

INITIAL STUDY/NEGATIVE DECLARATION

Street Lights Fullerton Project



September 2021

Prepared for:
City of Fullerton
Community & Economic Development Department
303 W. Commonwealth Avenue
Fullerton, California 92832

P S O M A S

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ACRONYM LIST

AAM	Annual Arithmetic Mean
AB	Assembly Bill
ac	acre
ACM	asbestos-containing materials
af	Acre-feet
AFY	acre-feet per year
AQMP	Air Quality Management Plan
bgs	below the existing ground surface
BMP	Best Management Practice
CAAQS	California Ambient Air Quality Standards
CalARPP	California Accidental Release Prevention Program
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Prevention
CALGreen Code	California Green Building Standards Code
CalOSHA	State Occupational Safety and Health Regulations
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CH ₄	methane
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide
Cortese List	Hazardous Waste and Substances Site List
CPUC	California Public Utilities Commission
CWA	Clean Water Act
cy	cubic yards
dba	A-weighted decibel scale
DIFs	Development Impact Fees
DOC	Department of Conservation
DOGGR	California Division of Oil, Gas, and Geothermal Resources
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
DTSC-SLs	Department of Toxic Substance Control Screening Levels
du	dwelling units
EAP	Energy Action Plan
EIR	Environmental Impact Report
EMFAC	EMissions FAcTtor
EO	Executive Order
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FMMP	Farmland Mapping and Monitoring Program

ft	feet
FTA	Federal Transportation Administration
FTC	Fullerton Town Center
GHG	greenhouse gas
GP	General Plan
gpcd	gallons per capita per day
HCP	Habitat Conservation Plan
HFC	hydrofluorocarbons
HOA	Homeowners Association
HVAC	heating, ventilation, and air conditioning
HWCA	California Hazardous Waste Control Act
I	Interstate
in/sec	inches per second
IRPs	integrated resources plans
IS/ND	Initial Study/Negative Declaration
ISSD	Investigative & Support Services Division
ITE	Institute of Transportation Engineers
km	kilometer
LACSD	Los Angeles County Sanitation District
LBP	lead-based paint
L_{eq}	energy average
L_{eq} dBA	Equivalent Continuous Noise Level in A-weighted decibels
L_{max}	maximum noise level
L_{min}	minimum noise level
LOS	Level of Service
LST	localized significance threshold
MBTA	Migratory Bird Treaty Act
MEI	maximally exposed individual
mg	Million Gallons
mgd	million gallons of wastewater per day
mg/m ³	milligrams per cubic meter
mph	miles per hour
MPO	metropolitan planning organization
MRF	Materials Recovery Facility
MRZs	Mineral Resources Zones
MRZ-1	Mineral Resource Zone-1 (an area with no significant mineral deposits)
MRZ-2	Mineral Resource Zone-2 (an area with significant mineral deposits)
MRZ-3	Mineral Resource Zone-3 (an area containing known mineral resources of undetermined significance)
MTCO ₂ e	metric tons of carbon dioxide equivalent metric tons of CO ₂ equivalent
MTCO ₂ e/yr	metric tons of CO ₂ equivalent per year
NAAQS	National Ambient Air Quality Standards
N-C	Neighborhood Commercial
NCCP	Natural Community Conservation Plan
NHMP	Natural Hazard Mitigation Plan
NPDES	National Pollutant Discharge Elimination System

N ₂ O	nitrous oxide
NO	nitric oxide
NO ₂	nitrogen dioxide
NOI	Notice of Intent
NO _x	nitrogen oxide
O ₃	ozone
OCPs	organochlorine pesticides
OEHHA	Office of Environmental Health Hazard Assessment
OPR	Governor's Office of Planning and Research
OSHA	Federal Occupational Safety and Health Regulations
PEIR	Program Environmental Impact Report
PFC	perfluorocarbons
PM _{2.5}	fine particulate matter with a diameter of 2.5 microns or less
PM ₁₀	respirable particulate matter with a diameter of 10 microns or less
ppm	parts per million
ppv	peak particle velocity
PRD	Permit Registration Document
pvc	polyvinyl chloride
R-1	One-Family Residential
R-3	Limited Density, Multiple Residential
R-4	Medium Density, Multiple Residential
RCP	Regional Comprehensive Plan
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RHNA	Regional Housing Needs Assessment
RPS	Renewable Portfolio Standard
RSLs	Residential Regional Screening Levels
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
S-C	Service Commercial
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCGC	Southern California Gas Company
SCS	sustainable communities strategy
sf	square feet
SF ₆	sulfur hexafluoride
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SoCAB	South Coast Air Basin
S-P	Specific Plan
SR	State Route
SUSMP	standard urban stormwater mitigation plan
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants

The Fullerton Plan	The Fullerton Plan 2030 General Plan
TPA	Transit Priority Area
µg/m ³	micrograms per cubic meter
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UWMP	Urban Water Management Plan
VdB	vibration decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
VOC	volatile organic compound

1.0 INTRODUCTION

1.1 PURPOSE OF THE INITIAL STUDY

The purpose of this Initial Study (IS) is to (1) describe the proposed Street Lights Fullerton Project (hereinafter referred to as the “Project”), which would be constructed in the City of Fullerton and (2) provide an evaluation of potential environmental impacts associated with the Project’s construction and operation. The Project is an infill development and involves construction of 329 multi-family residential units in a 5-story building (380,000 square feet [sf]); a 6-story 567-space parking garage (187,000 sf); up to 6,500 sf of retail on the ground floor; and approximately 80,400 sf of open space including internal amenities, 3 outdoor courtyards, a pool, and outdoor gathering spaces, on an approximately 4.47-acre site. This IS has been prepared pursuant to the California Environmental Quality Act (CEQA), as amended (Section 21000 et. seq. of the *Public Resources Code*) and in accordance with the State CEQA Guidelines (Section 15000 et. seq. of the *California Code of Regulations*).

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Fullerton (hereinafter referred to as the “City”) is the lead agency for the Project. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect on the environment. The City, as the lead agency, has the authority for Project approval and certification of the accompanying environmental documentation.

1.2 CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

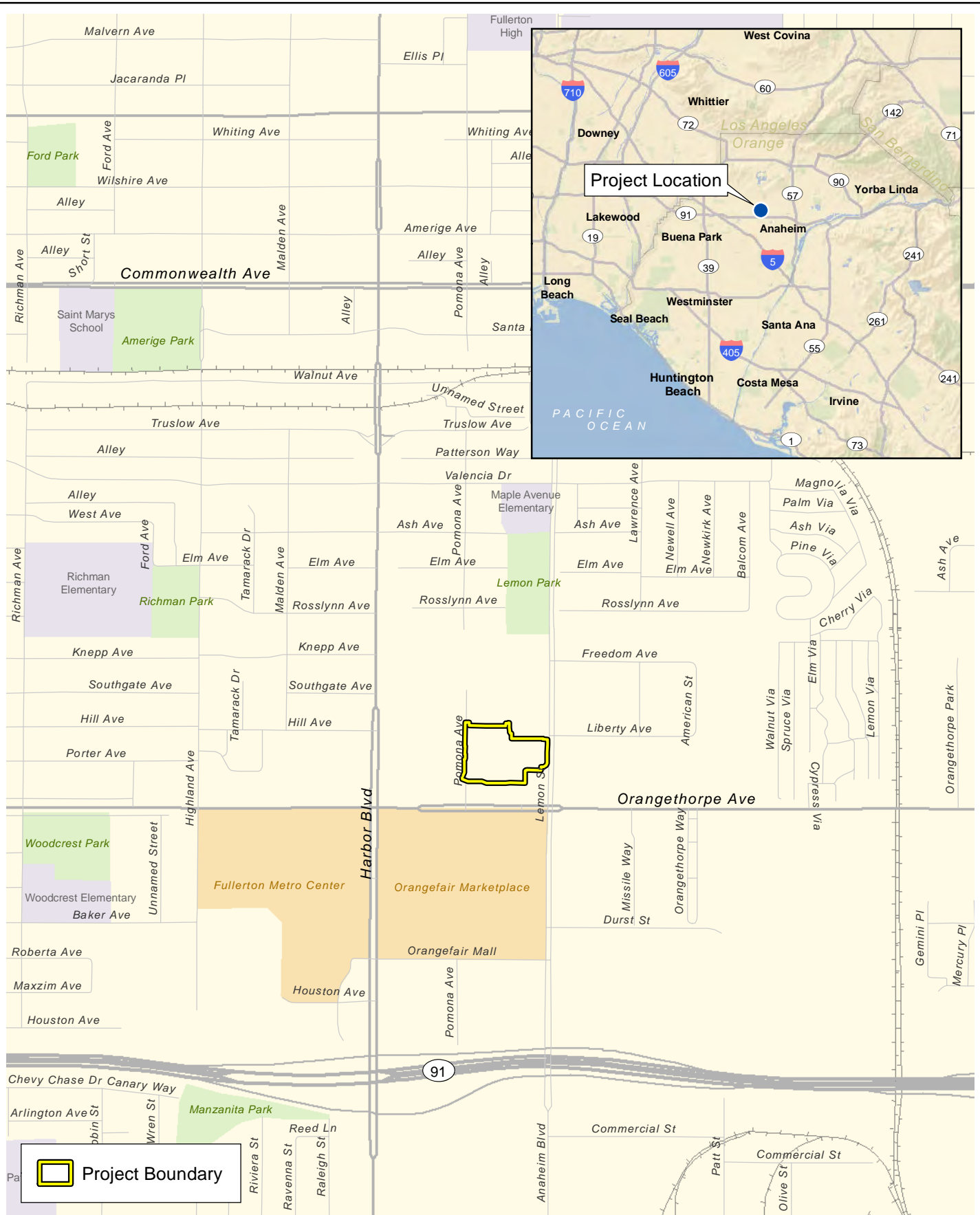
In accordance with CEQA and the State CEQA Guidelines, an Initial Study (IS) has been prepared for the proposed Project and its associated discretionary approvals. The IS indicates that the Project would have less than significant impacts with no mitigation measures required, and therefore, the Project requires preparation of an Initial Study/Negative Declaration (IS/ND).

This IS/ND serves as the environmental document that presents the analysis of Project impacts on each of the environmental issue areas in the CEQA Environmental Checklist provided in Section 4.0. This document will serve to inform City decision makers, representatives of affected trustee and responsible agencies, and other interested parties of the potential environmental effects that may occur with approval and implementation of the proposed Project.

1.3 PROJECT SUMMARY

1.3.1 LOCATION

The approximate 4.47-acre Project site is in the City of Fullerton, in Orange County, California. The site is located at 229 East Orangethorpe Avenue, within an existing shopping center, Fullerton Town Center (FTC—Focus Area D-Harbor Gateway in The Fullerton Plan), northwest of the intersection of South Lemon Street and East Orangethorpe Avenue. Local access to the site is provided by East Orangethorpe Avenue and South Lemon Street. Regional access is provided by State Route 91 (SR-91). See Exhibit 1-1, Regional Location and Local Vicinity.



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As indicated, the Project is located within FTC, which is an existing regional shopping center that includes Costco, AMC Fullerton 20, and a number of neighborhood commercial/retail and restaurant uses. FTC is primarily surrounded by horizontal mixed-use (commercial and high density residential) to the south and industrial uses to east.

1.3.2 PROJECT PROPONENT

Scott C. Levy
Street Lights Residential
4180 La Jolla Village Drive
Suite 125
San Diego, CA 92037
(619) 701-6920

1.3.3 EXISTING GENERAL PLAN AND ZONING

General Plan Land Use Designation: Commercial

Zoning Classification: General Commercial (G-C)

1.3.4 EXISTING SETTING

Project Site

The Project is located within FTC, which is an existing regional shopping center. The FTC includes Costco, AMC Fullerton 20, and a number of neighborhood commercial/retail and restaurant uses. The subject site is located northwest of the intersection of East Orangethorpe Avenue and South Lemon Street at 215, 217, 221, 223, 225, and 229 East Orangethorpe Avenue and 1101 and 1111 South Lemon Street. The Orange County Assessor's office designated the subject site as portions of Assessor Parcel Numbers (APNs) 073-060-64, 073-060-28, and 073-060-65.

The 4.47-acre Project site is currently developed with two single-story multi-tenant commercial buildings, associated asphalt concrete paved surface parking, and two restaurants abutting South Lemon Street. The commercial spaces are mostly vacant, and all existing uses on the Project site are slated for demolition to accommodate development of the proposed Project.

Based on a 1953 aerial photograph, the site was previously used for agriculture, and it included rows of trees and a single structure. Agricultural operations remained until 1963 on the northeastern portion of the site only.

Surrounding Land Uses

The FTC is primarily surrounded by horizontal mixed-use, including commercial and high density residential to the south and industrial uses to east. These uses are closest to the Project and reflect similarities in use, size, scale, and massing. The existing mixed-use parcels to the south, across from East Orangethorpe Avenue, include Orangefair Marketplace with Aspect, a multifamily community built in 2017 with similar density and scale. Orangefair Marketplace also includes several large retailers, including Best Buy, Michaels, Burlington Coat Factory, and Dollar Tree. See Exhibit 1-2, Aerial Photograph.

1.3.5 PROPOSED DEVELOPMENT

The Applicant, Street Lights Residential, is requesting approval for a General Plan Revision, Zone Amendment, and Major Site Plan Review including a development concession and parking ratio for the provision of affordable housing, Tentative Parcel Map, Minor Exception, and an Affordable Housing Agreement for the proposed Project that would involve construction of an in-fill mixed-use Project consisting of a 329-unit, 5-story residential building (380,000 sf) wrapping a 567-space 6-story parking structure (187,000 sf); up to 6,500 sf of retail on the ground floor; approximately 80,400 sf of open space including 3 outdoor courtyards, a pool, outdoor gathering spaces, and private patios and balconies on an approximately 4.47-acre site. The residential building will include studios, one-bedroom, and two-bedroom apartments. Five percent of the total units (i.e., 17 units) would be reserved for deed-restricted very-low-income households. The 187,000-sf parking garage will include a total of 567 parking spaces in addition to 50 surface parking spaces. The existing commercial/retail uses and associated surface parking lot within the Project site would be demolished to accommodate the proposed Project.

1.4 SUMMARY OF FINDINGS

Based on the environmental checklist form prepared for the Project and supporting environmental analysis (Section 4.0), the proposed Project would have no impact or less than significant impacts in all topics.

According to the State CEQA Guidelines, it is appropriate to prepare an IS/ND for the proposed Project because there are no impacts or the impacts are less than significant, and no mitigation measures are required.

It should be noted that a number of mitigation measures from The Fullerton Plan PEIR have been identified as applicable to the Project. These measures have been incorporated as standard conditions of approval (COAs) in the appropriate sections of this IS/ND.

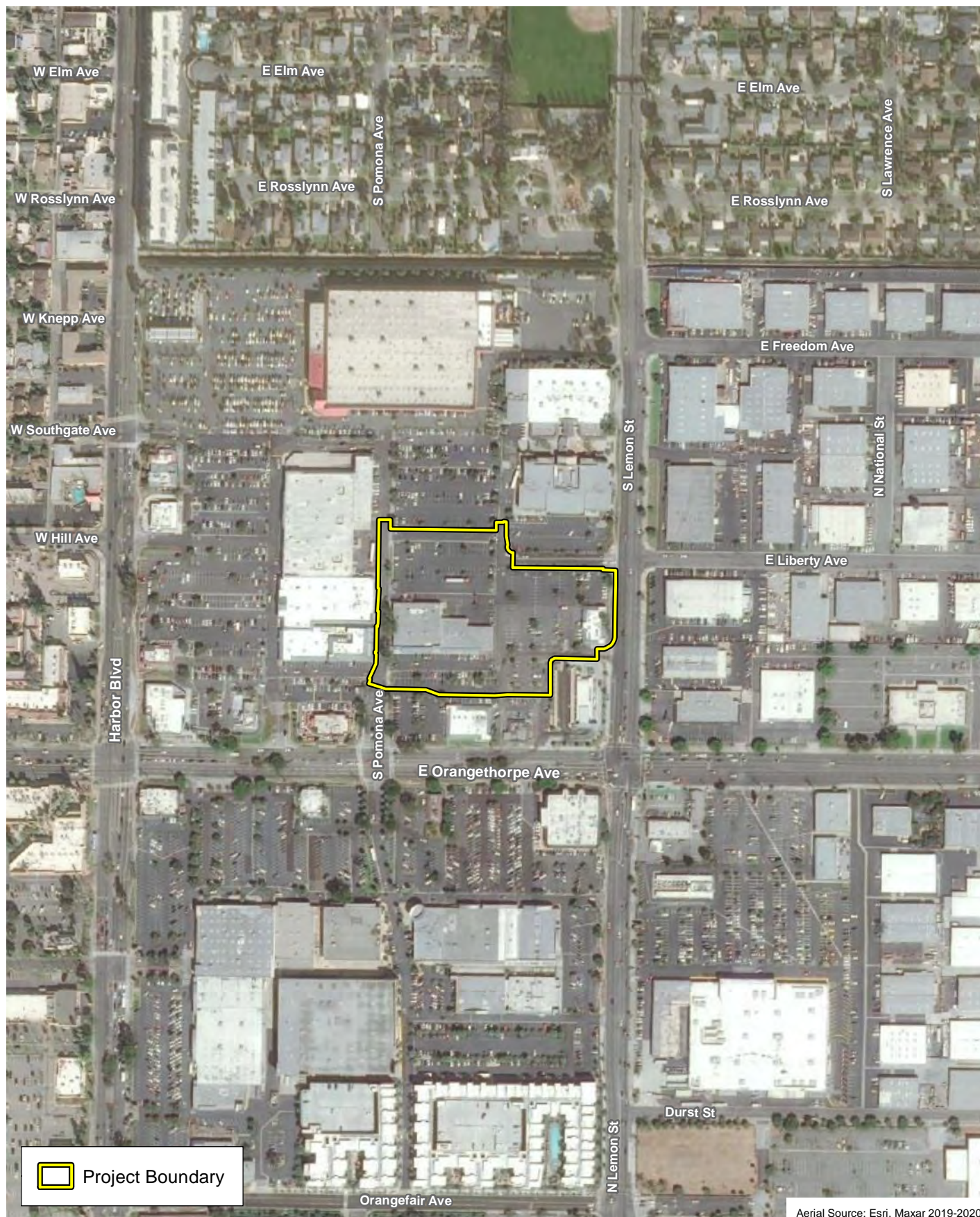
1.5 INTENDED USES OF THIS DOCUMENT

This IS/ND has been prepared to determine the appropriate level of environmental documentation required for the proposed project pursuant to CEQA. This document will also serve as a basis for soliciting comments and input from members of the public and public agencies regarding the proposed project.

The Draft IS/ND will be circulated for a minimum 20 days, during which comment concerning the analysis should be sent to:

City of Fullerton
Community & Economic Development Department
Attention: Heather Allen, AICP
Planning Manager
303 W. Commonwealth Avenue
Fullerton, CA 92832
Heather.Allen@cityoffullerton.com

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Aerial Source: Esri, Maxar 2019-2020

Aerial Photograph

Street Lights Fullerton Project



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Exhibit 1-2



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1.6 ORGANIZATION OF THE INITIAL STUDY

The IS/ND is organized into sections, as described below.

- **Section 1.0: Introduction.** This section provides an introduction, Project summary, and overview of the conclusions in the IS/ND.
- **Section 2.0: Project Location and Environmental Setting.** This section provides a brief description of the Project location, relevant background information, and a description of the existing conditions of the Project site and vicinity.
- **Section 3.0: Project Description.** This section provides a description of the proposed Project, a statement of purpose and need, and necessary discretionary approvals.
- **Section 4.0: Environmental Checklist.** The completed Environmental Checklist Form from the State CEQA Guidelines provides an overview of the potential impacts that may or may not result from Project implementation. The Environmental Checklist Form also includes “mandatory findings of significance”, as required by CEQA.
- **Section 5.0: List of Preparers.** This section identifies the list of preparers for the IS/ND.
- **Section 6.0: References.** This section identifies the references used to prepare the IS/ND.

2.0 PROJECT LOCATION AND ENVIRONMENTAL SETTING

2.1 PROJECT LOCATION

The approximate 4.47-acre Project site is in the City of Fullerton, in Orange County, California. The City of Fullerton encompasses approximately 22.3 square miles and is surrounded by the cities of Placentia to the east, Brea to the northeast and east, La Habra to the north and west, La Mirada (in Los Angeles County) to the northwest, Buena Park to the west, and Anaheim to the south.

The subject site is located northwest of the intersection of East Orangethorpe Avenue and South Lemon Street at 215, 217, 221, 223, 225, and 229 East Orangethorpe Avenue and 1101 and 1111 South Lemon Street, within an existing shopping center, Fullerton Town Center (FTC—Focus Area D-Harbor Gateway) in The Fullerton Plan.

As indicated above, the Project is located within FTC, which is an existing regional shopping center and includes Costco, AMC Fullerton 20, and a number of neighborhood retail and restaurant uses. FTC is primarily surrounded by horizontal mixed-use (commercial and high density residential) to the south and industrial uses to east (in the City of Anaheim).

2.2 EXISTING SITE AND AREA CHARACTERISTICS

2.2.1 SITE ACCESS

Vehicular access to the Project site is provided by East Orangethorpe Avenue to the south and South Lemon Street to the east. South Lemon Street is a four-lane undivided secondary arterial that extends north-south from State Route 91 (SR-91) to Berkeley Avenue and has a speed limit of 35 miles per hour (mph). Orangethorpe Avenue is an east-west major arterial spanning the entire length of the City. It is a six-lane roadway with a center left-turn lane east of Harbor Boulevard and has a speed limit of 35 mph to 45 mph. Regional access is provided by SR-91. Please refer to Exhibit 1-1, Regional Location and Local Vicinity in Section 1.0.

2.2.2 EXISTING DEVELOPMENT CONDITIONS

The irregular-shaped Project site is currently developed with two single-story multi-tenant commercial buildings, associated asphalt concrete paved surface parking, and two restaurants along South Lemon Street. A drive aisle extending from Liberty Avenue to the east and surface parking lots abut the Project site on the north. A drive aisle (formerly South Pomona Avenue) is along the western boundary of the site; South Lemon Street is to the east; and parking lots associated with a single-story retail building are to the south along East Orangethorpe Avenue.

The commercial/retail uses on the site are within two commercial buildings adjacent to each other. The larger structure that houses Laser Quest and an unoccupied space is square in shape and located along the former South Pomona Avenue. The smaller structure is rectangular in shape and houses five retail spaces, including S&P Nail Salon, Salon Centric, a dental office, and two vacant spaces. The said commercial/retail structures are slated for demolition. There are

rows of parking spaces along the frontage of the two buildings and across the drive isle. Additional surface parking spaces are to the north of the buildings.

To the east of these structures and across a vast surface parking lot and drive isles are two restaurants (i.e., Hot Wok and Pho 88 Restaurant) and a vacant space to the south of East Liberty Avenue and abutting South Lemon Street to the east. The Project is located within FTC, which is an existing regional shopping center. FTC includes Costco, AMC Fullerton 20, and a number of neighborhood retail and commercial uses.

The site is fully developed and contains few scattered ornamental trees and shrubs mostly within the surface parking lots. No areas with native vegetation or habitat are observed on the site. See Exhibit 1-2, Aerial Photograph.

2.2.3 EXISTING PHYSICAL CONDITIONS

Geology and Soils Condition

Based on a review of the United States Geological Survey (USGS) 7.5-Minute Anaheim Quadrangle (Leighton and Associates 2019a), the site is relatively flat at an elevation of +151 to +155 feet mean sea level (msl). The site is located in the Downey Plain within the southeastern margin of the Los Angeles Basin, which is a large structural depression within the Peninsular Ranges geomorphic province of California. Downey Plain is bordered by the Coyote and Peralta Hills on the north; Santa Ana Mountains and Tustin Plain to the east; Pacific Ocean to the south; and Los Angeles Coastal Plain to the west. The site lies near the lower reaches of the Santa Ana River and associated floodplain.

The site is underlain by earth materials consisting primarily of interbedded clay and silty sand to sandy silt, with thin interbeds of silty clay and clayey silt.

Hydrology and Drainage Condition

The Project site is within Watershed A of the San Gabriel-Coyote Creek watershed. The FTC property drains via a local underground storm drain to Fullerton Creek Channel that joins Coyote Creek near the Orange County and Los Angeles County border. Coyote Creek discharges to the San Gabriel River that ultimately discharges to the Pacific Ocean through Alamitos Bay.

The runoff path within the FTC passes through the Project site. The site is divided into east and west drainage areas by a ridge that runs north to south. The east and west drainage areas discharge to Outfall 1 and Outfall 2, respectively. Outfall 1 discharges to South Lemon Street and is located northeast of the site, and Outfall 2 discharges to the onsite storm drain system connected to the City storm drain in Harbor Boulevard.

2.2.4 SURROUNDING LAND USES AND DEVELOPMENT

The FTC is located within a highly urbanized portion of the City of Fullerton that includes a mix of commercial/retail and high-density residential land uses. FTC is bound by East Orangethorpe Avenue to the south; South Harbor Boulevard to the west; South Lemon Street to the east; and a concrete channel, Fullerton Creek, along the northern edge of the FTC adjacent to Costco.

In terms of land uses, FTC is primarily surrounded by horizontal mixed-use, including commercial and high-density residential to the south, and industrial uses to east (in the City of Anaheim). These uses are closest to the Project and reflect similarities in use, size, scale, and massing. The existing mixed-use parcels to the south, across from Orangethorpe Avenue, include Orangefair Marketplace with Aspect, a multifamily community built in 2017 with similar density and scale. Orangefair Marketplace also includes several large retailers, including Best Buy, Michaels, Burlington Coat Factory, and Dollar Tree. Single-family uses are to the north across the channel and to the west across South Harbor Boulevard and beyond the commercial/ uses abutting South Harbor Boulevard.

2.3 PLANNING CONTEXT

2.3.1 GENERAL PLAN DESIGNATION

The Project site currently has a General Plan land use designation of Commercial. The land use designation adjacent to the Project site includes Commercial on all sides and to the south across Orangethorpe Avenue. The vicinity also includes the General Plan designations High, Low-Medium, and Low-Density Residential land uses. The Project site is located in Focus Area D: Harbor Gateway of The Fullerton Plan.

2.3.2 ZONING DESIGNATION

The Project site is currently zoned General Commercial (G-C). Adjacent zoning designation include G-C R-4 Medium Density, Multiple Residential, R-3 Limited Density, Multiple Residential, R-2 Two-Family Residential, R-1 One-Family Residential, and Specific Plan District land uses.

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3.0 PROJECT DESCRIPTION

3.1 RESIDENTIAL LAND USE

The Project involves demolition and removal of the existing structures and associated improvements, including surface parking lots to accommodate the proposed development. The Project is an in-fill mixed-use multi-family residential and neighborhood commercial development, which includes 329 multi-family residential units in a 380,000-sf, 5-story structure. The proposed residential building would have a height of predominantly 65 feet with towers and other features up to approximately 85 feet. The residential building will include studio, one-bedroom, and two-bedroom apartments with five percent of the total units (i.e., 17 units) reserved for deed-restricted very-low-income households. Please refer to Exhibit 3-1, Site Plan and Exhibit 3-2a through Exhibit 3-2c, Elevations. Exhibit 3-3 depicts the Tentative Parcel Map. For a breakdown of units per level, please refer to Table 3-1, below.

**TABLE 3-1
RESIDENTIAL UNITS**

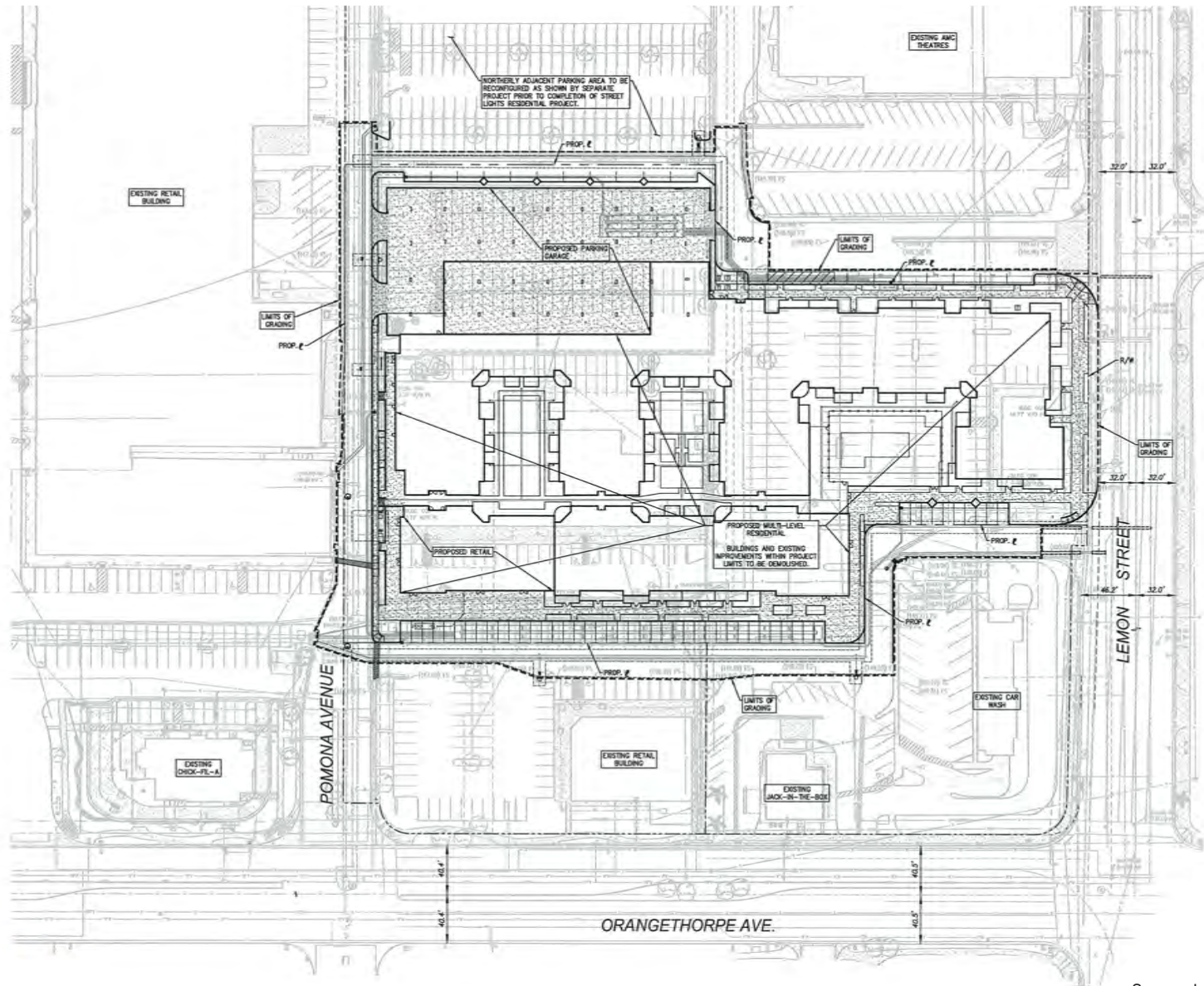
Levels	Studio Units	1-Bedroom Units	2-Bedroom Units	Total
Level 1	4	29	20	53
Level 2	5	31	27	63
Level 3	4	34	33	71
Level 4	4	34	33	71
Level 5	4	34	33	71
Total	21	162	146	329
Source: Street Lights Residential 2021				

The Project would include approximately 80,400 sq. ft. of open space provided in a mixture of common and private spaces including three amenitized Courtyards, a pool, fitness center, and other interior and exterior areas, the proposed courtyards are depicted on Exhibits 3-4a and 3-4b.

The Project is an infill development within a fairly flat and developed area. All service areas within the development would be screened from public view with proposed landscaping, including trees and shrubs. Additionally, all mechanical equipment placed on the roof and elsewhere within the Project site would be screened from view to the extent possible.

3.2 RETAIL USES

The Street Lights Fullerton mixed-use Project proposes a total of up to 6,500 sf of retail on the ground floor, at the southeastern corner of the residential structure. A total of six storefronts are included along the southern façade of the building facing East Orangethorpe Avenue. Details of the retail uses are depicted on Exhibit 3-5, Retail Uses.



Source: Joseph C. Truxaw and Associates, Inc. 2020

Site Plan

Street Lights Fullerton Project

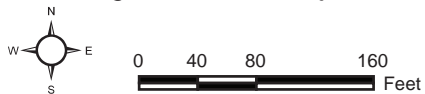


Exhibit 3-1





Source: StreetLights Residential, 2021

Site Elevations (South & South)

Exhibit 3-2a

Street Lights Fullerton Project

Map not to scale

PSOMAS

(05/26/2021 MMD) R:\Projects\FUL\3FUL020101\Graphics\MND\ex_Elev_S.pdf



② NORTH ELEVATION
3/32" = 1'-0"



① EAST ELEVATION
3/32" = 1'-0"

Source: StreetLights Residential, 2021

Elevations (North & East)

Street Lights Fullerton Project

Exhibit 3-2b

Map not to scale

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Source: StreetLights Residential, 2021

Elevations (West)

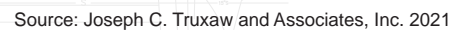
Exhibit 3-2c

Street Lights Fullerton Project

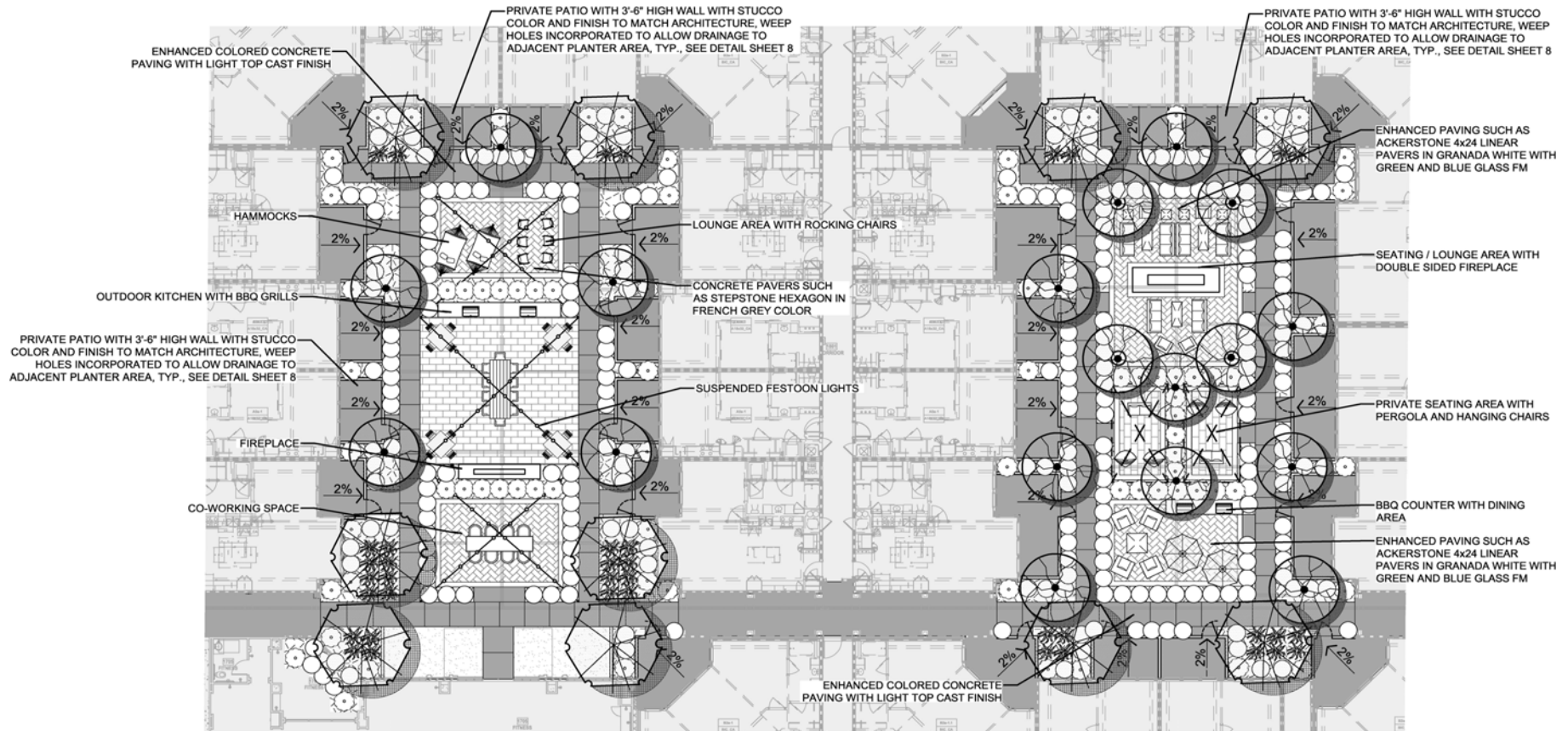
Map not to scale

PSOMAS

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Source: GMP Landscape Architecture, 2021

Courtyards

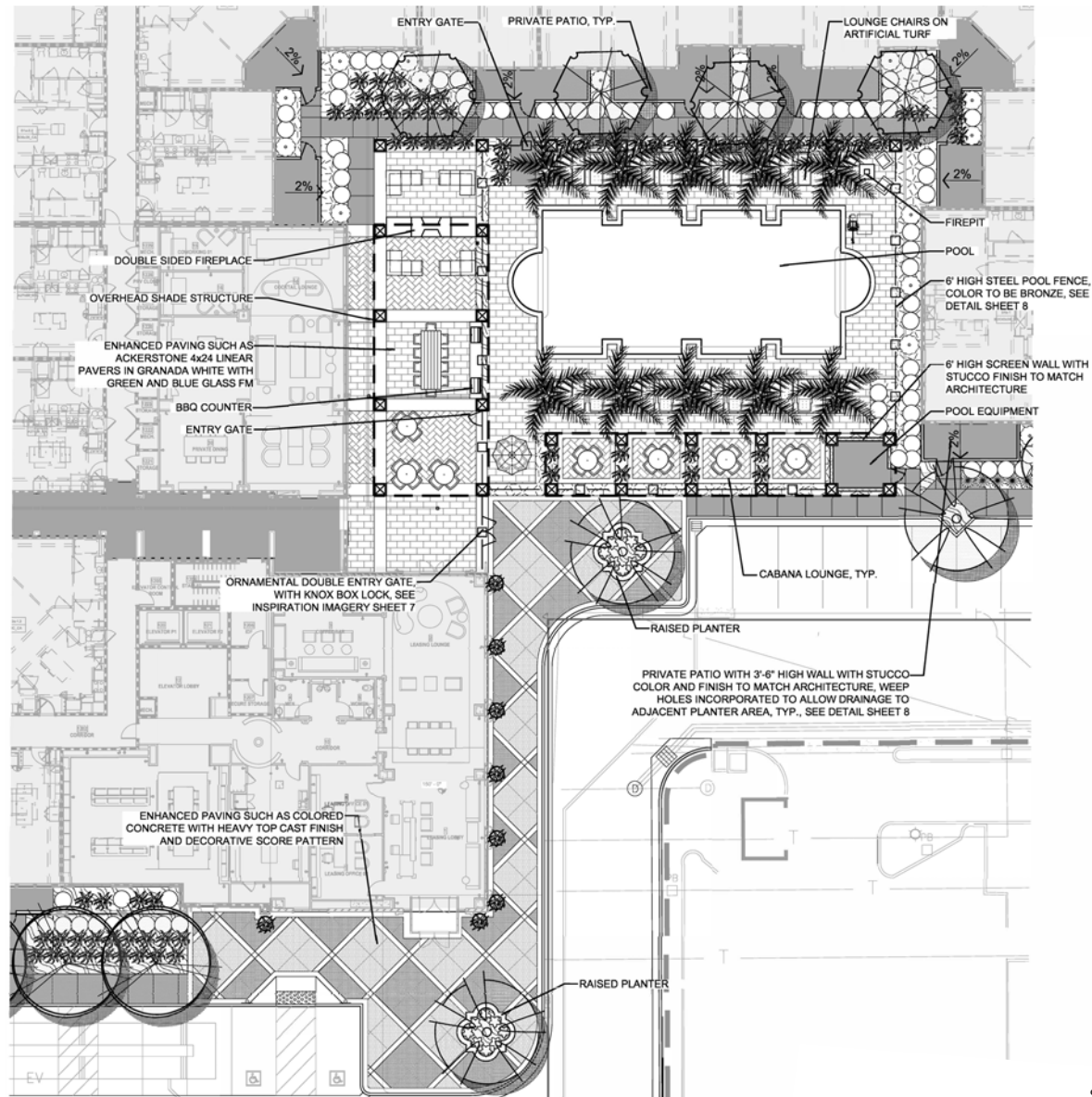
Street Lights Fullerton Project



0 20 40 80
Feet

Exhibit 3-4a

PSOMAS



Source: GMP Landscape Architecture, 2021

Courtyards

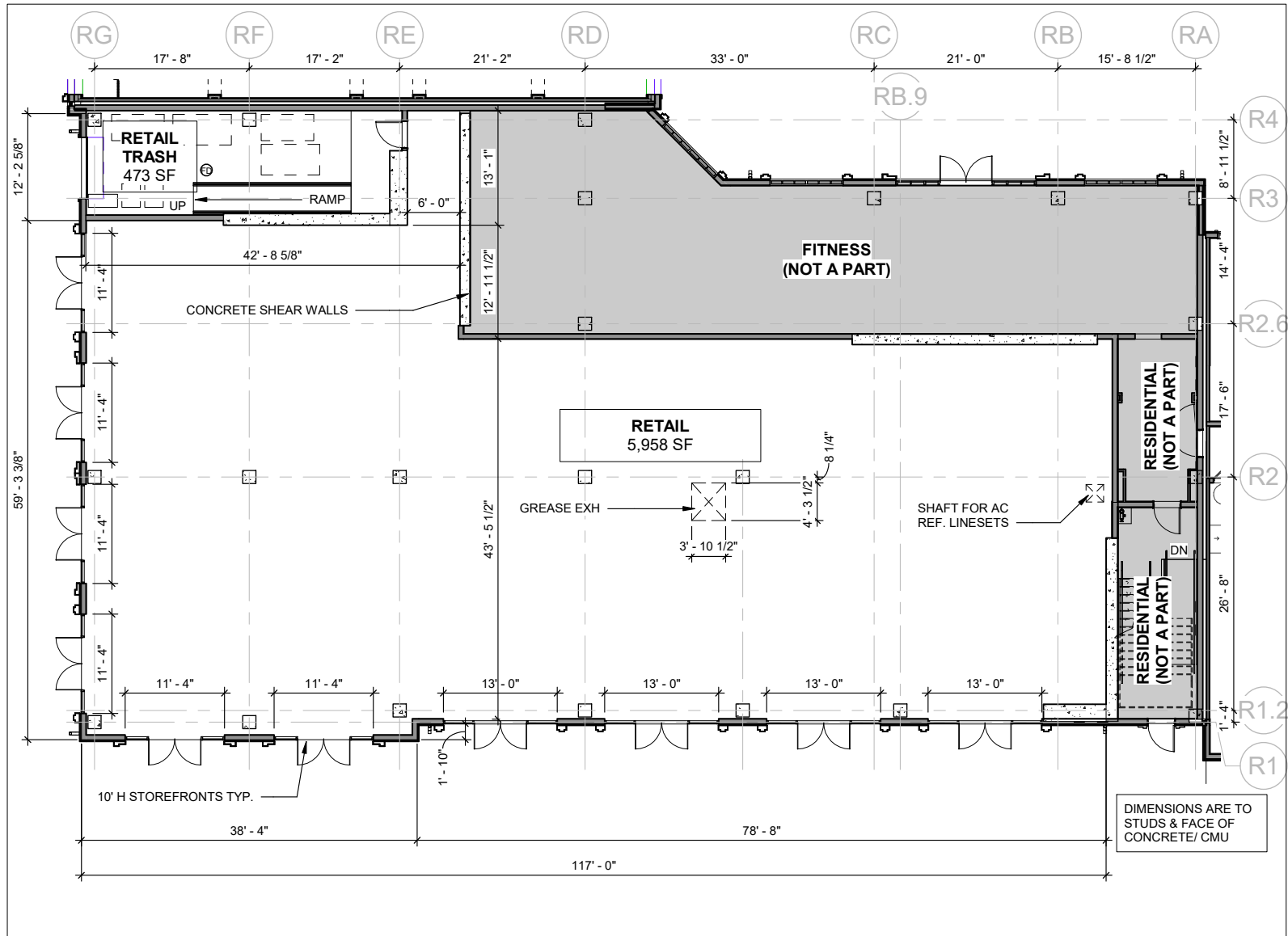
Street Lights Fullerton Project



0 20 40 80 Feet

Exhibit 3-4b

PSOMAS



Source: StreetLights Residential, 2021

Retail Uses

Street Lights Fullerton Project



Exhibit 3-5



3.3 PARKING STRUCTURE

The proposed parking garage is a 6-story, 187,000-sf structure located in the northern portion of the site abutting the existing surface parking lot within FTC. The garage would include a total of 567 parking spaces, which would be shared with the AMC Theaters. A total of 67 spaces or 11 percent of the spaces would be dedicated for AMC guests. Separate vehicular ingress/egress into and out of the parking garage for the proposed Project residents and the AMC guests would be provided along the western façade of the structure, and the eastern façade of the structure would only provide vehicular ingress/egress for the AMC Theaters in addition to a pedestrian entry/exit. Pedestrian and Americans with Disabilities Act (ADA) access would occur on the north side of the structure facing the existing surface parking lot. The parking structure would also provide a total of four car charging stations. Please refer to Exhibit 3-6, Parking Structure.

The ground level of the parking garage would be screened with bamboo hedge. Additionally, a vertical vine-clad trellis system would be mounted to the parking garage on the north and east façades to provide additional decorative screening. The north face of the parking garage along the perimeter would also include bollard lighting and pole-mounted lights for security.

The Project is eligible for the “Density Bonus” provisions of Fullerton Municipal Code 15.17.120.H.1 as amended by Government Code Section 65915 effective January 1, 2021, which establishes parking standards for projects that provide qualifying affordable dwelling units. Government Code 65915 establishes the parking rate for the Project because it reserves 5 percent of the units as deed-restricted for very-low-income households. Using the affordable housing requirements of 1 space per studio and 1-bedroom units, and 1.5 spaces per 2-bedroom units, the Project would be required to provide a total of 402 spaces for the 329 residential units. The Project provides 1 space per studio unit, 1.25 spaces per 1-bedroom units and 2 spaces per 2-bedroom units, for a total of 500 residential spaces. Additionally, the Project would provide 28 surface parking spaces for the proposed retail uses on the first floor as well as 17 spaces for visitors/leasing office.

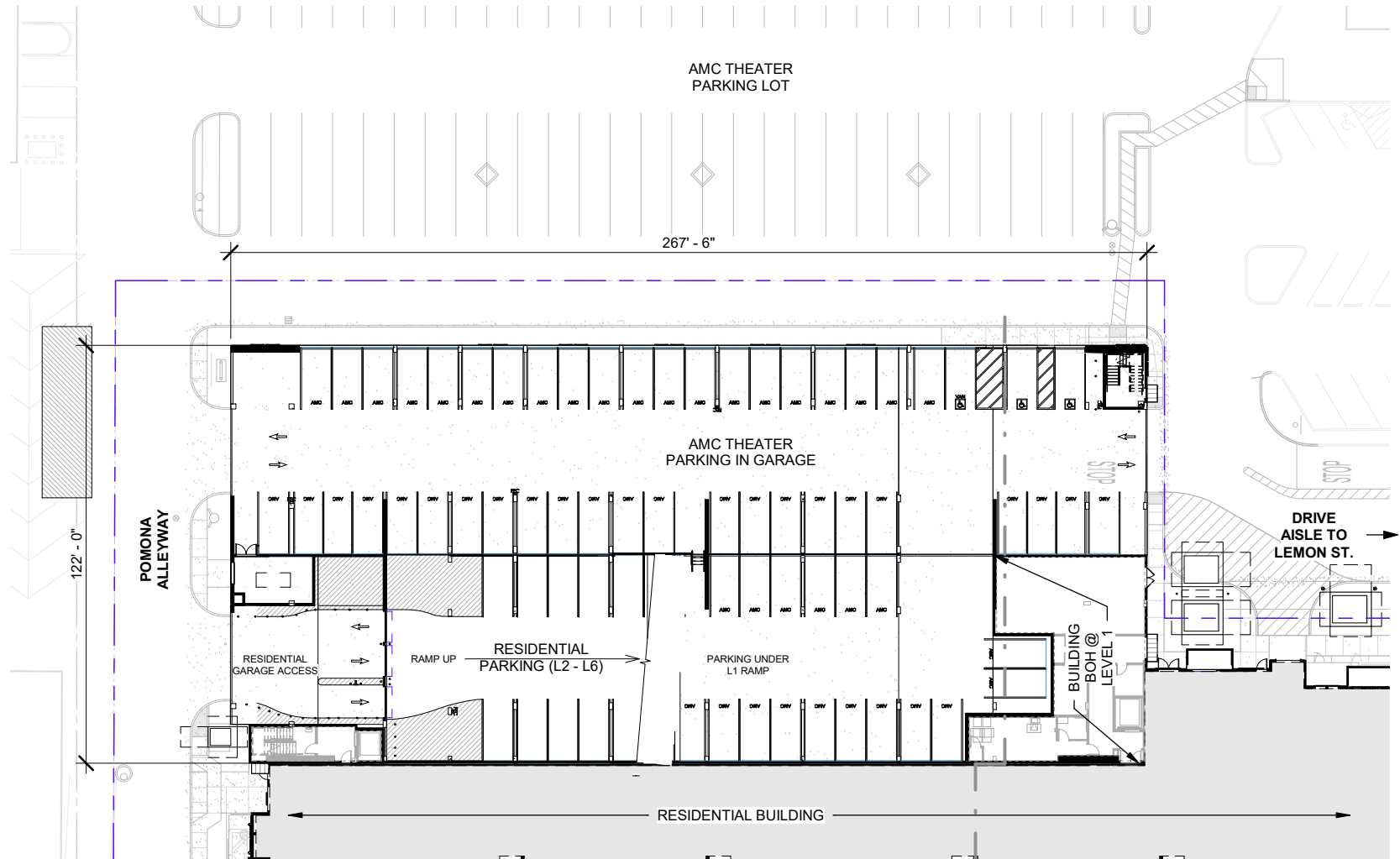
3.4 ACCESS/CIRCULATION

One primary vehicular ingress and egress points to and from the Project site is proposed on South Lemon Street, along the eastern boundary of the Project site. Access would also be provided from the internal drive aisle (formerly South Pomona Avenue) along the western boundary of the site, off East Orangethorpe Avenue. While all units would be accessible from either driveway, the parking structure entrance for residents is located off the western drive aisle.

The Project has been designed with a pedestrian walkway system around the building, which connects to the public sidewalk on South Lemon Street as well as to the larger FTC complex, including the AMC Theater to the north and the retail uses to the west.

3.5 ARCHITECTURAL DESIGN

In designing the proposed development, consideration has been given to scale, massing, and architecture of the Project to ensure that it complements the existing buildings within the FTC and surrounding development. The City of Fullerton is characterized by a number of buildings of Spanish Colonial architecture. Typical of this architecture are asymmetrical façades, low pitched



GARAGE DATA:

LEVELS: 6
 TOTAL AREA: 186,499 SF
 CONSTRUCTION: TYPE IA, NATURALLY VENTILATED
 TOTAL PARKING: 498 RESIDENTIAL + 67 AMC

Source: StreetLights Residential, 2021

Parking Structure

Street Lights Fullerton Project



Exhibit 3-6



roofs, and ornate details, especially around windows, entrances, and cornices. Additionally, important architectural design features of these buildings are the reserved, rational organization of the facades covered in a smooth, taught stucco skin. These simple forms are broken up by subtle features like octagonal towers with low pitched roofs. The proposed architecture will result in a high-quality development in a compatible environment. Please refer to proposed building renderings depicted on Exhibit 3-7a and 3-7b, Project Renderings.

3.6 CONCEPTUAL LANDSCAPE PLAN

The proposed conceptual landscape plan would consist of a hierarchy of plant materials including trees, shrubs, hedge, grasses, and groundcover throughout the Project site, and in open space areas. A layered landscape concept (various tree sizes) along the northern, eastern, southern, and western perimeters of the residential structures would provide decorative screening and a buffer between the proposed uses and existing surface parking lots and commercial uses. Ground-mounted utilities would be screened with decorative metal screens or shrubs.

A variety of landscaping of different sizes and colors are proposed throughout the development, including: palm trees, parking lot trees, vertical accent trees, small accent trees, medium and large site trees, vertical shrubs, medium shrubs, small and medium accent shrubs, accent grasses, bamboo screen hedge, groundcover (perimeter area), and groundcover (courtyards). A total of 115 trees are proposed to be planted. The landscape design and irrigation would take into account water efficiency measures.

Exhibit 3-8, Open Space, depicts the open space plan, and Exhibits 3-9a and 3-9b, Conceptual Landscape Plan, depict the conceptual landscape plan and plant palette.

3.7 CONSTRUCTION ACTIVITIES

Construction activities are anticipated to begin in late 2021 through 2023, for a total of 25 months. Construction activity would occur for 8 hours per day, and 6 days per week, in accordance with the City's permitted hours of construction. Construction stages such as demolition, site preparation and grading, utility installation, building construction, and paving may occur concurrently. The occupancy phasing plan breaks down the development as follows:

- Phase 1 – parking structure; 82 units; leasing center, residence club, and Courtyard 3 (pool courtyard)
- Phase 2 – 80 units
- Phase 3 – 82 units and Courtyard 1
- Phase 4 – 85 units and Courtyard 2

Construction of the proposed Project would require common equipment as summarized in Table 3-2, Estimated Daily Construction Equipment, below. No blasting or pile driving would be required. Construction equipment is expected to operate at the site during construction, which would occur during daytime hours as permitted by the City of Fullerton Municipal Code (between 7:00 a.m. and 8:00 p.m. on any day except Sunday or a City-recognized holiday).



Source: StreetLights Residential, 2021

Project Renderings

Street Lights Fullerton Project

Exhibit 3-7a

PSOMAS



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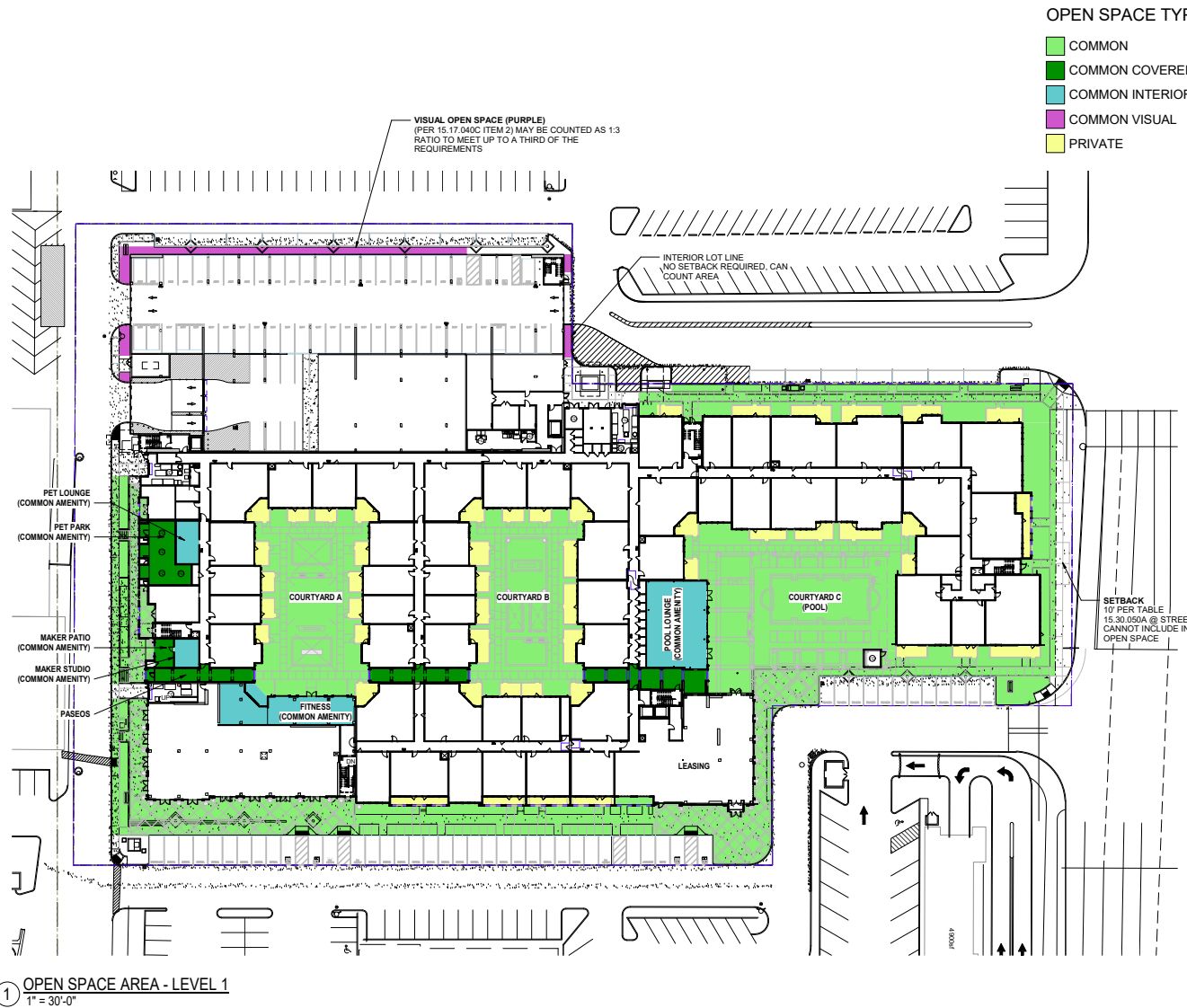
Source: StreetLights Residential, 2021

Project Renderings

Street Lights Fullerton Project

Exhibit 3-7b

PSOMAS



Source: StreetLights Residential, 2021

Open Space

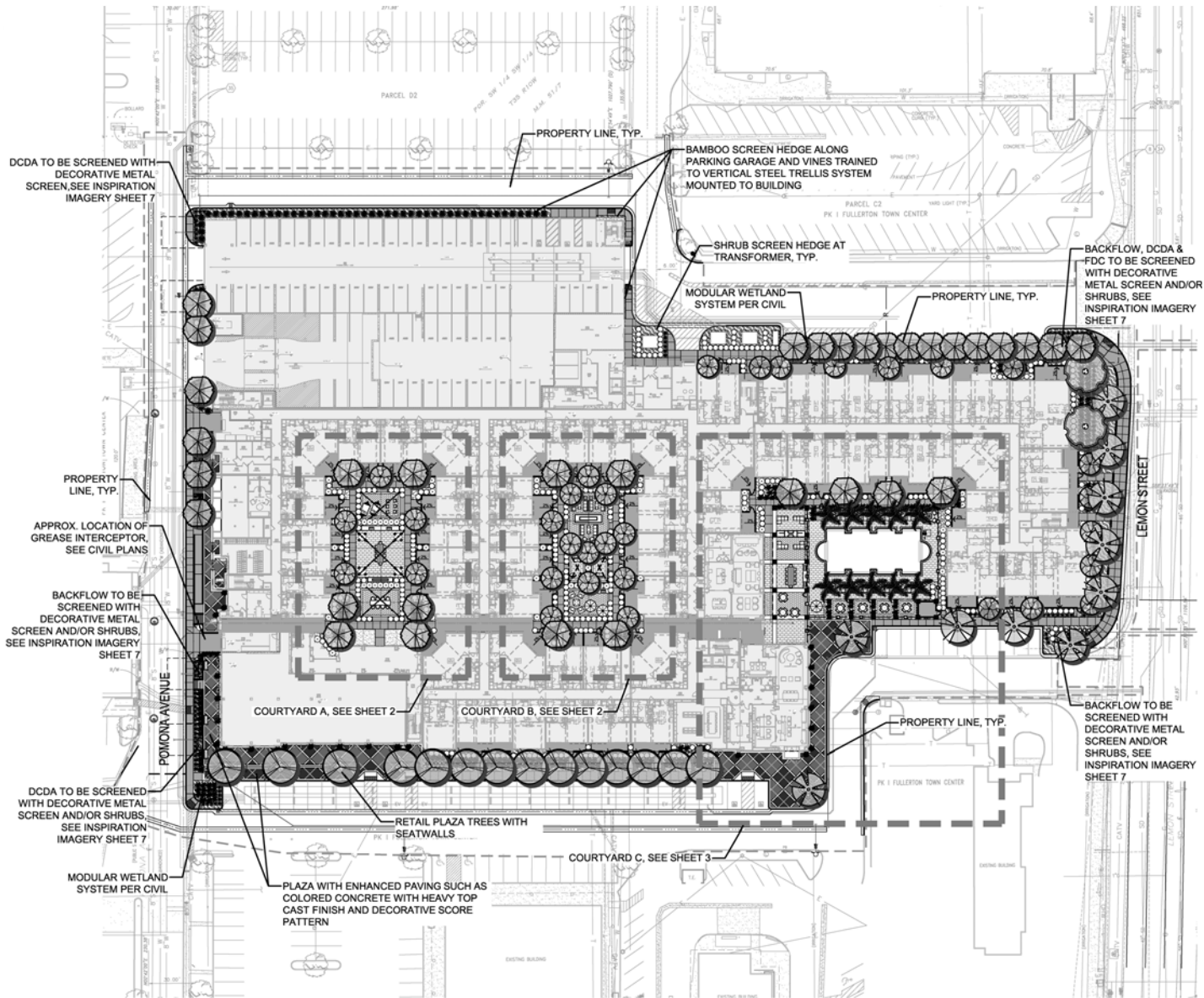
Street Lights Fullerton Project



Map not to scale

Exhibit 3-8





Source: GMP Landscape Architecture, 2021

Conceptual Landscape Plan

Street Lights Fullerton Project

















0 30 60 120 Feet

Exhibit 3-9a



CONCEPT PLANT SCHEDULE

	POOL AREA PALM ARCHONTOPHOENIX CUNNINGHAMIANA / KING PALM ROYSTONIA REGIA / ROYAL PALM	13	16" BTH 16" BTH		MEDIUM ACCENT SHRUB AGAVE ATTENUATA / FOXTAIL AGAVE AGAVE VILMORINIANA / OCTOPUS AGAVE ASPARAGUS D. 'MYERS' / FOXTAIL ASPARAGUS FERN BOUGAINVILLEA 'LA JOLLA' / BOUGAINVILLEA BOUGAINVILLEA 'OO-LA-LA' / OO-LA-LA BOUG. BOUGAINVILLEA 'RASPBERRY ICE' / RASPBERRY ICE BOUG. CALLISTEMON 'LITTLE JOHN' / BOTTLEBRUSH CISTUS X PURPUREUS / ORCHID ROCKROSE CLIVIA MINIATA / CLIVIA EQUISETUM HYEMALE / HORSETAIL REED KNIPHOFIA UVARIA / TORCHLILY MACROZAMIA COMMUNIS / BURRAWONG PHILODENDRON 'XANADU' / XANADU PHILODENDRON PHORMIUM TENAX / NEW ZEALAND FLAX RUSSELLIA EQUISETIFORMIS / FIRECRACKER PLANT	476	5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL
	PARKING LOT TREE CASSIA LEPTOPHYLLA / GOLD MEDALLION TREE PROSOPIS CHILENSIS / CHILEAN MESQUITE	16	24" BOX 24" BOX				
	VERTICAL ACCENT TREE DRACAENA MARGINATA / RED EDGED DRACAENA LOPHOSTEMON CONFERTUS / BRISBANE BOX MELALEUCA QUINQUENERVIA / CAJEPUT TREE SCHEFFLERA PUECKLERI / TUPIDANTHUS	42	24" BOX 24" BOX 24" BOX 24" BOX				
	SMALL ACCENT TREE ALOE BAINESII / ALOE CERCIS CANADENSIS / EASTERN REDBUD CERCIS OCCIDENTALIS / WESTERN REDBUD DICKSONIA ANTARCTICA / TASMANIAN TREE FERN FEUJOA SELLOWIANA / PINEAPPLE GUAVA HAKEA LAURINA / SEA URCHIN TREE LAGERSTROEMIA INDICA / CRAPE MYRTLE	26	24" BOX 24" BOX 24" BOX 24" BOX 24" BOX 24" BOX 36" BOX		ACCENT GRASSES CAREX PRAEGRACILIS / CALIFORNIA FIELD SEDGE CAREX TUMULICOLA / BERKELEY SEDGE DIANELLA C. 'CASSA BLUE' / CASSA BLUE FLAX LILY DIANELLA R. 'LITTLE REV' / LITTLE REV FLAX LILY DIANELLA R. 'VARIEGATED' / VARIEGATED FLAX LILY LEYMUS C. 'CANYON PRINCE' / CANYON PRINCE BLUE RYE MUHLENBERGIA CAPILLARIS / PINK MUHLY GRASS MUHLENBERGIA DUMOSA / BAMBOO MUHLY MUHLENBERGIA RIGENS / DEER GRASS	423	1 GAL 1 GAL 5 GAL 1 GAL 5 GAL 5 GAL 1 GAL 1 GAL 1 GAL
	MEDIUM SITE TREE ARBUTUS X 'MARINA' / ARBUTUS STANDARD CASSIA LEPTOPHYLLA / GOLD MEDALLION TREE CERCIDILUM 'DESERT MUSEUM' / THORNLESS PALO VERDE ERIOBOTRYA DEFLEXA / BRONZE LOQUAT MULTI-TRUNK OLEA EUROPAEA 'SWAN HILL' / SWAN HILL OLIVE PARKINSONIA ACULEATA / MEXICAN PALO VERDE	17	24" BOX 24" BOX 36" BOX 36" BOX 48" BOX 36" BOX		SMALL ACCENT SHRUB AEONIUM A. 'VARIEGATUM' / VARIEGATED AEONIUM ALOE STRIATA / CORAL ALOE ANIGOZANTHOS 'BUSH SUNSET' / RED KANGAROO PAW CALANDRINIA SPECTABILIS / PINK CALANDRINIA GAURA LINDHEIMERI / WHITE GAURA LANTANA CAMARA / LANTANA SANSEVIERIA TRIFASCIATA / MOTHER-IN-LAW'S TONGUE SANTOLINA CHAMAECYPARISSUS / LAVENDER COTTON	98	1 GAL 1 GAL 5 GAL 1 GAL 5 GAL 1 GAL 5 GAL
	LARGE SITE TREE KOELREUTERIA BIPINNATA / CHINESE FLAME TREE MAGNOLIA GRANDIFLORA / SOUTHERN MAGNOLIA RHUS LANCEA / AFRICAN SUMAC SPATHODEA CAMPANULATA / AFRICAN TULIP TREE	1	36" BOX 36" BOX 36" BOX 36" BOX		BAMBOO SCREEN HEDGE BAMBUSA OLDHAMII / GIANT TIMBER BAMBOO	84	36" BOX
	VERTICAL SHRUB PITTOSPORUM T. 'MARJORIE CHANNON' / TAWHIWHI PITTOSPORUM T. 'SILVER SHEEN' / SILVER SHEEN TAWHIWHI PODOCARPUS M. 'MAKI' / SHRUBBY YEW PINE	79	15 GAL 15 GAL 15 GAL		GROUNDCOVER - PERIMETER AREA BACCHARIS P.S. 'PIGEON POINT' / COYOTE BRUSH CARISSA M. 'GREEN CARPET' / GREEN CARPET NATAL PLUM MYOPORUM PARVIFOLIUM 'PINK' / TRAILING MYOPORUM ROSA 'WHITE FLOWER CARPET' / WHITE FLOWER CARPET ROSE SENECIO M. 'BLUE CHALK STICKS' / BLUE CHALK STICKS	12,852 SF	FLAT 1 GAL FLAT 5 GAL 1 GAL
	MEDIUM SHRUB COPROSMA 'TEQUILA SUNRISE' / TEQUILA SUNRISE LIGUSTRUM JAPONICUM 'TEXANUM' / WAX LEAF PRIVET MYRTUS COMMUNIS 'COMPACTA' / DWARF MYRTLE PITTOSPORUM TOBIRA / MOCK ORANGE RHAPHIOLEPIS INDICA / INDIAN HAWTHORN SALVIA LEUCANTHA / MEXICAN BUSH SAGE	491	5 GAL 5 GAL 5 GAL 5 GAL 5 GAL 5 GAL		GROUNDCOVER - COURTYARDS CARISSA M. 'GREEN CARPET' / GREEN CARPET NATAL PLUM MYOPORUM PARVIFOLIUM 'PINK' / TRAILING MYOPORUM ROSA 'WHITE FLOWER CARPET' / WHITE FLOWER CARPET ROSE TRACHELOSPERMUM JASMINOIDES / STAR JASMINE	9,354 SF	1 GAL FLAT 5 GAL 1 GAL

Source: GMP Landscape Architecture, 2021

Plant Palette

Street Lights Fullerton Project

Exhibit 3-9b

PSOMAS

TABLE 3-2
ESTIMATED DAILY CONSTRUCTION EQUIPMENT

Construction Subphase	Equipment Type
Demolition	2 Backhoes
	2 Excavators
	2 Jackhammers
	2 Gas Powered Saws
	Generator
Grading and Excavation	2 Backhoes
	2 Excavators
	1 Bulldozer
	1 Compactor
Building Construction	2 Pettibone
	2-3/Day Delivery Trucks
	1 Backhoe
	1 Compactor
	1 Concrete Pump Truck
	Gas Powered Small Tools and Pumps
Paving	1 Excavator
	1 Bulldozer
	1 Compactor
	1 Asphalt Paving Machine
	1 Cold Planer
Architectural Coating	1 Trailer Pump
	Gas Powered Small Tools
Source: Street Lights Residential 2021	

3.7.1 DEMOLITION

Implementation of the Project would include demolition of the existing buildings, surface parking spaces, and associated improvements for a total of 29,428 sf. Demolition activities would include onsite crushing of concrete and pavement, which would result in 250 truckloads exported from the Project site. Demolition activities would occur over a three-month period.

A portion of the construction and demolition (C&D) debris (65 percent) would be recycled, reused, and/or salvaged in compliance with the California Green Building Standards Code (CALGreen Code) and *City of Fullerton Construction and Demolition Project Waste Management*. Materials that cannot be recycled, reused, or salvaged would be transported to one of the Orange County Waste & Recycling local landfills (i.e., Frank R. Bowerman, Prima Deshecha, or Olinda Alpha). Any hazardous materials (e.g., asbestos-containing materials and lead-based paint) encountered during demolition would be handled and disposed of in accordance with South Coast Air Quality Management District (SCAQMD) rules and other pertinent regulations.

3.7.2 GRADING/EXCAVATION

The proposed grading of the site would retain the relatively flat topography. Grading activities are anticipated to occur over a five-month period. Grading activities would include an estimated 12,000 cubic yards of cut and 62,000 cubic yards of fill and require 50,000 cubic yards of import. Grading and excavation activities would result in 500 truckloads of export. The fill materials would be imported from an authorized off-site location. Grading is depicted on Exhibit 3-10, Conceptual Grading Plan.

3.7.3 BUILDING CONSTRUCTION

Building construction activities would result in 1,500 truckloads and would utilize standard construction equipment, as shown in Table 3-2, above. Construction activities and construction staging would mainly occur within the Project site boundaries over an 18-month period. Implementation of traffic control measures during construction activities would minimize obstruction of vehicular traffic on public roadways in the vicinity of the Project site.

During construction, fire/emergency access to the site would be maintained in compliance with California Fire Code Chapter 33, Fire Safety during Construction and Demolition, as well as Fullerton Fire Code.

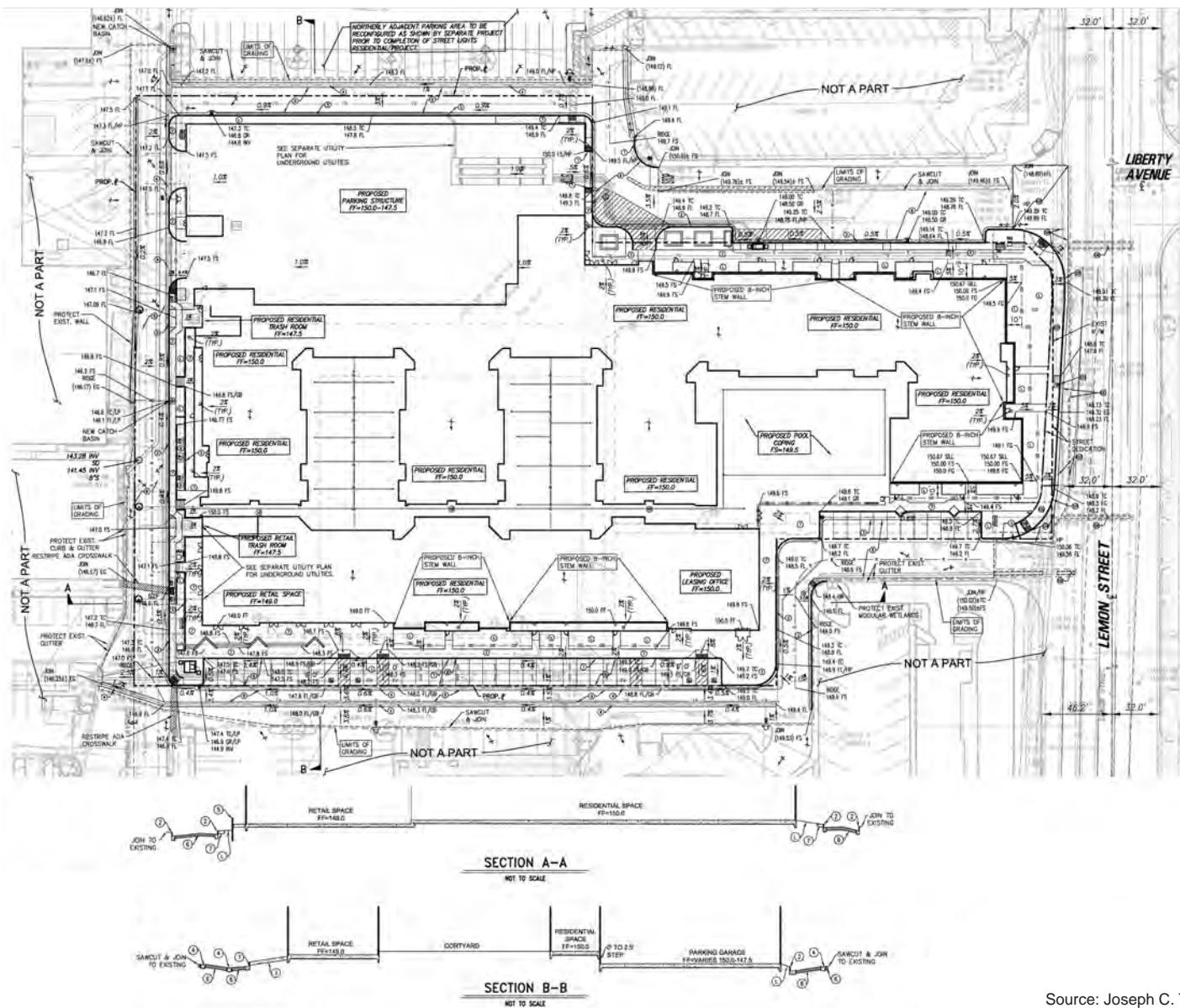
3.7.4 PAVING AND ARCHITECTURAL COATING

Asphalt and concrete paving is assumed to begin in December 2022 and end in April 2023. The area to be paved would include roadways, drive aisles, surface parking areas, sidewalk, and stairs and ramps. Paving would result in 100 truckloads. Architectural coating would generate a total of 100 truckloads.

3.7.5 OFF-SITE IMPROVEMENTS

Implementation of the proposed Project would include improvements on South Lemon Street at the entry to the Project site. Lemon Street is a five-lane roadway (two through lanes per direction and a two-way left turn lane) in the study area. There are no bike lanes in the Project vicinity, and on-street parking is prohibited. North of East Orangethorpe Avenue, the roadway is classified as a primary arterial highway, and south of East Orangethorpe Avenue, it is classified as a major arterial highway. The posted speed limit is 40 mph in the study area.

A traffic signal would be installed at the intersection of South Lemon Street and Liberty Avenue, providing signalized access for the Project and the Fullerton Town Center (FTC). Along with the signal, exclusive single southbound right-turn lanes would be added at the South Lemon Street/Liberty Avenue and South Lemon Street/Project Driveway intersections. Northbound and southbound left-turn lanes would still be provided at the South Lemon Street/Liberty Avenue intersection but left-turns at the Project Driveway on South Lemon Street as well as through movements across South Lemon Street would be prohibited. Please refer to Exhibit 3-11, Off-Site Improvements - South Lemon Street.



Source: Joseph C. Truxaw and Associates, Inc. 2021

Conceptual Grading Plan

Street Lights Fullerton Project

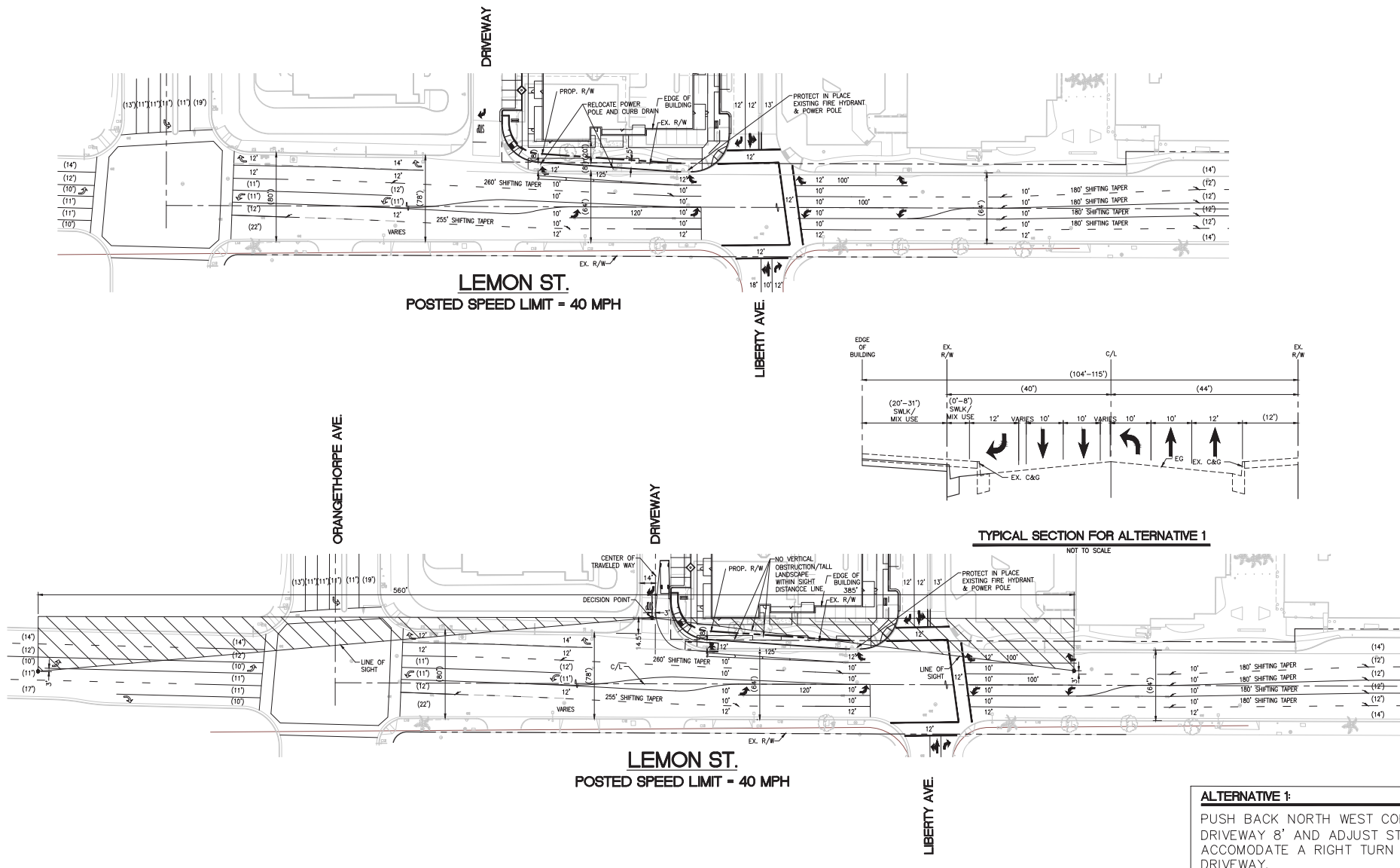


0 30 60 120 Feet

Exhibit 3-10



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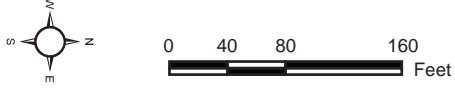
ALTERNATIVE 1:
PUSH BACK NORTH WEST CORNER OF DRIVEWAY 8' AND ADJUST STRIPING TO ACCOMMODATE A RIGHT TURN LANE INTO DRIVEWAY.

Source: Psomas, 2021

Off-Site Improvements – South Lemon Street

Exhibit 3-11

Street Lights Fullerton Project



3.8 DISCRETIONARY APPROVALS

This IS/ND is intended to serve as the primary CEQA environmental document for all actions associated with the proposed Project, including all other approvals beyond the City's authority needed to implement the Project. The following discretionary approvals are required for Project approval.

3.8.1 GENERAL PLAN LAND USE AMENDMENT

The Project site has an existing General Plan Land Use designation of Commercial. The Project includes a General Plan Revision to change the site's designation to Urban Center Mixed Use .

3.8.2 ZONE CHANGE AND SPECIFIC PLAN ADOPTION

The Project site is currently zoned as General Commercial (G-C). The Project includes a Zoning Amendment to change the zoning classification to C-3.

3.8.3 MAJOR SITE PLAN

The Project includes a Major Site Plan. This would allow a review of site design, architecture, landscaping, and circulation and includes a development concession and parking ratios for the provision of affordable housing as provided under State Density Bonus law and associated Affordable Housing Agreement.

3.8.4 MINOR EXCEPTION

The Project includes a Minor Exception for a 5 percent reduction in certain parking stall dimensions.

3.8.5 TENTATIVE PARCEL MAP

The Project includes a subdivision map to create one parcel under common ownership.

3.8.6 NEGATIVE DECLARATION

In compliance with CEQA, the State CEQA Guidelines, the City of Fullerton would adopt the ND, prior to approval of the Project. The ND serves as a finding that the Project would not have a significant effect on the environment.

3.9 MINISTERIAL APPROVALS

In addition, the following ministerial permits would be sought from the City of Fullerton:

- Demolition Permit for existing buildings and site improvements
- Grading Permit
- Building Permits

- Occupancy Permits
- Encroachment Permit for driveway, sidewalk, and utility connections on adjacent streets

The Project would require coverage under the National Pollutant Discharge Elimination System (NPDES) Construction General Permit from the State Water Resources Control Board (SWRCB). The Project would also require a demolition permit from the SCAQMD.

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4.0 ENVIRONMENTAL CHECKLIST

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency.)

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 be 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.

Heather Allen
Signature

9/7/2021
Date

Heather Allen, Planning Manager
Printed Name

City of Fullerton
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analysis,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

4.1 AESTHETICS

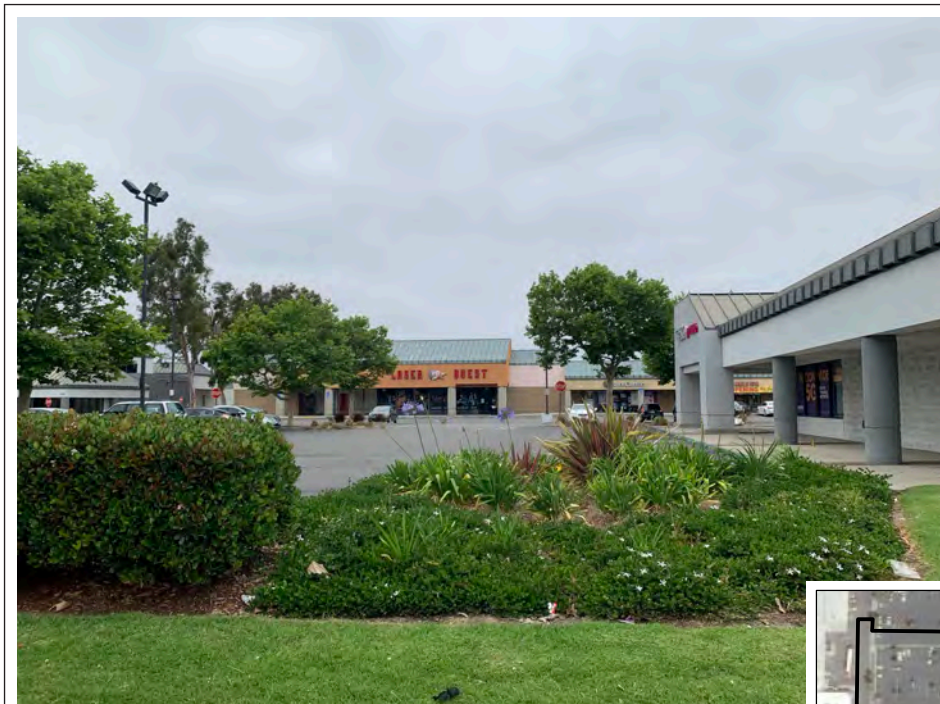
Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Existing Setting

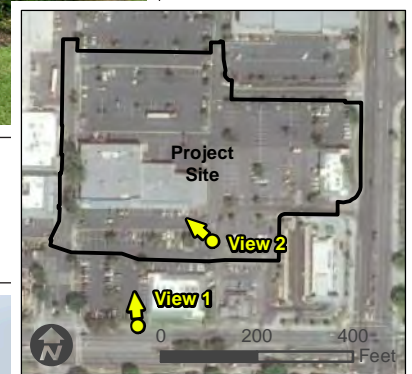
Existing Views and Visual Character

The Project site is currently developed with two single-story, multi-tenant commercial buildings, associated asphalt-paved surface parking lots, and two restaurants. Vehicular access to the Project site is provided by East Orangethorpe Avenue to the south and South Lemon Street to the east. Exhibits 4-1a through 4-1c, Site Photographs, include photographs that depict the existing visual character of the Project site. More specifically, Views 1 through 6 on Exhibit 4-1a through Exhibit 4-1c are views of the on-site buildings and site improvements.

- **View 1**, looking north from East Orangethorpe Avenue, located approximately 170 feet south of the Project's southern boundary, shows a distant view of the Project site and existing on-site commercial uses. Views of the Project site from East Orangethorpe Avenue are partially blocked by an existing off-site intervening structure, including a commercial building to the right of the photo, and existing vegetation near the site. Existing chain-link fence surrounding the onsite buildings are visible.
- **View 2**, looking northwest from the Project's southern boundary, shows the existing on-site commercial buildings at the Project site. This view includes buildings associated with the following addresses: 215, 217, 221, 223, 225, and 229 East Orangethorpe Avenue. These buildings are one-story and are painted in orange, yellow, and green. There are planters and parking lot ornamental trees visible from this location in addition to surface parking from the commercial uses.
- **View 3**, looking west from South Lemon Street, shows the Project site to the right of the photo (existing on-site building), the surrounding off-site land uses to the left of the photo (an existing carwash facility), and distant views of on-site commercial buildings. An unnamed road provides vehicular access to the Project site, as shown in the foreground.



View 1



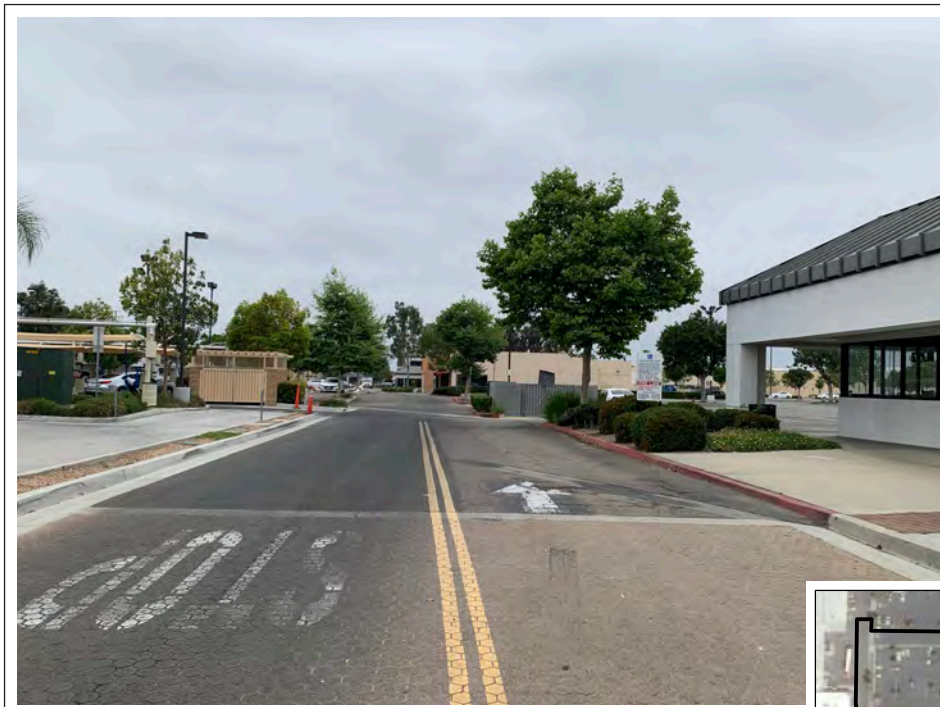
View 2

Site Photographs

Street Lights Fullerton Project

Exhibit 4-1a





View 3



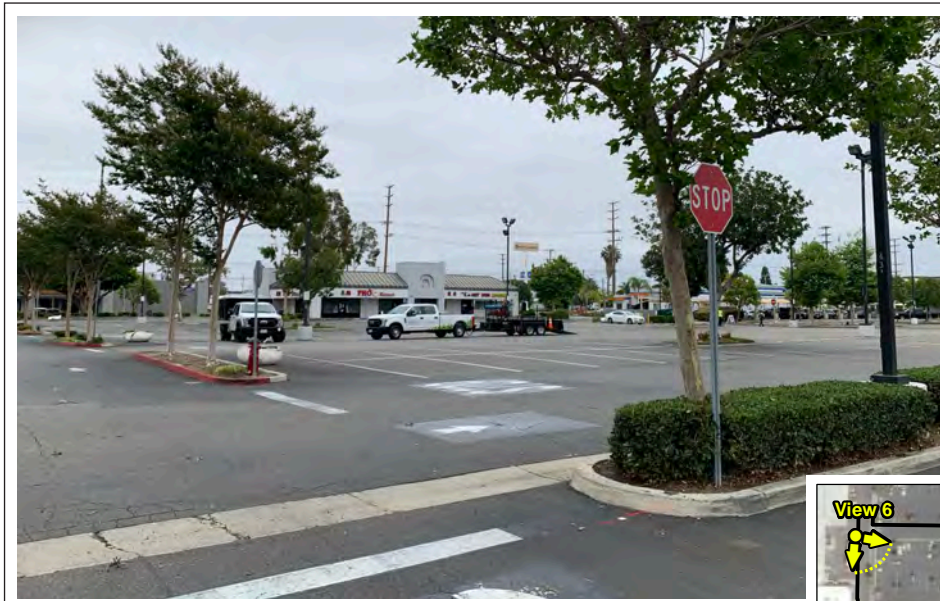
View 4

Site Photographs

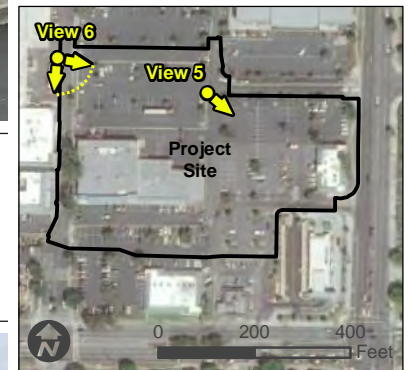
Street Lights Fullerton Project

Exhibit 4-1b





View 5



View 6

Site Photographs

Street Lights Fullerton Project

Exhibit 4-1c



Dispersed vegetation and parking lot ornamental trees are visible from this location. Parking spaces are in the background.

- **View 4**, looking west on South Lemon Street towards the Project site, depicts an existing planter in the foreground with scattered vegetation. The existing on-site restaurants (1101 and 1111 South Lemon Street) are partially visible to the left of the photo. Distant views of the existing on-site commercial buildings are in the background. Existing light poles, surface parking, and parking lot ornamental trees are visible throughout this view.
- **View 5**, looking southeast, from the Project's northern boundary, shows views of the existing surface parking, light poles, planters, and parking lot ornamental trees in the foreground. Distant views of the existing on-site restaurants are in the background. Partial views of East Liberty Avenue, leading into the Project site, are visible. An off-site carwash facility is visible in the distant background.
- **View 6**, looking east and southeast from the western boundary of the Project site, shows the back of the commercial buildings in the background. South Pomona Avenue and off-site commercial buildings are visible on the right portion of the photo. Existing light poles, surface parking, and mature trees are visible throughout this view.

Impact Analysis

Would the Project:

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

Less than Significant Impact. According to The Fullerton Plan and associated Program Environmental Impact Report (PEIR), scenic resources and vistas in the City include views of the West and East Coyote Hills from the southern portion of the City and distant views of the City and surrounding region from within these areas (City of Fullerton 2012b). The Project site is located at the southern boundary of the City and approximately 2.3 miles southwest of the East Coyote Hills and 3.6 miles southeast of West Coyote Hills. However, views of these scenic vistas and hillside from the Project site are obstructed by intervening development and landscaping, and direct views are not present. Therefore, implementation of the Project would not obstruct the views as none exists in light of existing development. Therefore, impacts related to scenic vistas would be less than significant, and no mitigation is required.

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

No Impact. Based on The Fullerton Plan and associated PEIR and review of the California Department of Transportation (Caltrans) website, there are no designated State scenic highways within the City of Fullerton (Caltrans 2021). Additionally, based on review of Exhibit 5.3-1, Scenic Corridors, and Exhibit 5.3-2, Rural Streets, of The Fullerton Plan PEIR, there are no City-designated scenic corridors or rural streets near the Project site. There are no scenic resources, including trees, rock outcroppings, and historic buildings in the vicinity of the Project site.

Therefore, the proposed Project would not have an adverse effect on scenic resources (including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway)

or a locally-designated rural street or scenic corridor. There would be no impact, and no mitigation is 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 is in an urbanized area and not near any scenic resources. The aerial photograph (Exhibit 1-2) previously presented, shows the Project site's relationship to the surrounding land uses. Commercial uses and associated surface parking lots abut the Project's northern, southern, and western boundaries. South Lemon Street is adjacent to the Project's eastern boundary, with industrial uses east of South Lemon Street. Due to the developed nature and flat topography of the Project area, views of the Project site are limited to immediately adjacent vantage points, as further described below. However, given the views to be analyzed are from public and not private vantage points, only views from South Lemon Street and East Orangethorpe Avenue experienced by transient users (i.e., passengers in vehicles and pedestrians) would be considered. There are no other public vantage points such as from public parks and trails that would have views of the Project site. The City protects scenic character and visual resources through implementation of the Fullerton Zoning Code (Municipal Code Title 15), which provides specific development standards with which the Project complies.

Visual Changes

During demolition and construction activities on the Project site, views of construction equipment; ongoing demolition and construction activities; short-term stockpiles of building materials and debris; and haul trucks delivering building materials and removing debris would be visible from surrounding area. These views would be typical of construction sites in an urban environment and temporary in nature. Project construction is anticipated to occur for a total of two years. Additionally, construction staging would occur within the Project's boundaries and screened with a temporary fence. Additionally, upon implementation of standard conditions of approval (COAs) AES-1 through AES-3, construction aesthetics would be further reduced. Impacts would be less than significant.

Once construction is completed, the proposed Project would alter views of the Project site by replacing the existing commercial uses and associated surface parking lots with multi-family residential units and retail uses. Retail uses would be located on the ground floor, facing East Orangethorpe Avenue, with 329 multi-family residential units located in the 5-story structure, arranged around three courtyards within the complex, as shown. Balconies would be provided for the residential uses and visible from South Lemon Street and East Orangethorpe Avenue, as depicted on Exhibits 3-7a and 3-7b, Project Renderings. The unenclosed parking garage would be attached to the mixed-use building at its northwestern end, and mostly screened from public views on East Orangethorpe Avenue by the proposed mixed-use building and partially visible from South Lemon Street.

One access point would be located on East Orangethorpe Avenue, through the internal drive aisle (formerly South Pomona Avenue), which is a full access, signalized intersection and driveway. Another access point would be located on South Lemon Street, which would include a new signal

to provide a full access driveway. Common open space areas would be within three amenitized central courtyards, a fitness center and interior and exterior areas. Private open space would be available for the dwelling units as patios, decks or balconies. Total open space meeting the required 80,400 sq. ft. is provided. Exhibit 3-8 depicts the locations of the open space within the Project site.

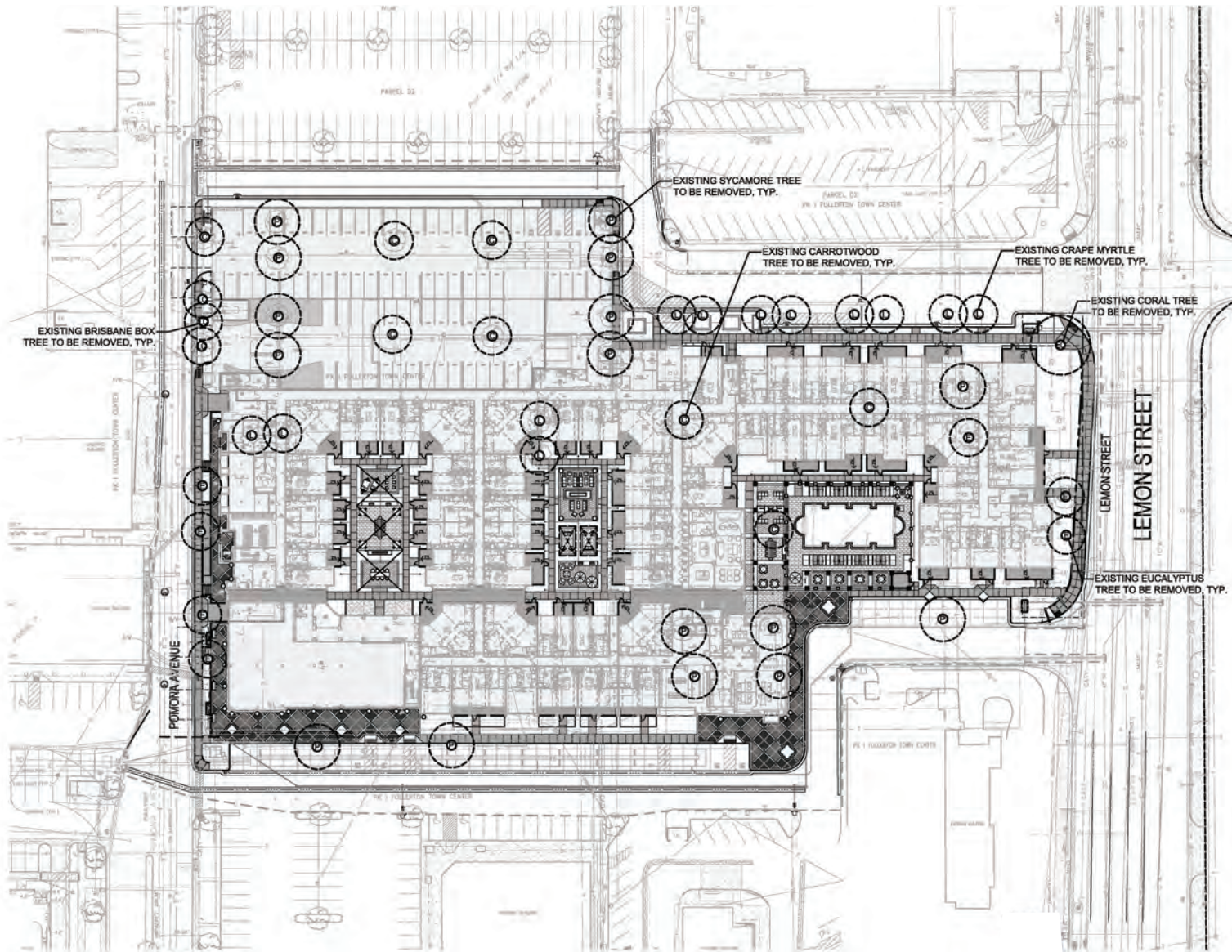
Existing on-site trees which are currently part of the site's ornamental parking lot landscaping would be removed to accommodate the Project. These trees are depicted on Exhibit 4-2, Tree Removal. The proposed Project would replace existing on-site landscaping with trees, shrubs, and groundcover throughout the Project site, and in common open space areas of the Project site, as depicted on Exhibit 3-9, Conceptual Landscape Plan. The Project would also comply with the sign regulations in the City's Zoning Code, as needed. Considering this, views of the site from a public vantage point (South Lemon Street and East Orangethorpe Avenue) would be of a high-quality development with landscaping visible from adjacent roadways.

While the proposed Project would alter the existing visual character of the Project site from a commercial use to a mixed-use residential development and would change views from the surrounding public vantage points, this change would not be considered a degradation of the Project site or its surroundings. The new development would replace older structures and increase visual interest and character of the site with quality design and landscaping. All service areas would be screened from view from public areas with shrubs or vertical structures, as shown on Exhibit 3-9a, Conceptual Landscape Plan. All mechanical equipment would be placed out of view on the roof, internally, or would be screened adequately.

In designing the proposed development, consideration has been given to scale, massing, and architecture of the Project to ensure that it complements the existing buildings within the FTC and surrounding development. The City of Fullerton is characterized by a number of buildings of Spanish Colonial architecture. The proposed architecture would result in a high-quality development in a compatible environment. Renderings of the Project site can be seen on Exhibits 3-7a and 3-7b.

According to The Fullerton Plan and associated PEIR, the Harbor Gateway Focus Area is envisioned as Fullerton's primary southern gateway, characterized by high-density development at its southern end. High-density development is defined as consisting of residential, commercial, and mixed-use with convenient access to regional transportation. The Project site is located within the southern portion of the Harbor Gateway Focus Area and would provide high-density mixed-use development with convenient access to regional transportation. In addition, the architectural design enhances the City's visual character and preserves the City's scenic qualities. This would ensure that the design of the Project uses would be compatible with the surrounding uses. The introduction of 329 multi-family residences, retail uses, parking structure, and associated site improvements would also be compatible with the existing residential uses to the north, south, and west of the proposed Project. In light of visual improvement over the existing condition and the quality of design, the Project would not substantially degrade the visual character or quality of the site for transient public viewers. Therefore, there would be a less than significant impact, and no mitigation is required.

In the absence of scenic resources in the vicinity of the site, the Project would not conflict with applicable zoning and other regulations governing scenic quality and resources. Impacts would be less than significant, and no mitigation is required.



Source: GMP Landscape Architecture, 2021

Tree Removal

Street Lights Fullerton Project



0 30 60 120
Feet

Exhibit 4-2

PSOMAS

(05/26/2021 MMD) R:\Projects\FUL\3FUL020101\Graphics\MND\ex_TreeRemoval.pdf

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. The Project site is in an area that is already subject to significant ambient lighting from the existing commercial/retail uses surrounding the site. Streetlights are also present on East Orangethorpe Avenue and South Lemon Street. The existing light sources include exterior building lights, parking lot pole lights, and interior building lights.

With the demolition of the existing development and construction of the proposed Project, new light sources would be provided with the proposed dwelling units and retail uses. This would change lighting levels at the Project site but would be consistent with the ambient and night-time lighting at the commercial uses surrounding the site.

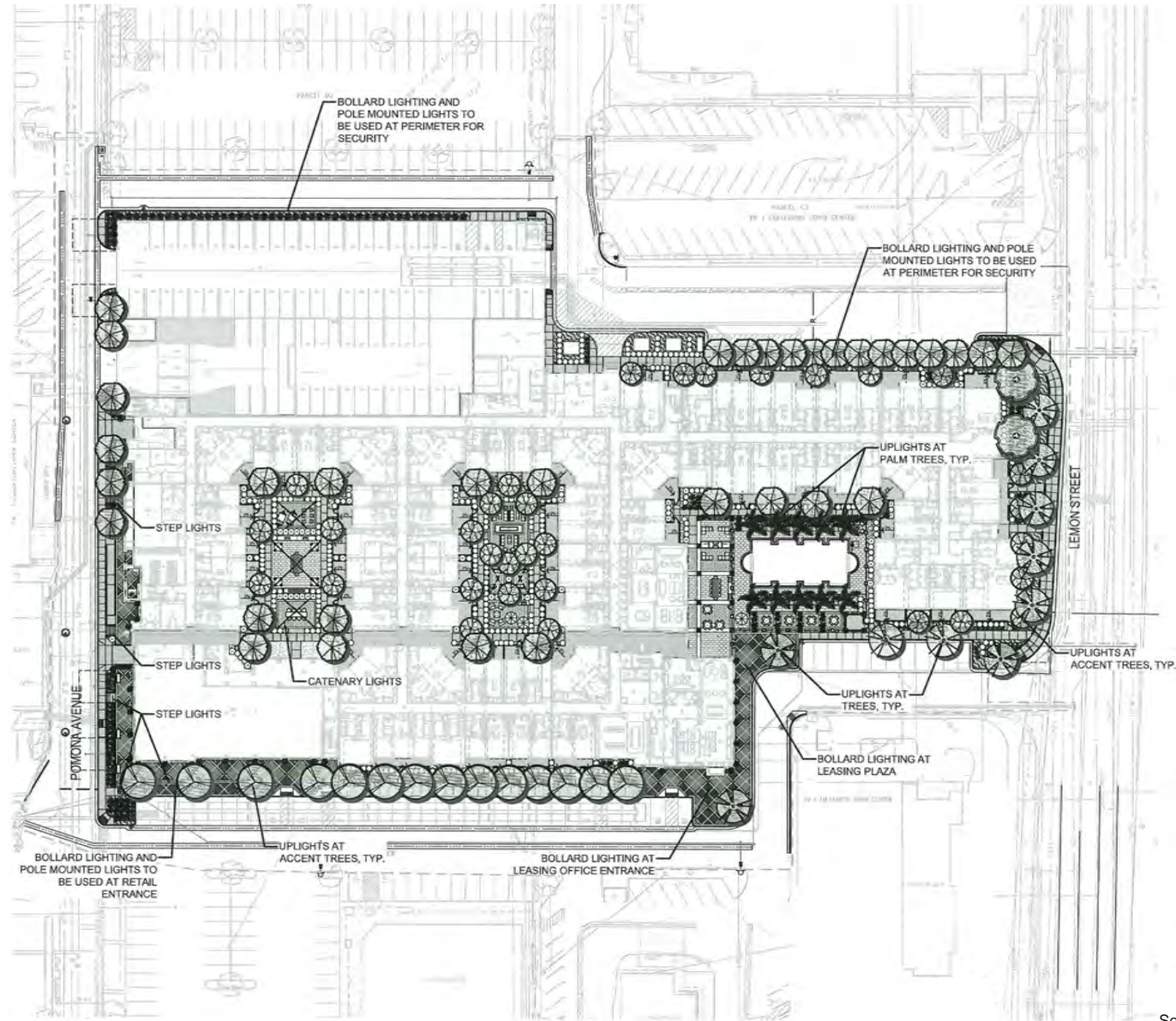
However, all lighting installed for the Project would be subject to compliance with the provisions of the Fullerton Municipal Code. The FMC also requires all lighting to illuminate parking areas be arranged such that would reflect the light and glare away from adjacent properties. This is generally accomplished with shielding and directional lighting methods. Additionally, all future development projects would undergo site plan review to ensure compliance with the development standards of the applicable zoning district. Lighting for the Project is depicted on Exhibit 4-3, Lighting, and includes catenary lights, step lights, bollard lights, and accent lighting on proposed trees at the Project site. Due to the urban nature of the Project site and existing lighting near the Project site, impacts associated with new lighting from the proposed Project would be less than significant, and no mitigation is required.

Glare is a common daytime phenomenon and is due mainly to the occurrence of a high number of days per year with direct sunlight and the presence of large reflective surfaces. Excessive glare not only restricts visibility but also increases the ambient heat reflectivity in a given area. Glare is caused by light reflections from pavement, vehicles, and building materials such as reflective glass and polished surfaces. During daylight hours, the amount of glare depends on intensity and direction of sunlight. Glare can create hazards to motorists and nuisances for pedestrians and other viewers. The proposed Project would be constructed with primarily non-reflective materials such as stucco on the exterior facades and concrete roofing. The use of glass would be confined to windows and is not such that would generate substantial glare affecting surrounding uses. Additionally, during nighttime, the proposed lighting would not be more intense than the surrounding uses. Signs would be lit at night to aid with wayfinding and identification. Signage lighting would be aimed directly at the designated signage and designed such that would not negatively impact pedestrian or vehicle line-of-sight with unwanted glare. Impacts would be less than significant, and no mitigation is required.

Standard Conditions of Approval

The following mitigation measures are from The Fullerton Plan PEIR and will be implemented as conditions of approval (COAs) for the proposed Project.

- COA AES-1 For future development located in or immediately adjacent to residentially zoned properties, construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged



Source: GMP Landscape Architecture, 2021

Lighting Plan

Exhibit 4-3

Street Lights Fullerton Project



0 30 60 120
Feet



within the project site, as distant from the residential use, as reasonably possible. Staging areas shall be screened from view from residential properties **(Mitigation Measure AES-1 from The Fullerton Plan PEIR)**

COA AES-2 Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. Streets surrounding the development site shall be swept daily and maintained free of dirt and debris. **(Mitigation Measure AES-2 from The Fullerton Plan PEIR)**

COA AES-3 Construction worker parking may be located off-site with prior approval by the City. On-street parking of construction worker vehicles on residential streets shall be prohibited. **(Mitigation Measure AES-3 from The Fullerton Plan PEIR).**

Mitigation Measures

Project implementation would not result in significant impacts related to aesthetics; therefore, no mitigation measures are required.

4.2 AGRICULTURE AND FOREST RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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])?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Analysis

Would the Project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***
- 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?***

No Impact. The Project site is in an urbanized area and would not convert farmland to a non-agricultural use. Based on review of the Orange County Important Farmland Map, prepared by the California Department of Conservation, Farmland Mapping and Monitoring Program

(FMMP), there are no lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on or near the Project site (FMMP 2021). The Project site is classified as "Urban and Built Up Land". The Project site is not being used, nor anticipated to be used or zoned for agricultural purposes. The site is not subject to a Williamson Act contract, and it does not contain Prime Farmland or Farmland of Statewide Importance. Additionally, no forest land occurs on the Project site or in the surrounding area. Therefore, the proposed Project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. In addition, the Project site does not contain designated forest land or timberland, as defined in the California Public Resources Code (Section 12220[g] and 4526, respectively) (OLC 2020). Therefore, no impacts to agricultural resources, forest land, or timberland would result from Project implementation, and no mitigation is required.

Standard Conditions of Approval

None required.

Mitigation Measures

Project implementation would not result in significant impacts related to agriculture and forest resources; therefore, no mitigation is required.

4.3 AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Introduction

Existing Setting

An Air Quality Technical Report was prepared by Psomas in May 2021 for the Project. The Air Quality Technical Report is summarized below, and the report is included as Appendix A to this IS/ND.

Relevant elements of the proposed Project related to the analysis of potential air quality impacts include (1) demolition of on-site paving and existing buildings (250 truckloads of export), which would require export of demolition and construction debris; (2) on-site grading activities, which are expected to export approximately 500 truckloads of soils; (3) use of construction equipment during construction of the Project; and (4) vehicular trips generated by the proposed Project.

The Project site is located in the Orange County portion of the South Coast Air Basin (SoCAB), and, for air quality regulation and permitting, is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SoCAB is a 6,600-square-mile area bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east; and the San Diego County line to the south. The SoCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, in addition to the San Geronio Pass area of Riverside County. The SoCAB's terrain and geographical location (i.e., a coastal plain with connecting broad valleys and low hills) determine its distinctive semi-arid climate, which is characterized by moderate temperatures, oceanic influence, and precipitation that is limited to a few storms during the winter (i.e., November through April).

Air Quality Background Information

The SCAQMD has established quantitative thresholds for short-term (construction) emissions and long-term (operational) emissions for the following criteria pollutants: ozone, carbon monoxide, nitrogen oxides, sulfur dioxide, and particulate matter 10 and 2.5 microns. The characteristics and health effects of these criteria pollutants are described below:

- Ozone (O₃) is a nearly colorless gas that is formed by photochemical reaction (when nitrogen dioxide is broken down by sunlight). Ground-level O₃ exposure can cause a variety of health problems, including lung irritation, wheezing, coughing, pain when taking a deep breath, and breathing difficulties during exercise or outdoor activities; permanent lung damage; aggravated asthma; and increased susceptibility to respiratory illnesses.
- Carbon monoxide (CO) is a colorless and odorless toxic gas which, in the urban environment, is associated primarily with the incomplete combustion of fossil fuels in motor vehicles. CO combines with hemoglobin in the bloodstream and reduces the amount of oxygen that can be circulated through the body. High CO concentrations can lead to headaches, aggravation of cardiovascular disease, and impairment of central nervous system functions.
- Nitrogen oxides (NO_x) are yellowish-brown gases, which at high levels can cause breathing difficulties. NO_x are formed when nitric oxide (a pollutant from internal combustion processes) combines with oxygen.
- Sulfur dioxide (SO₂) is a colorless, pungent gas formed primarily by the combustion of sulfur-containing fossil fuels. Health effects include acute respiratory symptoms and difficulty in breathing for children.
- Particulate Matter 10 (PM₁₀) and Particulate Matter 2.5 (PM_{2.5}) refer to particulate matter less than ten microns and two and one-half microns in diameter, respectively. Particulates of this size cause a greater health risk than larger-sized particles since fine particles can more easily cause irritation. Particulate matter includes both aerosols and solid particles. An example of particulate matter is fugitive dust. Short-term exposure to high PM_{2.5} levels is associated with premature mortality and increased hospital admissions and emergency room visits. Long-term exposure to high PM_{2.5} levels is associated with premature mortality and development of chronic respiratory disease. Short-term exposure to high PM₁₀ levels is associated with hospital admissions for cardiopulmonary diseases, increased respiratory symptoms, and possible premature mortality.

Existing Air Quality Conditions

Air quality data for the Project site is represented by the Anaheim-Pampas Lane monitoring station located at 1630 West Pampas Lane, Anaheim. The monitoring station is located approximately 2.3 miles southwest of the Project site. Pollutants measured at the Anaheim-Pampas Lane Monitoring Station include O₃, PM₁₀, PM_{2.5}, and NO₂. The monitoring data presented in Table 4-1, Air Quality Levels Measured at the Anaheim-Pampas Lane Monitoring Station, were obtained from the California Air Resources Board (CARB 2021a). Federal and State air quality standards are presented with the number of times those standards were exceeded.

TABLE 4-1
AIR QUALITY LEVELS MEASURED AT THE ANAHEIM-PAMPAS
LANE MONITORING STATION

Pollutant	California Standard	National Standard	Year	Max. Level	Days State Standard Exceeded	Days National Standard Exceeded
O ₃ (1 hour)	0.09 ppm	None	2017	0.090	0	0
			2018	0.112	1	1
			2019	0.096	1	1
O ₃ (8 hour)	0.070 ppm	0.070 ppm	2017	0.076	4	4
			2018	0.071	1	1
			2019	0.082	1	1
PM10 (24 hour)	50 µg/m ³	150 µg/m ³	2017	95.7	5	0
			2018	94.6	2	0
			2019	127.1	4	0
PM10 (AAM)	20 µg/m ³	None	2017	—	—	—
			2018	—	—	—
			2019	—	—	—
NO ₂ (1 Hour)	0.18 ppm	0.100 ppm	2017	0.081	0	0
			2018	0.066	0	0
			2019	0.059	0	0
PM2.5 (24 Hour)	None	35 µg/m ³	2017	56.2	N/A	7
			2018	68.0	N/A	7
			2019	37.1	N/A	4
—: Data Not Reported or insufficient data available to determine the value; O ₃ : ozone; ppm: parts per million; PM10: respirable particulate matter with a diameter of 10 microns or less; µg/m ³ : micrograms per cubic meter; AAM: Annual Arithmetic Mean; NO ₂ : nitrogen dioxide; CO: carbon monoxide; PM2.5: fine particulate matter with a diameter of 2.5 microns or less; SO ₂ : sulfur dioxide. N/A indicates that there is no applicable standard.						
^a California maximum levels were used.						
Source: CARB 2021a.						

Regulatory Background

Pollutants and Standards

The U.S. Environmental Protection Agency (USEPA) defines seven criteria air pollutants: O₃, CO, NO₂, sulfur dioxide (SO₂), PM10, PM2.5, and lead. These pollutants are called criteria pollutants because the USEPA has established National Ambient Air Quality Standards (NAAQS) for the concentrations of these pollutants (USEPA 2021a). CARB has also established standards for the criteria pollutants, known as California Ambient Air Quality Standards (CAAQS), and the State standards are generally more restrictive than the NAAQS. When a region has air quality that fails to meet the standards, the USEPA and the CARB designate the region as “nonattainment” and the regional air quality agency must develop plans to attain the standards.

Based on monitored air pollutant concentrations, the USEPA and the CARB designate an area's status in attaining the NAAQS and the CAAQS, respectively, for selected criteria pollutants. These attainment designations are shown in Table 4-2.

**TABLE 4-2
ATTAINMENT STATUS OF CRITERIA POLLUTANTS
IN THE SOUTH COAST AIR BASIN**

Pollutant	State	Federal
O ₃ (1 hour)	Nonattainment	No standards
O ₃ (8 hour)	Nonattainment	Nonattainment
PM ₁₀	Nonattainment	Attainment/Maintenance
PM _{2.5}	Nonattainment	Nonattainment
CO	Attainment	Attainment/Maintenance
NO ₂	Attainment	Attainment/Maintenance
SO ₂	Attainment	Attainment
Lead	Attainment	Attainment/Nonattainment*
All others	Attainment/Unclassified	No standards
O ₃ : ozone; PM ₁₀ : respirable particulate matter 10 microns or less in diameter; PM _{2.5} : fine particulate matter 2.5 microns or less in diameter; CO: carbon monoxide; NO ₂ : nitrogen dioxide; SO ₂ : sulfur dioxide; SoCAB: South Coast Air Basin.		
* Los Angeles County is classified nonattainment for lead; the remainder of the SoCAB is in attainment of the State and federal standards.		
Source: SCAQMD 2016		

CARB, a part of the California Environmental Protection Agency (CalEPA), is responsible for coordinating and administering both the federal and State air pollution control programs in California. In this capacity, CARB conducts research, sets the CAAQS (as shown in Table 4-3), compiles emission inventories, develops suggested control measures, oversees local programs, and prepares the State Implementation Plan (SIP). For regions that do not attain the CAAQS, CARB requires the air districts to prepare plans for attaining the standards. These plans are then integrated into the SIP. CARB establishes emissions standards for (1) motor vehicles sold in California, (2) consumer products (e.g., hair spray, aerosol paints, barbecue lighter fluid), and (3) various types of commercial equipment. It also sets fuel specifications to further reduce vehicular emissions.

O₃ is a secondary pollutant and is created when nitrogen oxides (NO_x) and VOCs react in the presence of sunlight. The predominant source of air emissions generated by project development would be from vehicle emissions. Motor vehicles primarily emit CO, NO_x, and VOCs. The NAAQS and CAAQS are designed to protect the health and welfare of the populace within a reasonable margin of safety. The NAAQS and CAAQS for O₃, CO, NO₂, SO₂, PM₁₀, PM_{2.5}, and lead are shown in Table 4-3.

The SCAQMD was established in 1977 by merging the individual air pollution control districts of the four counties within the SoCAB: Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAQMD and the Southern California Association of Governments (SCAG), in coordination with local governments and the private sector, develop the Air Quality Management Plan (AQMP) for the SoCAB to satisfy these requirements. The AQMP is the most important air management document for the SoCAB because it provides the blueprint for meeting State and federal ambient air quality standards.

On November 28, 2007, CARB submitted a SIP revision to the USEPA for O₃, PM_{2.5} (1997 Standard), CO, and NO₂ in the SoCAB. This revision is identified as the “2007 South Coast SIP”. The 2007 South Coast SIP demonstrates attainment of the federal PM_{2.5} standard in the SoCAB by 2014, and attainment of the federal 8-hour O₃ standard by 2023. This SIP also includes a request to reclassify the O₃ attainment designation from “severe” to “extreme”. The USEPA approved the redesignation effective June 4, 2010. The “extreme” designation requires the attainment of the 8-hour O₃ standard in the SoCAB by June 2024. CARB approved PM_{2.5} SIP revisions in April 2011, and the O₃ SIP revisions in July 2011. The USEPA approved the PM_{2.5} SIP on September 25, 2013, and has approved 47 of the 62 1997, 8-hour O₃ SIP requirements (USEPA 2016). On November 30, 2014, the USEPA proposed a finding that the SoCAB has attained the 1997 PM_{2.5} standards (USEPA 2014). The comment period closed on January 22, 2015; no subsequent action has been taken.

On September 30, 2015, the USEPA proposed to approve elements of the South Coast 2012 PM_{2.5} Plan and 2015 Supplement, which addresses Clean Air Act requirements for the 2006 PM_{2.5} NAAQS and proposed to reclassify the area as a “serious” nonattainment area for the 2006 PM_{2.5} standard. The reclassification is based on the determination that the area cannot practicably attain the 2006 PM_{2.5} NAAQS by the moderate area attainment date (December 31, 2015). On December 22, 2015, the EPA reclassified the South Coast area as a “Serious” nonattainment area for the 2006 PM_{2.5} standard. The final reclassification requires the State to submit a “serious area” plan that provides for attainment of the 2006 PM_{2.5} NAAQS as expeditiously as practicable as and no later than December 31, 2019 (USEPA 2016). On December 4, 2020, the South Coast Air District adopted the *South Coast Air Basin Attainment Plan for 2006 24-Hour PM_{2.5} Standard* (Plan) to meet the Clean Air Act requirements. CARB was scheduled to consider adopting the Plan on December 10, 2020 for submittal into the California SIP. However, this item has been moved to the February 25, 2021 CARB meeting (CARB 2021b).

**TABLE 4-3
CALIFORNIA AND FEDERAL AMBIENT AIR QUALITY STANDARDS**

Pollutant	Averaging Time	California Standards	Federal Standards	
			Primary ^a	Secondary ^b
O ₃	1 Hour	0.09 ppm (180 µg/m ³)	—	—
	8 Hour	0.070 ppm (137 µg/m ³)	0.070 ppm (137 µg/m ³)	Same as Primary
PM10	24 Hour	50 µg/m ³	150 µg/m ³	Same as Primary
	AAM	20 µg/m ³	–	Same as Primary
PM2.5	24 Hour	–	35 µg/m ³	Same as Primary
	AAM	12 µg/m ³	12.0 µg/m ³	15.0 µg/m ³
CO	1 Hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)	—
	8 Hour	9.0 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)	—
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)	—	—
NO ₂	AAM	0.030 ppm (57 µg/m ³)	0.053 ppm (100 µg/m ³)	Same as Primary
	1 Hour	0.18 ppm (339 µg/m ³)	0.100 ppm (188 µg/m ³)	—
SO ₂	24 Hour	0.04 ppm (105 µg/m ³)	—	—
	3 Hour	—	—	0.5 ppm (1,300 µg/m ³)
	1 Hour	0.25 ppm (655 µg/m ³)	0.075 ppm (196 µg/m ³)	—
Lead	30-day Avg.	1.5 µg/m ³	—	—
	Calendar Quarter	—	1.5 µg/m ³	Same as Primary
	Rolling 3-month Avg.	—	0.15 µg/m ³	
Visibility Reducing Particles	8 Hour	Extinction coefficient of 0.23 per km – visibility ≥ 10 miles (0.07 per km – ≥30 miles for Lake Tahoe)	No Federal Standards	
Sulfates	24 Hour	25 µg/m ³		
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)		
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m ³)		
O ₃ : ozone; ppm: parts per million; µg/m ³ : micrograms per cubic meter; PM10: respirable particulate matter 10 microns or less in diameter; AAM: Annual Arithmetic Mean; —: No Standard; PM2.5: fine particulate matter 2.5 microns or less in diameter; CO: carbon monoxide; mg/m ³ : milligrams per cubic meter; NO ₂ : nitrogen dioxide; SO ₂ : sulfur dioxide; km: kilometer.				
^a National Primary Standards: The levels of air quality necessary, within an adequate margin of safety, to protect the public health.				
^b National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.				
Note: More detailed information in the data presented in this table can be found at the CARB website (www.arb.ca.gov).				
Source: CARB 2016				

On March 3, 2017, the SCAQMD adopted the 2016 AQMP, which is a regional and multi-agency effort (SCAQMD, CARB, SCAG, and USEPA). The 2016 AQMP incorporates the latest scientific and technical information and planning assumptions, including the SCAG 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS); updated emission inventory methodologies for various source categories; and SCAG's latest growth forecasts (SCAG 2016).

The main purpose of an AQMP is to bring an area into compliance with the requirements of federal and State air quality standards. For a project to be consistent with the AQMP, the pollutants emitted from the project should not (1) exceed the SCAQMD CEQA air quality significance thresholds or (2) conflict with or exceed the assumptions in the AQMP.

On October 1, 2015, the USEPA strengthened the National Ambient Air Quality Standards (NAAQS) for ground-level ozone, lowering the primary and secondary ozone standard levels to 70 parts per billion. The South Coast Air Basin is classified as an “extreme” non-attainment area for the 2015 Ozone NAAQS. The 2022 AQMP will be developed to address the requirements for meeting this standard. The 2022 AQMP will represent a comprehensive analysis of emissions, meteorology, regional air quality modeling, regional growth projections, and the impact of existing and proposed control measures (SCAQMD 2021).

Sensitive Air Quality Receptors

Sensitive receptors include, but are not limited to, children, the elderly, persons with preexisting respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise. These sensitive receptor uses include, but are not limited to, sensitive receptors at schools, parks, hospitals, high-density residential areas, and convalescent homes. The Project site is surrounded with commercial and industrial uses. The nearest sensitive receptors are residential uses located north of the Project site, approximately 760 feet from the Project’s northern boundary.

Thresholds of Significance

The SCAQMD’s Air Quality Analysis Handbook (CEQA Handbook) provides significance thresholds for both construction and operation of projects within the SCAQMD’s jurisdictional boundaries (SCAQMD 2019). The SCAQMD recommends that projects be evaluated in terms of the quantitative thresholds established to assess both the regional and localized impacts of project-related air pollutant emissions. The City of Fullerton uses the current SCAQMD thresholds to determine whether a proposed project would have a significant impact. These SCAQMD thresholds are identified in Table 4-4.

**TABLE 4-4
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY SIGNIFICANCE THRESHOLDS**

Mass Daily Thresholds^a		
Pollutant	Construction	Operation
NO _x	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM ₁₀	150 lbs/day	150 lbs/day
PM _{2.5}	55 lbs/day	55 lbs/day
SO _x	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day

**TABLE 4-4
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
AIR QUALITY SIGNIFICANCE THRESHOLDS**

TACs, Odor, and GHG Thresholds	
TACs (including carcinogens and non-carcinogens)	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index ≥ 1.0 (project increment)
Odor	Project creates an odor nuisance pursuant to South Coast AQMD Rule 402
GHG	10,000 MT/yr CO _{2e} for industrial facilities
Ambient Air Quality Standards for Criteria Pollutants^{b, c}	
NO ₂ 1-hour average annual arithmetic mean	South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (State) 0.03 ppm (State) and 0.0534 ppm (federal)
PM ₁₀ 24-hour average annual average	10.4 $\mu\text{g}/\text{m}^3$ (construction) ^c & 2.5 $\mu\text{g}/\text{m}^3$ (operation) 1.0 $\mu\text{g}/\text{m}^3$
PM _{2.5} 24-hour average	10.4 $\mu\text{g}/\text{m}^3$ (construction) ^c & 2.5 $\mu\text{g}/\text{m}^3$ (operation)
SO ₂ 1-hour average 24-hour average	0.25 ppm (State) & 0.075 ppm (federal – 99 th percentile) 0.04 ppm (State)
Sulfate 24-hour average	25 $\mu\text{g}/\text{m}^3$ (State)
CO 1-hour average 8-hour average	South Coast AQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20.0 ppm (State) and 35 ppm (federal) 9.0 ppm (State/federal)
Lead 30-day average Rolling 3-month average	1.5 $\mu\text{g}/\text{m}^3$ (State) 0.15 $\mu\text{g}/\text{m}^3$ (federal)
<p>NO_x: nitrogen oxides, lbs/day: pounds per day, VOC: volatile organic compound, PM₁₀: respirable particulate matter with a diameter of 10 microns or less, PM_{2.5}: fine particulate matter with a diameter of 2.5 microns or less, SO₂: sulfur oxides, CO: carbon monoxide, TACs: toxic air contaminants, GHG: greenhouse gases, MT/yr CO_{2e}: metric tons per year of carbon dioxide equivalents, NO₂: nitrogen dioxide, ppm: parts per million, $\mu\text{g}/\text{m}^3$: micrograms per cubic meter; South Coast AQMD: South Coast Air Quality Management District</p> <p>^a Source: South Coast AQMD CEQA Handbook (South Coast AQMD 1993)</p> <p>^b Ambient air quality thresholds for criteria pollutants based on South Coast AQMD Rule 1303, Table A-2 unless otherwise stated</p> <p>^c Ambient air quality threshold is based on South Coast AQMD Rule 403</p> <p>Source: South Coast AQMD 2019</p>	

These regional emission thresholds cannot be used to correlate whether a specific health impact would occur to an individual receptor. These significance thresholds were developed to assist Lead Agencies with a consistent threshold that could be used to determine whether a project's

emissions could significantly contribute to the total emissions occurring within an air basin. The totality of the air basin's emissions would determine whether it would be in attainment of the CAAQS and NAAQS.

Impact Analysis

Would the Project:

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

Less than Significant Impact. The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emissions sources, and enforces such measures through educational programs or fines, when necessary. It is directly responsible for reducing emissions from stationary (area and point), mobile, and indirect sources and has prepared an AQMP that establishes a program of rules and regulations directed at attaining the NAAQS and CAAQS.

As stated above, the SCAQMD adopted the 2016 AQMP on March 3, 2017 (SCAQMD 2017). The 2016 AQMP incorporates the latest scientific and technical information and planning assumptions, including the SCAG 2016–2040 RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts.

The main purpose of an AQMP is to bring an area into compliance with the requirements of federal and State air quality standards. For a project to be consistent with the AQMP, the pollutants emitted from the project should not (1) exceed the SCAQMD CEQA air quality significance thresholds or (2) conflict with or exceed the assumptions in the AQMP.

In order to be consistent with the AQMP, the following analysis compares the Project's construction and operational emissions with the SCAQMD CEQA air quality significance thresholds shown in Table 4-4. A project may have a significant impact where project-related emissions would exceed federal, State, or regional standards or thresholds, or where project-related emissions would substantially contribute to an existing or projected air quality violation.

A project with daily emission rates below the SCAQMD's established air quality significance thresholds (shown in Table 4-4) would have a less than significant effect on regional air quality. Project emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 computer program (CAPCOA 2017). CalEEMod is designed to model construction and operational emissions for land development projects and allows for the input of project- and county-specific information. For air quality modeling purposes, construction of the Project was based on the Project's construction assumptions and default assumptions derived from CalEEMod. The input for operational emissions was based on the vehicle trip generation rates provided in the transportation impact analysis and the proposed building area. Additional input details are included in Appendix A.

Construction Emissions

Air pollutant emissions would occur from construction equipment exhaust; dust from demolition and site grading; exhaust and particulate emissions from trucks hauling demolition and

construction debris, soil, and building materials to and from the Project site; from automobiles and light trucks driven to and from the Project site by construction workers; and VOCs from painting and asphalt paving operations. The proposed Project would comply with applicable SCAQMD rules and regulations, including Rule 403 for fugitive dust control (COA AQ-1). Rule 403 measures include regular watering of active grading areas and unpaved roads, limiting vehicle speeds on unpaved surfaces, stabilizing stockpiled earth, and curtailing grading operations during high wind conditions. Watering of active grading areas is included in the CalEEMod emissions analysis and results in reduced PM10 and PM2.5 emissions. The emission reductions associated with compliance with this rule have been included in the emissions calculations.

Regional Emissions Thresholds – Maximum Daily Regional Emissions

Table 4-5, Estimated Maximum Daily Regional Construction Emissions, presents the estimated maximum daily emissions during construction of the proposed Project and compares the estimated emissions with the SCAQMD's daily regional emission thresholds. As shown in Table 4-5, Project construction mass daily emissions would be less than the SCAQMD's thresholds for all criteria air pollutants, and the impact would be less than significant. No mitigation is required.

**TABLE 4-5
ESTIMATED MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS**

Year	Emissions (lbs/day)					
	VOC	NOx	CO	SOx	PM10	PM2.5
Year 1	2	22	27	<1	2	1
Year 2	12	25	32	<1	7	3
Year 3	11	20	30	<1	5	2
Maximum	12	25	32	<1	7	3
SCAQMD Thresholds (Table 4-4)	75	100	550	150	150	55
Exceeds SCAQMD Thresholds?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compound; NOx: nitrogen oxides; CO: carbon monoxide; SOx: sulfur oxides; PM10: respirable particulate matter 10 microns or less in diameter; PM2.5: fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District. Source: SCAQMD 2019 (thresholds); see Appendix A for CalEEMod model outputs.						

Construction-Phase Localized Significance Thresholds

In addition to the mass daily emissions thresholds established by the SCAQMD, short-term local impacts to nearby sensitive receptors from on-site emissions of NO₂, CO, PM10, and PM2.5 are examined based on SCAQMD's localized significance threshold (LST) methodology. To assess local air quality impacts for development projects without complex dispersion modeling, the SCAQMD developed screening (lookup) tables to assist lead agencies in evaluating impacts. The LST method was developed to provide a conservative estimate of the level of project-generated air pollutants that have the potential to exceed the NAAQS or CAAQS, which could consequently result in adverse health impacts. Exceedance of the LST does not describe the prevalence or magnitude of health effects, but rather assesses the potential for a project-related health effect to occur. The LST method cannot provide an estimate of health effects related to ozone. Reactive

organic gases (ROGs) and NO_x are pollutants that contribute to the formation of ozone, otherwise known as ozone precursors. It would be too speculative to determine how an individual project could affect the formation of ozone, and how it could affect the health for a specific receptor: ozone does not fully form within the proximity of a project site, and the formation of ozone is affected by solar irradiance, meteorological conditions, presence of ozone precursors from other sources, and other factors. As such, modeling of ozone concentrations is conducted on the “macro” scale of an air basin for all pollutant sources within the basin, and not for an individual project. Consequently, the LST analysis focuses on a project-level analysis of the four criteria pollutants of greatest concern (CO, NO_x, PM₁₀, and PM_{2.5}).

The LST method is recommended to be limited to projects that are five acres or less. For the purposes of an LST analysis, the SCAQMD considers receptors where it is possible that an individual could remain for 1 hour for NO₂ and CO exposure and 24 hours for PM₁₀ and PM_{2.5} exposure. The emissions limits in the lookup tables are based on the SCAQMD’s Ambient Air Quality Standards (SCAQMD 2016). The closest receptors to the Project site that could be exposed for 1 hour are commercial uses adjacent to the Project site, and the closest receptors the Project site that could be exposed for 24 hours are residences 760 feet (232 meters) north of the Project’s northern boundary. The emissions screening thresholds used in this analysis are for receptors within 25 meters (82 feet) of the Project site for NO_x and CO, and 232 meters for PM₁₀ and PM_{2.5}; the thresholds for receptors farther away would be higher, and the Project emissions would be a smaller fraction of the thresholds.

Table 4-6, Construction-Phase Localized Significance Threshold Emissions, shows the maximum daily on-site emissions for construction activities compared with the SCAQMD LST screening thresholds. The Project site is approximately 4.47 acres in area. The thresholds shown are from the lookup tables for a site disturbance area that is 1 acre, which is based on the maximum equipment used on-site. The Project’s maximum daily on-site emissions for all pollutants would occur during overlapping phases of the grading/excavation and building construction phase. As shown in Table 4-6, localized emissions for all criteria pollutants would be less than their respective screening thresholds. Therefore, localized air quality impacts would be less than significant, no mitigation is required.

**TABLE 4-6
CONSTRUCTION-PHASE
LOCALIZED SIGNIFICANCE THRESHOLD EMISSIONS**

Emissions and Thresholds	Emissions (lbs/day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Project maximum daily on-site emissions	21	26	3	2
Localized Significance Threshold	103	522	62	26
Exceed threshold?	No	No	No	No
lbs/day: pounds per day; NO _x : nitrogen oxides; CO: carbon monoxide; PM ₁₀ : respirable particulate matter 10 microns or less in diameter; PM _{2.5} : fine particulate matter 2.5 microns or less in diameter.				
Note: Data is for SCAQMD Source Receptor Area 16, North Orange County				
Source: SCAQMD 2009 (thresholds); see Appendix A for CalEEMod model outputs.				

Operational Emissions

The following section provides an analysis of potential long-term air quality impacts to regional air quality with the long-term operation of the proposed Project. The potential operations-related air emissions have been analyzed below for the regional criteria pollutant emissions and cumulative impacts.

Operational emissions are comprised of area, energy, and mobile source emissions. The principal source of VOC emissions associated with the Project would result from the use of consumer products; the primary source of CO, NO_x, PM₁₀, and PM_{2.5} emissions would be mobile sources. Area and energy source emissions are based on CalEEMod assumptions for the specific land uses and size. Mobile source emissions are based on estimated Project-related trip generation forecasts, as contained in the Project traffic impact analysis. The Project would generate 2,035 daily trips (Psomas 2021). Estimated peak daily operational emissions are shown in Table 4-7.

**TABLE 4-7
PEAK DAILY OPERATIONAL EMISSIONS**

Source	Emissions (lbs/day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area sources	9	<1	27	<1	<1	<1
Energy sources	<1	1	<1	<1	<1	<1
Mobile sources	3	7	35	<1	14	4
Total Operational Emissions*	12	9	63	<1	14	4
SCAQMD Significance Thresholds (Table 4-4)	55	55	550	150	150	55
Significant Impact?	No	No	No	No	No	No
lbs/day: pounds per day; VOC: volatile organic compounds; NO _x : nitrogen oxides; CO: carbon monoxide; SO _x : sulfur oxides; PM ₁₀ : respirable particulate matter 10 microns or less in diameter; PM _{2.5} : fine particulate matter 2.5 microns or less in diameter; SCAQMD: South Coast Air Quality Management District. * Some totals do not add due to rounding. Note: CalEEMod model data sheets are included in Appendix A.						

As shown in Table 4-7, the Project's operational emissions would be less than the SCAQMD CEQA significance thresholds for all criteria pollutants. It should be noted that the analysis provided above in Table 4-7 is conservative, because it provides the gross emissions, and does not deduct operational emissions from existing uses. Therefore, the Project's operational impact on regional emissions would be less than significant, and no mitigation is required.

With respect to the first criterion, based on the air quality modeling analysis conducted for the proposed Project, above, construction and operation of the Project would not exceed the SCAQMD's CEQA thresholds of significance and consequently would not result in an increase in the frequency or severity of existing air quality violations nor cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emissions reductions in the AQMP. Therefore, the Project is consistent with the first criterion.

With respect to the second criterion, the proposed Project was assessed as to whether it would exceed the assumptions in the AQMP. The SCAQMD's current air quality planning document is the 2016 Air Quality Management Plan (2016 AQMP). The 2016 AQMP is a regional and

multi-agency effort among the SCAQMD, CARB, SCAG, and USEPA. The 2016 AQMP includes an analysis of emissions, meteorology, atmospheric chemistry, regional growth projections, and the impact of existing control measures. The purpose of the 2016 AQMP is to set forth a comprehensive program that would promote reductions in criteria pollutants, greenhouse gases, and toxic risk and efficiencies in energy use, transportation, and goods movement. The 2016 AQMP incorporates the latest scientific and technical information and planning assumptions, including SCAG's 2016-2040 RTP/SCS; updated emission inventory methods for various source categories; and SCAG's latest growth forecasts (SCAQMD 2017). The 2016 AQMP includes strategies and measures necessary to meet the NAAQS. The AQMP is based on projections of energy usage and vehicle trips from land uses within the SoCAB. The Project site is within the Fullerton Town Center (FTC—Focus Area D-Harbor Gateway in The Fullerton Plan). Growth within the FTC—Focus Area D was factored into the 2016-2040 RTP/SCS through the Orange County Projections (OCP) process, and as such, it includes growth associated with the Project. The vision of The Fullerton Plan for the Harbor Gateway Focus Area is high density development, which would consist of residential, commercial, and mixed-uses with convenient access to regional transportation. The Project would be consistent with the FTC focus area vision and would not exceed the assumptions in the AQMP. Implementation of the Project results in emissions which are less than the significance thresholds adopted by the SCAQMD (as detailed in the emissions analyses above). In addition, the proposed residential uses provide housing near commercial uses, and this would minimize travel to and from this destination, which would reduce transportation-related emissions and be consistent with the goals of the AQMP. As such, the proposed Project is not anticipated to exceed the AQMP assumptions for the Project site and is found to be consistent with the AQMP for the second criterion. Therefore, the Project would not result in an inconsistency with the SCAQMD's 2016 AQMP. Less than significant impacts would occur, and no mitigation is 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. A project may have a significant impact where project-related emissions would exceed federal, State, or regional standards or thresholds, or where project-related emissions would substantially contribute to an existing or projected air quality violation. As identified in Table 4-2, Orange County is a nonattainment area for O₃, PM₁₀, and PM_{2.5}. The Project would generate PM₁₀, PM_{2.5}, and O₃ precursors (NO_x and VOC) during short-term construction and long-term operations. The SCAQMD has developed construction and operations thresholds to determine whether projects would considerably contribute toward a violation of ambient air quality standards.

Construction Activities

Construction activities associated with the proposed Project would result in less than significant construction-related regional and localized air quality impacts, as quantified above in Tables 4-5 and 4-6, respectively. SCAQMD's policy with respect to cumulative impacts associated with the above referenced pollutants and their precursors is that impacts that would be directly less than significant would also be cumulatively less than significant (SCAQMD 2003). As discussed under Threshold 4.3(a), short-term construction emissions would be less than significant. Therefore, consistent with SCAQMD policy, the cumulative construction impact of criteria pollutants would be less than significant, and no mitigation is required.

Operational Activities

As shown in Table 4-7 under Threshold 4.3(a), operational emissions for all analyzed pollutants would be below the SCAQMD CEQA significance thresholds. Therefore, the Project would not contribute to a cumulatively considerable net increase of a pollutant for which the SoCAB is in nonattainment. Emissions of nonattainment pollutants or their precursors would not be cumulatively considerable and would be less than significant; no mitigation is required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. A significant impact may occur when a project would generate pollutant concentrations to a degree that would significantly affect sensitive receptors, which include populations that are more susceptible to the effects of air pollution than the population at large. Exposure of sensitive receptors is addressed for the following situations: CO hotspots and criteria pollutants and toxic air contaminants (TACs, specifically diesel particulate matter [DPM]) from on-site construction. Operational, long-term TACs may be generated by some industrial land uses; commercial land uses (e.g., gas stations and dry cleaners); and diesel trucks on freeways. Residential land uses do not generate substantial quantities of TACs and are therefore not addressed in this report.

Carbon Monoxide Hotspot

In an urban setting, vehicle exhaust is the primary source of CO. Consequently, the highest CO concentrations generally are found close to congested intersections. Under typical meteorological conditions, CO concentrations tend to decrease as the distance from the emissions source (e.g., congested intersection) increases. Therefore, for purposes of providing a conservative worst-case impact analysis, CO concentrations typically are analyzed at congested intersection locations. If impacts are less than significant close to congested intersections, impacts also would be less than significant at more distant sensitive-receptor and other locations. The proposed Project would have less daily, morning, and evening peak hour trips than under the existing land uses occurring at the site. The Project would not result in an increase in CO concentrations occurring at nearby intersections. As such, Project-related vehicles would not result in a significant impact related to CO hotspots.

Criteria Pollutants from On-Site Construction

Exposure of persons to NO_x, CO, PM₁₀, and PM_{2.5} emissions is discussed in response to Threshold 4.3(a) above. As shown in Table 4-6, in response to Threshold 4.3(a), localized emissions for all criteria pollutants would be less than their respective screening thresholds. Therefore, localized air quality impacts to sensitive receptors would be less than significant.

Toxic Air Contaminant Emissions from On-Site Construction

Construction activities would result in short-term, Project-generated emissions of DPM from the exhaust of off-road, heavy-duty diesel equipment used for site preparation (e.g., demolition, excavation, and grading); paving; building construction; and other miscellaneous activities. CARB identified DPM as a TAC in 1998. The dose to which receptors are exposed is the primary factor used to determine health risk. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. Thus, the risks

estimated for a maximally exposed individual are higher if a fixed exposure occurs over a longer time period. According to the Office of Environmental Health Hazard Assessment, health risk assessments—which determine the exposure of sensitive receptors to TAC emissions—should be based on a 40-year exposure period; however, such assessments should be limited to the period/duration of activities associated with the Project.

There would be relatively few pieces of off-road, heavy-duty diesel equipment in operation, and the total construction period of less than two years would be relatively short when compared to a 40-year exposure period. Combined with the highly dispersive properties of DPM and additional reductions in particulate emissions from newer construction equipment, as required by USEPA and CARB regulations, construction emissions of TACs would not expose sensitive receptors to substantial emissions of TACs. The impact would be less than significant, and no mitigation is required.

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

Less than Significant Impact. Potential operational odors could be created by cooking and trash collection associated with residential and retail uses. These odors would be similar to those of existing uses surrounding the Project site and throughout the City, and odors would be confined to the immediate vicinity of the proposed dwelling units. Furthermore, according to the SCAQMD's *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 (SCAQMD 1993). The Project does not include any uses identified by the SCAQMD as being associated with odors and, therefore, would not produce objectionable odors. The Project uses are also regulated from nuisance odors or other objectionable emissions by SCAQMD Rule 402 (COA AQ-1). Rule 402 prohibits any the discharge from any source of air contaminants or other material which would cause injury, detriment, nuisance, or annoyance to people or the public. As such, the Project would have a less than significant impact with regard to other emissions. No mitigation is required.

Standard Conditions of Approval

Mitigation measures AQ-1 from The Fullerton Plan PEIR is applicable to the proposed Project and incorporated herein as standard conditions of approval.

COA AQ-1 Prior to issuance of any Grading Permit, the Community Development Director and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered twice daily to prevent excessive amounts of dust;

- Non-toxic soil stabilizers shall be applied to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain), according to manufacturers' specifications;
- All excavating and grading operations shall be suspended when wind gusts (as instantaneous gust) exceed 25 miles per hour;
- On-site vehicle speed shall be limited to 15 miles per hour;
- All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
- Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site;
- Track-out devices shall be used at all construction site access points;
- All delivery truck tires shall be watered down and/or scraped down prior to departing the job site;
- A construction relations officer shall be appointed to act as a community liaison concerning on-site construction activity including resolution of issues related to fugitive dust generation;
- Streets shall be swept at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway; and
- Replace ground cover in disturbed areas as quickly as possible. **(Mitigation Measure AQ-1 of The Fullerton Plan PEIR).**

Mitigation Measures

Project implementation would not result in significant impacts related to air quality; therefore, no mitigation measures are required.

4.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Analysis

Would the Project:

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

No Impact. The Project site is located within an urban area and surrounded by commercial, industrial, and residential uses. As a result of urbanization of the land, the entire Project site and immediate surrounding areas are developed and no longer support undeveloped land. Native plant communities were removed from the site several decades ago due to development of the property. The existing vegetation on the Project site consists of ornamental plant species. According to The Fullerton Plan and associated PEIR, with the exception of East Coyote Hills and West Coyote Hills in the City, vacant land with natural vegetation supportive of sensitive species does not occur in the City (City of Fullerton 2012b).

No fish, amphibian, or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish or amphibians were observed on or within the vicinity of the Project site. Therefore, no fish are expected to occur and are presumed absent from the Project site. Due to the high level of anthropogenic disturbances on-site, and surrounding development, no special-status reptilian species are expected to occur within the Project site. The Project site provides minimal foraging habitat for bird or mammal species that have adapted to human disturbance. The existing landscaping provides potential habitats for common animal species that are typically found in urban areas, such as small mammals, birds, small reptiles, and insects. However, the site does not provide natural habitats for sensitive plant and animal species.

Review of the U.S. Fish and Wildlife Service's (USFWS') Critical Habitat for Threatened and Endangered Species shows there are no designated critical habitat areas on or near the Project site (USFWS 2021). The nearest critical habitat is located in East Coyote Hills, approximately 2.3 miles to the north.

Since there are no natural or sensitive biological resources on the Project site, the proposed Project would not impact any candidate, sensitive, or special status species, as identified in the local or regional plans, policies, or regulations by the California Department of Fish and Wildlife (CDFW) or USFWS. There would be no impact on sensitive species, and no mitigation is required.

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

No Impact. The Project site is currently developed, and stormwater sheet flows across the asphalt pavement, ribbon gutters, and catch basins toward abutting streets. The site supports ornamental landscaping at scattered locations but does not contain riparian habitat or sensitive natural vegetation communities identified by CDFW and USFWS. There would be no impact to riparian habitats or sensitive natural vegetation communities, and no mitigation is 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. The Project site is largely paved and does not support State or federally protected wetlands, or other areas under the jurisdiction of the CDFW, the Regional Water Quality Control Board (RWQCB), or U.S. Army Corps of Engineers (USACE). There are no jurisdictional drainage, wetland, or riparian habitats at the Project site. As stated in The Fullerton Plan PEIR, remaining areas of the City, including the Focus Areas, are primarily developed and do not include wetlands or wetland habitat (City of Fullerton 2012b). Therefore, regulatory approvals from the CDFW, RWQCB, or USACE would not be required for implementation of the Project. There would be no impact, and no mitigation is 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?

Less than Significant Impact. The Project site is developed and is surrounded by commercial uses and roadways. The Project site is isolated from regional wildlife corridors and linkages, and there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas) within or connecting the Project site to any identified wildlife corridors or linkages. According to The Fullerton Plan and associated PEIR, with the exception of the West Coyote Hills Focus Area and East Coyote Hills, the remaining areas of the City are largely developed and surrounded by development, and as such, wildlife movement corridors do not occur within the City proper (City of Fullerton 2012b).

As a result, implementation of the proposed Project would not disrupt or have any adverse effects on any migratory corridors or linkages in the surrounding area. The Project would not affect the movement of any native resident or migratory fish or wildlife species or established native resident or migratory wildlife corridors, as the Project is part of none. Also, there are no native wildlife nursery sites on or near the Project site.

Due to the presence of trees and vegetation on the Project site, there is the potential for birds protected by the Federal Migratory Bird Treaty Act (MBTA) and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code to nest at the site. The MBTA protects common and special status migratory birds and their nests and eggs. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (50 Code of Federal Regulations [CFR] Section 10.13, as amended). Since the 1970s, the MBTA has been interpreted to prohibit the accidental or “incidental” take of migratory birds. However, in December 2017, the acting Solicitor of the Department of the Interior issued a new memorandum disclaiming the interpretation of the MBTA as prohibiting incidental take of migratory birds (DOI 2017). In response to the federal changes in interpretation of the MBTA, the CDFW and the California Attorney General have issued an advisory affirming California’s protection for migratory birds (CDFW and Attorney General 2018).

Multiple sections of California Fish and Game Code provide protection for nesting birds and raptors. Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically addresses raptors (i.e., birds of prey in the orders Falconiformes and Strigiformes) and makes it unlawful to take, possess, or destroy these birds or their nest or eggs. Section 3513 prohibits the take or possession of migratory non-game birds or any part of such bird, as designated by the MBTA.

If demolition and site clearing activities occur during the nesting season, active bird nests on the site may be disturbed or destroyed by the proposed Project, resulting in a significant impact. Therefore, COA BIO-1 is required to avoid impacts to nesting birds and their fledglings. Upon completion of construction and landscaping activities on the site, newly planted trees and landscaping would provide nesting habitat for migratory birds. Therefore, impacts to migratory birds may occur during the construction phase but would be less than significant with implementation of COA BIO-1.

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

Less than Significant Impact. The purpose of Chapter 9.06, Community Forestry, of the Fullerton Municipal Code (FMC) is to realize the optimum public benefits of trees on the City's streets, in public places, and on private property. Section 9.06.110, Injuring Public Trees, and Section 9.06.100, Alteration and Removal of Street Trees, prohibit the injury of street trees and do not allow the removal of street trees without a permit. As indicated in Chapter 9.06 of FMC, to facilitate the planting and maintenance of trees on newly proposed private development, the Director of Community and Economic Development Services will review landscape plans to ensure their conformance with the Community Forest Management Plan. The proposed project would not remove trees within the public rights-of-way, and the proposed project's landscape plan would be reviewed by the City to ensure compliance with the Community Forest Management Plan. Therefore, impacts would be less than significant.

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. As identified in Section 5.11, Biological Resources, of The Fullerton Plan PEIR, one habitat conservation plan, the Coyote Hills East Habitat Conservation Plan (HCP), exists within the City of Fullerton. This HCP applies to the northeastern part of the City and was developed in response to the Coyote Hills East project. The Coyote Hills East HCP was prepared to protect significant biological resources located within that site, including the California gnatcatcher (*Poliophtila californica californica*), cactus wren (*Campylorhynchus brunneicapillus*), and coastal sage scrub. The proposed Project is not located in the area addressed by the Coyote Hills East HCP and would not conflict with the HCP. Therefore, the proposed Project would not have any significant impacts in this regard, and no mitigation is required.

Standard Conditions of Approval

The following mitigation measure from The Fullerton Plan PEIR is applicable to the proposed Project and incorporated herein as a standard condition.

COA BIO-1 Prior to the issuance of any grading permits, the Community Development Director or designee shall verify that the following requirements for nesting birds and preconstruction survey are completed by the Project Applicant:

- The start of demolition and site-preparation activities shall be scheduled outside of the bird nesting and breeding season (typically March 1 through August 15). If demolition or site-preparation activities start during the nesting season, a qualified Biologist shall conduct a nesting bird survey in potential bird nesting areas within 200 feet of any proposed disturbance. The survey shall be conducted no more than three days prior to the start of ground disturbance activities (i.e., grubbing or grading).
- If active nests of bird species protected by the Migratory Bird Treaty Act (MBTA) and/or the California Fish and Game Code (which, together, apply to all native nesting bird species) are present in the impact area or within

200 feet of the impact area, a temporary buffer fence shall be erected a minimum of 200 feet around the nest site. This temporary buffer may be greater or lesser depending on the bird species and type of disturbance, as determined by the Biologist.

- Clearing and/or construction within temporarily fenced areas shall be postponed or halted until juveniles have fledged from the nest and there is no evidence of a second nesting attempt. The Biologist shall serve as a construction monitor during those periods when disturbance activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur.

Mitigation Measures

Project implementation would not result in significant impacts related to biological resources; therefore, no mitigation measures are required.

4.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Introduction

Existing Setting

This analysis used information from The Fullerton Plan PEIR (City of Fullerton 2012b) and a historic and archaeological record search conducted by Psomas on March 25, 2021 at the South Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton. The records search is included in Appendix B, of this IS/ND. The SCCIC houses records of the California Historical Resources Information System (CHRIS) for Los Angeles, Orange, Ventura, and San Bernardino Counties. The records search included a 0.25-mile radius around the Project site.

The site is located at 229 East Orangethorpe Avenue, within an existing shopping center, FTC—Focus Area D-Harbor Gateway in The Fullerton Plan, northwest of the intersection of South Lemon Street and East Orangethorpe Avenue. The site is currently developed with two single-story multi-tenant commercial buildings, associated asphalt concrete paved surface parking, and two restaurants.

Local access to the site is provided by East Orangethorpe Avenue and South Lemon Street. The commercial spaces are mostly vacant, and all existing uses on the Project site are slated for demolition to accommodate development of the proposed Project.

Based on a 1953 aerial photograph, the site was previously used for agriculture, and it included rows of trees and a single structure. Agricultural operations remained until 1963 on the northeastern portion of the site only.

The SCCIC, located on the campus of California State University, Fullerton, houses records of the California Historical Resources Information System (CHRIS) for Orange, Los Angeles, San Bernardino, and Ventura Counties. On March 25, 2021, Psomas completed a record search for the Project site, which included a 0.8-kilometer (0.5-mile) radius around the site. The purpose of the literature search was to identify prehistoric or historic archaeological sites or historic buildings and structures, previously recorded within and around the Project site.

The SCCIC record search identified nine prior cultural resources studies (Table 4-8) within the 0.5-mile search radius that were initiated due to planned urban and residential developments, roadways, utilities projects, and park uses. One of the nine studies is located approximately 0.25-

mile from Project site. This study – OR-02761 – consists of an archaeological assessment and field survey.

**TABLE 4-8
CULTURAL RESOURCE STUDIES WITHIN 0.25-MILE OF THE PROJECT SITE**

Report No.	Year	Author(s)	Affiliation	Type of Study	Title of Study	Proximity to Project Site
OR-02761	2002	Demcak, Carol R.	Archaeological Resource Management Corp.	Archaeological, Field study	Archaeological Assessment for Harbor Boulevard Reconstruction Project (#4436), City of Fullerton, California	0.25 mile
Source: SCCIC 2021.						

The records search did not identify any previously recorded cultural resources within a 0.25-mile of the Project site.

Impact Analysis

Would the Project:

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

Less than Significant Impact. No historical resources were identified on or in the vicinity of the Project site. Thus, the Project's impact pertaining to a historic resource pursuant to Section 15064.5 is considered less than significant, and no mitigation is required.

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

Less than Significant Impact. Based on the searches conducted, no archaeological resources were discovered on the Project site or within the 0.5-mile search radius of the site. However, there is a possibility that buried historical and/or archaeological materials would be uncovered during necessary subsurface excavations for the construction of the Project. To ensure no significant impacts would result, COA CUL-1 is required in the event that cultural resources (archaeological, historical, paleontological) resources are inadvertently unearthed during excavation and grading. It requires that the Project proponent shall retain a qualified professional (i.e., archaeologist) to evaluate the significance of the finding and appropriate course of action. Implementation of COA CUL-1 would ensure that the potential for the destruction of any significant archaeological resources would be less than significant.

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

Less than Significant Impact. There is no indication that human remains are present within the Project site, and the SCCIC records search does not indicate evidence of human remains within the 0.5-mile search radius of the site. However, construction activities may unearth previously undiscovered human remains.

In compliance with State and federal regulations, if human remains are encountered during excavation activities, all work shall halt at the site and or any nearby areas reasonably suspected to overlie adjacent remains, and the County Coroner shall be notified (COA CUL-2). The Coroner shall determine whether the remains are of forensic interest within two working days of receiving notification. If the Coroner, with the aid of the qualified archaeologist, determines that the remains are prehistoric, the Coroner shall contact the NAHC within 24 hours of the determination. The NAHC shall be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the California Public Resources Code. Compliance with COA CUL-2 would ensure that impacts on human remains would be less than significant. No mitigation is required.

Standard Conditions of Approval

The following mitigation measures from The Fullerton Plan PEIR are applicable to the proposed Project and incorporated herein as standard conditions of approval.

COA CUL-1 In the event that cultural resources (archaeological, historical, paleontological) resources are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall immediately cease all earth-disturbing activities within a 100-foot radius of the area of discovery. The project proponent shall retain a qualified professional (i.e., archaeologist, historian, architect, paleontologist, Native American Tribal monitor), subject to approval by the City of Fullerton, to evaluate the significance of the finding and appropriate course of action. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume. **(Mitigation Measure CR-3 from The Fullerton Plan PEIR)**

COA CUL-2 In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to State Health and Safety Code Section 7050.5, no further disturbance shall occur until the County coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American. **(Mitigation Measure CR-4 from The Fullerton Plan PEIR)**

Mitigation Measures

Project implementation would not result in significant impacts related to cultural resources; therefore, no mitigation measures are required.

4.6 ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Analysis

Energy calculations and data are provided in Appendix C to this IS/ND.

Would the Project:

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

Less than Significant Impact. Southern California Edison (SCE) and the Southern California Gas Company (SCGC) are utility companies that currently provide and would continue to provide electrical and natural gas services to the Project site. Compliance with energy efficiency and conservation policies and regulations is discussed in this section.

The City of Fullerton has adopted The Fullerton Plan which serves as the City's General Plan pursuant to State law. The Fullerton Plan has developed attainable conservation goals and policy actions that would assist in energy conservation within the community. These conservation goals and policy actions include:

- **Goal 1: Resilient and vital neighborhoods and districts.**

P1.12 Energy- and Resource-Efficient Design

Support projects, programs, policies and regulations to encourage energy and resource efficient practices in site and building design for private and public projects. (See Chapter 19: Open Space and Natural Resources for related policies.)

- **Goal 3: A supply of safe housing ranging in cost and type to meet the needs of all segments of the community.**

Policy Action 3.18 Encourage Sustainability and Green Building Practices.

The City has acknowledged the community's concerns regarding the use and conservation of energy resources and embraces the concept of sustainability and "green building" practices in new and existing residential development, the City shall continue to monitor industry trends, technologies, and techniques that encourage the sustainable use of resources in new housing development and the retrofit of existing housing and

encourage the incorporation of sustainability in new and existing residential development. The City shall determine the appropriateness of offering incentives or other mechanisms to further encourage the incorporation of sustainability in residential development.

Policy Action 3.20 Efficient Use of Energy Resources in Residential Development.

The City shall continue to encourage housing developers to maximize energy conservation through proactive site, building and building system design, materials, and equipment. The City's goal is to provide the opportunity to exceed the provisions of Title 24 of the California Building Code. The City shall continue to support energy conservation through encouraging the use of Energy Star-rated appliances, other energy-saving technologies and conservation. To enhance the efficient use of energy resources, the City shall review the potential of offering Incentives or other strategies that encourage energy conservation.

The State of California has also adopted efficiency design standards within the Title 24 Building Standards and CALGreen requirements. Title 24 of the California Code of Regulations (CCR, specifically, Part 6) is California's Energy Efficiency Standards for Residential and Non-residential Buildings (COA ENE-1). Title 24 was established by the California Energy Commission (CEC) in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and to provide energy efficiency standards for residential and non-residential buildings. The 2019 California Green Building Standards Code (24 CCR, Part 11), also known as the CALGreen Code, contains mandatory requirements for new residential and nonresidential buildings throughout California (COA ENE-2). The development of the CALGreen Code is intended to (1) cause a reduction in GHG emissions 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 directives by the Governor. The Code is established to reduce construction waste; make buildings more efficient in the use of materials and energy; and reduce environmental impact during and after construction. The regulation of energy efficiency for residential and non-residential structures is established by the CEC and its California Energy Code.

Construction

Project construction would require the use of construction equipment for demolition, grading and building activities. All off-road construction equipment is assumed to use diesel fuel. Construction also includes the vehicles of construction workers and vendors traveling to and from the Project site.

Off-road construction equipment use was calculated from the equipment data (mix, hours per day, horsepower, load factor, and days per phase) provided in the CalEEMod construction output files included in Appendix C to this IS/ND. The total horsepower hours for the Project was then multiplied by fuel usage estimates per hours of construction activities included in the Off-Road Model.

Fuel consumption from construction worker, vendor, and delivery/haul trucks was calculated using the trip rates and distances provided in the CalEEMod construction output files. Total vehicle miles traveled (VMT) was then calculated for each type of construction-related trip and divided by the corresponding miles per gallon factor using CARB's Emissions FACTor (EMFAC)

2017 model (CARB 2017a, 2017b). EMFAC provides the total annual VMT and fuel consumed for each vehicle type. Construction vendor and delivery/haul trucks were assumed to be heavy-duty diesel trucks.

As shown in Table 4-9, Energy Use During Construction, a total of 122,858 gallons of gasoline and 22,189 gallons of diesel fuel is estimated to be consumed during Project construction.

**TABLE 4-9
ENERGY USE DURING CONSTRUCTION**

Source	Gasoline - gallons	Diesel Fuel - gallons
Off-road Construction Equipment	14,948	17,180
Worker commute	106,613	425
Vendors	1,292	18
On-road haul	6	4,566
Totals	122,858	22,189
Sources: based on data from CalEEMod, OffRoad and EMFAC2017. Energy data can be found in Appendix C to this IS/ND.		

Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. The Project would also implement best management practices such as requiring equipment to be properly maintained and minimize idling. Furthermore, there are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. Energy used in the construction of the Project would enable the development of buildings that meet the latest energy efficiency standards as detailed in California's Title 24 building standards (COA ENE-1). Therefore, the proposed construction activities would not result in inefficient, wasteful, or unnecessary fuel consumption.

Operations

The proposed Project would promote building energy efficiency through compliance with energy efficiency standards (Title 24 and CALGreen). The Project site is currently developed with commercial uses that complied with older less stringent building energy efficiency standards. The proposed Project is required to comply with the latest (2019) building energy efficiency standards adopted by the State of California. The estimated energy consumption attributable to the Project is shown in Table 4-10, below.

**TABLE 4-10
ENERGY USE DURING OPERATIONS**

Land Use	Gasoline	Diesel	Natural Gas (kBtu/yr)	Electricity (kWh/yr)
Project Land Uses	220,701	19,972	3,772,630	1,745,010
Sources: Energy data can be found in Appendix C of this IS/ND.				

The CEC anticipates the new 2019 Building Energy Efficiency Standards would result in a reduction of energy use as compared to previous energy standards (CEC 2018). Therefore, the new buildings would be more energy efficient than the existing buildings to be demolished. In terms of whether the operations phase would result in a wasteful, inefficient, or unnecessary consumption of energy resources, during Project operation, the Project would add new energy efficient units to the housing inventory within Orange County. Therefore, the proposed Project would not result in an inefficient, wasteful, or unnecessary consumption of energy. There would be a less than significant impact, and no mitigation is required.

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

No Impact. The Project would be required to comply with the State of California's Title 24 Energy Efficiency Standards and Title 24 Building Standards (COA ENE-1 and COA ENE-2, respectively). As discussed previously, the latest building standards would incorporate the CEC's building energy efficiency standards, which would reduce energy consumption through the incorporation of energy efficiency requirements. This would result in efficient use of electricity, natural gas, and water as compared to older buildings developed under less stringent Title 24 requirements. As such, the development of new Project-related buildings would result in greater energy efficiency by replacing the existing less efficient older buildings consistent with the energy efficiency goals of The Fullerton Plan.

Overall, the Project is an infill development. There would be less trips with implementation of the Project than existing uses, and there would be a net reduction of 222 trips at the Project site (Psomas 2021). The Project's uses would result in trip reductions due to the Project site's proximity to nearby commercial uses, which are within walking distance of the Project site. Therefore, the Project would promote pedestrian activity in an area with complementary uses, which would reduce reliance on single-passenger vehicles.

In addition, Orange County had declared a housing shortage (Orange County 2018). The Project would assist in increasing available housing within the City and County, which would provide housing options to employees who work within Orange County and may result in decreased worker commutes and consumption of transportation fuels. Shorter vehicle trip lengths would also reduce the amount of traffic congestion, which is consistent with the City's Transportation and Mobility Strategy and Sustainable Regional Revitalization Efforts of the Climate Action Plan.

As the Project complies with the latest energy efficiency standards and provides additional housing capacity within the City, which results in savings of transportation fuels, the Project would be consistent with energy conservation goals established in The Fullerton Plan and would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. There would be a less than significant impact, and no mitigation is required.

Standard Conditions of Approval

- COA ENE-1** The Project must be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods.
- COA ENE-2** The Project is subject to the California Green Building Standards Code (CALGreen) (CCR, Title 24, Part 11). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods.

Mitigation Measures

Project implementation would not result in significant impacts related to energy; therefore, no mitigation measures are required.

4.7 GEOLOGY AND SOILS

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

Introduction

A Due Diligence Geotechnical Engineering Evaluation (Geotechnical Evaluation) has been prepared by Leighton and Associates, Inc. (December 2019) for the proposed Project to assess the geotechnical conditions on the Project site and provide preliminary geotechnical recommendations for planning of the Project (Leighton and Associates 2019a). The findings of the Geotechnical Evaluation are summarized below, and the report is included as Appendix D to this IS/ND.

Impact Analysis

Would the Project:

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

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

No Impact. Ground rupture occurs when movement on a fault breaks through the surface. The State of California has established Earthquake Fault Zones for the purpose of mitigating the hazard of fault rupture by prohibiting the location of most human occupancy structures across the traces of active faults. The Project site is outside of an Earthquake Fault Zone and Alquist-Priolo Earthquake Fault Zoning Map, and no known active faults have been mapped across the site, as shown on Exhibit 4-4, Faults. The closest active faults with surface expression to the Project site are the Newport-Inglewood and Whittier fault zones, located approximately 12.4 miles and 5.8 miles from the Project site, respectively. Therefore, per the Geotechnical Evaluation, the potential for surface rupture onsite is low. There is no impact associated with surface rupture from an Alquist-Priolo Fault Zone, and no mitigation is required.

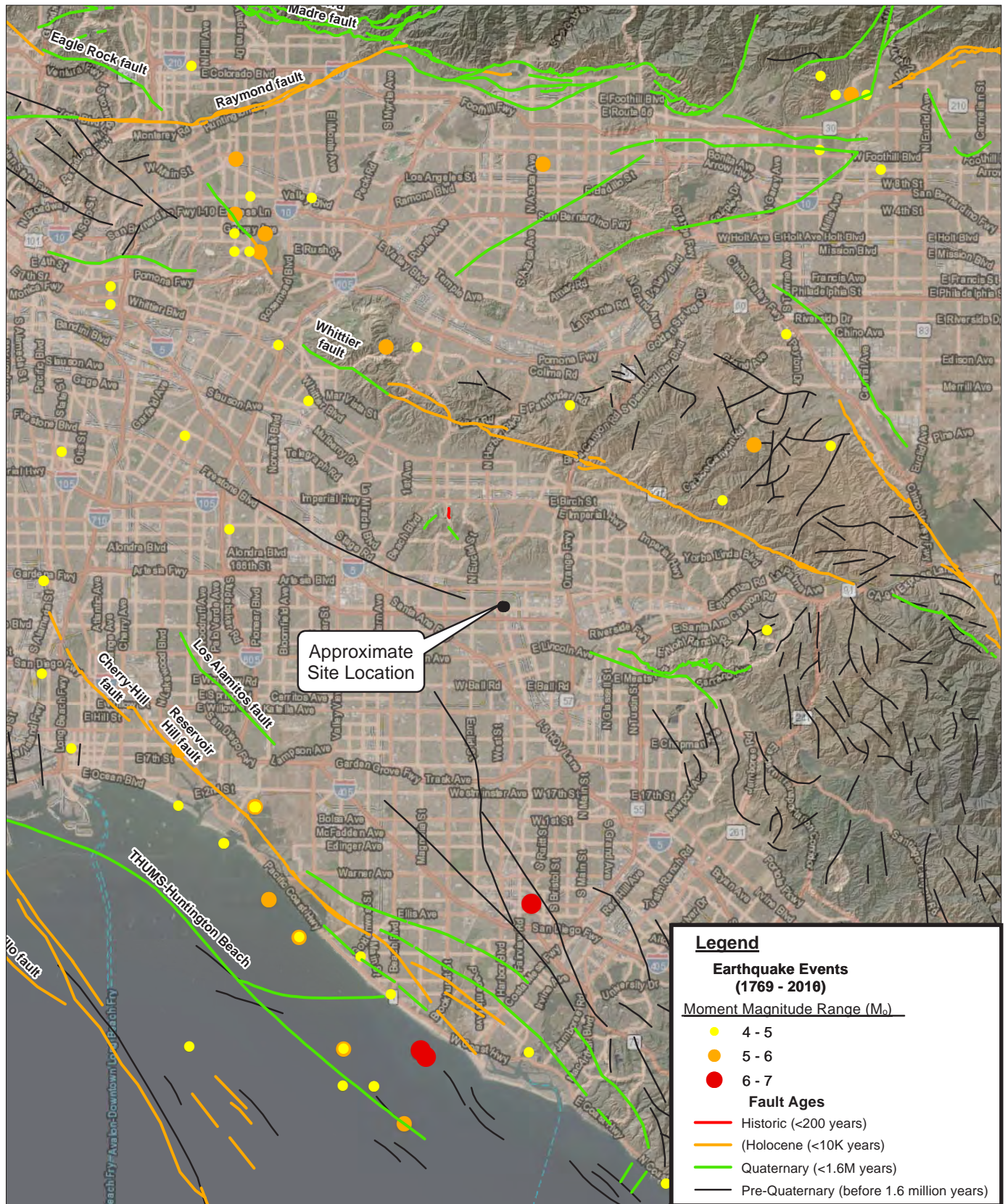
ii) Strong seismic groundshaking?

Less than Significant Impact. The City of Fullerton and the rest of California are located within a seismically active region. There are no known active or potentially active faults on the Project site. As stated under Threshold 4.7(a)(i), the closest active faults with surface expression to the Project site are located approximately 12.4 miles and 5.8 miles from the Project site. The principal seismic hazard to the Project site is groundshaking from an earthquake occurring along any of several major active and potentially active faults in Southern California. It is anticipated that because the Project site is located within a seismically active region, the Project site would experience ground shaking during the life of the Project.

In order to reduce the effects of ground shaking, the Project would be designed in accordance with all applicable current codes and standards utilizing the appropriate seismic design parameters to reduce seismic risk as defined by California Geological Survey (CGS) Chapter 2 of Special Publication 117a and the 2019 California Building Code (COA GEO-1). Per COA GEO-1, all buildings and other structures constructed as part of the Project would be designed in accordance with applicable requirements of the CBC in effect at the time of grading plan submittal, and any applicable building and seismic codes in effect at the time the grading plans are submitted. The Geotechnical Evaluation concludes that the proposed Project is feasible from a geotechnical standpoint. Therefore, there would be a less than significant impact from strong seismic groundshaking, and no mitigation is required.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Liquefaction of soils may be caused by cyclic loading such as that imposed by ground shaking during earthquakes. The increase in pore pressure results in a loss of strength, and the soil then can undergo both horizontal and vertical movements, depending



Source: Leighton Geomatics, 2019

Regional Faults

Street Lights Fullerton Project



0 2.5 5 10 Miles

Exhibit 4-4

PSOMAS

on the site conditions. Liquefaction is generally known to occur in loose (low-density), saturated, relatively clean, fine-to medium-grained cohesionless soils. Effects of liquefaction can include sand boils, settlement, and bearing capacity failures below structural foundations.

As indicated in the Geotechnical Evaluation, the Project site is located within an area that has been identified by the State of California as being susceptible to liquefaction. However, groundwater was encountered at the site at a depth of approximately 30 feet below ground surface (bgs). Based on the Geotechnical Evaluation liquefaction analysis prepared for the Project, the potential for liquefaction at the Project site under a design seismic event is deemed low. Therefore, the Project would not result in a substantial adverse effect, including the risk of loss, injury, or death, due to seismic-related ground failure, including liquefaction. There would be a less than significant impact, and no mitigation is required.

iv) Landslides?

No Impact. The Project site and surrounding area are located in a generally flat, urbanized portion of the City, with the ground elevations on the Project site at approximately 151 to 155 feet above mean sea level (msl). The Geotechnical Evaluation states that the potential for seismically-induced landslides to occur at the Project site is not considered to be a hazard due to the absence of slopes at the Project site. In addition, based on the State's Seismic Hazard Zones Map for the Anaheim Quadrangle, the Project site is not located within an area that has been identified as being potentially susceptible to seismically-induced landslides. Therefore, the Project would not result in a substantial adverse effect, including the risk of loss, injury, or death, due to landslides. No impact would occur, and no mitigation is required.

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

Less than Significant Impact. The Project site is fully developed with commercial buildings, surface parking lots, and associated site improvements and has a relatively flat topography. During demolition and construction activities, temporary soil erosion may occur due to soil disturbance and the removal of buildings and paved surfaces. In addition, soil erosion due to rainfall and wind may occur if unprotected soils are exposed during construction. The Project site is generally underlain by Quaternary-aged young Holocene alluvial soils.

As the Project site has over one acre of land area, it would be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities or coverage under the NPDES Construction General Permit. The Construction General Permit requires preparation of a Stormwater Pollution Prevention Plan (SWPPP) and implementation of erosion control, sediment control, tracking, waste management, and construction site maintenance best management practices (BMPs) to reduce the potential for soil and wind erosion during construction activities (see COA HYD-1, in Section 4.10).

Most of the Project site is currently covered in impervious surfaces (95.5 percent), and Project implementation would also result in a decrease of impervious surfaces, to 90.1 percent coverage. There would be minimal areas of exposed soils following completion of the proposed Project where erosion could occur. Site improvements and landscaping would also prevent long-term erosion. Therefore, operation-related soil erosion would be less than significant, and no mitigation is 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. As discussed above, the Project site is not located in a potential landslide zone, and therefore, the Project would not result in on-or off-site landslides. However, the Project site is located within a State-mapped Liquefaction Hazard Zone. In general, lateral ground displacement due to liquefaction could include lateral spreading (for ground slope less than six percent), flow failure (for ground slope steeper than six percent), and ground oscillation. Although the subsurface soils at the Project site are susceptible to liquefaction, the potential for development of lateral spreading and flow failure was deemed by the Geotechnical Evaluation to be low, since the Project site is relatively flat and constrained, and groundwater was first encountered at a depth of approximately 30 feet bgs. In light of the depth of water and low potential for liquefaction, as discussed under Threshold 4.7(a)(iii), above, lateral spreading also has a low potential of occurrence. As such, there would be a less than significant impact regarding lateral spreading and liquefaction, and no mitigation is required. Additionally, ground oscillation is a phenomenon that forms cracks and ridges due to random vertical and lateral movements of broken blocks of non-liquefiable soils overlying liquefiable soil in response to earthquake motions. According to the Geotechnical Evaluation, ground oscillation usually occurs on relatively level ground surface, where lateral spreading normally does not occur. Ground oscillation may cause damage to pavement, pipelines, walkways, and other lightly-loaded near-surface structures. However, since the potential for damaging liquefaction is low at the Project site, the potential for ground oscillation occurrence would also be considered low. There would be a less than significant impact.

As indicated in the Geotechnical Evaluation, during a strong seismic event, seismically-induced settlement (dry dynamic settlement above groundwater) can occur within loose to moderately dense sandy soil due to reduction in volume during or shortly after an earthquake event. The Geotechnical Evaluation performed analyses to estimate the potential for seismically-induced settlement and determined that the total seismically induced settlement is expected to be less than ¼ inch. The proposed buildings would not be subject to collapse, nor would they be subject to special design considerations. The evaluation determined that with adherence with standard structural design requirements from the current building code (COA GEO-1) potential impacts pertaining to seismically-induced settlement and collapse would be less than significant, and no mitigation is 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 characterized by their ability to undergo significant volume changes (shrink or swell) due to variations in moisture content. Expansive soils contain significant amounts of clay particles that swell considerably when wet and shrink when dried. Changes in soil moisture content can result from rainfall, landscape irrigation, utility leakage, roof drainage, perched groundwater, drought, or other factors, and may cause unacceptable settlement or heave of structures, concrete slabs supported on-grade, or pavements supported over these materials. Depending on the extent and location below finished subgrade, these soils could have a detrimental effect on the proposed construction.

Based on the site exploration conducted for the Geotechnical Evaluation, the near surface onsite soils in the upper 5 feet consist predominantly of sandy silt and silty sand, with the exception of 1 acre of the site, Cone Penetrometer Test-2 (CPT-2). The CPT-2 portion consists of silty clay and clayey silt. Expansion index testing of soils collected within the upper 5 feet of CPT-2 were tested for expansion potential and were determined to have an expansion index (EI) of 18, which is considered very low. Additionally, Project construction would be required to comply with 2019 California Building Code (COA GEO-1). Therefore, Project impacts related to expansive soils would be less than significant, and no mitigation is required.

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

No Impact. According to the Phase I Environmental Site Assessment (ESA) prepared for the Project (Appendix G), there is no evidence of pits, ponds, lagoons, septic systems, wastewater, cisterns, and sumps at the Project site (Leighton and Associates 2019b). The use of septic tanks or alternative wastewater disposal systems is not proposed by the Project. Therefore, no impact would result, and no mitigation is required.

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

Less than Significant Impact. The Project site is located in the Downey Plain within the southeastern margin of the Los Angeles Basin, a large structural depression within the Peninsular Ranges geomorphic province of California. In general, the Downey Plain is bordered by the Coyote and Peralta Hills on the north, the Santa Ana Mountains and Tustin Plain to the east, the Pacific Ocean to the south, and Los Angeles Coastal Plain to the west. Several broadly warped coastal mesas represent uplifted areas along the active Newport-Inglewood structural fault zone. These mesas are separated by erosional gaps, which were created by historic routes of the Santa Ana River.

The site lies near the lower reaches of the Santa Ana River and associated floodplain. Historical accounts, documents, and results further support widespread sheet flooding and marine transgression as being the dominant depositional process associated with the Santa Ana River floodplain.

This analysis is based on the results of a literature review and records check conducted through the Natural History Museum (LACM) of Los Angeles County and a review of geologic maps and aerials of the Project site. The paleontological records search was completed on May 19, 2021. The record search included a thorough search of the LACM paleontology collection records for the locality and specimen data for the Project site and surrounding area. The record search did not identify any fossil localities within the site. However, six localities were located nearby from the same sedimentary deposits that occur in the Project site, either at the surface or at depth. As indicated above, the Project site is generally underlain by Quaternary-aged young Holocene alluvial soils, which could contain unknown fossils. However, the site history and geotechnical analysis indicates these earthmoving activities would take place in previously disturbed soils, which consist of re-deposited alluvial soil and artificial fill.

Nevertheless, while paleontological resources are not anticipated to be discovered during excavations, if grading activities encounter unknown paleontological resources, implementation of COA CUL-1 would ensure this impact be less than significant. Therefore, this impact would be less than significant.

Standard Conditions of Approval

COA CUL-1 from Section 4.5, Cultural Resources, is applicable to this analysis.

COA GEO-1 The Project Applicant shall adhere to the 2019 California Building Code (California Code of Regulations, Title 24, Part 2), including but not limited to structural design requirements that provide minimum standards for mitigating the effects of seismic shaking and adverse soil conditions.

Mitigation Measures

Project implementation would not result in significant impacts related to geology and soils; therefore, no mitigation measures are required.

4.8 GREENHOUSE GAS EMISSIONS

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

Introduction

A Greenhouse Gas (GHG) Emissions Technical Report was prepared by Psomas in May 2021 for the Project. The GHG Emissions Technical Report is summarized below, and the report is included as Appendix F to this IS/ND.

Existing Setting

Climate change refers to any significant change in measures of climate (e.g., average temperature, precipitation, or wind patterns) over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, which is an average increase in the temperature of the atmosphere near the Earth's surface; this is attributed to an accumulation of GHG emissions in the atmosphere. GHGs trap heat in the atmosphere which, in turn, increases the Earth's surface temperature. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emissions of GHGs through fossil fuel combustion in conjunction with other human activities are associated with global warming.

GHGs, as defined under California's Assembly Bill (AB) 32, include carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). General discussions on climate change often include water vapor, atmospheric ozone, and aerosols in the GHG category. Water vapor and atmospheric ozone are not gases that are formed directly in the construction or operation of development projects, nor can they be controlled in these projects. Aerosols are not gases. While these elements have a role in climate change, they are not considered by either regulatory bodies, such as the California Air Resources Board (CARB), or climate change groups, such as the California Climate Action Registry, as gases to be reported or analyzed for control. Therefore, no further discussion of water vapor, atmospheric ozone, or aerosols is provided.

Regulatory Background

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order (EO) S-3-05, which calls for a reduction in GHG emissions to the year 2000 level by 2010, to year 1990 levels by 2020, and to 80 percent below 1990 levels by 2050.

The principal overall State plan and policy adopted for the purpose of reducing GHG emissions is Assembly Bill (AB) 32 (California Global Warming Solutions Act of 2006). 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 recognizes that California is the source of substantial amounts of GHG emissions. The statute states the following:

Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

In order to avert these consequences, AB 32 establishes a State goal of reducing GHG emissions to 1990 levels by the year 2020, codifying the goal of EO S-3-05.

CARB approved a Climate Change Scoping Plan as required by AB 32 in 2008; this plan is required to be updated every five years. The Climate Change Scoping Plan proposes a “comprehensive set of actions designed to reduce overall carbon GHG emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health” (CARB 2008). The Climate Change Scoping Plan has a range of GHG-reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation regulation to fund the program. On February 10, 2014, CARB released the Draft Proposed First Update to the Climate Change Scoping Plan (CARB 2014). The board approved the final First Update to the Climate Change Scoping Plan on May 22, 2014. The first update describes California’s progress towards AB 32 goals, stating that “California is on track to meet the near-term 2020 greenhouse gas limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32” (CARB 2014). The latest update occurred in January 2017 and incorporates the 40 percent reduction to 1990 emissions levels by 2030.

The Sustainable Communities and Climate Protection Act of 2008, Senate Bill (SB) 375, established a process to coordinate land use planning, regional transportation plans, and funding priorities in order to help California meet the GHG reduction goals established in AB 32. SB 375 required the SCAG to incorporate the sustainable communities strategy (SCS) into its regional transportation plans (RTPs) that will achieve GHG emission reduction targets through several measures, including land use decisions. SCAG’s SCS is included in the SCAG 2020–2045 RTP/SCS (SCAG 2020). The goals and policies of the RTP/SCS that reduce vehicle miles traveled (VMT) focus on transportation and land use planning that include building infill projects; locating

residents closer to where they work and play; and designing communities so there is access to high quality transit service.

On April 29, 2015, Governor Brown signed EO B-30-15, which ordered an interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. Five key goals for reducing GHG emissions through 2030 include (1) increasing renewable electricity to 50 percent; (2) doubling the energy efficiency savings achieved in existing buildings and making heating fuels cleaner; (3) reducing petroleum use in cars and trucks by up to 50 percent; (4) reducing emissions of short-lived climate pollutants; and (5) managing farms, rangelands, forests and wetlands to increasingly store carbon. EO B-30-15 also directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

On September 8, 2016, the Governor signed Senate Bill 32 (SB 32) to codify the GHG reduction goals of EO B-30-15, requiring the State to reduce GHG emissions by 40 percent below 1990 levels by 2030 (Health and Safety Code Section 38566). As stated above, this goal is expected to keep the State on track to meeting the goal set by EO S-3-05 of reducing GHG emissions by 80 percent below 1990 levels by 2050.

AB 197 was signed at the same time to ensure that the SB 32 goals are met by requiring CARB to provide annual reports of GHGs, criteria pollutants, and TACs by facility, City and sub-county level, and sector for stationary sources and at the County level for mobile sources. It also requires the CARB to prioritize specified emission reduction rules and regulations and to identify specified information for emission reduction measures (e.g., alternative compliance mechanism, market-based compliance mechanism, and potential monetary and nonmonetary incentive) when updating the Scoping Plan.

SB 350, signed October 7, 2015, is the Clean Energy and Pollution Reduction Act of 2015. SB 350 is the implementation of some of the goals of EO B-30-15. The objectives of SB 350 are as follows:

1. To increase from 33 percent to 50 percent, the procurement of our electricity from renewable sources
2. To double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation

The text of SB 350 sets a December 31, 2030, target for 50 percent of electricity to be generated from renewable sources. SB 350 also requires the State to double statewide energy efficiency savings in electricity and natural gas end uses by 2030. Additionally, SB 350 sets requirements for large utilities to develop and submit integrated resources plans (IRPs), which detail how utilities would meet their customers' resource needs, reduce GHG emissions, and integrate clean energy resources (CEC 2020a).

On September 10, 2018, Governor Brown signed SB 100, the 100 Percent Clean Energy Act of 2018. SB 100 requires renewable energy and zero-carbon resources to supply 100 percent of electric retail sales to end-use customers and 100 percent of electricity procured to serve state agencies by December 31, 2045. This policy requires the transition to zero-carbon electric systems that do not cause contributions to increase of GHG emissions elsewhere in the western electricity grid (CEC 2020b). SB 100 also creates new standards for the Renewable Portfolio

Standard (RPS) goals established by SB 350 in 2015. Specifically, the bill increases required energy from renewable sources for both investor-owned utilities and publicly owned utilities from 50 percent to 60 percent by 2030.

Further, on September 10, 2018, Governor Brown also signed California EO B-55-18, which sets a new statewide goal of carbon neutrality as soon as possible, and no later than 2045 and achieve net negative emissions thereafter. EO B-55-18 was added to the existing Statewide targets of reducing GHG emissions, including the targets previously established by Governor Brown of reducing emissions to 40 percent below 1990 levels by 2030 (EO B-30-15 and SB 32), and by Governor Schwarzenegger of reducing emissions to 80 percent below 1990 levels by 2040 (EO S-3-05).

The Fullerton Plan Climate Action Plan (CAP) provides a framework for reducing GHG emissions and managing resources to best prepare for a changing climate (City of Fullerton 2012c). The CAP recommends GHG emissions targets that are consistent with the reduction targets of the State of California, including AB 32, and presents strategies for each category of GHG emissions (e.g., transportation, emergency consumption, water consumption and waste disposal) that will make it possible for the City to meet the recommended targets.

The CAP also suggests best practices for implementation and makes recommendations for measuring progress. The Fullerton Plan CAP states the following (City of Fullerton 2012c):

One of the primary uses for a CAP is to establish significance thresholds for reviewing projects under CEQA. CEQA requires the City to identify the significant environmental impacts of its discretionary actions and to avoid or mitigate those impacts if feasible. The CEQA Guidelines, as updated pursuant to SB 97, acknowledges that climate change is an environmental issue that requires analysis under CEQA and encourages the use of a plan consistency threshold for cumulative impacts on climate change. Projects that demonstrate consistency with the strategies, actions, and emission reduction targets contained in the CAP would have a less than significant impact on climate change.

When the City undertakes a discretionary action, such as approval of a proposed development project, plan, policy, or code change, the City will evaluate whether that action would result in a significant climate change impact.

Project consistency with the CAP is discussed under Threshold 4.8(b) below. It is accepted as very unlikely that any individual development project such as the size and character of the proposed project would have GHG emissions of a magnitude to directly impact global climate change; therefore, any impact would be considered on a cumulative basis.

Thresholds of Significance

Because the City has a CAP, which demonstrates how it will meet AB 32 requirements, the determination of whether a project would generate GHG emissions that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions can be made by determining the consistency of that project with the CAP. However, the City's CAP does not address recent requirements established by SB 32 to reduce GHG emissions by 40 percent below 1990 levels by 2030. Therefore, in

addition to establishing the Project's consistency with the CAP, the determination as to whether the proposed Project would generate GHG emissions that may have a significant impact on the environment is also determined by comparing the Project's emissions to the suggested South Coast Air Quality Management District (SCAQMD) threshold for all land use projects, discussed below.

On December 5, 2008, the SCAQMD Governing Board presented the staff proposal for a tiered threshold approach wherein Tier 1 determines if a project qualifies for an applicable CEQA exemption, Tier 2 determines consistency with GHG reduction plans, and Tier 3 proposes a numerical screening value as a threshold. At their September 28, 2010, meeting, the Working Group suggested a Tier 3 threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year for all land use types (SCAQMD 2010). Tier 4 determines if the project meets performance standards. Tier 4 has three options: Option 1—percent emission reduction target; Option 2—early implementation of applicable measures, and Option 3—sector-based standard. Tier 5 determines mitigation for CEQA offsets.

In the absence of adopted thresholds, the Tier 3 standard of 3,000 MTCO_{2e} per year is used for this analysis. The development of project-level thresholds in accordance with CEQA is an ongoing effort at the State, Regional, and County levels, and significance thresholds may differ for future projects based on new or additional data and information that may be available at that time for consideration. The City of Fullerton has not officially adopted any GHG CEQA significance threshold. The City defers to assessment methods and significance thresholds developed by the SCAQMD. This impact analysis evaluates consistency with regulatory programs designed to reduce GHG emissions and that contribute to the achievement of AB 32's and SB 32's goals as the primary significance criterion. In addition, this impact analysis also evaluates the Project's estimated emissions compared to the Tier 3 threshold for impacts related to GHG emissions proposed by staff of the SCAQMD, but not adopted by the SCAQMD Board.

Impact Analysis

Would the Project:

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

Less than Significant Impact. Project GHG emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 computer program (CAPCOA 2017). CalEEMod is designed to model construction and operational emissions for land development projects and allows for the input of project- and County-specific information. For modeling purposes, construction of the Project was based on the Project's construction assumptions and default assumptions derived from CalEEMod. The input for operational emissions was based on the vehicle trip generation rates provided in the transportation impact analysis and the proposed building area. Additional input details are included in Appendix F.

The estimated construction GHG emissions for the proposed Project would be 1,472 MTCO_{2e}, as shown in Table 4-11, Estimated Greenhouse Gas Emissions from Construction.

**TABLE 4-11
ESTIMATED GREENHOUSE GAS
EMISSIONS FROM CONSTRUCTION**

Year	Emissions (MTCO₂e)
Year 1	161
Year 2	629
Year 3	683
Total	1,472
MTCO ₂ e: metric tons of carbon dioxide equivalent	
Notes:	
<ul style="list-style-type: none"> Totals may not add due to rounding variances. Detailed calculations in Appendix F. 	

Operational GHG emissions would come primarily from vehicle trips; other sources including electricity and water consumption; natural gas for space and water heating; and gasoline-powered landscaping and maintenance equipment. Table 4-12, Estimated Annual Greenhouse Gas Emissions from Project Operation, shows the annual GHG emissions from proposed Project's operations. It should be noted that the emissions provided in Table 4-12 do not deduct existing GHG emissions from current on-site uses. There would be less trips with implementation of the Project than its current existing uses, and as such, there would be a net reduction of 222 trips at the Project site (Psomas 2021). As a result, net emissions would be much lower than what is shown in Table 4-12. However, for the purposes of a conservative analysis, the Project's operational emissions are shown in Table 4-12 without existing development net reductions.

**TABLE 4-12
ESTIMATED ANNUAL GREENHOUSE GAS
EMISSIONS FROM PROJECT OPERATION**

Source	Emissions (MTCO₂e/yr)
Area	6
Energy	520
Mobile	2,095
Waste	80
Water	110
Total Operational Emissions	2,811
MTCO ₂ e/yr: metric tons of carbon dioxide equivalent per year	
Notes:	
<ul style="list-style-type: none"> Totals may not add due to rounding variances. Detailed calculations in Appendix F. 	

Because impacts from construction activities occur over a relatively short period of time, they contribute a relatively small portion of the overall lifetime Project GHG emissions. In addition, GHG emission reduction measures for construction equipment are relatively limited. The SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime so that GHG reduction measures address construction GHG emissions as part of the operational

GHG reduction strategies (SCAQMD 2008). Therefore, construction and operational emissions are combined by amortizing the construction and operations over an assumed 30-year Project lifetime. This combination is shown in Table 4-13, Estimated Total Project Annual Greenhouse Gas Emissions, using the proposed Project's amortized construction and operational emissions.

**TABLE 4-13
ESTIMATED TOTAL PROJECT ANNUAL
GREENHOUSE GAS EMISSIONS**

Source	Emissions (MTCO ₂ e/yr ^a)
Construction (Amortized)	49 ^a
Operations (Table 4-12)	2,811
Total^b	2,860
SCAQMD-Recommended Threshold (Tier 3)	3,000
Exceeds Threshold?	No
MTCO ₂ e/yr: metric tons of carbon dioxide equivalent per year	
^a Total derived by dividing construction emissions (see Table 4-9) by 30.	
^b Total annual emissions are the sum of amortized construction emissions and operational emissions.	

As discussed above, there are no established applicable quantitative federal, State, regional, or local CEQA significance criteria for GHG emissions for non-industrial projects in the SoCAB. The SCAQMD has proposed, but not adopted, a threshold of 3,000 MTCO₂e per year for non-industrial land use projects. As shown, the estimated GHG emissions from the Project, without taking credit for the GHG emissions from existing uses that would be removed with Project implementation, would be less than this suggested threshold. The impact would be less than significant, and no mitigation is required.

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

Less than Significant Impact. As identified in the City's CAP, when determining whether a proposed project is consistent with the CAP, the following should be considered:

Step 1: Consider the consistency of the discretionary project (magnitude and location of growth) with The Fullerton Plan's year 2030 growth projections, which are the basis of the GHG emissions inventory projects. If the project is consistent with The Fullerton Plan projections, the project is consistent with the CAP.

The CAP then states, "If the discretionary project is not consistent with The Fullerton Plan's year 2030 growth projections, the project is not necessarily inconsistent with the CAP" and prescribes Steps 2, 3, and 4 to be addressed. The following analyzes the Project's consistency in accordance with Step 1.

The proposed Project would be located in the Fullerton Town Center (FTC) Focus Area D-Harbor Gateway in The Fullerton Plan and is consistent with the growth projections for this Focus Area. As indicated in Table 3-4, Projected Land Use Change—Focus Areas, of The Fullerton Plan PEIR,

the land use buildout assumptions for this Focus Area forecast over 2,549 dwelling units of additional residential uses, and over 1,438,580 sf of additional non-residential uses (City of Fullerton 2012b). As indicated in Table 5.2-10, Forecast Employment Growth – Focus Area, of The Fullerton Plan, the City anticipated 4,022 new employees in the Harbor Gateway Focus Area (16.7 percent of the total employment growth in the City) (City of Fullerton 2012c). The proposed Project would create employment opportunities during construction and long-term operations in the Harbor Gateway Focus Area. The Project's 5,995 sf of non-residential (retail) uses would generate approximately 18 employees, which is based on the average space utilization of 324.3 square feet of retail/wholesale space per employee (NAIOP 2009) and 6 employees for management of the multi-family residential uses. This is 0.6 percent of the anticipated employment growth in the Harbor Gateway Focus Area. The Project would result in 329 dwelling units, which is 13 percent of the City's projections for the Harbor Gateway Focus Area. However, it should be noted that this is not a new development project on a previously-undeveloped site. This is a redevelopment project, and therefore, existing development would be removed to accommodate this Project. The proposed Project would result in development and employment that has been envisioned by the City for the Harbor Gateway Focus Area. The Project's employment and dwelling units would not exceed and would be consistent with The Fullerton Plan's year 2030 employment and population growth projections. The Project is consistent with the CAP based on the Step 1 analysis. Therefore, the employment and population growth resulting from the Project would be consistent with the CAP, resulting in a less than significant impact related to GHG emissions and requiring no mitigation.

Section 15183.5 (b) (2) states, "An environmental document that relies on a greenhouse gas reduction plan for a cumulative impacts analysis must identify those requirements specified in the plan that apply to the project, and, if those requirements are not otherwise binding and enforceable, incorporate those requirements as mitigation measures applicable to the project."

The Fullerton CAP includes four strategies:

1. *Transportation and Mobility Strategy* - Promote a balanced transportation system that promotes the use of public transportation and bicycles, reduces congestion, and helps encourage residents to engage in healthy and active lifestyles.
2. *Energy Use and Conservation Strategy* - Reduce the carbon footprint of municipal operations to serve as a leader for the community and support the construction of buildings that are energy efficient and incorporate clean, renewable energy sources.
3. *Water Use and Efficiency Strategy* - Conserve and protect water resources and promote efficiency through public education.
4. *Solid Waste Reduction and Recycling Strategy* - Manage solid waste generation and diversion in order to achieve a zero-waste future.

The City has identified specific GHG reduction measures for these strategies, along with implementation actions for each measure. The implementation actions are City efforts that do not directly relate to development projects. However, the Project would comply with pertinent programs and regulations that have been or will be developed as part of these implementation actions and would support City efforts.

Table 4-14, The Fullerton Plan Climate Action Plan GHG Reduction Measures, lists the City's CAP strategies and related GHG reduction measures and provides a general discussion of Project features and regulations that support the CAP.

TABLE 4-14
THE FULLERTON PLAN CLIMATE ACTION PLAN
GHG REDUCTION MEASURES

MEASURE	PROJECT SUPPORT
Transportation and Mobility Strategy	
T-1: Reduction of Single Occupant Vehicle Trips Support regional and sub-regional efforts to increase alternatives to and infrastructure supporting a reduction of single occupant vehicle trips.	The Project is a mixed-used development within the Fullerton Town Center and Harbor Gateway Focus Area, which consists of residential and retail uses proximate to other retail, office, and related uses. The vision of The Fullerton Plan for the Harbor Gateway Focus Area is high density development, which would consist of residential, commercial, and mixed-uses with convenient access to regional transportation. The placement of residential uses proximate to commercial, office, and related uses would reduce use of single occupant vehicle trips. Additionally, the Project would provide 61 secure bicycle storage spaces for future residents and visitors at the Project site, which would also support regional and sub-regional efforts to increase alternatives to and infrastructure supporting a reduction of single occupant vehicle trips.
T-2: Inter-Jurisdiction Connections Support efforts to maintain, expand and create new connections between the Fullerton bicycle network and the bicycle networks of adjacent cities, Orange County, and the region.	There is no existing bikeway in Fullerton proximate to the Project site. There is a proposed Class II Bike Lane on Orangethorpe Avenue to the south of the site and a proposed Class III Bike Route on Lemon Street, east of the site (City of Fullerton 2012). The Project would not preclude the future development of these bike lanes and routes.
T-3: Bicycle Transportation Plan Support projects, programs, and policies to maintain and update as necessary a Bicycle Transportation Plan prepared and approved pursuant to the California Streets and Highways Code to maintain eligibility for funding for State Bicycle Transportation Account funds.	There is no existing bikeway in Fullerton proximate to the Project site. There is a proposed Class II Bike Lane on Orangethorpe Avenue to the south of the site and a proposed Class III Bike Route on Lemon Street, east of the site. The Project would not preclude the future development of these bike lanes and routes. The Project Applicant would provide 70 secure bicycle storage spaces for future residents and visitors at the Project site.
T-4: Bicycle Use on All Streets Support projects, programs, policies and regulations to recognize that every street in Fullerton is a street that a bicyclist can use.	The Project would not preclude the future development of the City's proposed bicycle lanes, discussed above. The Project Applicant would provide 70 secure bicycle storage spaces for future residents and visitors at the Project site.
T-5: Bicycling Safety and Convenience Support projects, programs, policies, and regulations that make bicycling safer and more convenient for all types of bicyclists.	The Project is a mixed-used development within the Fullerton Town Center Harbor Gateway, which consists of residential and retail uses proximate to other retail, office, and related uses. The Project would promote pedestrian and bicycle activity and provide secure bicycle storage and parking at the site for convenience.
T-6: Circulation Between Cities Support regional and sub-regional efforts to implement programs that coordinate the multi-modal transportation needs and requirements across jurisdictions, including but not limited to the Master Plan of Arterial Highways, the Commuter Bikeways Strategic Plan, the Signal Synchronization Master Plan, the Orange County Congestion Management Plan, and the Growth Management Plan.	The Project would not conflict with the Commuter Bikeways Strategic Plan since no bikeways are existing or proposed along the site boundaries. Also, no conflict with the Master Plan of Arterial Highways (MPAH) would occur since the needed street improvements would not change the roadway configurations. The Project would result in less trips than existing uses and would therefore not significantly impact Congestion Management Plan (CMP) intersections based on CMP thresholds of significance. No conflict with the Growth Management Plan is anticipated since employment growth from the Project would be within The Fullerton Plan and SCAG forecasts.

TABLE 4-14
THE FULLERTON PLAN CLIMATE ACTION PLAN
GHG REDUCTION MEASURES

MEASURE	PROJECT SUPPORT
T-7: Infrastructure for Low and Zero Emission Vehicles Support projects, programs, policies, and regulations to encourage the development of private and/or public infrastructure facilitating the use of alternative fuel vehicles.	The Project Applicant would meet CALGreen requirements (COA ENE-2) and provide electric vehicle charging parking spaces at the Project site for light-duty vehicles and infrastructure to facilitate future electric charging.
T-8: Rail and Rapid Transit Participate in the planning efforts for regional and inter-state rail and rapid transit projects to represent the interests of the City.	The Project would not preclude planning efforts for regional and inter-state rail and rapid transit projects.
T-9: Car Sharing Pilot Program Explore the potential for a car sharing pilot program to be implemented in one or more of the City's Focus Areas.	The Project Applicant would meet CALGreen requirements (COA ENE-2) and provide electric vehicle charging parking spaces at the Project site for light-duty vehicles and infrastructure to facilitate future electric charging.
Energy Use and Conservation Strategy	
E-1: GHG Emissions from Electrical Generation Support regional and sub-regional efforts to reduce greenhouse gas emissions associated with electrical generation through energy conservation strategies and alternative/renewable energy programs.	The Project would comply with pertinent requirements in the 2019 California Building Code (CBC) (or latest applicable code), including the Title 24 Energy Efficiency Standards (COA ENE-1) and the CALGreen Code (COA ENE-2). Additionally, residential uses are required to have updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); ventilation requirements; and lighting requirements, via COA ENE-1.
E-2: Energy- and Resource-Efficient Design Support projects, programs, policies and regulations to encourage energy and resource efficient practices in site and building design for private and public projects.	The Project would comply with Title 24 Energy Efficiency Standards (COA ENE-1) and the CALGreen Code (COA ENE-2). These RRs would lead to the planning and design of the Project with considerations for energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.
E-3: Energy Efficient Retrofits Prepare guidance to homeowners on energy efficient retrofits of existing dwellings.	This measure is not applicable to the Project because it would be a new development.
E-4: Efficient Use of Energy Resources in Residential Development The City shall encourage housing developers to maximize energy conservation through proactive site, building and building systems design, materials, and equipment. The City's goal is to provide the development community the opportunity to exceed the provisions of Title 24 of the California Building Code. The City shall continue to support energy conservation through encouraging the use of Energy Star-rated appliances, other energy-saving technologies and conservation. To enhance the efficient use of energy resources, the City shall review the potential of offering incentives or other strategies that encourage energy conservation.	The Project would comply with pertinent requirements in the 2019 California Building Code (CBC) (or latest applicable code), including the Title 24 Energy Efficiency Standards (COA ENE-1) and the CALGreen Code (COA ENE-2). Additionally, the Project is a mixed-use development which places residents and retail uses proximate to other commercial and retail uses, which reduces energy consumption from vehicles.

TABLE 4-14
THE FULLERTON PLAN CLIMATE ACTION PLAN
GHG REDUCTION MEASURES

MEASURE	PROJECT SUPPORT
E-5: Sustainable Regional Revitalization Efforts Support regional and sub-regional efforts pertaining to community revitalization that are rooted in sustainable development principles.	The proposed Project involves redevelopment of a formerly developed site. The Project would also incorporate sustainable practices, as required under the CALGreen Code (COA ENE-2).
Water Use and Efficiency Strategy	
W-1: Conservation Efforts Support regional and subregional efforts to promote water efficiency and conservation.	The Project would comply with Title 24 Energy Efficiency Standards (COA ENE-1) and the CALGreen Code (COA ENE-2). The Project would also participate in the City's water conservation programs and comply with existing water conservation regulations.
W-2: Sustainable Water Practices in New Development Support projects, programs, policies, and regulations to encourage water efficient practices in site and building design for private and public projects.	The Project would comply with the water conservation measures in the CALGreen Code (COA ENE-2) and with the City's existing water conservation regulations (e.g., Water Supply Shortage Conservation Plan and Landscape Ordinance). The City's Landscape Ordinance, as contained in Section 15.50 of the Fullerton Municipal Code, require the use of water efficient irrigation systems. Specifically, the Project would be designed to reduce the water consumption through efficient irrigation systems and the use of water-efficient fixtures, such as low flush toilets and aerators on sinks and showerheads within individual buildings.
W-3: GHG Emissions from Water Conveyance Support regional and subregional efforts to reduce greenhouse gas emissions associated with water conveyance through water conservation strategies and alternative supply programs.	The City does not receive recycled water from the Orange County Sanitation District and there is no recycled water infrastructure near the site. However, the City has several water conservation programs and supports recycled water projects by indirectly providing treated water for the Orange County Groundwater Replenishment System.
Waste Reduction and Recycling Strategy	
SW-1: Regional Waste Management Support regional and sub-regional efforts on recycling, waste reduction, and product reuse.	The Project would comply with the CALGreen Code on the recycling and/or salvage for reuse of a minimum of 65 percent of the nonhazardous construction and demolition debris and the mandates of SB 341 and AB 1826 for the provision of on-site recycling and organic waste containers.
SW-2: Waste Reduction and Diversion Support projects, programs, policies, and regulations to promote practices to reduce the amount of waste disposed in landfills.	The Project would comply with the CALGreen Code on the recycling and/or salvage for reuse of a minimum of 65 percent of the nonhazardous construction and demolition debris and the mandates of SB 341 and AB 1826 for the provision of on-site recycling containers and organic waste.
SW-3: Waste Stream Separation and Recycling Support projects, programs, policies and regulations to expand source separation and recycling opportunities to all households (including multi-family housing), businesses, and City operations.	The Project would comply with the CALGreen Code on the recycling and/or salvage for reuse of a minimum of 65 percent of the nonhazardous construction and demolition debris and the mandates of SB 341 and AB 1826 for the provision of on-site recycling and organic waste containers.
SW-4: Food-Waste Processing Facility Explore the feasibility of a food-waste processing facility to serve the City's food-service and food-processing businesses and large institutions.	The Project does not propose a food waste processing facility or other waste treatment and disposal facility.

TABLE 4-14
THE FULLERTON PLAN CLIMATE ACTION PLAN
GHG REDUCTION MEASURES

MEASURE	PROJECT SUPPORT
SW-5: GHG Emissions from Waste Support projects, programs, policies, and regulations to reduce greenhouse gas emissions from waste through improved management of waste handling and reductions in waste generation.	The Project would comply with waste reduction measures in the CALGreen Code and the mandates of SB 341 and AB 1826 for on-site recycling and organic waste containers.
Source: City of Fullerton 2012c.	

The City of Fullerton is implementing its CAP and is realizing GHG reductions as a result of this implementation. As discussed above, the Project would include features or would comply with regulations that would support the CAP strategies and GHG reductions measures listed in the City of Fullerton's CAP and, thus, would reduce GHG emissions when compared with projects that would not have these features. Project design and compliance with requirements would reduce vehicle trips, energy and water consumption, and solid waste disposal and, in turn, reduce GHG emissions. Thus, the Project would support the CAP's strategies and related GHG reduction measures, and would be consistent with the City's CAP. Since the Project is consistent with the policies and goals of The Fullerton Plan and the City's CAP, which in turn, were adopted in compliance with AB 32 and included in the growth projections used in the SCAG RTP/SCS, the Project would not conflict with the GHG reduction goals of these regulations and plans.

On a statewide level, the State policy and standards adopted for the purpose of reducing GHG emissions that are applicable to the proposed Project are EO S-3-05, AB 32, the California Global Warming Solutions Act of 2006 and SB 32. The quantitative goal of these regulations is to reduce GHG emissions to 1990 levels by 2020 to 80 percent below 1990 levels by 2050, and for SB 32, to 40 percent below 1990 levels by 2030. Statewide plans and regulations (such as GHG emissions standards for vehicles, the Low Carbon Fuel Standard, Cap-and-Trade, and renewable energy) are being implemented at the statewide level, and compliance at a project level is not addressed.

Overall, the Project is an infill development project. There would be less trips with implementation of the Project than its current existing uses, and there would be a net reduction of 222 trips at the Project site (Psomas 2021). The Project's uses would result in trip reductions due to the Project site's proximity to nearby commercial uses, which are within walking distance of the Project site. Therefore, the Project would promote pedestrian activity in an area with complementary uses, which would reduce reliance on single-passenger vehicles. The proposed Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. The impact would be less than significant, and no mitigation is required.

Standard Conditions of Approval

COA ENE-1 and COA ENE-2, in Section 4.6, Energy, are applicable to this topic.

Mitigation Measures

Project implementation would not result in significant impacts related to GHG emissions; therefore, no mitigation measures are required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

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

Introduction

A Phase I Environmental Site Assessment (Phase I ESA) was prepared by Leighton and Associates, Inc. in 2019 and is summarized below; the report is included as Appendix G to this IS/ND (Leighton and Associates 2019b).

Impact Analysis

Would the Project:

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. Demolition and construction activities for the proposed Project would involve the use of chemical substances such as solvents, paints, fuel for equipment, and other potentially hazardous materials. Hazards to the environment or the public would typically occur with the transport, use, storage, or disposal of hazardous materials. Demolition and construction activities would be relatively short-term and the transport, use, and disposal of

hazardous materials as part of these activities would be temporary. The contractor would be required to comply with existing regulations for the transport, use, storage and disposal of hazardous materials to prevent public safety hazards. These regulations include the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act (RCRA), California Hazardous Waste Control Act (HWCA), and California Accidental Release Prevention Program (CalARPP), among others.

Once constructed, the proposed dwelling units and commercial uses would use hazardous materials (e.g., paint, pesticides, cleansers, and solvents) for maintenance activities, but any use would be in limited household quantities. The dwelling units would not utilize, store, or generate hazardous materials or wastes in quantities that would pose a significant hazard to the public. Impacts would be less than significant, and no mitigation is 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. Review of historical aerial photographs from 1938 to 2016 indicate the site was used as an orchard with a small residence in 1938, 1947, and 1953. From these photographs, it is evident that South Lemon Street was east of the Project site and East Orangethorpe Avenue was south of the Project site, as it is in present day. In a 1963 aerial photograph, the eastern half of the Project site continues to be developed as orchards and a residence, but the western half appears to be developed with commercial use and a miniature golf course. By 1987, the present-day commercial building located in the western portion of the Project site has been constructed, and in photographs from 1995 to 2016, the present-day commercial developments were observed.

The Phase I ESA did not identify businesses of potential environmental concern onsite. One gasoline service station was listed at the address of 251 East Orangethorpe Avenue, located adjacent to the south of the Project site. A leaking underground storage tank (UST) case associated with the release of gasoline to the subsurface soil was remediated and the case was closed in 1987. As such, this listing is not considered a recognized environmental concern (REC) with potential to impact the site.

The Phase I ESA identified the following potentially hazardous substances, drums, and other chemical containers that were located on-site: hazardous waste associated with flammable hair products, bleach, aerosols, and cleaning supplies, acetone (associated with a nail salon), paint cans, and fog fluid. However, the above-listed materials were stored within cabinets or on concrete flooring, and no significant leaks or stains were observed. As such, these substances are not considered RECs at the Project site. Three pad-mounted transformers were observed onsite, but no leaks or stains related to polychlorinated biphenyls (PCBs) were observed on the ground beneath or around the transformers. No active dumping, pesticide use, pits, ponds, lagoons, septic systems, wastewater, cisterns, sumps, wells, stressed vegetation, or on-site wells were observed at the site.

The Phase I ESA did not identify any RECs, historical RECs (HRECs), or controlled RECs (CRECs) in connection with the Project site, except for the following: the potential application of organochlorine pesticides and arsenical pesticides during the historical use of the Project site as an orchard and miniature golf course, and the documented presence of chlorinated solvents in groundwater beneath the Project site originating from offsite industrial properties, referred to as the Orange County North Basin Plume. These potential pesticides and chlorinated solvents could be released into the environment. However, the plume is within the groundwater, and as noted above, groundwater was encountered at the site at a depth of approximately 30 feet bgs. The Project does not propose subterranean excavation and would not reach such levels as to disturb potential plumes. As such, there would be a less than significant impact, and no mitigation is required.

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

Less than Significant Impact. There is one school located within a 0.25-mile radius of the Project site, and this school is Maple Elementary School (0.22 mile to the north). During construction, a potential exists for the accidental release or spill of hazardous substances such as gasoline, oil, hydraulic fluid, diesel fuel, or other liquids associated with construction equipment operation and maintenance. However, use of these materials would be in limited quantities as typical during the operation and maintenance of construction equipment and would be conducted in compliance with applicable federal, State, and local regulations. Additionally, the contractor would be required to use standard construction controls and safety procedures, which would avoid and minimize the potential for accidental release or spill of such substances into the environment. Therefore, the level of risk associated with the accidental release of hazardous substances during demolition and construction would be less than significant, and no mitigation is required.

Residential and commercial activities associated with occupancy of the proposed dwelling units and commercial uses would be similar to other residential and commercial land uses surrounding the site and would not generate hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste in quantities that may impact students at schools within 0.25 mile of the site. There would be a less than significant impact, and no mitigation is 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. According to the Phase I ESA and review of the California Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site List – Site Cleanup (Cortese List) (DTSC 2021), the Project site is not included on a list of hazardous material sites compiled pursuant to California Government Code Section 65962.5. Therefore, the Project does not have the potential to create a significant hazard to the public or the environment due to presence of an existing hazardous materials site identified on the Cortese List. No impact would occur, and no mitigation is 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?

No Impact. The Project site is not located within two miles of an airport. The nearest airport is the Fullerton Municipal Airport, which is located 3.2 miles northwest of the Project site. No impact would occur, and no mitigation is required.

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

Less than Significant Impact. As identified in Section 5.9, Hazards and Hazardous Materials, of The Fullerton Plan PEIR, construction activities that involve roadway improvements or excavation activities in the public right-of-way could reduce the number of lanes or temporarily close certain street segments during a typical day-to-day emergency situation. Additionally, the City's Emergency Operations Plan anticipates that all major streets within the City would serve as evacuation routes, and City highways and arterial streets that connect to the Artesia Freeway (SR-91) and the Orange Freeway (SR-57) would serve as potential evacuation routes in the event of an extraordinary emergency situation.

The proposed Project involves redevelopment of the Project site with residential and commercial uses. Access to the Project site during construction would be from South Lemon Street. Construction activities associated with the Project could temporarily impact street traffic adjacent to the Project site during the construction phase. This could reduce the number of lanes or temporarily close certain street segments during a typical day-to-day situation. Any such impacts would be limited to the construction period and would affect only adjacent streets or intersections. With implementation of SC HAZ-1, which requires preparation of a Traffic Control Plan, impacts to emergency access would be reduced to less than significant. The Traffic Control Plan would be prepared for implementation during the construction phase and would ensure that at least one unobstructed lane shall be maintained in both directions and that temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls be implemented, if needed. The lane closures would be temporary and would not block all travel lanes. With implementation of the SC HAZ-1, construction impacts would be less than significant.

In the long-term, the Project would provide an access driveway off East Liberty Avenue and South Pomona Avenue that would be used for emergency response to the site and for emergency evacuation of the site. Operationally, the Project would not affect emergency response or emergency evacuation of adjacent land uses. Therefore, the Project would have less than significant impacts regarding interference with emergency response or evacuation plans during operation, and no mitigation is required.

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

No Impact. The Project site is located in a highly urbanized area of the City, and there are no large, undeveloped areas and/or steep slopes on or near the site that may pose wildfire hazards. The site and the surrounding areas are not located in designated Very High Fire Hazard Severity Zones (VHFHSZ), as identified by the California Department of Forestry and Fire Prevention (CAL

FIRE). Rather, the site is within a Non-VHFHSZ area. Implementation of the Project would not expose people or structures directly or indirectly to a significant risk of loss or death associated with wildland fires. No impact would occur, and no mitigation is required.

Standard Conditions of Approval

The following mitigation measure from The Fullerton Plan PEIR is applicable to the proposed Project and incorporated herein as a standard condition.

- SC HAZ-1** Prior to construction, the Applicant shall prepare a Traffic Control Plan for implementation during the construction phase, as deemed necessary by the City Traffic Engineer. The Plan may include the following provisions, among others:
- At least one unobstructed lane shall be maintained in both directions on surrounding roadways.
 - At any time only a single lane is available, the developer shall provide a temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls to allow travel in both directions.
 - If construction activities require the complete closure of a roadway segment, the developer shall provide appropriate signage indicating detours/alternative routes. **(Mitigation Measure HAZ-5 of The Fullerton Plan PEIR)**

Mitigation Measures

Project implementation would not result in significant impacts related to hazards and hazardous materials and therefore, no mitigation measures are required.

4.10 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: <ul style="list-style-type: none"> i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows? 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Introduction

A Preliminary Hydrology and Hydraulic Analysis (Hydrology Study) and a Preliminary Water Quality Management Plan (PWQMP) were prepared by Joseph C. Truxaw and Associates, Inc. in October 2020 for the Project. The Hydrology Study and PWQMP are summarized below, and the reports are included as Appendix H and Appendix I, of this IS/ND, respectively.

Existing Setting

The Project site is within Watershed A of the San Gabriel-Coyote Creek watershed and within the North Basin Groundwater Plume Protection area. In general, the Project site slopes down from east to west with an average elevation difference of three feet. In the pre-Project condition, runoff from the eastside of the Project site is conveyed as sheet flow via concrete gutter in the existing parking lot, to two storm drain inlets that drain to the northeast. Runoff is then conveyed to a 42-inch storm drain line located in South Lemon Street (Outfall 1) and continues north to Fullerton Creek Channel. All runoff is then conveyed westerly to Coyote Creek prior to discharging to the San Gabriel River and the Pacific Ocean to the south. Similarly, runoff from the west side of the Project site is conveyed as sheet flow via concrete gutters in the parking lot, to

two storm drain inlets that drain to the west (Outfall 2). Runoff continues to a 60-inch storm drain line located in Harbor Boulevard and continues north to Fullerton Creek Channel. All runoff is then conveyed westerly to Coyote Creek prior to discharging to the San Gabriel River and the Pacific Ocean to the south.

Impact Analysis

Would the Project:

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

Less than Significant Impact. Implementation of the Project would involve demolition of the existing retail buildings, surface parking lots, and associated site improvements, in addition to construction of the proposed multi-family dwelling units, retail spaces, parking structure, and site improvements. Therefore, the Project has the potential to result in short-term construction impacts to surface water quality from demolition, grading, and construction-related activities. Storm water runoff from the construction site would contain loose soils, organic matter, and sediments. Spills or leaks from heavy equipment and machinery, such as fuel, oil and grease, and heavy metals, could also enter the runoff. Building construction would involve the use of hazardous materials (e.g., paints, solvents, cleansers) that, if not properly handled, may enter the stormwater runoff.

The Clean Water Act (CWA) establishes a framework for regulating potential water quality impacts from construction activities, as well as new development and major redevelopment, through the National Pollutant Discharge Elimination System (NPDES) program. Construction activities that disturb one acre or more of land are required to obtain an NPDES permit or coverage under the NPDES Construction General Permit. This is accomplished by completing and filing Permit Registration Documents (PRD) (including a Notice of Intent [NOI], a Storm Water Pollution Prevention Plan [SWPPP], an annual fee, and a signed certification) with the State Water Resources Control Board (SWRCB) prior to start of construction activities, per COA HYD-1. The Best Management Programs (BMPs) in the SWPPP are implemented during construction to reduce storm water pollutants to the maximum extent practicable.

The Project would be required to comply with COA HYD-2, which requires that, prior to the issuance of any grading or building permits, if construction dewatering or discharges from other specific activities are required, the Project Applicant would notify the Santa Ana Regional Water Quality Control Board (RWQCB), and any discharges into surface waters would be conducted in compliance with the Santa Ana RWQCB's Order No. R8-2015-0004 (NPDES No. CAG998001).

Stormwater pollutants that would be generated by the Project in the long-term include sediment, trash and debris, oil and grease, bacterial indicators, nutrients, and pesticides that would come from landscaped areas, drive aisles, parking areas, and outdoor residential activities. In accordance with the NPDES program and Chapter 12.18, Water Quality Ordinance, of the Fullerton Municipal Code, the Project Applicant would be required to prepare and implement a Water Quality Management Plan (WQMP) (COA HYD-3). As stated above, a Preliminary WQMP (PWQMP) was prepared for the Project. The PWQMP is intended to comply with the requirements of the County of Orange NPDES Stormwater Program, which requires preparation of the PWQMP. PWQMPs are required for all significant redevelopment projects, where

significant redevelopment is defined as the addition or replacement of 5,000 or more square feet of impervious surface on an already-developed site. The City would review and approve the plan prior to construction and operation of the Project. The WQMP or Stormwater Mitigation Plan would include low impact development (in the form of proprietary vegetated biotreatment systems), non-structural BMPs and source control BMPs. Additionally, the use of hazardous materials (e.g., cleaning solvents, pesticides, fertilizers, paint, oil, and grease) would be in limited quantities and in accordance with existing regulations, as discussed in Section 4.9, Hazards and Hazardous Materials. This would not result in soil, surface water, or groundwater contamination.

Compliance with COA HYD-1 through COA HYD-3 would reduce the risk of water degradation from soil erosion and other pollutants related to construction activities, and potential violations of water quality standards would be minimized through required BMPs. Therefore, the Project would not violate water quality standards or waste discharge requirements. Impacts would be less than significant, and no mitigation is required.

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

Less than Significant Impact. The Project would not involve direct or indirect withdrawals of groundwater. Domestic water service would be provided by the City of Fullerton, as described in Section 4.19, Utilities and Service Systems. Also, the Project would not deplete groundwater supplies or interfere substantially with groundwater recharge. Most of the Project site is currently covered in impervious surfaces (95.5 percent), and Project implementation would result in a decrease of impervious surfaces, to 90.1 percent coverage. Therefore, there would be an increase in groundwater recharge, impacts would be less than significant, and no mitigation is required.

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

i) result in substantial erosion or siltation on- or off-site;

Less than Significant Impact. As indicated in Response 4.10a, the Project would be required to obtain a NPDES permit for construction activities or coverage under the NPDES Construction General Permit. The Construction General Permit requires preparation of a SWPPP and implementation of erosion control, sediment control, tracking, waste management, and construction site maintenance BMPs to reduce the potential for soil and wind erosion during construction activities (see COA HYD-1). With compliance with these regulations, construction-related erosion would be less than significant, and no mitigation is required.

There would be minimal areas of exposed soils following completion of the proposed Project where erosion could occur. Site improvements and landscaping would also prevent long-term erosion (COA HYD-3). Therefore, operation-related erosion would be less than significant, and no mitigation is required.

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less than Significant Impact. Currently, 95.5 percent of the Project site is covered with impervious surfaces, which would decrease to 90.1 percent with implementation of the proposed Project. The proposed improvements to the Project site would result in discharge to one of the three outfalls such that, as conditioned, the proposed site improvements will not change the total area draining to the respective storm drains by 5 percent. Stormwater sheet flows to the proposed catch basin connected to the underground storm drain system that discharges to a proposed connection to the South Lemon Street storm drain. These encroachments would occur in compliance with City regulations. Any right-of-way dedication and public infrastructure improvements would also be done in accordance with the City's Municipal Code. Off-site improvements would include storm drain improvements, parkway improvements, and utility connections (water, sewer, electricity, natural gas, and telecommunication lines). The proposed changes resulting from the Project site would not substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or offsite. Impacts would be less than significant, and no mitigation is required.

iv) impede or redirect flood flows?

Less than Significant Impact. The Federal Emergency Management Agency (FEMA) designates most of Fullerton, including the Project site, as Zone X, which is an area subject to flooding from the 500-year flood (0.2 percent annual chance of flooding) (FEMA 2021). Off-site improvements would include storm drain improvements, parkway improvements, and utility connections (water, sewer, electricity, natural gas, and telecommunication lines). As stated above, onsite runoff would be conveyed to underground detention and treatment before discharging to the existing onsite storm drain. Offsite run on would be bypassed around the treatment devices to discharge directly to the existing onsite storm drain. Run-on drainage would be redirected at the Project limits via concrete gutters and roads so that off-site flow continues toward existing drainage courses and does not intermingle with on-site flows. This would reduce the potential for flooding to occur as a result of the Project. Additionally, implementation of temporary and permanent erosion control BMPs in the Project's SWPPP and WQMP or Stormwater Mitigation Plan (see COA HYD-1 and COA HYD-3) would ensure that substantial erosion or siltation would not occur on- or off-site during short-term construction and long-term occupancy of the dwelling units. Thus, the Project would not result in erosion or siltation that would alter the drainage pattern of the area, impede, or redirect flood flows. Project impacts would be less than significant, and no mitigation is required.

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

No Impact. A seiche is the resonant oscillation of a body of water caused by earthquake shaking (waves). Seiche hazards exist where groundshaking causes water to splash out of the body of water and inundate nearby areas and structures. The site is not located near a large body of water that may be subject to seiche. Additionally, tsunamis are seismic sea waves generated by undersea earthquakes or landslides. The City of Fullerton is not located along the coast, and the Project site is approximately 13 miles from the Pacific Ocean. Further, the Project site is relatively flat. There are no hillside areas on site or in the surrounding area that could generate mudflow.

As a result, no impacts related to seiche, tsunami, or mudflow would occur, and no mitigation is required.

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

Less than Significant Impact. As discussed above in Response 4.10a, the Project would comply with applicable water quality regulations for short-term and long-term impacts. Specifically, the Project would have coverage under the NPDES Construction General Permit and implementation of the Project's SWPPP (see COA HYD-1) would ensure that short-term, construction-related water quality impacts would be less than significant. For long-term water quality impacts, in accordance with Chapter 12.18, Water Quality Ordinance, of the Fullerton Municipal Code, prior to issuance of a grading or building permit, the Project would prepare a WQMP or Stormwater Mitigation Plan, which includes BMPs, in accordance with the Orange County DAMP (COA HYD-3). Thus, with implementation of permanent BMPs in the WQMP or Stormwater Mitigation Plan, the Project site would generate less stormwater pollutants than under existing conditions.

There are no groundwater wells on the Project site and no wells are proposed as part of the Project. The proposed Project would not involve direct withdrawals of groundwater, nor would it interfere with groundwater recharge such that it would result in a net deficit in aquifer volume or lowering of the local groundwater table levels. The depth to first groundwater is approximately 30 feet at the Project site (Joseph C. Truxaw and Associates, Inc. 2020). Excavation activities would not extend into the underlying groundwater. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts are less than significant, and no mitigation is required.

Standard Conditions of Approval

Mitigation measures HYD-1 and HYD-3 from The Fullerton Plan PEIR are applicable to the proposed Project and incorporated herein as standard conditions.

COA HYD-1 Prior to issuance of any Grading or Building Permit, and as part of the future development's compliance with the NPDES requirements, a Notice of Intent shall be prepared and submitted to the Santa Ana RWQCB providing notification and intent to comply with the State of California General Construction Permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Engineering for water quality construction activities on-site. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the Plan shall be implemented during area preparation, grading, and construction. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential stormwater runoff impacts. **(Mitigation Measure HYD-1 of The Fullerton Plan PEIR)**

COA HYD-2 Prior to the issuance of any grading or building permits, if construction dewatering or discharges from other specific activities (e.g., dewatering from

subterranean seepage, potable water system maintenance discharges, fire hydrant flushing, etc.) are required, the Project Applicant will notify the Santa Ana RWQCB, and any discharges into surface waters will be conducted in compliance with the Santa Ana RWQCB's Order No. R8-2015-0004 (NPDES No. CAG998001), which includes General Waste Discharge Requirements (WDRs) for discharges to surface water that pose an insignificant (de minimis) threat to water quality. The General WDRs include provisions mandating notification, testing, and reporting of dewatering and testing-related discharges, and contain numeric and performance-based effluent limits depending upon the type of discharge.

- COA HYD-3** Prior to issuance of any Grading Permit, the Applicant shall provide, to the satisfaction of the Director of Engineering, a Water Quality Management Plan or Stormwater Mitigation Plan, which includes Best Management Practices (BMPs), in accordance with the Orange County DAMP. All recommendations in the Plan shall be implemented during post construction/operation phase. The Applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential water quality impacts. **(Mitigation Measure HYD-2 of The Fullerton Plan PEIR)**

Mitigation Measures

Project implementation would not result in significant impacts related to hydrology and water quality; therefore, no mitigation measures are required.

4.11 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Introduction

One aspect of land use planning considered under CEQA is the consistency of a project with relevant planning documents, which include SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and the Regional Comprehensive Plan (RCP). Additionally, the Project is subject to the City of Fullerton's land use jurisdiction, including the City's plans, policies and regulations and are required to be consistent with the City's General Plan (The Fullerton Plan), Fullerton Municipal Code, and other City imposed requirements.

Information presented in this section is based on field reconnaissance; review of aerial photographs; and review of the relevant planning documents identified in this section. Project consistency with existing and planned land uses in the vicinity is evaluated through review of the land use goals and policies contained in The Fullerton Plan and The Fullerton Plan PEIR, both adopted in May 2012 (City of Fullerton 2012a, 2012b).

Existing Setting

The Fullerton Plan identifies twelve Focus Areas that present opportunities where land use and design change can help fully implement the Fullerton Vision. The Fullerton Vision establishes a community-based foundation, which captures the qualities, values, and characteristics of the City of Fullerton now and in the future. The Project site is located in one of these areas, Focus Area D: Harbor Gateway. The vision for Harbor Gateway is characterized by high-density development at its southern end and smaller-scale development at its northern end that respect the scale of the surrounding residential and historic area. High density development would consist of residential, commercial, and mixed-use with convenient access to regional transportation via the freeway and Transportation Center. Focus Area D: Harbor Gateway is bound by South Lemon Street to the east, South Highland Avenue to the west, SR-91 to the south, and the railroad tracks to the north. Harbor Boulevard (north-south) and Orangethorpe Avenue (east-west) are major streets intersecting the Focus Area. As discussed previously in Section 1.3 Project Summary, Harbor Gateway's current development includes high-density residential, commercial, industrial, and horizontal mixed-use (e.g., Orangefair Marketplace with Aspect, a multifamily community and several large retailers, including Best Buy, Michaels, and Burlington Coat Factory, and Dollar Tree).

Impact Analysis

Would the Project:

a) Physically divide an established community?

No Impact. As discussed above, the Project site is located in Focus Area D: Harbor Gateway. Additionally, the site is located within the Fullerton Town Center (FTC), which is an existing regional shopping center. The FTC is located in the central portion of the Focus Area D: Harbor Gateway. Specifically, the FTC and the Project site is northwest of the intersection of South Lemon Street and East Orangethorpe Avenue. Local access to the site is provided by East Orangethorpe Avenue and South Lemon Street. Regional access is provided by SR-91, approximately 0.40 miles to the south of the Project site, which is the southern boundary of Focus Area D: Harbor Gateway.

Current FTC development includes Costco, AMC Fullerton 20, and a number of neighborhood commercial/retail and restaurant uses. The Project site is currently developed with two single-story multi-tenant commercial buildings, associated surface parking, and two restaurants. The FTC and the Project site is primarily surrounded by horizontal mixed-use, including commercial and high density residential to the south and industrial uses to east. Single-family uses are to the north across a flood control channel and to the west across South Harbor Boulevard and beyond the commercial uses fronting South Harbor Boulevard.

No residential uses currently occur on the Project site or within the FTC that would be impacted or divided by development of the proposed Project. Therefore, the Project would not divide or disrupt the physical arrangement of the existing adjacent residential neighborhoods. No impact would occur on an established community, and no mitigation is 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. With respect to regional planning, SCAG is the metropolitan planning organization (MPO) for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. As the designated MPO, the federal government mandates SCAG to prepare plans for growth management, transportation, air quality, and hazardous waste management. In addition, SCAG reviews projects of regional significance for consistency with the existing regional plans. SCAG's regional planning programs, including the RCP, Regional Housing Needs Assessment (RHNA), and RTP/SCS, are not directly applicable to the proposed Project because the Project is not of Statewide, regional or area-wide significance, as defined by Section 15206 of the CEQA Guidelines.

The Project would contribute to new housing development in the City of Fullerton. Local plans and programs relevant to the Project and the consistency of the proposed Project with these plans and programs are discussed below.

Additionally, with approval of the General Plan Revision, and Zone Amendment, , the proposed Project would be consistent with short- and long-range goals, policies, and actions outlined in The Fullerton Plan.

City of Fullerton General Plan

The Fullerton Plan was adopted by City Council on May 1, 2012 (City of Fullerton 2012a) and is organized into four Master elements including the following elements as noted parenthetically:

- (A) The Fullerton Built Environment (Community Development and Design, Housing, Historic Preservation, Mobility, Bicycle, Growth Management, Noise Elements);
- (B) The Fullerton Economy (Economic Development, Redevelopment and Revitalization Elements);
- (C) The Fullerton Community (Public Safety, Public Health, Parks and Recreation, Arts and Culture, Education, Community Involvement Elements);
- (D) The Fullerton Natural Environment (Water, Air Quality and Climate Change, Integrated Waste Management, Open Space and Natural Resources, Natural Hazards Elements);

The housing element (2013-2021 Housing Element) was adopted under a separate cover on May 5, 2015 (City of Fullerton 2015). Each element contains the City's goals and policies related to that element. An evaluation of the Project's consistency with applicable goals, policies, and actions of each element is provided in following Table 4-15, Proposed Project General Plan Consistency Analysis.

**TABLE 4-15
PROPOSED PROJECT GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Goal		Consistency Analysis
The Fullerton Built Environment—Community Development and Design		
Goal 1	Resilient and vital neighborhoods and districts.	Consistent. The Project would assist to implement this goal by redeveloping mostly vacant commercial spaces into a mixed-use, multi-family residential and neighborhood commercial development, thereby revitalizing this section of the Fullerton Town Center shopping center. Therefore, the Project would be consistent with this Policy.
Goal 2	A positive identity and distinctive image.	Consistent. In designing the proposed development, consideration has been given to scale, massing, and architecture of the Project to ensure that it complements the existing buildings and facades that exist in the City, the FTC, and surrounding development. Therefore, the Project would be consistent with this Policy.
The Fullerton Built Environment—Housing		
Goal 3	A supply of safe housing ranging in cost and type to meet the needs of all segments of the community.	Consistent. The intent of this goal is to assist in the provision of adequate housing to meet the needs of the community, including the needs of both renter and owner households. The Project implements this goal by constructing, as a component of the Project, a 329-unit 5-story residential building which would provide a mixture of studio apartments, 1-bedroom apartments, and 2-bedroom apartments in a well-designed community. Additionally, 5percent of the units (17 units) would be deed-restricted to very-low-income households. Development is compatible with the surrounding neighborhoods and provides housing opportunities at different income levels. Therefore, the Project would be consistent with this Policy.

**TABLE 4-15
PROPOSED PROJECT GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Goal		Consistency Analysis
The Fullerton Built Environment—Historic Preservation		
Goal 4	Valued and preserved historic resources.	Consistent. As discussed in Section 4.5, Cultural Resources, no historic resources were identified on the Project site or vicinity. Therefore, the Project would comply with preserving historic resources in the City. Therefore, the Project would be consistent with this Policy.
The Fullerton Built Environment—Bicycle		
Goal 6	A bicycle-friendly city where bicycling is a safe and convenient alternative to motorized transportation and a recreational opportunity for people of all ages and abilities.	Consistent. There is a proposed Class II Bike Lane on Orangethorpe Avenue to the south of the site and a proposed Class III Bike Route on Lemon Street, east of the site. The Project would not preclude the future development of the City's proposed bicycle lanes, discussed above. The Project Applicant would provide 70 secure bicycle storage spaces for future residents and visitors at the Project site.
The Fullerton Built Environment—Growth Management		
Goal 7	Growth and development aligned with infrastructure capabilities.	Consistent. As discussed in Section 4.19, Utilities and Service Systems, water, wastewater/storm drainage, electricity, natural gas, telecommunications would comply with the Fullerton Municipal Code, and the goals, policies and actions in The Fullerton Plan. Additionally, the Project would be required to comply with COA UTL-1 through COA UTL-2. Therefore, the Project would be consistent with this Policy.
The Fullerton Built Environment—Noise		
Goal 8	Protection from the adverse effects of noise.	Consistent. As discussed in Section 4.13, Noise, the Project would be constructed in accordance with the City's Municipal Code Section 15.90.050 and would occur during the least noise-sensitive portions of the day. Additionally, the Project would be required to comply with COA NOI-1, which requires that the Project Applicant submit a Final Acoustical Report for approval. This shall ensure that the Project site and architectural design features comply with the City's interior noise standard and provide an interior noise level of 45 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL) or less (based on buildout traffic noise conditions) in all habitable rooms of the proposed buildings. As such, the Project would not result in generation of substantial temporary or permanent increases in noise. Therefore, the Project would be consistent with this Policy.
The Fullerton Economy—Revitalization		
Goal 11	Revitalization activities that result in community benefits and enhance the quality of life in neighborhoods, districts, and corridors.	Consistent. The Project would assist to implement this goal by redeveloping mostly vacant commercial spaces into a mixed-use, multi-family residential and neighborhood commercial development, thereby revitalizing this section of the Fullerton Town Center shopping center. Therefore, the Project would be consistent with this Policy.

TABLE 4-15
PROPOSED PROJECT GENERAL PLAN CONSISTENCY ANALYSIS

General Plan Goal		Consistency Analysis
The Fullerton Community—Parks and Recreation		
Goal 15	Parks, recreational facilities, trails, and programs that promote a healthy community and a desirable quality of life.	Consistent. The Project would establish a primary recreation area of common open space courtyard areas with on-site amenities, including: a pool, seating areas other active and passive open space areas, and connecting walkways. Additionally, the Project Applicant would be responsible for paying park dwelling fees for the for the acquisition, development, and improvement of public parks and recreational facilities in the City in the City. Therefore, the Project would be consistent with this Policy.
The Fullerton Natural Environment—Water		
Goal 20	A healthy watershed and clean urban runoff.	Consistent. As discussed in Section 4.10, Hydrology and Water Quality, the Project would minimize runoff and pollution of water through the preparation of a SWPPP and implementation of erosion control, sediment control, tracking, waste management, and construction site maintenance BMPs to reduce the potential for soil and wind erosion during construction activities (see COA HYD-1, in Section 4.10). Therefore, the Project would be consistent with this Policy.
The Fullerton Natural Environment—Air Quality and Climate Change		
Goal 21	Protection and improvement of air quality.	Consistent. As discussed in Section 4.3, Air Quality, the Project's emissions would be less than the SCAQMD's thresholds for criteria pollutants. Through compliance with COA AQ-1, for fugitive dust control, COA AQ-1, for nuisance emissions, all impacts would be less than significant, and the Project would minimize adverse impacts of the Project on air quality.
Goal 22	Participation in regional efforts to address climate change and its local impacts.	Consistent. As discussed in Section 4.8, Greenhouse Gas Emissions, the Project's emissions would be less than the SCAQMD's recommended thresholds GHG emissions. Through compliance with COA ENE-1, Title 24 Energy Efficiency Standards, and COA ENE-2, CALGreen code, the Project would minimize GHG emissions. Additionally, the Project would reduce vehicle miles traveled (VMT) by providing residential uses adjacent to commercial uses, thereby reducing GHG emissions from mobile emissions.
Source: City of Fullerton 2015.		

As demonstrated in Table 4-15, the Project would be consistent with The Fullerton Plan's applicable goals. Adoption of a General Plan Revision to change the existing designation of General Commercial (G-C) to Urban Center Mixed-Use land use designation, would allow the Project to be consistent with The Fullerton Plan. Specifically, the purpose of the Urban Center Mixed-Use designation is to establish and protect urban centers that serve the local and regional populations by offering major commercial, office, and mixed use developments that are well served by transit and quality bicycle and pedestrian facilities. Intended land uses include retail, service, office and/or residential uses; gathering spaces such as plazas, courtyards, or parks; compatible public, quasi-public, and special uses. The Project would be consistent with both the purpose and intended uses of the Urban Center Mixed-Use designation. Additionally, with a Floor Area Ratio (FAR) of 1.96, the proposed project would comply with the 3.0 maximum FAR of the

Urban Center Mixed-Use Designation and the minimum density of 30 dwelling units/acre and maximum density of 80 dwelling units/acres with a proposed density of 74 dwelling units/acre.

The Project would provide residential and retail infill development to the surrounding community and would revitalize the site. Therefore, in light of the above, there would be no conflict with the goals and policies of The Fullerton Plan.

Fullerton Municipal Code

The City of Fullerton Municipal Code is the primary tool for implementing The Fullerton Plan. The Fullerton Municipal Code provides development standards (i.e., setbacks, building height, site coverage, parking, and sign requirements) for development in all areas of the City. In addition, the Fullerton Municipal Code includes a Zoning Map that identifies the zoning of individual parcels, with corresponding permitted, conditionally permitted, and prohibited land uses.

The Project site is currently zoned Commercial (G-C). The Project includes a Zone Amendment to C-3. The C-3 zone is intended to provide for a highly concentrated business district that includes mixed residential and commercial use primarily for {but not limited to} the downtown area. Pursuant to Fullerton Municipal Code 15.30.040.E, dwelling units are permitted in the commercial C-3 zone as part of a mixed-use development along with other office, restaurant, retail and services uses. The Project's proposed 1.96 FAR exceeds that of the 0.90 FAR of the C-3 zone when not within a downtown parking district of within ¼ mile from a transit station in which case a FAR of 2.0 is permitted. The Project site is directly east of the intersection of South Harbor Boulevard and East Orangethorpe Avenue which provides a stop on Harbor for the Local 43 bus and the Bravo Limited Stop Service 543, and a stop on Orangethorpe for the Local 30 bus. The project site is west of the intersection of South Lemon Boulevard and East Orangethorpe Avenue which provides a stop on Lemon for Route 47 which offers 15-minute or less peak frequency and an additional stop on Orangethorpe for the Local 30 bus. For further detail, please refer to Section 4.17, Transportation, of this IS/ND. Other than the OCTA Depot at the Fullerton Transportation Center, this area is the most heavily utilized location for transit boarding and includes stops which have been identified on OCTA's list of the 100 busiest bus stops. While this location is transit rich, the Project is providing 5 percent of the units as deed restricted to very-low income households to qualify for one development concession. The Project utilizes this concession to deviate from 0.90 FAR maximum while remaining under the 2.0 afforded to a transit station proximate project and the 3.0 of the general plan. The proposed project would be consistent with the permitted uses of the C-3 zone according to the Fullerton Municipal Code and the corresponding development standards, including the single development concession afforded the Project for the provision of qualifying units of affordable housing.

In light of the above, the Project would not cause a significant environmental impact, as the Project would not conflict with any land use plan, policy, or regulation, including the Fullerton Municipal Code. Impacts would be less than significant, and no mitigation is required.

Compatibility with Surrounding Land Uses

As discussed in Threshold 4.11a, the Project site is surrounded by a variety of land uses including commercial and high density residential to the south; industrial to the east; and a range of residential, including single-family uses to the north and to the west.

However, it should be noted, that the proposed Project land uses are within the FTC shopping center surrounded by existing commercial/retail uses. Existing uses closest to the Project site reflect similarities in use, size, scale, and massing to the proposed Project. Further, the single family uses to the north are across a flood control channel and single-family uses to the west are across South Harbor Boulevard and beyond the commercial uses fronting South Harbor Boulevard. Additionally, the high-density residential community, Aspect, to the south is across from Orangethorpe Avenue within a similar mixed-use center that includes large retailers, including Best Buy, Michaels, and Burlington Coat Factory, and Dollar Tree.

Additionally, The Fullerton Plan identifies high density residential, commercial, urban center mixed-use as appropriate potential community development for Harbor Gateway. The Project complies with density and intensity of this area and is of similar character, scale, and massing. Therefore, the proposed development would be compatible with the existing development within the FTC and the Focus Area D: Harbor Gateway.

Additionally, the Project would contribute to achieving the Harbor Gateway planning objectives. By providing multi-family residential units, the Project would assist in increasing housing density while providing additional street-adjacent retail in a transit-rich area. The improvements on South Lemon Street would enhance circulation into and around the Project site.

In light of the above, the proposed Project would be compatible with the surrounding and nearby land uses and would not result in a land use compatibility impact, and no mitigation is required.

Standard Conditions of Approval

None required.

Mitigation Measures

Project implementation would not result in significant impacts related to land use and planning; therefore, no mitigation measures are required.

4.12 MINERAL RESOURCES

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

Impact Analysis

Would the Project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***
- 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 California Geological Survey (CGS) designates Mineral Resources Zones (MRZs) according to the presence of or potential for underlying mineral resources. MRZ-1 is an area with no significant mineral deposits; MRZ-2 is an area with significant mineral deposits; and MRZ-3 is an area containing known mineral resources of undetermined significance. The Project site is designated by the CGS as MRZ-1, which applies to areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence (DMG 1994). The Project site is developed with commercial buildings, and there are no mining activities or mineral extraction uses near the Project site. As identified in The Fullerton Plan and associated PEIR, commercially productive mineral resources do not occur in the City of Fullerton (City of Fullerton 2012b). Additionally, The Fullerton Plan does not identify any known State or locally designated mineral resources or locally important mineral resource recovery sites in the City (City of Fullerton 2012a). Thus, the Project would not result in the loss of availability of locally-important mineral resources. No impacts would occur, and no mitigation is required.

There are no past or ongoing oil or gas drilling activities on or near the site. Review of the California Division of Oil, Gas, and Geothermal Resources' (DOGGR's) Well Finder shows no oil or gas wells are located on the Project site or in the vicinity of the site. The nearest well is a dry, plugged hole approximately 0.71 miles south of the site (DOGGR 2021). Therefore, redevelopment of the site would not result in the loss of availability of regional mineral resources. No impacts would occur, and no mitigation is required.

Standard Conditions of Approval

None required.

Mitigation Measures

Project implementation would not result in significant impacts related to mineral resources; therefore, no mitigation is required.

4.13 NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Introduction

A Noise Technical Report was prepared by Psomas in July 2021 for the Project. The Noise Technical Report is summarized below, and the report is included as Appendix J to this IS/ND.

Noise and Vibration Concepts

Noise

“Sound” is a vibratory disturbance created by a moving or vibrating source and is capable of being detected. “Noise” is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance; interference with speech communication; sleep disturbance; and, in the extreme, hearing impairment (Caltrans 2013).

Sound pressure levels are described in units called the decibel (dB). Decibels are measured on a logarithmic scale. A doubling of the energy of a noise source (such as doubling of traffic volume) would increase the noise level by 3 dB. The human ear is not equally sensitive to all frequencies within the sound spectrum. To accommodate this phenomenon, the A-scale was devised; the A-weighted decibel scale (dBA) approximates the frequency response of the average healthy ear when listening to most ordinary everyday sounds and is used in this analysis.

Human perception of noise has no simple correlation with acoustical energy. Due to subjective thresholds of tolerance, the annoyance of a given noise source is perceived very differently from person to person. The most common sounds vary between 40 dBA (very quiet) to 100 dBA (very loud). Normal conversation at 3 feet is approximately 60 dBA, while loud jet engine noises at 1,000 feet equate to 100 dBA, which can cause serious discomfort. Table 4-16 shows the relationship of various noise levels in dBA to commonly experienced noise events.

TABLE 4-16
NOISE LEVELS FOR COMMON EVENTS

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	110	Rock Band
Jet fly-over at 300 m (1,000 ft)	100	
Gas lawn mower at 1 m (3 ft)	90	
Diesel truck at 15 m (50 ft) at 80 km/hr (50 mph)	80	Food blender at 1 m (3 ft); garbage disposal at 1 m (3 ft)
Noisy urban area, daytime gas lawn mower at 30 m (100 ft)	70	Vacuum cleaner at 3 m (10 ft)
Commercial area, heavy traffic at 90 m (300 ft)	60	Normal speech at 1 m (3 ft)
Quiet urban daytime	50	Large business office, dishwasher in next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime	30	Library
Quiet rural nighttime	20	Bedroom at night, concert hall (background)
	10	Broadcast/recording studio
Lowest threshold of human hearing	0	Lowest threshold of human hearing
dBA: A-weighted decibels; m: meter; ft: feet; km/hr: kilometers per hour; mph: miles per hour		
Source: Caltrans 2013.		

Two noise sources do not “sound twice as loud” as one source. As stated above, a doubling of noise sources results in a noise level increase of 3 dBA. It is widely accepted that (1) the average healthy ear can barely perceive changes of a 3 dBA increase or decrease, (2) a change of 5 dBA is readily perceptible, and (3) an increase (decrease) of 10 dBA sounds twice (half) as loud (Caltrans 2013).

From the source to the receiver, noise changes both in the level and frequency spectrum. The most obvious change is the decrease in noise level as the distance from the source increases. Sound from a small, localized source (approximating a “point” source) radiates uniformly outward as it travels away from the source in a spherical pattern. For point sources, such as heating, ventilation, and air conditioning (HVAC) units or construction equipment, the sound level attenuates (or drops off) at a rate of 6 dBA for each doubling of distance (i.e., if the noise level is 70 dBA at 25 feet, it is 64 dBA at 50 feet). Vehicle movement on a road makes the source of the sound appear to emanate from a line (line source) rather than a point when viewed over some time interval. The sound level attenuates or drops off at a rate of 3 dBA per doubling of distance for line sources.

A large object in the path between a noise source and a receiver can significantly attenuate noise levels at that receiver location. The amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain or landform features as well as man-made features (e.g., buildings and walls) can significantly alter noise exposure levels. For a noise barrier to work, it must be high enough and long enough to block the view from the receiver to a road or other noise source. Effective noise barriers can reduce outdoor noise levels at the receptor by up to 15 dBA.

Several rating scales (or noise “metrics”) exist to analyze effects of noise on a community. These scales include the equivalent noise level (L_{eq}), including L_{max} and L_{min} , which are respectively the

highest and lowest A-weighted sound levels that occur during a noise event, and the Community Noise Equivalent Level (CNEL). Average noise levels over a period of minutes or hours are usually expressed as dBA L_{eq} , which is the equivalent noise level for that period of time. The period of time averaging may be specified; for example, $L_{eq(3)}$ would be a three-hour average. Noise of short duration (i.e., substantially less than the averaging period) is averaged into ambient noise during the period of interest. Thus, a loud noise lasting many seconds or a few minutes may have minimal effect on the measured sound level averaged over a one-hour period.

To evaluate community noise impacts, CNEL was developed to account for human sensitivity to nighttime noise. CNEL represents the 24-hour average sound level with a penalty for noise occurring at night. The CNEL computation divides a 24-hour day into three periods: daytime (7:00 AM to 7:00 PM), evening (7:00 PM to 10:00 PM), and nighttime (10:00 PM to 7:00 AM). The evening sound levels are assigned a 5-dBA penalty, and the nighttime sound levels are assigned a 10-dBA penalty prior to averaging with daytime hourly sound levels.

Vibration

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration is normally associated with activities such as railroads or vibration-intensive stationary sources but can also be associated with construction equipment such as jackhammers, pile drivers, and hydraulic hammers. Vibration displacement is the distance that a point on a surface moves away from its original static position. The instantaneous speed that a point on a surface moves is described as the velocity, and the rate of change of the speed is described as the acceleration. Each of these descriptors can be used to correlate vibration to human response, building damage, and acceptable equipment vibration levels. During construction of a project, the operation of construction equipment can cause groundborne vibration. During the operational phase of a project, receptors may be subject to levels of vibration that can cause annoyance due to noise generated from vibration of a structure or items within a structure. Analysis of this type of vibration is best measured in velocity and acceleration.

The three main wave types of concern in the propagation of groundborne vibrations are surface or Rayleigh waves, compression or P-waves, and shear or S-waves.

- Surface or Rayleigh waves travel along the ground surface. They carry most of their energy along an expanding cylindrical wave front, similar to the ripples produced by throwing a rock into a lake. The particle motion is more or less perpendicular to the direction of propagation (known as retrograde elliptical).
- Compression or P-waves are body waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal, in a push-pull motion. P-waves are analogous to airborne sound waves.
- Shear or S-waves are also body waves, carrying their energy along an expanding spherical wave front. Unlike P-waves, however, the particle motion is transverse, or perpendicular to the direction of propagation.

The peak particle velocity (ppv) or the root mean square (rms) velocity is usually used to describe vibration amplitudes. The ppv is defined as the maximum instantaneous peak of the vibration signal and the rms is defined as the square root of the average of the squared amplitude

of the signal. The ppv is more appropriate for evaluating potential building damage and also used for evaluating human response.

The units for ppv velocity are normally inches per second (in/sec). Often, vibration is presented and discussed in dB units in order to compress the range of numbers required to describe the vibration. In this study, all ppv velocity levels are in in/sec and all vibration levels are in dB relative to one microinch per second.

The threshold of perception is approximately 0.3 ppv in/sec. Typically, groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration. Even the more persistent Rayleigh waves decrease relatively quickly as they move away from the source of the vibration. Manmade vibration problems are, therefore, usually confined to short distances (500 feet or less) from the source.

Construction generally includes a wide range of activities that can generate groundborne vibration. In general, blasting and demolition of structures and pile driving generate the highest vibrations. Heavy trucks can also generate groundborne vibrations, which vary depending on vehicle type, weight, and pavement conditions. Potholes, pavement joints, discontinuities, differential settlement of pavement, and other anomalies all increase the vibration levels from vehicles passing over a road surface. Construction vibration is normally of greater concern than vibration of normal traffic on streets and freeways with smooth pavement conditions. Trains generate substantial quantities of vibration due to their engines, steel wheels, and heavy loads.

Existing Setting

The existing noise environment in the Project area is primarily influenced by traffic noise on nearby roads. The roadways contributing the most noise to the Project site are E. Orangethorpe Avenue and Lemon Street. For the purpose of this noise analysis, the study area includes the Project site, the areas immediately adjacent to the Project site, and the land uses adjacent to the roadway segments where the Project adds vehicular trips to the roadway system.

Psomas conducted ambient noise surveys on May 20 and 21, 2021 for the Project. Noise level measurements were taken using a Larson Davis Laboratories SoundTrack LxT sound level meter (LD LxT) and a Larson Davis Laboratories Model 831 integrating sound level meter (LD 831). These sound level meters were placed proximate to each of the Project site's property lines, approximately five feet above the ground and equipped with a windscreen as depicted on Exhibit 4-5, Noise Monitoring Locations.

The noise level measurements were collected for 24 hours proximate to the northern and eastern property lines. The energy average (L_{eq}), maximum noise level (L_{max}), and minimum noise level (L_{min}) values taken at each ambient noise measurement location are presented in Figures 1 and 2 for the respective noise monitoring locations. Noise Monitoring Location 1 (sound level meter 1) recorded noise levels approximately 185 feet from East Orangethorpe Avenue. Noise levels were measured at this location to characterize traffic and parking lot noise. As shown in Exhibit 4-6, Hourly Noise Levels at Noise Monitoring Location 1 (Near Southern Property Boundary), average daytime noise levels at Location 1 range from 59 to 65 dBA L_{eq} . The 24-hour weighted noise level at this location is 69 dBA CNEL.

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Noise Monitoring Locations

Street Lights Fullerton Project



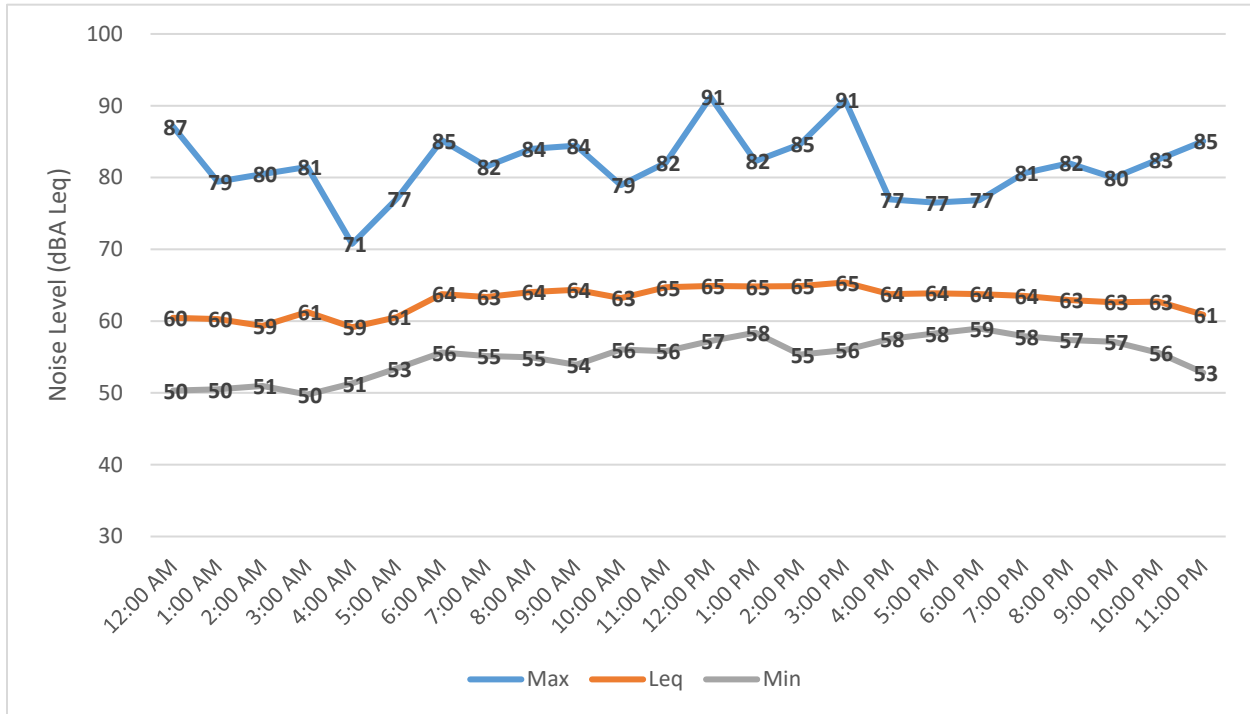
300 150 0 300
Feet

Exhibit 4-5



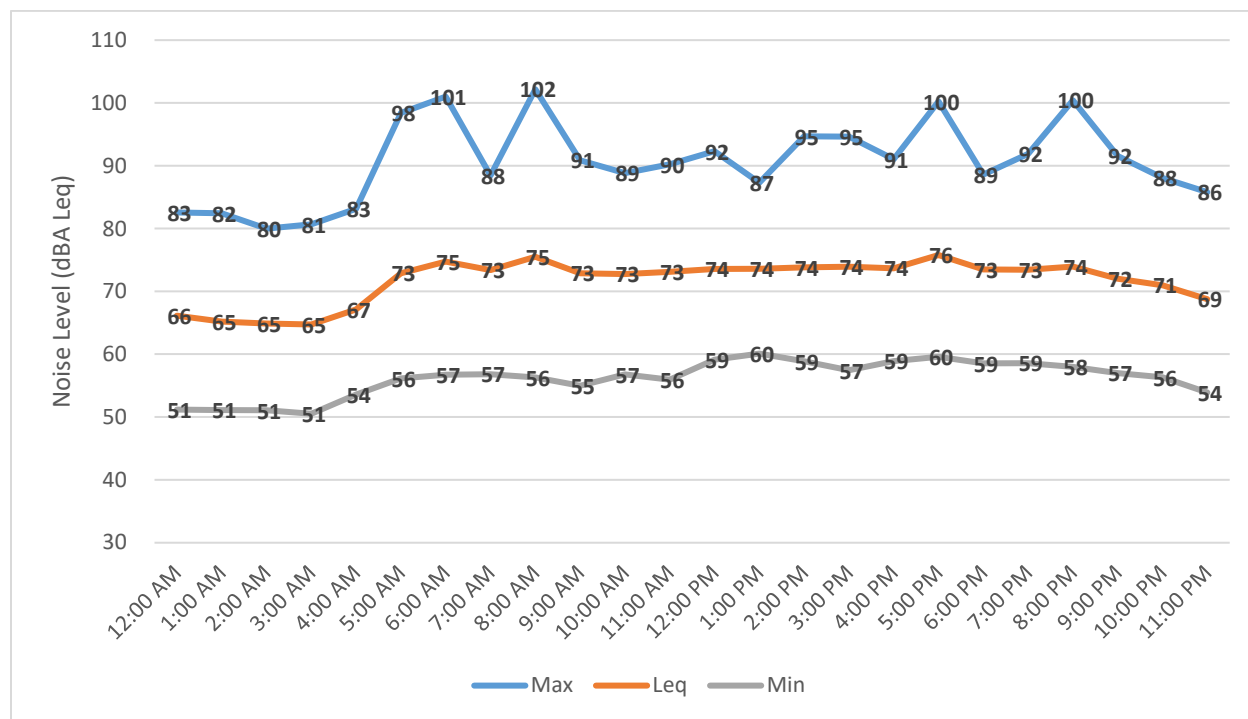
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**EXHIBIT 4-6
HOURLY NOISE LEVELS AT NOISE MONITORING LOCATION 1
(NEAR SOUTHERN PROPERTY BOUNDARY)**



Noise Monitoring Location 2 (sound level meter 2) was located proximate to Lemon Street the eastern boundary of the Project site. The sound level meter was secured to a tree and located approximately 15 feet from Lemon Street. Noise at this location consists primarily of traffic noise along Lemon Street. As shown in Exhibit 4-7, Hourly Noise Levels at Noise Monitoring Location 2 (Eastern Property Boundary), average daytime noise levels in the study area range from 65 to 76 dBA L_{eq} . The 24-hour weighted noise level at this location is 78 dBA CNEL.

**EXHIBIT 4-7
HOURLY NOISE LEVELS AT NOISE MONITORING LOCATION 2
(EASTERN PROPERTY BOUNDARY)**



Short-term noise measurements were taken proximate to the western and northern property lines (Noise Monitoring Locations 3 and 4) in morning of May 20, 2021. Noise levels are shown in Table 4-17. Noise levels are due primarily to background traffic noise, interior renovation work within a building and parking lot activities. Noise levels are considered relatively low.

**TABLE 4-17
NOISE LEVELS FOR LOCATIONS 3 AND 4**

	Minimum	Leq (Average)	Maximum
Location 3 (Western Property Line)	49	59	76
Location 4 (Northern Property Line)	50	58	74

Sensitive Receptors

The State of California defines noise-sensitive receptors as those land uses that require serenity or are otherwise adversely affected by noise events or conditions (State of California 2015). The land use categories requiring the lowest noise thresholds are schools, libraries, churches, hospitals, and residences. Schools, libraries, churches, hospitals, and residences proximate to the Project site are referred to as the Project's "noise sensitive receptors" due to sensitivity of these uses to noise exposure.

The buildings and structures that immediately surround the Project site are commercial properties. The closest noise-sensitive receptors to the Project site include single-family residences located approximately 760 feet to the north of the Project site at E. Rosslynn Avenue.

Regulatory Setting

Public agencies have established noise guidelines and standards to protect citizens from potential hearing damage and various other adverse physiological and social effects associated with noise.

State of California

Title 24 of the *California Code of Regulations*, also known as the California Building Code (CBC), establishes building standards applicable to all occupancies throughout the state. The most recent building standards adopted by the legislature and used throughout the State is the 2019 version. The State of California codifies noise insulation standards in the CBC. Section 1206.4, Allowable interior noise levels, states “Interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric shall be either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan.” (DGS 2021). These noise standards are for new construction in California for the purposes of interior compatibility with exterior noise sources. The regulations specify that acoustical studies must be prepared for new buildings with habitable rooms that are near major transportation noises, and where such noise sources create an exterior noise level of 60 dBA CNEL/L_{dn} or higher.

City of Fullerton

The City of Fullerton has established guidelines and standards in the General Plan and the Municipal Code (Fullerton 2001).

The Fullerton Plan

The Fullerton Built Environment (specifically, Chapter 7: Noise) functions as the General Plan Noise Element and provides a basis to control and abate environmental noise and to protect citizens from excessive exposure (City of Fullerton 2012a). The corresponding tables and exhibits include the noise compatibility guidelines from the State General Plan Guidelines, shown in Table 4-18. These guidelines are used to evaluate the proposed project’s compatibility with the ambient noise level.

TABLE 4-18
LAND USE COMPATIBILITY FOR COMMUNITY NOISE ENVIRONMENTS

Land Use Category	CNEL (dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low-Density, Single-Family, Duplex, Mobile Homes	50–60	55–70	70–75	75–85
Residential – Multiple Family	50–65	60–70	70–75	70–85
Transient Lodging – Motel, Hotels	50–65	60–70	70–80	80–85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50–70	60–70	70–80	80–85
Auditoriums, Concert Halls, Amphitheaters	NA	50–70	N/A	65–85
Sports Arenas, Outdoor Spectator Sports	NA	50–75	N/A	70–85
Playgrounds, Neighborhood Parks	50–70	NA	67.5–77.5	72.5–85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50–70	NA	70–80	80–85
Office Buildings, Business Commercial, and Professional	50–70	67.5–77.5	75–85	N/A
Industrial, Manufacturing	50–75	70–80	75–85	N/A
CNEL: community noise equivalent level; dBA: A-weighted decibels; N/A: not applicable. Normally Acceptable: Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements. Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features have been included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning, will normally suffice. Normally Unacceptable: New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise-insulation features must be included in the design. Clearly Unacceptable: New construction or development should generally not be undertaken. Source: City of Fullerton 2001.				

City of Fullerton Municipal Code

Chapter 15.90 of the City of Fullerton Municipal Code, Noise Standards and Regulation, is the City's Noise Ordinance (City of Fullerton 2016b). The following sections from the Noise Ordinance are applicable to the proposed project:

Section 15.90.030(A) defines the interior and exterior noise level limits for residential land uses; this is shown in Table 4-19, City of Fullerton Noise Ordinance Standards for Residential Land Uses. The City does not have specific noise level limits for commercial or industrial zones.

TABLE 4-19
CITY OF FULLERTON NOISE ORDINANCE STANDARDS
FOR RESIDENTIAL LAND USES

Time Period	Noise Level (dBA) at Property Line*	
	Exterior	Interior
7:00 AM–10:00 PM	55	55
10:00 PM–7:00 AM	50	45
dBA: A-weighted decibels. * Applicable to all property within the Residential Noise Zone. A Residential Noise Zone includes all properties with a residential zone classification. Source: City of Fullerton 2001 (Chapter 15.90).		

Section 15.90.030(B) further defines the applicability of the noise level limits for a sensitive use. Section 15.90.030(B) defines a sensitive use as a private or public school, hospital, residential care facility for the elderly, or religious institution. According to Section 15.90.030(B), it is unlawful for any person within the incorporated area of the City to create any noise that causes the noise level at any sensitive use to exceed the noise limits specified for the Residential Noise Zone; notwithstanding, the sensitive use may be located outside of the Residential Noise Zone.

Section 15.90.030(C) identifies how the sound level limits identified in Section 15.90.030(A) (see Table 4 above) will be enforced. Section 15.90.030(C) states the following:

It shall be unlawful for any person at any location within the incorporated area of the city to create any noise which can be classified as being continuous, reoccurring, predictable, or whose operation of noise-generating capability can be stopped or started at a specified time, or allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, which causes the noise level, when measured on the property, either incorporated or unincorporated, to exceed:

1. The noise standard for a cumulative period of more than 30 minutes in any hour;
2. The noise standard plus 5 dBA for a cumulative period of more than 15 minutes but less than 30 minutes in any hour;
3. The noise standard plus 10 dBA for a cumulative period of more than 5 minutes but less than 15 minutes in any hour;
4. The noise standard plus 15 dBA for a cumulative period of more than 1 minute but less than 5 minutes in any hour; and
5. The noise standard plus 20 dBA for a cumulative period of less than 1 minute in an hour.

Section 15.90.030(D) states that “in the event the ambient noise level exceeds any of the five noise limit categories listed in Subsection C, the cumulative period applicable to the category shall be increased to reflect the ambient noise level”.

Section 15.90.040(A)7 exempts noise from vehicular traffic on public streets from the noise level standards specified in Chapter 15.90.

Construction Noise

Section 15.90.050, Activities with Special Provisions, is the relevant ordinance controlling construction noise. Subsection A states the following:

The following activities shall be exempt from the noise level standards specified by this chapter provided they take place between the hours of 7:00 a.m. and 8:00 p.m. on any day except Sunday or a City-recognized holiday.

1. Noise sources associated with construction, repair, remodeling, or grading of any real property; . . .
3. Noise sources associated with the maintenance of real property, including normal maintenance and repair by city and utility crews.

Subsection B states that “Installation of air conditioning, refrigeration and pool equipment shall be certified to be within the provisions of this chapter for night and day operation noise levels”.

Chapter 15.90 does not set specific noise level limits on construction-related activity.

Impact Analysis

Would the Project:

- 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?***

The analysis in this section is divided into the following categories: Off-site Noise Generated by Project Traffic, Noise Generated by On-Site Project Sources and Project Construction Noise.

Off-Site Noise Generated by Project Traffic

No Impact. Project-related off-site noise sources (i.e., roadway traffic noise) have the potential to increase noise levels on local roadways proximate to the Project site. The City of Fullerton determines whether traffic related noise impacts would occur based on whether project-related off-site noise sources (i.e., roadway traffic noise) cause the ambient noise levels measured at the property line of affected noise-sensitive uses to increase by 3 dBA in CNEL to or within the “normally unacceptable” category.

Operation of the proposed Project would not increase traffic as compared to existing uses. As shown in Table 4-20, the existing uses generate 2,257 vehicle trips per day whereas the proposed Project is estimated to generate a total of 2,035 vehicle trips per day. The net difference between vehicle trips generated between existing and Project uses is an increase of -222 trips per day. These vehicle trips would be distributed along local roadways proximate to the Project site.

**TABLE 4-20
EXISTING AND PROJECT TRIP GENERATION**

	Daily Trip Generation
Existing Uses	2,257
Project Uses	2,035
Net Difference	-222
Source: Psomas 2021.	

Table 4-21 shows the increase in street segment traffic volumes associated with the Project. Because the Project would result in an approximate 10 percent reduction in average daily vehicle trips, the Project would not increase noise levels along local roadways. The reduction in 222 average daily trips when distributed along local roadways would result in a reduction in noise level of less than 1 decibel which is not discernable to human hearing even under laboratory conditions. Because the Project would not result in an increase in traffic noise levels, it would result in less than significant noise impacts related to traffic noise.

**TABLE 4-21
CHANGE IN TRAFFIC NOISE WITH PROJECT**

Street Segment	Future No Project Traffic Volume	Future With Project Traffic Volume	Change in Noise Levels (dBA CNEL)
Harbor Blvd., North of Orangethorpe Ave.	48,010	48,000	0.0
Harbor Blvd., South of Orangethorpe Ave.	48,010	48,000	0.0
Lemon St., North of Liberty Ave.	29,540	29,510	0.0
Lemon St., Liberty Ave. to Orangethorpe Ave.	32,310	32,250	0.0
Lemon St., South of Orangethorpe Ave.	36,230	36,170	0.0
Orangethorpe Ave., West of Harbor Blvd.	32,710	32,690	0.0
Orangethorpe Ave., Harbor Blvd. to Pomona Ave.	32,320	32,270	0.0
Orangethorpe Ave., Pomona Ave. to Lemon St.	32,930	32,900	0.0
Orangethorpe Ave., East of Lemon St.	34,370	34,350	0.0
Source: Psomas using the FHWA RD 77-108 Highway Traffic Noise Model, 2021.			

On-Site Project Noise Sources

Less than Significant Impact. Operational noise sources associated with the proposed Project would include, but are not limited to, mechanical equipment (e.g., HVAC units and pool pumps); landscape maintenance equipment; vehicles on the local internal roadway; the use of the pool area, podium courtyard and rooftop terrace areas. The City of Fullerton's Noise Ordinance is designed to control unnecessary, excessive, and annoying sounds from sources on private property by specifying noise levels that cannot be exceeded. Fullerton Municipal Code Section 15.90.030 – Noise Standards. HVAC units and other stationary equipment would be installed to comply with the City of Fullerton's Noise Ordinance. The applicable Noise Ordinance requirement is that the noise shall not exceed 5 dBA above ambient conditions at the property lines. Compliance with the City's Noise Ordinance would minimize these impacts to less than significant levels.

The Project also has outdoor uses such as three courtyards and a pool deck. Noise generated by these uses typically include people talking, pool use, and amplified music. Any noise generated within the courtyard would be substantially attenuated by the proposed Project structures and the distance between the outdoor activities and the nearest property line and intervening buildings. All these uses would be subject to the noise limits established in Section 15.90.030 of the Fullerton Municipal Code. Compliance with this noise limit would result in less than significant noise impacts from these noise sources.

Noise from landscape maintenance, vehicles, and residential activities would be similar to noise currently occurring in existing residential neighborhoods and commercial uses. Compliance with the City's requirements would result in noise levels that are acceptable to the City. As such, noise impacts from stationary sources would be less than significant and no mitigation is required.

Project Construction Noise

Less than Significant Impact. The development of the proposed Project would entail construction activities which include noise generated from demolition, grading/excavation, and building construction activities. The assumptions are listed below:

- Demolition of the existing structures and pavement is anticipated to take one month and involve approximately 250 truckloads of demolition debris.
- Excavation activities would occur for four months and involve the export of 500 truckloads of soil.
- Building construction would take approximately a year and a half and would involve material delivery truck trips.

Local commercial uses and more distant residential uses would be subject to elevated noise levels due to the operation of Project-related construction equipment. Construction activities are carried out in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise levels surrounding the construction site as work progresses. Construction noise levels reported in the U.S. Environmental Protection Agency's (USEPA's) *Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances* were used to estimate future construction noise levels for the Project (USEPA 1971). Typically, the estimated construction noise levels are governed primarily by equipment that produces the highest noise levels. Construction noise levels for each generalized construction phase (ground-clearing/demolition, excavation, foundation construction, building construction, paving, and site cleanup) are based on a typical construction equipment mix for a residential use project and do not include use of atypical, very loud, and vibration-intensive equipment (e.g., pile drivers).

The degree to which noise-sensitive receptors are affected by construction activities depends heavily on their proximity. Estimated noise levels attributable to the development of the proposed Project are shown in Table 4-22, and calculations are included in Appendix J, Noise Calculations.

TABLE 4-22
CONSTRUCTION NOISE LEVELS AT NOISE-SENSITIVE USES

Construction Phase	Noise Levels (Leq dBA)							
	Residential Use to the North of the Project Site		Commercial Use North and South of the Project Site		Commercial Use East of the Project Site		Residential Use to the West of the Project Site	
	Max (760 ft)	Avg (950 ft)	Max (25 ft)	Avg (200 ft)	Max (118 ft)	Avg (390 ft)	Max (865 ft)	Avg (1238 ft)
Ground Clearing/Demolition	59	57	89	71	76	65	58	55
Excavation	64	62	94	76	81	70	63	60
Foundation Construction	57	55	87	69	74	63	56	53
Building Construction	57	55	87	69	74	63	56	53
Paving and Site Cleanup	64	62	94	76	81	70	63	60
Leq dBA: Average noise energy level; Max: maximum; avg: average; ft: feet								
Note: Noise levels from construction activities do not take into account attenuation provided by intervening structures.								
Source: USEPA 1971.								

Table 7 shows both the maximum and average noise levels for construction equipment. Maximum noise levels represent the noise levels from construction equipment occurring nearest to the noise sensitive use/receptor. Average noise levels represent the noise exposure to sensitive uses based on the distance to the center of the Project site. Noise levels from general Project-related construction activities would range from 56 to 94 dBA L_{eq} for the maximum noise levels and 53 to 76 dBA L_{eq} for the average noise levels. At sensitive receptors (residences), the maximum noise level would be 64 dBA L_{eq} . Noise level reductions from existing intervening buildings was not included. Noise levels from construction equipment would occur within the allowable hours (7 a.m. to 8 p.m. except Sunday and holidays) for construction activities per Fullerton Municipal Code Section 15.90.050 – Activities with special provisions.

Truck trips are needed for delivery of construction equipment and materials as well as the export of the excavated soils. Noise generated from truck trips would be add to the ambient noise level generated by vehicle traffic. However, noise increases associated with Project truck traffic would be less than the 3-dBA noticeable increase threshold due to the small magnitude of traffic resulting from hauling of grading materials relative to background traffic. It is anticipated that excavation of the site would result in up to 20 truck trips per day. The addition of 20 truck trips per day to roadway volumes of 30,000-40,000 daily trips would not result in a substantial increase in noise levels. In general, a doubling of traffic would be necessary to increase noise levels by 3 dBA. As such, this noise impact would be less than significant because it would result in increases in noise levels below the 3-dBA noise threshold.

Noise from construction activities on site would be clearly audible above the existing ambient noise environment near the Project site but would occur during the least noise-sensitive portions of the day as per Fullerton Municipal Code Section 15.90.050 – Activities with special provisions. Construction noise at sensitive receptors may not be audible because of the distance, intervening buildings, and local traffic. Noise levels from construction equipment would also not involve pile drivers or other equipment that exceed the noise level limits established by the City under Fullerton Municipal Code Section 15.90.050. Because the Project would be limited to the least noise-sensitive hours of the day per Fullerton Municipal Code Section 15.90.050, noise

associated with Project-related construction would not result in significant impacts and no mitigation is required.

Off-Site Noise on Project

As indicated under Existing Conditions, the existing noise environmental in the Project area is primarily influenced by traffic noise on nearby roadways. The roadways contributing the most noise to the Project site are East Orangethorpe Avenue and South Lemon Street. Noise measurement were taken at the southern property boundary, along East Orangethorpe Avenue and eastern boundary, along South Lemon Street. Hourly noise level at the South Lemon Street location is higher, ranging from 65 to 76 dBA Leq, and the 24-hour weighted noise level is 78 dBA CNEL.

As demonstrated in the *CBIA v. BAAQMD* ruling, the impact of existing environmental conditions on a project is no longer under the purview of CEQA evaluation. The direct effects of exterior noise from nearby noise and vibration sources relative to land use compatibility of a future project are not evaluated under CEQA; however, noise from existing sources is taken into account as part of the baseline. Therefore, a standard condition (COA NOI-1) is included that requires preparation of an Acoustical Study prior to issuance of building permits. The study will identify acoustic controls to limit interior noise in habitable rooms to 45 dBA CNEL/Ldn or less.

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

Less than Significant Impact. The proposed Project would not generate or expose persons or structures to excessive groundborne vibration from the construction. There are no applicable City standards for vibration-induced annoyance or building damage from vibration. The California Department of Transportation (Caltrans) vibration damage potential guideline thresholds are shown in Table 4-23.

**TABLE 4-23
VIBRATION DAMAGE THRESHOLD CRITERIA**

Building Class	Continuous Source PPV (in/sec)	Single-Event Source PPV (in/sec)
Class I: buildings in steel or reinforced concrete, such as factories, retaining walls, bridges, steel towers, open channels, underground chambers and tunnels with and without concrete alignment	0.5	1.2
Class II: buildings with foundation walls and floors in concrete, walls in concrete or masonry, stone masonry retaining walls, underground chambers and tunnels with masonry alignments, conduits in loose material	0.3	0.7
Class III: buildings as mentioned above but with wooden ceilings and walls in masonry	0.2	0.5
Class IV: construction very sensitive to vibrations; objects of historic interest	0.12	0.3
Source: Caltrans 2013b.		

The building damage threshold for “Class II Buildings” of 0.3 peak particle velocity (ppv) inch per second (in/sec) is selected for retail buildings and Class III buildings are selected residential buildings for this analysis. These thresholds represent the vibration limits for damage to adjacent buildings to the Project site from continuous sources of vibration.

The Caltrans vibration annoyance potential guideline thresholds are shown in Table 4-24. Based on the guidance in Table 4-24, the “strongly perceptible” vibration level of 0.9 ppv in/sec is considered as a threshold for a potentially significant vibration impact for human annoyance.

TABLE 4-24
VIBRATION ANNOYANCE CRITERIA

Average Human Response	ppv (in/sec)
Severe	2.0
Strongly perceptible	0.9
Distinctly perceptible	0.24
Barely perceptible	0.035
ppv: peak particle velocity; in/sec: inch(es) per second Source: Caltrans 2013b.	

Pile driving and blasting are generally the sources of the most severe vibration during construction. Neither pile driving nor blasting would be used during Project construction. Conventional construction equipment would be used for demolition and grading activities. Table 4-25 summarizes typical vibration levels measured during construction activities for various vibration-inducing pieces of equipment.

TABLE 4-25
VIBRATION LEVELS FOR CONSTRUCTION EQUIPMENT

Equipment		ppv at 25 ft (in/sec)
Pile driver (impact)	upper range	1.518
	typical	0.644
Pile driver (sonic)	upper range	0.734
	typical	0.170
Vibratory roller		0.210
Large bulldozer		0.089
Caisson drilling		0.089
Loaded trucks		0.076
Jackhammer		0.035
Small bulldozer		0.003
ppv: peak particle velocity; ft: feet; in/sec: inches per second. Source: Caltrans 2013b; FTA 2006.		

Demolition, grading, and construction would occur up to the property lines and, as noted above, some land uses identified in Table 4-26 below are relatively close to the property lines. Table 4-26, Vibration Annoyance Criteria at Sensitive Uses, shows the vibration levels from construction-generated vibration activities proposed at the Project site.

TABLE 4-26
VIBRATION ANNOYANCE LEVELS AT SENSITIVE USES

Equipment	Vibration Levels (ppv)			
	North - Theater	East - Commercial Building	South - Commercial Building	West - Commercial Building
	(ppv @ 90 ft)	(ppv @ 150 ft)	(ppv @ 60 ft)	(ppv @ 40 ft)
Large bulldozer	0.01	0.01	0.02	0.04
Small bulldozer	0.00	0.00	0.00	0.00
Jackhammer	0.01	0.00	0.01	0.02
Loaded trucks	0.01	0.01	0.02	0.04
Criteria	0.9	0.9	0.9	0.9
Exceeds Criteria?	No	No	No	No
ppv: peak particle velocity; Max: maximum; avg: average; ft: feet Source: FTA 2006 (Calculations can be found in Appendix J).				

As shown in Table 4-26, ppv would not exceed the criteria threshold when construction activities occur under maximum (i.e., closest to the receptor) exposure conditions. These vibration levels represent conditions when construction activities occur closest to receptor locations. Construction-related vibration would be substantially less under average conditions when construction activities are located further away. Because vibration levels would be below the vibration annoyance significance thresholds, vibration generated by the Project's construction equipment would not be expected to generate strongly perceptible levels of vibration at the nearest uses and would result in less than significant vibration impacts related to vibration annoyance. Table 4-27, Building Damage Levels at Sensitive Uses, shows the peak particle velocity levels (ppv) relative to building damage to sensitive uses from vibration activities. As shown in Table 4-27, all ppv levels would be below the building damage threshold at adjacent off-site structures. Vibration levels would be below the building damage significance thresholds, vibration generated by the Project's construction equipment would not be expected to generate levels of vibration that would cause cosmetic damage at the nearest buildings and would result in less than significant vibration impacts related to vibration induced building damage.

TABLE 4-27
BUILDING DAMAGE LEVELS AT NEARBY USES

Equipment	Vibration Levels (ppv) ^{1,2}			
	North - Theater	East - Commercial Building	South - Commercial Building	West - Commercial Building
	(ppv @ 90 ft)	(ppv @ 150 ft)	(ppv @ 60 ft)	(ppv @ 40 ft)
Large bulldozer	0.01	0.01	0.02	0.04
Small bulldozer	0.00	0.00	0.00	0.00
Jackhammer	0.01	0.00	0.01	0.02
Loaded trucks	0.01	0.01	0.02	0.04
Criteria	0.3	0.3	0.3	0.3
Exceeds Criteria?	No	No	No	No
ppv: peak particle velocity; Max: maximum; avg: average; ft: feet Source: FTA 2006 (Calculations can be found in Appendix J).				

- 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 Project site is located approximately 3 miles east of the Fullerton Municipal Airport. The Fullerton Municipal Airport is the closest airport to the Project site and there are no other airports located within 5 miles of the Project site. The Project site is located well outside the existing and projected 65-dBA CNEL noise contour of the Fullerton Municipal Airport. The Project site is not located within the vicinity of a private airstrip. Aircraft overflights do not significantly contribute to the noise environment at the Project site, and the Project would not expose future Project residents to excessive noise levels. There would be no impact related to aircraft noise exposure at the Project site, and no mitigation is required.

Standard Conditions of Approval

COA NOI-1 Per Section 1206 Sound Transmission of the California Building Code, interior noise levels attributable to exterior sources shall not exceed 45 dBA Community Noise Equivalent Level/day-night average sound level (CNEL/ L_{dn}) in any habitable room. Prior to issuance of building permits, an Acoustical Study shall be prepared to demonstrate that necessary acoustical controls are incorporated into the design of the Project to limit interior noise in habitable rooms to 45 dBA CNEL/ L_{dn} or less.

Mitigation Measures

Project implementation would not result in significant impacts related to noise; therefore, no mitigation measures are required.

4.14 POPULATION AND HOUSING

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

Impact Analysis

Would the Project:

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

Less than Significant Impact. The proposed Project involves the construction of 329 dwelling units that would replace the existing commercial/retail uses on the site. Using Department of Finance (DOF) for the City's 2021 average household size of 2.89 persons per household (DOF 2021), the Project would directly generate 951 residents. This would increase the City's 2021 resident population of 139,431 persons by approximately 0.68 percent to 140,382 residents. Additionally, the City's 2021 housing stock of 49,784 (DOF 2021) would increase by 0.66 percent to 50,113 units.

Jobs that would be created during construction would be short-term and would be typically filled by existing residents of the region. Therefore, the Project would not induce housing demand near the construction site due to the temporary nature of construction jobs. The proposed Project is anticipated to create both long-term residents and operation jobs for the residential building and proposed retail uses. As with the temporary construction workers, long-term operation employees are anticipated to be filled by existing residents of the region. The temporary construction crew, long-term residents, and operation employees of the Project would not create a significant change in demand for goods and services that may induce business investment, growth, or development in the area. These increases would be within anticipated growth for the City as projected by SCAG at 158,300 residents, 52,900 households, and 85,400 jobs by 2045 (SCAG 2020a, 2020b).

Additionally, the proposed Project functions as an infill redevelopment project; surrounded by existing development; and is served by existing roads and utility infrastructure. No extension of roads or infrastructure is proposed by the Project such that would encourage development levels beyond what is already planned elsewhere in the City or indirectly induce growth. Therefore, the Project would not result in substantial unplanned population growth, directly or indirectly. The impacts would be less than significant, and no mitigation is required.

The significant physical impacts on the environment associated with the direct growth have been evaluated in this IS/ND.

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

No Impact. The Project site is currently developed with two single-story multi-tenant commercial/retail buildings, associated surface parking, and two restaurants. There are no existing housing and associated residents on the site that would be displaced by the development of the in-fill, mixed-use Project. The proposed Project would develop 329 dwelling units and help meet the City's housing goals under SCAG's Regional Housing Needs Assessment (RHNA), as identified in the 2013-2021 Housing Element of The Fullerton Plan (City of Fullerton 2015). Demolition of the commercial/retail structures would not lead to the loss of existing housing. Thus, no impact related to displacement of housing and associated residents would occur, and no replacement housing is required. Therefore, no significant impacts would occur, and no mitigation is required.

Standard Conditions of Approval

None required.

Mitigation Measures

Project implementation would not result in significant impacts related to population and housing; therefore, no mitigation measures are required.

4.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of 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:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Analysis

Would the Project:

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:

i) Fire protection?

Less than Significant Impact. As identified in Section 5.12, Fire Protection, of The Fullerton Plan PEIR, fire protection services for the Project site would be provided by the City of Fullerton Fire Department (FFD). The nearest fire station is Station No. 1, located approximately 0.7 mile north of the Project site at 312 East Commonwealth Avenue. The FFD is part of a mutual aid agreement with all Orange County fire agencies. If a Fullerton engine is busy on a call and a second call comes in, dispatch automatically finds the closest available engine. In many cases, it is closer to have an engine respond from a bordering jurisdiction (City of Fullerton 2012b).

The proposed Project would result in a resident population of 951 persons, which is a nominal increase in the total number of City residents (estimated at 139,431 in 2021) served by FFD (DOF 2021). The proposed Project would replace existing commercial uses, which currently generate a demand for fire protection services. The proposed Project would create the typical range of service calls to the FFD for medical aid, fire response, emergency rescue, traffic collisions, and hazardous material incidents. As identified in The Fullerton Plan PEIR, The Fullerton Plan includes policies and actions to ensure adequate resources are available to respond to health, fire, and police emergencies (Policy 13.2) and that the FFD is actively involved in the review of

development projects to ensure the development would comply with fire management policies (Action 24.2). The Fullerton Plan PEIR further identifies that any increase in demand for fire protection services would occur gradually as additional development and associated population growth is added to the City. The City and the FFD regularly monitor FFD resources to ensure that adequate facilities, staffing, and equipment are available to serve existing and future development and population increases. The Project would pay the standard taxes that would go toward the City's General Fund, which is FFD's main source of funding. Therefore, development of residential units with ground-floor retail would provide revenue from property tax and sales tax to add to the General Fund, which could be used by the FPD for improvements, maintenance, and addition of fire stations and resources as fire service demands increase.

Further, Title 13 of the Fullerton Municipal Code contains the City's fire prevention regulations, with Chapter 13.20 of the Code adopting by reference the 2019 California Fire Code. The Project would be required to comply with all applicable codes, ordinances, and regulations (including the City of Fullerton Municipal Code and the CBC) regarding fire prevention and suppression measures, fire hydrants and sprinkler systems, emergency access, premises identification requirements, emergency responder radio coverage requirements, defensible space requirements, and other similar requirements (COA PS-1). The proposed buildings would be equipped with automatic fire sprinkler systems for fire protection. Compliance with COA PS-1 would be confirmed by the FFD during its review of development plans; would prevent the creation of fire hazards at the Project site; and would facilitate evacuation and emergency response in the event of a fire. The FFD has reviewed and conditionally approved the project site plans to ensure fire prevention and suppression measures, fire hydrants and sprinkler systems, emergency access, and other similar requirements are met. This would minimize Project demand for fire protection services.

Therefore, no physical impacts associated with the provision of fire protection services would occur. There would be less than significant impacts related to fire protection services, and no mitigation is required.

ii) Police protection?

Less than Significant Impact. As identified in Section 5.13, Police Protection, of The Fullerton Plan PEIR, police protection services for the Project site are provided by the Fullerton Police Department (FPD). The FPD is charged with enforcing federal, State, and local laws and with protecting lives and property. The FPD operates from one station located at 237 West Commonwealth Avenue, approximately 1.2 miles northwest of the Project site. The FPD has approximately 125 sworn officers and 55 civilian employees (FPD 2021). The City participates in a mutual aid program among all Orange County law enforcement agencies at various levels. The mutual aid agreement provides back-up assistance to member departments as needed.

Funding for staff, facilities, and equipment for police services come primarily from the City's General Funds. Development of residential units with ground-floor retail would provide revenue from property tax and sales tax to add to the General Funds, which could be used by the FPD. The proposed Project would generate new employment opportunities at its retail uses; however, the new jobs that would be created by the Project would not induce substantial population growth because most of the new jobs would likely be filled by residents of the City and surrounding area. The Project would generate a demand for police protection services once the proposed dwelling units and retail uses are occupied. However, the incremental demand of the Project for police

protection services is not anticipated to increase FPD response times to the Project site or surrounding area. The FPD has reviewed and conditionally approved the project site plans to ensure that adequate emergency access is provided in addition to other CPTED security measures such as controlled access, security cameras and lighting. The City and FPD regularly monitor resources to ensure that adequate facilities, staffing, and equipment are available to serve existing and future developments and population increases. The Project would not require the construction of new or alteration of existing police protection facilities to maintain an adequate level of service to the Project area, and no physical impacts would result. There would be a less than significant impact, and no mitigation is required.

iii) Schools?

Less Than Significant Impact. The Project site is within the service areas of both the Fullerton School District (FSD), for elementary and junior high school, and Fullerton Joint Union High School District (FJUHSD), for high school. The proposed Project involves the development of 329 dwelling units that would be occupied by 951 residents with potential school-aged children requiring school services from the FSD and FJUHSD.

Appropriate developer impact fees, as required by State law, shall be assessed and paid by the Project to the school districts. State law establishes three levels of developer fees that may be imposed upon new development by a school district's governing board. These fee levels depend upon meeting certain conditions within a district, such as multi-track year-round schedule, local bond measure, issued debt or incurred obligations, and the use of relocatable classrooms. The fee payment process for schools in the City is administered through FJUHSD. FJUHSD charges \$4.08 a square foot for residential construction and \$0.66 a square foot for commercial construction (FJUHSD 2021).

According to student generation rates for multi-family residential land uses from The Fullerton Plan PEIR¹, the Project may generate 165 elementary and middle school students, and 60 high school students, for a total of 224 students (City of Fullerton 2012b). The Project would pay school development fees to the FJUHSD for the improvement of school facilities that would be needed to serve the Project's demand for school services and facilities, per COA PS-2. As provided under Section 17620 of the *California Education Code* and Section 65970 of the *California Government Code*, the payment of statutory school development fees would fully mitigate a Project's impacts on schools. Thus, impacts would be less than significant, and no mitigation is required

vi) Parks?

Less than Significant Impact. According to the City's General Plan EIR, there are approximately 640.41 acres of public parkland (Fullerton 2012a). The City's standard is to provide 4 acres of parkland per 1,000 residents (Fullerton 2012a). Therefore, based on the current population of 139,431 residents (DOF 2021), the current parkland demand for the city is approximately 558 acres, and the city has an excess of 82.41 acres of parkland. Conservatively assuming that all 951 residents are new to the City, the proposed project would generate the need for an additional 3.8 acres of parkland in the City., However, the Project would provide open space and amenities for

¹ Based on student generation factors in The Fullerton Plan PEIR, which is 0.3 to 0.5 student per dwelling unit for elementary/middle school, and 0.182 student per multi-family dwelling unit for high school (City of Fullerton 2012b).

its residents. Additionally, the Project Applicant would be required to pay a park fee as set forth in section Chapter 21.12, Fee for Parks on the Construction of Dwelling Units, of the City's Municipal Code (COA PS-2). Given the nominal increase in population and payment of park fees, the potential impact would be less than significant, and no mitigation is required. Please refer to Section 4.16, Recreation, below for a detailed discussion of parks.

vi) Other public facilities?

Less than Significant Impact. The Fullerton Public Library (FPL) provides library services to the City through the Main Library (located at 353 West Commonwealth Avenue) (FPL 2021). The Main Branch is located approximately 1.3 miles northwest of the Project site. The Project would generate a demand for library services that would be served by the FPL and other nearby libraries. Due to the limited number of residents from the Project (951 residents), compared to the City's total 2021 population estimates of 139,431 persons (DOF 2021), the increase in library service demand is expected to be proportionately 0.5 percent of existing demand and would not result in the need for construction of new or expanded facilities. Additionally, while the proposed Project may increase the use of library facilities, the Fullerton Public Library provides a wide range of electronic and digitized resources that do not require physical library space. Therefore, impacts would be less than significant, and no mitigation is required.

Standard Conditions of Approval

Mitigation measure PS-2 from The Fullerton Plan PEIR is applicable to the proposed Project and incorporated herein as a standard condition.

- COA PS-1** All development in the City shall comply with the Fullerton Fire Prevention Ordinance (Chapter 13 of the City's Municipal Code), which addresses fire prevention and includes the City's Fire Code. All development shall also comply with the City's Building Code (Chapter 14 of the City's Municipal Code), which adopts the California Building Code and other codes related to building construction, in order to prevent the creation of fire hazards in the City.
- COA PS-2** The Project Applicant shall pay the applicable park fee, in accordance with Chapter 21.12, Fee for Parks on the Construction of Dwelling Units, of the Fullerton Municipal Code, for the purpose of providing park and recreational facilities to serve future residents of the Project development. Prior to the issuance of building permits, the Project Applicant shall submit evidence to the City of Fullerton that legally required school impact mitigation fees have been paid per the mitigation established by the applicable school district. **(Mitigation Measure SCH-1 from The Fullerton Plan PEIR)**

Mitigation Measures

Project implementation would not result in significant impacts related to public services; therefore, no mitigation measures are required.

4.16 RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Analysis

Would the Project:

a) 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. The City of Fullerton's Parks and Recreation Department provides a wide range of programs to the community pertaining to leisure and cultural services; special event production; and development and operation of various facilities and parklands. The City contains a range of park types that include over 50 parks, 19 hiking/walking trails, and recreational facilities (such as the Fullerton Community Center and Janet Evans Swim Complex) that provide a range of community amenities including playgrounds, picnic areas, sports facilities, bikeways, and recreational trails (City of Fullerton 2021b).

The proposed 329 multi-family residential units would result in a population of approximately 951 residents, which would generate a demand for parks and recreational facilities. The Project proposes three outdoor courtyards including a pool, indoor and outdoor gathering spaces, and private open spaces totaling approximately 80,400 sf of open space. These on-site open space areas are expected to meet some of the demand for recreation facilities generated by residents of the Project. Project residents would also use nearby City parks and other public and regional parks. Lemon Park is the nearest City park to the Project, located 0.15 mile north of the Project site and is likely to be used by residents of the Project. The park has an activity building, playground with spray pool; picnic facilities (22 picnic tables, picnic pavilion, and barbecues); athletic fields (basketball, softball, soccer) with 100-seat bleacher, and restrooms; and on-site parking. Table 4-28, City of Fullerton Public Parks within One-mile of the Project Site, lists additional City park facilities within one mile of the Project boundary that could be utilized by the residents. This table includes the name, location, distance from the Project site, park acreage, and amenities of the public parks (City of Fullerton 2021b, 2021c).

**TABLE 4-28
CITY OF FULLERTON PUBLIC PARKS WITHIN ONE MILE OF THE PROJECT**

Name	Location	Distance from Site Boundary (mile)	Size (acres)	Amenities
Public Neighborhood Parks				
Lemon Park	701 S. Lemon St.	0.15	5.09	Playground, spray pool, basketball, softball, soccer, bleacher seating, picnic tables, picnic pavilion, barbeques, activity building, restrooms, parking.
Richman Park	711 S. Highland Ave.	0.42	2.21	Richman Community Center, Playgrounds, baseball/softball, soccer, picnic tables, covered picnic areas, barbeques, activity building, restrooms, parking.
Truslow Park	401 E. Truslow Ave.	0.47	.013	Playgrounds, picnic tables, barbeques.
Woodcrest Park	440 W. Orangethorpe Ave.	0.52	5.28	Playgrounds, softball, bleacher seating, picnic tables, barbeques, restrooms, parking.
Amerige Park	300 W. Commonwealth Ave.	0.67	7.89	Fullerton Community Center, baseball, soccer bleacher seating, parking, restrooms, parking.
Plaza Park	144 E. Wilshire Ave.	0.75	0.60	Open grass, granite paths, shaded seating, playgrounds, picnic table, doggy bag dispensers.
Downtown Plaza	125 E. Wilshire Ave.	0.78	1.15	Museum Center, shaded seating, interactive fountain, bandstand, restroom, parking.
Ford Park	435 W. Wilshire Ave.	0.98	3.16	Baseball, soccer, picnic tables, covered picnic areas, barbeques, parking.
Source: City of Fullerton 2021b, 2021c.				

Due to the small number of residents that would be introduced by the Project, the increase in the use of existing public park facilities by the Project would not be at a level that would result in physical deterioration of existing parks and other recreational facilities, nor would it require the need for new or physically altered facilities. Additionally, as stated in COA PS-2, the Project Applicant would be responsible for paying park dwelling fees for the acquisition, development, and improvement of public parks and recreational facilities in the City. Therefore, impacts would be less than significant, and no mitigation is required.

b) 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. As described above, the Project would include three outdoor courtyards including a pool as well as indoor and outdoor active and passive gathering spaces that would be available for use by residents. These areas would be on the Project site and the physical impacts resulting from the construction of these facilities have been addressed through the impact analysis presented in this IS/ND document. Additionally, the Project Applicant would pay the park dwelling fees to provide funds for parks facilities to serve Project residents (see COA PS-2, above).

Since the recreation needs of the residents would be partially met on site, the City has an excess of parkland, as described above, and through payment of the necessary park fees, the proposed Project would not result in a substantial increased demand for recreational facilities, requiring the construction of new parks that would adversely affect the environment. There are also adequate regional parks and recreational facilities that would serve the Project. Therefore, impacts would be less than significant, and no mitigation is required.

Standard Conditions of Approval

COA PS-2, from Section 4.15, Public Services, is applicable to this topic.

Mitigation Measures

Project implementation would not result in significant impacts related to recreation; therefore, no mitigation measures are required.

4.17 TRANSPORTATION

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

Introduction

A Transportation Assessment was prepared by Psomas for the Project in August 2021. The findings of the Transportation Assessment are incorporated in the following analyses, and the report is included as Appendix K to this IS/ND.

Existing Setting

The existing conditions analysis is included to establish a baseline of traffic operations in the study area. It is assumed for the purposes of this assessment that the Project will be completed and available for full occupancy in 2023. The key roadways within the transportation assessment study area include the following:

Harbor Boulevard is a four-lane divided roadway north of East Orangethorpe Avenue and a six-lane divided roadway south of East Orangethorpe Avenue. From Hill Avenue (just north of South Harbor Boulevard) to the south, the roadway is classified as a major arterial highway by The Fullerton Plan. North of Hill Avenue, The Fullerton Plan classifies the roadway as a primary arterial highway. Within the Project vicinity, South Harbor Boulevard has meandering sidewalks with landscaping, bus stops, and a 40-mph posted speed limit; however, on-street parking is not allowed and there are no bike lanes.

"Pomona Avenue," previously abandoned at this location, functions as main drive isle and driveway serving both the Fullerton Town Center north of East Orangethorpe Avenue and the Orangefair Marketplace south of East Orangethorpe Avenue. The driveway is signalized at East Orangethorpe Avenue, providing primary all-way egress and ingress to both shopping centers from East Orangethorpe Avenue for vehicles, cyclists, and pedestrians.

Lemon Street is a five-lane roadway (two through lanes in each direction and a two-way left turn lane) within the study area. North of East Orangethorpe Avenue, the roadway is classified as a primary arterial highway, and south of East Orangethorpe Avenue, the roadway is classified as a major arterial highway by The Fullerton Plan. Within the Project vicinity, South Lemon Street

has meandering sidewalks with landscaping, bus stops, and a 40-mile-per-hour (mph) posted speed limit; however, on-street parking is not allowed and there are no bike lanes.

Orangethorpe Avenue is a multi-lane divided roadway in the study area. West of South Harbor Boulevard, the roadway includes three through lanes in each direction and a two-way left turn lane. Three through lanes continue east through the remainder of the study area. In the westbound direction, there are three through lanes between South Harbor Boulevard and Pomona Avenue and two through lanes between Pomona Avenue to east of South Lemon Street. There are no bike lanes or on-street parking in the study area. East Orangethorpe Avenue is classified as a major arterial highway by The Fullerton Plan and the posted speed limit is 40 mph in the study area.

Liberty Avenue Street is a two-lane undivided roadway located directly across from an existing driveway for the Fullerton Town Center within the City of Anaheim. The roadway is a loop, providing access to several industrial properties and reconnecting with South Lemon Street approximately 560 feet north as Freedom Avenue. Liberty Avenue has a 25-mph prima facie speed limit, no striped lanes, and does not have traditional curb, gutters, and sidewalks.

Traffic Volumes

Traffic volume data was collected at each of the study intersections in March 2021. However, due to the ongoing Covid-19 pandemic, the traffic volumes were adjusted to better approximate what 2021 conditions would be like without the influence of the pandemic. Traffic data was available from 2019 for the intersections of South Harbor Boulevard/ East Orangethorpe Avenue and South Lemon Street/ East Orangethorpe Avenue. A comparison of the 2019 and 2021 data showed that volumes in the AM peak hour in 2021 were between 57 and 63 percent of 2019 volumes, and 2021 volumes in the PM peak hour were between 82 and 93 percent of 2019 volumes. The 2021 volumes were adjusted based on the calculated ratios, which varied both by peak hour and location.

The adjusted volumes were reviewed and approved by the City Traffic Engineer before proceeding with the analysis. The “pandemic adjusted” 2021 traffic volumes used in the LOS Assessment are presented in Figure 4 of Appendix K of this IS/ND. The 2019 traffic data along with the traffic data gathered in March 2021 can be found in Appendix K.

The five study intersections listed below were identified by the City Traffic Engineer for analysis in this assessment. Three of the study intersections are signalized and two intersections are currently unsignalized. However, the Project includes the signalization of the Liberty Avenue and South Lemon Street intersection as both a design feature and a public benefit. Figure 3 of Appendix K shows the existing geometry and traffic controls at each of the five study intersections.

1. East Orangethorpe Avenue and South Harbor Boulevard (signalized)
2. East Orangethorpe Avenue and Pomona Avenue (signalized)
3. East Orangethorpe Avenue and South Lemon Street (signalized)
4. Liberty Avenue and South Lemon Street (unsignalized)
5. Project Driveway and South Lemon Street (unsignalized)

Existing Site Trip Generation

Because the Project will be replacing existing retail and commercial buildings with active businesses at the time of the data collection effort, the Project traffic volumes need to be reduced to account for the loss of those businesses. To determine the amount of traffic the existing businesses generate, trip generation rates from the *ITE Trip Generation Manual, 10th Edition* were used to determine the number of AM peak hour, PM peak hour, and daily trips that will be eliminated as a part of the Project. Existing business types and sizes were estimated, and the resulting existing site trip generation is shown in Table 4-29, Existing Site Trip Generation.

**TABLE 4-29
EXISTING SITE TRIP GENERATION**

930-Fast Casual Restaurant						
1,000 SF			6.0			
Period	Trips/Unit	Trips	% In	% Out	Trips In	Trips Out
AM Peak	2.07	12	67	33	8	4
PM Peak	14.13	85	55	45	47	38
Daily	315.17	1,891	50	50	946	946
820-Shopping Center						
1,000 SF			9.7			
Period	Trips/Unit	Trips	% In	% Out	Trips In	Trips Out
AM Peak	0.94	9	64	36	6	3
PM Peak	3.81	37	48	52	18	19
Daily	37.75	366	50	50	183	183
TOTAL						
Period	Trips		Trips In		Trips Out	
AM Peak	22		14		7	
PM Peak	122		64		57	
Daily	2,257		1,129		1,129	
Source: Psomas 2021 (Appendix K).						

Existing Site Trip Distribution

Since the existing site access points will not be changing because of the Project, it is assumed that the trip distribution for the existing business is similar to both the Project and the prevailing trip characteristics of the existing shopping center.

Impact Analysis

Would the Project:

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

Project Traffic Characteristics

Project Traffic Generation

In order to determine the amount of traffic the Project would generate, trip generation rates from the ITE *Trip Generation Manual, 10th Edition* were used to estimate the number of AM peak hour, PM peak hour, and daily trips. To not underestimate the number of trips the new construction would generate, trip reductions or credits were not taken for internal capture or pass-by trips. The resulting Project trip generation is shown in Table 4-30, Project Trip Generation.

**TABLE 4-30
PROJECT TRIP GENERATION**

820-Shopping Center						
1,000 SF			6.5			
Period	Trips/Unit	Trips	% In	% Out	Trips In	Trips Out
AM Peak	0.94	6	64	36	4	2
PM Peak	3.81	25	48	52	12	13
Daily	37.75	245	50	50	123	123
Land Use 221- Multifamily Housing (Mid-rise)						
Units			329			
Period	Trips/Unit	Trips	% In	% Out	Trips In	Trips Out
AM Peak	0.36	118	26	74	31	88
PM Peak	0.44	145	61	39	88	56
Daily	5.44	1,790	50	50	895	895
TOTAL						
Period	Trips		Trips In		Trips Out	
AM Peak	125		35		90	
PM Peak	170		100		69	
Daily	2,035		1,018		1,018	
Source: Psomas 2021 (Appendix K).						

Table 4-31, Net Site Trips, presents a summary of the net site trips for the Project, which were calculated by subtracting the existing site trips from the trips anticipated to be generated by the Project. As outlined in Table 4-31, the Project is expected to result in an increased number of peak hour trips in both the AM peak and the PM peak; however, the Project would result in a reduction in the total daily trips to and from the site. The largest increase in trips is projected to occur during the AM peak hour when the shopping center and most of the commercial part of the Project is closed for business; however, residents would be leaving for work. Specifically, the Project is anticipated to generate 103 additional AM peak hour trips when compared to the existing site. During the PM peak hour when the uses to be replaced are fully open for business,

the Project is anticipated to generate only 48 trips more than the existing site. Because commercial space, on average, generates more daily trips than residential space, the Project is expected to generate 222 fewer daily trips when compared to the existing site. Figure 12 of Appendix K shows the distributed Project net site trips at each of the study intersections.

**TABLE 4-31
NET SITE TRIPS**

Period	Trips	Trips In	Trips Out
AM Peak	103	21	82
PM Peak	48	36	12
Daily	-222	-111	-111
Source: Psomas 2021 (Appendix K).			

Project Traffic Volumes

Anticipated Project traffic volumes at each of the study intersections were determined by taking the Project trip generation values for each time period and applying the trip distribution percentages for each movement at every study intersection. The resulting Project traffic volumes are presented in Figure 11 of Appendix K.

To estimate traffic volumes in a future year, traffic generated by ambient growth of traffic, cumulative projects, and by the Project itself must be considered. Future volumes with the Project were calculated by adding existing traffic volumes, the cumulative growth (including ambient growth of traffic and cumulative projects), and the net site trips distributed over the study intersections. Figure 13 of Appendix K presents the opening year traffic volumes with the Project for each study intersection. Figure 14 of Appendix K presents the General Plan year traffic volumes with the Project for each study intersection.

The Fullerton Plan Consistency

Mobility Element

The Fullerton Plan's Mobility Element aims to link the City's system of roadways, bicycle and pedestrian facilities, bus and rail transit systems, and airports. The following policies of the Mobility Element are applicable to the Project:

P5.6 Quality Highways and Roads—Support projects, programs, policies and regulations to operate and maintain a comprehensive network of arterial highways and local roads supporting safe and efficient movement of people, goods and services to, through and within the City.

P5.7 Complete Streets—Support projects, programs, policies and regulations to maintain a balanced multi-modal transportation network that meets the needs of all users of the streets, roads and highways – including bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation and seniors – for safe and convenient travel in a manner that is suitable to the suburban and urban contexts within the City.

P5.8 Maximization of Person-Trips—Support programs, policies and regulations to plan for and implement an efficient transportation network that maximizes capacity for person-trips, not just vehicle-trips.

P5.9 Coordination with Schools—Support projects, programs, policies and regulations to improve – in coordination with the school districts – alternatives to the motorized transport of students by parents to and from school.

P5.11 Integrated Land Use and Transportation—Support projects, programs, policies and regulations to integrate land use and transportation planning and implementation.

P5.12 Multi-Modal Traffic Analysis—Support programs, policies and regulations to analyze and evaluate urban streets using an integrated approach from the points of view of automobile drivers, transit passengers, bicyclists and pedestrians rather than autocentric thresholds which conflict with other policies of The Fullerton Plan – including better environments for walking and bicycling, safer streets, increased transit use, cost-effective infrastructure investments, reduced greenhouse gas emissions, and the preservation of open space.

P5.13 Development-Oriented Transit—Support projects, programs, policies and regulations to encourage transit improvements that incentivize investment and link neighborhoods, while fitting the scale and traffic patterns of the surrounding area.

P5.14 Fair Share of Improvements—Support policies and regulations which require new development to pay a fair share of needed transportation improvements based on a project's impacts to the multi-modal transportation network.

P5.15 Neighborhood and Focus Area Connections—Support projects, programs, policies and regulations to connect neighborhoods via a multi-modal network to each other and to the City's Focus Areas.

The Project would not conflict with the Mobility Element, because it would provide mixed-use uses within a transit priority area, with nearby bus stops (within a quarter-mile walk), rail service, and other transportation services nearby, as discussed further below. The proposed residential uses would be within walking distance of commercial uses, and the Project would provide retail and bicycle parking, and neighborhood-supporting commercial uses. As such, the Project would not conflict with the City's Mobility Element.

Bicycle Element

The Bicycle Element (Chapter 5 of the Mobility Element) contains a summary of the Bicycle Master Plan policy program. The Bicycle Element seeks to broaden transportation choices for residents, employees, and visitors in the City. The following policies of the Bicycle Element are applicable to the Project:

P6.4 Bicyclist Use on All Streets—Support projects, programs, policies and regulations to recognize that every street in Fullerton is a street that a bicyclist can use.

P6.5 Bicycling Safety and Convenience—Support projects, programs, policies and regulations that make bicycling safer and more convenient for all types of bicyclists.

P6.6 Safe Travel to Key Destinations—Support projects, programs, policies, and regulations to facilitate safe travel by bicycle to key destinations within the community and the larger region.

P6.7 Development Projects—Support projects, programs, policies, and regulations to reduce negative impacts to and increase opportunities for bicycle users and the bicycle network in private and public development projects.

P6.8 Multi-Tiered Bicycle Network—Support projects, programs, policies and regulations to develop a multi-tiered network of bicycle travel options that consider traffic volumes and rider experience; and which recognizes that all streets should be safe for bicycling.

P6.9 Intersection Safety—Support projects, programs, policies, and regulations to support the safe and efficient movement of bicyclists through and across intersections.

P6.10 Bicyclist Education—Support projects and programs in conjunction with local bike shops, organizations and advocates to foster responsible ridership and reduce barriers to bicycling.

P6.11 Neighborhood and Focus Area Connections—Support projects, programs, policies and regulations to connect neighborhoods via a multimodal network to each other, and to and through the City's Focus Areas.

P6.12 Bicycle Parking and Facilities—Support projects, programs, policies, and regulations to provide convenient bicycle parking and other bicycle facilities in existing and potential high demand locations within the City, such as educational institutions, parks, business districts, transit stops, retail, commercial and employment centers.

The Project would be consistent with the Bicycle Element policies because the Project would not remove or interfere with the existing or planned bicycle facilities in the study area. There are no designated bike routes adjacent to the Project site, but, per P6.4 of the Bicycle Element, every street in Fullerton is a street that a bicycle can use. The Project would provide bicycle parking for residential and retail uses. Therefore, the Project would encourage ridership among future residents and retail users of the site. As such, the Project would not conflict with local plans addressing bicycle facilities.

Active Transportation and Public Transit Analysis

Pedestrian facilities include sidewalks, crosswalks, and pedestrian signals. A traffic signal would be installed at the intersection of South Lemon Street and Liberty Avenue, providing signalized access for the Project as well as the existing shopping center. The traffic signal would be equipped with safety lighting, crosswalks, and pedestrian facilities as well as a northbound left turn arrow for vehicular traffic. There are no designated bike paths, lanes, or routes surrounding the Project site.

The Project site is located on the north side of East Orangethorpe Avenue between Harbor Boulevard and Lemon Street, with access to all three roadways. Orange County Transportation Authority (OCTA) operates four bus lines on Project-adjacent roadways, including the following:

- OC Bus Route 30 – Cerritos to Anaheim via Orangethorpe Avenue
 - Stops located on Orangethorpe Avenue at Harbor Boulevard and Lemon Street

- Weekday headways are one hour between approximately 6:20 AM and 9:00 PM
 - Weekend and holiday headways are also one hour between approximately 6:20 AM and 9:00 PM
- OC Bus Route 43 – Fullerton to Costa Mesa via Harbor Boulevard
 - Provides direct access to Fullerton Transportation Center
 - Stops located on Harbor Boulevard at Orangethorpe Avenue
 - Weekday headways are approximately 25 minutes between 3:50 AM and 1:45 AM
 - Weekend and holiday headways are also approximately 25 minutes between 3:50 AM and 1:45 AM
- OC Bus Route 47 – Fullerton to Balboa via Anaheim Boulevard/Fairview Street
 - Provides direct access to Fullerton Transportation Center
 - Stops located on Lemon Street at Orangethorpe Avenue
 - Weekday headways are between 20 and 30 minutes between approximately 3:55 AM and 11:50 PM
 - Weekend and holiday headways are between 25 and 45 minutes between approximately 4:55 AM and 11:00 PM
- OC Bus Route 543 – Fullerton Transportation Center to Santa Ana via Harbor Boulevard
 - Provides direct access to Fullerton Transportation Center
 - Stops located on Harbor Boulevard at Orangethorpe Avenue
 - Weekday headways are approximately 25 minutes between approximately 5:15 AM and 7:25 PM
 - Weekend and holiday headways are approximately 25 minutes between approximately 6:50 AM and 7:10 PM

Other than the OCTA Depot at the Fullerton Transportation Center, the Project area is the most heavily utilized location for transit boarding and includes stops which have been identified on OCTA's list of the 100 busiest bus stops (OCTA 2021). In addition, three bus lines provide direct access to the Fullerton Transportation Center, which is served by six total bus lines, and Metrolink and Amtrak. None of the bus stops or routes would be affected by the Project. The above-mentioned bus stops provide connectivity of future residents of the Project to the rest of the City.

With the Project, the only anticipated changes to the roadway network would be the widening of South Lemon Street south of Liberty Avenue to provide a right turn lane into the Project site and the construction of a traffic signal at South Lemon Street and Liberty Avenue. The existing sidewalk along the west side of South Lemon Street would be reconstructed as needed with the Project. The new traffic signal would provide a new signalized crossing opportunity for pedestrians and cyclists near the north end of the Project and existing shopping center. There would not be any other changes to the roadway network in the area, and therefore, there would not be any impacts to the existing bicycle, pedestrian, or transit infrastructure. The Project would not preclude proposed improvements to the network, such as those detailed in the City of

Fullerton Bicycle Master Plan. Lastly, the Project will include sidewalks throughout as well as wide pedestrian plaza areas. There would be a less than significant impact and no mitigation measures are required.

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

No Impact. The City's Transportation Assessment Policies and Procedures (TAPP) calls for a Vehicle Miles Traveled (VMT) assessment for all projects in accordance with CEQA. The VMT Assessment required for the Project has been conducted and reported separately by the City's Traffic Engineer. The VMT assessment is included within the appendices (Appendix F) of the Traffic Assessment (Appendix K) of this IS/ND.

The City's TAPP sets certain criteria for the evaluation of projects and the conduct of such VMT Assessments. The City relies on the North Orange County Collaborative VMT Traffic Study Screening Tool, which assists in identifying projects that could be for screening from project-generated VMT impacts. Because the Project is located in a Transit Priority Area and is expected to result in a net reduction of daily trips to and from the site as is outlined in the traffic assessment prepared for this Project, it was also determined that it is also likely that the implementation of the Project would result in a net reduction in VMT. Additionally, the City's target VMT per service population threshold is 29.6. Analysis of the Project without a VMT credit results in a 17 percent lower VMT generation rate than The Fullerton Plan Buildout rate of 29.6. As a result, no further VMT study or analysis is required for the City or for the purposes of CEQA. Therefore, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3(b), and there would be no impact.

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

Less Than Significant Impact. Although no publicly funded major roadway improvements are planned in the study area, the Project would include construction of access and traffic flow improvements along South Lemon Street north of East Orangethorpe Avenue. A traffic signal would be installed at the intersection of South Lemon Street and Liberty Avenue, providing signalized access for the Project as well as the existing shopping center. The traffic signal would be equipped with safety lighting, crosswalks, and pedestrian facilities as well as a northbound left turn arrow for vehicular traffic. The signal was assumed to operate with leading protected-permissive left turns for northbound and southbound traffic, and with split phasing for eastbound and westbound traffic. The signal will require coordination with both the City of Fullerton and the City of Anaheim.

In addition to the new traffic signal, South Lemon Street would be widened, and the striping reconfigured to provide new southbound right turn lanes at the South Lemon Street/Liberty Avenue intersection and at the South Lemon Street driveway located between Liberty Avenue and East Orangethorpe Avenue. The restriping of South Lemon Avenue would also include new northbound and southbound left turn lanes at the South Lemon Street/Liberty Avenue intersection. The proposed traffic improvements are presented in conceptual form in Appendix K.

As previously discussed, the existing northbound and southbound left turn movements from South Lemon Street at the Project driveway would be eliminated with the project. The construction of a new traffic signal at the South Lemon Street/Liberty Avenue intersection would include a new striped median which would carry through the Project driveway intersection, precluding left turn movements at that location. There will not be any other changes to allowable movements at any of the Project access locations.

The proposed southbound right turn lane on South Lemon Street has been evaluated in the design phase, including verification of turning paths. Because no other changes are being made to the Project access intersections, there are no anticipated changes to sight visibility or vehicle travel paths. As such, there would be no substantial increase of hazards due to a geometric design feature or incompatible uses. There would be a less than significant impact, and no mitigation is required.

d) Result in inadequate emergency access?

Less than Significant Impact.

Construction

Construction activities for the Project, including staging and laydown areas and worker parking, will occur on site. Per the City's permitted hours for construction, activities will occur for eight hours per day, six days per week. Construction vehicles would access the site pursuant to an approved Traffic Control Plan (SC TRA-1). Demolition activities are expected to generate 500 total truck trips over a 3-month period. Grading and excavation activities would generate 1,000 truck trips over 5 months, and building construction would generate 3,000 truck trips over 18 months. Construction traffic volumes during the peak hours and on a daily basis are expected to be lower than the traffic volumes at buildout of the Project; therefore, because the Project is not expected to have any effects on transportation in the study area, it is assumed that construction activities will also not have any operational effects on transportation.

Lastly, while construction activities of the Project itself would be contained within the site, the construction of improvements on South Lemon Street may require some traffic control and other restrictions. Construction activities associated with the Project could temporarily impact street traffic adjacent to the Project site during the construction phase. This could reduce the number of lanes or temporarily close certain street segments during a typical day-to-day situation. Any such impacts would be limited to the construction period and would affect only adjacent streets or intersections. With implementation of SC HAZ-1, which requires preparation of a Traffic Control Plan, impacts to emergency access would be less than significant. The Traffic Control Plan would be prepared for implementation during the construction phase and would ensure that at least one unobstructed lane shall be maintained in both directions and that temporary traffic signal, signal carriers (i.e., flagpersons), or other appropriate traffic controls be implemented, if needed. The lane closures would be temporary and would not block all travel lanes. Additionally, as required by SC TRA-1, the City Community Development Department would consult with the Fullerton Police Department to disclose temporary closures and alternative travel routes, if required by construction of the Project. Therefore, construction impacts would be less than significant.

Operations

In the long-term, the Project would provide an access driveway off South Lemon Street East Orangethorpe Avenue that would be used for emergency response to the site and for emergency evacuation of the site. Operationally, the Project would not affect emergency response or emergency evacuation of adjacent land uses. Therefore, the Project would have less than significant impacts regarding interference with emergency response or evacuation plans during operation, and no mitigation is required.

Standard Conditions of Approval

SC HAZ-1, from Section 4.9, Hazards and Hazardous Materials, would be applicable to this analysis.

SC TRA-1 The City Community Development Department shall consult with the Fullerton Police Department to disclose temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction of future projects would result in temporary lane or roadway closures. **(Mitigation Measure HAZ-6 of The Fullerton Plan PEIR).**

Mitigation Measures

Project implementation would not result in significant impacts related to transportation; therefore, no mitigation measures are required.

4.18 TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Introduction

This section evaluates the Project's potential to have adverse effects on Tribal Cultural Resources. The analysis in this section is based on the results of the archaeological records searches conducted by Psomas and consultation with California Native American Tribes, conducted by the City of Fullerton for the Project, as required by CEQA per Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18). This information can be found in Appendix L, AB 52 and SB 18 Letters, to this IS/ND.

Additionally, an inquiry was made to the Native American Heritage Commission (NAHC) by Psomas to request a review of the Sacred Lands File (SLF) database regarding the possibility of Native American cultural resources and/or sacred places in the Project vicinity that are not documented on other databases. The NAHC completed its SLF search on March 29, 2021. The NAHC SLF did not identify the presence of Native American traditional sites/places within the Project site or the immediate vicinity of the site.

The City of Fullerton initiated consultation on May 10, 2021, by notifying the City's consultation list of the Street Lights Fullerton Project, located at 229 East Orangethorpe Avenue, as required by AB 52 and SB 18. Since initiating the consultation, the City did not receive responses from the tribes in response to AB 52 and SB 18 consultation letters. AB 52 allows 30 days and SB 18 allows 90 days to request consultation. The said consultation periods for both AB 52 and SB 18 are closed, and no requests for consultation were received. Therefore, after a good faith effort on the part of the City, consultation between California Native American tribes and the City has concluded for the Project.

Impact Analysis

Would the Project:

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)?***

Less than Significant Impact. As discussed in Section 4.5, Cultural Resources, the SCCIC record search and literature review did not identify any previously recorded prehistoric or historic archaeological sites or historic structures within the Project site. Furthermore, the SLF search did not identify the Project site as sensitive for known sacred lands/sites. As such, there are no known tribal cultural resources within the Project site.

Additionally, the Project site is generally underlain by Quaternary-aged young Holocene alluvial soils, and the native sediment has been disturbed. Therefore, the Project is not anticipated to result in significant impacts to tribal cultural resources that are listed or may be 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 mitigation is 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. The Project site does not contain any known resources 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 compliance with State and federal regulations, if human remains are encountered during excavation activities, all work shall halt at the site and or any nearby areas reasonably suspected to overlie adjacent remains, and the County Coroner shall be notified. The Coroner shall determine whether the remains are of forensic interest within two working days of receiving notification. If the Coroner, with the aid of the qualified Archaeologist, determines that the remains are prehistoric and the find is on federal land, the Coroner shall notify the field archaeologist of the appropriate federal agency for the proper treatment and/or disposition of the remains. If the find is on non-federal lands, the Coroner shall contact the NAHC within 24 hours of the determination. The NAHC shall be responsible for designating

the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the California Public Resources Code.

The implementation of COA CUL-1, Section 4.5, Cultural Resources, of this IS/ND would ensure the Project would not have a substantial adverse change in the significance of a tribal cultural resource determined by the lead agency *or a California Native American tribe*, in its discretion and supported by substantial evidence, as defined in Public Resources Code Section 5024.1, as indicated above. Thus, impacts are considered less than significant, and no mitigation is required.

Standard Conditions of Approval

COA TCR-1 If human remains are encountered during any Project-related ground-disturbing activities, Section 7050.5 of the *California Health and Safety Code* states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition of the materials pursuant to Section 5097.98 of the *California Public Resources Code*. The provisions of Section 15064.5 of the California Environmental Quality Act Guidelines shall also be followed. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC will 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 descendent must complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials. These requirements shall be included as notes on the contractor specification and verified by the Community and Economic Development Department, prior to issuance of grading permits. This measure shall be implemented to the satisfaction of the City in consultation with the County Coroner.

COA CUL-1 from Section 4.5, Cultural Resources, of this IS/ND also applies to this topic.

Mitigation Measures

Project implementation would not result in significant impacts related to tribal cultural resources; therefore, no mitigation measures are required.

4.19 UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Introduction

Will serve letters for the Project are summarized below and included in Appendix M, Will Serve Letters, to this IS/ND. A technical memorandum, "Sewer Capacity Assessment for the Street Lights Fullerton Development Project" was prepared by Woodard and Curran in May 2021 for the Project. The report is included as Appendix N, Sewer Capacity Assessment, to this IS/ND and is summarized below.

Impact Analysis

Would the Project:

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

Less than Significant Impact.

Water

Water service for the Project would be provided by the City of Fullerton. The City meets all of its water supply demands with a combination of imported water and local water, and works with two primary agencies, the Metropolitan Water District of Southern California (MWD) and Orange

County Water District (OCWD) to ensure reliable water supply (City of Fullerton 2021d). Implementation of the Project would increase demand for water services at the Project site compared to existing uses. Exhibit 4-8, Conceptual Utility Plan, depicts the layout of the proposed water improvements.

The proposed development is estimated to create a water demand of 60,047 gallons per day (gpd) or 67,313 acre-feet per year (afy) for indoor water use². For outdoor water use, the Project is estimated to create a water demand of 37,833 gpd and 42,410 afy. With the elimination of water demand from the commercial uses, the net water demand is not anticipated to be significantly different, and upgrades to existing water lines would not be anticipated. Water service to the Project would also be provided in compliance with Chapter 12.04, Water Regulations, of the Fullerton Municipal Code, which sets regulations for service connections, water rates, and other water system provisions (see SC UTL-1).

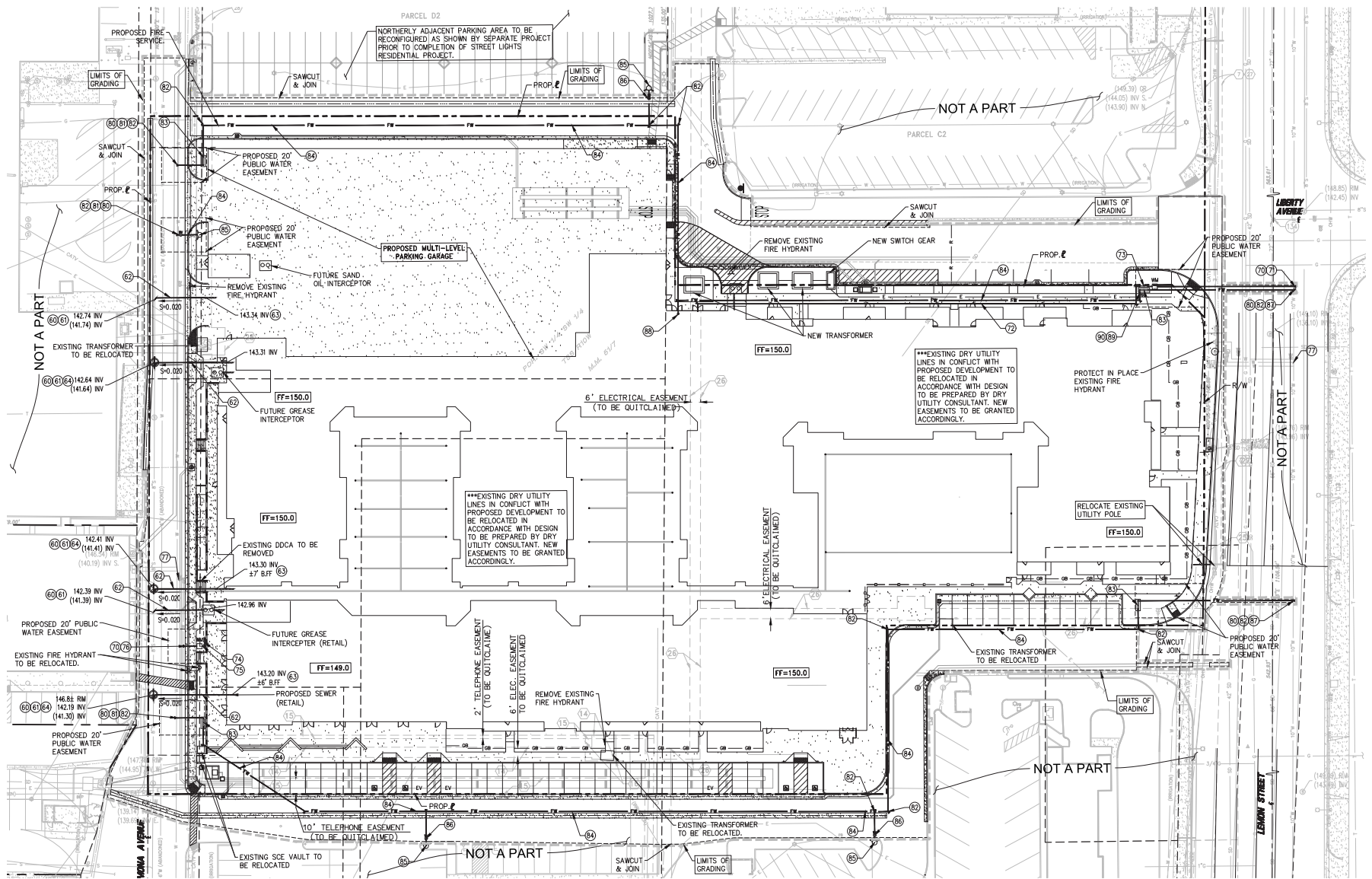
Construction plans would be designed to meet required fire flows and potable water demand. The estimated water demand of the Project is not expected to exceed available supplies or the available capacity within the distribution infrastructure that would serve the Project site. Additionally, development of the Project was accounted for in the Fullerton 2020 Urban Water Management Plan (UWMP) (City of Fullerton 2021d). Based on the analysis above, the Project would not require or result in the relocation or construction of new or expanded water facilities, which would cause significant environmental effects. The Project would comply with COA UTL-1. As such, impacts would be less than significant, and no mitigation required.

Wastewater Treatment/Storm Drainage

The City does not own or operate wastewater treatment facilities but owns and operates the wastewater collection system in its service area that sends all wastewater to Orange County Sanitation District (OCSd) for treatment and disposal. Ultimately, the wastewater is treated at OCSd treatment plants in Fountain Valley (Plant No. 1) and Huntington Beach (Plant No. 2) (City of Fullerton 2021d). Plant No. 1 has a total rated primary capacity of 108 million gallons per day (MGD) and a secondary treatment capacity of 80 MGD. Plant No. 2 has a rated primary capacity of 168 MGD and secondary treatment capacity of 90 MGD. Project uses would generate 73,710 GPD of wastewater (Woodard and Curran 2021). Effluent from the Project would be collected and directed to the OCSd trunk sewer lines. The Project would not require the relocation or new or expanded wastewater or storm facilities to be built. Sewer lines for the Project would be connected to existing City sewer lines. Therefore, there would be a less than significant impact, and no mitigation is required. Exhibit 4-9 depicts the Conceptual Storm Drain Plan.

Under existing conditions within the Project area, the Project site slopes down from east to west with an average elevation difference of 3 feet. In the pre-Project condition, stormwater runoff from the eastside of the Project site is conveyed as sheet flow via concrete gutter in the existing parking lot, to 2 storm drain inlets that drain to the northeast. Runoff is then conveyed to a 42-inch storm drain line located in Lemon Street (Outfall 1) and continues north to Fullerton Creek Channel. All runoff is then conveyed westerly to Coyote Creek prior to discharging to the San Gabriel River and the Pacific Ocean to the south. Similarly, runoff from the west side of the Project site is conveyed as sheet flow via concrete gutters in the parking lot, to two storm drain inlets

² The indoor and outdoor water rate use is derived from CalEEMod default water demand for the Project site, based upon land uses/size. These details can be found in Appendix A to this IS/ND.



Source: Joseph C. Truxaw and Associates, Inc. 2020

Conceptual Utility Plan

Street Lights Fullerton Project

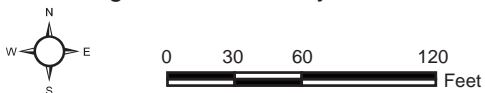


Exhibit 4-8

PSOMAS

Source: Joseph C. Truxaw and Associates, Inc. 2020

Conceptual Storm Drain Plan

Street Lights Fullerton Project



0 30 60 120 Feet

Exhibit 4-9



that drain to the west (Outfall 2). Runoff continues to a 60-inch storm drain line located in Harbor Boulevard and continues north to Fullerton Creek Channel. All runoff is then conveyed westerly to Coyote Creek prior to discharging to the San Gabriel River and the Pacific Ocean to the south.

As part of the Project, drainage from the Project site would discharge to one of three outfalls: Outfall 1, 2, and 3, as discussed further in Section 4.10, Hydrology and Water Quality, such that there would be no more than a 5% increase to the pre-Project condition at any Outfall. The site design ensures that stormwater runoff would not adversely affect the Project site, and the existing drainage system is capable of carrying the proposed Project flows. The Project would include proposed improvements, such as an additional connection to the Lemon Street storm drain system.

The storm water runoff from the Project site would not exceed the capacity of the existing storm drain system, and other than the additional connection to the Lemon Street storm drain system, no other infrastructure improvements would be required beyond the installation of on-site storm drain facilities. The construction of the on-site water quality BMPs and storm drain lines within the Project site has the potential for temporary construction-related impacts. Since utility installations are within the construction impact limits identified for the proposed Project, the potential impacts associated with the construction of storm drain lines have been addressed in the respective sections of this IS/ND. Less than significant impacts would occur, and no mitigation is required.

Electricity

Southern California Edison (SCE) currently provides electricity to the City of Fullerton, including the Project site (SCE 2021). The Project's projected electricity usage is shown in Table 4-9, Energy Use During Operations, in Section 4.6, Energy. Electrical service to the Project site would be provided in accordance with SCE's policies and extension rules on file with the California Public Utilities Commission (CPUC). Therefore, a significant impact related to the need for new systems or supplies or substantial alterations related to electricity would not occur. The Project Applicant would coordinate with SCE to ensure avoidance of any notable service disruptions during the extension of, relocation of, upgrade of, or connection to services. Impacts are considered less than significant, and no mitigation is required.

Natural Gas

The Southern California Gas Company (SCGC) currently provides natural gas service to the City of Fullerton, including the Project site (SCGC 2011). The Project's projected natural gas usage is shown in Table 4-9, in Section 4.6, Energy. The service would be provided in accordance with SCGC's policies and extension rules on file with the CPUC. Therefore, a significant impact related to the need for new systems or supplies or substantial alterations related to natural gas would not occur. Additionally, the Project Applicant would coordinate with SCGC to ensure avoidance of any notable service disruptions during the extension of, relocation of, upgrade of, or connection to services. Impacts are considered less than significant, and no mitigation is required.

Telecommunications

AT&T provides telecommunications service to the area, including the Project site. The service would be provided in accordance with AT&T's policies and extension rules on file with the CPUC. Therefore, a significant impact related to the need for new systems or supplies or substantial alterations related to telecommunications would not occur. Additionally, the Project Applicant would coordinate with AT&T to ensure avoidance of any notable service disruptions during the extension of, relocation of, upgrade of, or connection to services. Impacts are considered less than significant, and no mitigation is not required.

The Project would not require the construction or expansion of water or wastewater infrastructure and treatment facilities, storm water drainage, electric power, natural gas, and telecommunications facilities. Impacts would be less than significant, and no mitigation is required.

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

Less than Significant Impact. As stated in response to Threshold 4.19a above, water service for the Project would be provided by the City of Fullerton. The proposed development is estimated to create a water demand of 97,880 gpd or 109,723 afy.

With the elimination of water demand from the existing commercial uses, the net water demand is not anticipated to be significantly different, and upgrades to existing water lines would not be anticipated. Additionally, development of the Project was accounted for in the Fullerton 2020 Urban Water Management Plan (UWMP) (City of Fullerton 2021d). The increase in water demand generated by the proposed Project would be served by the City with minor impacts on current water supplies and is within the projected growth and increased water demand within City's service area. With compliance with the City's water conservation measures, the proposed Project would not significantly impact the City's domestic water supply. Impacts would be less than significant, and no mitigation is 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. As estimated above, the proposed Project would generate approximately 41,375 GPD of wastewater. As stated above, through OC San, Plant No. 1 has a total rated primary capacity of 108 MGD and a secondary treatment capacity of 80 MGD. Plant No. 2 has a rated primary capacity of 168 MGD and secondary treatment capacity of 90 MGD. The Project's uses would contribute a very minimal amount of wastewater when compared to the wastewater capacity of the City. The Project would not exceed the capacities of the wastewater treatment facilities. As such, impacts would be less than significant, and no mitigation is 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?***
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

Less than Significant Impact. The City of Fullerton contracts with Republic Services to provide trash, recycling, and special pickup services throughout the City. Republic Services provides trash and recycling collection service to residences, as well as all commercial, governmental, and industrial facilities within Fullerton (City of Fullerton 2021e). Waste in the County of Orange is managed by the County and is disposed of at three landfills in the County: Olinda Alpha Landfill, Frank R. Bowerman Landfill, and Prima Deshecha Landfill. Solid waste generated in the City is disposed of one of the three landfills. Operation of the Project would generate solid waste from 329 residential units, and an estimated 951 residents. According to CalRecycle, the City of Fullerton has an average disposal rate of 5.5 pounds per resident per day in 2019 (CalRecycle 2021). Per The Fullerton Plan PEIR, a generation factor of 6.0 pounds/1,000 sf/day can be assumed for non-residential uses. For this Project, that would result in 39 pounds per day of solid waste from non-residential uses at the Project site. As such, the Project's solid waste disposal would equate to 5,231 pounds per day (2.6 tons per day), or 955 tons per year. This would be considered a negligible amount compared to the daily capacity at the Olinda Alpha Landfill (8,000 tons/day), Frank R. Bowerman Landfill (11,500 tons/day), and Prima Deshecha Landfill (capacity until 2102)(OC Waste and Recycling 2021). The City's solid waste disposal activities are required to be in compliance with the California Integrated Waste Management Act of 1989 (Assembly Bill [AB] 939). AB 939 requires jurisdictions to meet the statewide goal to divert 25 percent and 50 percent of solid waste generated by year 1995 and 2000.

The proposed Project involves demolition of the existing structures and paved surfaces on the Project site, which would generate 250 truckloads of demolition debris to be hauled off site. In accordance with Section 4.408 of the CALGreen Code, at least 65 percent of demolition and construction debris would need to be diverted from landfills by recycling, reuse, and/or salvage (COA UTL-2).

On October 6, 2011, the California Governor signed AB 341, establishing a State policy goal that no less than 75 percent of solid waste generated be source reduced, recycled, or composted by 2020. The bill also mandates local jurisdictions to implement commercial recycling by July 1, 2012 for businesses and public entities generating four cubic yards of trash or more and multi-family residential dwellings with five or more units. The proposed residences would have regular waste collection services; be provided with recycling bins to promote residential recycling; and be encouraged to participate in the City's solid waste diversion programs. Additionally, AB 1826 requires implementation of organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwelling that consist of five or more units.

Similarly, hazardous material used during construction and occupancy of the proposed Project, including maintenance activities, would be conducted in compliance with applicable regulations.

Solid waste generation during demolition and construction activities for the proposed Project would be short-term and could be accommodated within the remaining capacities of the above-

mentioned landfills. No conflict with statutes and regulations related to solid waste would occur. Thus, the Project would result in less than significant impact, and no mitigation is required.

Standard Conditions of Approval

- COA UTL-1** As part of the plan check process for building construction, the Project Applicant shall be required to demonstrate to the City Engineer that the water lines that would be provided on site to serve the Project comply with the City's regulations, as contained in Chapter 12.04, Water Regulations, of the Fullerton Municipal Code and the City's Water Rates, Rules, and Regulations, including service charges, water line extensions, water meters, and fire protection.
- COA UTL-2** The Project contractor shall recycle, reuse, and/or salvage at least 65 percent of demolition and construction debris, in accordance with Section 4.408 of the CALGreen Code.

Mitigation Measures

Project implementation would not result in significant impacts related to utilities and service systems; therefore, no mitigation measures are required.

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 With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact Analysis

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. The proposed Project is not within a State responsibility area or designated Very High Fire Hazard Severity Zones (VHFHSZ), as defined by the California Department of Forestry and Fire Prevention (CAL FIRE). The nearest Local Responsibility Area (LRA)-designated VHFHSZ is located 2.75 miles northwest of the Project site (CAL FIRE 2011). Temporary lane closures on adjacent may be required during the short-term construction period. However, Project construction would not involve full closure of any public roadway during construction. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are “located in or near state responsibility areas or lands classified as very high fire hazard severity zones”, no impacts related to these thresholds would occur, and no mitigation is 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. The Project site is in a highly urbanized area of the City, and there are no large, undeveloped areas and/or steep slopes on or near the site that would exacerbate fire risks such that would expose the Project and its occupants to wildfire related hazards. The site and the surrounding areas are not located in designated VHFHSZ, as identified by CAL FIRE. Rather, the site is within a Non-VHFHSZ area. Therefore, the Project is not expected to exacerbate wildfire

risks and create pollutants associated with wildfire or uncontrolled spread of wildfire. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are “located in or near state responsibility areas or lands classified as very high fire hazard severity zones”, no impacts related to these thresholds would occur, and no mitigation is 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. As previously described, the proposed Project is not within a designated VHFHSZ as defined by CAL FIRE. As discussed in Section 3.0, Project Description, the site is located in a highly urbanized area and surrounded by developed land on all sides. All proposed structures would be constructed to meet current building and fire codes. Implementation of the proposed Project and maintenance of associated infrastructure would not exacerbate fire risk such that would result in a significant temporary or ongoing impact. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are “located in or near state responsibility areas or lands classified as very high fire hazard severity zones”, no impacts related to these thresholds would occur, and no mitigation is 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. As previously described, the proposed Project is not within a designated VHFHSZ as defined by CAL FIRE. The Project is in a highly urbanized area that is in a generally flat topographical area away from downslope or landslide areas. Specifically, implementation of the Project would not 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. Additionally, because Checklist Response thresholds 4.20a through 4.20d apply only to those projects that are “located in or near state responsibility areas or lands classified as very high fire hazard severity zones”, no impacts related to these thresholds would occur, and no mitigation is required.

Standard Conditions of Approval

None required.

Mitigation Measures

Project implementation would not result in significant impacts related to wildfire; therefore, no mitigation measures are required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact Analysis:

Would the Project:

a) 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. There are no sensitive biological resources, habitats, or species on the Project site that would be affected by the Project. As indicated in Section 4.4, Biological Resources, of this IS/ND, given the current developed condition and the existing trees and shrubs on the site, migratory birds may nest on the vegetation on-site. However, COA BIO-1 would avoid impacts to active bird nests during construction of the Project. Impacts on migratory birds would be less than significant.

Therefore, the Project would not 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; 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. Impacts would be less than significant.

b) 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. As identified in the preceding analyses, all Project-level impacts have been determined to be less than significant with or without compliance with standard conditions of approval. While the Project would contribute to potential environmental effects related to biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, and tribal cultural resources, these impacts would not be cumulatively considerable, since there would be no mitigation required. As discussed in Section 4.3, Air Quality, and Section 4.8, Greenhouse Gas Emissions, of this IS/ND, the Project's air quality and GHG emissions impacts would be less than significant and its impacts would not be considered cumulatively considerable.

Review of the City's development shows that there are no new development or redevelopment planned adjacent to the site that would occur concurrently with Project construction (City of Fullerton 2021f). Development projects would be subject to environmental review by the City, pursuant to CEQA and the State CEQA Guidelines, to determine if they would lead to cumulative environmental effects as part of the appropriate CEQA analysis for each project. Since the proposed Project would not have significant unavoidable impacts after mitigation, the Project would not result in cumulatively considerable impacts when added to the impacts of other projects planned or proposed in the vicinity of the site. Cumulative impacts would be less than significant, and no mitigation is required.

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact. Based on the environmental analyses above, with compliance with standard conditions of approval, the Project would have less than significant impacts on humans, as it relates to the following environmental issue areas: Aesthetics, Agriculture and Forestry Resources, 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, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. Therefore, the proposed Project would not result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. All impacts would be less than significant.

5.0 LIST OF PREPARERS

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