of Los Angeles County (NHMLAC). The repository shall be identified, and a curatorial arrangement shall be signed prior to the collection of the fossils.

4.8 GREENHOUSE GAS EMISSIONS

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

Global Climate Change

California is a substantial contributor of global greenhouse gases (GHGs), emitting approximately 371.1 million metric tons of carbon dioxide equivalent ($MMTCO_2e$) per year.[1] Methane (CH_4) is also an important GHG that potentially contributes to global climate change. GHGs are global in their effect, which is to increase the earth's ability to absorb heat in the atmosphere. As primary GHGs have a long lifetime in the atmosphere, accumulate over time, and are generally well-mixed, their impact on the atmosphere is mostly independent of the point of emission. Every nation emits GHGs and as a result makes an incremental cumulative contribution to global climate change; therefore, global cooperation will be required to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

The impact of human activities on global climate change is apparent in the observational record. Air trapped by ice has been extracted from core samples taken from polar ice sheets to determine the global atmospheric variation of CO_2, CH_4, and nitrous oxide (N_2O) from before the start of industrialization (approximately 1750), to over 650,000 years ago. For that period, it was found that CO_2 concentrations ranged from 180 to 300 parts per million (ppm). For the period from approximately 1750 to the present, global CO_2 concentrations increased from a pre-industrialization period concentration of 280 to 379 ppm in 2005, with the 2005 value far exceeding the upper end of the pre-industrial period range. As of December 2024, the highest monthly average concentration of CO_2 in the atmosphere was recorded at 424.98 ppm.[2]

The Intergovernmental Panel on Climate Change (IPCC) constructed several emission trajectories of GHGs needed to stabilize global temperatures and climate change impacts. It concluded that a stabilization of GHGs at 400 to 450 ppm carbon dioxide equivalent (CO_2e)[3] concentration is required to keep global mean warming below 2 degrees Celsius (^oC), which in turn is assumed to be necessary to avoid dangerous climate change.

Regulatory Framework

Various Statewide and local initiatives to reduce the State's contribution to GHG emissions have raised awareness that, even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is under way, and there is a real potential for severe adverse environmental, social, and

1 California Air Resources Board, *California Greenhouse Gas Emissions for 2000 to 2022,* September 20, 2024, https://ww2.arb.ca.gov/sites/default/files/2024-09/nc-2000_2022_ghg_inventory_trends.pdf, accessed November 24, 2024.

2 Scripps Institution of Oceanography, *The Keeling Curve, Carbon Dioxide Concentration at Mauna Loa Observatory*, https://scripps.ucsd.edu/programs/keelingcurve/, accessed December 12, 2024.

3 Carbon Dioxide Equivalent (CO_2e) – A metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

economic effects in the long term. Every nation emits GHGs and as a result makes an incremental cumulative contribution to global climate change; therefore, global cooperation is necessary to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

State

Assembly Bill 32 (California Global Warming Solutions Act of 2006). California passed the California Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32; California Health and Safety Code Division 25.5, Sections 38500 - 38599). AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on Statewide GHG emissions. AB 32 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

Executive Order S-3-05. Executive Order S-3-05 set forth a series of target dates by which Statewide emissions of GHGs would be progressively reduced, as follows:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels; and
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

Senate Bill 32. Signed into law on September 2016, Senate Bill (SB) 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030.

California Building Energy Efficiency Standards (Title 24). The *2022 Building Energy Efficiency Standards for Residential and Nonresidential Buildings* (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2023. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Title 24 standards encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, strengthen ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Title 24.

CARB Scoping Plan. On December 11, 2008, CARB adopted its *Climate Change Scoping Plan* (Scoping Plan), which functions as a roadmap to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB's Scoping Plan contains the main strategies California will implement to reduce CO_2e emissions by 174 million metric tons (MT), or approximately 30 percent, from the State's projected 2020 emissions level of 596 million $MTCO_2e$ under a business-as-usual (BAU)[4] scenario. This is a reduction of 42 million $MTCO_2e$, or almost ten percent, from 2002 to 2004 average emissions, but requires the reductions in the face of population and economic growth through 2020.

On December 15, 2022, CARB released the *2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan), which identifies the strategies achieving carbon neutrality by 2045 or earlier. The 2022 Scoping Plan contains the GHG reductions, technology, and clean energy mandated by statutes. The 2022 Scoping Plan was developed to achieve

[4] Based on the Scoping Plan, "Business-as-Usual" (BAU) scenario refers to GHG emissions that would be expected to occur in the absence of existing reductions policies. Note that there is significant controversy as to what BAU means. In determining the GHG 2020 limit, CARB used the above as the "definition." It is broad enough to allow for design features to be counted as reductions.

carbon neutrality by 2045 through a substantial reduction in fossil fuel dependence, while at the same time increasing deployment of efficient non-combustion technologies and distribution of clean energy. The plan would also reduce emissions of short-lived climate pollutants (SLCPs) and would include mechanical CO_2 capture and sequestration actions, as well as emissions and sequestration from natural and working lands and nature-based strategies. Under 2022 Scoping Plan, by 2045, California aims to cut GHG emissions by 85 percent below 1990 levels, reduce smog-forming air pollution by 71 percent, reduce the demand for liquid petroleum by 94 percent compared to current usage, improve health and welfare, and create millions of new jobs. This plan also builds upon current and previous environmental justice efforts to integrate environmental justice directly into the plan, to ensure that all communities can reap the benefits of this transformational plan.

Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy. On September 3, 2020, the Regional Council of Southern California Association of Governments (SCAG) formally adopted the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy of the Southern California Association of Governments – Connect SoCal* (2020-2045 RTP/SCS). The SCS portion of the 2020-2045 RTP/SCS highlights strategies for the region to reach the regional target of reducing GHGs from autos and light-duty trucks by 8 percent per capita by 2020, and 19 percent by 2035 (compared to 2005 levels). Specially, these strategies are:

- Focus growth near destinations and mobility options;
- Promote diverse housing choices;
- Leverage technology innovations;
- Support implementation of sustainability policies; and
- Promote a green region.

Furthermore, the 2020-2045 RTP/SCS discusses a variety of land use tools to help achieve the state-mandated reductions in GHG emissions through reduced per capita vehicle miles traveled (VMT). Some of these tools include center focused placemaking, focusing on priority growth areas, job centers, transit priority areas, as well as high quality transit areas and green regions.

The most recent RTP/SCS (Connect SoCal 2024) was approved by SCAG's Regional Council in April 2024. Connect SoCal 2024 outlines a vision for a more resilient and equitable future, with investment, policies, and strategies for achieving the region's shared goals through 2050. Connect SoCal 2024 sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce GHG emissions from automobiles and light-duty trucks and achieve the GHG emissions reduction target for the region set by the CARB. In addition, Connect SoCal 2024 is supported by a combination of transportation and land use strategies that outline how the region can achieve California's GHG-emission-reduction goals and federal Clean Air Act requirements. These are articulated in a set of Regional Strategic Investments, Regional Planning Policies, and Implementation Strategies. The Regional Planning Policies are a resource for County Transportation Commissions (CTCs) and local jurisdictions, who can refer to specific policies to demonstrate alignment with the RTP/SCS when seeking resources from State or federal programs. The Implementation Strategies articulate priorities for SCAG efforts in fulfilling or going beyond the Regional Planning Policies.

Thresholds of Significance

Global CO_2 emissions from all sectors have significantly increased since 1850. Much of this increase has resulted from increased fossil fuel consumption and industrial emissions. Agriculture, deforestation, and other land-use changes have been the second-largest contributors.[5] As a result, the study area for climate change and the analysis of GHG emissions is broad. However, the study area is also limited by CEQA Guidelines Section 15064.4(b), which directs

[5] U.S. Environmental Protection Agency, Global *Greenhouse Gas Emissions Overview*, https://www.epa.gov/ghgemissions/global-greenhouse-gas-emissions-data, accessed November 24, 2024.

lead agencies to consider an "indirect physical change" only if that change is a reasonably foreseeable impact, which may be caused by the project.

CEQA Guidelines Section 15064.4 recommends that lead agencies quantify GHG emissions of projects and consider several other factors that may be used in the determination of significance of GHG emissions from a project, including the extent to which the project may increase or reduce GHG emissions; whether a project exceeds an applicable significance threshold; and the extent to which the project complies with regulations or requirements adopted to implement a plan for the reduction or mitigation of GHG emissions.

However, CEQA Guidelines Section 15064.4 does not establish a threshold of significance. CEQA Guidelines Section 15064.6 provides lead agencies the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies or suggested by other experts, if any threshold chosen is supported by substantial evidence. The City of Costa Mesa has not adopted a numerical significance threshold or climate action plan (CAP). Similarly, the South Coast Air Quality Management District (SCAQMD), the Governor's Office of Planning and Research (OPR), CARB, California Air Pollution Control Officers Association (CAPCOA), or any other State or applicable regional agency has yet to adopt a numerical significance threshold for assessing GHG emissions that is applicable to the project. The SCAQMD formed a GHG CEQA Significance Threshold Working Group (Working Group) to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, and was proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is the lead agency as of the last Working Group meeting (Meeting No.15) held in September 2010.[6] However, the proposed threshold was based on the State's GHG emissions reduction goal identified in AB 32 for the year 2020, which has been outdated, and SCAQMD never adopted the threshold.

Impacts of climate change are experienced on a global scale regardless of the location of GHG emission sources, and therefore, numerical significance threshold for individual development projects is speculative. Throughout the State, air districts are moving from numerical significance threshold to qualitative significance threshold that focuses on project features to reduce GHG emissions or consistency with GHG reduction plans. For example, in the Bay Area Air Quality Management District (BAAQMD) 2022 CEQA Guidelines, the GHG thresholds of significance are either whether land use projects include certain project design elements related to buildings and transportation or whether the project is consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b). This is a major update to BAAQMD's 2017 CEQA Guidelines, where a numerical significance threshold was required. To reduce GHG emissions impact, it is more effective for development projects to include project features that directly or indirectly reduce GHG emissions, than relying on a numerical significance threshold, which highly depends on the type and size of the development.

Therefore, the significance of the project's potential impacts regarding GHG emissions and climate change will be assessed solely on its consistency with plans and policies adopted for the purposes of reducing GHG emissions and mitigating the effects of climate change and the project's ability to incorporate sustainable features and strategies in its design to reduce GHG emissions. The analysis has also quantified the project's GHG emissions for informational purposes.

6 South Coast Air Quality Management District, *Board Letter – Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans*, December 5, 2008.

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

Less Than Significant Impact.

Project-Related Sources of Greenhouse Gases

Project-related GHG emissions include emissions from direct and indirect sources. The proposed project would result in direct and indirect emissions of CO_2, N_2O, and CH_4, and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct project-related GHG emissions include emissions from construction activities, area sources, mobile sources, and refrigerants, while indirect sources include emissions from energy consumption, water demand, and solid waste generation. The amount of GHG emissions that would be attributable to the project is calculated using the California Emissions Estimator Model (CalEEMod) version 2021.1.

CalEEMod relies upon trip generation rates and project specific land use data to calculate emissions. The vehicle emission factors were CalEEMod default values for Orange County in the project's buildout year. Project-generated trips are based on the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, and dated December 20, 2024. Based on the VMT Screening Analysis, the project would generate approximately 298 trips, without taking trip credits form the existing uses. As a conservative analysis, emissions from existing uses on-site were not modeled or deducted from project-generated emissions. Table 4.8-1, *Estimated Greenhouse Gas Emissions*, presents the estimated CO_2, N_2O, and CH_4 emissions of the proposed project. The CalEEMod outputs are contained within the Appendix A, *Air Quality/ Greenhouse Gas Emissions /Energy Data*.

Table 4.8-1
Estimated Greenhouse Gas Emissions

Source	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
	Metric Tons/year[1]				
Direct GHG Emissions					
Construction (amortized over 30 years)	10.23	< 0.005	< 0.005	< 0.005	10.33
Mobile Source	309.00	0.02	0.01	0.48	314.00
Area Source	0.69	< 0.005	< 0.005	0.00	0.69
Refrigerant	0.00	0.00	0.00	0.09	0.09
Total Direct Emissions	*319.92*	*0.02*	*0.01*	*0.57*	*325.11*
Indirect GHG Emissions					
Energy	126.00	0.01	< 0.005	0.00	126.00
Water	8.27	0.05	< 0.005	0.00	9.88
Solid Waste	2.82	0.28	0.00	0.00	9.86
Total Indirect Emissions	*137.09*	*0.34*	*0.00*	*0.00*	*145.74*
Total Project-Related Emissions[2]	***471.85 $MTCO_2e$/year***				

Notes: CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxides, $MTCO_2e$/yr = metric tons of carbon dioxide equivalent per year
1. Emissions were calculated using CalEEMod version 2022.1, as recommended by the SCAQMD.
2. Totals may be slightly off due to rounding.

Direct Project-Related Sources of Greenhouse Gases

Construction Emissions. Construction GHG emissions are typically summed and amortized over the lifetime of the project (assumed to be 30 years), then added to the operational emissions.[7] As shown in Table 4.8-1, the proposed project would result in 10.33 $MTCO_2e$ when amortized over 30 years (310 $MTCO_2e$ total).

Area Source. Area source emissions were calculated using CalEEMod and project-specific land use data. Project-related area sources include exhaust emissions from landscape maintenance equipment. According to the project Applicant, 100 percent of landscaping equipment would be electric. However, as a conservative analysis, this is not accounted for in the modeling. Nonetheless, the project would directly result in 0.69 $MTCO_2e$ per year from area source emissions; refer to Table 4.8-1.

Mobile Source. As previously discussed, the project is anticipated to generate approximately 298 average daily trips, without taking trips credits from the existing uses. The project would directly result in 314.00 $MTCO_2e$ per year of mobile source-generated GHG emissions; refer to Table 4.8-1.

Refrigerants. Refrigerants are substances used in equipment for air conditioning and refrigeration. Most of the refrigerants used today are hydrofluorocarbons (HFCs) or blends thereof, which can have high global warming potential (GWP) values. All equipment that uses refrigerants has a charge size (i.e., quantity of refrigerant the equipment contains), and an operational refrigerant leak rate, and each refrigerant has a GWP that is specific to that refrigerant. CalEEMod quantifies refrigerant emissions from leaks during regular operation and routine servicing over the equipment lifetime, and then derives average annual emissions from the lifetime estimate. The proposed project would result in 0.09 $MTCO_2e$ per year of GHG emissions from refrigerants; refer to Table 4.8-1.

Indirect Project-Related Sources of Greenhouse Gases

Energy Consumption. Energy consumption emissions were calculated using the CalEEMod model and project specific land use data. On-site electricity would be provided by Southern California Edison (SCE). It is acknowledged that the proposed project would possibly be all electric, since as of July 2024, SCE is requesting "only electric" on-site to participate in new future service. Additionally, the project would also install high efficiency lighting, energy efficient appliances, and exceed Title 24 Standards. However, as a conservative analysis, these project design features (all electric development, high efficiency lighting, energy efficient appliances, and exceeding Title 24 Standards) were not accounted for in the modeling. The project would indirectly result in 126.00 $MTCO_2e$/year GHG emissions due to energy consumption; refer to Table 4.8-1.

Solid Waste. Solid waste emissions associated with operations of the project were calculated using the CalEEMod model and project-specific land use data. Per AB 341, the project would be required to reduce, recycle, or compost at least 50 percent of the solid waste generated. However, as a conservative analysis, this is not accounted for in the modeling. Solid waste associated with operations of the proposed project would result in 9.86 $MTCO_2e$ per year; refer to Table 4.8-1.

Water Demand. The proposed project would include various features that would reduce water consumption which includes low-flow water fixtures, water-efficient irrigation and drought tolerant landscaping. However, as a conservative analysis, these features were not accounted for in the modeling. Emissions from indirect energy impacts due to water supply would result in 9.88 $MTCO_2e$ per year; refer to Table 4.8-1.

[7] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold,* October 2008).

Total Project-Related Sources of Greenhouse Gases

As shown in Table 4.8-1, the total amount of proposed project-related GHG emissions from direct and indirect sources combined would total 471.85 $MTCO_2e$ per year. As previously stated, the project's GHG impacts are evaluated by assessing the project's consistency with applicable GHG reduction plans and strategies, as discussed below.

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

Less Than Significant Impact. The GHG plan consistency analysis for the project is based on the project's consistency with the SCAG's 2020-2045 RTP/SCS and CARB's 2022 Scoping Plan. The 2020-2045 RTP/SCS incorporates local land use projections and circulation networks in city and county general plans. The 2022 Scoping Plan describes the approach California will take to reduce GHG emissions by 40 percent below 1990 levels by the year 2030.

Consistency with the SCAG 2020-2045 RTP/SCS.

As previously mentioned, the latest 2024-2050 RTP/SCS (Connect SoCal 2024) was adopted on April 4, 2024. However, CARB concluded that the technical methodology SCAG used to quantify the GHG emission reductions for the Connect SoCal 2024 does not operate accurately.[8] SCAG resubmitted the Sustainable Communities Strategy (SCS) Submittal Package for CARB's review in June 2024. Review by CARB is limited to acceptance or rejection of SCAG's determination that its SCS would, if implemented, achieve the region's GHG emission reduction target. If CARB rejects SCAG's determination of meeting the GHG emission target, SCAG would need to revise the SCS or adopt an alternative planning strategy demonstrating the ability to achieve the target. As such, until CARB makes the decision, Connect SoCal 2024 is not a fully adopted document and is potentially subject to further updates, especially from the GHG reduction perspective of the methods and assumptions of the calculation of Auto Operating Costs (AOC)[9], induced travel, electric vehicle incentives, job center parking and parking deregulation, off-model strategy assumptions, and emissions factors. As CARB has not made the decision at the time of preparation of this document, the consistency analysis relies upon the 2020-2045 RTP/SCS. Table 4.8-2, *Project Consistency with 2020-2045 RTP/SCS*, provides a consistency analysis of the project with the five key SCS strategies found within the 2020-2045 RTP/SCS that are intended to help the region meet its regional VMT and GHG reduction goals, as required by the State. As shown therein, the proposed project would be consistent with the GHG emission reduction strategies contained in the 2020-2045 RTP/SCS.

Table 4.8-2
Project Consistency with 2020-2045 RTP/SCS

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
Focus Growth Near Destinations and Mobility Options		
• Emphasize land use patterns that facilitate multimodal access to work, educational and other destinations.	**Center Focused Placemaking,**	**Consistent**. The proposed project would construct a residential development near the existing residential and commercial developments. The proposed project would facilitate multimodal

[8] California Air Resources Board, *RE: CARB Review of Southern California Association of Governments' 2024 SCS Senate Bill 375 Greenhouse Gas Emissions Draft Technical Methodology*, March 29, 2024, https://ww2.arb.ca.gov/sites/default/files/2024-04/SCAG%20memo%20final.pdf, accessed December 3, 2024.

[9] AOC is used as key variable across several major model components of the travel demand model, such as vehicle ownership, destination choice, and mode choice. This parameter represents the expenses associated with the usage of vehicles, expressed in cents per mile or dollar per mile. AOC plays a pivotal role as a fundamental parameter within the travel demand model.

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
	Priority Growth Areas (PGA), Job Centers, High Quality Transit Areas (HQTAs), Transit Priority Areas (TPA), Neighborhood Mobility Areas (NMAs), Livable Corridors, Spheres of Influence (SOIs), Green Region, Urban Greening.	access to work through its proximity to existing public transportation and installation of short-term bicycle parking. Specifically, the proposed project would be located within one mile of the existing bus stops located along Newport Boulevard serviced by the Orange County Transportation Authority (OCTA). The proposed project would also include bicycle parking which would encourage alternative mode of transportation. Additionally, it should be noted that the proposed project would increase pedestrian connectivity by install a new public sidewalk along the Victoria Place frontage. As such, the project would be consistent with this strategy.
• Focus on a regional jobs/housing balance to reduce commute times and distances and expand job opportunities near transit and along center-focused main streets.		**Consistent**. The proposed residential development would be located near the existing commercial uses located along Newport Boulevard. As such, the project would increase residential uses near the existing commercial uses and other developments near the surrounding major streets. Thus, the project is consistent with this strategy.
• Plan for growth near transit investments and support implementation of first/last mile strategies.		**Consistent**. A TPA is defined as a half mile area around an existing major transit stop or along a high-quality transit corridor (HQTC). Pursuant to Assembly Bill 2553, a major transit stop is defined as a site which has two or more major bus routes with a frequency of service interval of 20 minutes or less during the morning and afternoon peak commute periods. A HQTC is defined as a corridor with a fixed bus route with service intervals of no longer than 15 minutes during peak commute hours. The project site is located within an TPA; refer to Section 4.17, *Transportation*. Additionally, the proposed project is located within proximity to existing bus stops serviced by the OCTA. Therefore, the proposed project would be consistent with the Sustainable Communities Strategy as the proposed development would be near transit. As such, the project is consistent with this strategy.
• Promote the redevelopment of underperforming retail developments and other outmoded nonresidential uses.		**Consistent**. The project would replace the existing underperforming commercial use with residential use. As such, the development of the proposed project would revitalize underutilized/underperforming retail space with new residential uses. As such, the project is consistent with this strategy.
• Prioritize infill and redevelopment of underutilized land to accommodate new growth, increase amenities and connectivity in existing neighborhoods.		
• Encourage design and transportation options that reduce the reliance on and number of solo car trips (this could include mixed uses or locating and orienting close to existing destinations).		**Consistent**. The proposed project would include bicycle parking spaces which would encourage guests to utilize biking as an alternative mode of transportation. The project would also include vanpool/carpool parking spaces and would be located less than one mile from multiple bus stops serviced by the OCTA. Additionally, the installation of a new public sidewalk along Victoria Place frontage would encourage walking and cycling as alternative modes of transportation. As such, the proposed

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
		project would include features that would reduce solo car trips and would be located near existing destinations (residential and commercial destinations) and is consistent with this strategy.
• Identify ways to "right size" parking requirements and promote alternative parking strategies (e.g. shared parking or smart parking).		**Consistent**. The proposed project would provide a total of 103 parking stalls which would be less than the required 120 parking stalls pursuant of Municipal Code Section 13-85, *Parking Required*. As such, the proposed project is consistent with this strategy.
Promote Diverse Housing Choices		
• Preserve and rehabilitate affordable housing and prevent displacement.	**PGA, Job Centers, HQTAs, NMA, TPAs, Livable Corridors, Green Region, Urban Greening.**	**Not Applicable**. The proposed project would not displace existing affordable housing but replace the existing underperforming retail use with residential uses. As such, this strategy is not applicable.
• Identify funding opportunities for new workforce and affordable housing development.		**Not Applicable**. This strategy only pertains to governmental agencies and would not be applicable to development projects.
• Create incentives and reduce regulatory barriers for building context sensitive accessory dwelling units to increase housing supply.		**Not Applicable**. This strategy only pertains to governmental agencies and would not be applicable to development projects.
Leverage Technology Innovations		
• Promote low emission technologies such as neighborhood electric vehicles, shared rides hailing, car sharing, bike sharing and scooters by providing supportive and safe infrastructure such as dedicated lanes, charging and parking/drop-off space.	**HQTA, TPAs, NMA, Livable Corridors.**	**Consistent**. As previously discussed, the project would provide bicycle and vanpool/carpool parking spaces. The project would also provide electric charging facilities within the garage spaces consistent with the Title 24 standards. Therefore, the project would encourage guests to use alternate mode of transportation and carpool, thus reducing overall VMT. As such, the proposed project would be consistent with this strategy.
• Improve access to services through technology—such as telework and telemedicine as well as other incentives such as a "mobility wallet," an app-based system for storing transit and other multi-modal payments.		**Not Applicable**. This strategy focuses on SCAG's support on technology which may reduce VMT or allow for easier access to transportation options.
• Identify ways to incorporate "micro-power grids" in communities, for example solar energy, hydrogen fuel cell power storage and power generation		**Not Applicable**. This strategy focuses on SCAG's support on promoting "micro-power grids".
Support Implementation of Sustainability Policies		
• Pursue funding opportunities to support local sustainable development implementation projects that reduce greenhouse gas emissions	**Center Focused Placemaking, PGA, Job Centers, HQTAs, TPA,**	**Consistent**. While this strategy is focused on local governments, agencies, and organizations' actions to support the implementation of sustainability policies, the project would participate in opportunities provided by these agencies that would support sustainability. As such, the project is consistent with this strategy.

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
• Support statewide legislation that reduces barriers to new construction and that incentivizes development near transit corridors and stations	**NMAs, Livable Corridors, SOIs, Green Region, Urban Greening.**	**Not Applicable**. This strategy focuses on SCAG's support on statewide legislation.
• Support local jurisdictions in the establishment of Enhanced Infrastructure Financing Districts (EIFDs), Community Revitalization and Investment Authorities (CRIAs), or other tax increment or value capture tools to finance sustainable infrastructure and development projects, including parks and open space		**Not Applicable**. This strategy focuses on SCAG's support on statewide legislation.
• Work with local jurisdictions/ communities to identify opportunities and assess barriers to implement sustainability strategies		**Consistent**. The project would work alongside the City of Costa Mesa and SCE in implementing required sustainability programs and/or optional rebate programs. As such, the project is consistent with this strategy.
• Enhance partnerships with other planning organizations to promote resources and best practices in the SCAG region		**Not Applicable**. This strategy focuses on SCAG's support with local planning organizations.
• Continue to support long range planning efforts by local jurisdictions		**Not Applicable**. This strategy focuses on SCAG's support with local planning organizations.
Promote a Green Region		
• Support development of local climate adaptation and hazard mitigation plans, as well as project implementation that improves community resiliency to climate change and natural hazards	**Green Region, Urban Greening, Greenbelts and Community Separators.**	**Not Applicable**. This strategy focuses on SCAG's support with local planning organizations.
• Support local policies for renewable energy production, reduction of urban heat islands and carbon sequestration		**Consistent**. As discussed above, the proposed project would include solar ready roofs. Additionally, the proposed project would include landscaping which would reduce the urban heat island effect. As such, the project is consistent with this strategy.
• Integrate local food production into the regional landscape		**Not Applicable**. This strategy focuses on incorporation of food production (community gardens).
• Promote more resource efficient development focused on conservation, recycling and reclamation		**Consistent**. The proposed project would incorporate design features focused on sustainability and conservation such as low flow water fixtures, high efficiency lighting, and energy efficient appliances. The project would also comply with local and regional regulations for recycling and composting. As such, the project is consistent with this strategy.
• Preserve, enhance and restore regional wildlife connectivity		**Not Applicable**. The project is located within an urbanized and built environment.

Reduction Strategy	Applicable Land Use Tools	Project Consistency Analysis
• Reduce consumption of resource areas, including agricultural land		**Not Applicable**. The project is located within an urbanized and built environment. Project development would not remove any agricultural land.
• Identify ways to improve access to public park space		**Not Applicable**. This strategy focuses on SCAG's cooperation with local agencies in supporting accessibility public parks.
Source: Southern California Association of Governments, *2020-2040 Regional Transportation Plan/Sustainable Communities Strategy – Connect SoCal*, September 3, 2020.		

Consistency with the 2022 CARB Scoping Plan

The 2022 Scoping Plan identifies reduction measures necessary to achieve the goal of carbon neutrality by 2045 or earlier. Actions that reduce GHG emissions are identified for each AB 32 inventory sector. Provided in Table 4.8-3, *Consistency with the 2022 Scoping Plan*, is an evaluation of applicable reduction actions/strategies by emissions source category to determine how the project would be consistent with or exceed reduction actions/strategies outlined in the 2022 Scoping Plan.

Table 4.8-3
Consistency with the 2022 Scoping Plan

Actions and Strategies	Project Consistency Analysis
Smart Growth / Vehicles Miles Traveled (VMT)	
Reduce VMT per capita to 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045	**Consistent**. As discussed above, the project site is located within an TPA, and the proposed project is located within proximity to existing bus stops serviced by the OCTA. In addition, the proposed development would construct residential buildings near existing residential and commercial uses. As such, the project's proximity to existing public transit and destinations and design features (reduced parking and bicycle facilities) would reduce overall VMT.
New Residential and Commercial Buildings	
All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030	**Consistent**. The project is not expected to consist of natural gas heating and/or cooking on-site.
Construction Equipment	
Achieve 25% of energy demand electrified by 2030 and 75% electrified by 2045	**Not Applicable**. It should be noted that project construction would be completed prior to 2030. As such, the project would not be required to have 25 percent of construction equipment energy demand electrified. Additionally, the City of Costa Mesa has not adopted an ordinance or program requiring electricity-powered construction equipment which would be consistent with the 2022 Scoping Plan. However, if such programs or ordinance is adopted in the future, the project would be required to comply with the applicable goals or policies requiring the use of electric construction equipment in the future.
Non-combustion Methane Emissions	
Divert 75% of organic waste from landfills by 2025	**Consistent**. SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste to a 75 percent reduction by 2025. The law establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025. The project would comply with local and regional regulations and recycle or compost 75 percent of waste by 2025 pursuant to SB 1383.
Source: California Air Resources Board, *2022 Scoping Plan*, November 16, 2022.	

In summary, the plan consistency analysis provided above demonstrates that the proposed project complies with or exceeds the plans, policies, regulations and GHG reduction actions/strategies outlined in the SCAG's 2020-2045 RTP/SCS and CARB's 2022 Scoping Plan. Therefore, the project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing emissions of GHGs, and project-specific impacts regarding GHG emissions would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

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

This section is primarily based upon the following studies; refer to Appendix D, *Hazardous Materials Documentation*:

- *Phase I Environmental Site Assessment, Commercial Property 236 Victoria Place, Costa Mesa, California 92627* (236 Victoria Phase I ESA), prepared by ENCON Technologies, Inc., dated December 20, 2023.
- *Phase I Environmental Site Assessment, Multi-Tenant Commercial, Industrial, and Residential Property 220, 222, and 234 Victoria Street, Costa Mesa, California 92627* (220-234 Victoria Phase I ESA), prepared by ENCON Technologies, Inc., dated June 15, 2023.
- *Phase II ESA Report, Subsurface Soil and Soil Gas Investigation, Multi-Tenant Commercial and Light Industrial Property 220, 222, and 234 Victoria Street, Costa Mesa, California 92627* (220-234 Victoria Phase II ESA), prepared by ENCON Technologies, Inc., dated July 31, 2023.

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

Less Than Significant Impact.

CONSTRUCTION

Project construction could expose construction workers and the public to temporary hazards related to the transport, use, and maintenance of construction equipment and/or materials (i.e., oil, diesel fuel, and transmission fluids). However, these activities would be short-term in nature, and the materials used would not be in such quantities, or stored in such a manner, as to pose a significant safety hazard. All project construction activities would be required to demonstrate compliance with the applicable laws and regulations governing the use, storage, and transportation of hazardous materials, ensuring that all potentially hazardous materials are used and handled in an appropriate manner. Therefore, impacts concerning the routine transport, use, or disposal of hazardous materials during project construction would be less than significant.

OPERATIONS

Hazardous materials are not typically associated with residential uses. Anticipated hazardous materials use during project operations may include minor cleaning products and the occasional use of pesticides and herbicides for landscape maintenance. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would ensure that all potentially hazardous materials are used and handled in an appropriate manner, and would minimize the potential for safety impacts to occur. As such, impacts concerning the routine transport, use, or disposal of hazardous materials during project operations would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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. One of the means through which human exposure to hazardous substance could occur is through accidental release. Incidents that result in an accidental release of hazardous substance into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes that might be generated. Human exposure of contaminated soil, soil vapor, or water can have potential health effects on a variety of factors, including the nature of the contaminant and the degree of exposure.

Construction

Construction Equipment

During project construction, there is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluids used for construction equipment. The level of risk associated with the accidental release of these hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any construction equipment-related materials released are appropriately contained and remediated as required by local, State, and federal law. However, demolition of existing on-site structures could result in the accidental release of hazardous materials. Further, proposed grading activities could result in accidental conditions associated with existing hazardous substances in on-site soils.

Demolition of Building Materials

The project proposes the demolition of existing on-site structures. Given that the buildings on-site were constructed between 1954 through 1985, there is the potential for asbestos-containing materials (ACMs) and lead-based paint (LBP) in on-site building materials. The demolition of such materials on-site could potentially expose construction personnel and the public to ACMs or LBPs. Demolition activities would be required to be conducted in accordance with existing Federal and State regulations which govern the demolition/renovation of structures where these hazardous building materials are present. Specifically, the National Emission Standards for Hazardous Air Pollutants (NESHAP) establishes that building owners conduct an asbestos survey to determine the presence of ACMs prior to the commencement of any remedial work, including demolition. Additionally, asbestos removal would be required to be performed in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403, and LBP removal and disposal would be required to be performed in accordance with California Code of Regulations (CCR) Title 8, Section 1532.1. Upon compliance with all applicable Federal and State regulations, impacts pertaining to the potential release of ACMs and LBPs during demolition would be reduced to less than significant levels.

Removal of Existing Hazardous Materials/Substances

Project construction would include removal of the existing on-site materials that may involve hazardous substances/materials, given the existing uses present at the project site (e.g. boat servicing/washing and battery storage). All project construction activities would be required to demonstrate compliance with the applicable laws and regulations, including those governing the handling, transport, and disposal of hazardous materials/substances during clearing activities. Compliance with existing laws and regulations would ensure that all potentially hazardous materials are handled, transported, and disposed of in an appropriate manner. Therefore, impacts concerning the removal of existing on-site materials during project site clearing activities would be less than significant.

Grading Activities

Grading activities could result in accidental conditions involving existing hazardous substances in on-site soils. According to the 220-234 Victoria Phase II ESA, the following on-site activities have impacted limited areas of shallow soils at the project site.

- Boat Storage, Boat Wash, and Repair Services. 220 Victoria Place includes boat storage and repair services from 1970 to present time. Boat storage and repair service activities (particularly involving the use of paint and parts cleaning) has resulted in volatile organic compounds (VOCs), chlorinated solvents, and petroleum hydrocarbons waste oil materials in areas of soil at these locations.

- Chemical Drum Storage Area. Approximately eight to ten 55-galllon drums are currently being used for storage purposes on-site in association with on-site boat repairs and maintenance operations at 220 Victoria Place. Storage of these materials has result in limited releases in on-site soils at these locations.

Based on the 220-234 Victoria Phase II ESA, these areas of limited releases to on-site soils were below regulatory screening levels for the existing uses at the project site. However, the proposed project would disturb these materials during site grading activities, which could expose construction workers to these hazardous substances in on-site soils. As such, the project would be required to implement Mitigation Measure HAZ-1, which requires the implementation of a Soil Management Plan (SMP) during grading activities. The SMP would provide guidance on measures for managing soils during site grading activities. Soil management measures would include soil sampling for potential contaminated soils. In the event that contaminated soils are encountered, testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. For any contaminated soils that exceed existing Federal, State, and/or local human health screening levels, the soil shall be disposed off-site in accordance with applicable Federal, State, and local regulations.

Conclusion

Overall, construction activities would be conducted in accordance with local, State, and federal law standards, and it is not anticipated that construction equipment, historical on-site uses, on-site infrastructure and debris, or off-site listed facilities would result in significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials. With compliance with Mitigation Measure HAZ-1, as well as existing laws and regulations, impacts in this regard would be reduced to less than significant levels.

Operations

Refer to Response 4.9(a) for a description of impacts related to proposed operations at the project site. Upon adherence to existing regulations related to hazards and hazardous materials safety, impacts pertaining to the potential for accidental conditions during project operations would be less than significant.

Soil Vapor Intrusion

The proposed project would change existing on-site land uses from commercial to residential uses. Based on the Phase II ESA, existing releases to soil and soil gas present in limited areas of the project site could result in accidental conditions involving existing on-site soils as well as the release of soil gas into on-site residential structures during project operations. However, the project would be required to comply with Mitigation Measure HAZ-1, which would require the proper characterization of on-site soils during site grading, as well as the proper reuse or disposal at an appropriate landfill facility. Such management of on-site soils during grading activities would remove soils that present a concern with residential uses at the project site. With compliance of Mitigation Measure HAZ-1, proper use of on-site soils for future residential use would be minimized and impacts associated with accidental conditions from existing on-site soil and soil gas would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures:

HAZ-1 Prior to issuance of a grading permit, the contractor shall retain a qualified environmental professional with Phase II/Site Characterization experience, to be approved by the City's Department of Public Works City Engineer, to prepare a Soil Management Plan (SMP). The SMP shall be made available to the contractor, construction workers, and the City Engineer for use during grading/excavation activities. The SMP shall include guidelines for safety measures and soil management in the event that soils are to be disturbed, and for handling soil during any planned earthwork activities. The SMP shall also include a decision framework and specific risk management measures for managing soil, including any soil import/export activities, in a manner protective of human health and consistent with applicable regulatory requirements. During the grading phase, the qualified professional shall conduct soil sampling and monitor soil conditions. In the event where contaminated soil is discovered, the qualified professional shall take a sample and coordinate laboratory testing to determine contamination levels before the import, export, or re-use of the soil for residential purposes. Should any soil samples identify contamination levels in exceedance of existing Federal, State, and/or local human health screening levels for residential uses, the soil shall be disposed off-site by a licensed hazardous waste hauler in accordance with applicable Federal, State, and local 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?

No Impact. The closest school to the project site is the College Park Elementary School located at 2380 Notre Dame Road, approximately 0.50 miles to the north. As the proposed project is not located within a quarter mile from an existing or proposed school, no impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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?

No Impact. Government Code Section 65962.5 requires the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB) to compile and update a regulatory sites list (pursuant to the criteria of the Section). The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste.

According to the California Environmental Protection Agency, the project site is not listed pursuant to Government Code Section 65962.5.[1] Thus, no impact would result in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. The nearest airport to the project site is the John Wayne Airport, located approximately two miles to the northeast. According to the *Airport Environs Land Use Plan for John Wayne Airport* (AELUP), amended as of April 17, 2008, the project site is located outside of the Airport Impact Zones and Airport Safety Zones.[2] However, the project is within the AELUP Notification Area and Federal Aviation Regulation Part 77 Notification Area. The Airport Land Use Commission (ALUC) has adopted FAR Part 77 as the criteria for determining height restrictions in Orange County. Any project that would be more than 200 feet in height above the ground level is required to notify the Federal Aviation Administration (FAA), pursuant to FAR Part 77 Section 77.13. As the proposed project is less than 200 feet in height, the project would not exceed the FAA notification requirements. Nonetheless, as the proposed project is located within the ALUC planning boundaries and anticipated discretionary approvals would include a General Plan Amendment, the proposed project would be required to comply with California Public Utilities Code Section 21676(b). California Public Utilities Code Section 21676(b) requires local agencies to refer the proposed discretionary approval to the ALUC. Following compliance with the aforementioned State regulations, the proposed project would not introduce a safety hazard associated with airport operations. Additionally, the project site is not located within the vicinity of a private airstrip or related facilities. Less than significant impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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1 California Environmental Protection Agency, *Cortese Listing*, https://calepa.ca.gov/sitecleanup/corteselist/, accessed November 25, 2024.

2 Orange County Airport Land Use Commission, *Airport Environs Land Use Plan for John Wayne Airport*, amended April 17, 2008.

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

Less Than Significant Impact With Mitigation Incorporated. As shown on General Plan Safety Element Figure S-9, *Public Safety Facilities and Emergency Evacuation Routes*, the nearest designated emergency evacuation route is along Harbor Boulevard, approximately 0.50 miles to the west of the project site. Construction activities would not result in any lane closures along Harbor Boulevard. Additionally, construction staging would occur within the boundaries of the project site and would not interfere with emergency access along Victoria Place, Newport Boulevard, or Victoria Street. However, the proposed project would require street improvements (i.e., installation of new sidewalk/curb and driveways, landscaping, and utility connections along the project's frontage) in accordance with City standards. These improvements would occur in the northern portion of Victoria Place right-of-way. As such, construction activities would temporarily impact rights-of-way (e.g., through partial lane closures). As discussed in Response 4.17(a), Standard Condition of Approval (SCA) TRA-1 and Mitigation Measure TRA-1 would require a Construction Management Plan (CMP) and Traffic Management Plan be prepared and implemented to ensure traffic flow and emergency access are maintained during the construction phase. As stated, the CMP and TMP would include information detailing proposed signage, lane closures, flag persons, among others.

The proposed project would not cause any permanent alterations to vehicular circulation routes and/or patterns or obstruct public access or travel. At project completion, the project site would be accessed via two driveways along Victoria Place. Both driveways would connect to internal drive aisles that provide access to the proposed residential community. The driveways and internal drive aisles would provide adequate space for emergency vehicles access. Specifically, the open flex space would provide adequate curb return radii for emergency vehicles (i.e., fire engines); refer to Response 4.17(c).

Overall, with implementation of SCA TRA-1 and Mitigation Measure TRA-1, project development would not result in inadequate emergency access or interfere with any adopted emergency response plan or emergency evacuation plan. Impacts in this regard would be less than significant.

Standard Conditions of Approval: Refer to SCA TRA-1.

Mitigation Measures: Refer to Mitigation Measure TRA-1.

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

No Impact. Refer to Response 4.20(a).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.10 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
1) Result in substantial erosion or siltation on- or off-site?			✓	
2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			✓	
3) 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?			✓	
4) Impede or redirect flood flows?			✓	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				✓
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓

This section is primarily based upon the following technical studies included in Appendix E, *Hydrology Report and WQMP* and Appendix C, *Geotechnical Evaluation*:

- *Preliminary Hydrology Report for T.T.M. 19351 220-236 Victoria Street City of Costa Mesa, CA* (Hydrology Report), prepared by CA Engineering Inc., revised March 6, 2025;
- *Preliminary Water Quality Management Plan, Victoria Place Townhomes Project (TR 19351), 220, 222, 234, & 236 Victoria Place, Costa Mesa, 92626* (WQMP), prepared by CA Engineering, Inc., revised February 12, 2025; and
- *Soil and Foundation Evaluation Report, Proposed Multi-Tenant Building Complex, 220, 222, and 234 Victoria Street, Costa Masa, California* (Geotechnical Evaluation), prepared by Soil Pacific, Inc., September 19, 2024.

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. As part of Section 402 of the Clean Water Act, the U.S. Environmental Protection Agency (EPA) has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control direct stormwater discharges. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. The SWRCB works in

coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The project site is located within the jurisdiction of the Santa Ana RWQCB.

Construction

Project construction could result in short-term impacts to water quality due to the handling, storage, and disposal of construction materials, maintenance and operation of construction equipment, and earthmoving activities. Specifically, grading required for project implementation would result in exposed soils that may be subject to wind and water erosion. Potential pollutants associated with these activities could impact downstream waterbodies. Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the SWRCB's *General Permit for Discharges of Stormwater Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ* (General Construction Permit). Given that the project site is greater than one acre in size, the project would be required to obtain a General Construction Permit under the NPDES program. To demonstrate compliance with NPDES requirements, a Notice of Intent must be prepared and submitted to the SWRCB, providing notification and intent to comply with the Construction General Permit. The Construction General Permit also requires that non-stormwater discharges from construction sites be eliminated or reduced to the maximum extent practicable, a stormwater pollution prevention program (SWPPP) that governs construction activities for the project be developed, and routine inspections be performed of all stormwater pollution prevention measures and control practices being used at the site, including inspections before and after storm events. Permittees must verify compliance with permit requirements by monitoring their effluent, maintaining records, and filing periodic reports.

The SWPPP would include a site map showing the construction site perimeter, proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns. The SWPPP would identify the best management practices (BMP) that would be used to protect stormwater runoff and the placement of those BMPs. The SWPPP would also identify a visual monitoring program, a chemical monitoring program for "nonvisible" pollutants to be implemented if there is a failure of BMPs. Specifically, the project would be subject to compliance with Standard Condition of Approval (SCA) HYD-1 through SCA HYD-3, which would ensure construction BMPs are implemented to minimize potential impacts to water quality. Upon completion of construction, a Notice of Termination would be submitted to the SWRCB to indicate that construction has been completed.

Additionally, the project would comply with Municipal Code Section 8.32, *Control of urban runoff*. Pursuant to Municipal Code Section 8.32, all new development and significant reconstruction within the City would be undertaken in accordance with the Orange County Drainage Area Management Plan (DAMP), including but not limited to the development project guidance, the local development plan, and/or administrative rules and practice as may be adopted from time to time by the City Manager. The DAMP has the following agreements, structures, and programs that are applicable to the proposed project in ensuring water quality.

- Provide the legal authority for prohibiting unpermitted discharges into the storm drain system and for requiring BMPs in new development and significant redevelopment (DAMP Section 4.0);

- Improve existing municipal pollution prevention and removal best management practices (BMPs) to further reduce the amount of pollutants entering the storm drain system (DAMP Section 5.0);

- Ensure that all new development and significant redevelopment incorporates appropriate Site Design, Source Control and Treatment Control BMPs to address specific water quality issues (DAMP Section 7.0);

The project would be required to comply with the DAMP requirements which would satisfy the NPDES permit regulations. Additionally, pursuant of Municipal Code Section 8.32, the City would review the project plans and may impose additional terms, conditions, and requirements to ensure that the proposed project would further reduce or eliminate pollutants in stormwater runoff. The proposed project has also prepared a water quality management plan

(WQMP) which would ensure the health of local bodies of waters through the management of stormwater runoff pollution prevention; refer to Appendix E. Upon adherence to the General Construction Permit and existing laws and regulations related to water quality, impacts would be reduced to less than significant levels.

Operations

The project would be regulated under the NPDES Phase I Municipal Stormwater Permits issued by the Santa Ana RWQCB for Orange County (Order No. R8-2009-0030 and NPDES Permit No. CAS618030, as amended by Order No. R8-2010-0062).[1] Since 1990, operators of MS4s are required to develop a stormwater management program designed to prevent harmful pollutants from impacting water resources via stormwater runoff. The Orange County Stormwater Program (Stormwater Program) is a collaboration of the County of Orange, Orange County Flood Control District (OCFCD), and all 34 Orange County cities. As the Principal Permittee on the Santa Ana RWQCB NPDES permits, the County guides development and implementation of the Stormwater Program, collaborating regularly with co-permittees to ensure compliance and prevent ocean pollution.

The Stormwater Program's specific water pollutant control elements are documented in the DAMP. The DAMP satisfies the NPDES permit conditions to reduce pollutant discharges to the maximum extent practicable for the protection of water quality at receiving water bodies and the support of designated beneficial uses. The DAMP contains guidance on both structural and nonstructural BMPs for meeting these goals. With implementation of the DAMP requirements, as required by Municipal Code Section 8.32, the project would be consistent with NPDES permit regulations.

As discussed above, the proposed project has prepared a WQMP which includes non-structural and structural BMPs that would reduce the runoff from the project's operations. The following BMPs would be implemented:.

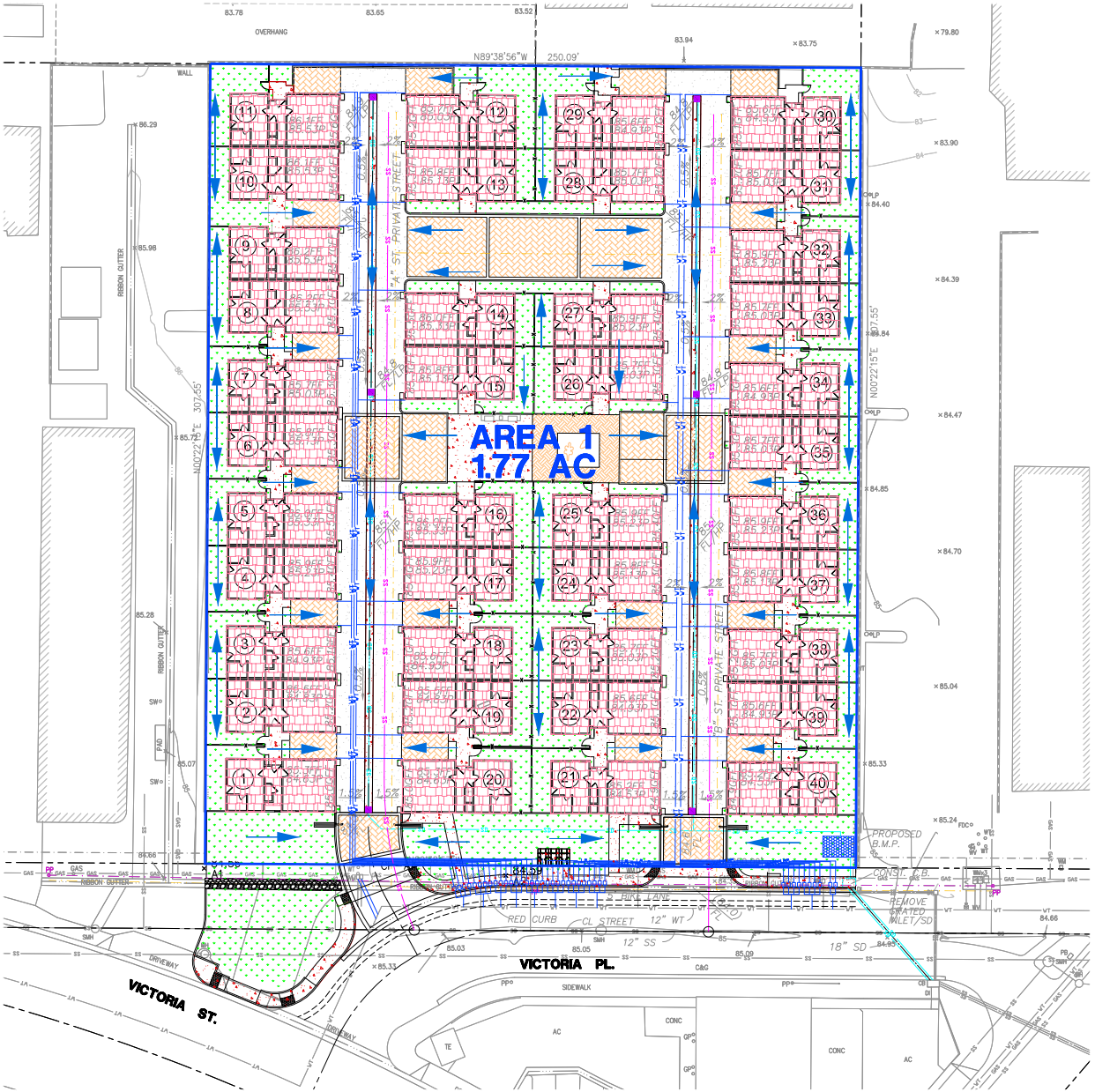
Low-Impact Development BMPs

Low-impact development (LID) is an approach to land development (or redevelopment) that works with nature to manage and treat stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features to minimize effective imperviousness and create functional, appealing site drainage that treats stormwater as a resource rather than a waste product. There are many practices that have been used to adhere to these principles, including bioretention facilities, rain gardens, vegetated rooftops, rain barrels, and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions. The project is required to infiltrate, harvest and use, evapotranspire, or biotreat/biofilter the 85th percentile, 24-hour storm event.

Based on the analysis presented in the Preliminary WQMP, it is infeasible to infiltrate the 85th percentile, 24-hour storm event. Specifically, infiltration is infeasible due to impermeable soils and low and low infiltration rate. As such, the Preliminary WQMP considers either harvest and use, evapotranspire, or biotreat/biofilter options. The Preliminary WQMP identified a biotreatment/biofilter options for the project's proposed BMP.

The proposed project would install a Modular Wetland System (MWS). The MWS would biotreat the entire the 85th percentile, 24-hour storm event. The MWS would be installed on the landscaped area on the southeast portion of the project site; refer to Exhibit 4.10-1a, *Proposed BMPs*. The MWS would biotreat runoff from the project site and would then convey the treated runoff to the existing storm drains along Victoria Place. Storm flows in excess of the design storm flows would bypass the MWS and directly flow into the existing storm drains.

[1] California Regional Water Quality Control Board Santa Ana Region, *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County*, May 22, 2009, https://www.waterboards.ca.gov/santaana/board_decisions/adopted_orders/orders/2009/09_030_OC_MS4_as_amended_by_10_062.pdf, accessed November 27, 2024.



Source: CA Engineering, Inc. 2025

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VICTORIA PLACE PROJECT

Proposed BMPs

Exhibit 4.10-1a

Structural Source Control BMPs

Structural source control BMPs are used in a project's design to both minimize runoff and keep pollutants from entering runoff. The WQMP includes the following structural source controls BMPs:

- Provide Storm Drain System Stenciling and Signage: The owner would be responsible for labeling all of the project's storm drain inlets and catch basins with phrases that would alert the public to the destinations of pollutants discharged into storm water. The signage would be included on the project's plans. The owner would be responsible for maintenance of such signage.
- Use Efficient Irrigation Systems and Landscape Design: The owner would direct the landscape architect to design the timing and application methods of irrigation water to minimize the runoff of excessive irrigation water into the municipal storm drain system. Refer to Appendix E to the various measures that would be incorporated where determined to be applicable and feasible.

Non-Structural Source Control BMPs

Nonstructural source control BMPs are activities and practices that reduce the potential for pollutants to contaminate runoff during the operation of the proposed project. The project's non-structural BMPs includes the following activities and practices to reduce the potential of pollutants impacting runoff:

- Property Owner Education: Educational materials would be provided to the owner and tenants. These materials would inform the readers about the impacts of dumping oil, paints, solvents, or other potentially harmful chemicals into the storm drain; proper use and management of fertilizers, pesticides, and herbicides in landscaping practices; the impact of littering and improper water; and proper maintenance practices.
- Activity Restrictions: The owner would identify surface water quality protection requirements to ensure that surface water quality activities are conducted in conformance with the WQMP. The use restrictions would include, but is not limited to, the following:
    - The owner would periodically provide their employees environmental awareness education materials from local municipalities. These materials would describe the use of chemicals that should be limited to the property with no discharge of specific waters via direct discharge to gutters, catch basins, settling basins, and storm drains.
    - The owner would require the use of fertilizers and pesticides to be in conformance with City and County guidelines.
    - The owner would prohibit the discharge of leaf litter, grass clippings, trash, animal waste, paint, or masonry waste to streets or storm drain systems.
    - The owner would prohibit the hosing down of any paved surface where the flow of non-storm drain water would enter the street or storm drains.
    - The owner would prohibit oil changes or other auto repairs that could discharge pollutants.
- Common Area Landscape Management: Management programs would be designed and implemented by the Owner to maintain all of the landscaped areas within the project site. Maintenance of common area landscape and use of fertilizer and pesticides would be consistent with the City's and County's requirement. Additionally, the program would also discuss the utilization of water-efficient landscaping practices and require maintenance to be consistent with the County Water Conservation Resolution or the City equivalent. This BMP would also detail the proper disposal of landscape waste.

The owner would also implement irrigation and landscaping that would utilize moisture sensors, smart timers, rain shut-off valves, and group of landscaping plants with similar water requirements in order to reduce excess irrigation and runoff. The erosion control devices on the property would be maintained until adequate vegetation coverage has been achieved. Periodic inspection and adjustment to the automatic irrigation system would be conducted in order to prevent overspray or excessive watering.

- BMP Maintenance: The owner would be responsible for the implementation and regular maintenance activities of each applicable non-structural BMPs. Additionally, the owner and their landscape and/or maintenance contractor would be responsible for inspection and maintenance activities in landscape areas. Debris and water pollutants would be controlled, contained, and disposed in a proper manner by the contractor.

- Common Area Litter Control: The owner would be responsible for arranging and providing weekly sweeping and trash pick-up for the project site. The owner may contract with its landscape or other maintenance contractor to perform these duties, as well as to conduct weekly inspections of all trash receptacles to make sure lids are closed and pick-up of any excess trash on the ground has occurred, and to note and investigate any trash disposal violations.

- Employee Training: The owner would establish an education program for all employees and/or contractors to ensure that they are aware of maintenance activities that may result in pollutants reaching storm drains.

- Common Area Catch Basin Inspection: All on-site catch basin inlets would be inspected and maintained by the owner at least once a year, prior to rainy season, no later than October 1st of each year and before and after all major storms.

- Parking Lot Sweeping: The owner, through their employee and/or contractor, would be responsible for sweeping of parking areas and driving aisles within the project site at least once a month, or more if needed. Debris, sediment, and trash collected during sweeping operations would be disposed in trash receptacles.

Following compliance with the requirements of the MS4 permit, the DAMP, and Municipal Code, project implementation would not violate any water quality standards or waste discharge requirements associated with long-term operations. Additionally, it should be noted that the proposed project would install new water quality best management practices, which are currently not in place at the site. As such, impacts would be less than significant in this regard.

Standard Conditions of Approval:

SCA HYD-1 All construction contractors shall comply with South Coast Air Quality Management District (SCAQMD) regulations, including Rule 403, Fugitive Dust. All grading (regardless of acreage) shall apply best available control measures for fugitive dust in accordance with Rule 403. To ensure that the project is in full compliance with applicable SCAQMD dust regulations and that there is no nuisance impact off the site, the contractor would implement each of the following:

- Moisten soil not more than 15 minutes prior to moving soil or conduct whatever watering is necessary to prevent visible dust emissions from exceeding 100 feet in any direction.
- Apply chemical stabilizers to disturbed surface areas (completed grading areas) within five days of completing grading or apply dust suppressants or vegetation sufficient to maintain a stabilized surface.
- Water excavated soil piles hourly or covered with temporary coverings.
- Water exposed surfaces at least twice a day under calm conditions. Water as often as needed on windy days when winds are less than 25 miles per day or during very dry weather in order to maintain a surface crust and prevent the release of visible emissions from the construction site.
- Wash mud-covered tired and under-carriages of trucks leaving construction sites.

- Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
- Securely cover loads with a tight fitting tarp on any truck leaving the construction sites to dispose of debris.
- Cease grading during period when winds exceed 25 miles per hour.

SCA HYD-2 Adequate watering techniques shall be employed to partially mitigate the impact of construction–generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day.

SCA HYD-3 Grading operations shall be suspended during first and second stage ozone episodes or when winds exceed 25 mph.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. According to the WQMP, the proposed project would decrease impervious surfaces on-site from 74,666 square feet to 61,091 square feet compared to existing conditions. As such, implementation of the proposed project would reduce impervious areas by approximately 13,575 square feet which would reduce overall runoff and increase infiltration on-site; refer to Appendix E. Additionally, the project site is not currently on a local groundwater recharge area used for groundwater excavation given that it is predominantly developed with commercial uses and paved surfaces. Per the Geotechnical Evaluation, boring was conducted at the site up to 12 feet below the existing grade surface. No groundwater was encountered at these depths. Thus, implementation of the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of a basin.

The proposed project lies within Mesa Water District's (MWD) water service area. Implementation of the proposed project would lead to an increased demand in water, and, therefore, would lead to an increase in groundwater pumping. According to MWD's *2020 Urban Water Management Plan* (UWMP), local groundwater provides approximately 94 percent of the City's total supply. The UWMP indicates the MWD would have sufficient water supplies to meet demands in single dry years and multiple dry years (that is, five consecutive dry years) over the period of 2025-2045. As discussed in Section 4.20, *Utilities and Service Systems*, the MWD would have adequate water supplies to meet the water demands from the proposed project. Therefore, impacts to groundwater supplies would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1) Result in substantial erosion or siltation on- or off-site?

Less Than Significant Impact.

Construction

Soil disturbance would temporarily occur during Project construction due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, and grading. Disturbed soils would be susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the Project site.

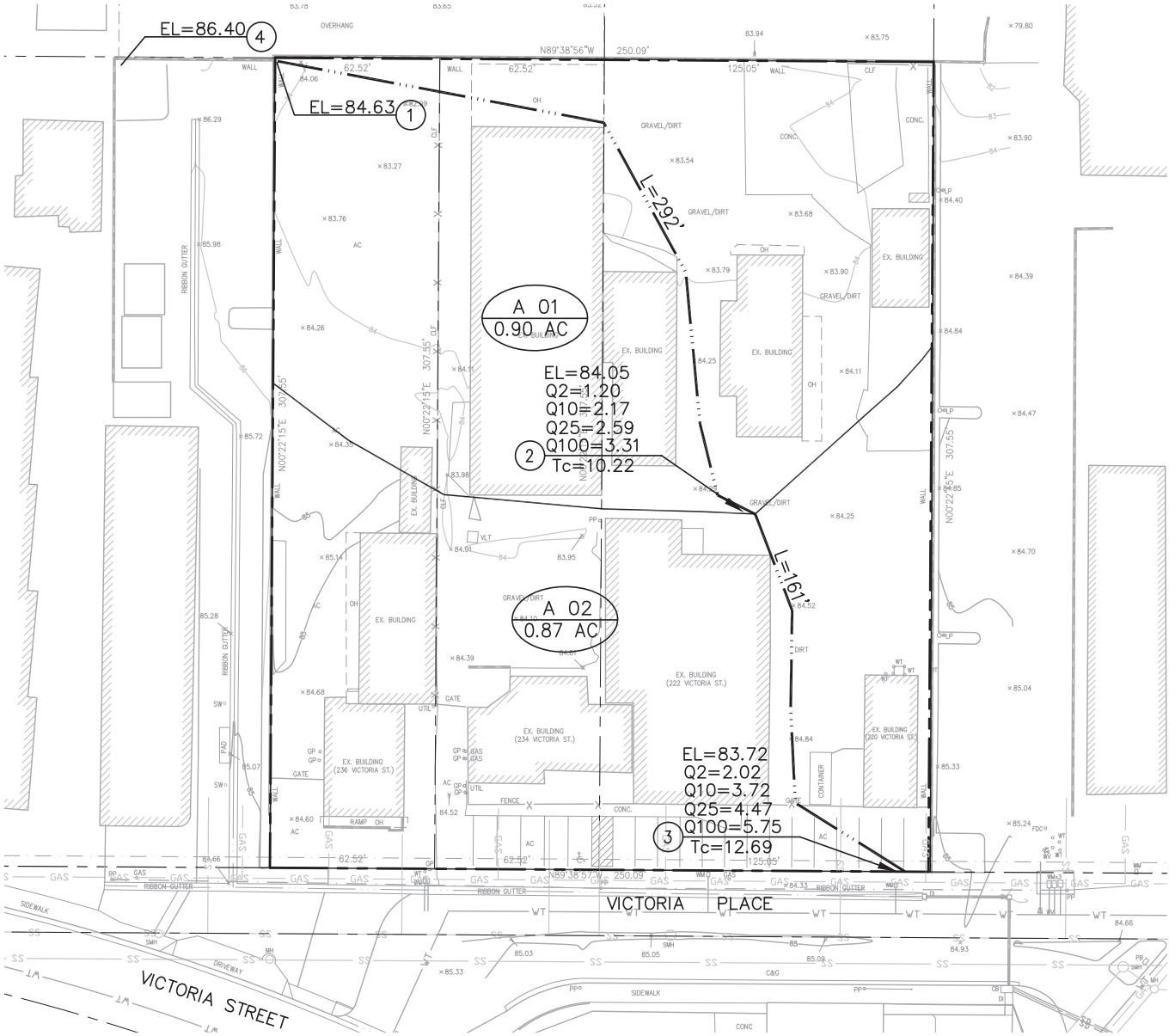
However, as discussed above, the proposed project would be subjected to BMPs outlined in the WQMP and compliance to the Orange County DAMP. Compliance with the DAMP would reduce the overall volume of sediment-laden runoff discharging from the site during construction. Specifically, DAMP Section 7.0 would ensure that all new development and significant redevelopment incorporate appropriate Site Design, Source Control and Treatment Control BMPs to address specific water quality issues. Additionally, DAMP Section 8.0 would ensure that construction sites implement control practices that address control of construction related pollutants discharges including erosion and sediment control and on-site hazardous materials and waste management.[2] Additionally, the proposed project would be subject to compliance with SCA HYD-1 through SCA HYD-3, which would ensure construction BMPs are implemented to minimize potential impacts to water quality. The SWPPP would also incorporate BMPs (such as the installation of silt fences, sediment traps, fiber rolls, and storm drain inlet protectors to filter larger debris and control sediment from entering the City's storm drain infrastructure). Therefore, Project implementation would not result in a substantial increase in erosion or siltation on- or off-site during construction.

Operations

At project completion, the project site would not include large areas of exposed soils that would be subject to runoff. Rather, any unpaved areas would be improved with landscaping to minimize the potential for erosion or siltation on- or off-site; refer to Exhibit 2-6, *Conceptual Landscape Plan*. Existing runoff currently flows from north to south onto the Victoria Place bounding the project site to the south; refer to Exhibit 4.10-1b, *Existing On-Site Hydrology Conditions*, and Exhibit 4.10-1c, *Existing On- and Off-Site Hydrology Conditions*. The proposed project would not substantially alter the existing drainage pattern on-site and as such, all runoff flows would from north to south; refer to Exhibit 4.10-2a, *Proposed Hydrology Conditions*. Runoff flows would flow towards the drainage area on-site which would then be collectively conveyed south to an on-site drainage system. The on-site drainage system would then convey runoff into a Modular Wetland System to be treated before being conveyed to the existing storm drain along Victoria Place; refer to Exhibit 4.10-1a. The Modular Wetland System would contain a bypass for greater storm flows. The Modular Wetland System would connect to the proposed 18-inch outlet pipe that would then flow to the proposed curb opening catch basin near the Newport Boulevard and Victoria Place intersection. The new outlet pipe would be installed via trenching.

As indicated in Table 4.10-1, *Peak Flow Runoff Conditions*, overall post-development peak flow runoff volumes from the site into the City's storm drain system would decrease when compared to existing conditions under two year, 10-year, 25-year, and 100-year storm events. Specifically, the proposed project would result in a 0.14 cubic feet per second (CFS), 0.27 CFS, 0.31 CFS, and 0.41 CFS decrease over the existing flows for the two year, 10-year, 25-year, and 100-year storm events respectively.

[2] Orange County Public Works, *Drainage Area Management Plan*, https://ocerws.ocpublicworks.com/service-areas/oc-environmental-resources/oc-watersheds/documents/drainage-area-management-plan-7, accessed November 27, 2024.



Source: CA Engineering, Inc. 2025

VICTORIA PLACE PROJECT

Existing On-Site Hydrology Conditions

Exhibit 4.10-1b

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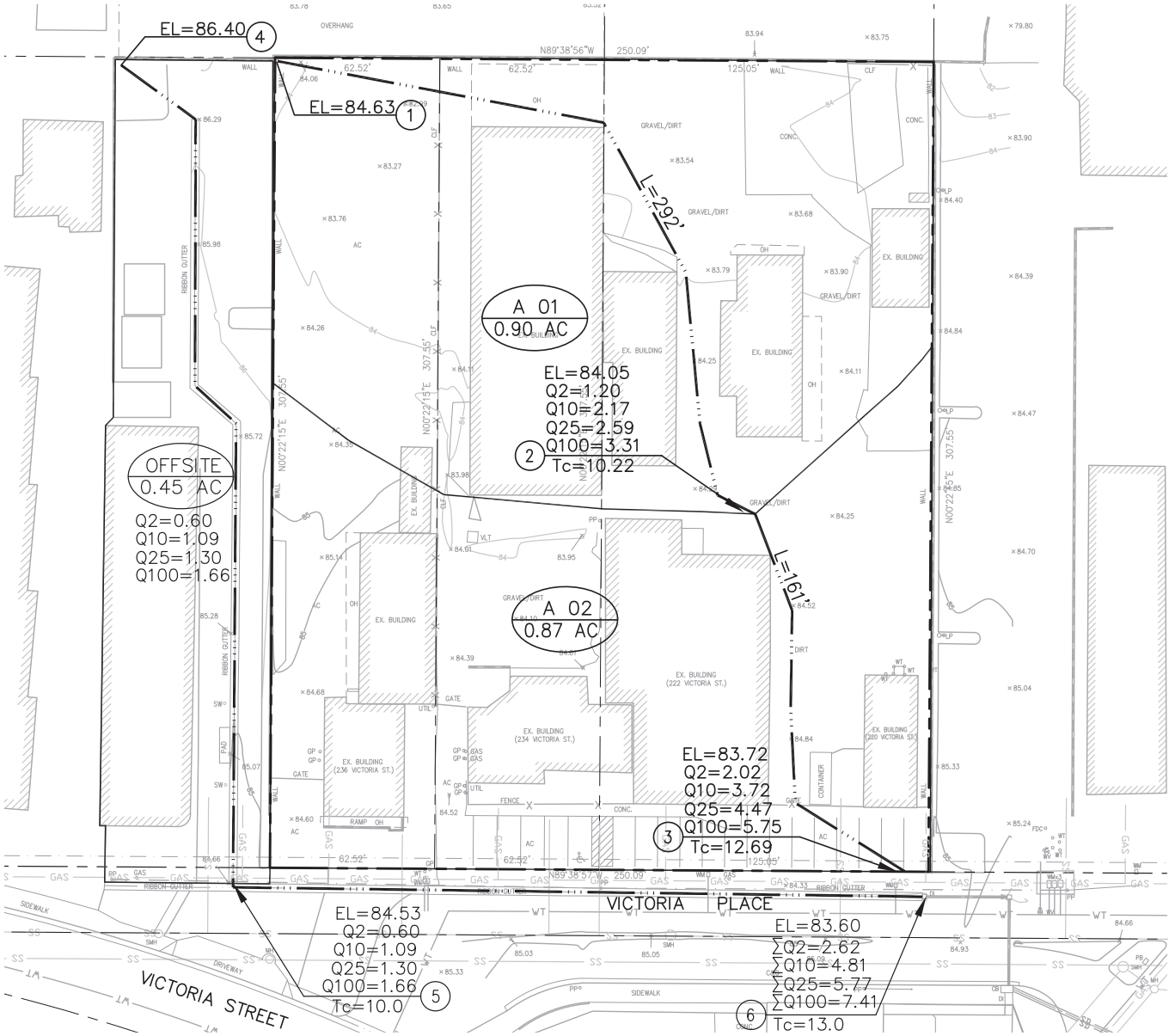

Source: CA Engineering, Inc. 2025

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Existing On- and Off-Site Hydrology Conditions

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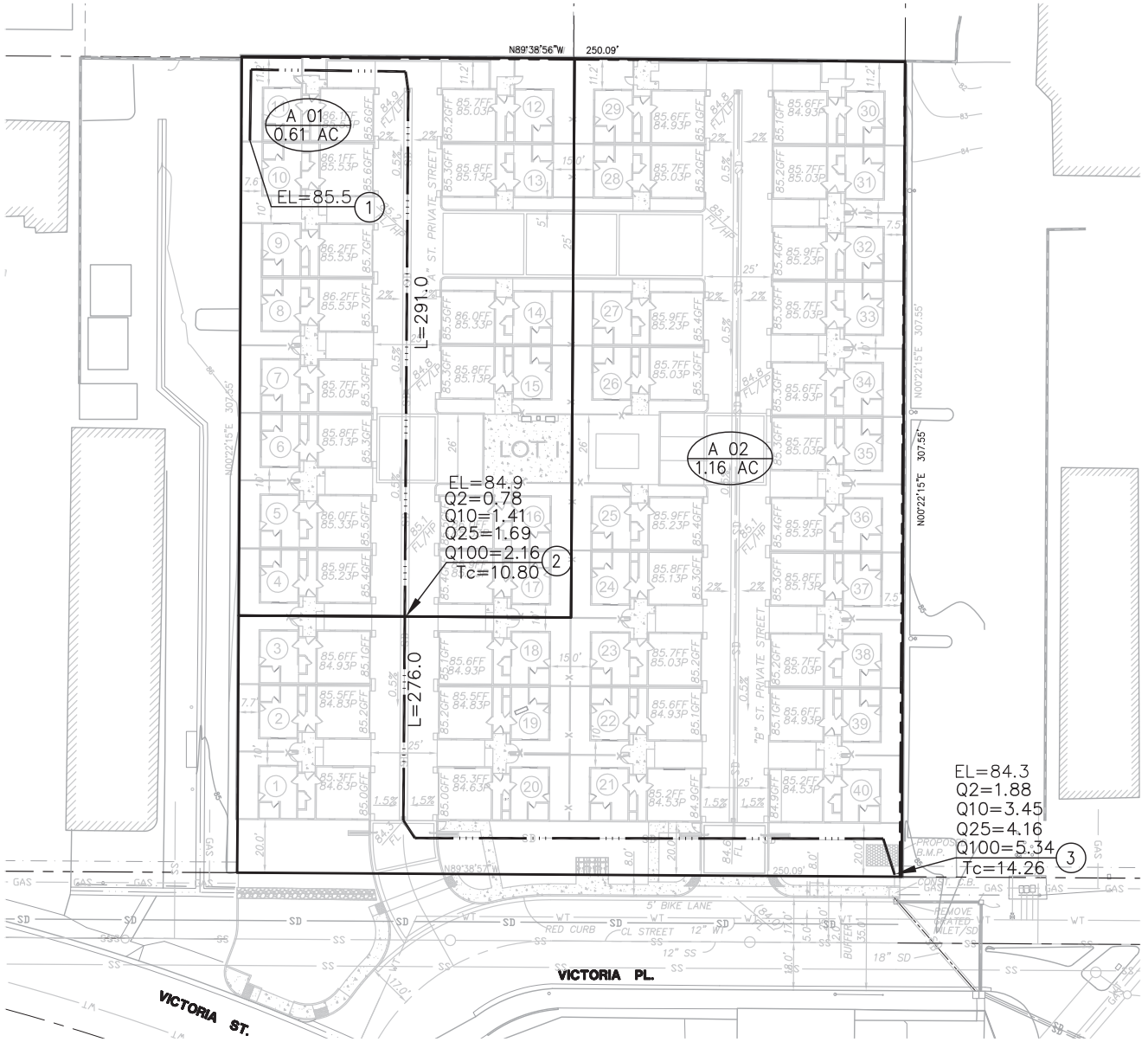
Exhibit 4.10-1c



Source: CA Engineering, Inc. 2025

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VICTORIA PLACE PROJECT

Proposed Hydrology Conditions

Exhibit 4.10-2a

Table 4.10-1
Peak Flow Runoff Conditions

Storm Event	Existing Condition	Proposed Condition	Net Change
2-Year Storm	2.02 CFS	1.88 CFS	-0.14 CFS
10-Year Storm	3.72 CFS	3.45 CFS	-0.27 CFS
25-Year Storm	4.47 CFS	4.16 CFS	-0.31 CFS
100-Year Storm	5.75 CFS	5.34 CFS	-0.41 CFS

Source: CA Engineering Inc., *Preliminary Hydrology Report for T.T.M. 19351 220-236 Victoria Pl. City of Costa Mesa*, revised March 6, 2025.

As indicated in Table 4.10, implementation of the proposed project would decrease runoff flows during a two year, 10-year, and 100-year storm events. However, it should be noted that during the 100-year storm event, in the event on-site storm drain pipes become clogged, approximately three inches of ponding could occur. The ponding would be contained along the private drive aisles and would be directed away from building pad areas; refer to Exhibit 4.10-2b, *Project Ponding Conditions at Catch Basins*. To prevent clogging of the on-site drainage system, routine maintenance of inlets and storm drains would occur in accordance with the project's WQMP. The potential ponding would not result in significant adverse impacts.

Given the nature of the urbanized location of the project site, operation of the proposed project would not have the potential to result in substantial erosion or siltation off-site. As discussed above, the proposed project would not include large areas of exposed soils that would be subjected to runoff. Additionally, the proposed project would be subject to practices that would reduce erosion or siltation which includes but is not limited to landscape maintenance, efficient irrigation and landscaping design, and BMP maintenance to ensure that stormwater runoff is redirected to minimize erosion. Any unpaved areas would be planted with groundcover, shrubs, and ornamental trees to minimize the potential for erosion/siltation.

As such, while the proposed project would increase runoff flows during a two year, 10-year, and 100-year storm events, the lack of large areas of exposed soils and incorporation of BMPs would ensure impacts associated with erosion would be less than significant in this regard.

Standard Conditions of Approval: Refer to SCA HYD-1 through SCA HYD-3

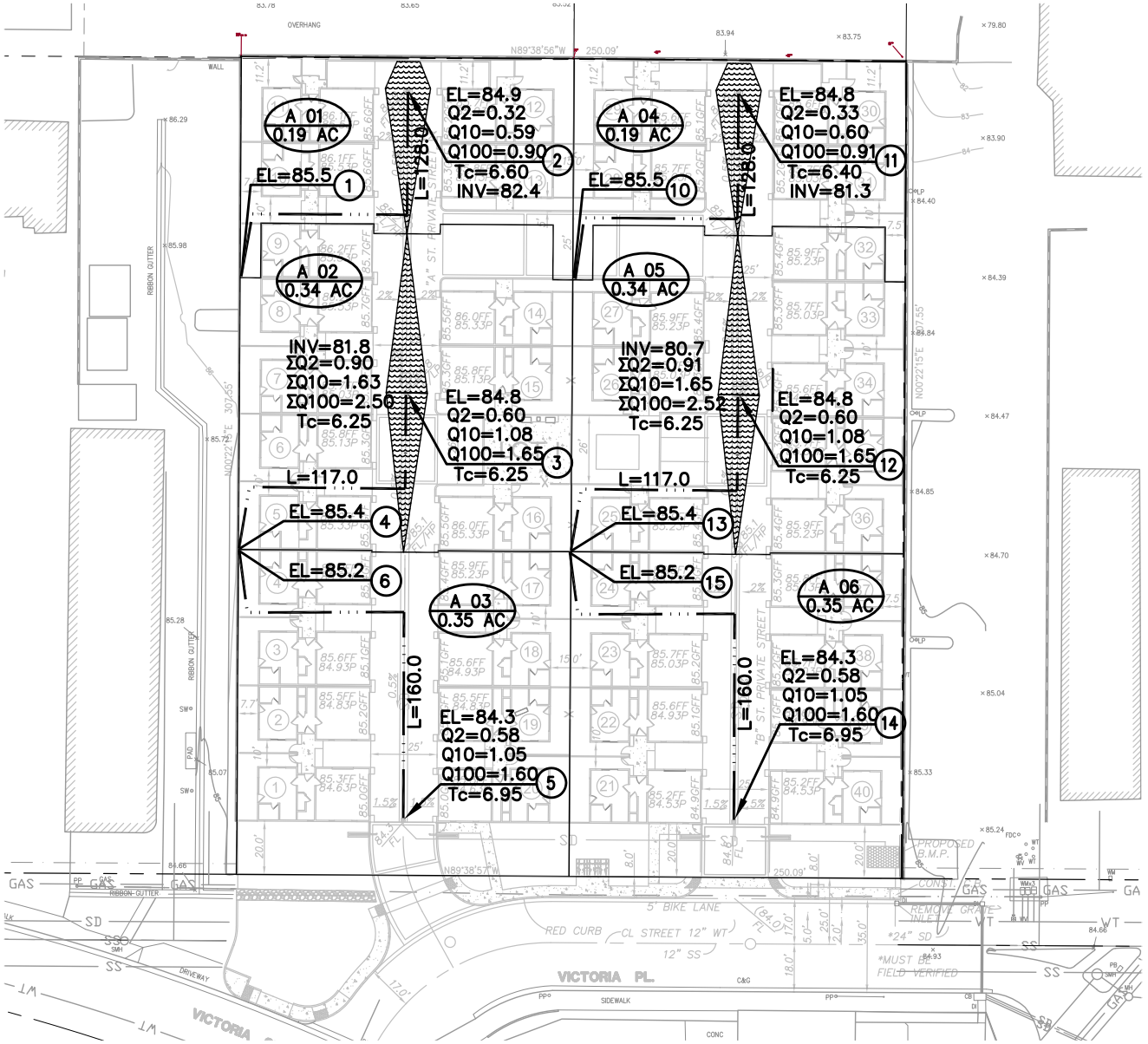
Mitigation Measures: No mitigation measures are required.

2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Less Than Significant Impact. As indicated above, the project would increase on-site runoff volumes compared to existing conditions upon implementation of the proposed on-site storm drain system. The new storm drain system would be sized to capture and treat flows per the County of Orange's *Technical Guidance Document for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans* (TGD). As discussed above, during the event of a 100-year storm event, if on-site pipes become clogged, approximately three inches of ponding could occur. However, it was determined that this ponding would be localized along drive aisles and directed away from the project's building pads; refer to Exhibit 4.10-2b. As such, the ponding would not result in significant flooding conditions on- or off-site. As such, impacts concerning flooding on- and off-site would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.



Source: CA Engineering, Inc. 2025

VICTORIA PLACE PROJECT

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Project Ponding Conditions at Catch Basins

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Exhibit 4.10-2b

3) 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?

Less Than Significant Impact. As stated, the project would increase on-site runoff volumes compared to existing conditions. However, as discussed above, the City has determined that post-development runoff volumes would be adequately accommodated by the existing stormwater infrastructure along Victoria Place. Based on the Hydrology Study and WQMP, the proposed project is not anticipated to exceed the capacity of existing/planned stormwater drainage systems. Further, as indicated in Response 4.10(a), less than significant impacts related to potential polluted runoff from the site would occur. As a result, project implementation is not anticipated to 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. Impacts would be less than significant in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4) Impede or redirect flood flows?

Less Than Significant Impact. Refer to Responses 4.10(c)(2) and 4.10(c)(3).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

No Impact.

Flood Hazard

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06059C0268J, the project site is located within Zone X which is an area of minimal flood hazards.[3] As such, the project site is outside of the 100-year flood hazard area. Thus, no impacts would occur in this regard.

Tsunami

A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. The project site is located at an elevation of approximately 84 feet above mean sea level and approximately three miles inland from the Pacific Ocean. Additionally, per the California Department of Conservation *Orange County Tsunami Hazards Area Interactive Map*, the project site is not within a zone designated as a tsunami hazard area.[4] Thus, is located at a sufficient elevation and distance to avoid tsunami-related hazards and is not located within a tsunami hazard area. No impacts would occur in this regard.

Seiche

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. The absence of any large bodies of water within Costa Mesa and the location of high bluffs adjacent

[3] Federal Emergency Management Agency, *FEMA Flood Insurance Rate Map 06059C0268J,* effective December 3, 2009.
[4] California Department of Conservation, *Orange County Tsunami Hazard Areas*, https://www.conservation.ca.gov/cgs/tsunami/maps/orange, accessed November 18, 2024.

to Newport Bay preclude the possibility of seiches at the project site. As such, the project site is not located within the vicinity of a reservoir, harbor, or lakes capable of creating a seiche. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The project site is located in the Santa Ana River Watershed. The Basin Plan was last updated in 2019 and gives direction on the beneficial uses of the State waters in Region 8; describes the water quality that must be maintained to support such uses; and provides programs, projects, and other actions necessary to achieve the standards in the Basin Plan. As noted above, the project would not result in significant impacts to water quality following implementation of the SWPPP, WQMP, and DAMP which would ensure compliance with the objectives and standards of the Basin Plan.

The project site is also within the jurisdiction of the Orange County Groundwater Management Plan. As discussed under Impact 5.9-2, the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. Therefore, the proposed project would not conflict or obstruct the groundwater management plan, and impacts would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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4.11 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				✓
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

a) Physically divide an established community?

No Impact. The key factor regarding physically dividing established communities is whether or not the project would create any physical barriers that change the connectivity between areas of a community to the extent that persons are separated from other areas of the community. Examples of physical divides include, but are not limited to:

- Construction of major highways or roadways;
- Construction of storm channels;
- Closing bridges or roadways; and
- Construction of utility transmission lines.

The project does not propose to construct any major highways or roadways, storm channels, bridges or roadways, or utility transmission lines that would physically divide a community. The project site is located within a highly developed and urbanized area of Costa Mesa. The project site is currently developed with existing commercial retail buildings, , a residential unit repurposed as a commercial use and storage yards, and surrounded by a mixture of commercial and residential uses. As such, the proposed project would not physically divide an established community. Rather, as the project proposes a Residential Incentive Overlay designation, the proposed residential common interest development community would be required to exhibit excellence in design, site planning, and integration of uses and structures, and to protect the integrity of neighboring development. No impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact.

General Plan Consistency

The General Plan Land Use Map designates the project site as General Commercial. According to the City's General Plan Land Use Element, the General Commercial land use designation permits a wide range of commercial uses. Uses permitted on this land use designation includes hotels, service establishments, retail stores, restaurants, and theaters.

The project includes a request for a General Plan Amendment to apply the Residential Incentive Overlay designation to the project site. The City's General Plan Residential Incentive Overlay designation is strategically situated along Harbor and Newport Boulevards on properties with underlying General Plan land use designations of Commercial Residential, General Commercial or High Density Residential. The Overlay adds a land use option for residential

development of up to 30 dwelling units per acre (du/acre) on these sites compared to the Commercial Residential (maximum of 17.4 du/acre), General Commercial (no residential permitted except in mixed-use developments), and the High Density Residential (maximum of 20 du/acre) land use designations. The added overlay and higher densities were intended to incentivize redevelopment of these parcels.

The Residential Incentive Overlay District proposed by the project's Zoning Code Amendment would implement the General Plan Residential Incentive Overlay designation by applying a specific set of zoning provisions to the proposed residential common interest development.. The overlay modifies the existing base land use designation of General Commercial to allow residential development at a maximum density of 30 du/acre. The existing base land use designation does not need to be changed to facilitate the development of the proposed project. The General Plan Amendment would be required to modify the Land Use Element maps, figures, text, and tables to update the Land Use Element to specifically identify the subject property with a Residential Incentive Overlay designation.

The City's Municipal Code allows major land use changes within designated industrial and commercial corridors to proceed through the discretionary review and approval process without requiring voter approval. While this particular project involves a General Plan Amendment and a Zoning Code Amendment (both of which require final approval by the City Council), it qualifies for an exemption from voter approval under Municipal Code Title 13, Chapter IX, Article 22: *An Ordinance to Give the People of Costa Mesa Control of Their Future.* According to Municipal Code Section 13-200.106(g)(1), as referenced in Figure 13-200.106, projects that support the revitalization of designated commercial and industrial corridors by providing housing and/or mixed-use development are exempt from the voter approval requirement. This project is located within one of the qualifying corridors described in the ordinance, Section 13-200.106 (g)(1): *Newport Boulevard/Old Newport Boulevard from Mesa Drive to the city limit, and Superior Avenue from Newport Boulevard to the city limit*. As a result, voter approval is not required for this project to proceed.

The project aligns with the Costa Mesa Residential Design Guidelines, which promote design excellence in new residential development by encouraging high-quality architecture, compatibility with surrounding neighborhoods, and enhanced livability. However, the Residential Incentive Overlay District takes precedence over these guidelines, allowing for flexibility in design and development. As a result, the project complies with the overarching goals of the guidelines, while adhering to the specific provisions of the overlay district.

Table 4.11-1, *General Plan Consistency Analysis*, analyzes the project's consistency with relevant General Plan Land Use Element goals and policies. As indicated in Table 4.11-1, the project is consistent with the General Plan policies that which were adopted for the purpose of avoiding or mitigating an environmental effect.

Table 4.11-1
General Plan Consistency Analysis

Relevant Policies	Project Consistency Analysis
Land Use Goal LU-1: A Balanced Community with a Mix of Land Uses to Meet Resident and Business Needs	
Policy LU-1.3: Strongly encourage the development of residential uses and owner-occupied housing (single-family detached residences, condominiums, townhouses) where feasible to improve the balance between rental and ownership housing opportunities.	**Consistent:** The project would contribute to a balanced mix of uses in the area that includes providing additional housing opportunities, set among a variety of office, retail, and service uses in the immediate area. The project proposes 40 new for-sale housing units. The inclusion of 40 new units (both duplex and single family detached units) would improve the balance of rental and ownership housing in the City.
Goal LU 2: Preserve and Protect Residential Neighborhoods.	

Relevant Policies	Project Consistency Analysis
Policy LU-2.7: Permit the construction of buildings over two stories or 30 feet only when it can be shown that the construction of such structures will not adversely impact surrounding developments and deprive existing land uses of adequate light, air, privacy, and solar access.	**Consistent:** The project site is relatively flat and developed with commercial retail buildings, housing, and storage yards; surrounding land uses include a mixture of commercial and residential uses. The proposed three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. Building elevations are shown on Exhibits 2-5a, *Project Site Building Elevations*, through 2-5e, *Building Elevations – Renderings*. As detailed, the three-story duplexes and three-story single-family detached units would have a maximum building height of 39 feet and six inches measured from above natural/finished grade. A seven-foot-tall concrete block wall is proposed along the site perimeter except along Victoria Place. The block wall would be designed in accordance with Municipal Code Section 13.75, *Fences and walls*. Wood fencing would be provided between the private backyards of each duplex unit. A motor-operated swinging gate would be present at the entrance of the two driveways along Victoria Place. The motor-operated swinging gate would only permit the entry of residents, guests, and public services (i.e., police, fire protection services, trash collection services, etc.). As such, the project would provide internal privacy to residents while ensuring that adjacent uses are not deprived of privacy. The project site is located in a highly developed, urbanized area with existing sources of light; the project's light impacts are further evaluated in Section 4.1, *Aesthetics*.
Policy LU-2.9: Require appropriate building setbacks, structure orientation, and placement windows to consider the privacy of adjacent residential structures within the same project and on adjacent properties.	**Consistent:** The proposed Master Plan would include development standards for structural setbacks and distances between project buildings and between adjacent properties; all setbacks would extend to the public right-of-way (i.e., the sidewalk easement). Additionally, all setbacks would be consistent with Municipal Code Article 12, Section 13-83.64, *Residential Incentive Overlay District Development Standards*; refer to Table 4.11-2, *Residential Incentive Overlay District Development Standards Consistency Analysis*, below.
Policy LU-2.11: Ensure adequate noise attenuation in urban design, such as walls for sound attenuation, development of landscaped greenbelts, provision of landscape berms, etc.	**Consistent**: Refer to Response to Policy LU-2.7 regarding proposed walls and fencing. Additionally, ornamental landscaping would be installed throughout the project site, including along the project frontages, drive aisles, building perimeters, and entryways, and would include a variety of trees, shrubs, and groundcover; refer to Exhibit 2-6, *Conceptual Landscape Plan*.
Land Use Goal LU-3: Development that Maintains Neighborhood Integrity and Character	
Policy LU-3.4: Ensure that residential densities can be supported by the infrastructure and are compatible with existing residential neighborhoods in the surrounding area.	**Consistent**: The goal of the proposed project is to revitalize the existing commercial corridor by encouraging new housing in commercial and industrial areas while preserving the character of existing, adjacent residential neighborhoods to the north and west.

Relevant Policies	Project Consistency Analysis
Policy LU-3.8: Ensure that new development reflects existing design standards, qualities, and features that are in context with nearby development and surrounding residential neighborhoods. **Policy LU-3.9:** Locate high-intensity developments or high-traffic-generating uses away from low-density residential in order to buffer the more sensitive land uses from the potentially adverse impacts of the more intense development or uses. **Policy LU-3.12:** Ensure that new development reflects existing design standards, qualities, and features that are in context with nearby development.	**Consistent:** The project proposes 40 units. There are 36 duplex units that make up the project interior, and four single family detached units along Victoria Place. In addition to the contemporary interior spaces, all units feature ground-level fenced yards, multiple balconies and roof-top decks for the residents' exclusive use and enjoyment. All units also include attached two-car garages with direct unit access. The project is intended to create a vibrant residential common interest development community within the Residential Incentive Overlay District, where high-density residential redevelopment in place of the existing commercial corridor is encouraged. The project's design is influenced by contemporary modern design. The exterior building colors would include a variety of neutral earth tones, white, and black while the exterior building features would include tempered glass railing, wood plank siding, sheet metal awnings, simulated stone wood tiles, and slate wood tile, among others; refer to Exhibits 2-5a through 2-5e. Additionally, the project would be designed consistent with the proposed Master Plan and Section 13-83.64 of the Municipal Code.
Policy LU-3.13: Prohibit construction of buildings which would present a hazard to air navigation, as determined by the Federal Aviation Administration (FAA).	**Consistent**: As the proposed project is less than 200 feet in height, the project would not exceed the Federal Aviation Administration (FAA) notification requirements. Nonetheless, as the proposed project is located within the *Airport Environs Land Use Plan for John Wayne Airport* (AELUP) planning boundaries and anticipated discretionary approvals would include a General Plan Amendment. As such, the proposed project would be required to comply with California Public Utilities Code Section 21676(b). California Public Utilities Code Section 21676(b) requires local agencies to refer the proposed discretionary approval to the ALUC. Following compliance with the aforementioned State regulations, the proposed project would not introduce a safety hazard associated with airport operations. Additionally, the project site is not located within the vicinity of a private airstrip or related facilities.
Land Use Goal LU-4: New development that is sensitive to Costa Mesa's Environmental Resources.	
Policy LU-4.1: Ensure that appropriate watershed protection activities are applied to all new development and significant redevelopment projects that are subject to the National Pollutant Discharge Elimination System Stormwater Permit during the planning, project review, and permitting processes.	**Consistent:** In compliance with the National Pollutant Discharge Elimination System (NPDES) and SCAs HYD-1 through HYD-3, the project is required to comply with the City's municipal storm sewer system (MS4) permit and is required to develop a Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). The project is also required to implement best management practices (BMPs) for soil erosion and sediment control. Refer to Section 4.10, *Hydrology and Water Quality*, for additional analysis on project impacts to hydrology and water quality.
Policy LU-4.5: Promote integration of stormwater quality protection into construction and post-construction activities, as required by the NPDES Stormwater Permit and the City's Local Implementation Plan.	**Consistent:** As discussed in Section 4.10, the project is required to comply with the NPDES Stormwater Permit and the City's Local Implementation Plan, which includes low impact development (LID) measures, site design, and structural and non-structural source control BMPs to ensure that post-project water quality impacts would be less than significant.

Relevant Policies	Project Consistency Analysis
Policy LU-4.6: Incorporate the principles of sustainability into land use planning, infrastructure, and development processes to reduce greenhouse gas emissions consistent with State goals.	**Consistent:** As discussed in Section 4.8, *Greenhouse Gas Emissions*, the project would be required to comply with the most recent available California Building Energy and Efficiency standards and the CALGreen requirements. The proposed project would include various features to reduce energy consumption and GHG emissions such as high efficiency lighting, energy efficient appliances, exceeding Title 24 Standards, and utilizing no natural gas.**]** Overall, the proposed project would support sustainable development that reduces energy consumption and GHG emissions. Following inclusion of these sustainable features and strategies, project impacts related to GHG would be less than significant.
Land Use Goal LU-5: Adequate Community Services, Transportation System, and Infrastructure to Meet Growth	
Policy LU-5.5: Ensure that new development pays its fair share of impact fees such as park fees and traffic impact fees. This can also include impact fees related to community services (police protection services and fire emergency response services) or library facilities, once adopted and applicable.	**Consistent:** As part of the plan check process, the City would ensure the project Applicant pays its fair share of development impact fees applicable to the proposed project, including park, traffic, polices, fire, and library fees.
Policy LU-5.7: Encourage new development that is organized around compact, walkable, mixed-use neighborhoods and districts to conserve open space resources, minimize infrastructure costs, and reduce reliance on the automobile.	**Consistent:** The project proposes a residential development that would incorporate walkable spaces both on-site and along the public street frontage of Victoria Place. New public sidewalks would be constructed along Victoria Place which would allow pedestrian access east/west along the northern right-of-way, as well as into the new residential community. The public landscaping area along Victoria Place would consist of pedestrian walkways, seating areas, and shade trees.
Policy LU-5.11: Development plans shall be required for all phased development and approvals and shall be approved by the Planning and Transportation Services Divisions prior to the issuance of building permits.	**Consistent**: As detailed in Section 2.5, *Agreement, Permits and Approvals*, the anticipated discretionary approvals therein (in addition to ministerial actions such as demolition permit, grading permit, building permits, encroachment permits, certificates of occupancy, etc.) have been requested by the Applicant for this project and would require City discretionary approval prior to issuance of building permits.
Policy LU-5.12: Development plans shall include an overall buildout plan, which can demonstrate the ability of the circulation system to support the proposed level of development.	**Consistent:** An analysis of the proposed project's impacts on transportation and circulation in the project vicinity is included in Section 4.17, *Transportation*. The proposed project's internal circulation and improvements to the City's circulation system are not anticipated to cause significant traffic impacts, such as internal queuing/stacking at the project driveways, or create significant vehicle-pedestrian conflict points. Impacts to the circulation system were determined to be less than significant.
Land Use Goal LU-6: Economically Viable and Productive Land Uses that Increase the City's Tax Base	
Policy LU-6.19: Provide flexibility and support for development of residential, office, small retail centers, and similar uses that would serve local residents and would also benefit from the high visibility along major corridors outside of significant commercial or industrial nodes.	**Consistent:** The project would include residential units within a site that is located adjacent to major arterial and secondary arterial streets (e.g., Fairview Road, Victoria Street, and Newport Boulevard). The new residential units would be located in proximity to existing commercial/retail uses, including those associated with the Triangle to the south.

Additionally, the proposed project would be consistent with the following policies in the General Plan Circulation and Housing Elements:

- Policy C-6.13: Require that every new development project pay its share of costs associated with the mitigation of project generated impacts.
- Policy HOU-3.4 Consider the potential impact of new housing opportunities and their impacts on existing residential neighborhoods when reviewing development applications affecting residential properties.
- Policy HOU- 3.5: Encourage residential and mixed-use development along transportation routes and major commercial/mixed use corridors.

Zoning Code Consistency

According to the City's Zoning Map, the project site is zoned General Business District (C2). Residential developments are not permitted on sites with a land use designation of General Commercial. However, the project also includes a request for Zoning Code Amendment to re-zone the project site from C2 – General Business District to Residential Incentive Overlay District to implement the General Plan Residential Incentive Overlay designation. The Zone Code Amendment would apply a specific set of zoning provisions outlined in the Municipal Code Article 12, *Residential Incentive Overlay District,* to the proposed residential common interest development. The development standards provided in the Municipal Code for Residential Incentive Overlay District (Section 13-83.64) and Residential Common Interest Development (Section 13-41) applies to the proposed project. Table 4.11-2, *Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID): Development Standards Consistency Analysis*, analyzes the project's consistency with applicable Municipal Code development standards.

Table 4.11-2
Residential Incentive Overlay District (RIOD) and Residential Common Interest Development (RCID): Development Standards Consistency Analysis

Zone	Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
RIOD	**Minimum Lot Area**	0.5 acres	1.77 acres	Yes
RCID	**Minimum Lot Area**	N/A	N/A	N/A
RIOD	**Maximum Density – Dwelling Units Per Acre (du/ac)**	30 du/ac = maximum 53 units	22.6 du/ac = 40 units	Yes
RCID	**Maximum Floor Area Ratio (FAR)**	0.75	1.43	No[1]
RIOD	**Minimum Open Space**	40 percent of total site area = minimum 30,840 square feet	34,578 square feet	Yes
RCID	**Minimum Open Space**			
RIOD	**Common Use Open Space**	50 percent of required open space = 15,420 square feet Recreational facilities for children required for residential projects with 12 or more units.	9,817 square feet, of which 6,317 square feet would be for the on-site children play area	No[1]
RCID	**Common Open Space**	Common open space areas shall be designed and located within the development to allow maximum use by all residents	Barbeque/Play Area Centrally Located and a Flex Space Provided	Yes
RIOD	**Private Open Space (Multi-Story Units)**	Private decks or patios - minimum 100 square feet	22,620 square feet of private open	Yes

Zone	Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
		with no dimension less than five feet	space (i.e., balconies and roof decks)	
RCID	**Private Open Space**	An adjoining patio required with no dimension less than 10 feet		
RIOD	**Maximum Building Height**	Three stories. Sites abutting R2-MD zones shall incorporate a stepped elevation from two to three stories. Rooftop terraces are permitted and not considered a story.	Three stories (39 feet and six inches measured from above natural/finished grade)	Yes
RCID	**Maximum Building Height**	2 stories/27 feet		No[1]
RIOD	**Landscape Setback Abutting All Public Rights-of-Way, Excluding Alleys**	20 feet	20 feet	Yes
RIOD	**Landscaped Parkway (Interior Private Streets or Common Driveways)**	Combined 10 feet wide, no less than 3 feet on one side	None	No[1]
RCID	**Landscaped Parkway (Interior Private Streets or Common Driveways)**	Combined 10 feet wide, no less than 3 feet on one side. Parkway on house side of private street or common driveway shall be a minimum of 5 feet wide	None	No[1]
RIOD	**Front**	20 feet	20 feet	Yes
RCID	**Front**			
RIOD	**Side (Interior and Street)**	20 feet (for 3 stories abutting R2-MD zones)	7 feet, 6 inches	Yes
RCID	**Side (Interior and Street)**	5 feet		No[1]
RIOD	**Rear (Interior and Street)**	20 feet (for 3 stories abutting R2-MD zones)	11 feet, 3 inches	No[1]
RCID	**Rear (Interior and Street)**	20 feet for 2-story structures in R2-MD and R2-HD zones; 15 feet for 2-story structures in the R-3 zone. 10 feet for one story structures.		N/A[2]
RIOD	**Storage**	N/A	None	N/A
RCID	**Storage**	Each unit shall provide 200 cubic feet of securable storage exterior to the unit or within the garage/carport.	None	No[1]
RIOD	**Chimneys**	2 feet above maximum building height.	N/A	N/A
RCID	**Chimneys**	2 feet above maximum building height.	N/A	N/A

Zone	Development Standard	Requirement	Proposed Project	Does Project Satisfy Requirement?
RIOD	**Fireplaces**	2 feet into required setback or building separation area	N/A	N/A
RCID	**Fireplaces**	2 feet into required setback or building separation area	N/A	N/A
RIOD	**Roof or Eaves Projections**	2 feet 6 inches into required side setback or building separation area 5 feet into required front or rear setback	N/A	N/A
RCID	**Roof or Eaves Projections**	2 feet 6 inches into required side setback or building separation area 5 feet into required front or rear setback	N/A	N/A
RIOD	**Building Separation**	10-foot minimum between main buildings; 6-foot minimum between main buildings and accessory structures	10 feet	Yes
RCID	**Building Separation**	10-foot minimum between main buildings; 6-foot minimum between main buildings and accessory structures		
Off-Street Parking		Tenant Covered Parking (Three Bedrooms): 1 space per 40 units = 40 spaces	103 spaces	No[1]
		Tenant Open Parking (Two Bedrooms): 2.25[3] spaces per 40 units = 90 spaces		
		Residential Guest Parking: 0.5 space per 40 units = 20 spaces		
		Total = 150 spaces[3]		

Notes:
1. Development standard deviations allowed through Master Plan approval process.
2. The development is composed of three-story residential units and is not located within the R2-MD, R2-HD, or R-3 zone, and therefore, has no rear setback.
3. Tenant open parking can be reduced by 0.25 space for one bedroom and larger units if the covered parking is provided within either a carport or a parking structure; therefore, calculation includes 0.25 reduction.

In addition to the General Plan Amendment and Zone Code Amendment described above, the following discretionary approvals are required for the proposed project:

Tentative Tract Map. A tentative tract map subdivision is necessary to merge the existing properties on-site and divide the property for future individual ownerships through the condominium subdivision process.

Master Plan. A Master Plan approval is required for all new development within the Residential Incentive Overlay District, including the establishment of a Residential Common Interest Development. The Master Plan process establishes the project's design framework including consideration of deviations from standards in exchange for high-quality projects. As part of the Master Plan process, the project must comply with specific Master Plan findings.

Based on the analysis above and upon approval of the requested entitlements, the proposed project would not conflict with applicable goals and policies in the General Plan or applicable Zoning Code regulations. As such, the project would result in less than significant impacts in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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4.12 MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				✓

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?

No Impact. The California Geological Survey is responsible for classifying land into Mineral Resource Zones (MRZ) under the Surface Mining Control and Reclamation Act based on the known or inferred mineral resource potential of that land. According to the California Geological Survey lands designated MRZ-1 do not contain significant mineral deposits, lands designated MRZ-2 contain significant mineral deposits, and lands designated MRZ-3 lack available data to determine if significant mineral deposits are present.[1] The project site is mapped as MRZ-3 per the General Plan EIR Figure 4.11-1, *Mineral Resources in Orange County*. While the project is located on MRZ-3, according to the General Plan EIR, there are no active mining operations within the City. Additionally, the project site is located within a built-out urban area that is largely developed with commercial uses and is not associated with a mining use/activity. Thus, no impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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?

No Impact. The current project site is designated as General Commercial and zoned General Business District. The General Commercial land use designation is intended to permit a wide range of commercial uses that serves local and regional needs. Uses permitted on this land use designation includes hotels, service establishments, retail stores, restaurants, and theaters. The proposed project includes a General Plan Amendment that will apply the Residential Incentive Overlay onto the site to allow the site to redevelop with residential uses. As such, the site is not and will not be designated or zoned as a land use associated with mineral recovery. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[1] California Geological Survey Division of Mines and Geology, Update of Mineral Land Classification of Portland Cement Concrete Aggregate in Ventura, Los Angeles, and Orange Counties, California, Part II- Orange County *Special Report 143: Mineral Land Classification of the Greater Los Angeles Area: Part III - Classification of Sand and Gravel Resource Areas, Orange County-Temescal Valley Production-Consumption Region, Mineral Land Classification Map Plate 3.32*, 1981.

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4.13 NOISE

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

Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air, and is characterized by both its amplitude and frequency (or pitch). The human ear does not hear all frequencies equally. In particular, the ear de-emphasizes low and very high frequencies. To better approximate the sensitivity of human hearing, the A-weighted decibel scale (dBA) has been developed. On this scale, the human range of hearing extends from approximately three dBA to around 140 dBA.

Noise is generally defined as unwanted or excessive sound, which can vary in intensity by over one million times within the range of human hearing; therefore, a logarithmic scale, known as the decibel scale (dB), is used to quantify sound intensity. Noise can be generated by a number of sources, including mobile sources such as automobiles, trucks, and airplanes, and stationary sources such as construction sites, machinery, and industrial operations. Noise generated by mobile sources typically attenuates (is reduced) at a rate between 3 dBA and 4.5 dBA per doubling of distance. The rate depends on the ground surface and the number or type of objects between the noise source and the receiver. Hard and flat surfaces, such as concrete or asphalt, have an attenuation rate of 3 dBA per doubling of distance. Soft surfaces, such as uneven or vegetated terrain, have an attenuation rate of about 4.5 dBA per doubling of distance. Noise generated by stationary sources typically attenuates at a rate between 6 dBA and about 7.5 dBA per doubling of distance.

There are a number of metrics used to characterize community noise exposure, which fluctuate constantly over time. One such metric, the equivalent sound level (L_{eq}), represents a constant sound that, over the specified period, has the same sound energy as the time-varying sound. Noise exposure over a longer period of time is often evaluated based on the Day-Night Sound Level (L_{dn}). This is a measure of 24-hour noise levels that incorporates a 10-dBA penalty for sounds occurring between 10:00 p.m. and 7:00 a.m. The penalty is intended to reflect the increased human sensitivity to noises occurring during nighttime hours, particularly at times when people are sleeping and there are lower ambient noise conditions. Another commonly used metric, the Community Noise Equivalent Level (CNEL), measures the 24-hour noise level that incorporates a 5-dBA penalty for sounds occurring between 7 p.m. to 10 p.m. and a 10-dBA penalty for sounds occurring between 10 p.m. to 7 a.m. Noise levels described by L_{dn} and CNEL are similar and usually do not differ by more than 1 dB. Typical L_{dn} noise levels for light and medium density residential areas range from 55 dBA to 65 dBA. Daytime L_{eq} levels are generally louder than L_{dn} or CNEL levels. Therefore, if the measured L_{eq} meets noise standards, then L_{dn} or CNEL standards would also be met.

Regulatory Framework

State

California Building Code

California Building Code (CBC), Title 24, Section 1207.11.2, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources not exceed 45 dBA in any habitable room. The noise metric is evaluated as either L_{dn} or CNEL, consistent with the noise element of the local general plan.

California Green Building Standards Code

The California Green Building Standards Code (CALGreen) has requirements for insulation that affect exterior-interior noise transmission for non-residential structures. Pursuant to CALGreen Section 5.507.4.1, Exterior Noise Transmission, an architectural acoustics study may be required when a project site is within a 65 dBA CNEL or L_{dn} noise contour of an airport, freeway or expressway, railroad, industrial source, or fixed-guideway source. Where noise contours are not readily available, if buildings are exposed to a noise level of 65 dBA L_{eq} during any hour of operation, specific wall and ceiling assembly and sound-rated windows may be necessary to reduce interior noise to acceptable levels. A performance method may also be used per CALGreen Section 5.507.4.2 to show compliance with State interior noise requirements.

Local

General Plan

The Chapter 7, Noise Element of the 2035 Costa Mesa General Plan (General Plan) includes the following goals, objectives, and policies to minimize adverse noise conditions within the City:

- Objective N-1A: Control noise levels within the City for the protection of residential areas, park areas, and other sensitive land uses from excessive and unhealthful noise.
    - Policy N-1.1: Enforce the maximum acceptable exterior noise levels for residential areas at 65 CNEL.
    - Policy N-1.4: Ensure that appropriate site design measures are incorporated into residential developments, when required by an acoustical study, to obtain appropriate exterior and interior noise levels.
    - Policy N-1.4: Apply the standards contained in Title 24 of the California Code of Regulations as applicable to the construction of all new dwelling units.
- Objective N-2A: Plan for the reduction in noise impacts on sensitive receptors and land uses.
    - Policy N-2.1: Require the use of sound walls, berms, interior noise insulation, double-paned windows, and other noise mitigation measures, as appropriate, in the design of new residential or other new noise sensitive land uses that are adjacent to arterials, freeways, or adjacent to industrial or commercial uses.
    - Policy N-2.2: Require, as a part of the environmental review process, that full consideration be given to the existing and projected noise environment.
    - Policy N-2.4: Require that all proposed projects are compatible with adopted noise/land use compatibility criteria.
    - Policy N-2.5: Enforce applicable interior and exterior noise standards.

In addition, the Noise Element sets forth land use compatibility guidelines to protect residential neighborhoods and noise-sensitive receptors from potentially harmful noise sources. The noise and land use compatibly standards are detailed in Table 4.13-1, *Noise and Land-Use Compatibility Standards*.

Table 4.13-1
Noise and Land Use Compatibility Standards

Land Use	Community Noise Exposure (CNEL or L_{dn}, dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential: Low Density	50 - 60	60 - 70	70 - 75	75 or greater
Residential: Multiple Family	50 - 65	65 - 70	70 - 75	75 or greater
Mixed Use	50 - 65	65 - 70	70 - 75	75 or greater
Transient Lodging-Motel, Hotels	60 - 65	65 - 70	70 - 80	80 or greater
School, Libraries, Churches, Hospitals, Nursing Homes	50 - 60	60 - 65	65 - 80	80 or greater
Auditoriums, Concert Halls, Amphitheaters	NA	50 - 70	NA	80 or greater
Sports Arenas, Outdoor Spectator Sports	NA	50 - 75	NA	80 or greater
Playgrounds, Neighborhood Parks	50 - 67.5	NA	67.5 - 75	75 or greater
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 - 70	NA	70 - 80	80 or greater
Office Buildings, Business Commercial and Professional	50 - 67.5	67.5 - 77.5	77.5 - 85	85 or greater unless appropriately insulated
Industrial, Manufacturing, Utilities, Agriculture	50 - 70	70 - 80	80 - 85	NA

Notes: CNEL = Community Noise Equivalent Level; Ldn = Day Night Level; dBA = A-weighted decibels; NA = not applicable
Source: City of Costa Mesa, *2035 General Plan*, Noise Element.

City of Costa Mesa Municipal Code

City of Costa Mesa Municipal Code (Municipal Code) Sections 13-280, *Exterior Noise Standards*, 13-281, *Interior Noise Standards*, and 13-282, *Noise Near Schools, Hospitals, Churches*, establish permissible noise levels at the property line of nearby sensitive receptors. Sections 13-280 and 13-281 establish interior and exterior noise level standards for residential land uses affected by stationary noise sources. Section 13-282 applies the exterior noise standards from Section 13-280 to any school, hospital, or church while it is in use. Table 4.13-2, *City of Costa Mesa Noise Level Standards, dBA*, summarizes the City's noise level standards based on the land use, measurement location (exterior/interior), and time period.

Table 4.13-2
City of Costa Mesa Noise Level Standards, dBA

Land Use	Exterior/ Interior	Time Period	L_{50}	L_{25}	L_8	L_2	L_{max}
Residential	Exterior	7:00 a.m. to 11:00 p.m.	55	60	65	70	75
		11:00 p.m. to 7:00 a.m.	50	55	60	65	70
	Interior	7:00 a.m. to 11:00 p.m.	—	—	55	60	65
		11:00 p.m. to 7:00 a.m.	—	—	45	50	55
School, Hospital or Church[1]	Exterior	7:00 a.m. to 11:00 p.m.	55	60	65	70	75
		11:00 p.m. to 7:00 a.m.	50	55	60	65	70

Notes: dBA = A-weighted decibels, L_{50}=noise level exceeded 50 percent of the time, L_{25}= noise level exceeded 25 percent of the time. L_8= noise level exceeded 8 percent of the time, L_2= noise level exceeded 2 percent of the time, L_{max} = maximum sound level
1. The exterior noise standards are applicable to schools, hospitals, and churches while they are in use.
Source: City of Costa Mesa, Municipal Code Section 13-280.

In the event ambient noise levels exceed any of the noise limit categories above, the cumulative period applicable to the category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the last noise limit category, the maximum allowable noise level under the category shall be increased to reflect the maximum ambient noise level.

Municipal Code Section 13-279, Exceptions for Construction, establishes allowed times for construction activities and includes special provisions for sensitive land uses. The Municipal Code allows construction to occur between the hours of 7:00 a.m. and 7:00 p.m., Mondays through Fridays, and between 9:00 a.m. and 6:00 p.m. on Saturdays. Construction is not permitted outside of these hours or on Sundays or New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, unless a temporary waiver is granted by the City of Costa Mesa Director of Economic and Development Services or his/her authorized representative or in emergencies, including maintenance work in the City rights-of-way. The limitations on construction activity also apply to vehicles and equipment involved with deliveries, loading or transferring materials, equipment service, or maintenance of any equipment.

Thresholds of Significance

Construction Noise Standards

The City of Costa Mesa does not have a quantitative threshold that applies to noise levels at active construction sites. To evaluate whether the proposed project would generate potentially significant temporary construction noise levels at off-site sensitive receiver locations, a construction-related noise level threshold was utilized from the Occupational Noise Exposure prepared by the National Institute for Occupational Safety and Health (NIOSH). As a division of the U.S. Department of Health and Human Services, NIOSH identifies a noise level threshold based on the duration of exposure to the source. The construction-related noise level threshold starts at 85 dBA for more than eight hours per day, and for every 3-dBA increase, the exposure time is cut in half. For the purposes of this analysis, the lowest, most conservative construction noise level threshold of 85 dBA L_{eq} was used as an acceptable threshold for construction noise at the nearby sensitive receiver locations. Since this construction-related noise level threshold represents the energy average of the noise source over a given time, they are expressed as L_{eq} noise levels. Therefore, the noise level threshold of 85 dBA L_{eq} over a period of eight hours or more is used to evaluate the potential project-related construction noise level impacts at the nearby sensitive receiver locations. Noise levels from construction equipment and activities were modeled using the Federal Highway Administration's Roadway Construction Noise Model (RCNM).

Construction and Operational Vibration Standards

The Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual identifies various vibration damage criteria for different building classes.[1] As the nearest sensitive receptor structures to project site are residential uses, the architectural damage criterion for continuous vibrations at residential structures of 0.2 inch-per-second PPV is applied in the analysis.

Mobile Noise Sources

The primary source of noise associated with the operation of the proposed project would be from vehicular trips. An off-site traffic noise impact typically occurs when there is a discernable increase in traffic and the resulting noise level exceeds an established noise standard. In community noise considerations, changes in noise levels greater than 3 dB are often identified as discernible, while changes less than 1 dB would not be discernible to local residents. A 5 dB change is generally recognized as a clearly discernable difference. Thus, the project would result in a significant noise impact if a permanent increase in ambient traffic noise levels of 3.0 dB occurs upon project implementation and the

[1] Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

resulting noise level at the receiving sensitive receptor exceeds the applicable exterior standard at a noise sensitive use.

Stationary Noise Sources

The Municipal Code Chapter XIII, *Noise Control*, was designed to control excessive noise from sources within and outside Costa Mesa. As such, the City of Costa Mesa's residential exterior noise standards would be applied when analyzing noise impacts for residential uses. A project would result in a significant impact if project-related operational (stationary-source) noise levels exceed the daytime exterior 55 dBA L_{eq} and nighttime exterior 50 dBA L_{eq} noise level standards at nearby sensitive receiver locations (based on the exterior noise level standards in Section 13-280 of the Municipal Code; refer to Table 4.13-2 above).

Existing Conditions

Stationary Sources

Land uses in the project area are mostly residential, commercial, and light industrial uses. The primary sources of stationary noise in the project vicinity are urban-related activities (i.e., mechanical equipment and outdoor activity areas). The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

Mobile Sources

Most of the existing noise near the project area is generated from vehicular sources traveling along Victoria Street, Newport Boulevard, and State Route 55. According to the General Plan, the project site is located within the 65 dBA CNEL and 60 dBA CNEL noise contours.[2]

Noise Measurements

To quantify existing ambient noise levels in the vicinity of the project site, three short-term noise measurements were taken on December 5, 2024; refer to Table 4.13-3, *Noise Measurements*. The short-term noise measurement sites are shown in Exhibit 4.13-1, *Noise Measurement Locations*, and were representative of typical existing noise exposure in the project area. The three ten-minute short-term measurements were taken between 12:00 p.m. and 2:00 p.m. Short-term (L_{eq}) measurements are considered representative of the noise levels throughout the day. The results of the field measurements are included in Appendix F, *Noise Data*.

Table 4.13-3
Noise Measurements

Site No.	Location	L_{eq} (dBA)	L_{max} (dBA)	L_{min} (dBA)	Start Time
1	In the parking lot, at the northeast corner of the project site	55.5	72.3	48.7	12:42 p.m.
2	In the parking lot, at the southeast corner of the Grace Orthodox Presbyterian Church	55.0	71.1	41.3	1:06 p.m.
3	In front of 206 Victoria Street	72.0	90.5	56.5	1:21 p.m.

Notes: dBA = A-weighted decibels, L_{eq} = Equivalent Sound Level; L_{min} = Minimum Sound Level; L_{max} = Maximum Sound Level, Peak = Highest Instantaneous Sound Level

Source: Michael Baker International, December 5, 2024. Refer to Appendix F, *Noise Data*, for detailed noise measurement data.

[2] City of Costa Mesa, *City of Costa Mesa General Plan, Figure N-2: Existing Noise Contours - 2015.*

Source: Google Earth Pro, December 2024

VICTORIA PLACE PROJECT

Noise Measurement Locations

Exhibit 4.13-1

Michael Baker INTERNATIONAL

NOT TO SCALE

12/2024 • JN 204361

Meteorological conditions for the short-term noise measurements were clear sky with calm weather, cool to warm temperatures, with light wind (approximately 0 to 7 miles per hour). Noise monitoring equipment used for the ambient noise survey consisted of a Brüel & Kjær Hand-held Analyzer Type 2250 equipped with a Type 4189 pre-polarized microphone. The monitoring equipment complies with applicable requirements of the American National Standards Institute (ANSI) for Type I (precision) sound level meters.

Sensitive Receptors

Human response to noise varies widely depending on the type of noise, time of day, and sensitivity of the receptor. Sensitive populations are more susceptible to the effects of noise than are the general population. Land uses considered sensitive by the State of California include schools, playgrounds, athletic facilities, hospitals, rest homes, rehabilitation centers, long-term care and mental care facilities. Generally, a sensitive receptor is identified as a location where human populations (especially children, senior citizens, and sick persons) are present. Land uses less sensitive to noise are business, commercial, and professional developments. Noise receptors categorized as being least sensitive to noise include industrial, manufacturing, utilities, agriculture, natural open space, undeveloped land, parking lots, warehousing, and transit terminals. These types of land use often generate high noise levels. Moderately sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, and outpatient clinics. The nearest sensitive receptors are the existing residential uses north of the project site.

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

Less Than Significant Impact. It is difficult to specify noise levels that are generally acceptable to everyone; noise that is considered a nuisance to one person may be unnoticed by another. Standards may be based on documented complaints in response to documented noise levels or based on studies of the ability of people to sleep, talk, or work under various noise conditions.

Construction

Typical activities associated with construction are a highly noticeable temporary noise source. Noise from construction activities is generated by two primary sources: (1) the transport of workers and equipment/materials to construction sites and (2) the noise related to active construction equipment. These noise sources can be a nuisance to local residents and businesses or, in some cases, unbearable to sensitive receptors (i.e., residences, hospitals, senior centers, schools, day care facilities, etc.).

Construction noise levels in the project vicinity would fluctuate depending on the type, number, and duration of usage for the varying equipment. The effects of construction noise largely depend on the type of construction activities occurring on any given day, noise levels generated by those activities, distances to noise-sensitive receptors, and the existing ambient noise environment in the receptor's vicinity. Construction generally occurs in several discrete phases, with each phase requiring different equipment with varying noise characteristics. These phases alter the characteristics of the noise environment generated on the proposed project site and in the surrounding community for the duration of the construction process.

Multiple residents are present surrounding the project site, which are considered sensitive receptors with regard to exposure to noise impacts during construction. The nearest sensitive receptors to the project site are the existing residential uses north of the project site, which adjoin the project's northern boundary. The estimated construction noise levels at the nearest noise-sensitive receptors are presented in Table 4.13-4, *Construction Noise Levels at Adjacent Receptors*, which presents a conservative analysis of potential noise impacts, as any receptors situated farther than residents to the north, would have reduced impacts comparatively. To present a conservative impact analysis, the estimated noise levels were calculated for a scenario in which all heavy construction equipment were assumed to operate simultaneously; refer to Appendix F. Results from RCNM also assume a clear line-of-sight and no other machinery or equipment noise that would mask project construction noise. The shielding of buildings and other

barriers that interrupt line-of-sight conditions would help further reduce noise levels than what is shown in Table 4.13-4. The construction equipment list is based on CalEEMod, and the project would include the same type and amount of equipment during all construction phases.

Table 4.13-4
Construction Noise Levels at Adjacent Receptors

Phase	Estimated Exterior Construction Noise Level at 155 feet[1] (Center of Project Site) (dBA L_{eq})
Demolition	75.1
Grading	73.8
Building Construction	71.5
Paving	71.2
Architectural Coating	63.9
Notes: 1. Although the nearest sensitive receptors to the project site are the existing multi-family uses adjacent to the north, the geographic center of the project site is approximately 155 feet from the closest sensitive receptors (residential use) to the north.	
Source: Federal Highway Administration, *Roadway Construction Noise Model (RCNM)*, 2006. Refer to Appendix F, *Noise Data*.	

According to the FTA *Transit Noise and Vibration Impact Assessment Manual*, General Noise Assessment methodology, noise can be considered as concentrated at the center of the site. As such, the estimated noise levels were calculated from the center of the project site. The geographic center of the project site is approximately 155 feet from the closest sensitive receptors (residential use) to the north.

As shown in Table 4.13-4, the nearest receptors to the project site could be exposed to temporary and intermittent construction noise levels ranging from approximately 63.9 to 75.1 dBA L_{eq} at the nearest residential use to the north. As such, construction noise would not have the potential to exceed the NIOSH significance threshold of 85 dBA L_{eq}. In addition, it is acknowledged that the Municipal Code Section 13-279(b), *Exceptions for Construction,* exempts construction activities from the residential exterior noise control standards upon compliance with the permitted construction hours. As such, construction activities would be required to comply with Standard Conditions of Approval (SCA) NOI-1 which references Section 13-279(b) of the Municipal Code. Per SCA NOI-1, construction activities would comply with the permitted hours of construction which restricts construction activities to the daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 9:00 a.m. to 6:00 pm. on Saturdays; construction activities are also prohibited on Sundays and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. Therefore, construction impacts resulting from the proposed project would be less than significant.

Operations

Mobile Noise

Future development generated by the proposed project would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. According to the *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, a doubling of traffic volumes would result in a 3 dBA increase in traffic noise levels, which is barely detectable by the human ear.[3] According to the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, and dated December 20, 2024, the project would generate approximately 298 trips, without taking trip credits from the existing uses. According to the Orange County Transportation Authority (OCTA), average daily trips along State Route 55, Newport Boulevard, and Victoria Street are 147,000 trips per day, 5,000 trips per day, and 31,000 trips per day, respectively.[4]

[3] U.S. Department of Transportation, *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, August 2017, https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm, accessed April 8, 2022.

[4] Orange County Transportation Authority, *Traffic Flow Map 2024, Orange County, California*, September 2024, https://www.octa.net/pdf/TrafficFlow-ADT-2024.pdf, accessed November 22, 2024.

As such, the project's minimal trip generation (298 average trips per day without taking trip credits from the existing uses) would not double existing traffic volumes and the increase in traffic noise generated by the project along the roadway would be imperceptible. Therefore, project-related traffic noise would be less than significant.

Stationary Noise

Stationary noise sources associated with the proposed residential project would include those typical of suburban areas (e.g., dogs/pets, landscaping activities, weekly garbage collection, etc.). These noise sources are typically intermittent and short in duration and would be comparable to existing sources of noise experienced at surrounding residential uses. Further, all stationary noise activities would be required to comply with the Municipal Code and the California Building Code requirements pertaining to noise attenuation.

Mechanical Equipment Noise

Typically, mechanical equipment, such as Heating, Ventilation, and Air Conditioning (HVAC) units, generate noise levels of 66 dBA at 3 feet from the source.[5] The nearest sensitive receptors are located adjacent to the project site and approximately 30 feet to the north of the nearest proposed building on-site. HVAC noise levels at 30 feet would be approximately 46 dBA. It should be noted that the on-site HVAC equipment would be shielded with parapet walls to further reduce mechanical noise impacts at the nearest sensitive receptors. Therefore, HVAC noise level would not exceed the City's exterior daytime or nighttime noise standards of 55 dBA L_{eq} and 50 dBA L_{eq}, respectively. As shown in Table 4.13-3, existing ambient noise levels near the residential uses is approximately 55.5 dBA L_{eq}, which is higher than the projected noise levels from HVAC units at this sensitive receptor. Further, HVAC equipment currently exist on the rooftops of existing buildings and would not represent new noise sources. As such, impacts would be less than significant in this regard.

Outdoor Activity Areas

Outdoor activity area noise that is typical of residential land uses includes children playing, pets, amplified music, pool and spa equipment operation. Noise from outdoor activities would primarily occur during the "daytime" activity hours assuming noises decrease during nighttime hours (e.g., people go to sleep and/or close their windows). The potential noise impacts from such outdoor activity areas would be dependent on various factors, including the type, scale, and intensity of use of such facilities, the orientation of projects in relation to the activity area, the proximity of sensitive receptors, and the background ambient noise level. However, like all residential uses, the proposed project would be required to comply with Section 13-280 of the Municipal Code, *Exterior Noise Standards*, which prohibits any source of sound at any location from exceeding the City's exterior daytime and nighttime noise standards when measured on property line. The required compliance with the Municipal Code would ensure that potential noise impacts from the project would be less than significant. Moreover, per Assembly Bill 1307 and Public Resources Code Section 21085, "the effects of noise generated by [residential] project occupants and their guests on human beings is not a significant effect on the environment."

However, conservatively, noise impacts from outdoor activity areas are analyzed at the nearest sensitive receptors located adjacent to the project site and approximately 20 feet to the north of the nearest proposed yard on-site. Noise generated by groups of people (i.e., crowds) is dependent on several factors including vocal effort, impulsiveness, and the random orientation of the crowd members. According to Prediction of Crowd Noise, crowd noise is approximately 62 dBA at one meter (i.e., 3.28 feet) from the source.[6,7] Noise has a decay rate due to distance attenuation, which is calculated based on the Inverse Square Law. Based upon the Inverse Square Law, sound levels decrease by 6 dBA

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

[6] Crowd noise is estimated at 60 dBA at one meter (3.28 feet) away for raised normal speaking. This noise level would have a +5 dBA adjustment for the impulsiveness of the noise source, and a -3 dBA adjustment for the random orientation of the crowd members. Therefore, crowd noise would be approximately 62 dBA at one meter from the source.

[7] Hayne, M.J., *Prediction of Crowd Noise*, November 2006.

for each doubling of distance from the source.[8] At the distance of 20 feet, crowd noise would be approximately 46 dBA. Therefore, outdoor activity areas noise levels would not exceed the City's exterior daytime or nighttime noise standards of 55 dBA L_{eq} and 50 dBA L_{eq}, respectively. As shown in Table 4.13-3, existing ambient noise levels near the residential uses is approximately 55.5 dBA L_{eq}, which is higher than the projected noise levels from outdoor activity areas at this sensitive receptor. Therefore, a less than significant impact would occur.

Standard Conditions of Approval:

SCA NOI-1 All noise-generating construction activities shall be limited to 7 a.m. to 7 p.m. Monday through Friday and 9 a.m. to 6 p.m. Saturday. Noise-generating construction activities shall be prohibited on Sunday and the following federal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

***Mitigation Measures*:** No mitigation measures are required.

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

Less Than Significant Impact.

Construction

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

Construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. The vibration level at which human annoyance is perceived is 0.2 inch/second PPV. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 25 feet from most construction vibration sources. This distance can vary substantially depending on the soil composition and underground geological layer between the vibration source and the receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. Construction activities that may result under the proposed project have the potential to generate ground-borne vibration. This evaluation uses the Federal Transit Administration architectural damage criterion for continuous vibration of 0.2 inch/second PPV for non-engineered timber and masonry buildings because the closest structure to the project site with sensitive receptors are multi-family residential buildings. Typical vibration levels produced by construction equipment are shown in Table 4.13-5, *Typical Vibration Levels for Construction Equipment*.

The ground-borne vibration generated during construction activities would primarily impact existing sensitive uses that are located adjacent to or within the immediate vicinity of the project. As shown in Table 4.13-5, vibration levels could reach up to 0.089 inch/second PPV for typical construction activities within 25 feet of construction. The nearest structures to the project construction activities with sensitive receptors are the existing multi-family residential uses located approximately 20 feet to the north of the project site. As shown in Table 4.13-5, vibration levels during the operation of construction equipment would range from 0.004 inch/second PPV to approximately 0.124 inch/second

[8] Ibid.

PPV at 20 feet. As a result, construction groundborne vibration would not exceed the 0.2 inch/second PPV significance threshold at the nearest sensitive receptor structures. Therefore, vibration impacts would be less than significant.

Table 4.13-5
Typical Vibration Levels for Construction Equipment

Equipment	Approximate peak particle velocity at 25 feet (inch/sec)	Approximate peak particle velocity at 20 feet (inch/sec)[1]
Large bulldozer	0.089	0.124
Loaded trucks	0.076	0.106
Jackhammer	0.035	0.049
Small bulldozer	0.003	0.004

Notes:
1. Calculated using the following formula:
$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$
where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance
PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration *Transit Noise and Vibration Impact Assessment Guidelines*
D = the distance from the equipment to the receiver

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual, Table 7-4 Vibration Source Levels for Construction Equipment*, September 2018.

Operation

Implementation of the proposed project would not involve land uses that include or require equipment, facilities, or activities that would result in perceptible groundborne vibration. As such, it can be reasonably inferred that operation of the proposed project would not create perceptible vibration levels at the nearest sensitive receptors. Therefore, vibration impacts related to operation of the proposed project would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The nearest airport to the project site is the John Wayne Airport in the City of Santa Ana, approximately 2.0 miles to the northeast. According to the *Airport Environs Land Use Plan for John Wayne Airport* (AELUP), the project site is located outside of the Airport Impact Zones, AELUP Notification Area, Federal Aviation Regulation Part 77 Notification Area, and Airport Safety Zones.[9] As such, future sensitive uses proposed under the project would be located outside of the 60 dBA CNEL noise contour of the John Wayne Airport. Additionally, the project site is not located within the vicinity of a private airstrip or related facilities. Therefore, project implementation would not expose people residing or working in the project area to excessive airport noise levels or safety hazards. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[9] Orange County Airport Land Use Commission, *Airport Environs Land Use Plan for John Wayne Airport*, April 17, 2008.

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4.14 POPULATION AND HOUSING

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

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

Less Than Significant Impact. A project could induce population growth in an area either directly, through the development of new residences or businesses, or indirectly, through the extension of roads or other infrastructure. The proposed project would replace the existing commercial uses with a new residential common interest development community (40 units). Therefore, the project would result in direct population growth.

Based on the City's average household size of 2.52, the project would introduce up to 101 new residents.[1] Therefore, the project would induce population growth in the City. Conservatively assuming that all 101 project-generated residents relocate from outside of the City, potential population growth associated with the project would represent approximately 0.01 percent over the City's 2024 population estimate of 109,423 persons.[2] Therefore, the project would not induce substantial unplanned population growth.

Potential population growth impacts are also assessed based on a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint. The Southern California Association of Governments (SCAG) growth forecasts estimate the City's population to reach 123,700 persons by 2045, representing a total increase of 14,277 persons between 2024 and 2045.[3] SCAG's regional growth forecasts are based upon long-range development assumptions (i.e., general plans) of the relevant jurisdiction. The project's anticipated population increase (101 persons) would represent approximately 0.7 percent of the City's anticipated population growth between 2024 and 2045, or less than 0.01 percent of the City's projected population by the year 2045.

The project site has a current land use designation of General Commercial and zoned C2. The project proposes a General Plan Amendment and Zoning Code Amendment in order to apply the Residential Incentive Overlay to the site, which would allow for residential development on-site. The Residential Incentive Overlay permits a residential density of up to 30 du/ac and as such, the proposed 40 residential units would be permitted on the 1.78-acre site. As such, while the project would increase the City's overall population by introducing new residents at the project site, the

1 State of California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2024*, https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2024/, accessed December 2, 2024.

2 Ibid.

3 Southern California Association of Governments, *2025-2040 RTP/SCS Technical Report, Demographics and Growth Forecast*, September 3, 2020.

General Plan Amendment and Zone Change would only affect the project site, and would not induce substantial unplanned population growth in the area.

Overall, the project would not induce substantial unplanned population growth, nor substantially exceed the existing local conditions (approximately a 0.01 percent increase over the City's estimated 2024 population) or regional projections (less than 0.01 percent of the City's projected 2045 population). As such, the proposed project would result in less than significant impacts in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

No Impact. As shown on Exhibit 2-2, *Site Vicinity*, the project site is currently developed with commercial buildings/storage uses and no permanent housing exists on-site. It is acknowledged that one vacant residence is on-site; however, this structure has been used for commercial and storage purposes for a plumbing business for the last 58 years and is not currently being used for residential purposes. Project implementation would not displace a substantial number of existing housing or people. No impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.15 PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. 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:				
1) Fire protection?			✓	
2) Police protection?			✓	
3) Schools?			✓	
4) Parks?			✓	
5) Other public facilities?			✓	

This section is primarily based upon the following technical studies included in Appendix H, *Public Services and Utilities Correspondence:*

- *Request for Will Serve Letter (40) Single-Family, 3-Bedroom Homes 220, 222, 234, 236 Victoria Street* (NMUSD Will Serve Letter), prepared by Newport-Mesa Unified School District, February 20, 2025.

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

1) Fire protection?

Less Than Significant Impact. The Costa Mesa Fire Department (CMFD) provides fire protection and emergency medical services to the City and project site. There are six fire stations located within the City of Costa Mesa; the closest fire station to the project site is Fire Station 5, located approximately 0.6 miles to the northeast at 2450 Vanguard Way.[1]

Construction

Construction activities associated with the proposed project could create a temporary increased demand for fire protection services at the project site. Construction activities would be subject to compliance with applicable State and local regulations in place to reduce risk of fire, such as installation of a temporary construction fencing to restrict site access and maintenance of a clean construction site. Specifically, construction would be subject to Municipal Code Title 5, *Buildings and Structures*, and all adopted State construction codes, including the 2022 California Building Code (CBC) and 2022 California Fire Code (CFC). Specifically, Municipal Code Section 7-14, *Adoption of the California Fire Code*, includes site access requirements and fire safety precautions associated with construction activities. As a result, compliance with applicable regulations would ensure project construction would not result in the need for new or

[1] City of Costa Mesa, *Station Locations*, https://www.costamesaca.gov/government/departments-and-divisions/fire-rescue/station-locations, accessed November 24, 2024.

physically altered fire protection facilities and would not adversely impact service ratios, response times, or other CMFD performance standards. A less than significant impact would occur in this regard.

Operations

The proposed project would result in a direct increase in residential population, and would therefore increase demand for fire protection services in the project area. As detailed in Section 4.14, *Population and Housing*, the project would generate approximately 101 new residents. The project area is already served by the CMFD and development of the project would not require expanding CMFD's service area beyond existing conditions. Additionally, the project's impact on CMFD's services and facilities would be offset through the collection of development permit fees. The project would also comply with the CBC and CFC which includes standards and requirements for the installation of fire protection systems (such as smoke detectors and fire hydrants). Compliance with these applicable laws, ordinances, and regulations would further reduce the project's operational impacts.

Additionally, the site plan for the proposed project would be reviewed and approved by the CMFD to ensure adequate emergency access, appropriate fire flow, and compliance with all applicable State and local laws and regulations. In accordance with SCA PW-1, the proposed project would dedicate an ingress/egress easement to the City for emergency and public security vehicles. Thus, the proposed project would have a circulation layout that would provide adequate access for emergency vehicles; refer to Section 4.17, *Transportation*. Additionally, as discussed in Section 4.19, *Utilities and Service Systems,* the proposed project would submit site plans that show the installation of appropriate fire flow infrastructure. As such, with payment of development impact fees and approval of the final site plans by the CMFD, the project's operational impact on CMFD's service and facilities would be less than significant.

Standard Conditions of Approval:

SCA PW-1 Dedicate an ingress/egress easement to the City for emergency and public security vehicles purposes only. Maintenance of easement shall be the sole responsibility of the Homeowners Association formed to conform to Section 13-41(e) of the Municipal Code.

Mitigation Measures: No mitigation measures are required.

2) Police protection?

Less Than Significant Impact. The Costa Mesa Police Department (CMPD) provides police protection services to the City, including the project site. The Costa Mesa Police Department is located at 77 Fair Drive, approximately 0.7 miles to the northeast of the project site.

Construction

Construction activities associated with the proposed project could temporarily increase demand for police protection services at the project site. However, all construction activities would be subject to compliance with Municipal Code Title 5, *Buildings and Structures*, and the 2022 California Building Code. Chapter 33, *Safeguards During Construction*, of the California Building Code includes emergency access requirements which would minimize site safety hazards and potential construction-related impacts to police services. Thus, project construction would not result in the need for new or physically altered sheriff protection facilities, the construction of which could cause significant environmental impacts, and would not adversely impact service ratios, response times, or other CMPD performance standards. A less than significant impact would occur in this regard.

Operations

The proposed project would increase demand for police protection services in the project area. The population increase of 101 persons from the proposed project would be within the population projection for the City; refer to Section 4.14,

Population and Housing. As such, the nominal population increase would not result in the need for new or physically altered police protection facilities. The project area, including the existing residential and commercial uses nearby, is currently within CMPD's service area and thus, the project would not extend CMPD's resources and staffing beyond their existing service area. Further, as stated, the proposed driveways along Victoria Place would require City plan check review. The proposed project would be designed in compliance with Title 5, *Buildings and Structures*, which includes provisions of the 2022 California Building Code. The California Building Code includes emergency access requirements which would minimize site safety hazards and potential operational impacts to police services. The CMPD would review the project's final site plans to ensure that the project adhere to emergency access requirements for the CMPD. Following compliance with Municipal Code requirements, the project's operational impacts in this regard would be less than significant.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

3) Schools?

Less Than Significant Impact. The Newport-Mesa Unified School District (NMUSD) provides school services to the City. NMUSD spans approximately 59 square miles and includes the cities of Costa Mesa and Newport Beach. NMUSD consists of 32 schools, including 22 elementary schools, two intermediate schools, two middle/high schools (grades 7-12), two high schools (grades 9-12), three alternative schools/programs, and one adult education program (partnered with the Huntington Beach Adult School). The closest school to the project site is the College Park Elementary School located at 2380 Notre Dame Road, approximately 0.5 miles to the north.[2]

The project involves the development of 40 units, which could generate additional students within the project area. According to the NMUSD questionnaire prepared for the Hive Live Project, single-family dwelling units have the following student generation rates per unit: 0.23 elementary students, 0.05 middle school students, and 0.09 high school students for every single-family dwelling unit,[3] Based on NMUSD's student generation rates for residential uses, the project would generate up to ten elementary students, two middle school students, and four high school students. The nominal increase in student population generated by the project would not result in the need for new or physically altered schools. Additionally, the NMUSD provided a NMUSD Will Serve Letter which indicates that schools near the project site (i.e., College Park Elementary School, Costa Mesa Middle School, and Costa Mesa High School) would be capable of serving the site; refer to Appendix H. The project would also be subject to NMUSD developer fees pursuant to Senate Bill 50. According to Government Code Section 65996, payment of statutory fees under Senate Bill 50 is considered to be full mitigation for new development projects. Thus, payment of developer impact fees would ensure project impacts to NMUSD services are proportionally offset and reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4) Parks?

Less Than Significant Impact. The City currently has a parkland standard of 4.26 acres of parkland per 1,000 residents. As discussed in Section 4.14, *Population and Housing*, the proposed project would introduce up to 101 new residents into the City. As such, the proposed project would be required to provide a total of approximately 0.43 acres of parkland. The proposed project would provide approximately 32,437 square feet of open space of which 9,817

[2] Newport-Mesa Unified School District, *School Locator*, https://web.nmusd.us/schools/school-locator, accessed November 24, 2024.

[3] City of Costa Mesa, Hive Live Public Review Draft Environmental Impact Report, Appendix L, Public Services and Utilities Correspondence, dated January 2025.

square feet would comprise of common use open space and 22,620 square feet would be provided as private use open space (backyards). Of the 9,817 square feet of common open space, 6,317 square feet would be provided as a BBQ/children play area and 3,500 square feet would be provided as flex open space. As such, the proposed 32,437 square feet of open space (or approximately 0.74 acres) on-site would adequately meet the required 0.43 acres of parkland requirement.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

5) Other public facilities?

Less Than Significant Impact. Other public facilities that could potentially be impacted by the proposed project include library services. Library services for the City, including the project site, are provided by the Orange County Public Library (OCPL). There are two OCPL branch libraries within the City, the Donald Dungan Library and Mesa Verde Library.[4] The nearest OCPL branch library is the Donald Dungan Library, approximately one mile to the southwest at 1855 Park Avenue. While the Donald Dungan Library would primarily serve future residents of the site, residents also have access to all 33 libraries in the OCPL system, including those in neighboring cities (Santa Ana, Irvine, and Fountain Valley). OCPL provides online services that allow library patrons to check out books and resources from any of the OCPL libraries. These online services alleviate the potential demand the project may have on the Donald Dungan Library. Overall, library resources would not be limited to what is provided by the existing Donald Dungan Library and, therefore, project implementation is not anticipated to result in a significant impact on OCPL services. Impacts would be less than significant in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

[4] City of Costa Mesa, *Libraries*, https://www.costamesaca.gov/community/libraries, accessed November 18, 2024.

4.16 RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	

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?

Less Than Significant Impact. Refer to Response 4.15(a)(4).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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. Refer to Response 4.15(a)(4). The project's potential environmental impacts associated with the construction of recreational amenities (children play area and flex open space) associated with the proposed project are analyzed throughout this Initial Study. Compliance with applicable laws, ordinances, and regulations would ensure that the project's impacts from the construction and operation of the proposed park features would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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4.17 TRANSPORTATION

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

This section is primarily based upon the *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis* (VMT Screening Analysis), prepared by Michael Baker International, December 20, 2024; refer to Appendix G, *VMT Screening Analysis*.

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

Less Than Significant Impact With Mitigation Incorporated.

ROADWAY FACILITIES

Roadways located near the project vicinity includes Victoria Place, Victoria Street, Newport Boulevard, and Fairview Road. According to the General Plan Exhibit C-2, Fairview Road is listed as a major arterial street while Victoria Street and Newport Boulevard are listed as a secondary arterial street. Major arterial streets are six-lane divided roadways that experiences a large volume of regional through traffic (approximately 56,000 to 68,000 daily trips) that is not handled by the freeway system. Secondary arterial streets are defined as four-lane undivided roadways (approximately 25,000 to 30,000 daily trips) that serves as a connector that distributes traffic between local streets and major and primary arterial streets.

Development of the proposed project would not result in any long-term impacts associated with the City's planned street classification system. However, construction activities may require partial lane closures along Victoria Place. No lane closures would be required along Victoria Street, Newport Boulevard, or Fairview Road. As such, Standard Condition of Approval (SCA) TRA-1 would require preparation of a Construction Management Plan (CMP) which minimizes construction impacts to neighboring uses to the fullest extent that is reasonable and practical. Specifically, the plan would specify construction parking, staging grounds, hauling routes, and vehicle access on the construction site. Additionally, the CMP would limit the total truck trips (i.e., hauling trips) associated with the construction of the proposed project to less than 200 trips per day. Implementation of SCA TRA-1 would minimize the project's temporary construction impacts on roadway facilities. Impacts in this regard would be less than significant.

TRANSIT, BICYCLE, AND PEDESTRIAN FACILITIES

Transit services in the City are provided by Orange County Transportation Authority (OCTA). OCTA provides transit services throughout Orange County and offers a wide range of fixed-route bus services. OCTA has developed an extensive network of transit routes to connect residents and commuters of Costa Mesa to key destinations. Three OCTA bus routes operate within the vicinity of the project site: Routes 47 and 55 along Wilson Street and Route 71

along Newport Boulevard. The closest bus stop to the project site is the Newport-Fairview bus stop, located approximately 230 feet to the east of the project site (along the west side of Newport Boulevard, just south of Fairview Road).

The General Plan Circulation Element classifies Victoria Street and Fairview Road as Class II Bicycle Lanes, which is defined as a striped and signed lanes for the exclusive use of bicycles and are adjacent to the curb. These lanes use existing rights-of-way and share roadways with motor vehicles. Additionally, Class II Bicycle Lanes along Fairview Road to the east of the project site is currently planned to be converted by the City into Class IV Bicycle Lanes. Class IV Bicycle Lanes are protected bike lanes which are for exclusive use by bicycles and protected via a physical barrier (i.e., curb, planters, parked cars). Pedestrian sidewalks are currently provided along the southern right-of-way of Victoria Place. No sidewalk is present along the northern Victoria Place right-of-way, along the project frontage. Pedestrian sidewalks are currently afforded on both sides of Victoria Street and along the western right-of-way for Newport Boulevard.

Construction of the proposed project would not change the existing sidewalks or bicycle lanes in the project area. In addition, the proposed project would construct sidewalks along the project frontage of Victoria Place, providing additional pedestrian connectivity in the project vicinity. Given the distance of existing bus stops from the project site, construction and operations of the proposed project would not conflict with any program plan, ordinance, or policy addressing the project area's existing transit network.

Construction activities associated with the project, including potential partial lane closures, may temporarily impact bicycle and vehicular facilities along Victoria Place. As such, Mitigation Measure TRA-1 would require the preparation of a Traffic Management Plan (TMP) to maintain traffic flow and emergency access during construction activities. The TMP would include information detailing proposed signage, lane closures, flag persons, etc., and require that bicycle lanes, pedestrian sidewalks, and bus stops remain open and accessible, to the great extent feasible, during construction or be re-routed to ensure continued connectivity. Additionally, the project would implement Standard Condition of Approval (SCA) TRA-1 which would require the preparation of a Construction Management Plan (CMP). The CMP would outline the location of proposed construction parking, vehicle access routes, staging grounds, and hauling routes. With implementation of SCA TRA-1 and Mitigation Measure TRA-1, the project would not conflict with existing bicycle and pedestrian facilities during construction activities, and impacts would be less than significant.

Standard Conditions of Approval:

SCA TRA-1 Prior to issuance of grading permits, developer shall submit for review and approval a Construction Management Plan. This plan features methods to minimize disruption to the neighboring uses to the fullest extent that is reasonable and practicable. The plan shall include construction parking and vehicle access and specifying staging areas and delivery and hauling truck routes. The plan should mitigate disruption during construction. The truck route plan shall preclude truck routes through residential areas and major truck traffic during peak hours. The total truck trips to the site shall not exceed 200 trucks per day (i.e., 100 truck trips to the site plus 100 truck trips from the site) unless approved by the Director of Economic and Development Services or Transportation Services Manager.

Mitigation Measures:

TRA-1 Prior to Project commencement of construction, the Applicant or designee shall submit a Construction Traffic Management Plan (TMP) for review and approval by the City Traffic Engineer. The TMP shall include signage, lane closures, flag persons, etc., and shall specify that one lane of travel in each direction shall be maintained along City rights-of-way. Bicycle lanes, pedestrian sidewalks, and bus stops shall remain open and accessible, to the greatest extent feasible, during construction or shall be re-routed to ensure continued connectivity while maintaining Americans with Disabilities Act (ADA) accessibility. The TMP shall be incorporated into project specifications for verification prior to final plan approval.

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

Less Than Significant Impact. The State of California Governor's Office of Planning and Research (OPR), in implementing Senate Bill (SB) 743, issued proposed updates to the CEQA guidelines in November 2017 that amends the Appendix G question for transportation impacts to delete reference to vehicle delay and level of service (LOS) and instead refer to Section 15064.3, subdivision (b)(1) of the CEQA Guidelines asking if the project would result in a substantial increase in vehicle miles traveled (VMT). The California Natural Resources Agency certified and adopted the revisions to the CEQA Guidelines in December of 2018, and as of July 1, 2020, the provisions of the new section are in effect Statewide. Concurrently, OPR developed the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory), dated December 2018, which provides non-binding recommendations on the implementation of VMT methodology which has significantly informed how VMT analyses are conducted in the State. These new guidelines are contained within the *City of Costa Mesa Transportation Impact Analysis Guidelines* (TIA Guidelines), dated, October 2020, and provide screening criteria and methodology for VMT analysis.

Per the City's TIA Guidelines, the City considers three types of screening that may be applied to a project to effectively screen transportation impacts. If a proposed project meets the criteria of one of the three screening types, the project's impact on transportation would be less than significant. The screening criteria is listed below:

- **Step 1: Transit Priority Area (TPA) Screening:** Projects located within a TPA may be presumed to have a less than significant impact absent substantial evidence to the contrary. This presumption may NOT be appropriate if the project:

    1. Has a Floor Area Ratio (FAR) of less than 0.75;
    2. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction;
    3. Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Southern California Association of Governments [SCAG]); or
    4. Replaces affordable residential units with a smaller number of moderate- or high- income residential units.

- **Step 2: Low Vehicle Miles Traveled (VMT) Screening Area**: Residential and office projects located within a low VMT-generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if the project can reasonably be expected to generate VMT per service population that is similar to the existing land uses in the low VMT-area.

- **Step 3: Project Type Screening**: Some project types have been identified as having the presumption of a less than significant impact. The following uses can be presumed to have a less than significant impact absent substantial evidence to the contrary as their uses are local serving in nature:

    1. Local-serving K-12 public schools;
    2. Local parks;
    3. Day care centers;
    4. Local-serving retail uses less than 50,000 square feet, including:
        a. Gas stations, banks, restaurants, and/or shopping Center;
    5. Student housing projects or adjacent to college campuses;
    6. Local-serving assembly uses (places of worship, community organizations);
    7. Community institutions (public libraries, fire stations, local government);
    8. Assisted living facilities;

9. Senior housing (as defined by HUD);
10. Projects generating less than 110 daily vehicle trips.

As detailed in the following analysis, all three screening criteria would apply to the proposed project.

Transit Priority Area (TPA) Screening. A TPA is defined as a half mile area around an existing major transit stop or along a high-quality transit corridor (HQTC). A major transit stop is defined as a site which has two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. A HQTC is defined as a corridor with a fixed bus route with service intervals of no longer than 20 minutes during peak commute hours. According to the Appendix A of the City of Costa Mesa TIA Guidelines, the project site is located within an TPA. As discussed in Section 2, *Project Description*, the proposed project would have a FAR of approximately 1.43. Additionally, the proposed project would provide a total of 103 parking stalls which would be less than the required 120 parking stalls pursuant of Municipal Code Section 13.85, *Parking Required*. The proposed project would be consistent with the Sustainable Communities Strategy as the proposed development would construct residential buildings near existing residential and commercial uses.[1] The project would also be located near existing public transportation stops and would include new biking infrastructure (bicycle parking) and sidewalks. Such features would encourage public transportation and active transportation as alternative modes of transportation. As discussed in Section 4.8, *Greenhouse Gas Emissions*, the proposed project would also be consistent with the greenhouse gas reduction strategies contained in the Southern California Association of Governments *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy*. Last, the proposed project would not replace or demolish existing affordable residential dwelling units with fewer moderate- or high- income residential units. As such, the project would screen out through the TPA screening criteria.

Low Vehicle Miles Traveled (VMT) Screening Area. Under the low VMT screening criteria, any residential and office projects located within a low-VMT generating area would be presumed to have a less than significant impact. According to the Appendix A of the TIA Guidelines, the project site is located within an area identified as a low VMT zone (less than 15 percent below the City VMT average. As such, the proposed project would qualify under this screening criteria and as such, would result in a less than significant VMT impact.

Project Type Screening. The proposed project would screen out under the project type screening criteria as a project that would generate less than 110 daily vehicle trips. According to the VMT Screening Analysis (provided in Appendix G), the project's estimated net increase in trip generation would be approximately 25 daily trips; refer to Table 4.17-1, *Project Trip Generation*. As the proposed project would generate less than 110 additional new daily trips, the project type screening criteria would apply to the project. Thus, impacts would be less than significant.

[1] California Air Resources Board, *What are Sustainable Communities Strategies?*, https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/what-are-sustainable-communities-strategies, accessed December 4, 2024.

Table 4.17-1
Project Trip Generation

Land Use	Daily Trips	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Trip Generation Rate							
Proposed							
Single Family Attached Homes	260	5	13	18	12	9	21
Single-Family Detached Housing	38	1	2	3	2	2	4
Total	**298**	**6**	**15**	**21**	**14**	**11**	**25**
Existing							
Strip Retail Plaza	266	7	5	12	16	16	32
Light Industrial Use	7	1	0	1	0	1	1
Total	**273**	**8**	**5**	**13**	**16**	**17**	**33**
Trip Generation Summary							
Net Increase Trip Generation							
Proposed Victoria Place Project	**25**	**-2**	**10**	**8**	**-2**	**-6**	**-8**

Source: Michael Baker International, *Victoria Place Project, City of Costa Mesa, VMT Screening Analysis December 20, 2024*; refer to Appendix G.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. The project would not introduce any hazards to the existing circulation system, such as sharp curves or dangerous intersections, and would not introduce any incompatible uses. Site access would be provided via two unsignalized ingress/egress driveways at the southern end of the project frontage along Victoria Place; refer to Exhibit 2-3. Both driveways would connect to internal drive aisles that provide access to each townhome building and surface parking areas. The proposed circulation layout includes adequate curb return radii for passenger cars, service/delivery trucks, emergency vehicle access and trash trucks, and project traffic is not anticipated to cause significant internal queuing/stacking at the project driveways. The proposed flex open space area would adequately support the weight of emergency vehicles, including CMFD's fire engines. All site improvements that intersect with the public right-of-way would be constructed in accordance with the City's design standards. Pursuant of Standard Conditions of Approval TRA-2, all on-site fencing would comply with the Municipal Code requirements pertaining to traffic line of sight. Overall, project impacts related to hazards due to geometric design features or incompatible uses would be less than significant.

Standard Conditions of Approval:

SCA TRA-2 All fencing onsite must be block walls. The applicant shall submit a detailed block wall plan for review. The location and heights of block walls shall comply with Code requirements, as well as any visibility standards for traffic safety related to ingress and egress. The private, interior walls between the homes shall be a minimum of six feet in height.

Mitigation Measures: No mitigation measures are required.

d) Result in inadequate emergency access?

Less Than Significant Impact With Mitigation Incorporated. Project construction activities could temporarily impact adjacent roadway rights-of-way (e.g., through partial lane closures). However, as discussed in Response 4.17(a), SCA

TRA-1 and Mitigation Measure TRA-1 would require the Applicant to prepare and implement a CMP and TMP. The CMP would minimize overall construction related-truck trips which ensures impacts to current traffic flows along neighboring roadways (i.e., Victoria Place) are minimized. The TMP would ensure traffic flow and emergency access are maintained during the construction phase. As stated, the TMP would include information detailing proposed signage, lane closures, flag persons, among others. Upon implementation of SCA TRA-1 and Mitigation Measure TRA-1, construction-related impacts to emergency access in the project area would be reduced to less than significant levels.

At project completion, the project site would be accessed via two unsignalized ingress/egress driveways at the south end of the project site along Victoria Place. Both driveways would connect to internal drive aisles that provide access to each townhome building and surface parking areas. The driveways and internal drive aisles would provide adequate space for emergency vehicles access; refer to Response 4.17(c).

Overall, with implementation of SCA TRA-1 and Mitigation Measure TRA-1, project development would not result in inadequate emergency access. Impacts in this regard would be less than significant.

Standard Conditions of Approval: Refer to SCA TRA-1.

Mitigation Measures: Refer to Mitigation Measure TRA-1.

4.18 TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				✓
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				✓

As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expanded CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to "begin consultation with a California Native American tribe that is traditional and culturally affiliated with the geographic area of the proposed project." Section 21074 of AB 52 also defines a new category of resources under CEQA called "tribal cultural resources." Tribal cultural resources are defined as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is either listed on or eligible for the California Register of Historical Resources (CRHR) or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource.

On February 19, 2016, the California Natural Resources Agency proposed to adopt and amend regulations as part of AB 52 implementing Title 14, Division 6, Chapter 3 of the California Code of Regulations, CEQA Guidelines, to include consideration of impacts to tribal cultural resources pursuant to Government Code Section 11346.6. On September 27, 2016, the California Office of Administrative Law approved the amendments to Appendix G of the CEQA Guidelines, and these amendments are addressed within this Initial Study.

In compliance with AB 52, the City of Costa Mesa distributed letters notifying each tribe that requested to be on the City's list for the purposes of AB 52 of the opportunity to consult with the City regarding the proposed project. The letters were distributed by certified mail on August 9, 2024.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

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

No Impact. As detailed in Response 4.5(a), no historic resources listed or eligible for listing in a State or local register of historic resources are located on-site. Therefore, no impacts related to historic tribal cultural resources defined in Public Resources Code Section 5020.1(k) would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact With Mitigation Incorporated.

As noted above, the City distributed letters to potentially affected Native American tribes which have cultural or traditional affiliation with the City in accordance with AB 52. The letters were distributed by certified mail on August 9, 2024. The Gabrieleño Band of Mission Indians – Kizh Nation, Cahuilla Band of Indians, and Pala Band of Mission Indians responded to the notification letters on August 9, August 13, and November 8 respectively. The Cahuilla Band of Indians responded to the notification letters stating that the tribe is unaware of any cultural resources at or near the project site. Nevertheless, since the project site is within the Cahuilla traditional land use, the tribe requested that a cultural resources inventory be prepared by a qualified archaeologist prior to development activities, preparation of a record search with associated survey reports and site records, and preparation of cultural resource documentation generated from the project site. Preparation of such reports (cultural resources inventory, records search, and cultural resource documentation) are contained within Appendix B, *Cultural Resources Assessment*. The Cahuilla Band of Indians responded to the notification letters within the response period and submitted a consultation request to the City on August 13, 2024. Tribal consultation between the City and the Cahuilla Band of Indians occurred through a virtual consultation on August 22, 2024. During the consultation, the project site was confirmed to be outside the Cahuilla Band of Indians' ancestral territory and as such, the tribe would defer to other tribes for monitoring. Nevertheless, the Cahuilla Band of Indians requests to be notified if any cultural materials or artifacts are discovered that could potentially be identified as belonging to the Cahuilla Band of Indians.

The Pala Band of Mission Indians responded to the notification letters stating that the project site is not within the boundaries of the recognized Pala Indian Reservation and is not within the Pala Band of Mission Indians' traditional land use. As such, the Pala Band of Mission Indians did not have any comments regarding the proposed project and declines AB 52 consultation for this project.

The Gabrieleño Band of Mission Indians – Kizh Nation responded to the notification letters within the response period requesting formal consultation with the City. Tribal consultation between the City and the Gabrieleño Band of Mission Indians – Kizh Nation occurred on September 9, 2024 and concluded on January 14, 2025. Tribal consultation suggests the requirement for on-site monitoring, protocol for uncovered unknown tribal resources, and training protocols for contractors.

As such the proposed project would implement Mitigation Measures TCR-1. Mitigation Measure TCR-1 would require retain a Native American monitor from the Native American tribe that is culturally and ancestrally affiliated with the project site: such as the Gabrieleño Band of Mission Indians – Kizh Nation, as approved by the City (herein referenced as the Native American Monitor). The Native American Monitor shall monitor the proposed project's ground disturbing activities (e.g., demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring, auguring, and weed abatement on previously disturbed and undisturbed ground). The Native American Monitor would be required to prepare daily monitoring logs that include descriptions of the relevant ground disturbing activities, locations of such activities, observed soil types, and the presence or absence of tribal cultural-related materials. In the event resources are discovered during any phase of ground disturbing activities, and it is determined by the Native American Monitor, in consultation with the City, to be Native American in origin, then all construction work within 50 feet (15 meters) of the find must cease until the Native American Monitor can assess the find. Work would be allowed to continue outside of the buffer zone. The Native American Monitor would determine the appropriate treatment of the discovered resource that is consistent with the tribe's cultural practices, including reinternment on site in an appropriate area determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for educational purposes. Construction work within the buffer area surrounding a tribal cultural resource discovery shall resume only after the Native American Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the tribe, and (2) completed the appropriate treatment of the resource. Monitoring for tribal cultural resources by the Native American Monitor would be considered concluded upon the City's receipt of written confirmation from the Native American Monitor that ground disturbing activities with potential impacts to discovered and/or undiscovered tribal cultural resources are complete.

The proposed project would also comply with State Health and Safety Code Section 7050.5 which states that no further disturbance shall occur until the County coroner has made a determination of origin and disposition pursuant to State Public Resources Code Section 5097.98. The County coroner must be notified of the find immediately. If the remains are determined to be Native American, the County coroner would notify the Native American Heritage Commission (NAHC), which would determine and notify a Most Likely Descendent (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The MLD recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials, preservation of Native American human remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment.

As such, with implementation of Mitigation Measure TRC-1, Mitigation Measure CUL-1, and compliance with the State Health and Safety Code Section 7050.5, impacts to tribal cultural resources would be reduced to less than significant levels.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: Refer to Mitigation Measure CUL-1.

TCR-1 Prior to issuance of any grading permits, the Applicant shall formally retain a Native American monitor from the Native American tribe that is culturally and ancestrally affiliated with the Project location: the Gabrieleño Band of Mission Indians – Kizh Nation. The Applicant shall allow 45 days from initial contact with the first preference tribe (Kizh Nation) to enter into a contract for monitoring services. If the Applicant can demonstrate they were unable to secure an agreement with the first preference tribe, or if the contracted tribe fails to fulfill its obligation under the contract terms, then the Applicant may retain an alternative qualified tribal monitor

approved by the City. The City approved Monitor (the "Monitor"), shall monitor all "ground-disturbing" Project activities, (I.e., both on-site and any off -site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work), which includes but is not limited to: demolition, grubbing/clearing, rough grading, precise grading, mass grading, trenching, excavation, boring, auguring, and weed abatement on previously disturbed and undisturbed ground (collectively "ground disturbing activities"). A copy of the executed contract shall be submitted to the Costa Mesa Economic and Development Services Department prior to the issuance of any permit necessary to commence ground-disturbing activities.

The Monitor shall prepare daily monitoring logs that include descriptions of the relevant ground disturbing activities, locations of such activities, observed soil types, and the presence or absence of tribal cultural-related materials. Should tribal cultural-related resources be discovered, monitor logs shall identify and describe such resources, including but not limited to, Native American cultural and historical artifacts, as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be provided to the City of Costa Mesa and maintained as confidential. In the event resources are discovered during any phase of ground disturbing activities, and it is determined by the Monitor, in consultation with the City, to be Native American in origin, then all construction activity within fifty (50) feet (15 meters) of the find shall cease until the Monitor can assess the find. Work shall be allowed to continue outside of the buffer zone. The Monitor shall determine the appropriate treatment of the discovered resource that is consistent with the tribe's cultural practices, including reinternment on site in an appropriate area determined by the tribe in consultation with the City and the applicant, or retention of the discovered resource for educational purposes. Construction work within the buffer area surrounding a TCR discovery shall resume only after the Monitor has (1) appropriately inventoried and documented the resource and any surrounding material of significance to the Kizh Nation, and (2) completed the appropriate treatment of the resource.

Monitoring for tribal cultural resources ("TCR") shall conclude upon the City's receipt of written confirmation from the Monitor that ground disturbing activities with potential impacts to discovered and/or undiscovered TCRs are complete.

4.19 UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✓	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?			✓	

This section is primarily based upon the following technical studies included in Appendix H, *Public Services and Utilities Correspondence:*

- *Will Serve Letter for 220, 222, 234, and 236 Victoria Place* (Water Will Serve), prepared by Mesa Water District, November 27, 2024; and
- *Proposed 40-Unit Housing Development at 220, 222, 234, and 236 Victoria Place, Costa Mesa: CMSD Will Serve Sewer Letter* (Sewer Will Serve), prepared by Costa Mesa Sanitary District, January 8, 2025.
- *Tentative Tract No. 19351, 220 Victoria Street, Conditions of Approval,* prepared by City of Costa Mesa Public Works Department, January 28, 2025.

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

Less Than Significant Impact.

Water

The project site would be served by the Mesa Water District (MWD). The project proposes private one-inch water service water laterals that connect to the existing 12-inch water main in Victoria Place. The western portion of the project would connect to a proposed 6-inch water main in the western portion of the Victoria Parkway. The new 6-inch water main would then connect to an existing 12-inch water main in Victoria Place. The eastern portion of the project site would connect to the existing 12-inch water main in Victoria Place near the central portion of the project frontage.

Based on written correspondence from the MWD for the proposed project, the MWD would adequately serve the water needs of the proposed project using the existing 12-inch water main along Victoria Place; refer to Appendix H, *Public Services and Utilities Correspondence*. In order to obtain water connection permits, the Applicant must submit site plans showing locations of proposed potable water connections for domestic use and fire suppression, calculated fire suppression/sprinkler system water demands, installation locations on fire suppression lines, irrigation plans, a hydraulic analysis for fire flow, and Costa Mesa Fire Department Water Availability Form, among others, during the design phase of the project. The Applicant would also be required to pay standard MWD water connection fees and ongoing user fees to ensure the project's impacts on existing water facilities are adequately offset. As such, less than significant impacts would occur in this regard.

Wastewater

Costa Mesa Sanitary District (CMSD) would provide wastewater services to the proposed development. CMSD would gather wastewater generated from the project site before being treated at the Orange County Sanitation District Reclamation Plant No.1 and No. 2. The project proposes to construct private four-inch lateral and six-inch main sewer lines throughout the site to connect to the existing 21-inch sewer line in Victoria Place.

As discussed in the CMSD *2022 Wastewater Rate Study*, the CMSD projects that for every acre of commercial zoned property, approximately 5,000 gallons of wastewater are generated every day.[1] As such, the existing 16,657 square feet of commercial uses would generates approximately 1,902 gallons of wastewater per day.[2] Implementation of the proposed project would replace these uses with 40 residential dwelling units. Based on the CMSD *2022 Wastewater Rate Study*, the CMSD utilizes a residential flow coefficient of approximately 71.5 gallons per day per capita. Based on The City's average household size of 2.52, the proposed 40 residential dwellings would generate up to 101 new residents into the City; refer to Section 4.14, *Population and Housing*. The project's population of 101 residents would generate approximately 7,222 gallons of wastewater per day or a net increase of 5,320 gallons of wastewater per day over existing conditions. Nevertheless, the project would be required to pay standard wastewater connection fees and ongoing user fees, which would ensure the project's impacts on existing sewer facilities are adequately offset. Payment of these fees would fund connections to existing sewer lines, and would offset the project's increase in demand for wastewater collection services. As such, impacts would be less than significant in this regard.

As documented in Appendix H, the CMSD provided a Sewer Will Serve letter for the proposed project stating that CMSD would be able to provide wastewater services for the proposed development. It is acknowledged that the CMSD would accept flows from the proposed project if:

- The sewer flows from the development would not exceed 8,400 gallons of wastewater per day,
- The proposed development does not exceed 40 dwelling units,
- The proposed private sewer main is maintained by a homeowner's association or similar organization, and
- The developer applies for a permit, submit the required building designs, grading plans, sewer plans, pay appropriate sewer fees, and is issued a sewer permit. And
- The proposed project must comply with the California Plumbing Code and applicable CMSD ordinance, regulations, and requirements governing wastewater flows and design

As explained above, implementation of the proposed project would not exceed 8,400 gallons of wastewater per day. The proposed project would not exceed 40 dwelling units and would be maintained by a homeowner's association. All sewer improvements must meet the approval of CMSD (SCA USS-1), including providing requested building designs,

1 Costa Mesa Sanitary District, *2022 Wastewater Rate Study*, January 3, 2022.
2 5,000 gallons of wastewater per acre of commercial property would be equivalent to approximately 0.11 gallons of wastewater per square feet (5,000 gallons per acre divided by 43560 square feet [1 acre]).

grading plans, sewer plans, and payment of appropriate sewer fees, and obtaining a sewer permit; refer to Appendix H. Last, the project must comply with the California Plumbing Code and applicable CMSD ordinance regulations and requirements governing wastewater flows and design.

Stormwater

The proposed project would install an on-site storm drain system with a modular wetland system. Low flows of on-site runoff would be captured on-site and conveyed to the modular wetland system units to be treated. Once treated, water would then flow to the existing storm drain in Victoria Place. As discussed in Section 4.10, *Hydrology and Water Quality*, the implementation of the proposed project would not increase the overall runoff flows during a two year, 10-year, 25-year, and 100-year storm event, but rather, would reduce the discharge volumes compared to the existing condition. It should be noted that runoff on the existing site flows along drainage patterns and does not have an on-site storm drain system that directs runoff flows. As such, the implementation of the proposed project would help direct runoff flows and treat runoff in modular wetland systems before releasing flows into storm drains, improving conditions compared to the existing condition.

Additionally, the proposed project would implement best management practices (BMPs) to be implemented to further minimize runoff volumes. BMPs include common area landscape management and litter control measures, stenciling storm drains with prohibitive language and/or graphical icons to prevent dumping, use of efficient irrigation systems/landscape design, water conservation, smart controllers, and source control to minimize runoff, and other non-structural and structural BMPs. As discussed in Section 4.10, the WQMP prepared for the proposed project would require the implementation of a LID BMP and incorporation of structural/non-structural BMPs. The LID BMP would include the implementation of a MWS along the southeast corner of the project site which would biotreat runoff from the project site. The treated water from the MWS would connect to the proposed 18-inch outlet pipe that would then flow to the proposed curb opening catch basin near the Newport Boulevard and Victoria Place intersection. The new outlet pipe would be installed via trenching. In the event that runoff exceeds the design capacity of the MWS, excess flows would bypass the system and directly flow into the existing storm drain along Victoria Place. In addition to the LID BMP, the proposed project would include a variety of structural/non-structural BMPs; refer to Section 4.10. Structural BMPs are engineered systems that reduce and mitigate operational impacts while non-structural BMPs are broad planning and design approaches to reduce pollutant impacts on runoff. Implementation of the proposed storm drain improvements and structural/non-structural BMPs would reduce the need for new or expanded storm water drainage facilities. Thus, impacts in this regard would be less than significant.

Dry Utilities

Southern California Edison would provide electricity services to the site. However, it is acknowledged that the proposed project would possibly be all electric, since as of July 2024, Southern California Edison (SCE) is requesting "only electric" on-site to participate in new future service. As such, no natural gas utilities would be required. The project would require construction of new private on-site dry utilities; however, payment of standard utility connection fees and ongoing user fees would ensure these utility services are able to accommodate the proposed development. Additionally, the project's potential environmental effects in this regard are analyzed throughout this Initial Study and would be subject to compliance with all applicable local, State, and federal laws, ordinances, and regulations, as well as the specific mitigation measures throughout this Initial Study. As such, project impacts in this regard would be less than significant.

Standard Conditions of Approval:

SCA USS-1 All sewer improvements shall meet the approval of the Costa Mesa Sanitary District; call (949) 631-1731 for information.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. As discussed above, MWD would provide water services to the project site. Based on MWD's *2020 Urban Water Management Plan* (UWMP), Table 4.19-1, *MWD Total Water Demand Projections*, details MWD's anticipated total water demand projections from 2025 through 2045.

Table 4.19-1
MWD Total Water Demand Projections

Land Use	2025	2030	2035	2040	2045
Single Family	5,154	5,554	5,854	5,953	6,084
Multi-Family	5,139	5,648	6,061	6,301	6,645
Institutional/Governmental	871	1,027	1,074	1,084	1,064
Commercial	2,632	3,102	3,244	3,275	3,213
Industrial	248	292	305	308	303
Landscape	1,563	1,564	1,595	1,571	1,541
Losses	746	822	867	884	901
Recycled Water Demand	1,100	1,100	1,100	1,100	1,100
Total	**17,454**	**19,109**	**20,101**	**20,476**	**20,851**

Notes: Units are in acre-feet per year.
Combined total from Table 4-2 and Table 4-3 of the *2020 Urban Water Management Plan Final.*

Source: Mesa Water District, *2020 Urban Water Management Plan Final,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

MWD relies on a combination of clear and amber-tinted groundwater from the Orange County Groundwater Basin (OC Basin) for 94 percent of its demands and recycled water for six percent of its demand.[3] Communities located in the north and central Orange County are located above the OC Basin, an underground aquifer. The 270-square mile of the OC Basin within Orange County is operated by the Orange County Water District (OCWD) in cooperation with cities and water districts, including the MWD. MWD works together with three primary agencies, Metropolitan Water District of Southern California (Metropolitan), Municipal Water District of Orange County (MWDOC), and OCWD to ensure a safe and reliable water supply to serve the community in periods of drought and shortage. According to the UWMP, MWD is able to meet projected demands during normal, dry, and multiple dry years through 2045; refer to Tables 4.19-2, *Normal Year Supply and Demand Comparison*, through 4.19-4, *Multiple Dry Year Supply and Demand Comparison*.

Table 4.19-2
Normal Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply Totals	17,454	19,109	20,101	20,476	20,851
Demand Totals	17,454	19,109	20,101	20,476	20,851
Difference	**0**	**0**	**0**	**0**	**0**

Notes: Units are in acre-feet per year.

[3] Mesa Water District, *2020 Urban Water Management Plan Final,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

Source: Mesa Water District, *2020 Urban Water Management Plan Final, Table 7-2,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

Table 4.19-3
Single Dry Year Supply and Demand Comparison

	2025	2030	2035	2040	2045
Supply Totals	18,501	20,256	21,307	21,705	22,102
Demand Totals	18,501	20,256	21,307	21,705	22,102
Difference	**0**	**0**	**0**	**0**	**0**

Notes: Units are in acre-feet per year.
Source: Mesa Water District, *2020 Urban Water Management Plan Final, Table 7-3,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

Table 4.19-4
Multiple Dry Year Supply and Demand Comparison

		2025	2030	2035	2040	2045
First Year	Total Supply	18,182	18,852	20,466	21,387	21,784
	Total Demand	18,182	18,852	20,466	21,387	21,784
	Difference	**0**	**0**	**0**	**0**	**0**
Second Year	Total Supply	18,261	19,203	20,676	21,466	21,864
	Total Demand	18,261	19,203	20,676	21,466	21,864
	Difference	**0**	**0**	**0**	**0**	**0**
Third Year	Total Supply	18,341	19,544	20,886	21,546	21,943
	Total Demand	18,341	19,544	20,886	21,546	21,943
	Difference	**0**	**0**	**0**	**0**	**0**
Fourth Year	Total Supply	18,421	19,905	21,097	21,625	22,023
	Total Demand	18,421	19,905	21,097	21,625	22,023
	Difference	**0**	**0**	**0**	**0**	**0**
Fifth Year	Total Supply	18,501	20,256	21,307	21,705	22,102
	Total Demand	18,501	20,256	21,307	21,705	22,102
	Difference	**0**	**0**	**0**	**0**	**0**

Notes: Units are in acre-feet per year.
Source: Mesa Water District, *2020 Urban Water Management Plan Final, Table 7-4,* https://www.mesawater.org/sites/default/files/Save%20Water/Documents/Mesa%20Water%202020%20UWMP%20FINAL-2021.06.30.pdf, June 2021.

According to the CalEEMod modeling for the proposed project, the development would require approximately 8,923,797 gallons per year or approximately 27.39 acre-feet per year; refer to Appendix A, *Air Quality/GHG/Energy Data*. The project's estimated water demand of 27.39 acre-feet per year would represent approximately 0.15 percent of the City's projected water demand of 17,454 acre-feet for 2025 and approximately 0.13 percent of 20,851 acre-feet for 2045; refer to Table 4.19-1. According to the Water Will Serve Letter prepared by the MWD, there is sufficient water supply to serve the proposed project; refer to Appendix H. As such, there would be adequate water supplies during normal, dry, and multiple dry years. Thus, impacts would be less than significant in this regard.

It is acknowledged that a Zoning Code Amendment is requested to change the zoning of the project site from C2 to C2 with a Residential Incentive Overlay District. Approval of the Zoning Code Amendment would permit the development of residential uses at the project site. While the project would result in an increase of residential units not previously contemplated in the buildout of the City and UWMP, this increased would be nominal and the MWD would have adequate water supplies to service the proposed project; refer to Appendix H. Additionally, the increase of 40 residential dwelling units would not substantially increase water demand. The project would also be required to comply with water

efficiency and water conservation standards in the 2022 California Building Energy Efficiency Standards and 2022 California Green Building Standards Code. Thus, project implementation would result in a less than significant impact in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. Development of the proposed project would generate additional wastewater beyond existing conditions; refer to Response 4.19(a). Per the *Sewer Calculation* study prepared by CMSD for the proposed project, the CMSD utilized a residential wastewater generation rate of approximately 70 gallons per day; refer to *Appendix H*, Public Services and Utilities Correspondence. It should be noted that the CMSD utilized a more conservative estimate of three individuals per household. Based on the *Sewer Calculation* study, the proposed project would generate approximately 8,400 gallons of wastewater per day. As discussed above, the existing site generates approximately 1,902 gallons of wastewater per day. Thus, the proposed project would result in a net increase of approximately 6,498 gallons of wastewater per day. The proposed project would be subjected to standard wastewater connection fees and ongoing user fees. Payment of such fees would ensure that the project's impacts on wastewater facilities and services are minimized. Thus, following compliance with the relevant laws, ordinances, and regulations and payment of in-lieu fees, project-generated wastewater would be adequately accommodated by existing CMSD wastewater treatment facilities. A less than significant impact would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. CMSD contracts residential curbside trash and recycling collection services with CR&R Environmental Services, Inc. (CR&R).[4] In 2019, the latest year where data is available, about 98 percent of solid waste landfilled from Costa Mesa was disposed of at four facilities: the El Sobrante Landfill, the Frank R. Bowerman Sanitary Landfill, the Olinda Alpha Landfill, and the Prima Deshecha Landfill.[5] Table 4.19-5, *Landfills Serving the City*, depicts the existing capacities and maximum daily capacities for these four landfills.

Construction

The demolition of the existing structures would generate approximately 500 tons of demolition debris.[6] Since at least 65 percent of demolition debris and construction waste would be recycled and/or reused in accordance with CALGreen requirements (CALGreen Section 5.408), the proposed project would generate a maximum of approximately 175 tons of demolition waste that would be disposed of in local landfills. The four identified landfills that accept the majority of

4 Costa Mesa Sanitary District, *Weekly Curbside Collection,* https://www.cmsdca.gov/trash___recycling/curbside_collection/index.php, accessed November 19, 2024.

5 CalReycle, *Jurisdiction Disposal and Alternative Daily Cover Tons by Facility*, https://www2.calrecycle.ca.gov/LGCentral/DisposalReporting/Destination/DisposalByFacility, accessed November 19, 2024.

6 Elzarka, Hazen, *Making the Case for Construction Waste Management*, http://ascpro0.ascweb.org/archives/2007/CPGT136002007.pdf, accessed November 19, 2024.

the City's solid waste also accept construction and demolition debris. Demolition of the existing structure would occur over two weeks or ten working days and as such, approximately 17.5 tons of demolition debris would be disposed at

Table 4.19-5
Landfills Serving the City

Landfill/Location	Maximum Daily Throughput (tons per day)	Remaining Capacity (cubic yards)	Anticipated Closure Date
El Sobrante Landfill 10910 Dawson Canyon Road Corona, CA 91719	16,054 tons	143,977,170 cubic yards	2051
Frank R. Bowerman Sanitary Landfill 11002 Bee Canyon Access Road Irvine, CA 92618	11,500 tons	205,000,000 cubic yards	2053
Olinda Alpha Landfill 1942 North Valencia Avenie Brea, CA 92823	8,000 tons	17,500,000 cubic yards	2036
Prima Deshecha Landfill 32250 Avenida La Pata San Juan Capistrano, CA 92675	4,000 tons	128,300,000 cubic yards	2102
Total	**39,554 tons**	**494,777,170 cubic yards**	**-**

Source:
CalRecycle, *El Sobrante Landfill*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402, accessed November 19, 2024.
CalRecycle, *Frank R. Bowerman Sanitary Landfill*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2767?siteID=2103, accessed November 19, 2024.
CalRecycle, *Oldina Alpha Landfill,* https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2757?siteID=2093, accessed November 19, 2024.
CalRecycle, *Prima Deschecha Landfill*, https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2750?siteID=2085, accessed November 19, 2024.

the four landfills per day. The disposal of demolition debris would be one-time in nature and would represent a nominal increase in the overall daily disposal at the landfills. As such, impacts would be less than significant in this regard.

Operations

The project site is currently developed with approximately 18,567-square feet of existing commercial retail and storage yards. Based on a solid waste generation rate of 2.5 pounds per 1,000 square feet per day for commercial retail use, the existing site generates approximately 46.42 pounds of solid waste per day (or approximately 0.02 tons per day); refer to Table 4.19-6, *Solid Waste Generation*.[7] As discussed, the proposed project would construct a total of 40 dwelling units. Based on a solid waste generation of 11.4 pounds per dwelling unit per day, the proposed project would generate approximately 456 pounds per day (or approximately 0.23 tons per day). As such, the proposed project would result in a net increase of 409.58 pounds per day or approximately 0.205 tons per day. This represents less than 0.1 percent of the daily permitted throughput capacities of the four landfills identified in Table 4.19-5.

[7] California Department of Resources Recycling and Recovery, *Estimated Solid Waste Generation Rates*, https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates, accessed November 19, 2024..

Table 4.19-6
Solid Waste Generation

Land Uses	Buildout	Solid Waste Generation Rate	Solid Waste Generation
Existing Conditions			
Commercial Retail	18,567 square feet	2.5 pounds per 1,000 square feet per day	46.42 pounds per day (0.023 tons per day)
Proposed Project			
Residential Uses	40 dwelling units	11.4 pounds per dwelling unit per day	456 pounds per day (0.228 tons per day)
		Net Increase	**409.58 pounds per day (0.205 tons per day)**
Notes: numbers may be off dur to rounding.			

Additionally, operation of the project would include recycling of green waste in accordance with AB 1826. However, per Standard Condition of Approval (SCA) U-1, all units must contract with a trash collection service (CMSD). As such, with implementation of regulatory requirements and SCA U-1, the project is not anticipated to generate solid waste in excess of State or local standards, in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts in this regard would be less than significant.

Standard Conditions of Approval:

SCA U-1 The applicant and future homeowners shall contract with a waste disposal company that will provide full on-site trash and recyclable collection. Access for disposal collection shall be provided from the rear alley. There shall be no storage of trash bins or cans on public streets with the exception of temporary use of the right-of-way for rolling containers or loading to large trash trucks.

Mitigation Measures: No mitigation measures are required.

e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. Refer to Response 4.19(d). The proposed project would comply with all federal, State, and local statutes and regulations related to solid waste, including AB 939. Specifically, the project would be required to recycled, reduced, or composted at least 65 percent of construction and demolition debris per CALGreen Section 5.408. Further, the project would be required to comply with SCA U-1, which includes providing recyclable collection to the on-site residents. Compliance with existing laws and regulations would ensure project's impacts related to solid waste are reduced to less than significant levels.

Standard Conditions of Approval: Refer to SCA U-1.

Mitigation Measures: No mitigation measures are required.

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4.20 WILDFIRE

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

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. According to the California Department of Forestry and Fire's (CAL FIRE) *Orange County State Responsibility Area Fire Hazard Severity Zones* and *Orange County Very High Fire Hazard Severity Zones in LRA*, *As Recommended by CAL FIRE*, the project site is not located in or near a State responsibility area nor is the project site designated as a very high fire hazard severity zone.[1,2] Additionally, the site is not located in the vicinity of a moderate or high fire hazard severity zone. Thus, no impacts would occur in this regard.

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact. Refer to Response 4.20(a).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

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1 California Department of Forestry and Fire, *Very High Fire Hazard Severity Zone in LRA as Recommended by CAL FIRE, Orange County*, November 2011, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map/upload-5/fhszl_map30.pdf, accessed November 15, 2024.

2 California Department of Forestry and Fire Protection, *Orange County State Responsibility Area Fire Hazard Severity Zones*, September 29, 2023, chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://34c031f8-c9fd-4018-8c5a-4159cdff6b0d-cdn-endpoint.azureedge.net/-/media/osfm-website/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones/fire-hazard-severity-zones-map-2022/fire-hazard-severity-zones-maps-2022-files/fhsz_county_sra_11x17_2022_orange_3.pdf?rev=8304779bfa204bea8c3eb4638734287e&hash=8FE491A0FEB121DA77261F19AA136C25, accessed November 15, 2024.

Mitigation Measures: No mitigation measures are required.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. Refer to Response 4.20(a).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact. Refer to Response 4.20(a).

Standard Conditions of Approval: No SCAs are applicable to this threshold of significance.

Mitigation Measures: No mitigation measures are required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

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

Less Than Significant Impact With Mitigation Incorporated. As detailed in Section 4.4, *Biological Resources*, no impacts would occur to any special-status plant or wildlife species known to occur in the project area. The project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

Additionally, project implementation is not anticipated to result in adverse impacts to known cultural, paleontological, or tribal cultural resources; refer to Section 4.5, *Cultural Resources*, Section 4.7, *Geology and Soils*, and Section 4.18, *Tribal Cultural Resources*. However, in the unlikely event that buried archaeological resources are encountered during ground disturbance activities, Mitigation Measure CUL-1 would require all construction work to halt until a qualified archaeologist can evaluate the find and determine the appropriate treatment plan for the resource. Additionally, Mitigation Measure TRC-1 would ensure a Native American Monitor is provided the opportunity to monitor ground-disturbing activities that may impact previously unknown cultural resources of Native American origin. Additionally, Mitigation Measure GEO-1 would ensure the project Applicant consults with a qualified paleontologist or geologist to confirm that grading would occur at depths that could encounter highly sensitive sediments for paleontological resources. If activities extend into such sediments, a qualified paleontologist would be retained and a preparation of a Project Monitoring Plan would be required for review and approval by the City. In the event that fossils are discovered, implementation of Mitigation Measure GEO-2 would require all construction activities to halt within a 50-foot radius of the find until the qualified paleontologist is able to assess the significance of the find. Therefore, the proposed project would not eliminate important examples of the major periods of California history or prehistory. Impacts in this regard would be less than significant with mitigation incorporated.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact With Mitigation Incorporated. A significant impact may occur if a proposed project, in conjunction with related projects, would result in impacts that are less than significant when viewed separately, but would be significant when viewed together. As concluded in Sections 4.1 through 4.20, the proposed project would not result in any significant and unavoidable impacts in any environmental categories with implementation of existing regulatory requirements and/or project-specific mitigation measures. Implementation of standard conditions of approval (SCAs) and mitigation measures at the project-level would reduce the potential for the incremental effects of the proposed project to be considerable when viewed in connection with the effects of past projects, current projects, or probable future projects. Thus, impacts in this regard would be less than significant with SCAs and mitigation incorporated.

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

Less Than Significant Impact With Mitigation Incorporated. Previous sections of this Initial Study reviewed the proposed project's potential impacts related to aesthetics, air quality, noise, hazards and hazardous materials, transportation, and other issues. As concluded in these previous discussions, the proposed project would not have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly, following conformance with the existing regulatory framework, SCAs, and mitigation measures. Further, as a residential development, project features would be designed to meet the needs of humans and are not anticipated to result in direct or indirect adverse effects. Impacts would be less than significant upon implementation of SCAs and mitigation measures detailed in this Initial Study.

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4.23 REPORT PREPARATION PERSONNEL

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5.0 CONSULTANT RECOMMENDATION

Based on the information and environmental analysis contained in the Initial Study/Environmental Checklist, we recommend that the City of Costa Mesa prepare a Mitigated Negative Declaration for the Victoria Place Project. We find that the proposed project could have a significant effect on several environmental issues, but that mitigation measures have been identified that reduce such impacts to a less than significant level. We recommend that the second category be selected for the City of Costa Mesa's determination (see Section 6.0, *Lead Agency Determination*).

3/25/25
Date

Kristen Bogue, Project Manager
Michael Baker International

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6.0 LEAD AGENCY DETERMINATION

On the basis of 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. ☐

Signature: 

Title: Senior Planner

Printed Name: Victor Mendez

Agency: City of Costa Mesa

Date: 3/25/2025

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